

The Clear Lake City Council met in regular session on Monday, June 11, 2018, at 6:30 p.m. in the Conference Room of the Municipal Building with Mayor Gary Eide presiding. Those present were Alderwomen Kelli Bauman and Ramona Drake, Aldermen Carey Holt, Tim Hulscher, Harry Mewherter and John Keimig. Also present were Ellen Schmahl, Don Ebbers, Attorney Todd Boyd, Ken Reiste, Lisa Pederson, Val Lundquist, Christina Magedanz, Joan Sacrison, Brock Warren, Monica Lemme, Robert Hayes, Greg Peterson, Ashley Collins, and Eric Kluckman. The Pledge of Allegiance was said.

Motion by Holt, seconded by Hulscher to approve the agenda with the addition of First Reading of Ordinance No. 555, an Ordinance Supplementing Appropriations for the City of Clear Lake for the Year Ending 12/31/2018. All voted aye. Motion carried.

Motion by Keimig, seconded by Hulscher to approve the consent agenda as follows: Minutes – Regular Meeting May 7, 2018; Monthly Financial Statements for the Month Ending May 31, 2018; Sales Tax Subsidy \$21,576.91; Building Permits: Approved: Derek Bille, 609 4<sup>th</sup> St W – new garage, Wade Reichling, 110 9<sup>th</sup> Ave S – new wood deck, Lynn Gudmundson, 608 4<sup>th</sup> St W – concrete sidewalk & driveway, Gilley Apt Rental – Renee Norton, 413 7<sup>th</sup> Ave S – added 55’ more concrete sidewalk to previously issued permit, Denied: Harry Mewherter, 802 Prospect Ave S – oversized shed & building style, Brock Warren, 311 Parkway Drive - wood deck too close to front property line, Monica Lemme, 206 6<sup>th</sup> Ave S – wood deck too close to front property line, Robert Hayes, 111 5<sup>th</sup> St W – cover concrete steps with wood; Demolition Permits: Approved: Derek Bille, 609 4<sup>th</sup> St W – garage, Wade Reichling, 110 9<sup>th</sup> Ave S – wood deck, Lynn Gudmundson, 608 4<sup>th</sup> St W – sidewalk, Gilley Apt Rental – Renee Norton, 413 7<sup>th</sup> Ave S – added 55’ more concrete sidewalk to previously issued permit; Delinquent Water Bills; Approval of Warrants; Approve Temporary Liquor License Applications: Pederbergs: Wedding Dance, Saturday, July 28, 2018. Approvals of permits are subject to the condition that they are in accordance with all building codes and ordinances of the City. Temporary One-Day Permits are subject to all paperwork being signed and submitted to the Finance Officer and that the applicants provide the city with proof of liability insurance for the event. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Warrants Approved: Council Payroll 780.00; Mayor Payroll 290.00; Finance Officer Payroll 3281.82; Gen Gov’t Building Payroll 303.81; Highway Payroll 3389.40; Snow Payroll 122.43; Rubble Site Payroll 885.23; Airport Payroll 404.04; West Nile Payroll 170.00; Swimming Pool Payroll 1843.95; Park & Rec Payroll 4914.94; Library Payroll 1745.32; Community Center Payroll 132.41; Water Payroll 3430.70; Sewer Payroll 3180.67; Aflac 146.90 Supplemental Ins; Washington National 81.15 Cancer Ins; SD Retirement 2258.62; Health Pool of SD 4710.62; Delta Dental of SD 206.00; DNB-FICA/WH 5344.78; Appera 60.15 Maintenance; AT&T Mobility 124.42 Utilities; Bjerke Sanitation 5853.20 Utilities; Bobcat of Brookings 188.98 Supplies; Book Systems, Inc. 295.00 Supplies; Boyd Law Firm, Prof. L.L.C. 1273.00 Attorney Fees; Brookings-Deuel RWS 10235.25 Utilities; Brown & Saenger 120.18 Supplies; Melody Budahl 294.85 WSI Reimb; David Cantrell 76.07 WM Deposit Refund; Clear Lake City Library 565.93 Books & Supplies; City of Clear Lake 1517.79 Utilities; Clear Lake Building Center 767.31 Supplies; Clear Lake Courier 280.19 Advertising; D & L Digging 1428.00 Repairs; Deuel County Farmers Union Oil 1720.13 Supplies; Deuel County Memorial Hospital 21576.91 2nd Penny Sales Tax; Demco 187.19 Supplies; Department of Revenue 326.00 Maintenance; Deuel Area Development 2500.00 Econ Dev; Deuel County Auditor 5851.88 Law Enforcement Contract; Display Sales Company 668.00 Street Banners; Dollar General Corp 16.00 Supplies; Food&Family 13.98 Subscription; Gates Heating &

