

The Clear Lake City Council met in regular session on Monday, June 6, 2016, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gordon Lee presiding. Those present were Aldermen Gary Eide, Carey Holt, Tim Hulscher, John Keimig and Ellen Schmahl. Also present were Don Ebbers, Val Lundquist, Todd Boyd, and Ken Rieste.

The Pledge of Allegiance was said.

The agenda for the June meeting was presented for review. Motion by Schmahl, seconded by Hulscher, to approve the agenda as presented. All voted yes. Motion carried.

Motion by Eide, seconded by Keimig, to approve the consent agenda items, which included: (1)Approval of Consent Agenda; (2)Approval of Minutes-Regular Meeting May 19, 2016; (3)Approve Monthly Financial Statement for the Month Ending May 31, 2016; (4)Sales Tax Subsidy \$20,482.98; (5)Approve Temporary One-day permit-Wedding Dance June 18, 2016 (Melvee's), Wedding Dance July 2, 2016 (CL Sports Page); (6)Cancer Walk Committee-block off 5<sup>th</sup> Street between 4<sup>th</sup> Ave & 5<sup>th</sup> Ave July 15, 2016, from 2 p.m.-midnight; (7)SD Retirement System Authorized Agent Training-Tues. June 21<sup>st</sup> in S.Falls (Karen); (8)SDML Budget Training-Thurs. July 14<sup>th</sup> in Sioux Falls (Karen); (9)Building Permits-Approved: Elois Redlin (605 2<sup>nd</sup> Ave S)-12'x25' deck; Trinity Lutheran Church (1013 3<sup>rd</sup> Ave S)-concrete parking lot; Diane Rehrig (607 7<sup>th</sup> Ave S)-10'x10' front deck; Duane & Dorothy Dohman (104 5<sup>th</sup> St W)-54'x24' house. Denied: Melvin Maass (603 6<sup>th</sup> St W)-front deck & steps; (10)New Construction Permit-none; (11)Moving Permit/Demolition Permit/Excavation Permit: Denied Moving Permit: Kerri Kreger (604 Prospect Ave S)-12'x20' unattached garage; Demolition: none; Excavation: none; (12)Delinquent Water Bills; (13) Approval of Warrants. Approval of building, moving and demolition permits all subject to the condition that they are in accordance to the building codes and ordinances of the city. Upon a roll call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Hulscher, to adjourn as the regular council and reconvene as the Board of Adjustment. All voted yes. Motion carried.

#### BOARD OF ADJUSTMENT:

At 6:35 p.m., a public hearing was held to consider the application of Melvin Maass for a variance regarding a request to build a front deck closer to the property line than ordinances allow, on the following property: Lot 1, less the W 10.2' in Block 1 of RF Johnsons First Addition, to the City of Clear Lake, Deuel County, S.D., and located at 603 6<sup>th</sup> Street W. Receipts reflecting notice were received from all adjoining landowners. No one appeared before the council with concerns or objections. Motion by Holt, seconded by Hulscher, to grant the variance as requested, subject to the condition it is in accordance with all other building codes and ordinances of the City. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

At 6:40 p.m., a public hearing was held to consider the application of Kerry Kreger for a variance regarding a request to place a 12'x20' unattached garage in the southwest corner of the property, closer to property line than ordinances allow at the following property: Lots 11 & 12 in Block 1 of McCraney's Addition to the City of Clear Lake, Deuel County, S.D., and located at 604 Prospect Avenue S. Receipts reflecting notice were received from all adjoining landowners. No one appeared before the council with concerns or objections. Motion by Eide, seconded by Schmahl, to grant the variance as requested, subject to the condition it is in accordance with all other building codes and ordinances of the City. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Keimig, seconded by Hulscher, to adjourn as the Board of Adjustment and reconvene as the Regular Council. All voted yes. Motion carried.

At 6:45 p.m., a public hearing was held to consider the application of Rick's Bar, Toronto, SD, for temporary one-day on-sale liquor license for a wedding dance July 9, 2016, at the Clear Lake Community Center, 216 3<sup>rd</sup> Ave South, Clear Lake, SD. Motion by Eide, seconded by Holt, to authorize the City Finance Officer to issue one-day temporary on-sale liquor

permit to Rick's Bar of Toronto, SD, for a wedding dance July 9, 2016, at the Clear Lake Community Center, provided all paperwork is completed, all fees paid, and proof of special events insurance coverage is provided for the event. All voted yes. Motion carried.

At 6:50 p.m., Amber Pettereins, representing the Summer Rec Committee, met with the council to give an update on this year's Summer Rec activities.

At 7:00 p.m., Scott Mohror of Banner Associates met with the council to discuss the sewer relining project and current change requests and pay requests.

