

2004 Council Meeting Minutes Master

[January 9, 2004](#)

[February 2, 2004](#)

[March 1, 2004](#)

[March 15, 2004](#)

[March 22, 2004](#)

[April 5, 2004](#)

[April 23, 2004](#)

[May 3, 2004](#)

[May 27, 2004](#)

[June 7, 2004](#)

[July 6, 2004](#)

[July 26, 2004](#)

[August 2, 2004](#)

[August 23, 2004](#)

[August 30, 2004](#)

[September 7, 2004](#)

[September 20, 2004](#)

[September 23, 2004](#)

[October 4, 2004](#)

[November 1, 2004](#)

[November 22, 2004](#)

[December 6, 2004](#)

City Council Meeting
January 9th, 2004
7:00pm

Call to Order: The Clark City Council met in session on January 9th, 2004 at 7:00pm. Council members present were: John Pollock, Lyle Brenden, Dialo Schmidt, Don DesLauriers, and Larry Bartels (came into the meeting at 7:29pm). Council members absent: Larry Dreher. Others present were: Mayor Lester C. Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, Courier Editor Bill Krikac, Daryl Wileman, Father Ken Bain, Milo and Val Richter, Allen and Shirley Tipton, John Luttrell, Jen Severson, Terry Binger, Kenny Bell Jr., Jack and Joanne Bowers, Virgil and Marie Hamann, Michelle Harrington, Lois Fuller, Alice Heim, Gene Bethke, Jerry Olson, Gene Furness, Harold Hurlbert, Ralph Hurlbert – Clark County Historical Society, Bob Bjerke, Delores Graver, Margaret Nordhus, Jim Holbeck, and David Moritz.

Mayor Solberg called the meeting to order at 7:00pm

Action #001-2004:

Motion by John Pollock, seconded by Lyle Brenden to adopt the agenda as amended. All members voting yes. Motion carried.

Action #002-2004:

Motion by Dialo Schmidt, seconded by John Pollock to approve the minutes from the Dec 1st and 29th, 2003 council meetings. All members voting yes. Motion carried.

Action #003-2004:

Motion by John Pollock, seconded by Dialo Schmidt to approve the financial statement as of Dec. 31st, 2003. All members voting yes. Motion carried.

Action #004-2004:

Motion by Dialo Schmidt, seconded by Don DesLauriers to approve the claims as of Jan. 5th, 2004. All members voting yes. Motion carried.

CLAIM SHEET

To:	For:	Amount:
1. Johnson Brother Famous Brds	Liquor Invoices	\$10,331.71
2. Carlson Distributing	Malt Beverage Inv.	\$4,875.93
3. Rohl Beverages	Malt Beverage Invoices	\$585.50
4. Fjelland Attorney at Law	Legal Fees	\$257.50
5. Cook's Wastepaper	Utilities	\$30.00

6. Ellwein Brothers Inc	Malt Beverage Inv's	\$9,388.60
7. Clark Community Oil Company	Repairs and Supplies	\$936.05
8. A-OX Welding Supplies	Cylinder Rent – Supplies	\$6.60
9. Cardell's	Supplies – fuel	\$26.00
10. Cook's Office Products	Library Supplies	\$16.02
11. Clark Engineering Corp	Engineering Fees	\$2,904.61
12. Gruenwald Electric	Repairs	\$444.89
13. Mack's	Supplies – Fuel	\$317.81
14. Dept of Env and Natural Res	Annual License Fees	\$24.00
15. Viking Office Products	Office Supplies	\$34.59
16. Olson's Motor Company	Repairs/Maintenance	\$287.64
17. Olson's Auto Parts	Supplies/Materials	\$171.45
18. Olson's Auto Parts	Fire Dept Supplies/Materials	\$204.23
19. Desnoyer's Hardware	Supplies/Materials	\$62.09
20. ITC	Utilities	\$479.18
21. Moritz Publishing	Office Supplies	\$28.00
22. DSR Inc	Repairs	\$1,299.67
23. Clark County Auto Parts	Supplies/Materials	\$109.96
24. AFLAC	Payroll Deductions	\$299.42
25. Dialo Schmidt	Maintenance	\$195.00
26. A United States Life Ins. Comp	Life Insurance Prem's	\$13.70
27. Gall's Inc	*Supplies – Police Grant	\$6,055.30
28. Wells Fargo	Supplies – Lease	\$132.87
29. Dell Marketing	*Lap Tops – police grant	\$3,330.52
30. Wellmark Blue Cross & ...	Health Ins. Prem's	\$2,826.69
31. Dept of Env and Natural Res.	Annual Wastewater Fee	\$1,500.00
32. Pitney Bowes	Lease Payment	\$372.00
33. National League of Cities	Annual Dues	\$185.00
34. United States Post Office	Postage – Supplies	\$2,000.00
35. Midwest Paymaster System	Service Contract	\$429.50
36. American Family Insurance	Life Ins Premium	\$20.49
37. SD Finance Officer's Assoc.	Annual Dues	\$40.00
38. SD Attorney's Assoc.	Annual Dues	\$20.00
39. SD Municipal Liquor Assoc.	Annual Dues	\$25.00
40. SD Assoc. of Code Enforcement	Annual Dues	\$40.00
41. SD Municipal League	Annual Dues	\$723.06
42. SD Police Chief's Association	Annual Dues	\$96.80
43. SD Street Maint. Assoc.	Annual Dues	\$35.00
44. Nichole Binger	Jan. Salary	\$2,064.50
45. Stacy Mayou	Jan. Salary	\$3,032.66
46. Jeremy Wellnitz	Jan. Salary	\$2,067.50
47. Roger Collins	Jan. Salary	\$2,521.41
48. Loren Stanley	Jan. Salary	\$1,997.25
49. Darin Altfillisch	Jan. Salary	\$2,615.00

50. Rae Jean Flora	Jan. Salary	\$1,625.00
51. Lester C. Solberg	Jan. Salary	\$379.91
52. Westside Implement	Supplies/Materials	\$22.92
53. Cook's Office Products	Maintenance Agree	\$25.80
54. Desnoyer's Hardware	Supplies/Materials	\$326.17
55. Sodak Distributing	Liquor Invoices	\$9,810.27
56. Sharon Bjerke	Payroll Expense	\$303.60
57. Bob Gergen	Payroll Expense	\$264.38
58. Lisa McGraw	Payroll Expense	\$255.78
59. Dacotah Bank	Fed/SS tax deposit	\$2,846.04
60. Alan Hollatz	Payroll Expense	\$207.38
61. Carmen Kloster	Payroll Expense	\$733.13
62. Vickie Holmes	Payroll Expense	\$93.75
63. Dialo Schmidt	Payroll Expense	\$883.13
64. Bob Schlueter	Payroll Expense	\$114.38
65. Eileen Dunbar	Payroll Expense	\$200.00
66. Duckwall's	Supplies/Materials	\$107.37
67. Oscar's Machine Shop	Materials	\$344.77
68. The Time Out	Christmas Meals	\$376.67
69. Clark County Courier	Advertising	\$621.32
70. Clark Rural Water	Water – Supplies	\$8,197.95
71. Valic	Payroll Deductions	\$135.00
72. Cook's Wastepaper	Garbage Collection Rem	\$4,487.58
73. City of Clark	Utilities – water bill	\$58.50
74. Clark Rotary Club	Payroll Deduction	\$62.00
75. Ellwein Brothers Inc.	Malt Beverage Invoices	\$9,388.60

Action #005-2004:

Motion by Dialo Schmidt, seconded by Lyle Brenden to approve Pay Request #3 from Olson's Construction for Phase 1 water and sewer. All members voting yes. Motion carried.

Action #006-2004:

Motion by Lyle Brenden, seconded by Dialo Schmidt to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

Police Update:

1,212 mile were patrolled in December. The COPS technology grant may come up again for application later this year. Police Chief Mayou discussed a couple of cases that are being worked on.

Action #007-2004:

Motion by Don DesLauriers, seconded by Lyle Brenden to approve the 4th quarter report submitted by Dorcas Protexter. All members voting yes. Motion carried.

Action #008-2004:

Motion by Don DesLauriers, seconded by Lyle Brenden to approve sending Nichole Binger, Rae Jean Flora, council, and mayor to legislative day in Pierre on Feb 4th, 2004. City to pay expenses per personnel manual. All members voting yes. Motion carried.

Action #009-2004:

Motion by Dialo Schmidt, seconded by Lyle Brenden to approve sending Nichole Binger and Rae Jean Flora to the annual report workshop in Aberdeen, SD Jan. 22nd, 2004. City to pay expenses per personnel manual. All members voting yes. Motion carried.

Action #010-2004:

Motion by Dialo Schmidt, seconded by Don DesLauriers to approve the Clark County Courier as the official newspaper for 2004. All members voting yes. Motion carried.

Action #011-2004:

Motion by John Pollock, seconded by Dialo Schmidt to approve Community First National Bank and Dacotah Bank as the financial institutions serving the City of Clark for the year 2004. All members voting yes. Motion carried.

Election 2004: There will be no election for year 2004 for mayor or council. Next election will be in 2005.

Discussion: Chamber funding for 2003. In past years the city has contributed to the Chamber (\$3,000.00 in past two years). Jen Severson, Terry Binger, Kenny Bell Jr., and John Luttrell broached this subject with the council and felt that as an event committee that they would like to see the Chamber to be self supporting in the future. Funding Issue was tabled until Feb. 2004 meeting. Also, Chamber is hosting a 5th, and 6th grade basketball tournament and was wondering if the city has an umbrella policy for insurance that would cover these type of special events or at least be able to obtain coverage at a cheaper rate for these events. Finance Officer Binger will look into this and get back to Jen on insurance coverage.

Action #012-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve Resolution #717. All members voting yes. Motion carried.

RESOLUTION NO. #717

A RESOLUTION ESTABLISHING AN APPROPRIATION FOR THE CAPITAL PROJECT FUND NECESSITATED BY THE STREAMLINING OF THE MUNICIPAL SALES,

SERVICE AND USE TAX FOR THE CITY OF CLARK, CLARK COUNTY, SOUTH DAKOTA.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA:

WHEREAS, certain sales, service and use tax funds have previously been deposited to the Municipal Treasury as 2nd Cent Sales Tax Remittances; and,

WHEREAS, pursuant to the “Streamlining” of the South Dakota Sales and Use Tax system, these above-referenced sales, service and use tax funds will no longer be specifically designated as 1st or 2nd Cent Sales Tax Remittances; and

WHEREAS, it is the desire of the City of Clark to continue to fund certain capital improvement projects; and,

WHEREAS, as a result of said “Streamlining” no sales tax remittances will be specially designated for capital improvement projects;

NOW, THEREFORE, BE IT RESOLVED by the City of Clark, South Dakota, that the sum of \$120,000.00 shall be budgeted to the Capital Project Fund.

Passed and Adopted this 5th day of January, 2004.

Public Hearing – Phase 1 Curb and Gutter 7:34pm

At this time the council held the hearing regarding the curb and gutter to be placed for the Phase 1 water and sewer project. Construction on curb and gutter should start in spring of 2004. Many individuals were in attendance regarding the curb and gutter (see attendance at beginning of minutes). Questions raised during the public hearing were: Are there blue prints to see prior to construction – answer: yes, Is the \$12.00 per linear foot a good estimate to go by? – yes this was determined by the engineers, What are payment options? – there are a few different payment options available – contact city office for details, Will sidewalks be placed in these areas? Yes , Parking issues – engineer will work with these situations on a one on one basis., and many particular individuals concerns on their property – Engineer will be in town and will meet with the individuals one on one and go over their concerns.

- **Thank You Award Presentation:** At this time Mayor Solberg presented John Dallman with the 1st quarter Thank You Award for 2004. Thank You John for all your many attributes to our community and service.

Action #013-2004:

Motion by Lyle Brenden, seconded by Dialo Schmidt to approve Resolution #716. All members voting yes. Motion carried.

RESOLUTION #716

A RESOLUTION DECLARING IT NECESSARY TO PLACE CURB AND GUTTER ADJOINING CERTAIN PROPERTIES WITHIN THE CITY OF CLARK, SOUTH DAKOTA.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA:

The City Council of the City of Clark, South Dakota, hereby declares the necessity of placing approximately 14,200 linear feet of curb and gutter, in the proper manner, according to plans and specifications of Clark Engineering Corporation, in and for the City of Clark, South Dakota, on city streets adjoining the property described in Appendix "A", attached hereto and incorporated herein by this reference.

The general nature of the project is as set forth above, and reference for detail is hereby made to the drawings and specifications on file with the City Finance Officer. The materials used for this project shall be concrete and other miscellaneous materials related thereto.

The estimated cost of said project is \$12.00 per linear foot.

The cost and expense of the installation shall be by special assessment upon the property described in Appendix "A", and shall be apportioned on a front footage basis.

Adopted this 5th day of January, 2004.

Action #014-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to close regular session and commence with executive session for legal counsel, contractual issue, and personnel reasons. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 8:33pm and ended at 8:53pm.

Action #015-2004:

Motion by Dialo Schmidt, seconded by Don DesLauriers approving a pay raise effective Jan 2004 for Robert Gergen in the amount of \$7.75 per hour – med van service. All member voting yes. Motion carried.

Action #016-2004:

Motion by Larry Bartels, seconded by John Pollock to re-hire Ryan Burke as the part time police officer (replacing Michael Flora) effective Jan 1st, 2004 with pay set at \$10.50 per hour. All members voting yes. Motion carried.

Action #017-2004:

Motion by Dialo Schmidt, seconded by Don DesLauriers to approve the operating agreement for “The Time Out” – Ryan Claussen owner effective Feb 17th, 2004 to Feb. 17th, 2007 (three years). All members voting yes. Motion carried.

Action #018-2004:

Motion by Larry Bartels, seconded by John Pollock to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:00pm.

Next Regular Council Meeting: February 2nd, 2004 – 7:00pm

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

**City Council Meeting
February 2nd, 2004
7:00pm**

Call to Order: The Clark City Council met in session on February 2nd, 2004 at 7:00pm. Council members present were: Dialo Schmidt, Lyle Brenden, Don DesLauriers, John Pollock, and coming in at 8:35pm was Larry Dreher. Councilman Larry Bartels was absent. Others present: Mayor Lester C. Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, Courier Editor Bill Krikac, Jenny Severson, J. Elaine Hanson, Lonnie Anderson with Clark Engineering, Diane Weick with F&L Development, and Police Chief Stacy Mayou.

Mayor Solberg called the meeting to order at 7:00pm

Action #019-2004:

Motion by John Pollock, seconded by Lyle Brenden to adopt the agenda. All members voting yes. Motion carried.

Action #020-2004:

Motion by Lyle Brenden, seconded by Dialo Schmidt to approve the minutes from the Jan 5th, 2004 council meeting. All members voting yes. Motion carried.

