

The Clear Lake City Council met in regular session on Monday, February 11, 2019, 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, Harry Mewherter, John Keimig and Tim Hulscher. Also present were Ellen Schmahl, Don Ebbers, Attorney Todd Boyd, Ken Reiste, Rod Gustafson, Lori Gustafson, Cory Borg, RJ Severud, Michelle Gross, Val Lundquist, Erik Wallert, Trenton Wallert, and Lynn Simon. The Pledge of Allegiance was said.

Motion by Hulscher, seconded by Drake to approve the agenda. All voted aye. Motion carried.

Motion by Keimig, seconded by Drake to approve the consent agenda as follows: Minutes – Regular Meeting January 7, 2019 and Special Meeting January 14, 2019; Monthly Financial Statements for the Month Ending January 31, 2019; Sales Tax Subsidy of \$22,247.52 going to Deuel County Memorial Hospital; Delinquent Water Bills; Approval of Warrants; Approve Temporary Liquor License Applications: Pederberg's: Country Twisters Quarter Auction, Saturday, February 23, 2019; South Dakota 811 2019 Spring Damage Prevention Meeting – March 1, 2019, Brookings, SD – Don, Jim or Darren attending; Special Meeting – Local Review Board, Monday, March 18, 2019, at 6:30 p.m. 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 1250.00; Mayor Payroll 390.00; Finance Officer Payroll 3546.40; Gen Gov't Building Payroll 301.36; Highway Payroll 2923.66; Snow Payroll 8547.89; Rubble Site Payroll 17.84; Airport Payroll 20.44; Park & Rec Payroll 176.16; Library Payroll 2127.30; Community Center Payroll 90.72; Water Payroll 3391.99; Sewer Payroll 2482.03; Aflac 146.90 Supplemental Ins; Washington National 81.15 Cancer Ins; SD Retirement 2599.50; Health Pool of SD 4710.62; Delta Dental of SD 206.00; DNB-FICA/WH 5776.70; American Red Cross 300.00 Facility Fee; Appera 124.64 Maintenance; AT&T Mobility 124.90 Utilities; Bjerke Sanitation 5901.63 Utilities; Book Systems Inc. 395.00 Supplies; Boyd Law Firm, Prof. L.L.C. 1980.00 Attorney Fees; Brookings-Deuel RWS 8045.65 Utilities & Water Purchase; Butler Machinery Co. 264.91 Supplies; Carrot-Top Industries, Inc. 177.80 Park Improvement; Clear Lake City Library 355.29 Books & Supplies; City of Clear Lake 614.17 Utilities; Clear Lake Building Center 24.00 Supplies; Clear Lake Courier 373.42 Publications & Subscription; Connecting Point 149.00 Computer Backup; Core & Main 36.78 Supplies; D & L Digging 962.50 Maintenance; Deuel County Auditor 5968.92 Law Enforcement Contract; Deuel Co Motor Supply 355.84 Supplies; Deuel County Farmers Union Oil 2296.78 Supplies; DCN Insurance Agency 951.50 Ambulance Insurance; DEMCO 123.37 Supplies; Department of Health 30.00 Maintenance; Don Ebbers 60.00 Travel Expenses; Equipment Blades Inc. 1255.50 Supplies; First Bank & Trust 643.15 Supplies & Travel; Fritz Chevy-Olds 25.10 Supplies; Glacial Lakes & Prairies 770.00 Promote City; H-D Electric Coop, Inc 183.15 Utilities; H-D Elec Coop, Inc. 392.43 Supplies; Hillyard/Sioux Falls 511.41 Supplies; Innovative Office Solutions 469.33 Supplies; ITC Telecom 516.17 Utilities; Brent Krause 200.00 CC Deposit Refund; Val Lundquist 12.01 Travel; Lyle Signs Inc 254.58 Supplies; Menards 159.00 Supplies; Northern Truck Equipment Corp 421.48 Supplies; Northwestern Energy 1478.50 Utilities; Ottetail Power Co 332.37 Utilities; Ottetail Power Co 4908.93 Utilities; Ottetail Power Co 362.28 Maintenance; Overdrive, Inc. 600.00 Books; Pheasantland Industries 29.42 Supplies; Pitney Bowes Purchase Power 770.99 Supplies; Mary E Schmahl 255.76 Travel Expenses; SD Federal Property Agency 76.00 Supplies; South Dakota One

Call 26.22 One Calls; SD Public Utilities Commission 200.00 CC Deposit Refund; SD State Treasurer (SD DOR) 501.89 Sales and Use Tax; Steve Rhody Services 38.00 Maintenance; Transource Truck & Equip, Inc. 231.20 Supplies; United States Dept of Ag 6107.00 Sewer Loan Pmt.

Michelle Gross thanked the City Staff for the great job they do removing snow. She also asked to have the late charge removed from their November 2018 utility bill as they did not receive the bill in the mail, it was returned to the City in January by the Postal Service. No action may be taken during Public Voice therefore it will be put on the March 2019 agenda.