Motion by Schmahl, seconded by Hulscher, to approve change order #6 in the amount of \$4,775.00, contingent on funding agency concurrence, in regards to paying 50% of the cost of a camera that emits a signal to locate for cleanout installations on 3<sup>rd</sup> Avenue. A discount was allowed because the camera didn't provide the results they were looking for. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Keimig, to deny change order #7 for a 2-3 month project extension. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Schmahl, to approve contractor's pay request #9 from United Pipe Renewal, Inc., in the sum of \$7,092.91, contingent on funding agency concurrence. This amount is half of the actual amount, because of a leaking lift station liner. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Holt, seconded by Eide, to approve Water & Environmental Fund Reimbursement Request #9 to SD Dept. of Environment & Natural Resources Water & Waste Funding Program as prepared by First District, contingent on funding agency concurrence, for the following project-eligible expenses: Construction & Project Improvement Costs: \$1,553.25, for a Total Reimbursement Amount of \$1,553.45. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Keimig, seconded by Hulscher, to approve the building permit application for Melvin Maass to build a 10'x10' front deck, according to the terms of the variance granted. All voted yes. Motion carried.

Motion by Eide, seconded by Schmahl, to approve the moving permit application for Kerri Kreger, for a 12'x20' unattached garage, according to the terms of the variance granted. All voted yes. Motion carried.

Ordinance No. 536, which amends Chapter 3-2-1 of City Ordinances, regarding domestic animals limited, was presented for its first reading. Discussion followed. Motion by Schmahl, seconded by Hulscher to table this matter until the July council meeting. All voted yes. Motion carried.

Motion by Holt, seconded by Keimig, to allow Marla Johnson to proceed to write the grant applying for 2016 Homeland Security Grant funds on behalf of the City, towards an additional weather warning siren. All voted yes. Motion carried.

Resolution 2016-5, prepared by First District, regarding the SD Department of Transportation Community Access Grant, was presented to the council. Discussion followed. Motion by Holt, seconded by Hulscher, to adopt the following Resolution 2016-5, prepared by First District, to proceed with Community Access Grant Application for funding to assist with upgrading the truck route along 2<sup>nd</sup> Street, 2<sup>nd</sup> Avenue, and 3<sup>rd</sup> Street. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

#### **Resolution 2016-5**

**WHEREAS**, it is the desire of the City of Clear Lake to upgrade the truck route (2nd St, 2nd Avenue S & 3rd St.) to better serve the elevator and area businesses; and

**WHEREAS**, Clear Lake agrees to provide a 40% local match for road construction costs, plus pay all engineering and administrative costs associated with said project; and

**WHEREAS**, Clear Lake will secure the required right-of-way for the construction of the project; and

**WHEREAS**, Clear Lake agrees to maintain the road for its useful life;  
**THEREFORE BE IT RESOLVED**, that the Clear Lake City Council duly approves the submission of a SD Department of Transportation Community Access Grant application requesting 60% of the eligible street construction costs for the project as submitted;

**THEREFORE BE IT FURTHER RESOLVED**, the Mayor be authorized to execute and sign the grant application on behalf of Clear Lake.

Adopted and effective this 6<sup>th</sup> day of June, 2016.

Gordon Lee, Mayor

ATTEST:

Karen Harford, Finance Officer

Motion by Schmah, seconded by Holt, to approve the revised list of list of 2016-17 Summer Rec Board members as follows: Luke Andersen, Katie Hinker, Amber Petteireins, Larisa Harmon, Savannah Redlin and Kelly Dailey. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmah-yes. Motion carried.

Motion by Eide, seconded by Keimig, to approve the following revised list of 2016 Lifeguards and Summer Rec employees, contingent upon successful background checks: Donna Pauli-Pool Manager-\$12.00/hr.; Lifeguards: Stormie Ahlers-Lifeguard-\$10.75/hr.; Jacob Carter-Lifeguard-\$10.50/hr.; Michael Cutshaw-Lifeguard-\$10.50/hr.; Mackenzie Kasten-Lifeguard-\$9.75/hr.; Cassie Stoltenburg-Lifeguard-\$9.75/hr.; Zach Stoltenburg-Lifeguard-\$9.75/hr.; Morgan VandeBrake-Lifeguard-\$9.50/hr.; Nicholas Kasten-Lifeguard-\$9.50/hr.; Alexis Benson Hansen-Lifeguard-\$9.50/hr. Summer Rec.: Kelly Dailey-Summer Rec Coordinator-\$10.00/hr.; Emily Lewis-Concession Coordinator-\$10.00/hr., 8U Softball Assistant-\$8.50/hr.; Kasey Krause-Kid's Cooking Instructor-\$10.00/hr., 8U Softball Coach-\$10.00/hr., T-ball Assistant-\$8.50/hr.; Lynn Simon-Kid's Cooking Assistant-\$8.50/hr.; Jamie Wiesner-Kid's Cooking Assistant-\$8.50/hr.; Larisa Harmon-Art Instructor-\$10.00/hr., 12U Softball Coach-\$10.00/hr.; Courtney Denelsbeck-Art Assistant-\$8.50/hr.; Liz DeBoer-12U Softball Assistant-\$8.50/hr.; Chelsie Kallhoff-Volleyball Instructor-\$10.00/hr.; Natalie Kallhoff-Volleyball Assistant-\$8.50/hr.; Skyler Frederick-Football Skills-\$10.00/hr.; Brexton TeGantvoort-Golf Assistant-\$8.50/hr., Basketball Assistant-\$8.50/hr.; Heath Hinker-T-ball Coach-\$10.00/hr.; Kent Simon-Baseball Majors Coach-\$10.00/hr.; Ethan Benck-Golf Instructor-\$10.00/hr., Flag Football Instructor-\$10.00/hr., Football Skills Assistant-\$8.50/hr., Baseball: Majors Assistant-\$8.50/hr., REC Coach-\$10.00/hr., College Coach-\$10.00/hr., Minors Assistant-\$8.50/hr.; Kellan Benck-Basketball Assistant-\$8.50/hr., Flag Football Assistant-\$8.50/hr., Baseball: Majors Assistant-\$8.50/hr., College Assistant-\$8.50/hr., Minors Assistant-\$8.50/hr.; Luke Anderson-10U Softball Coach-\$10.00/hr.; Roger Schmaltz-10U Softball Assistant-\$8.50/hr.; Jonathan Petteireins-Volunteer Youth Baseball and Basketball Coach; Dean Bruinsma-Volunteer Bowling Instructor. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmah-yes. Motion carried.