Action #021-2004:

Motion by Dialo Schmidt, seconded by Don DesLauriers to approve the financial statement as of Jan. 31st, 2004. All members voting yes. Motion carried.

Action #022-2004:

Motion by Dialo Schmidt, seconded by Lyle Brenden to approve the claims as of Jan. 31st, 2004. All members voting yes. Motion carried.

CLAIMS SHEET:

To:	For:	Amount:
1. Cook's Office Products	Maintenance Agree & Supplies	\$186.52
2. Clark Engineering	Engineering Fees	\$3,832.00
3. Dakota Electronics	Fire Dept – Radio & Repairs	\$1,242.11
4. Desnoyer's Hardware	Supplies/Materials	\$237.32
5. Butler Cat	Supplies/Materials	\$195.50
6. Northwestern	Utilities	\$7,058.11
7. Danforth Meierhenry	Legal Fees – Phase 1 project	\$2,014.21

8. Gunal Inc – Florey’s	Repairs	\$66.11
9. Westside Imp. -	Repairs	\$66.96
10. Office Systems	Office Supplies	\$54.09
11. Duckwall’s	Supplies	\$25.89
12. Dacotah Insurance	City Insurance Premiums	\$36,874.00
13. Viking Office Products	Office Supplies	\$365.25
14. Sodak Distributing	Liquor Invoices	\$6,325.93
15. Mid States OCI	Membership Dues	\$100.00
16. Cellular One	Supplies/Materials	\$19.99
17. UBC	Supplies/Materials	\$42.49
18. Share Corp	Books – Library	\$38.99
19. Share Corp.	Supplies/Materials	\$281.47
20. Moeller Sheet Metal	Repairs	\$134.05
21. Wellmark BC & BS	Health Insurance Prems	\$2,826.69
22. Dorcas Protexter	Travel Expense	\$68.40
23. Glacial Lakes	Vacation Guide Adv. Expense	\$775.00
24. Dakota Pum & Cont	Repairs	\$165.20
25. Tee’s Plus	DARE supplies	\$133.79
26. Milbank Winwater	Supplies/Materials	\$209.00
27. Nichole Binger	Payroll Expense – Feb Salary	\$2,064.50
28. Andy Wookey	Payroll Expense	\$227.50
29. Darin Altfillisch	January OT hours	\$199.81
30. Darin Altfillisch	Feb Salary	\$2,615.00
31. Roger Collins	January OT hours	\$174.48
32. Roger Collins	February Salary	\$2,521.42
33. Diana Flora	Payroll Expense	\$266.30
34. Rae Jean Flora	February Salary	\$1,625.00
35. Keith Kruthoff	Payroll Expense	\$1,252.50
36. Keith Kruthoff	OT payroll Expense	\$16.88
37. Stacy Mayou	February Salary	\$3,032.66
38. Dorcas Protexter	Payroll Expense	\$864.00
39. Lester C. Solberg	February Salary	\$379.92
40. Loren Stanley	February Salary	\$1,997.26
41. Jeremy Wellnitz	February Salary	\$2,067.50
42. Jeremy Wellnitz	Travel Expenses	\$25.35
43. Nichole Binger	Petty Cash – Finance Office	\$52.19
44. City of Clark	Utilities	\$58.50
45. VALIC	Payroll Deductions	\$135.00
46. Clark Flower & Gift	Misc Expense	\$100.67
47. Andrea Osborne	Water Deposit Refund	\$43.57
48. City of Clark	A. Osborne final water bill	\$56.43
49. Comm. First Nat. Bank	Fed/SS tax deposit	\$2,308.32
50. Northwestern	Utilities – at McCains	\$3,644.85
51. Clark Engineering	Phase 1 Eng. Fees	\$1,307.07

52. Nichole Binger	Travel Expenses	\$54.50
53. Clark County Reg	Land Acquisition Fee	\$30.00
54. Rae Jean Flora	Reimburse for Office Supplies	\$133.22
55. Streichers	Supplies	\$160.90
56. Ecolab	Maintenance @ McCains	\$208.00
57. Cellular One	Utilities	\$23.32
58. Cellular One	Utilities	\$69.90
59. Cellular One	Utilities	\$54.56
60. US Postal Serv	Pre-Sort Mailing Fees	\$150.00
61. First District	Annual Fees	\$832.39
62. Star Laundry	Maintenance	\$48.07
63. SD Dept of Rev	Water Testing Fees	\$336.00
64. SD Library Assoc	Annual Fees	\$90.00
65. Lisa McGraw	Payroll Expense	\$298.24
66. Sharon Bjerke	Payroll Expense	\$291.00
67 Comm. First Nat'l Bank	Fed/SS tax deposit	\$2,269.04

ADDITIONAL CLAIMS:

To:	For:	Amount:
1. Ryan Burke	Payroll Expense	\$220.50
2. Robert Gergen	Payroll Expense	\$515.38
3. Vickie Holmes	Payroll Expense	\$13.56
4. Robert Schlueter	Payroll Expense	\$54.25
5. Dialo Schmidt	Payroll Expense	\$844.75
6. Alan Hollatz	Payroll Expense	\$123.63
7. Mack's Standard	Supplies and Repairs	\$275.19
8. Community First Ins	Fire Dept Ins Prem	\$543.68
9. Cardell's	Supplies – fuel	\$24.90
10. Clausen Construction	Water Leak Repairs	\$1,030.61
11. Johnson Brothers Famous	Liquor Invoices	\$2,828.55
12. Oscar's Machine Shop	Supplies/Materials	\$8.04
13. Wells Fargo Financial –	Supplies – lease pymt copier	\$132.87
14. Chief Supply	Supplies – fire dept	\$329.92
15. AFLAC	Payroll Deductions	\$299.42
16. ITC	Utilities	\$475.92
17. Community First Nat'l	Fed/SS tax deposit	\$953.98
18. Clark County Auto Parts	Supplies/Materials	\$4.49
19. Cook's Wastepaper	Utilities – city garbage	\$30.00
20. Cook's Wastepaper	Garbage Coll. Remittance	\$4,487.58
21. Clark Rural Water	Supplies – Water	\$7,687.50
22. Clark County Courier	Advertising	\$407.40
23. Moritz Publishing	Office Supplies	\$145.40

24. Clark Comm Oil	Supplies & Repairs	\$1,003.14
25. Clark Rotary Club	Payroll Deductions	\$27.00
26. SD Retirement Systems	Retirement Contrib.	\$2,283.22
27. Fjelland Attorney @ Law	Legal Fees	\$535.00
28. Ellwein Brothers	Malt Beverage Invoices	\$5,249.50
29. Rohl Beverages	Malt Beverage Invoices	\$594.45
30. Carlson Distributing	Malt Beverage Invoices	\$3,208.10
31. Northwestern	Utilities – McCains	\$4,596.36
32. A-OX Welding	Supplies – Cylinder Rent	\$6.60
33. Nichole Binger	Petty Cash – Finance Office	\$26.52
34. John Howardson	Payroll Expense	\$198.00

Action #023-2004:

Motion by Dialo Schmidt, seconded by John Pollock to approve \$3,000.00 funding to the Clark Chamber of Commerce for 2004. All members voting yes. Motion carried.

- Jenny Severson visited with the council regarding the Chamber budget for 2004 and notes that the \$3,000.00 would be used to promote the City of Clark and Chamber. She also updated the council on the upcoming Chamber activities.

Action #024-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

- Police patrolled 1,760 miles for the month of Jan. Stacy is doing the DARE program in Clark and Willow Lake this year and have upcoming field trips planned. Council asked about speed limit for snowmobilers. Stacy said they are watching out for the snowmobilers and will keep an I on the speed.

Action #025-2004:

Motion by Dialo Schmidt, seconded by John Pollock to approve the following dates for the American Legion for a liquor license: from 5:00pm March 26th, 2004 to 2:00am March 28th, 2004. All members voting yes. Motion carried.

Phase 1 – 10 block project: Curb and Gutter:

Lonnie Anderson from Clark Engineering visited with the council on the layout of the curb and gutter work to be done on the Phase 1 water and sewer project. Construction will begin this spring, with bids let in March 2004 for the curb and gutter and April 2004 for the surfacing. The engineer will try to tie the surfacing work in with the counties project in hopes of getting a better bid on the asphalt.

Lonnie has visited with individuals on the curb and gutter placement and will continue to stay in contact with the city of the progress of this project.

3rd Phase HRC 4-plex:

Diane Weick representing F&L Development visited with the council regarding plans to place an addition 4-plex on Pebble Beach Drive. In addition to the 4-plex plans are in the mist of putting in a set of detached garages as well. F&L would like to be able to let bids on this project in March of 2004 with construction to begin in early spring. The HRC is interested in moving forward with this project and will need the city's approval and signature on a debt service agreement. No official action was needed tonight and will be visited again in the March meeting.

Action #026-2004:

Motion by Dialo Schmidt, seconded by Lyle Brenden to approve the agreements with Dacotah Bank for online banking services. Dacotah Bank agrees to waive the fees associated for this service. The city will use this service for the automatic water payment customers. All members voting yes. Motion carried.

Action #027-2004:

Motion by Don DesLauriers, seconded by John Pollock to approve Resolution #718. All members voting yes. Motion carried.

RESOLUTION #718

A RESOLUTION, PURSUANT TO SDCL 9-14-23, TO SET FORTH THE COMPENSATION PAYABLE TO THE CITY ATTORNEY AND TO FURTHER SET FOR THE SERVICES TO BE RENDERED BY THE CITY ATTORNEY.

WHEREAS, SDCL 9-14-23 requires that the compensation payable to the City Attorney be set by Resolution or Ordinance; and,

WHEREAS, SDCL 9-14-23 furthers requires that the specific services to be rendered by said City Attorney shall be set by Resolution or Ordinance;

NOW, THEREFORE, BE IT RESOLVED:

1. That pursuant to the appointment of the Mayor, Chad G. Fjelland shall serve as City Attorney.
2. That the City Attorney shall be paid the sum of \$100.00 to attend a regularly scheduled monthly meeting of the Clark City Council.

3. That for other services, the fee payable to said City Attorney shall be set at the rate currently payable to Court Appointed Attorney's for the indigent in the State of South Dakota, which rate is, at present, \$72.00/hour.

4. That the City Attorney shall perform the following duties: When required by the governing body or any officer of the municipality, the City Attorney shall furnish an opinion upon any matter relating to the affairs of the municipality or the official duties of such officer; conduct the prosecution of all actions or proceedings arising out of the violation of any ordinance; and perform such other professional services incident to his office as may be required by ordinance or directed by the governing body.

As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption.

Adopted this 2nd day of February, 2004.

Action #028-2004:

Motion by Dialo Schmidt, seconded by Lyle Brenden to approve Resolution #719. All members voting yes. Motion carried.

Resolution #719

RESOLUTION OPPOSING THE REPEAL OF THE SALES TAX ON FOOD

WHEREAS, The City of Clark annually receives an estimated \$37,770.78 in revenue from the sales tax on food; and

WHEREAS, there is no revenue source being proposed to replace the lost revenue if the sales tax on food is repealed; and

WHEREAS, the repeal of the sales tax on food could mean significant cuts in services provided by the City; and

WHEREAS, the proposed ballot initiative could impact the security of current and future bond obligations; and

WHEREAS, the cities are extremely limited in their ability to increase any alternative tax to replace lost revenue; and

WHEREAS, approximately 50% percent of our school district budget is funded by the State, it is anticipated the State will lose \$42 million annually if the sales tax on food is repealed, thereby threatening funding for our school district; and

WHEREAS, the proposed ballot initiative will provide a tax break for all, without considering whether or not such a tax break is needed;

NOW, THEREFORE, it is hereby resolved that the City of Clark opposes the repeal of the sales tax on food;

AND BE IT FURTHER RESOLVED that the City of Clark urges the circulators of the petitions to withdraw their drive to place the repeal of the sales tax on food on the ballot.

Adopted this 2nd, day of February 2004.

Action #029-2004:

Motion by Lyle Brenden, seconded by Dialo Schmidt to approve a special council meeting set for March 15th, 2004 at 7:00pm. All members voting yes. Motion carried.

Action #030-2004:

Motion by Don DesLauriers, seconded John Pollock to close the regular session and convene into executive session for legal consultation, personnel reasons, and contractual. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 8:05pm and ended at 9:20pm.

- Larry Dreher entered meeting at 8:35pm.

Action #031-2004:

Motion by John Pollock, seconded by Dialo Schmidt declaring that the public sewer is not reasonably accessible to certain property on East Highway 212 currently owned by New Dimensional Vinyl Products, Inc., and that should any public body or agency require connection to the public sewer, that the City of Clark shall make said access reasonably accessible. All members voting yes. Motion carried.

Action #032-2004:

Motion by Larry Dreher, seconded by Don DesLauriers authorizing the City Finance Officer to accept the sum of \$750.00 as full satisfaction of Madonna Pickrel's disputed water, sewer and garbage bill, plus a water deposit in the amount of \$100.00. All members voting yes. Motion carried.

Action #033-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to approve financial support of the Clark Medical Facility. City will assist with land acquisition, land preparation and such. All members voting yes. Motion carried.

Action #034-2004:

Motion by Don DesLauriers, seconded by Larry Dreher to advertise for a med van driver with pay set at \$7.75 per hour. All members voting yes. Motion carried.

Action #035-2004:

Motion by Larry Dreher, seconded by Dialo Schmidt to adjourn. All members voting yes. Motion carried.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

Clark City Council Meeting
March 1st, 2004
6:00pm

Call to Order: The Clark city council met in session on Monday, March 1st, 2004 at 6:00pm. Council members present were: John Pollock, Lyle Brenden, Dialo Schmidt, Larry Dreher, Don DesLauriers, and Larry Bartels. Others present were: Mayor Lester C. Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, Police Chief Stacy Mayou, Courier Editor Bill Krikac, Lonnie Anderson (Clark Engineering), J. Elaine Hanson, Duane Stokes, Keith Warren, Willie Gruenwald, and Tom Serie.

Mayor Solberg called the meeting to order at 6:00pm.

Action #036-2004:

Motion by Lyle Brenden, seconded by John Pollock to adopt the agenda as amended. All members voting yes. Motion carried.

Action #037-2004:

Motion by Dialo Schmidt, seconded by John Pollock to approve minutes from Feb. 2nd 2004 council meeting. All members voting yes. Motion carried.

Action #038-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve the financial statement as of February 27th, 2004. All members voting yes. Motion carried.

Action #039-2004:

Motion by Dialo Schmidt, seconded by Larry Dreher to approve the claims as of March 1st, 2004. All members voting yes. Motion carried.

