

The Clear Lake City Council met in regular session on Monday, October 12, 2020, at 6:30 PM in the Conference Room of the Municipal Building with Mayor Gary Eide presiding. Those present were Alderwomen Kelli Bauman, Lisa Lundberg & Rose Mills, Aldermen Carey Holt, Harry Mewherter & John Keimig. Also present were Val Lundquist, Don Ebbers, Todd Boyd, Cory Borg, Roger Wollum, Dale & Adina Holt, Ted Keesling, Scott Mohror and Beth Niemeyer. The Pledge of Allegiance was said.

Motion by Holt, seconded by Keimig to approve the agenda. All voted aye. Motion carried.

Motion by Keimig, seconded by Lundberg to approve the consent agenda as follows: Minutes – Regular Meeting September 8, 2020; Monthly Financial Statements for the Month Ending September 30, 2020; Sales Tax Subsidy of \$12,368.87 going to Deuel County Memorial Hospital; Building Permits: Approved: Marla Johnson - 703 1st St W - Curb and Gutter, Emmy & Jim Marko – 710 8th Ave S – New house, Rick Reichling - 111 8th Ave S - Curb and Gutter, Brendan Gerth – 409 2nd St W - Curb and Gutter, Alan Martinmaas – 303 9th St W - Curb and Gutter, Gilley Rentals – 413 7th Ave S - Curb and Gutter, Robert Pfeil – 513 8th Ave S – storage shed, Christina Davis – 609 6th Ave S – Garage addition and concrete, Erik Wallert – 613 2nd Ave S – House addition, & Dennis Norton – 409 5th St E – Garden Shed; Denied: Walter & Rhonda Baxter – 421 1st Ave S – deck; New Construction Hook-Up Permit: Emmy & Jim Marko – 710 8th Ave S – Water & Sewer for new house; Excavation Permit: Jim Marko – 710 8th Ave S – Water, sewer, and basement; Moving Permits: Denied: Walter & Rhonda Baxter – 421 1st Ave S – 8x12 shed; Delinquent Water Bills; Approval of Warrants; Approvals of permits are subject to the condition that they are in accordance with all building codes and ordinances of the City. Upon roll-call vote, all voted aye. Motion carried.

Warrants Approved: PAYROLL: Council 890.00; Mayor 325.00; Finance Officer 3750.00; Gen Gov't Building 217.25; Highway 6539.40; Rubble Site 1021.79; Airport 96.80; West Nile 226.08; Park & Rec 1985.98; Library 2462.00; Community Center 121.50; Water 3175.98; Sewer 3134.34; Aflac 140.01, SDRS Supplemental Retirement 1625.00; Washington National 81.15; SD Retirement 2415.14; Health Pool of SD 6398.91; Delta Dental of SD 311.10; DNB-FICA/WH 4644.71; EXPENSES: Ag First Farmers Coop 100.00 WM Dep. Refund, Appeara 100.39 mops/towels, AT&T 55.77 cell phone, Burchatz Construction Co. 1233.68 alley curb & gutter, City of CL 59.20 Acct#5880.03 Pmt. From Mtr Dep., D & L Digging 4110.00 Water leak & diversion pond, D. Tesch 10.00 WM Dep. Refund, Dakota Portable Toilets 225.00 park rental, DC Treasurer 17075.59 Chip Sealing, Eide Bailly LLP 3000.00 FY2019 Audit final payment, Fritz Chevy 85.00 door handle, J&J Earthworks, Inc. 18154.82 Pay Request 4, K. Shea 90.80 WM Dep. Refund, NASASP 39.00 Annual Membership, Pitney Bowes Rental & Supplies 9.50 postage rental, Pomp's Tire Service 305.00 Payloader tire repair, SD Dept. of Health 30.00 water tests, Steve Rhody Services 38.00 window washing, Team Laboratory Chemical 615.00 sewer bug chemicals, A. Martinmaas 1709.50 curb & gutter reimb, B. Cam 494.00 Curb & Gutter Reimb, B. Gerth 656.50 curb & gutter reimb, B. Zegzda 75.00 WM Dep. Refund, Bjerke Sanitation 4911.36 Sept. garbage & rubble, Bowes Construction Inc 874.20 asphalt, Boyd Law Firm 1082.85 Sept. legal fees, BDRWS 12194.60 Sept. bulk water, C. Usher 60.45 ACCT#4280.04 WM Dep. Refund, Cengage Learning 159.95 books, CL City Library 980.89 Sept. reimb, City of CL 623.56 Sept water use, CL Building Center 165.00 street supplies, CL Courier 913.30 Sept. Publications/envelopes, Connecting Point 815.00 library laptop & offsite, D. Whittle 150.00 WM Dep Refund, Dakota Portable Toilets, Inc. 168.75 Ulven Park porta potty, Dakota Pump & Control Inc. 5120.99 Golf Course lift station, DCFU Oil 84.90 street & airport supplies, DCMH 12368.87 Sept. Sales tax subsidy, DK Diesel Injection 121.86 Street Eq Repair, Eastside Equipment 454.42 Kubota Tractor repair,