Motion by Eide, seconded by Keimig, to approve two additional members, Amanda Doren and David Starner, Jr., to the 2016 Clear Lake Volunteer Fire Department roster, as required by the City's insurer. All voted yes. Motion carried.

Discussion was held regarding purchasing a used pick up from federal surplus for the water department. Motion by Schmah, seconded by Keimig, to approve the purchase of a 2004 Chevrolet Silverado pickup with 42,000 miles in the sum of \$7,100.00 from Federal Surplus, using cash from the water fund. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmah-yes. Motion carried.

Discussion was held on the Ward II council vacancy.

Comments were heard from the City Superintendent, Assistant Finance Officer, Mayor and council members.

Claims Approved:

WARRANTS: Salaries: Council-720.00; Mayor-185.00; Finance Officer-3121.03; General Gov't Building-478.46; Streets-4956.63; Rubble Site-517.17; Airport-560.06; West Nile-370.00; Swimming Pool-718.90; Park & Rec-1887.85; Library-1471.78; Community Center-144.00; Water-3041.23; Sewer-3219.92; Conesco-cancer ins.-81.15; SD Retirement System-2045.64; Health Pool of SD-health ins-4097.74; Delta Dental-dental ins-201.00; DNB-FICA/WH-4867.30;

American Engineering Testing-ww testing-1504.00; Amy Tvedt-web design-25.00; AT&T Mobility-cell phones-71.52; Bjerke Sanitation-garbage-5920.28; Boyd Law Firm-legal fees-450.00; Brian's Glass & Door, Inc.-govt bldg. repairs-210.12; BD Rural Water-water-8116.05; Gale/Cengage Learning-library books-91.16; Charity Kielty-refund cc deposit-200.00; Clear Lake City Library-reimb. supplies & books-403.91; City of Clear Lake-mo dept water use/meter dep refund-1054.29; Clear Lake Building Center-supplies-122.57; Clear Lake Courier-publications & supplies-707.46; Colonial Research-sewer supplies-226.56; Connecting Point-FO supplies-179.00; D&L Digging-water leak 7<sup>th</sup> & 7th-765.00; DC Farmers Union-fuel & supplies-1079.73; Deuel County Motor Supply-supplies-203.10; Deuel County Memorial Hospital-sales tax subsidy-20,482.98; SD DENR-drinking water & discharge fee-650.00; Dept of Revenue-water/ww testing-231.00; Deuel Area Development-per 2015 budget-2<sup>nd</sup> qtr pymt-2500.00; Deuel County Auditor-police contract-5680.34; First National Bank-water SRF pymt-6837.30; First Nt'l Bank-sewer SRF pymt-11,716.19; Fritz Chevrolet-street supplies-21.00; Gates Heating & Air-freon removal-rubble site-3001.33; H-D Electric Coop Inc-electricity-338.37; Hawkins Inc-pool chemical & supplies-2365.53; HD Elec, Inc.-water tower supplies-236.17; Hurkes Implement-street supplies-5.84; ITC-phone-695.12; Larry's Heating & Repair-sw pool boiler-8606.14; The Lifeguard Store-swim suits/clothes-209.75; Maynard's Foods-supplies-41.06; Michelle Blood Schilling-meter deposit refund-150.00; Mrs Gordon Alberts-meter deposit refund-79.70; Northwestern Energy-natural gas-118.98; One Office Solution-copy paper-57.98; Ottertail Power-electricity-3217.78; Postmaster-FO post office box rent-66.00; Raymond VanLiere-mileage-143.64; Ron's Saw Shop-[arts-11.44; SD Federal Property Agency-supplies-252.00; SD State Treasurer-garbage sales tax-364.47; SDML-budget training reg-25.00; Servall Towel & Linen-mats & mops-35.91; Steve Rhody Services-wash windows-38.00; Titan Machinery-blade kit-268.20.

Claims Rejected: None.

There being no further business, Alderman Schmahl made a motion to adjourn at 7:56 p.m., seconded by Keimig. All voted yes. Motion carried.

Val Lundquist  
Assistant Finance Officer

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