CLAIMS SHEET

To:	For:	Amount:
1. Clark County Auto Parts	Supplies/Materials	\$45.96
2. Desnoyer's Hardware	Supplies/Materials	\$263.58
3. City of Clark	Utilities – water bill	\$58.50
4. Northwestern	Utilities	\$7,056.85
5. Office Systems Inc	Office Supplies	\$94.55
6. Cellular One	Utilities – med van	\$23.32
7. Cellular One	Utilities – Gen., Water, Sewer	\$69.77
8. Cellular One	Utilities – police dept	\$70.33
9. Vernie Peterson	Repairs	\$247.18
10. Wellmark Blue Cross & Blue..	Health Insurance Premiums	\$2,826.69

11. Viking Office Products	Office Supplies& Equip	\$310.51
12. Star Laundry	Maintenance	\$48.11
13. City of Clark	A. Moeller water dep- bill	\$100.00
14. US Life Insurance Company	Life Insurance Premiums	\$27.40
15. Ecolab	Maintenance	\$270.00
16. Gunal Inc. – Florey's	Repairs	\$96.87
17. Gruenwald Electric	Repairs	\$32.65
18. Adamson Ind. Corp	Supplies/Materials	\$409.00
19. Cook's Office Products	Office Supplies & Maint Cnt	\$53.79
20. Department of Revenue	Water Testing – Maintenance	\$160.00
21. Michael Todd & Company	Grader Blade – Supplies	\$184.58
22. Greg Overby	Travel Expenses – Hazmat	\$27.67
23. VALIC	Payroll Deductions – Inv	\$135.00
24. Sodak Distributing	Liquor Invoices	\$4,927.46
25. United Buiding Centers	Supplies/Materials	\$31.59
26. K&P Pump Repairs	Repairs – sewer dept	\$158.16
27. One Call Systems Inc	Locate Requests called in	\$1.76
28. Pulic Safety Center Inc	Supplies/Materials	\$217.72
29. The Literary Guild	Books – Supplies	\$63.47
30. Continental Western Group	Additional Wrk Comp Prem	\$2,041.00
31. Clark Rural Water Systems	Materials	\$106.21
32. Bev Kluess	Library Sub Pay	\$28.00
33. Todd Architects	Professional Services Fee	\$2,650.00
34. John Deere Ag	Riding Lawn Mower	\$4,100.00
35. Clark Engineering	Professional Services *****	\$7,905.00
36. Clark Engineering	Professional Services	\$3,588.00
37. Darin Altfillisch	Payroll Expense	\$2,750.72
38. Nichole Binger	Payroll Expense	\$2,064.50
39. Roger Collins	Payroll Expense	\$2,935.81
40. Ryan Burke	Payroll Expense	\$220.50
41. Eileen Dunbar	Payroll Expense	\$214.50
42. Diana Flora	Payroll Expense	\$204.75
43. Rae Jean Flora	Payroll Expense	\$1,632.03
44. Keith Kruthoff	Payroll Expense	\$1,228.13
45. Stacy Mayou	Payroll Expense	\$3,032.66
46. Loren Stanley	Payroll Expense	\$1,997.26
47. Dorcas Protexter	Payroll Expense	\$768.00
48. Lester C. Solberg	Payroll Expense	\$379.92
49. Jeremy Wellnitz	Payroll Expense	\$2,067.50
50. Andy Wookey	Payroll Expense	\$31.50
51. Comm. First National Bank	Fed/SS tax Deposit	\$2,581.84
52. Comm. First National Bank	Fed/SS tax Deposit	\$2,717.81

Additional Claims Sheet

To:	For:	Amount:
1. Olson's Auto Parts	Supplies/Materials	\$58.72

2. Olson's Motor Comp.	Repairs/Maintenance	\$32.45
3. Oscar's Machine Shop	Supplies/Materials	\$14.61
4. AFLAC	Ins. Premiums – Payrolls Deduc	\$299.42
5. Clark Community Oil	Supplies/Materials, Repairs/Maint	\$1,091.49
6. Johnson Brothers Inc	Liquor Invoices	\$5,778.24
7. Wells Fargo Financial	Copier Lease Payment – Supplies	\$132.87
8. ITC	Phone Bills – Utilities	\$494.55
9. Mack's Standard	Supplies/Materials	\$306.56
10. Gruenwald Electric	Repairs/Maintenance	\$156.51
11. Clark Rural Water	Supplies – Water	\$6,186.90
12. Clark County Courier	Advertising	\$153.95
13. Moritz Publishing	Supplies	\$46.00
14. Cook's Wastepaper & Re	Garbage Collections	\$4,477.95
15. Duckwall's	Supplies	\$34.43
16. John Howardson	Payroll Expense	\$230.00
17. Sharon Bjerke	Payroll Expense	\$281.30
18. Lisa McGraw	Payroll Expense	\$270.28
19. Carmen Kloster	Payroll Expense	\$674.25
20. Bob Gergen	Payroll Expense	\$428.19
21. Vickie Holmes	Payroll Expense	\$27.13
22. Bob Schlueter	Payroll Expense	\$191.81
23. Dialo Schmidt	Payroll Expense	\$666.50
24. Fjelland Attorney @ Law	Legal Fees	\$546.40
25. Community First Nat.	Fed/SS tax Deposit	\$629.47
26. Alan Hollatz	Payroll Expense	\$220.37
27. Rohl Beverages Inc	Malt Beverage Invoices	\$247.25
28. A-OX Welding Supply	Cylinder Rent – Supplies	\$6.82
29. Carlson Distributing	Malt Beverage Invoices	\$2,329.15
30. Ellwein Brothers Inc	Malt Beverage Invoices	\$5,292.80
31. Forest Excavating	Repairs	\$841.05
32. Northwestern	Utilities – McCains	\$4,706.27
33. Cook's Wastepaper	Utilities	\$30.00
34. Community First Nat	Fed/SS tax Dep	\$862.13
35. Nichole Binger	Petty Cash Reimb.	\$52.40
36. Milbank Winwater Works	Supplies/Materials	\$258.18
37. Jennifer Severson	Professional Services	\$446.25
38. Cardell's Service Station	Supplies	\$90.32
39. Nichole Binger	Payroll Expense	\$650.00
40. Clark Rotary Club	Payroll Deduction	\$150.00
41. SD Secretary of State	Supplies	\$10.00
42. Office Systems Inc	Office Supplies	\$11.89

Action #040-2004:

Motion by Dialo Schmidt, seconded by Larry Dreher to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

Police Report Review:

Police dept patrolled 1,375 miles for the month of Feb., D.A.R.E graduation scheduled for March 11th, 2004, and grant was approved for road spikes and possibly extra funds available for additional equipment.

Lonnie Anderson:

At this time Lonnie Anderson from Clark Engineering visited with the council about the North Cloud –Phase II – project. He also discussed the plans for bid openings on the Phase I – 10 block project. The bids will be let out in schedule A and schedule B but will be with one contractor. Also discussed were a couple of modifications to the curb and gutter Phase I project.

Pool Season 2004:

At this time Larry Dreher visited about the upcoming pool season and projects that need to be done prior to opening the pool. Projects: re-furbish pool vaccums, patch cement areas, paint pool, place walking carpet around the edge of the pool, and fix door by sundeck.

Parks 2004:

At this time Larry Bartels visited about the needs of park projects for summer of 2004. Dickinson park is in need of some updating with new playground equipment, put in stationary benches, take out some trees, and possibly creating a park at the South end of town. Garbage receptacles need to be updated as well throughout town.

Action #041-2004:

Motion by Dialo Schmidt, seconded by John Pollock to authorize \$5,000.00 for park equipment and 2-3 garbage receptacles. Larry Bartels will oversee this project. All members voting yes. Motion carried.

Flower Pots:

Discussion was held on the flower pots placed around town. An idea was brought to the council about painting flowers on the flower pots themselves – will check with Clark Art class and see if they would be interested. Also, the maintenance of the pots was discussed – council requested we check with Chamber for assistance in this area.

Action #042-2004:

Motion by Lyle Brenden , seconded by Don DesLauriers to advertise for pool season help for summer 2004 as follows:

Lifeguard: Pay set at \$6.75 per hour, basket personnel: pay set at \$6.00 per hour and a pool manager with pay set at \$7.75 per hour. Closing date on all these positions will be March 18th, 2004. All members voting yes. Motion carried.

Action #043-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to advertise for 2 summer ball program coaches. Pay will be set at \$7.50 per hour and closing date on positions will be March 18th, 2004. All members voting yes. Motion carried.

Action #044-2004:

Motion by Lyle Brenden, seconded by Larry Bartels to advertise for a summer laborer position. Position will consist of reading water meters and assisting in the streets, parks and water/sewer departments. Pay will be set at \$7.00 per hour. Closing date on the position is March 18th, 2004. All members voting yes. Motion carried.

Annual Baseball Program Request:

Council discussed annual contributions for the teener, Legion and amateur teams. Council will visit with heads of the programs and will revisit this topic in the March 15th, 2004 council meeting.

Annual Report:

1st reading of annual report was presented to the council. 2nd and final reading will be presented to council in March 15th, 2004 council meeting.

Action #045-2004:

Motion by Larry Bartels, seconded by Larry Dreher that an environmental study has indicated that the Phase II project (North Cloud St) lies in a flood plain and the city will follow the engineers recommendation(s) for the best management practice and will proceed with this project as there are no other cost effective measures available. All members voting yes. Motion carried.

Action #046-2004:

Motion by Don DesLauriers, seconded by Larry Dreher to have council meetings on March 15th, and 19th, 2004 for the purpose of meeting as the board of equalization and to conduct city business as well. Both meetings will start at 7:00pm. All members voting yes. Motion carried.

Action #047-2004:

Motion by John Pollock, seconded by Dialo Schmidt to approve the 2nd quarter Thank You award recipient. All members voting yes. Motion carried.

Action #048-2004:

Motion by Dialo Schmidt, seconded by Larry Dreher to approve a \$200.00 contribution for the inflatable castle at the Relay of Life event in June of 2004. All members voting yes. Motion carried.

Action #049-2004:

Motion by John Pollock, seconded by Larry Dreher to approve expenses associated with the District meeting to be held March 30th, 2004 in Rosholt SD. All members voting yes. Motion carried.

Chamber News:

At this time J. Elaine Hanson updated the council on Chamber happenings.

Action #050-2004:

Motion by Don DesLauriers, seconded by John Pollock to close the regular session and convey into executive session for contractual reasons. Mayor Solberg announced executive session commenced at 7:28pm and ended at 7:55pm.

F&L Development and HRC project:

At this time Tom Serie from F&L Development and Willie Gruenwald – HRC President asked the council to sign a Debt service agreement so the HRC can build an additional 4-plex on Pebble Beach road and also a set of detached garages to be placed between the two 4-plexes. They plan to bid this project within the next 30 days and construction to start there after.

Action #051-2004:

Motion by Lyle Brenden, seconded by John Pollock to authorize the debt service agreement for the above project and Mayor Les Solberg as the signatory for the necessary paper work. All members voting yes. Motion carried.

Action #052-2004:

Motion by Don DesLauriers, seconded by John Pollock to close regular session and convey into executive session for contractual and personnel reasons. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 8:03pm and ended at 8:31pm.

Action #053-2004:

Motion by Dialo Schmidt, seconded by Lyle Brenden to approve Resolution #720. All members voting yes. Motion carried.

RESOLUTION #720

A RESOLUTION TO AUTHORIZE THE LEASE OF CERTAIN REAL ESTATE HELD BY THE CITY OF CLARK, TO NATURE'S DELI, LLC, OR ITS AFFILIATES OR SUBSIDIARIES, AND TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO THE LEASE OF SAID REAL ESTATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA:

WHEREAS, the City of Clark owns real estate legally described as follows:

TRACT #1

Outlots Numbered One (1) through Seven (7), inclusive, of Builders Outlots, situated in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #2

Fairfield Products, Inc., Outlot situated in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, excepting an easement over and across the South Sixty (S. 60') Feet and the East Sixty (E. 60') Feet of said Fairfield Products, Inc., Outlot, for the purpose of ingress and egress to the property platted and described as Builder's Outlots, being in accordance with the recorded plat;

TRACT #3

Potato Products Addition Lot One (1) in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, less Lot A, a Subdivision of Potato Products Addition (Lot 1) in the County of Clark, South Dakota, being in accordance with the recorded plat;

TRACT #4

Northwestern Public Service Company Outlot in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #5

Chef Reddy Food Addition in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #6

Lot Two (2) of Musser Addition in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #7

All that part of the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, lying South of the right-of-way of the Chicago & Northwestern Railway, less the following tracts:

- A. Those portions previously deeded for highway right-of-way;**
- B. Tract #1 above described;**
- C. Tract #2 above described;**
- D. Tract #4 above described;**

- E. Tract #5 above described;**
- F. Tract #6 above described;**
- G. The East Six Hundred Fifty-Five (E. 655') Feet of the South Three Hundred (S. 300') Feet of said tract;**
- H. The South Five Hundred (S. 500') Feet of that portion of said tract lying West of the Fairfield Products, Inc., Outlot as platted, less Chef Reddy Food Addition;**
- I. Hallberg's Addition in the Southeast Quarter (SE¹/₄) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;**
- J. Lot One (1) of Musser Addition in the Southeast Quarter (SE¹/₄) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;**
- K. Lamb's Addition in the Southeast Quarter (SE¹/₄) of Section Six (6), Township One Hundred Sixteen (116) North, of Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota; and,**
- L. A tract of land commonly known and described as the "East Pasture". This tract contains approximately 25 acres and is bordered on the North by Potato Products Addition Lot One, on the West by the Builder's Outlots, on the South by various private property and on the East by the quarter line.**

TRACT #8

All that part of the abandoned right-of-way of the Chicago and North Western Transportation Company (formerly the right-of-way of the Dakota Central Railway Company) extending over and across the Southeast Quarter (SE¹/₄) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., said strip of land also described as follows: That part of the Southeast Quarter (SE¹/₄) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., lying Southeasterly of a line parallel with and distant 100 feet Northwesterly, measured at right angles and radially, from the center line of the main track (now removed) of the Dakota Central Railway Company (now Chicago and Northwestern Transportation Company), as originally located and established over and across said Section 6, and lying Northwesterly of a line parallel with and distant 50 Feet Southeasterly, measured at right angles and radially, from the center line of the main track (now removed) of the Dakota Central Railway Company (now Chicago and North Western Transportation Company), as said main track was located prior to its removal, less the westerly 440.91 feet of said track;

TRACT #9

Lot A, A Subdivision of Potato Products Addition (Lot 1) situated in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;

TRACT #10

Hallberg's Addition situated in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;

TRACT #11

Lot One (1), Hallberg's Second Addition situated in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota.

WHEREAS, Nature's Deli, LLC, or its affiliates or subsidiaries, desires to lease the above-described property from the City of Clark,

WHEREAS, the City of Clark desires to lease the above described property to Nature's Deli, LLC, or its affiliates or subsidiaries,

WHEREAS, said lease is authorized pursuant to applicable South Dakota law;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark, South Dakota, forthwith enter a contract for the lease of the above-referenced real estate, for the sum of \$1.00 and for the term of one year.

