

The Clear Lake City Council met in regular session on Monday, August 6, 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, & Val Lundquist. The Pledge of Allegiance was said.

Motion by Hulscher, seconded by Holt to approve the agenda with the addition to the Consent Agenda of Wastewater Collection Training in Watertown, August 28-30 – Jim attending. All voted aye. Motion carried.

Motion by Mewherter, seconded by Drake to approve the consent agenda as follows: Minutes – Regular Meeting July 9, 2018; Monthly Financial Statements for the Month Ending July 31, 2018; Sales Tax Subsidy \$20,786.40; Building Permits: Approved: Roger Engbrecht, 416 11th St W – new concrete driveway, Pat Eakins, 603 7th Ave S – new concrete driveway and sidewalk, Arthur Anderson, 107 9th Ave N – vinyl fencing and pavement in driveway, Vernon Kase, Jr., 296 9th Ave S – curb and gutter, James Esche, 102 4th Ave S, curb and gutter, Cory Sodren, 205 5th St W, addition and concrete driveway, Denied: Calvin & Karen Esche, 511 2nd St W – replace deck; Moving Permits: Dallas & Fay Buchholtz, 407 8th Ave S – wood yard shed; Demolition Permits: Approved: Nathan Wiekamp, 612 4th St W – remove burned down house and foundation, Calvin & Karen Esche, 511 2nd St W – remove deck, Jason & Sara Winter, 610 10th Ave S – remove roofed patio; Delinquent Water Bills; Approval of Warrants; Approve Temporary Liquor License Applications: Pederberg's: Wedding Dance, Saturday, September 8, 2018, Sports Page: Wedding Dance, Saturday, September 15, 2018, Pederberg's: Wedding Dance, Saturday, September 29, 2018; SD Water & Waste Water 2018 Annual Conference in Deadwood, September 12-14 – Don attending; SDML 2018 Annual Conference in Pierre, October 2-5 – Ellen attending; Wastewater Collection Training in Watertown, August 28-30 – Jim attending. 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 1450.00; Mayor Payroll 440.00; Finance Officer Payroll 3404.72; Gen Gov't Building Payroll 279.76; Highway Payroll 6708.00; Rubble Site Payroll 1039.70; Airport Payroll 713.55; West Nile Payroll 290.00; Summer Rec Payroll 3055.32; Swimming Pool Payroll 11873.14; Park & Rec Payroll 2565.71; Library Payroll 1592.21; Community Center Payroll 132.41; Water Payroll 3388.85; Sewer Payroll 2824.23; Aflac 146.90 Supplemental Ins; Washington National 81.15 Cancer Ins; SD Retirement 2219.16; Health Pool of SD 4710.62; Delta Dental of SD 206.00; DNB-FICA/WH 8557.90; Appera 60.15 Maintenance; Brenda Araiza 25.00 Swimming Lesson Refund; AT&T Mobility 127.94 Utilities; Bjerke Sanitation 6299.66 Utilities; Boyd Law Firm, Prof. L.L.C. 1896.79 Attorney Fees; Brian's Glass & Door Inc 4995.00 Maintenance; Brookings-Deuel RWS 10967.30 Water Purchase & Utilities; Gale/Cengage Learning 26.59 Books; Clear Lake City Library 304.44 Books; City of Clear Lake 1407.69 Utilities; Clear Lake Building Center 133.28 Maintenance & Supplies; Clear Lake Courier 868.41 Publications; Clark Engineering 4597.01 Professional Services; Connecting Point 212.50 Internet Security; Nancy Cornell 76.05 WM Deposit Refund; D & L Digging 2091.00 Maintenance; Dakota Pump & Control, Inc. 918.37 Maintenance; Deuel County Conservation Dist 197.60 Shrubs; Deuel County Farmers Union

Oil 2524.54 Supplies; Deuel Co Motor Supply 192.80 Supplies; DC Register of Deeds 30.00 Notice of Levy; Deuel County Zoning 200.00 Park Improvement; Deuel County Memorial Hospital 20786.40 2nd Penny Sales Tax; Department of Revenue 30.00 Maintenance; Deuel County Auditor 5851.88 Law Enforcement Contract; Duininck, Inc. 3860.55 Supplies; First Bank & Trust 1013.70 Supplies & Promote City; H-D Electric Coop, Inc 323.41 Utilities; Hawkins Inc 2928.18 Supplies, Hillyard/Sioux Falls 104.33 Supplies; ITC Telecom 681.58 Utilities; Kea & Kory Kellen 147.30 WM Deposit Refund; Larry's Heating & Repair 67.77 Maintenance; Maynard's Food 143.85 Supplies & Concessions; Menards 12.98 Supplies; Milbank Winwater Works 407.20 Supplies; Northwestern Energy 491.85 Utilities; Ottetail Power Co 3663.92 Utilities; Alexis Peterson 200.00 CC Deposit Refund; Pitney Bowes Purchase Power 770.99 Postage; Runnings Farm And Fleet 23.47 Supplies; SD Dept of Transportation 26.42 Supplies; South Dakota One Call 38.08 One Calls; SD State Treasurer 590.76 Sales & Use Tax; South Dakota Municipal League 100.00 Conference Registration; SD Water And Wastewater Assn 120.00 SDWWA Conference; Steve Rhody Services 38.00 Maintenance; Ross Stangeland 25.00 Swimming Lesson Refund; Team Lab Innovative Solutions 613.50 Supplies; Productivity Plus Account 570.55 Supplies; United States Dept of Ag 6107.00 Sewer Loan Payment; Gayle Wiersma 34.55 WM Deposit Refund; Winsupply Commercial Charge 137.00 Supplies; WW Tire Service Inc 265.00 Maintenance.

