

The Clear Lake City Council met in regular session on Monday, November 7, 2016, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gordon Lee presiding. Those present were Aldermen Kelli Bauman, Gary Eide, Carey Holt, Tim Hulscher, and John Keimig. Also present were Ellen Schmahl, Don Ebbers, Val Lundquist, Todd Boyd and Ken Reiste.

The Pledge of Allegiance was said.

The agenda for the November 7th meeting was presented for review. Motion by Eide, seconded by Hulscher, to approve the agenda. All voted yes. Motion carried.

Motion by Keimig, seconded by Eide, to approve the consent agenda, which included the following items: Approval of Consent Agenda; Approval of Minutes – Regular Meeting October 10, 2016 & Special Meeting October 26, 2016; Approve Monthly Financial Statement for the Months Ending September 30, 2016 & October 31, 2016; Sales Tax Subsidy \$9,135.72; Approve Temporary One-Day Permit – Christmas Party – December 3rd (Sports Page); SDML 2017 Annual Report Workshop – Thursday, January 12, 2017 – Ellen (Fort Pierre); SDRS Authorized Agent Training – December 13, 2016 – Ellen (Brookings); SDRW Annual Technical Conference – Tuesday; January 10, 2017 – Don (Pierre); Building Permits - Approved: Deuel County Farmers Union (204 SD Hwy 22 W) – New Front Entrance, Thomas Pauli (608 2nd Ave S) – 4’ X 18’ 6” Unattached Garage Addition, SD Partners (205 Hwy 22 E) – 180’ Underground Drain Pipe, Denied: None; New Construction Hook-Up Permit: None; Moving Permit/Demolition Permit/Excavation Permit - Approved Demolition Permit: Thomas Pauli (608 2nd Ave S) – Unattached Garage, Denied Moving Permit: Caar Properties (310-324 Railroad Ave S) - 1997 Mobile Home; Delinquent Water Bills; Approval Of Warrants. Approval of all permits being subject to the condition that they are in accordance with all building codes and ordinances of the City. Approval of temporary one-day permit subject to all paperwork being completed, all fees paid, and proof of special events insurance coverage being provided. Upon a roll call vote, the following votes were cast: Bauman-yes, Eide-yes, Holt-yes, Hulscher-yes, Keimig-yes. Motion carried.

At 6:35 p.m. Rhonda Baxter (303 9th St W) met with the council asking if there is something that can be done to prevent sump pump water from pooling in front of her residence. Rhonda also brought up the visibility concern from trees and weeds on the north side of 9th St W by the creek.

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 application of Carr Properties for a variance regarding moving in a mobile home older than 10 years on the following property: Shady Maples Mobile Home Park, located at Parcel 1, Lots 3, 4, 5, & 6 in Railroad Addition & Parcel 2 Lot 23 in Block 13 of the Original Plat to the City of Clear Lake, Deuel County, SD, located at 310-324 Railroad Ave. Rudy Curtler, representing Caar Properties was available via telephone. Receipts reflecting notice were received from all adjoining homeowners except one. Alvin Hamann was present at the meeting. No one appeared before the council with objections.

Motion by Holt, seconded by Bauman, to approve the variance as requested for this one mobile home. All voted yes. Motion carried.

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

The City of Clear Lake did not receive any monies from the 2016 Homeland Security Grant Application that was submitted for the 2nd warning siren.

The Deuel County Pre-Disaster Mitigation Plan Draft was reviewed and there were no requested changes.

Beth Niemeyer with Banner Associates met with the council to request approval of the final payment, pay request #13 for United Pipe Renewal. The final payment is less liquidated damages of \$166,828.00 per contract. Per the letter from Untied Pipe Renewal's attorney, United Pipe Renewal agrees to sign the final payment, but they dispute the validity of the liquidated damages.

Motion by Keimig, seconded by Hulscher, to approve pay request #13, which is the final payment, in the sum of \$346,779.65, contingent on funding agency concurrence and all signed lien waivers having been received by Banner. Upon roll call vote, the following votes were cast: Bauman=yes, Eide=yes, Holt=yes, Hulscher=yes, Keimig=yes. Motion carried.

Motion by Holt, seconded by Eide to allow Mini Main Street to use the Municipal Room on December 3, 2016, at no charge. All voted yes. Motion carried.

A Christmas movie will be shown after Mini Main Street on December 3, 2016, at 12:30 p.m. sponsored by the City Council.

SDOEM & FEMA Deuel County Flood Risk Awareness Discovery Meeting will be held on Tuesday, November 15, 2016, from 2:00 p.m. – 4:00 p.m. at the Fire Hall in Clear Lake. Don will attend the meeting.

Ramona Drake expressed interest in the current council vacancy in Ward III. She will be installed at the December council meeting.

Clear Lake Bucks for the City staff was discussed and tabled for the December meeting.

Motion by Eide, seconded by Hulscher, to approve the Appointment of Authorized Agent from Val Lundquist to Ellen Schmahl. All voted yes. Motion carried.

Liquor license applications and operating agreements for the year 2017 were presented for the following establishments:

Clear Lake Golf Club Association 603 Hwy 22 W. Clear Lake, South Dakota	Retail (on-sale liquor) Sunday (on-sale)
Melvey's 107 3 rd Ave. S. Clear Lake, South Dakota	Retail (on-sale liquor) Package (off-sale liquor) Sunday (on-sale)
Paul's Place 320 3 rd Ave S. Clear Lake, South Dakota	Retail (on-sale liquor) Package (off-sale liquor) Sunday (on-sale)

CL Sports Page, Inc.
916 3rd Ave S.
Clear Lake, South Dakota

Retail (on-sale liquor)
Package (off-sale liquor)
Sunday (on-sale)

Motion by Keimig, seconded by Holt, to approve the 2017 liquor license and operating agreements for the Clear Lake Golf Club Association, Melvee's, Paul's Place, and CL Sports Page, Inc., subject to all State and local requirements being met, and all required documents and payments being submitted to the City Finance Office prior to January 1, 2017. Upon a roll-call vote, the following votes were cast: Bauman-yes, Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes. Motion carried.