Airconditioning 3474.00 Heating/Cooling Units; GCR Tires & Service 439.00 Maintenance; H-D Electric Coop, Inc 403.77 Utilities; H-D Elec Coop, Inc. 144.21 Maintenance; Brenda Hansen 200.00 CC Dep Refund; Hawkins Inc 3018.52 Supplies; Annette Herren 8.95 WM Deposit Refund; Holly Hofland 329.85 WSI Reimb; ITC Telecom 628.24 Utilities; KLM Engineering, Inc. 2200.00 Prof Services; L G Everist Inc 90.15 Supplies; Lakewood Properties 48.37 WM Deposit Refund; Larry's Heating & Repair 65.00 Maintenance; Maynard's Food 109.62 Supplies; Frank Mc Keehan 93.50 WM Deposit Refund; Harry Mewherter 130.00 Maintenance; Northwestern Energy 126.42 Utilities; Trinade Novy 75.00 WM Deposit Refund; Office Peeps 134.50 Supplies; Ottertail Power Co 3164.30 Utilities; Pitney Bowes Rental & Supplies 288.96 Supplies; Postmaster 72.00 Supplies; Ren Preheim 86.75 WM Deposit Refund; Pitney Bowes Purchase Power 770.99 Supplies; Ron's Saw Shop 119.92 Supplies; Mary E Schmahl 940.96 Supplies & Travel Reimb; SD State Treasurer 988.13 Sales Tax; South Dakota Municipal League 50.00 Workshops; Steve Rhody Services 38.00 Maintenance; Swenson Sales & Service Inc 397.77 Repairs; Team Lab Innovative Solutions 613.50 Supplies; The Lifeguard Store, Inc. 41.45 Supplies; Tjaden Auction & Machinery LLC 2500.00 Equipment; Ultimate Ink 152.00 Supplies; US Bank Trust-Spa Lkbox Cm9695 6837.30 Loan Payment; United States Dept of Ag 6107.00 Loan Payment.

Discussion was held regarding the property at 503 4<sup>th</sup> St W. No action was taken.

Motion by Holt, seconded by Hulscher to approve the Committee Appointments as presented. All voted aye. Motion carried.

Motion by Holt, seconded by Mewherter to deny paying the cleaning bill presented by Cody Krause. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-abstain; Keimig-no, Mewherter-yes. Motion carried.

Motion by Hulscher, seconded by Holt to approve installing a vault toilet, installing a larger water line to the bath house and planting trees on the East side of Ulven Park. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-no, Mewherter-yes. Motion carried.

Christina Magedanz, representing the Clear Lake Chamber of Commerce Dog Daze Committee, requested dollars from the promote city budget to help pay for advertising and the movie license and to ask if there would be a charge to use the Community Center to show free movies throughout the year. Motion by Holt, seconded by Keimig to approve \$1,671.00 for advertising and the movie license. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried. Motion by Keimig, seconded by Holt to allow the Clear Lake Chamber of Commerce to use the Community Center at no charge for showing movies, however the damage deposit will be required. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Joan Sacrison, representing DADi, presented the 2017 Annual Report and updated the Council on the activities that DADi has been involved in over the past year and some upcoming activities.

Motion by Keimig, seconded by Hulscher to adjourn as regular Council and convene as Board of Adjustment. All voted aye. Motion carried. Harry Mewherter requested a variance to build a storage building larger than permitted and with steel siding. He received signatures from both neighbors with adjoining property. Motion by Holt, seconded by Drake to approve the variance. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-abstain. Motion carried. Brock Warren requested a variance to replace and enlarge the deck on the

South side of his home. The old deck was not within the current required setbacks. Motion by Keimig, seconded by Hulscher to approve the variance. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried. Monica Lemme requested a variance to replace her concrete steps with a wooden deck. The steps are not within the current required setbacks. Motion by Holt, seconded by Mewherter to approve the variance. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried. Robert Hayes requested a variance to build a wooden deck over the current concrete front steps that are crumbling. The steps are not within the current required setbacks. Motion by Mewherter, seconded by Keimig to approve the variance. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

The Mayor declared the Council out of Board of Adjustment and reconvened as regular Council.