AND BE IT FURTHER RESOLVED, that Lester C. Solberg, Mayor of the City of Clark, is hereby authorized and directed to execute all documents and take whatever other action he may deem necessary to consummate the lease of above described real estate for the consideration set for in this Resolution.

The City of Clark is adopting this Resolution as an emergency measure in order to protect the public health, safety, and general welfare of the residents of this City. As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption.

Action #054-2004:

Motion by Larry Bartels, seconded by John Pollock to approve Resolution #721. All members voting yes. Motion carried.

RESOLUTION #721

A RESOLUTION TO AUTHORIZE THE SALE OF CERTAIN REAL ESTATE HELD BY THE CITY OF CLARK, TO THE CLARK INDUSTRIAL DEVELOPMENT CORPORATION, AND TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO THE SALE OF SAID REAL ESTATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA:

WHEREAS, the City of Clark owns real estate legally described as follows:

TRACT #1

Outlots Numbered One (1) through Seven (7), inclusive, of Builders Outlots, situated in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #2

Fairfield Products, Inc., Outlot situated in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, excepting an easement over and across the South Sixty (S. 60') Feet and the East Sixty (E. 60') Feet of said Fairfield Products, Inc., Outlot, for the purpose of ingress and egress to the property platted and described as Builder's Outlots, being in accordance with the recorded plat;

TRACT #3

Potato Products Addition Lot One (1) in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, less Lot A, a Subdivision of Potato Products Addition (Lot 1) in the County of Clark, South Dakota, being in accordance with the recorded plat;

TRACT #4

Northwestern Public Service Company Outlot in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #5

Chef Reddy Food Addition in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #6

Lot Two (2) of Musser Addition in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, being in accordance with the recorded plat;

TRACT #7

All that part of the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota, lying South of the right-of-way of the Chicago & Northwestern Railway, less the following tracts:

- A. Those portions previously deeded for highway right-of-way;**
- B. Tract #1 above described;**
- C. Tract #2 above described;**
- D. Tract #4 above described;**
- E. Tract #5 above described;**
- F. Tract #6 above described;**
- G. The East Six Hundred Fifty-Five (E. 655') Feet of the South Three Hundred (S. 300') Feet of said tract;**
- H. The South Five Hundred (S. 500') Feet of that portion of said tract lying West of the Fairfield Products, Inc., Outlot as platted, less Chef Reddy Food Addition;**
- I. Hallberg's Addition in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;**
- J. Lot One (1) of Musser Addition in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;**
- K. Lamb's Addition in the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, of Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota; and,**
- L. A tract of land commonly known and described as the "East Pasture". This tract contains approximately 25 acres and is bordered on the North by Potato Products Addition Lot One, on the West by the Builder's Outlots, on the South by various private property and on the East by the quarter line.**

TRACT #8

All that part of the abandoned right-of-way of the Chicago and North Western Transportation Company (formerly the right-of-way of the Dakota Central Railway Company) extending over and across the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., said strip of land also described as follows: That part of the Southeast Quarter (SE¼) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., lying Southeasterly of a line

parallel with and distant 100 feet Northwesterly, measured at right angles and radially, from the center line of the main track (now removed) of the Dakota Central Railway Company (now Chicago and Northwestern Transportation Company), as originally located and established over and across said Section 6, and lying Northwesterly of a line parallel with and distant 50 Feet Southeasterly, measured at right angles and radially, from the center line of the main track (now removed) of the Dakota Central Railway Company (now Chicago and Northwestern Transportation Company), as said main track was located prior to its removal, less the westerly 440.91 feet of said track;

TRACT #9

Lot A, A Subdivision of Potato Products Addition (Lot 1) situated in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;

TRACT #10

Hallberg's Addition situated in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota;

TRACT #11

Lot One (1), Hallberg's Second Addition situated in the Southeast Quarter (SE $\frac{1}{4}$) of Section Six (6), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., Clark County, South Dakota.

WHEREAS, the Clark Industrial Development Corporation, a non-profit corporation, desires to purchase the above-described property from the City of Clark;

WHEREAS, the City of Clark desires to sell the above described property to the Clark Industrial Development Corporation, a non-profit corporation;

WHEREAS, said sale is authorized pursuant to SDCL 9-27-36;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark, South Dakota, pursuant to SDCL 9-27-36, on or before February 28, 2005, enter a contract for the sale of the above-referenced real estate, for the sum of \$1.00 and other good and valuable consideration, as above described;

AND BE IT FURTHER RESOLVED, that Lester C. Solberg, Mayor of the City of Clark, is hereby authorized and directed to execute all documents and take whatever other action he may deem necessary to consummate the sale of above described real estate for the consideration set for in this Resolution.

The City of Clark is adopting this Resolution as an emergency measure in order to protect the public health, safety, and general welfare of the residents of this City. As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption.

Action #055-2004:

Motion by Larry Dreher, seconded by John Pollock to approve offering Dean Hilmoe, Gene Furness and Ronnie Schorg, med van driver positions with pay set at \$7.75 per hour. All members voting yes. Motion carried.

Action #056-2004:

Motion by Larry Bartels, seconded by John Pollock to adjourn. All members voting yes. Motion carried.

Meeting ended at 8:41pm

Mayor Lester C. Solberg

Finance Officer Nichole Binger

City Council Meeting
March 15th, 2004
7:00pm

Call to Order: The Clark City Council met in session on March 15th, 2004 to meet as the Board Equalization and to conduct city business. Council members present were John Pollock, Lyle Brenden, Larry Dreher, Larry Bartels, Dialo Schmidt, and Don DesLauriers. Others present were: Mayor Lester Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, Courier Editor Bill Krikac, Marlene Knutson (First District), Lonnie Anderson (Clark Engineering), Julie Foster (School Board representative), J. Elaine Hanson, Bob Buaman (Legion representative), Russ Hurlbert, Francis Hass, C.C. Neill, Kenny Bell, Gene Warkenthien, Harold Larsen, Merlyn Ritter, Wade McGraw, Kim Warkenthien, Dick Reintz, Robert Harding, Clara Luvaas, Glen Luvaas, Joanne Bowers, Norbe Barrie (2020 plan presenter) and Scott Layman (2020 plan presenter).

Mayor Solberg called the meeting to order at 7:01pm

Action #057-2004:

Motion by John Pollock, seconded by Larry Bartels to adopt the agenda. All members voting yes. Motion carried.

Lonnie Anderson and Marlene Knutson: Phase 1:

At this time Lonnie discussed the street excavating and sidewalk/curb and gutter for Phase 1 project. Lonnie and Marlene visited about the financial funding remaining on this project and how everything will break out to finish the project. The Phase 1 project has a closing date of Sept 2004 for all work to be done. Clark Engineering will have the contractors communicate with the schools on the scheduling of the street work.

Opening of Board of Equalization Meeting:

At this time the board of equalization reviewed the property value lists from the equalization office. No objections to the assessments were filed with the city office.

Action #058-2004:

Motion by Don DesLauriers, seconded by Lyle Brenden to close the equalization meeting. All members voting yes. Motion carried.

Action #059-2004:

Motion by Larry Dreher, seconded by John Pollock to hire Richard Claussen for the rubble site attendant for 2004 with pay set at \$7.25 per hour. All members voting yes. Motion carried.

Action #060-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to approve sending out two free rubble site passes with the April 04 water billings. Expiration date on passes will be 05/31/04. All members voting yes. Motion carried.

Action #061-2004:

Motion by Larry Dreher seconded by Larry Bartels to approve April 1st, 2004 as the opening date for the rubble site (weather permitting). All members voting yes. Motion carried.

Action #062-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to declare the 1978 International sludge truck as surplus property and advertise truck pursuant to state law. Three appraisers are named as John Olson, Corey Hallstrom and Gary Kruthoff. All members voting yes. Motion carried.

Action #063-2004:

Motion by John Pollock, seconded by Lyle Brenden to approve the 2003 annual report. All members voting yes. Motion carried.

Concession Stand – Dickinson Park:

At this time council talked with Bob Bauman regarding the concession stand rights at Dickinson Park. A group of parents are interested in the concession stand to raise money for the baseball program. The group will meet with the Legion at their next meeting to discuss the concession stand requirements and how to bid for the rights to the concession stand.

2020 State Highway Proposal:

At this time Scott Layman and Norbe Barrie presented the plan for a state highway – proposed plan name 2020 plan. After proposal was made questions were taken from the floor.

Amateur Baseball Donation:

At this time Larry Bartels visited with the council regarding a letter that the Amateur baseball team submitted to him regarding 2004 funding. The team is looking for additional funding because bat regulations have changed and the team also would like help with baseballs again this year as well.

Action #064-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to donate \$750.00 to the Clark Amateur baseball team for the purchase of baseball bats and baseballs. Financial statement to be submitted to council at the end of the 2004 season. All members voting yes. Motion carried.

Clark Teener Tournament

Larry Bartels also visited with council about the bidding of the teener state baseball tournament. Presentation will be submitted to the board of commissioners on March 21st, 2004.

Flower Pots:

At this time Nichole Binger updated council on the flower pots in town. Chamber has been contacted and was interested in helping out with the maintenance of the flower pots. Rae Jean visited with Mr. Leo Tom at the school about the art class painting the base of the flower pots this spring.

Action #065-2004:

Motion by Larry Dreher, seconded by John Pollock to approve re-scheduling the March 19th, 2004 council meeting to March 22nd, 2004 at 7:00pm. All members voting yes. Motion carried.

Action #066-2004:

Motion by Larry Dreher, seconded by John Pollock to close regular session and convene into executive session for personnel reasons. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 9:19pm and ended at 9:45pm.

Action #067-2004:

Motion by Larry Bartels, seconded by Dialo Schmidt to adjourn. All members voting yes. Motion carried.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

City Council Meeting
March 22nd, 2004
7:00pm

Call to Order: The Clark City council met in session on March 22nd, 2004 at 7:00pm. Council members present were: John Pollock, Lyle Brenden, Larry Dreher, Larry Bartels and Don DesLauriers. Others present: Mayor Lester C. Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, Courier Editor Bill Krikac, Dawn Bergeson, Sara Guest, Cassi Schlagel, Renae Mudgett, and Sheila Poppen.

Mayor Solberg called the meeting to order at 7:00pm.

Action #068-2004:

Motion by John Pollock, seconded by Don DesLauriers to adopt the agenda as amended. All members voting yes. Motion carried.

- Discussion held on Industrial Development land purchase for industrial site on East side of Clark.

Action #069-2004:

Motion by Lyle Brenden, seconded by John Pollock to designate April 30th, 2004 as Arbor Day in Clark. All members voting yes. Motion carried.

Action #070-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to authorize Larry Bartels to purchase 2 trees for the golf course for the Arbor Day program. All members voting yes. Motion carried.

Action #071-2004:

Motion by John Pollock seconded by Larry Dreher to send Nichole Binger to the SD Substance Abuse training seminar on April 20th, 2004 in Sioux Falls, SD. Traveling expenses to be paid per personnel manual. All members voting yes. Motion carried.

Action #072-2004:

Motion by John Pollock, seconded by Larry Dreher to approve sending Nichole Binger to the SD Code Enforcement training seminar held April 29th, and 30th in Pierre, SD. Travel expenses to be paid per personnel manual. All members voting yes. Motion carried.

Action #073-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to approve sending Darin Altfillisch and Loren Stanley to the semi-annual wastewater seminar in

Watertown, SD. Travel expenses paid per personnel manual. All members voting yes. Motion carried.

Action #074-2004:

Motion by John Pollock, seconded by Larry Dreher to approve sending Nichole Binger and Carmen Kloster to the quarterly med van meeting in Sioux Falls: April 19th, and 20th, 2004. Travel expenses to be paid per personnel manual. All members voting yes. Motion carried.

Action #075-2004:

Motion by Lyle Brenden, seconded by John Pollock to accept Dialo Schmidt's resignation as council person for Ward II. All members voting yes. Motion carried.

Action #076-2004:

Motion by John Pollock, seconded by Larry Dreher to approve 5% as the interest for the 2004 curb and gutter assessments. All members voting yes. Motion carried.

Discussion: Council discussed the sidewalk assessment possibly for the Phase 1 water and sewer project area. Council agrees that sidewalk expenses need to be assessed back to the property owners. City Attorney Chad Fjelland will start the procedure for this.

Action #077-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to approve a 5% interest rate on sidewalk assessment in the Phase 1 project area when assessment are put in place. All members voting yes. Motion carried.

Park Projects Update:

Larry Bartels has put together a list of equipment that will be replaced at Dickinson Park this summer. New items include: a new 6 spot swing set, 4 person teeter tooter, treated timbers with wood chips around playground equipment, dark green safety top for baseball fence and replace 6 garbage receptacles on Commercial Street. Larry will have the speaker system looked at and see if anything can be done with this.

Mayor Solberg has visited with Mr. Holbeck regarding the replacement of the bathrooms at Dickinson Park. This project will be discussed again at the next school board meeting. The city will have representative at this meeting.

The State Teener Baseball tournament was accepted by the commissioners. The tournament will be held Aug 13th – 15th, 2004 at Dickinson Park. Events are being planned for the parents and participants. More info will be forthcoming.

Action #078-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to close regular session and convene into executive session for the purpose of interviewing for a pool manager (personnel). All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 7:40pm and ended at 10:30pm.

Action #079-2004:

Motion by Larry Bartels, seconded by John Pollock to offer the following individuals lifeguard positions for summer of 2004 with pay set at \$7.00 per hour: Kandice Hanley, Rachel Krikac, Holly Borns and Mackenzie Hallberg. All members voting yes. Motion carried.

Action #080-2004:

Motion by Larry Bartels, seconded by John Pollock to offer the following individuals lifeguard positions for summer of 2004 with pay set at \$6.75 per hour: Ashley Yanish, Paige Paulson, and Angie O'Neill. Upon completion and proof of passing WSI certification the individual's pay will be raised to \$7.00 per hour. All members voting yes. Motion carried.

Action #081-2004:

Motion by John Pollock, seconded by Lyle Brenden to offer Ashley DesLauriers a lifeguard position for the summer of 2004 with pay set at \$6.75 per hour. Upon completion and proof of passing WSI certification pay will be raised to \$7.00 per hour. Council person Don DesLauriers abstained from vote. Role Call: Larry Bartels, Larry Dreher, John Pollock and Lyle Brenden all voting yes. Motion carried.

Action #082-2004:

Motion by Lyle Brenden, seconded by Larry Bartels to offer Amy Dreher a lifeguard position for the summer of 2004 with pay set at \$6.75 per hour. Upon completion and proof of passing WSI certification pay will be raised to \$7.00 per hour. Council person Larry Dreher abstained from vote. Role Call: Larry Bartels, Don DesLauriers, Lyle Brenden and John Pollock all voting yes. Motion carried.

Action #083-2004:

Motion by Don DesLauriers, seconded by John Pollock to hire Cassi Schlagel as the summer 2004 pool manager. Pay set at \$7.75 per hour. All members voting yes. Motion carried.

