

May 9, 2016
Regular Meeting

The Clear Lake City Council met in regular session on Monday, May 9, 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, Jamie Hintz, Carey Holt, Tim Hulscher and Ellen Schmahl. Also present were Todd Boyd, Don Ebbers, Karen Harford, and Ken Reiste.

The Pledge of Allegiance was said.

The agenda for the May meeting was presented for review. Alderman Schmahl made a motion, seconded by Hulscher, to approve the agenda. All voted yes. Motion carried.

Motion by Eide, seconded by Hintz, to approve the consent agenda, which included the following items: Approval of Consent Agenda; Approval of Minutes of Regular Meeting 4/11/16; Approve Monthly Financial Statement for the Month Ending 4/30/16; Sales Tax Subsidy \$23,146.26; 2015 Drinking Water Certificate of Achievement Award; 2015 Annual Drinking Water Report; Delinquent Water Bills; Approval of Warrants. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

At 6:35 p.m., bids for paving 5th Avenue between 1st and 2nd Street were opened. Two bids were received as follows:

1. Bituminous Paving, Inc. \$17,765.00
2. Duininck, Inc. \$23,786.40

Motion by Hintz, seconded by Hulscher, to accept the low bid of \$17,765.00 from Bituminous Paving, Inc. for paving 5th Avenue between 1st and 2nd Street to complete the 5th Avenue water project. Upon a roll-call vote, the following votes were cast: Eide-yes; Hintz-yes; Holt-yes; Hulscher-yes; Schmahl-yes. Motion carried.

A sample letter prepared by Banner Engineering to homeowners for lining private sewer lines was presented to the council. Discussion followed. Motion by Holt, seconded by Schmahl, for the Finance Officer to send letter regarding lateral service lining to homeowners. All voted yes. Motion carried.

Motion by Hintz, seconded by Hulscher, to permanently adjourn the 2015-16 Clear Lake City Council. All voted yes. Motion carried.

Motion by Holt, seconded by Hulscher, to reconvene as the 2016-17 Clear Lake City Council. All voted yes. Motion carried.

John Keimig was sworn in as Alderman Ward II. Gordon Lee was sworn in for a 1-year term as Mayor, Carey Holt was sworn in for 1-year term as Alderman Ward I, both to serve until the next election. Todd Boyd was sworn in as City Attorney, and Karen Harford was sworn in as Finance Officer.

Motion by Keimig, seconded by Eide, to nominate Holt as Council President. Motion by Schmahl, seconded by Eide, that nominations cease and a unanimous vote be cast for Holt as Council President. All voted yes, with Holt abstaining. Motion carried.

Motion by Hulscher, seconded by Keimig, to nominate Eide as Council Vice President. Motion by Schmahl, seconded by Hulscher, that nominations cease and a unanimous vote be cast for Eide as Council Vice President. All voted yes, with Eide abstaining. Motion carried.

Discussion was held on the Ward II Alderman vacancy.

Mayor Lee made the following committee appointments:

FACILITIES & EQUIPMENT: Ellen Schmahl, John Keimig & new Ward II representative

POLICIES: Tim Hulscher, Carey Holt, new Ward II representative, Don Ebbers, Karen Harford (& appropriate inside staff)

FINANCE: Carey Holt, Gary Eide, and new Ward II representative

CITY SERVICES: Ellen Schmahl, John Keimig, Carey Holt, Don Ebbers (& appropriate outside staff)

PLANNING COMMISSION: Val Lundquist-Bldg Inspector, Gary Eide, John Keimig, Tim Hulscher, Ex-Officio: Don Ebbers, Karen Harford

PERSONNEL: Tim Hulscher, Ellen Schmahl, Gary Eide

LIBRARY BOARD: Gary Eide, Council Representative, Carol Olson, Pres., Deanna Anderson, Judy Bartling, Clarice Uckert, Elaine Dohrer

BOARD OF ADJUSTMENT: All City Council Members

CITY ATTORNEY: Todd D. Boyd

CITY FINANCE OFFICER: Karen Harford

CITY SUPERINTENDENT OF PUBLIC WORKS: Don Ebbers

HEALTH OFFICER: Designee of Deuel County Memorial Hospital

HRC BOARD: Stuart Almos, Nancy Barondeau, Ken Reiste, Jeanne Timmons, Lisa Lundberg

SUMMER REC BOARD: Lynn Simon, Luke Anderson, Katie Hinker, DJ Hagberg, Amber Pettereins, Larisa Harmon

Motion by Schmahl, seconded by Holt, to accept the committee appointments as presented. All voted yes. Motion carried.