Discussion was held regarding the current charges at the Restricted Use Site. Recommendations will be discussed at the December meeting.

Motion by Holt, seconded by Eide, to approve Water & Environmental Fund Reimbursement Request #13 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: Project Inspection Fees: \$6,394.51 and Construction & Project Improvement Costs: \$75,944.74, for a Total Reimbursement Amount of \$82,339.25. Upon a roll-call vote, the following votes were cast: Bauman-yes, Eide-yes; Holt-yes; Hulscher-yes; Keimig-yes. Motion carried.

Motion by Eide, seconded by Holt, to enter into Executive Session per SDCL 1-25-2(3), contractual matters, at 7:21 p.m. All voted yes. Motion carried. The Mayor declared the council out of Executive Session at 8:10 p.m. No action was taken.

Comments were heard from the City Superintendent. Hydro-Klean lost their post videoing so they are re-doing it at no cost to the City.

Comments were heard from the City Finance Officer. Hospital board meeting Wednesday, November 9th at 5:00 p.m. – Alderman Keimig to attend. The City of Clear Lake has three package liquor licenses and they are all used so there is not one available for the person who inquired. Pheasants Forever will be putting down wood shavings in the NE corner of the nature area by Ulven Park if the City agrees. The Council agreed with the request.

Comments were heard from the City Attorney, Mayor and Council.

CLAIMS APPROVED: Salaries: Council-1,125.00, Mayor-275.00, Finance Officer-1,897.35, General Gov't Bldg-514.73, Streets-4,552.39, Snow-496.66, Rubble Site-618.75, Airport-117.83, West Nile-280.00, Park & Rec-381.72, Library-1,610.50, Community Center-294.00, Water-3,474.79, Sewer-3,060.14, Conseco-cancer ins.-81.15, SD Retirement System-1,826.54, Health Pool of SD-4,466.74, Delta Dental of SD-201.00, DNB-FICA/WH-4,241.70, A&B Business Solutions-488.96-Replace Copier Hard Drive, American Engineering Testing-1,504.00-chemistry testing, Amy Tvedt-25.00-web design, Argus Leader-51.00-subscription, AT&T Mobility-71.48-Cell Phones, Bjerke Sanitation-5,919.63-garbage, Boyd Law Firm, Prof. L.L.C.-3,570.00-Legal Fees, Brookings-Deuel RWS-8,295.00-water, Gale/Cengage Learning-44.08-books, City Of Clear Lake-434.21-Water Utilities, Clear Lake Building Center-98.63-street/water supplies, Clear Lake Courier-365.48-Publications & Supplies, Connecting Point-373.40-computer backups, D & L Digging-3,315.00-Water Repairs, Deuel County Community Foundation-200.00-CC dep refund, Deuel County Farmers Union Oil-937.96-street/park

supplies, Deuel Co Motor Supply-144.59-street/park supplies, DCN Insurance Agency-50.00-Surety Bond, Department Of Revenue-527.00-Water Testing, Deuel County Auditor-5,680.34-Police Contract, Division Of Criminal Investigation-43.25-FO Fingerprint & BG Check, Duininck, Inc.-4,750.11-Street Hot Mix, Fritz Chevy-Olds-19.50-Street Supplies, H-D Electric Coop, Inc-264.09-Electricity & Sewer Repair, HD Supply Waterworks-203.70-Water Supplies, Home Oasis LLC-358.75-Pool Supplies, Hospital & Home Auxiliary-200.00-CC Deposit Refund, ITC Telecom-512.11-Phone, Delores Kangas-1,257.06-Pay & Mileaget, Kari Van De Veire-200.00-CC Deposit Refund, Kris Moyer-100.00-WM Deposit Refund, Lorraine Paver-200.00-CC Deposit Refund, Maynard's Food-18.60-Street/Park/Sewer, Mayo Clinic Health Letter-31.52-Subscription, Menards-45.32-Sewer Supplies, Milbank Winwater Works-1,522.30-Water Rep & Maint, NASASP-39.00-Annual Dues, Northwestern Energy-93.14-Gas, Office Peeps-38.76-Office Supplies, One Office Solution-84.99-Office Supplies, Ottetail Power Co-2,661.67-Electricity, Raymond Van Liere-258.12-West Nile Mileage, RFD Newspapers, Inc-72.00-FO Advertising, South Dakota One Call-70.56-Message & Fax Fees, SD State Treasurer-394.75-Garbage Sales Tax, SD Historical Society Press-60.00-Library Books, SD Public Assurance Alliance-65.00-Conference-Don Ebbers, Servall Towel & Linen Supply-35.91-Rugs & Mops, Sheehan Mack Sales-682.60-Street Supplies, Sodak Gardens-125.00-Memorials, Steve Rhody Services-38.00-Window Washing, Steve Law-200.00-CC Deposit Refund, Supreme Welding Inc-145.00-Snow Repair.

CLAIMS REJECTED: none.

There being no further business, Alderman Eide made a motion to adjourn at 8:24 p.m., seconded by Holt. All voted yes. Motion carried.