Action #084-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to a hire Shawn Kjetland as the summer 2004 summer employee with pay set at \$7.00 per hour. All members voting yes. Motion carried.

Action #085-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to hire Brock Greenfield and Shannon Schlagel as the summer 2004 ball program coaches. Pay set at \$7.50 per hour. All members voting yes. Motion carried.

Action #086-2004:

Motion by John Pollock, seconded by Larry Dreher to appoint Kerry Kline as the Ward II council person to replace Dialo Schmidt. Council person Lyle Brenden abstained from vote. Role Call: John Pollock, Don DesLauriers, Larry Bartels and Larry Dreher voting yes. Motion carried.

Action #087-2004:

Motion by Larry Dreher, seconded by Larry Bartels to offer Darwin DesLauriers the Teener baseball program coaching contract with Les Solberg appointed as the signatory of the contract. City Attorney Chad Fjelland will take care of contract negotiations and writing of contract. Council person Don DesLauriers abstained from voting. Role Call: Larry Bartels, Larry Dreher, John Pollock and Lyle Brenden voting yes. Motion carried.

Action #088-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to adjourn. All members voting yes. Motion carried.

Mayor: Lester C. Solberg

Attest: Finance Officer Nichole Binger

City Council Meeting
April 5th, 2004
6:00pm
Minutes

Call to Order: The Clark City council met in session on April 5th, 2004 at 6:00pm. Council members present were: Lyle Brenden, Larry Dreher, Don DesLauriers, Kerry Kline, Larry Bartels (in at 6:10pm), and John Pollock (in at 6:50pm). Others present were: Mayor Lester C. Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, Courier Editor Bill Krikac, J. Elaine Hanson, Police Chief Stacy Mayou and Louann Streff.

Mayor Solberg called the meeting to order at 6:00pm.

- At this time Finance Officer Nichole Binger swore Kerry Kline in as council person for Ward II to serve the remainder of Dialo Schmidt's term.

Action #089-2004:

Motion by Lyle Brenden, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #090-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to approve minutes from the March 1st, 15th, and 22nd, 2004 council meetings. All members voting yes. Motion carried.

Action #091-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve the Financial Statement as of March 31st, 2004. All members voting yes. Motion carried.

Action #092-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to approve claims as of April 5th, 2004. All members voting yes. Motion carried.

CLAIM SHEET

To:	From:	Amount:
1. Share Corp	Supplies/Materials	\$4017.50
2. ITC	Phone Bills – Utilities	\$478.83
3. Gruenwald Electric	Repairs at City Shop	\$167.30
4. Moritz Publishing	Office Supplies	\$256.70
5. Dakota Electronics	Repairs – Fire Dept	\$264.15
6. Olson's Auto Parts Inc	Fire Dept – Supplies/Materials	\$62.70
7. Clark Engineering Inc	Engineering Fees	\$3,680.00

8. Clark Engineering Inc	Engineering Fees	\$2,635.00
9. Wells Fargo Financing	Lease Pymt – Copy Machine	\$132.87
10. AFLAC	Payroll Deductions	\$299.42
11. Rohl Beverages	Malt Beverage Invoices	\$733.60
12. Star Laundry Services	Maintenance – Rugs	\$103.72
13. Carlson Distributing	Malt Beverage Invoices	\$4,431.80
14. Cook’s Wastepaper Serv	Utilities – city sites	\$30.00
15. A-OX Welding Comp.	Cylinder Rent – supplies	\$6.38
16. Ellwein Brothers Inc.	Malt Beverage Invoices	\$6,071.55
17. Clark Community Oil	Supplies & Repairs/Maint	\$1,097.81
18. Hy-Vee	Misc Expense – Flowers	\$28.00
19. Pulic Safety Equipment	Police Dept Supplies/Mat	\$938.00
20. Express Police Supply	Supplies/Materials	\$260.96
21. Banyon Data Systems	Computer Support Fees	\$1,390.00
22. Cardells	Supplies – Fuel	\$72.56
23. Mack’s Standard	Supplies	\$485.19
24. Clark County Auto Parts	Supplies/Materials	\$92.31
25. Viking Office Products	Office Supplies & Equipment	\$909.58
26. Sodak Distributing	Liquor Invoices	\$7,680.22
27. Colonial Research	Supplies	\$205.24
28. Milbank Winwater	Supplies/Materials	\$161.00
29. K&P Pump Repairs	Repairs	\$948.14
30. Cook’s Office Products	Maintenance Contr & Supplies	\$105.96
31. DesLauriers Oil Co	Supplies	\$172.80
32. Duckwall’s	Supplies	\$40.71
33. US Life Ins Comp	Life Insurance Premiums	\$13.70
34. Desnoyers Hardware	Supplies/Materials	\$94.42
35. Westside Implement	Materials	\$402.50
36. American Family Ins	Life Ins Premiums	\$20.49
37. Pitney Bowes	Lease Payment – Supplies	\$372.00
38. Cellular One	Supplies – med van phone	\$146.99
39. Dept of Revenue	Water Testing – Maintenance	\$224.00
40. Ecolab	Maintenance –McCains	\$208.00
41. Cellular One	Utilities – cell phone bill	\$71.44
42. Cellular One	Utilities – cell phone bill	\$23.32
43. Cellular One	Utilities – cell phone bill	\$70.33
44. Northwestern	Utilities	\$5,908.78
45. UBC	Supplies/Materials	\$26.21
46. Wellmark Blue Cross &.	Health Insurance Prem’s	\$2,826.69
47. A- Tech Sewer	Sewer Repairs	\$300.00
48. Carrot Top Ind	Flags – Supplies	\$100.78
49. Office Systems Inc	Supplies	\$25.82
50. Comm 1 st National Bank	Fed/SS tax deposit	\$2,197.69
51. Comm 1 st National Bank	Fed/SS tax deposit	\$2,895.76
52. Comm 1 st National Bank	Fed/SS tax deposit	\$93.82
53. Clark County Courier	Advertising	\$843.61

54. Recreonics	Pool Supplies	\$390.92
55. Dacotah Insurance	Notary Stamp – Supplies	\$50.00
56. Johnson Brothers Famous --	Liquor Invoices	\$4,714.53
57. The Literary Guild	Books – Library	\$160.00
58. Audio Book Club	Books – Library	\$47.06
59. Fjelland Attorney @ Law	Legal Fees	\$776.80
60. Clark Rural Water	Water purchased for re-sale	\$6,779.35
61. City of Clark	Utilities – Water Bill	\$58.50
62. Ryan Burke	Payroll Expense	\$215.25
63. Richard Claussen	Payroll Expense	\$224.75
64. Robert Gergen	Payroll Expense	\$333.25
65. Alan Hollatz	Payroll Expense	\$134.38
66. Carmen Kloster	Payroll Expense	\$1,009.44
67. Nichole Binger	Special Meeting Pay	\$50.00
68. Dorcas Protexter	Payroll Expense	\$864.00
69. Lester C. Solberg	Payroll Expense	\$379.92
70. John Howardson	Payroll Expense	\$230.00
71. Dean Hilmoe	Payroll Expense	\$767.25
72. Eileen Dunbar	Payroll Expense	\$198.00
73. Gene Furness	Payroll Expense	\$73.63
74. Robert Schlueter	Payroll Expense	\$220.88
75. Ronald Schorg	Payroll Expense	\$350.69
76. Nichole Binger	Mileage	\$64.38
77. Carmen Kloster	Petty Cash Reim – Fin Off	\$94.02
78. One Call Systems Inc	Outgoing Locate Tickets	\$4.40
79. Florey's Plumbing	Repairs – Sewer	\$178.57
80. Ken's Food Fair	Supplies – DARE Grad.	\$15.79
81. Olson's Motor Comp.	Repairs/Maintenance	\$1,520.59
82. Olson's Auto Parts	Supplies/Materials	\$6.05
83. Oriental Trading	Payroll Deductions	\$33.70
84. American Legal Publ.	Basic Code Book – Supplies	\$695.00
85. Darin Altfillisch	Payroll Expense	\$3,005.20
86. Nichole Binger	Payroll Expense	\$2,089.50
87. Roger Collins	Payroll Expense	\$2,641.38
88. Rae Jean Flora	Payroll Expense	\$1,639.05
89. Keith Kruthoff	Payroll Expense	\$1,380.00
90. Stacy Mayou	Payroll Expense	\$3,032.66
91. Loren Stanley	Payroll Expense	\$1,997.26
92. Jeremy Wellnitz	Payroll Expense	\$2,067.50
93. Sharon Bjerke	Payroll Expense	\$310.40
94. Lisa McGraw	Payroll Expense	\$279.60
95. SDRS	Retirement Contr.	\$2,304.32
96. Nichole Binger	Mileage – trip to Pierre	\$112.25
97. Community 1 st Nat. Bank	– Fed/SS tax deposit	\$461.43
98. Olson Construction	Repairs – Water Dept	\$418.31
99. SDACE	Registration Fees	\$50.00

100. Watertown Rec Center	WSI registration Fees	\$200.00
101. Carmen Kloster	March petty Cash Reimb	\$61.94
102. Rae Jean Flora	March Petty Cash Reimb	\$29.05
103. Cook's Wastepaper &...	Garbage Fees Collected	\$4,497.21

Action #093-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to approve the police report presented by Stacy Mayou. All members voting yes. Motion carried.

* Police Report re-cap: 1,624 miles were drove for the month of March 04', the DARE graduation in Clark was well attended and Willow Lake's graduation is coming up in April. Road spikes and binoculars were purchased with the grant money from the state.

Thank You Award presentation:

At this time Mayor Solberg presented Louann Streff with the 2nd quarter Thank You award for all she has done for the Clark Community. Thank You Louann.

- **Phase 1 bid opening discussion:**

At this time council reviewed the letter sent by Lonnie Anderson from Clark Engineering with his recommendation for the award of Schedule A & B of the Phase 1 project. The letter gave a break down of the work to be done and also stated that the project came in under what the original estimate was.

Action #094-2004:

Motion by Lyle Brenden, seconded by Larry Bartels to award the Schedule A & B with alternate bid no.3 to Midland Contracting from Huron SD, contingent upon approval from others financing sources. All members voiting yes. Motion carried.

Discussion: Sidewalk assessments in Phase 1 project area. Tabled for further discussion on April 23rd, 2004.

Action #095-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to advertise for the annual water and sewer repair contract with the City of Clark. Chad Fjelland will draw up necessary contract. All bids to be turned into the finance officer no later than May 3rd, 2004 by 5:00pm. All members voting yes. Motion carried.

Action #096-2004:

Motion by Lyle Brenden, seconded by Kerry Kline to advertise for the annual tree removal for the City of Clark. All bids are to be turned into the finance officer no later than May 3rd, 2004 by 5:00pm. All members voting yes. Motion carried.

Action #097-2004:

Motion by Larry Bartels, seconded by Larry Dreher to advertise for the annual tree stump removal for the City of Clark. All bids are to be turned into the finance officer no later than May 3rd, 2004 by 5:00pm. All members voting yes. Motion carried.

Action #098-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to advertise for the annual garbage contract. Chad Fjelland to draw up necessary contract for this service. All bids to be turned into the finance officer no later than May 3rd, 2004 by 5:00pm. All members voting yes. Motion carried.

Park Dept Update:

Larry Batels will be attending the next school board meeting to discuss bathroom renovations at Dickinson park further. He looked at the cost for the project and estimates it will run in the area of \$35,000.00. Nichole Binger will discuss this project with the Rotary organization at their next meeting. Playground equipment, and garbage receptacles have been ordered and will be here in the next 2-4 weeks.

Mayor Solberg also stated that there is a need for 3 additional camper hook-ups at Dickinson park.

Further discussion on these topics will be held in the April 23rd council meeting.

Action #099-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve the 1st quarter Library financial report. All members voting yes. Motion carried.

Action #100-2004:

Motion by Don DesLauriers, seconded by Larry Dreher to approve Resolution #722. All members voting yes. Motion carried.

RESOLUTION NO. 722

RESOLUTION GIVING APPROVAL TO THE HOUSING AND REDEVELOPMENT COMMISSION HOUSING PLAN FOR THE CITY OF CLARK

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Clark as follows:

1. Recitals. The City of Clark Housing and Redevelopment Commission has presented a Market Study/ Housing Needs Assessment to the City for its consideration.
2. Findings. The City finds that the Market Study/ Housing Needs Assessment (1) addresses the housing needs of the municipality and provides data demonstrating said needs; (2) identifies housing needs, and proposes specific methods to be used to carry out

the plan; (3) targets areas to be addressed; and (4) describes generally the program to be implemented to meet the housing needs identified in the plan.

3. Approval of Plan. The City hereby approves said Market Study/ Housing Needs Assessment and said approval conforms to the requirements of SDCL 11-7-53.2.

2020 Resolution proposal:

Tabled until April 23rd, 2004 council meeting

District Meeting Update:

At this time Finance Officer Binger updated the council on issues discussed at the District 1 meeting. She also announced that Clark will be the site for the 2005 District 1 meeting.

Action #101-2004:

Motion by Larry Dreher, seconded by Larry Bartels to set April 23rd, 2004 as the next council meeting. Time: 7:00pm. All members voting yes. Motion carried.

Department of Health Grant: Finance Binger announced that the City of Clark was accepted for a grant from the Dept of Health for a new computer. The computer will be placed in the finance office (per grant requirements).

Action #102-2004:

Motion by Don DesLauriers, seconded by Larry Dreher to close the regular session and convene into executive session. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 6:48pm and ended at 7:41pm.

Action #103-2004:

Motion by Larry Bartels, seconded by Lyle Brenden to authorize the maximum expenditure of \$150,000.00 of the 2nd cent sales tax dollars for the sewer improvements needed to the McCain's facility. All members voting yes. Motion carried.

Action #104-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 7:45pm.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

City Council Meeting
April 23rd, 2004
7:00pm

Call to Order: The Clark City Council met on April 23rd, 2004 at 7:00pm. Council members present were: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, Larry Dreher, and Larry Bartels. Others present were: Mayor Lester C. Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, and Courier Editor Bill Krikac.

Mayor Solberg called the meeting to order at 7:00pm.

Action #105-2004:

Motion by John Pollock, seconded by Lyle Brenden to adopt the agenda as amended. All members voting yes. Motion carried.

Action #106-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to hire Teri Stokely as a dispatcher for the police department. City agrees to pay \$17.81 per day. All members voting yes. Motion carried.

Action #107-2004:

Motion by John Pollock, seconded by Larry Bartels to send Teri Stokely to Pierre for training (dispatcher) for two week this summer. City will split the cost of travel for the schooling with the county. All members voting yes. Motion carried.

Action #108-2004:

Motion by John Pollock, seconded by Lyle Brenden to approve paying the Boss Constuction bill in the amount of \$5,995.00 for sewer work done at McCains site. All members voting yes. Motion carried.

