

The Clear Lake City Council met in regular session on Monday, June 10, 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 Jon Klockman. Also present were Ellen Schmahl, Don Ebbers, Ken Reiste, Todd Boyd, Dave Bartling, Joan Sacrison, Scott Mohror, Cory Borg, Patti Ruby and Val Lundquist. The Pledge of Allegiance was said.

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

Motion by Keimig, seconded by Mewherter to approve the consent agenda as follows: Building Permits: Minutes – Regular Meeting May 6, 2019; Monthly Financial Statements for the Month Ending May 31, 2019; Sales Tax Subsidy of \$5,234.76 going to Deuel County Memorial Hospital; Building Permits: Approved: Michael Tol, 412 1<sup>st</sup> Ave S – concrete pad, David Solem, 708 6<sup>th</sup> St W – concrete driveway and sidewalk, Derek Billie, 609 4<sup>th</sup> St W – 27' x 40' shed, Deuel Area Development, 1008 Pheasant Run Circle – house, Robyn Frease, 605 6<sup>th</sup> Ave S – concrete driveway and front step, Carey Hoffman, 711 8<sup>th</sup> St W – concrete driveway and patio, Florals & Finds, 314 3<sup>rd</sup> Ave S – replace sidewalk, Harry Mewherter, 802 Prospect Ave S – curb & gutter, Brandon & Erin O' Farrell, 713 5<sup>th</sup> St W – wood privacy fence, Laurie Te Gantvoort, 607 6<sup>th</sup> Ave S – 12' x 26' wood deck, William Taylor, 712 5<sup>th</sup> St W – roof over deck, Vernon Kase, Jr., 206 9<sup>th</sup> Ave S – 12' x 20' utility shed, Todd Rahlf, 602 Circle Dr – 8' x 20' deck; Delinquent Water Bills; Approval of Warrants; Approve Temporary Liquor License Applications: Pederberg's: Wedding Dance, Saturday, July 20, 2019. 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; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Warrants Approved: Council Payroll 925.00; Mayor Payroll 290.00; Finance Officer Payroll 3542.00; Gen Gov't Building Payroll 300.99; Highway Payroll 2554.16; Rubble Site Payroll 655.30; Summer Rec Payroll 244.95; Swimming Pool Payroll 811.57; Park & Rec Payroll 5395.19; Library Payroll 2725.40; Community Center Payroll 129.60; Water Payroll 4519.15; Sewer Payroll 3943.69; Aflac 146.90 Supplemental Ins; Washington National 81.15 Cancer Ins; SD Retirement 2401.62; Health Pool of SD 4710.62; Delta Dental of SD 206.00; DNB-FICA/WH 5701.77; ABC Embroidery 48.75 Supplies; American Engineering Testing 1620.80 Maintenance; Appera 124.64 Maintenance; AT&T Mobility 80.22 Utilities; Bjerke Sanitation 5777.92 Utilities; Bobcat of Brookings 343.99 Supplies; Boyd Law Firm, Prof. L.L.C. 1044.00 Attorney Fees; Brookings-Deuel RWS 8885.05 Utilities; Gale/Cengage Learning 60.78 Books; Clear Lake City Library 131.34 Books; City of Clear Lake 1421.79 Utilities; Clear Lake Building Center 2131.43 Supplies; Clear Lake Courier 413.03 Publications; Colonial Research 512.06 Supplies; Connecting Point 35.00 Offsite Backup; Core & Main 1341.43 Supplies; Jerry Corothers Estate 100.00 WM Deposit Refund; D & L Digging 3866.00 Maintenance; Deuel Area Development 2500.00 Annual Support; Dakota Portable Toilets, Inc. 245.00 Maintenance; Dakota Pump & Control, Inc. 765.30 Maintenance; Deuel County Auditor 5968.92 Law Enforcement Contract; Deuel Co Motor Supply 166.89 Supplies; DC Register of Deeds 5.00 Supplies; Deuel County Treasurer 59.18 Maintenance; Deuel County Farmers Union Oil 3552.36 Supplies; Deuel County Memorial Hospital 5234.76 Sales Tax Subsidy; DCN Insurance Agency 3092.00 Insurance; SD DENR 650.00 Environmental Fees; Department of Health 104.00 Water Testing;