At 7:15 p.m. bid opening was held for the 6<sup>th</sup> Ave 600 block water and sewer main project. A bid was received from Prunty Construction for \$123,511.93. Motion by Keimig, seconded by Holt to accept the bid of \$123,511.93 from Prunty Construction with a completion date of mid-October 2018. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Greg Peterson met with the Council regarding dust control on 475<sup>th</sup> Ave by Westside Acres and lowering the speed limit on the road. No action was taken as the road is maintained by Clear Lake Township.

Ashley Collins, representing the Summer Rec Committee, asked if the City would pay for part or all of the cost of replacing the door in the concession stand at Lavin Field as it was damaged due to vandalism. Motion by Mewherter, seconded by Holt to pay the entire bill for replacing the concession stand door. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried. Due to the large number of children participating in the kids cooking program, Ashley asked if the Community Center kitchen could be used vs. the Municipal Building kitchen since it is much larger. Motion by Holt, seconded by Keimig to allow Summer Rec to use the kitchen at the Community Center for the kids cooking program provided there is no other event scheduled and the facility is cleaned up after each use. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Mewherter to pay for seven of the Welcome to Clear Lake Rodeo Banners for Main Street at a cost of approximately \$100 per banner. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Lisa Pederson, Swimming Pool Manager, met with the Council to ask if they can charge non City Park campers for showers during the Crystal Springs Rodeo. Motion by Keimig, seconded by Hulscher to provide showers to non-campers on June 20 – 23, 2018 from 7:00 am until pool closes for \$5.00 per shower. Paid City Park campers will have precedence over non-campers. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Effective July 1, 2018, we are required to have an agenda item, on every meeting agenda, to hear public comments. The Council decided that the public comments agenda item will follow the consent agenda and will be limited to 5 minutes per person not to exceed 10 minutes per subject.

Motion by Drake, seconded by Keimig to approve the following 2018 swimming pool employees: Kenzie Hamann - \$10.75/hr. and Maisey Hofland - \$10.50/hr. after successful completion of their WSI certification. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Hulscher, seconded by Drake to approve the following Summer Rec employees: Art – Larisa Harmon - \$10.00/hr., Ashely Meyer - \$8.85/hr.; Basketball – Jon Peterreins - \$10.00/hr., Scott Mitchell - \$10.00/hr., Leah Hendrickson – \$8.85/hr., Kellan Benck - \$8.85/hr., Tanner Preheim - \$8.85/hr.; Bowling – Aavrie Kielty - \$10.00/hr.; Flag Football – Kris Ulmer - \$10.00/hr.; Skills Football – Dustin Hourigan - \$10.00/hr.; Golf – John Peterreins - \$10.00/hr., Tanner Preheim - \$8.85/hr.; Kids Cooking – Lynn Simon - \$9.25/hr., Jamie Wiesner - \$9.25, Leah Hendrickson - \$8.85/hr.; Tumbling – Jordan Stein - \$9.25/hr, Brittane Collins - \$9.25/hr.; Volleyball – Ashley Meyer - \$9.25/hr., Savannah Redlin - \$9.25/hr.; T-Ball – Casey Severson - \$9.25/hr., Denae Bass - \$9.25/hr., Leah Hendrickson - \$8.85/hr.; College – Heath Hinker - \$10.00/hr., Dylan Hagberg - \$8.85/hr., Kellan Benck - \$8.85/hr., Blake Hagberg \$8.85/hr.; Minors – Scott Mitchell - \$9.25/hr., Kris Ulmer – \$9.25/hr., Josh Kloos - \$9.25/hr., Melinda Jenson – \$9.25/hr.; Majors – Jon Peterreins - \$10.00/hr., Roger Schmaltz - \$8.85/hr.; 8U Softball – Jena Trupe - \$10.00/hr., Melissa Pope - \$8.85/hr.; 10U Softball – Jill Kreger - \$10.00/hr., Jaydyn TeGantvoort - \$8.85/hr.; 14U Softball – Larisa Harmon - \$10.00/hr., Kellan Benck - \$8.85/hr., Roger Schmaltz - \$8.85/hr., Katie Evenson - \$8.85/hr.; Concession Stand – Alissa Krause - \$10.00/hr. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Mewherter, seconded by Holt to allow Finance Officer Ellen Schmahl to apply for a City credit card with a limit of \$5,000.00. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Hulscher to approve Resolution 2018-2 Amend Library Disaster Policy. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Holt, seconded by Hulscher to approve Resolution 2018-3 City Credit Card Policy. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Bauman to pay the registration fee for any elected official who would like to attend the 2018 Elected Officials Workshop in Pierre on Wednesday, July 18. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Lisa Pederson, Swimming Pool Manager, gave an update on the swimming pool activities since opening on May 26, swimming lessons and raised a concern regarding the current vacuum system and recommend that a new one is purchased. Motion by Holt, seconded by Hulscher to purchase a robotic system pool vacuum for \$2,500.00. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Drake, seconded by Keimig to charge \$5.00 per peddler's permit for Saturday, June 23, 2018, during the Crystal Springs Rodeo. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Bauman to approve Resolution 2018-4 Transfer from Contingency Fund. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Discussion was held regarding the Deuel County Good Samaritan Society Annual Golf Tournament. No action was taken.