No one was present for public voice.

Discussion was held regarding the property at 503 4th St W as the house has now been razed. Motion by Keimig, seconded by Holt to dismiss the Complaint for Public Nuisance. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

The Second Reading of Ordinance No. 556, an Ordinance Amending Ordinance No. 500, Regarding Sewer Provisions in the Water Source Protection Overlay District was completed. Motion by Keimig, seconded by Holt to approve Ordinance No. 556. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

The Second Reading of Ordinance No. 557, an Ordinance Regarding the Use of Public Sewers Required was completed. Motion by Holt, seconded by Keimig to approve Ordinance No. 557. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Information on area seasonal camping rates was presented and seasonal camping rates for City Park and Ulven Park were discussed. No action was taken.

Motion by Hulscher, seconded by Holt to convene as Board of Adjustment. All vote aye. Motion carried. Karen Esche requested a variance to replace the deck on the south side of her home. The deck that is being replaced is not within the current setbacks. 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 Drake to adjourn as Board of Adjustment and reconvene as regular Council. All voted aye. Motion carried.

At 6:45 p.m. the Council convened jointly as the City Council and Planning Commission for a Public Hearing to recommend Ordinance No. 558. Motion by Drake, seconded by Holt to recommend Ordinance No. 558. 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. 558, an Ordinance Amending Ordinance No. 500, Regarding Roof on Structures was completed.

At 6:50 p.m. the Council convened jointly as the City Council and Planning Commission for a Public Hearing to recommend Ordinance No. 561. Motion by Holt, seconded by Hulscher to recommend Ordinance No. 561. 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. 561, an Ordinance Amending Ordinance No. 500, an Ordinance Regarding Landscape Standards and Maintenance was completed.

Motion by Drake, seconded by Bauman to adjourn as the Planning Commission and reconvene as Regular Council. All voted aye. Motion carried.

The First Reading of Ordinance No. 559, an Ordinance Regarding Sewer Rates was completed.

The First Reading of Ordinance No. 560, an Ordinance Regarding Water Rates was completed.

The First Reading of Ordinance No. 562, an Ordinance Regarding Noxious Weeds was completed.

The First Reading of Ordinance No. 563, 2019 Appropriations Ordinance was completed.

Motion by Hulscher, seconded by Keimig to approve Resolution 2018-6 Fines for Violations. 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 approve the Automatic Supplemental Budget Request to General Fund – West Nile for \$713.00. Total means of finance is a Mosquito Control Grant. 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 increasing the reimbursement for curb and gutter, which is currently \$6.00 per foot, to encourage residents to install curb and gutter on their property. Motion by Mewherter, seconded by Holt to pay half of the cost, up to \$13.00 per foot, for installation of curb and gutter, effective immediately, until August 1, 2020. Residents must submit proof of payment for the installation of the curb and gutter in order to be reimbursed. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

The Council received the report from the Structural Condition Assessment for three properties on Main Street and discussed how to proceed based on the findings. The owners of the two building that were in poor and very poor condition will be contacted with appointment times to meet with the Council on September 10, 2018. Mayor Gary Eide will contact First District to inquire into any grants that may be available.

Motion by Mewherter, seconded by Drake to spend up to \$17,500.00 plus shipping for playground equipment for 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.

A proposal of \$12,056.14 was received to install curb and gutter on the south side of the Municipal Building, 2nd Street W, from 3rd Ave S to 4th Ave S. Motion by Keimig, seconded by Hulscher to approve the proposal of \$12,056.14. 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 Bauman to authorize Finance Officer Ellen Schmahl to purchase a new refrigerator for the Municipal Building for up to \$1,000.00. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Upon recommendation from the City Services Committee, motion by Hulscher, seconded by Mewherter to move forward with KLM Engineering, Inc. for the water tower repainting project, paying a lump sum fee of \$482,200.00, and authorize Mayor Gary Eide to sign the agreement with KLM Engineering, Inc. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

City Superintendent Don Ebbers reported on street patching and the 20 to 25 blocks that will be chip sealed in 2018.

City Attorney Todd Boyd made an addition to the letter that will be sent to the homeowners of the 6th Street 600 block sewer and water project, commented on the status of the Ohleiser bill and thanked the street staff for the additional parking lines on the 300 block of 4th Street W.

Finance Officer Ellen Schmahl asked for feedback on the letter that has been drafted to send to the homeowners of the 6th Street 600 block sewer and water project, informed the Council that she and possibly the City Superintendent will be attending the Zoning Meeting the evening of August 13, 2018, for the special exception application for the projects at Ulven Park, and inquired about the process for paving the 1000 block on 7th Street.

The Mayor and Council members commented on the great job done for Dog Daze weekend, the fence that was built on a neighbor's property, gravel needed in the alley by Cook's Apartment, the status of the McTague trailer house and weeds at the Rosedahl property.

There being no further business, motion by Drake, seconded by Holt to adjourn at 8:25 p.m. All voted aye. Motion carried.

Ellen Schmahl
Finance Officer

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