Dollar General Corp 3.00 Promote City; Katie Finnegan 65.00 Pool Pass Refund; First Bank & Trust 518.40 Supplies & Postage; Florals and Finds, LLC 62.82 Promote City; Fritz Chevy-Olds 25.47 Supplies; Heidi Grimlie 279.56 WSI Reimbursement; H-D Electric Coop, Inc 263.85 Utilities; H-D Elec Coop, Inc. 57.14 Maintenance; Hillyard/Sioux Falls 264.56 Supplies; Home Oasis LLC 2417.52 Supplies; Innovative Office Solutions 115.00 Supplies; ITC Telecom 767.81 Utilities; London Fog, Inc. 259.31 Supplies; Val Lundquist 28.42 Travel Expense; MAS Media Inc. 300.00 Promote City; Maynard's Food 113.02 Supplies & Promote City; Menards 35.75 Supplies; Midwest Playscapes Inc. 4410.50 Park Improvement; Milbank Winwater Works 1083.73 Supplies; Northwestern Energy 164.02 Utilities; Ottertail Power Co 3975.65 Utilities; Pederberg's 82.77 Supplies & Promote City; Pfeifer's 534.36 Supplies; Postmaster 76.00 PO Box Rent; Pitney Bowes Purchase Power 770.99 Postage; Sarah Ronne 266.25 WSI Reimbursement; SD State Treasurer (SD DOR) 502.32 Sales & Use Tax; Paul & Brenda Shea 67.10 WM Deposit Refund; Steve Rhody Services 38.00 Maintenance; Stan Houston Equipment Co 850.50 Equipment; State Chemical Solutions 744.66 Supplies; US Bank Trust-Spa Lkbox Cm9695 6837.30 Water Loan; United States Dept of Ag 6107.00 Sewer Loan; Water Safety Products Inc. 537.79 Supplies; Katrina Wittrock 65.73 WM Deposit Refund.

No one appeared for public voice.

The Second Reading of Ordinance No. 573, an Ordinance Amending Ordinance No. 500, Regarding Permitted Uses in C-2 Highway Commercial District was completed. Motion by Holt, seconded by Keimig to approve Ordinance No. 573. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Drake to convene jointly as the City Council and Planning Commission for a public hearing to recommend Ordinance No. 574. All voted aye. Motion carried. Motion by Holt, seconded by Mewherter to recommend Ordinance No. 574. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried. The First Reading of Ordinance No. 574, an Ordinance Amending Ordinance No. 500, Regarding Amending Section 1.03.01 to Re-Classify a Property was completed. Motion by Mewherter, seconded by Holt to adjourn as the Planning Commission and reconvene as Regular Council. All voted aye. Motion carried.

Motion by Keimig, seconded by Bauman to convene as the Board of Adjustment. All voted aye. Motion carried.

A public hearing was held for Dave Bartling who applied for a variance to construct an oversized building. Motion by Mewherter, seconded by Holt to approve the variance contingent upon Ordinance No. 574 being approved at the July 8, 2019, Council meeting. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

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

Scott Mohror, representing Banner Associates, Inc., met with the Council to discuss the engineering costs that will be associated with the Community Access Grant street project that the City was selected for. Legal survey - \$7,000.00, drainage and design survey - \$12,500, soil testing - \$4,000, stormwater drainage survey - \$5,000, design engineering - \$26,000, bidding process - \$4,000, hourly construction person not to exceed \$36,000, for a total of \$94,500 with construction. Motion by

Mewherter, seconded by Klockman to approve the proposal from Banner Associates, Inc. for the Community Access Grant street project as presented. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-no; Klockman-yes; Mewherter-yes. Motion carried.

Joan Sacrison, representing DADi, updated the Council on the home they are building on one of the lots in Wildlife Estates and the desire to put together a local group to come up with a 3 to 5-year plan for development in the area. Motion by Mewherter, seconded by Bauman to waive the \$215.61 building permit fee for the home DADi is building in Wildlife Estates. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-no; Keimig-no; Klockman-yes; Mewherter-yes. Motion carried.

Sheriff Cory Borg informed the Council about the Sheriff's Office staffing for the Crystal Springs Rodeo, discussed the City's contract with the Sheriff's Office, and discussed a situation of a dog at large who bit a child's bike seat and scratched the child. The owner of the dog at large will be cited for two counts once the witness' signature is obtained.