The second reading of Ordinance No. 568, an Ordinance Supplementing Appropriations for the City of Clear Lake for the Year Ending 12/31/2019, was completed. Motion by Holt, seconded by Hulscher to approve Ordinance No. 568. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

A public hearing was held to transfer the malt beverage license from 3 Amigos, LLC to 4 Amigos, LLC. No one appeared to oppose the transfer. Motion by Keimig, seconded by Hulscher to approve the transfer. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Erik Wallert talked to the Council about the possibility of starting a business on Main Street that would require a conditional use permit and whether the Council would approve the conditional use permit. This will be put on the March 2019 agenda for further discussion.

Lynn Simon requested the youth organization rate for the Community Center for the youth gymnastics fundraiser on February 23, 2019. Motion by Holt, seconded by Keimig to approve charging the youth organization rate. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

A public hearing was held regarding exchanging land by City Park with Doug Feten. No one appeared to oppose the exchange. Motion by Holt, seconded by Hulscher to approve the exchange. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Sheriff Cory Borg, Deputy RJ Severude and Storm met with the Council to discuss licensing K-9 Service Dog Storm. Motion by Holt, seconded by Drake to issue a pet license for Storm at no cost. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

Sheriff Cory Borg inquired as to why the Sheriff or a Deputy needs to sign the community center security agreement. Finance Officer Ellen Schmahl will inquire with the City's insurance carrier as it was possibly a recommendation from them. This will be put on the March 2019 agenda for further discussion.

Discussion was held regarding residents not moving vehicles per the snow removal ordinance and the ticketing of such vehicles, since this has not been enforced in the past. Letters will be sent to current offenders to give them the opportunity to move their vehicle(s) and the Sheriff's Office will begin ticketing any vehicle in violation. Arrangements will be made with apartment complexes in town that have street parking so snow can be removed.

Concerns were brought up to Sheriff Cory Borg regarding the Hwy 22 & Hwy 15 intersection, people speeding by the school, why Safety Patrol was discontinued, why the flashing lights do not work by the school crossings, and the attempted abduction that happened Monday, February 11, 2019.

Sheriff Borg wants to make sure the Sheriff's Office is fulfilling their contract and to let him know if there is anything we need as a City.

Motion by Drake, seconded by Mewherter to approve Resolution 2019-2 Exchange of Land with Private Owner. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

The 2019 SDML District Meeting will be held Tuesday, March 19, 2019, in Britton, SD. Motion by Mewherter, seconded by Bauman to pay for any Council members or City staff who want to attend. 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 requested that the City of Clear Lake become a member of South Dakota WARN which is a voluntary mutual aid network for public water and waste water systems. Motion by Keimig, seconded by Hulscher to authorize Mayor Gary Eide to sign the SD WARN agreement. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

The Lion's Club asked to utilize the Municipal Room for their monthly meetings. Motion by Mewherter, seconded by Holt to allow the Lion's Club to utilize the Municipal Room at no cost. 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 paint the bottom of the water tower bowl black, the letters red and the remainder of the water tower white. 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 declare the following as surplus property, having no value or of value less than \$500.00 and authorize disposal of same: one folding chair and AT & T answering machine. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-no, Mewherter-yes. Motion carried.

The First Reading of Ordinance No. 569, an Ordinance Regarding Firework, was completed.

City Superintendent Don Ebbers discussed the need for additional part-time snow removal staff and the application that was received by the City.

Motion by Drake, seconded by Bauman to approve the purchase of Spring banners at a cost of \$1,304.75.

City Superintendent Don Ebbers commented on the engine problem on the snow blower and the possibility of having it rebuilt.

Attorney Todd Boyd commented on the letter from a resident who wants a building torn down however it is grandfathered in and the need to follow-up with the owners of the buildings on Main Street that were inspected last year.

Finance Officer Ellen Schmahl reminded the Council of the Local Review Board Meeting that will be held on March 18, 2019, at 6:30 p.m. and informed the City Services Committee that they need to meet in the near future. Assistant Finance Officer Val Lundquist inquired about the handling of utility bills that have not been paid and the finance charges continue to accumulate. The Council requested the Ordinance be changed so anyone who has their water turned off needs to pay their account to \$0.00 instead of just paying the overdue amount.

The Mayor and Council Members asked to have a letter sent to 111 7th Ave N regarding the ordinance on throwing snow into the street.

Motion by Mewherter, seconded by Keimig to enter into Executive Session per SDCL 1-25-2(1) for Personnel matters at 8:27 p.m. All voted aye. Motion carried.

Mayor Gary Eide declared the Council out of Executive Session at 8:58 p.m.

Motion by Mewherter, seconded by Holt to hire Don Cassels for part-time snow removal at \$12.88 per hour. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Hulscher-yes; Keimig-yes, Mewherter-yes. Motion carried.

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

Ellen Schmahl
Finance Officer

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