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

At 6:45 p.m. a public hearing was held to consider the conditional use permit application of Danyal Haas regarding a request to operate an in-home daycare at 315 9th Avenue South, also described as S93.3' of the N97' of Outlot 4 of Outlot 1, in Section 22, Township 115 North, Range 49 West of the 5th P.M., in the City of Clear Lake, Deuel County, SD, except the S3' of the N97' of the E150' of Outlot 4 of Outlot 1, all in Section 22, Township 115 North, Range 49 in the City of Clear Lake, South Dakota. Receipts reflecting notice were received from all adjoining landowners, and no one appeared before the council with concerns or objections. Motion by Holt, seconded by Hulscher, to approve the conditional use permit application and allow applicant to operate an in-home daycare at the location stated above, subject to the condition that it is in accordance with all local 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 Schmahl, seconded by Hulscher, to adjourn as Board of Adjustment and reconvene as the Regular Council. All voted yes. Motion carried.

At 6:50 p.m. Beth Niemeyer of Banner Associates met with the council to discuss Field Order No. 1, line mainline between manhole 1-27 and manhole 1-26 on 3rd Avenue, and to update the council on the sewer project.

At 7:00 p.m., Marlin Bjerke, Craig Evenson, Joan Sacrison and Amber Pettereins met with the council to discuss SD Partners, the new business that will be located in the former DJO/Empi west building, effective May 16, 2016.

Motion by Schmahl, seconded by Hulscher, to declare DNB National Bank and FIT (Funds Investment Trust) as official depositories, and the Clear Lake Courier as the official newspaper for the City of Clear Lake, for a period of 12 months. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Eide, seconded by Keimig, to approve the renewal of the following malt beverage licenses provided they are granted approval from the State. Approval of Dolgen Midwest, LLC, is also contingent upon property taxes being paid to date:

3 Amigos LLC	Retail (on-off sale) Malt Beverage
Cowboy Country Stores #4	
420 3 rd Avenue South	
Clear Lake, SD 57226	

Deuel County Farmers Union Oil	Package (off sale) Malt Beverage
Cenex Convenience Store	
Hwy 15 & Hwy 22 Junction	
Clear Lake, SD 57226	

Pizza & Burger Shack LLC
Billie Gauger & Guy Gauger
406 3rd Avenue South
Clear Lake, SD 57226

Retail (on-off sale) Malt Beverage &
SD Farm Wine

Dolgen Midwest, LLC
d/b/a Dollar General
1207 3rd Avenue South
Clear Lake, SD 57226

Package (off sale) Malt Beverage

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 approve the pool manager and seasonal lifeguards as swimming pool employees, and their wages, contingent upon successful background checks. 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 rescind the previous motion. All voted yes. Motion carried.

Motion by Holt, seconded by Hulscher, to approve the following as pool manager and seasonal lifeguards, and the revised wages, contingent upon successful background checks: Donna Pauli-Pool Manager-\$12.00/hr.; 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. 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 the list of seasonal Summer Rec employees and their wages, as presented by the Summer Rec committee, contingent upon successful background checks: Kelly Dailey-Activity Coordinator-\$10.00/hr.; Alissa Krause-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.; 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., 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 Petteereins-Youth Baseball Volunteer Coach. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

Motion by Eide, seconded by Keimig, to approve the attendance of Finance Officer Karen Harford at the Human Resource/Finance Officers' annual meeting in Spearfish June 7-10, 2016. All voted yes. Motion carried.

The City received a request from the Post Prom committee to close the lake road from the football field to the park entrance during a fun run scheduled for Saturday morning, June 25, 2016. Motion by Hulscher, seconded by Holt, to close Memorial Drive (lake road) from the football field to the park entrance between 8:00 a.m.-11:00 a.m. on Saturday, June 25, 2016, during the Post Prom Fun Run. All voted yes. Motion carried.

The Finance Officer presented a Subscription Agreement from the Health Pool of South Dakota with prices for the employee health plan for the 5 full-time employees, effective July 1, 2016, reflecting a rate increase of 9.03%. Motion by Eide, seconded by Schmahl, to approve Health Insurance Plan B with the Health Pool of South Dakota as presented to the Council. Upon a roll-call vote, the following votes were cast: Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes; Schmahl-yes. Motion carried.

A Proclamation for Nurses Week May 6-12 was presented. Motion by Holt, seconded by Hulscher, to approve Resolution 2016-4, as follows, proclaiming May 6-12 as National Nurses Week. All voted yes. Motion carried.

RESOLUTION 2016-4

Whereas, The nearly 3.1 million nurses in the United States comprise our nation's largest health care profession; and

Whereas, The depth and breadth of the nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and

Whereas, The American Nurses Association, as the voice for the nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care; and

Whereas, A renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources; and

Whereas, Professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

Whereas, The demand for nursing services will be greater than ever because of the aging of the American population, the continuing expansion of life-sustaining technology, and the explosive growth of home health care services; and

Whereas, That more qualified nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community; and

Whereas, The cost-effective, safe and quality health care services provided by nurses will be an ever more important component of the U.S. health care delivery system in the future; and

Whereas, Along with the American Nurses Association, the South Dakota Nurses Association, has declared the week of May 6-12 as NATIONAL NURSES WEEK with the theme ***“Culture of safety. It starts with YOU”***.