Motion by Keimig, seconded by Drake to approve the building permit for Dave Bartling for a private storage building at 402 5<sup>th</sup> St E. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Bauman, seconded by Klockman to approve the 2019 swimming pool employee changes as follows: Madysen Brewer - \$10.75/hr. and Sarah Ronne - \$11.00/hr. as they have obtained their Water Safety Instructor Certification. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Holt, seconded by Klockman to approve the 2019 summer rec employees as follows: Golf – Jaydyn TeGantvoort - \$9.10; T-Ball – Larisa Harmon – White Team - \$11.10/hr., Gavin Benck - \$9.10, Kasey Krause - \$9.10; College – Casey Severson – Black Team - \$11.10/hr., Gavin Benck \$9.10/hr.; Minors – Gavin Benck – \$9.10/hr.; Amber Peterreins - Volunteer; 10U Softball – Ashley Meyer - \$11.10/hr., Jill Kreger - Volunteer; 12U Softball – Danielle Schiernbeck - Volunteer, Jenny Hourigan - Volunteer. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Klockman, seconded by Holt to close the road off between Pederberg's and Lewis the afternoon of Saturday, June 29, 2019, for Rodeo activities. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Holt, seconded by Keimig to spend up to \$100 to purchase hiking trail signs for the nature area at Ulven Park. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Klockman to spend up to \$1,040 for dog waste stations for City Park and Ulven Park. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Holt to authorize Mayor Gary Eide to sign the Community Access Grant Agreement with the Department of Transportation. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Drake, seconded by Mewherter to give J.R. Stelzer Co. permission to work extended hours if needed due to the weather, if requested. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Librarian Patti Ruby met with the Council to introduce herself and to discuss taking books to the nursing home and daycares, creating a project room, accreditation, library hours and the library board.

Motion by Drake, seconded by Mewherter to extend the rubble site hours from 5:00 p.m. until 5:30 p.m. on Tuesday's and Thursday's, effective immediately. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Klockman to approve paying expenses for any Council members attending the 2019 Elected Officials Workshop in Pierre on July 17, 2019. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Keimig, seconded by Bauman to approve paying expenses for any Council members attending the MAP Board & Council Training in Britton on July 23, 2019. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Bauman, seconded by Drake to charge \$300 rent, plus tax, for the auction sale on July 12-13, 2019. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

City Superintendent Don Ebbers commented on the appreciation letter we received from some campers who stayed at Ulven Park, reported that the fishing dock is done and will be delivered in the near future, reported that the water tower painting project has started, reported that the relining of the manholes will begin the week of June 17<sup>th</sup> with the workshop to be held at the Community Center on June 19<sup>th</sup>, and discussed the number of water leaks we have had the past couple of weeks.

Attorney Todd Boyd inquired about advertising the curb and gutter reimbursement and commented on how nice it is to see all of the building permits.

The Mayor and Council Members reported on many comments being received about the condition of the City streets, the possibility of security cameras, WiFi at Ulven Park, fence is installed in City park, posts and wire installed at Ulven park, hearing good comments about the beach at Ulven park, the increased usage at Ulven park and THANK YOU to Ken at the Courier for supplying the Mayor with newspapers to deliver on the weekends to campers in both parks.

City Finance Officer Ellen Schmahl informed the Council about some added swimming pool expenses as we have had to replace two pumps and have the pool heater repaired.

Motion by Holt, seconded by Klockman to enter into Executive Session at 8:35 p.m. for personnel and legal counsel for contractual matters.

Mayor Eide declared the Council out of Executive session at 9:24 p.m.

Motion by Keimig, seconded by Drake to accept the resignation of City Services employee Jim Esche, effective July 31, 2019, and to advertise for the position. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

Motion by Holt, seconded by Drake authorizing the interview committee to hire the Assistant Librarian on a temporary basis at \$10.50 per hour which will be ratified at the July 10, 2019, Council meeting. Upon roll-call vote the following votes were cast: Bauman-yes; Drake-yes; Holt-yes; Keimig-yes; Klockman-yes; Mewherter-yes. Motion carried.

It was the consensus of the Council to direct the City Attorney to proceed with contract negotiations.

There being no further business, motion by Holt, seconded by Drake to adjourn at 9:26 p.m. All voted aye. Motion carried.

Ellen Schmahl  
Finance Officer

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