First Bank & Trust 381.69 office supplies, H-D Electric Coop 783.20 Sept Electric, H-D Elec Coop 200.00 boat ramp yard light, Hillyard 463.35 TP & towels, Hydro Klean 17455.00 Manhole Rehab, ITC 589.16 Sept phone/internet, J. Johnson 936.00 curb & gutter reimb, K. Schake 2977.00 curb & gutter reimb, V. Lundquist 39.50 Aug/Sept. Mileage, Maynards's 19.75 supplies, Micromarketing LLC 99.57 books, Milbank Waterworks 1309.92 water & sewer supplies, Northern Safety Co. 219.95 gloves & masks, Northwestern Energy 46.82 Sept. nat gas, Ottertail Power 3458.69 Sept. power, P. Eakins 1046.50 curb & gutter reimb, R. Brewer 676.00 curb & gutter reimb, R. Reichling 1300.00 curb & gutter reimb, SD DOR 1148.16 Sales tax, SD Unemployment Insurance Div 78.33 Q3 unemployment, SDML 223.73 Code Enforcer, State Flags Account 196.22 flags, Supreme Welding Inc 27.40 water supplies, T. Pope 975.00 Curb & Gutter Reimb, US Bank 11716.19 Oct sewer loan payment, USDA 6107.00 Oct loan payment, Van Diest Supply Company 667.00 West Nile Chemicals.

No one was present for public voice, but Ted Keesling did appear to inquire about an invoice he sent into the city that the contractors denied due to lack of pictures. Motion by Keimig, seconded by Holt for Attorney, Todd Boyd to write a letter to Mr. Keesling and for the city to pay this one-time invoice. Motion carried.

Roger Wollum voiced his concerns with the utilities charged while gone for the winter months. Todd Boyd stated the city has to pay sewer and water loans with the base fees from the residents, also the city ordinances state they need to be charged regardless of use or not.

Dale and Adina Holt voiced their concerns with the utility finance charges on their account. City utility ordinances and Holt's bill will be reviewed.

Motion by Bauman, seconded by Mewherter to recess as Regular Council and convene as the Board of Adjustments. All voted aye. Motion carried.

A public hearing was held for Walter & Rhonda Baxter, who applied for a variance for putting a shed and deck closer to their property lines. Motion by Holt, seconded by Mills to approve the variance. Upon roll-call vote; all voted aye. Motion carried.

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

Sheriff, Cory Borg, came in to discuss the 2021 Police Contract and stated all responsible duties of the contract for him and the other deputies.

Scott Mohror & Beth Niemeyer, with Banner Associates, presented the project completion certificate of the Community Access Project. Motion by Holt, seconded by Mewherter to add the concrete to next and final change order. Upon roll call, the following votes were cast; Bauman- yes; Mills- yes; Keimig-no; Holt-yes; Mewherter-yes; Lundberg-yes. Motion carried. Asphalt density was tested again, but thickness varies throughout the street. Motion by Keimig, seconded by Holt to pay for everything on final change order and deduct the density issue from payment. Upon roll call; all voted aye. Motion carried.