In celebration of the ways in which nurses strive to provide safe and high quality patient care and map out the way to improve our health care system; now therefore,

BE IT RESOLVED, That I, Gordon Lee, Mayor of the City of Clear Lake, ask that all residents of this state/community join me in honoring the nurses who care for all of us; and

BE IT RESOLVED, That the residents of Clear Lake celebrate nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's nurses not just during this week, but at every opportunity throughout the year.

Dated this 9th day of May, 2016.

CITY OF CLEAR LAKE

Gordon Lee, Mayor

ATTEST:

Karen Harford, Finance Officer

Motion by Schmahl, seconded by Eide, to approve the following building permits as recommended by the City Building Official, subject to the condition that they are in accordance with all building codes and ordinances of the city: Building Permits: Approved: Lewis Drug (temporary sign on existing store); LaVonne Rhyne (chain link fence). Denied: none. All voted yes. Motion carried.

Comments were heard from the City Superintendent. Don Ebbers. Mike Ahlers and Stanley (Verle) Whipple have accepted employment as seasonal mowers for the City at a rate of \$12.25 per hour.

City Attorney Todd Boyd reviewed the activities his office has had in the last month.

Comments were heard from the City Finance Officer, Mayor and Council.

WARRANTS: Salaries: Council-720.00; Mayor-230.00; City Finance Office-3121.03; General Gov't Building-1256.54; Streets-4447.12; Snow-163.30; Rubble Site-786.40; Swimming Pool-707.93;

Park & Rec-925.93; Library-1498.44; Community Center-126.00; Water-2246.19; Sewer-2498.34; Conesco-cancer ins.-81.15; SD Retirement System-retirement-1972.90; Health Pool of SD-health ins-4097.74; Delta Dental-dental ins-201.00; DNB-FICA/WH-4329.01; Amy Tvedt-web design-25.00; AT&T Mobility-cell phones-71.46; Bjerke Sanitation-garbage-5832.15; Boyd Law Firm-legal fees-300.00; BDRWS-water-7460.40; Gale/Cengage Learning-library books-137.34; Clear Lake City Library-reimb books & supplies-146.82; City of Clear Lake-mo dept wtr use/meter dep ref-642.05; Clear Lake Building Center-street supplies-55.50; Clear Lake Courier-council publications-148.76; Colonial Research-street supplies-305.48; D&L Digging-dig rubble site/8th St repair-2766.75; DK Diesel Injection Svc-street supplies-71.78; Darlene Langerock-meter deposit refund-150.00; Deuel County Community Foundation-refund cc deposit-200.00; Deuel County Farmers Union Oil-fuel & supplies-1024.21; Deuel County Motor Supply-supplies-142.60; Deuel County Memorial Hospital-sales tax subsidy-23,146.26; DCN Insurance-ambulance ins-2688.50; Department of Revenue-water/ww testing-621.00; Deuel County Auditor-police contract-5680.34; Family Circle-library renew subscr-19.98; Florence Richie-meter dep refund-50.00; Garrett Hamann-meter dep refund-24.04; H-D Electric Coop Inc-electricity-163.17; Hillyard/Sioux Falls-janitor supplies-58.89; ITC-phone-624.12; Joan Meyer-meter dep refund-96.50; Karen Harford-reimb cc supplies-27.00; Mantek-water/sewer supplies-139.77; Maynard's Foods-supplies-21.38; Milbank Winwater Works-curb box-317.32; Northwestern Energy-natural gas-305.84; Office Peeps-supplies-58.77; Ottertail Power-electricity-3673.15; Pitney Bowes Reserve Acct-postage-750.00; Ramkota Hotel Pierre-street travel-98.99; Roelofsen Implement-mower blades-111.12; Ron's Saw Shop-cover-21.60; Sanitation Products-sweeper supplies-202.71; SD Govt Finance Officers Assn-FO school reg-75.00; SD Govt Human Resource Assn-HR school reg-50.00; South Dakota One Call-locates-6.72; SD State Treasurer-garbage sales tax-358.96; Servall-mats & mops-35.91; Sodak Gardens-funeral flowers-36.00; Steve Rhody Services-wash windows-38.00.

There being no further business, Alderman Holt made a motion to adjourn at 8:35 p.m., seconded by Eide. All voted yes. Motion carried.

Karen Harford
Finance Officer

Published once at an approximate cost of \$_____.