Action #109-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to approve the bid of \$164,956.00 from Olson Construction Inc from Huron SD for the running of the sewer line to the McCains facility. All members voting yes. Motion carried.

Discussion: At this time councilman Larry Bartels presented the plans for the Dickinson Park restroom/concession stand facility. This project has been presented to the Clark School and the school agreed to help financial with some of the expense. City wants to start on the facility immediately so it will be up and going by August 1st, 2004.

Action #110-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to proceed with the construction of the Dickinson Park restroom/concession stand facility. All members voting yes. Motion carried.

Discussion:

There was discussion regarding peddlers permits that are required within the city limits of Clark, SD. Wondering if signs should be posted on the out skirts of town regarding this ordinance requirement. City will check with state DOT on this.

Re-Zoning Request:

Brad Lamb requested that the property he has purchased in Clark be re-zoned from Ag to Residential as he plans to build a house. City Attorney Chad Fjelland will contact Brad on the requirements to have this done.

Delinquent Water Bills:

Council discussed the delinquent water/sewer bills that city deals with on a monthly basis. Council inquired about publishing the delinquent bills in the newspaper as another community does. Council will look into this and will hold further discussion on this in the May 3rd council meeting.

Action #111-2004:

Motion by Larry Dreher, seconded by Larry Bartels to agree to have the annual city wide clean up May 1st, 2004, the rubble site will be open free of charge April 26th – May 1st, 2004. All members voting yes. Motion carried.

Action #112-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve the liquor license request from the American Legion starting at 12pm July 10th, 2004 to 2am July 11th, 2004 for the Grave's wedding reception and dance. All members voting yes. Motion carried.

Pro-Pheasants Update:

Councilman Larry Dreher updated the council regarding the pro-pheasants meeting that he attended. The group would like to build a facility large enough to hold their event but does not want the maintenance and up keep of the building. The group will be looking for financial help. Council wondered if possibly they could join forces with another group to accomplish this goal. One idea was expanding the golf club. More information will be forthcoming when it comes in.

2020 Resolution:

Tabled until the May 3rd, 2004. Council would like more time to review.

Action #113-2004:

Motion by John Pollock, seconded by Kerry Kline to close regular session and convene into executive session for personnel and contractual issues. Mayor Solberg announced executive session commenced at 8:20pm and ended at 8:57pm. All members voting yes. Motion carried.

Action #114-2004:

Motion by Kerry Kline seconded by Larry Bartels to advertise for a summer ball program coach as Shannon Schlagel decided not to accept the coaching position. Pay will be set at \$7.50 per hour. All applicants to have applications turned in by May 3rd, 2004 by 5:00pm. All members voting yes. Motion carried.

Action #115-2004:

Motion by Don DesLauriers seconded by Lyle Brenden to advertise for proposals for the running the concession stand at Dickinson Park. All proposals to be turned into the finance officer by May 3rd, 2004 by 5:00pm. All members voting yes. Motion carried.

Action #116-2004:

Motion by Larry Bartels, seconded by John Pollock to adjourn. All members voting yes. Motion carried.

Meeting ended at 9:03pm.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

Clark City Council Meeting
May 3rd, 2004
7:00pm

Call to Order: The Clark City Council met May 3rd, 2004 at 7:00pm. Council members present were: John Pollock, Lyle Brenden, Kerry Kline, Larry Bartels, Larry Dreher and Don DesLauriers. Others present: Mayor Lester C. Solberg, Finance Officer Nichole Binger, City Attorney Chad Fjelland, Police Chief Stacy Mayou, Courier Editor Bill Krikac, Tracy Reiersen (Cook's Wastepaper) and J. Elaine Hanson,

Mayor Solberg called the meeting to order at 7:02pm.

Action #117-2004:

Motion by Don DesLauriers, seconded by John Pollock to adopt the agenda as amended. All members voting yes. Motion carried.

Action #118-2004:

Motion by John Pollock, seconded by Larry Bartels to approve the minutes from the April 5th, and 23rd, 2004 council meetings. All members voting yes. Motion carried.

Action #119-2004:

Motion by John Pollock, seconded by Larry Dreher to approve the financial statement as of April 30th, 2004. All members voting yes. Motion carried.

Action #120-2004:

Motion by John Pollock, seconded by Lyle Brenden to approve the claims as of April 30th, 2004. All members voting yes. Motion carried.

CLAIM SHEET

To:	For:	Amount:
1. A-Tech Sewer Cleaning	Sewer Repairs	\$3,830.00
2. Clarey's Safety Equipment	Fire Dept Supplies	\$450.00
3. Lyle Signs Inc	Speed Limit Signs	\$342.00
4. AFLAC	Payroll Deductions	\$299.42
5. ITC	Phone Bills – Utilities	\$474.20
6. Viking Office Products	Office Supplies	\$180.03
7. Duckwalls	Supplies	\$94.47
8. Mack's Standard	Supplies	\$198.18
9. Star Laundry	Maintenance	\$48.11
10. Colonial	Pool Supplies	\$428.04
11. M&T Fire & Safety Inc	Supplies	\$77.75
12. Wellmark Blue Cross &..	Health Insurance Premiums	\$2,826.69
13. Chief Supply	Fire Dept Supplies	\$278.95
14. Share Corp.	Supplies	\$140.81

15. SD Assoc. of Rural Water	Annual Dues	\$285.00
16. Oscar's Machine Shop	Supplies /Materials	\$52.05
17. SDRS	Retirement Contributions	\$2,323.84
18. Dakota Electronics	Fire Dept Supplies	\$14.10
19. DSR Inc	Dozer Repairs	\$198.40
20. RDJ Specialties Inc	Fire Dept Supplies	\$63.89
21. DesLauriers Oil Comp Inc	Supplies – Sludge Truck	\$100.20
22. Expetec Technology Serv	Computer Repairs	\$241.92
23. Michael Todd and Comp	Street Sweeper Materials	\$566.56
24. Robert Gergen	Travel Exp – Meals	\$22.00
25. Ronnie Shorg	Travel Exp – Meals	\$22.00
26. Bob Schlueter	Travel Exp – Meals	\$11.00
27. Gene Furness	Travel Exp – Meals	\$22.00
28. Oriental Trading Co. Inc	Supplies – Welcome Bags	\$74.65
29. Clark County Auto Parts	Supplies/Materials	\$53.31
30. Reliable	Office Supplies	\$64.86
31. Time Magazine	Annual Subscription Fee	\$55.44
32. Cell One	Materials – phone upgrade	\$239.00
33. Asphalt Paving Materials	Cold Mix	\$3,523.97
34. Land's End	Supplies & Payroll Deduc.	\$229.45
35. USA Blue Book	Supplies/Materials	\$391.85
36. Audio Book Club	Books – Library	\$36.21
37. The Literary Guild	Books – Library	\$66.76
38. Cell – One	Cell Phone Bill – Utilities	\$69.90
39. Cell- One	Cell Phone Bill – Utilities	\$89.44
40. Cell-One	Cell Phone Bill – Utilities	\$25.32
41. Dept of Revenue	Maintenance – Water Testing	\$601.00
42. Recreonics	Supplies – Pool	\$651.53
43. Nat'l Arbor Day Found	Supplies – pencils	\$84.70
44. Northwestern	Utilities	\$5,343.17
45. Roy's Sport Shop	Supplies – Pool	\$15.92
46. UBC	Supplies/Materials	\$134.46
47. Quill	Office Supplies	\$100.10
48. Sodak Distributing	Liquor Invoices	\$4,919.16
49. The Tree Farm	Trees – Arbor Day	\$175.45
50. Jeanette Kaufman	Shirts – stitching	\$50.00
51. Westside Implement	Supplies/Materials	\$20.34
52. Desnoyers Hardware	Supplies/Materials	\$463.26
53. Clark Engineering	Curb & Gutter Eng. Fees	\$1,864.55
54. Clark Engineering	2004 Sant. Sewer Imp	\$12,900.00
55. Clark Engineering	2003 Water & Sewer Imp	\$6,710.47
56. American Publishing	Codified Law Book	\$695.00
57. Cardell's	Supplies – Fuel	\$188.96
58. Cook's Office Products	Supplies & Maint. Contract	\$37.98
59. Office Systems Inc	Supplies	\$42.51
60. Clark Rotary Club	Payroll Deduction	\$47.00

61. Northwestern	Utilities – McCains site	\$3,643.16
62. VALIC	Payroll Deductions	\$135.00
63. Nichole Binger	Travel Exp and Payroll	\$465.40
64. Comm. 1 st Nat'l Bank	Fed/SS tax Deposit	\$2,364.23
65. Clark County Treasurer	Property Taxes pd	\$72.81
66. Clark County Courier	Advertising Expense	\$462.81
67. Clark Rural Water	Supplies purch for re-sale	\$7,587.05
68. Moritz Publishing	Office Supplies	\$0
69. Fjelland Attorney @ Law	Legal Fees	\$1,021.60
70. Cook's Wastepaper & Recy	City Garbage Collections	\$30.00
71. Cook's Wastepaper & Recy	Garbage Fees Collected	\$4,695.87
72. Nichole Binger – Petty Cash	Petty Cash – Fin. Office	\$51.00
73. Rae Jean Flora	Office Supplies Purch.	\$92.13
74. Govt of Fin. Officers Assoc	Registration Fees	\$50.00
75. Matt Locke – Groton Baseball	Registration Fee for Tourn	\$75.00
76. Nichole Binger – Petty Cash	Finance Office	\$105.00
77. Clark Comm. Oil	Supplies & Repairs	\$1,063.51
78. Ellwein Brothers Inc	Malt Beverage Invoices	\$9,360.05
79. Johnson Brothers Inc	Liquor Invoices	\$6,185.33
80. Ritter's Repair	Maintenance	\$50.00
81. Recreonics	Supplies	\$192.11
82. Demco Media	Books – Library	\$34.40
83. Olson's Auto Parts	Supplies/Materials	\$36.97
84. Olson's Motor Company	Repairs/Maintenance	\$1,299.42
85. Sharon Bjerke	Payroll Expense	\$310.40
86. John Howardson	Payroll Expense	\$176.00
87. Dean Hilmoe	Payroll Expense	\$744.00
88. Eugene Furness	Payroll Expense	\$143.38
89. Robert Gergen	Payroll Expense	\$484.38
90. Robert Schlueter	Payroll Expense	\$218.94
91. Ryan Burke	Payroll Expense	\$225.75
92. Ronald Schorg	Payroll Expense	\$391.38
93. Dialo Schmidt	Council - Payroll Expense	\$236.00
94. Darin Altfillisch	Payroll Expense	\$3,005.20
95. Nichole Binger	Payroll Expense	\$2,064.50
96. Holly Borns	Payroll Expense	\$42.00
97. Richard Claussen	Payroll Expense	\$928.00
98. Roger Collins	Payroll Expense	\$2,815.86
99. Ashley DesLauriers	Payroll Expense	\$70.88
100. Amy Dreher	Payroll Expense	\$35.44
101. Eileen Dunbar	Payroll Expense	\$222.75
102. Rae Jean Flora	Payroll Expense	\$1,625.00
103. Kandice Hanley	Payroll Expense	\$80.50
104. Carmen Kloster	Payroll Expense	\$1,013.31
105. Rachel Krikac	Payroll Expense	\$7.00
106. Keith Kruthoff	Payroll Expense	\$1,336.88

107. Stacy Mayou	Payroll Expense	\$3,032.66
108. Angie O'Neill	Payroll Expense	\$54.00
109. Paige Paulson	Payroll Expense	\$67.50
110. Dorcas Protexter	Payroll Expense	\$856.00
111. Cassi Schlagel	Payroll Expense	\$352.63
112. Lester C. Solberg	Payroll Expense	\$379.92
113. Loren Stanley	Payroll Expense	\$2,083.66
114. Jeremy Wellnitz	Payroll Expense	\$2,067.50
115. Ashley Yanish	Payroll Expense	\$97.88
116. Alan Hollatz	Payroll Expense	\$86.00
117. Avera Health Care Serv's	DOT drug testing	\$119.50
118. Rohl Beverages	Malt Beverage Invoices	\$547.20
119. Wells Fargo Financing	Lease Pymt on Copy Mach	\$132.87
120. Carlson Distributing	Malt Beverage Invoices	\$3,313.10
121. A-OX Welding Supply	Cylinder Rent – Supplies	\$6.38
122. US Life Insurance Comp	Life Ins Premiums	\$13.70
123. Comm 1 st Nat'l Bank	Fed/SS tax deposit	\$2,571.71
124. City of Clark	Utilities	\$58.50

Action #121-2004:

Motion by Larry Bartels, seconded by Kerry Kline to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

Police Report:

Police department patrolled 1,503 mile for the month of April 2004, Ryan Burke made a request that the city pay him a net of \$133.00 per week while he is away at police certification schooling. Ryan started schooling on May 3rd, 2004.

Action #122-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to approve paying Ryan Burke a net of \$133.00 per week while away at police certification schooling. Pay is only for the 3 months that Ryan attends schooling. All members voting yes. Motion carried.

Action #123-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to not approve Resolution #723-2020 Highway Support resolution. Council members voting yes: Larry Dreher, and Lyle Brenden. Council members voting naye: John Pollock, Don DesLauriers, Kerry Kline, and Larry Bartels. Motion Failed.

Action #124-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve Resolution #723-2020 Highway Support resolution (see Resolution Book). Council members voting yes: John Pollock, Don DesLauriers, Kerry Kline and Larry Bartels. Council members voting no: Lyle Brenden, and Larry Dreher. Motion carried with 2/3 majority.

7:18pm – Concession Stand Proposals Opened.

2 proposals were opened for the running of the Dickinson Park concession stand.

Action #125-2004:

Motion by Larry Bartels, seconded by Lyle Brenden to approve the proposal from Ed Babcock (Clark Drive Inn) for running the concession stand at Dickinson park for summer of 2004. Bid read: \$500.00 payable up front to City of Clark and 10% paid to city on anything over \$1,000.00 in profit. All members voting yes. Motion carried.

Discussion:

Council visited about ideas on the running of the concession stand for the future.

Action #126-2004:

Motion by John Pollock, seconded by Don DesLauriers purchase the popcorn machine from the Legion for \$200.00. All members voting yes. Motion carried.

Garbage Bids opened at 7:30pm

1 bid was present for the 2004 garbage collection contract.

Action #127-2004:

Motion by John Pollock, seconded by Larry Bartels to approve the bid from Cook's Wastepaper & Recycling, Inc for the garbage service for 2004. Bid read: \$9.39 per domestic unit for once a week garbage pickup plus \$0.30 to compensate the city for its billings procedures (plus applicable tax). All members voting yes. Motion carried.

Action #128-2004:

Motion by John Pollock, seconded by Larry Dreher to forgive account #01-00003327002 water, sewer and garbage bill in the amount of \$166.86 plus May 04' billing. All members voting yes. Motion carried.