Discussion was held on the gas line LIIP application for the city. These funds would be used to extend the North Western Energy gas line out towards Crystal Springs Feeds. Council believes the new gas line should be 6 inches in diameter, with the city covering the difference between a 4-inch line, but more information is needed for the difference in cost. Motion by Mewherter, seconded by Keimig to approve submission of the LIIP application for natural gas line installation project and dedicate a local match of 50% of the project costs, up to the maximum of \$200,750. All voted aye. Motion carried.

Discussion was held on closing the Clear Lake Municipal Airport and advertising the land for a commercial or industrial park for development. Motion by Mewherter, seconded by Holt to close the Clear Lake Municipal Airport. Upon roll call, the following votes were cast; Bauman- present; Mills- yes; Keimig-present; Holt-yes; Mewherter-yes; Lundberg-yes. Motion carried.

The preliminary FEMA Flood Plan was discussed and decided not to act on it.

Don Ebbers, discussed the issues with the recycling bin near the city shop. Motion by Mewherter, seconded by Holt to move the dumpster inside of the shop and discontinue the recycling. All voted aye, motion carried.

Snow removal letter for main street businesses was discussed and decided not to continue offering the city's services due to liability. Businesses must contact a private contractor to remove their snow. Motion by Holt, seconded by Mills to no longer offer snow removal. All voted aye. Motion carried.

The Rural Service District was discussed. Motion by Lundberg, seconded by Mills, to allow mayor and finance officer to sign the approval by the city, with no objections. All voted aye. Motion carried.

Bids for the building teardown were discussed. Motion by Keimig, seconded by Holt to allow D&L Digging to tear down the main street building, subject to the inspection of asbestos. All voted aye. Motion carried.

Free dump disposal and demolition permits for code enforcer's recommendations were considered. Motion by Keimig, seconded by Lundberg to allow the City Superintendent or Zoning Official to waive fees on a case by case basis to ensure the project can be completed in a timely manner. All voted aye. Motion carried.

Motion by Holt, seconded by Keimig, to approve the building and moving permit for Walter & Rhonda Baxter. All voted aye. Motion carried.

Motion by Keimig, seconded by Holt to approve the Automatic Supplemental Budget Request to General Fund for \$930.27, \$237.53, \$7054.49, & \$1104.39 – CARES Act Funds into the following accounts; Council Publications (101-411.1- 423), Mayor Salary (101-412.1-411), Council Salary (101-411.1-411), Street Salary (101-431.2-411), Finance Salary (101-414.2-411), Finance Supplies (101-414.2-426.11), Gov Bldg. Repairs (101-419.2-425), Pool Salary (101-541.2-411) & Parks Salary (101-452.411)). All voted aye. Motion carried.

Motion by Bauman, seconded by Keimig to approve the Automatic Supplemental Budget Request to General Fund for \$2000.00 – CARES Act Technology Funds into the following account; Library Supplies (101-455.0-426.11). All voted aye. Motion carried.

Motion by Bauman, seconded by Mills to approve the Automatic Supplemental Budget Request to General Fund for \$567.00 – West Nile Mosquito Control Grant into the following account; West Nile Supplies (101-441.3-426.11). All voted aye. Motion carried.

Comments were heard from City Superintendent, Don Ebbers, regarding the disc golf course stating it has been installed out at Ulven Park and that more improvements are being made at the park.

City Attorney Todd Boyd presented updates on ongoing legal issues and abatement letters.

The City Council and Mayor inquired about the police contract and the school possibly making the sign for the available airport land. Code Enforcer procedures were also discussed.

Motion by Keimig, seconded by Mills to enter into Executive Session at 9:17 PM for personnel and legal counsel for contractual matters. All voted aye. Motion carried.

Mayor Eide declared the Council out of Executive session at 9:58 PM.

Motion by Keimig, seconded by Bauman to pay S. Whipple \$10.24 per hour, while working at the rubble site. All voted aye. Motion carried.

Motion by Lundberg, seconded by Bauman to purchase two laptops and a remote access program with CARES Act funds. All voted aye. Motion carried.

There being no further business, motion by Holt, seconded by Mills to adjourn at 10:00 PM. All voted aye. Motion carried.

Val Lundquist
Assistant Finance Officer

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