Motion by Holt, seconded by Hulscher to approve the building permit for Duane Dohman, 104 5<sup>th</sup> St. W. for a concrete driveway and patio with the stipulation that he needs to install curb and gutter within one year per City Ordinance. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Holt, seconded by Keimig to approve the building permit for Harry Mewherter, 802 Prospect Ave S for an oversized shed with metal siding. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-abstain. Motion carried.

Motion by Keimig, seconded by Drake to approve the building permit for Brock Warren, 311 Parkway Drive for a wood deck on the South side of the house. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Holt, seconded by Mewherter to approve the building permit for Monica Lemme, 206 6<sup>th</sup> Ave S for a wood deck on the West side of the house. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Hulscher, seconded by Keimig to approve the building permit for Robert Hayes, 111 5<sup>th</sup> St W to cover the current cement steps on the East side of the house with a wooden pad and steps. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Mewherter to accept the bid of \$6,765.00 from H-D Electric to change the lights in the Community Center to LED. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Hulscher, seconded by Drake to accept the bid of \$6,400.00 from H-D Electric to change the lights in the Government Building to LED. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Holt to accept the bid of \$3,624.04 from Konold Electric to change the lights in the City Shop to LED and add additional lighting. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

The First Reading of Ordinance No. 555, an Ordinance Supplementing Appropriations for the City of Clear Lake for the Year Ending 12/31/2018 was completed.

City Superintendent Don Ebbers commented on dust control being completed the week of June 11<sup>th</sup>, Leigh Mellendorf will pay for 200 feet of dust control, KLM did the water tower inspection and will present at the July Council meeting, SUEZ has provided cost information which includes a tank mixer, and the temporary bridge over the creek in City Park.

City Attorney Todd Boyd commented on the process to obtain entry into the three main street properties that need to be inspected, thanked the street staff for painting the parking lines on 4<sup>th</sup> Street W, and expressed his appreciation to our citizens for utilizing the proper channels for building permits, variances, etc.

Finance Officer Ellen Schmahl asked permission to have the City Building open on Saturday, June 23<sup>rd</sup> so visitors to our community have access to restrooms and informed the Council of the letters sent to three property owners regarding lawn mowing.

The Mayor and Council members commented on a water pressure issue at a residence on the East side of town, sloping of drainage ditches, the possibility of a traffic counter to obtain information for the transportation grant and possible spraying at Ulven park for poison ivy.

Motion by Hulscher, seconded by Keimig to enter into executive session at 8:53 p.m. regarding contractual matters. All voted aye. Motion carried.

Mayor Gary Eide declared the Council out of executive session at 8:59 p.m.

There being no further business, motion by Drake, seconded by Keimig to adjourn at 8:59 p.m. All voted aye. Motion carried.

Ellen Schmahl  
Finance Officer

“This institution is an equal opportunity provider.”

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