Delinquent Water Bills:

The council visited in length about delinquent bills. Ideas were again discussed on publishing in the minutes of the *Clark County Courier* the list of delinquent customers. Consistent shut off day was talked about and the manner in which the customer is given notice on delinquent bills per our city ordinance.

Lon Reidburn

Lon was not present, so this item was skipped.

Action #129-2004:

Motion by John Pollock seconded by Larry Bartels to renew the city's health insurance plan with Wellmark Blue Cross & Blue Shield SD. The increase in the policy was 4.45% this year. All members voting yes. Motion carried.

Action #130-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to set the opening date of the swimming pool as May 29th, 2004 (weather permitting) for pool season 2004. All members voting yes. Motion carried.

Action #131-2004:

Motion by John Pollock, seconded by Kerry Kline to approve the fee of \$15.00 per person for the summer ball program fees. All members voting yes. Motion carried.

Action #132-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to pay for the evening meals for the summer recreation registration working crew on May 5th, and 6th, 2004. All members voting yes. Motion carried.

Update of Phase 1 & 2 water and sewer projects:

Mayor Solberg visited with the council on the progress of the Phase 1 project and the info that was given out at the pre-construction meeting. A time line for the work to be done was passed around to the council. Also discussed, Phase II and the progress and plans for this project. May 5th, 2004 is the pre-construction meeting for the McCain's sewer line project.

Opening of Tree Removal bids, Tree Stumping bids, and Backhoe Service Bids:.**Action #133-2004:**

Motion by John Pollock, seconded by Larry Dreher to approve the bid from Aspen Tree Service for summer of 2004. Bid: \$75.00 per hour. Council approves bid of \$75.00 per hour as long as the \$75.00 per hour is for all people at site working. This will be confirmed with Aspen. Billings need to be itemized and broke out by address site and # of hours worked at each site. All members voting yes. Motion carried.

Action #134-2004:

Motion by Lyle Brenden, seconded by Larry Bartels to approve Westside Implement tree stumping removal bid of: 6-12" below ground level cleanup and refill:\$25.00/stump minimum up to 25" stump. \$1.00 per inch thereafter. All council members voting yes. Motion carried.

Action #135-2004:

Motion by Larry Bartels, seconded by Kerry Kline to approve the bid from Clausen Construction for backhoe service this year. Bid: 1st man \$70.00 per hour, 2nd man \$25.00 per hour and \$90.00/hour excavator. All members voting yes. Motion carried.

Action #136-2004:

Motion by John Pollock, seconded by Kerry Kline to approve the mayor’s appointments including 17a – Centennial Apt. for 2004. All members voting yes. Motion carried.

**Year 2004
Mayor Lester C. Solberg Appointments**

Pool, Streets, and Alleys	Larry Dreher
Water and Sewer	Lyle Brenden
American Disabilities Act, Dickinson Park & City Parks	Don DesLauriers
911, Sidewalks, and Rubble Site	John Pollock
Zoning Officer, Finance Dept, and Liquor Officer	Kerry Kline
Recreation Director and Softball Complex	Larry Bartels
Finance Officer	Nichole Binger
Finance Officer Assistant	Rae Jean Flora
Chief of Police	Stacy Mayou
Police Officer – full time #1	Jeremy Wellnitz
Police Officer – part time #1	Alan Hollatz
Police Officer – part time #2	Ryan Burke
Street Superintendent	Roger Collins
Park & Landfill Superintendent	Loren Stanley
Pool, Water, & Sewer Superintendent	Darin Altfillisch
Head Librarian	Dorcas Protexter
City Attorney	Chad Fjelland
Health Officer	Willie Gruenwald

Library Board

Joyce Warren – 3 yrs
Beverly Clausen – 3 yrs
Carolyn Harding – 2 yrs
Bev Kluess - 1 yr
Nancy Fischer – 1 yr

Planning Commission

Larry Dreher
Lyle Brenden
Chad Fjelland
Larry Bartels

Park Board

Kerry Kline
Dorcas Protexter
Rae Jean Flora

Industrial Development Board

Warren Brandlee – 5 yrs
Duane Stokes – 4 yrs
Francis Hass – 3 yrs
Lyle Brenden (Ind Dev Coord) – 2 yrs
Keith Warren – 1 yr

Clark Housing & Redevelopment Board

Willie Gruenwald – 5 yrs
Bill Krikac – 4 yrs
Sandy Altfillisch – 3 yrs
Bob Schlueter – 2 yrs
Valois Danekas – 1 yr

Centennial Board Apt: Larry Dreher

Action #137-2004:

Motion by Lyle Brenden, seconded by Larry Bartels to approve sending in the malt beverage licenses into the State, Licenses for: Clark Lanes, Playhouse Family Restaurant, VFW, and American Legion. The state fee will be billed back to these businesses. All members voting yes. Motion carried.

Action #138-2004:

Motion by Don DesLauriers, seconded by John Pollock to nominate Larry Dreher as the council President. Motion by John Pollock to cease nominations. All members voting yes. Motion carried.

Action #139-2004:

Motion by Larry Bartels, seconded by Kerry Kline to nominate Lyle Brenden as the Vice President of the council. Motion by John Pollock to cease nominations. All members voting yes. Motion carried.

Action #140-2004:

Motion by John Pollock, seconded by Larry Bartels, to approve the following date for liquor license for the VFW: 12pm June 12th, 2004 to 2am June 13th, 2004 – Swenson/Pickrel reception & dance, 12pm June 19th, 2004 to 2am June 20th, 2004 Binger/Geise wedding reception & dance, 12pm June 26th, 2004 to 2am June 27th, 2004 Gaikowski/Stern reception/dance, and 12pm July 10th, 2004 to 2am July 11th, 2004 – Garden City Alumni. All members voting yes. Motion carried.

- **Notice will be put in Clark County Courier for lawn maintenance ordinance. This will be placed into affect again for summer of 2004.**

*** Code Enforcement Schooling:**

Finance Officer Binger visited with the council on the code enforcement schooling she recently attended. Ideas brought forward were having an appointed code enforcement officer, and remedies on how other cities handle such things as dogs, dilapidated houses, and vegetation.

Action #141-2004:

Motion by John Pollock, seconded by Larry Dreher to send Asst Fin Officer Rae Jean Flora to Spearfish for Finance Officer's Schooling June 16th – 18th, 2004. Travel expenses to be paid per personnel manual. All members voting yes. Motion carried.

Med Van 1st quarter report

Council reviewed med van report. Mayor Solberg announced that the nursing home and Wookey's assisted living centers have both had fund raisers for the med van and have presented the city with funds raised. A special thank you to these groups and also private individuals that have donated for the med van. It is greatly appreciated!

Chamber News:

At this time J. Elaine Hanson, Kerry Kline and Nichole Binger updated the council on chamber happenings coming up in the near future.

Action #142-2004:

Motion by Lyle Brenden, seconded by John Pollock to approve Resolution # 724. All members voting yes. Motion carried.

RESOLUTION #724

A RESOLUTION OF CITY SUPPORT FOR THE PERMITTING OF INDUSTRIAL PARK APPROACHES.

WHEREAS, the City of Clark, through the efforts of the Clark Industrial Development Corporation supports the establishment of the Industrial Park on East Highway 212;

WHEREAS, certain permits are required to enable approaches to the park to be constructed;

NOW, THEREFORE, BE IT RESOLVED, that the City Council in and for the City of Clark, South Dakota, supports the permitting of both approaches as per the application of the Clark Industrial Development Corporation.

As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption.

Action #143-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to approve Resolution #725. All members voting yes. Motion carried.

RESOLUTION #725

A RESOLUTION TO AUTHORIZE THE EXECUTION AND FILING OF A DEPARTMENT OF TRANSPORTATION INDUSTRIAL PARK GRANT.

WHEREAS, the South Dakota Department of Transportation has authorized the making of grants to public bodies to aid in the financing of infrastructure relating to Industrial Parks;

NOW, THEREFORE, BE IT RESOLVED:

1. That Lester C. Solberg, Mayor of the City of Clark, is hereby authorized to execute and file an application on behalf of the City of Clark for a Department of Transportation Industrial Park Grant to aid in financing its Industrial Park.

2. That Lester C. Solberg, Mayor of the City of Clark is hereby authorized and directed to furnish such information as the above-mentioned agency may reasonably request in connection with the application which is hereby authorized to be filed.

As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption.

Action #144-2004:

Motion by Larry Bartels, seconded by Larry Dreher to have a special meeting May 27th, 2004 at 6:00pm. Sidewalk Assessments will be discussed at this meeting. All members voting yes. Motion carried.

Action #145-2004:

Motion by Larry Dreher, seconded by John Pollock to approve Resolution #726. All members voting yes. Motion carried.

RESOLUTION #726

A RESOLUTION DECLARING IT NECESSARY TO PLACE SIDEWALK ON CERTAIN PROPERTIES WITHIN THE CITY OF CLARK, SOUTH DAKOTA.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA:

The City Council of the City of Clark, South Dakota, hereby declares the necessity of placing approximately 5,867 square feet of 4 inch sidewalk, in the proper manner, according to plans and specifications of Clark Engineering Corporation, in and for the City of Clark, South Dakota, on property described in Appendix "A", attached hereto and incorporated herein by this reference.

The general nature of the project is as set forth above, and reference for detail is hereby made to the drawings and specifications on file with the City Finance Officer. The materials used for this project shall be concrete and other miscellaneous materials related thereto.

The estimated cost of said project is \$2.42 per square foot.

The cost and expense of the installation shall be by special assessment upon the property described in Appendix "A", and shall be apportioned on a front footage basis.

BE IT FURTHER RESOLVED, that The City Council of the City of Clark, South Dakota, hereby declares the necessity of placing approximately 720 square feet of 6 inch sidewalk, in the proper manner, according to plans and specifications of Clark Engineering Corporation, in and for the City of Clark, South Dakota, on property described in Appendix "B", attached hereto and incorporated herein by this reference.

The general nature of the project is as set forth above, and reference for detail is hereby made to the drawings and specifications on file with the City Finance Officer. The materials used for this project shall be concrete and other miscellaneous materials related thereto.

The estimated cost of said project is \$2.94 per square foot.

The cost and expense of the installation shall be by special assessment upon the property described in Appendix "B", and shall be apportioned on a front footage basis.

Adopted this 3rd day of May, 2004.

Action #146-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to close regular session and convene into executive session for personnel and contractual reasons. All members

voting yes. Motion carried. Mayor Solberg announced executive session commenced at 9:06pm and ended at 9:42pm.

Action #147-2004:

Motion by Kerry Kline seconded by John Pollock to offer Craig Bruening the summer coaching position for 2004 with pay set at \$7.50 per hour. All members voting yes. Motion carried.

Action #148-2004:

Motion by Larry Bartels, seconded by Kerry Kline to adjourn meeting. All members voting yes. Motion carried.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

May 27th, 2004
City Council Meeting
6:00pm

Call to Order: The Clark City Council met in session May 27th, 2004 at 6:00pm. Council members present: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, Larry Bartels, and Larry Dreher. Others present were: Mayor Lester C. Solberg, Ast Finance Officer Rae Jean Flora, Fred Rosenau, Patty Rosenau, Alice Heim, Val Richter, Darrel Haugerud, Ruth Haugerud and city attorney Chad Fjelland.

Mayor Solberg called the meeting to order at 6:00pm.

Action #149-2004:

Motion by Don DesLauriers, seconded by Lyle Brenden to adopt the agenda. All members voting yes. Motion carried.

Discussion:

At this time questions were brought up about the placement of the assessed sidewalk in the Phase 1 project area. There were concerns expressed on the depth of sidewalk and drainage. It was explained that the 6" sidewalk is placed where the driveways go as the 4" sidewalk will not hold up with car driving over it. There was a question as to if the city was going to pay for any of the expense? Chad Fjelland said no but the city is working on getting the best rates and deals available for the assessment. Names were taken for those that were interested in talking with the engineer prior to the placement of the sidewalk.

Action #150-2004:

Motion by John Pollock, seconded by Larry Bartels to rescind the motion to approve Resolution #726 – (Motion #145-2004). All members voting yes. Motion carried.

Action #151-2004:

Motion by John Pollock, seconded by Lyle Brenden to approve Resolution #727 – Sidewalk Assessment Resolution. All members voting yes. Motion carried. (See City Resolution Book for full Resolution).

Action #152-2004:

Motion by Larry Dreher, seconded by Larry Bartels to approve Resolution #728 - A Resolution Authorizing and Providing For The Incurrence of Indebtedness For The Purpose Of Providing A Portion Of The Cost Of Acquiring, Constructing, Enlarging, Improving, And/Or Extending Its Water and Sewer Improvements Phase II. (see full Resolution in Resolution Book). All members voting yes Motion carried.

Discussion:

Councilman John Pollock expressed concern about sidewalk being broken up in front of the Northwestern power plant. Also discussed, electrical and PA problems at Dickinson Park. Mayor Solberg said the electrical problem are in the process of being fixed.

Action #153-2004:

Motion by Larry Bartels, seconded by John Polluck to adjourn. All members voting yes. Motion carried.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

Clark City Council Meeting
June 7th, 2004
7:00pm

Call to Order: The Clark City Council met in session Monday June 7th, 2004 at 7:00pm. Council members present were: John Pollock, Lyle Brenden, Kerry Kline, Larry Bartels, Larry Dreher and Don DesLauriers. Others present were: Mayor Lester C. Solberg, Finance Office Nichole Binger, City Attorney Chad Fjelland, Keith Warren, Police Chief Stacy Mayou, J. Elaine Hanson and Courier Editor Bill Krikac.

Mayor Solberg called the meeting to order at 7:00pm.

Action #154-2004:

Motion by John Pollock, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #155-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve minutes from the May 3rd and 27th, 2004 council meetings. All members voting yes. Motion carried.

Action #156-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve the financial report as of May 31st, 2004. All members voting yes. Motion carried.

Action #157-2004:

Motion by John Pollock, seconded by Larry Dreher to approve the claims as of May 31st, 2004. All members voting yes. Motion carried.

CLAIM SHEET

To:	For:	Amount:
1. Ryan's Candy	Softball Conc. Stands Supplies	\$294.05
2. C County Farmer Elevator	Barn Lime – Supplies	\$3.43
3. Chief	Fire Dept Supplies	\$707.89
4. Olson's Auto Parts Inc	Supplies/Materials	\$138.76
5. Daktronics Inc	Scoreboard – Dickinson Park	\$500.50
6. Dakota Electronics	Fire Dept – Radio Repairs	\$104.40
7. Clark Engineering Corp	Prof. Services – Eng Fees	\$11,669.82
8. Viking Office Products	Office Supplies	\$333.84
9. Milbank Winwater	Dickinson Park Conc. Stand Const	\$1101.50
10. Wells Fargo Financial	Lease Pymt – Copy Machine	\$132.87
11. Grand American Bus Sales	Wheel Flair – Med Van	\$177.58
12. Carlson Distributing	Malt Beverage Invoices	\$4,311.90
13. SD Dept of Labor	Late Fee	\$5.00
14. Johnson Brothers Famous	Liquor Invoices	\$4,940.70

15.	Cook's Wastepapeper & Rec	Utilities – city site collections	\$30.00
16.	Oscar's Machine Shop	Materials	\$607.58
17.	Recreonics	Diving Board – Payroll Ded & Sup	\$2,656.41
18.	The Short Stop	Fuel – Supplies	\$159.00
19.	Expetec Tech Service	Computer Repairs	\$389.86
20.	SD Retirement Sys	Retirement Contributions	\$2,308.26
21.	Star Laundry	Maintenance	\$97.14
22.	Olson's Motor Co.	Repairs	\$113.18
23.	Moritz Publishing	Office Supplies	\$219.36
24.	AFLAC	Payroll Deductions	\$299.42
25.	Cardell's	Supplies – Fuel	\$291.25
26.	Clark County Courier	Advertising	\$433.11
27.	Clark County Auto Parts	Supplies/Materials	\$172.80
28.	Emblem Enterprises Inc	Police Uniform Supplies	\$49.41
29.	Codington Clark Equipment	Mower Supplies	\$75.97
30.	Northwestern	Utilities	\$4,202.59
31.	American Red Cross	WSI Instructor Kit	\$200.00
32.	Clausen Farms	Supplies/Materials – street dept	\$820.00
33.	Clausen Construction	Water/Sewer Repairs	\$1,147.96
34.	Mack's Standard	Repairs & Supplies	\$476.48
35.	Tru Green Chem Lawn	Maintenance	\$79.25
36.	DesLauriers Oil Co	Supplies – Fuel	\$91.79
37.	Gruenwald Electric	Repairs	\$324.90
38.	The Literary Guild	Books – Library	\$31.98
39.	Beverly Kluess	Library Sub Pay	\$84.00
40.	Book of the Month Club	Books – Library	\$24.17
41.	Jeanette Kaufman	Med Van Shirts – sewing	\$7.00
42.	Mackenzie Hallberg	Mileage – WSI	\$57.13
43.	Jodi Hemiller	CPR certification – pool	\$286.12
44.	Office Systems Inc.	Office Supplies & Repairs	\$117.71
45.	SD Federal Property Agency	Supplies/Materials	\$66.00
46.	Hawkins Water Treatment	Pool Supplies	\$3,044.18
47.	Wellmark Blue Cross &...	Health Insurance Premiums	\$2,826.69
48.	Rohl Beverages	Malt Beverage Invoices	\$544.05
49.	Ellwein Brothers Inc	Malt Beverage Invoices	\$9,152.30
50.	United Building Centers	Supplies/Materials	\$1,608.47
51.	Sodak Distributing	Liquor Invoices	\$7,777.24
52.	Clark-Doland Concrete	Materials	\$350.00
53.	Westside Implement	Stump Removal and Materials	\$428.00
54.	DENR	Drinking Water Permit Fee	\$600.00
55.	Duckwalls	Supplies/Materials	\$280.70
56.	A-OX Welding Supplies	Cylinder Rent – Supplies	\$6.90
57.	Gunal Inc – Florey's	Supplies and Repairs	\$79.93
58.	Qualification Targets	Police Dept Supplies	\$240.30
59.	Express Police Supply	Police Pants – Supplies	\$163.95
60.	Galls Inc.	Police Uniform Tops & Supplies	\$250.30
61.	ITC	Utilities – phone bills	\$548.15

62. Cook's Office Products	Maintenance Contract – Copier	\$27.00
63. Summit Supply Corp of Colo	Playground Equipment	\$4,626.00
64. Oriental Trading Co. Inc	Supplies/Materials – pool	\$74.04
65. Department of Revenue	Water Testing – Maintenance	\$248.00
66. K&P Repairs	Sewer Dept Repairs	\$844.76
67. Cellular One	Utilities – cell phone bill	\$70.86
68. Cellular One	Utilities – cell phone bill	\$95.51
69. Cellular One	Utilities – cell phone bill	\$26.66
70. City of Clark	Utilities – water bill	\$58.50
71. The US Life Ins Premiums	Insurance Premiums	\$13.70
72. VALIC	Employee Payroll Deductions	\$135.00
73. Larry Bartels	Council Payroll	\$544.86
74. Lyle Brenden	Council Payroll	\$599.35
75. Don DesLauriers	Council Payroll	\$599.35
76. Larry Dreher	Council Payroll	\$544.86
77. John Howardson	Employee Payroll	\$162.54
78. Kerry Kline	Council Payroll	\$265.01
79. John Pollock	Council Payroll	\$567.78
80. Teri Stokely	Employee Payroll	\$271.42
81. Sharon Bjerke	Employee Payroll	\$6.88
82. Community First Natl Bank	Fed/SS tax deposit	\$3,044.77
83. Community First Natl Bank	Fed/SS tax deposit	\$2,679.08
84. Community First Natl Bank	Fed/SS tax deposit	\$1,342.30

ADDITIONAL CLAIM SHEET

To:	For:	Amount:
1. Fjelland Attorney @ Law	Legal Fees	\$784.00
2. Clark Rural Water	Materials Purchased for Re-Sale	\$10,001.95
3. Cook's Wastepaper & Rec.	Garbage Fees Collected	\$4,660.29
4. Darin Altfillisch	Payroll Expense-net	\$2,168.83
5. Nichole Binger- Petty Cash	Petty Cash –finance office	\$21.00
6. Nichole Binger – Petty Cash	Petty Cash - finance office	\$57.85
7. Lester C. Solberg	Payroll Expense -net	\$350.85
8. Stacy Mayou	Payroll Expense- net	\$2,035.80
9.. Carmen Kloster	Payroll Expense – net	\$616.13
10. Ashley Yanish	Payroll Expense – net	\$288.90
11. Amy Dreher	Payroll Expense – net	\$149.60
12. Ashley DesLauriers	Payroll Expense – net	\$266.67
13. Roger Collins	Payroll Expense – net	\$2,067.99
14. Holly Borns	Payroll Expense – net	\$339.65
15. Cassi Schlagel	Payroll Expense- net	\$436.08
16. Andy Wookey	Payroll Expense-net	\$71.11
17. Jeremy Wellnitz	Payroll Expense –net	\$1,359.82
18. Loren Stanley	Payroll Expense – net	\$1,490.38
19. Paige Paulson	Payroll Expense- net	\$130.92

20. Angie O'Neill	Payroll Expense – net	\$214.04
21. Keith Kruthoff	Payroll Expense – net	\$1,071.83
22. Shawn Kjetland	Payroll Expense – net	\$421.13
23. Kandice Hanley	Payroll Expense-net	\$389.49
24. Mackenzie Hallberg	Payroll Expense – net	\$113.12
25. Richard Claussen	Payroll Expense –net	\$590.41
26. RaeJean Flora	Payroll Expense – net	\$888.48
27. Nichole Binger	Payroll Expense	\$1,976.74
28. Dorcas Protexter	Payroll Expense	\$669.15
29. Dean Hilmoe	Payroll Expense	\$650.20
30. Robert Gergen	Payroll Expense	\$479.34
31. Eugene Furness	Payroll Expense	\$17.90
32. Ronald Schorg	Payroll Expense	\$223.40
33. Robert Schlueter	Payroll Expense	\$53.69
34. Community First Natl Bank	Fed/SS tax deposit	\$3,044.77
35. Clark Rotary Club	Payroll Deduction	\$50.00
36. Ryan Burke	Payroll Expense	\$534.10
37. Clark Register of Deeds	Easement recording fee	\$12.00
38. Royal Chemical Company	Fire Dept – Supplies	\$174.84
39. Olson's Auto Parts	Fire Dept – Supplies	\$199.11
40. Clark Comm. Oil Comp	Supplies & Repairs	\$1,643.17
41. Penworthy	Books – Library	\$100.35
42. RDJ Specialties	Supplies – Fire Dept	\$63.89

Action #158-2004:

Motion by John Pollock seconded by Larry Bartels to approve the Pay Request from Olson's Construction in the amount of \$33,004.17 for the final payment on the phase 1 water and sewer project. Pay request will be paid contingent up funding agency approvals. All members voting yes. Motion carried.

Action #159-2004:

Motion by Lyle Brenden, seconded by Kerry Kline to approve the Pay Request #1 from Olson's Construction in the amount of \$84,608.10 for the sewer line construction running out to the old McCain's facility. All members voting yes. Motion carried.

Action #160-2004:

Motion by Lyle Brenden, seconded by Don DesLauriers to approve Partial Payment Request from Midland Contracting, Inc in the amount of \$34,897.00 contingent upon funding agency approvals. All members voting yes. Motion carried.

Action #161-2004:

Motion by Larry Bartels, seconded by Larry Dreher to rescind motion #128-2004. All members voting yes. Motion carried.

Action #162-2004:

Motion by John Pollock seconded by Larry Dreher to approve the police report presented by Stacy Mayou. All members voting yes. Motion carried.

***Police Report Info**

Clark police patrolled 1,174 mile the month of May 2004. Police have assisted the county with a couple of incidents. There were a couple burglaries that were reported and solved. Question arose from council about alcoholic beverages being consumed at Dickinson park during baseball games. City attorney Fjelland will look at city ordinances on this and will get in touch with Stacy.

Chamber Update:

Chamber is in the mist of planning 2004 Potato Day activities. Chamber will be hosting an 8 team softball tournament this year during Potato Day and requested a liquor license for this weekend to be able to sell malt beverage products. New activities are being looked into for all ages and Chamber will keep council informed of future activities.

Action #163-2004:

Motion by Larry Dreher, seconded by Larry Bartels to approve the liquor license request for Aug 6th, 7th, and 8th, 2004 for the softball tournament during Potato Day weekend for the 8 team softball tournament. All members voting yes. Motion carried.

Delinquent Water Bills:

Council again visited about the delinquent water bills. Council feels that disconnect date needs to be enforced and feels this problem needs to be corrected.

Action #164-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to turn water off on any account that exceeds \$200.00 or excess of 3 months in delinquency. All members voting yes. Motion carried.

More discussion on delinquent water bills.**Action #165-2004:**

Motion by Larry Dreher, seconded by Don DesLauriers to rescind previous action - **Action #164-2004**. All members voting yes. Motion carried.

Discussion:

Major pool repairs are needed in the coming years. The shifting in the earth is causing pipes to break and liner to pull away from the pool. This year the chlorinator broke, recirculation pump broke down, and heater is not fully working. It is time to have an engineer come in and look at these problems and get an idea of what needs to be done. More discussion will follow in future meetings.

Action #166-2004:

Motion by John Pollock, seconded by Larry Dreher to approve the concession stand request from Janie DesLauriers for the summer of 2004 pool season. She will purchase her own inventory and set her own hours and prices with no profit or liability to coming back to the city. All members voting yes. Motion carried.

Action #167-2004:

Motion by Don DesLauriers, seconded by Lyle Brenden to approve the American Legion liquor license request from 5:00pm July 10th, 2004 to 2:00am July 11th, 2004 for the Grave's wedding reception and dance. All members voting yes. Motion carried.

Action #168-2004:

Motion by John Pollock seconded by Larry Bartels to grant the mowing exception to Stan Jongbloed for his property located to the North of his house property which is put up for hay each year. All members voting yes. Motion carried.

Action #169-2004:

Motion by Larry Dreher seconded by Don DesLauriers to approve the repairs needed to the crows nest at Dickinson Park (roof is leaking). All members voting yes. Motion carried.

Discussion – PA system at Dickinson Park:

There is some crackling in the PA system at Dickinson Park. Discussion on having someone come and look at the system and see if there is anything that can be done prior to the state teener tournament in August.

Youth Ball Program Uniforms:

More shirts are needed for the youth ball programs. Council visited about buying t-shirts for the t-ball program next year and the older groups can order their own mesh shirts.

Action #170-2004:

Motion by John Pollock, seconded by Larry Dreher to approve purchasing 30 shirts for this years ball programs and then re-visit this subject in Feb. of each year. Apx cost of shirts \$600.00. All members voting yes. Motion carried.

Action #171-2004:

Motion by John Pollock, seconded by Lyle Brenden to approve Resolution #728 – A Resolution to Become a South Dakota Retirement System Special Pay Program Unit. All members voting yes. Motion carried.

Action #172-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve the uniform addressing for the City of Clark. First District Association to do the addressing. All members voting yes. Motion carried.

Action #173-2004:

Motion by John Pollock seconded by Larry Dreher to approve the mileage rate of .32 cents per mile effective 06-07-04 for all city employees that use their own vehicle for city business. All members voting yes. Motion carried.

Action #174-2004:

Motion by Lyle Brenden, seconded by Larry Bartels to approve a culvert to be placed in the Farmers Elevator Ditch. City to share the expense evenly with the Farmers Elevator. All members voting yes. Motion carried.

Discussion:

Mr. L. Brush made a request to be able to purchase city property that runs behind his house in order to make his lot bigger. City Attorney Fjelland will look at this and see what the requirements would be in order to accomplish this. Discussion tabled.

Action #175-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to approve the expense of enclosing and repairing the water tower control building. There will be wiring that needs to be done along with the renovations which is also approved. All members voting yes. Motion carried.

Action #176-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve the 3rd quarter Thank You award recipient. All members voting yes. Motion carried.

Item 20

This item on the agenda was moved to executive session for legal counsel per our city attorney Chad Fjelland.

Action #177-2004:

Motion by John Pollock, seconded by Larry Dreher to approve free swim for 4-H achievement day participants on August 6th, 2004. All members voting yes. Motion carried.

Action #178-2004:

Motion by John Pollock seconded by Larry Bartels to approve July 6th, 2004 as the city council meeting for July at 7:00pm. All members voting yes. Motion carried.

Food Tax Repeal

At this time there was discussion on the food tax issue. This repeal will cost the City of Clark apx \$37,000.00. The city will then have to look at how to recover this loss either thru reduction or elimination of certain items in the budget or find other sources of income to the city.

Action #179-2004:

Motion by Larry Bartels seconded by Kerry Kline to match the American Legion Baseball teams fund with a \$1,500.00 donation to the program for summer of 2004. All members voting yes. Motion carried.

Action #180-2004:

Motion by Larry Dreher seconded by Don DesLauriers to approve a donation of \$750.00 for the 4th of July fireworks for summer of 2004. All members voting yes. Motion carried.

Action #181-2004:

Motion by John Pollock seconded by Larry Dreher to approve the following pay for umpires: \$5,00 per game for base ump's (non-certified), \$7.00 per game for plate ump's (non certified) and \$15.00 per game for certified umpires. Umpire fees to be paid on a monthly basis. All members voting yes. Motion carried.

Code Enforcement:

Discussion held on having a designated code enforcement officer for the city of Clark. Mayor Solberg and City Attorney Fjelland expressed that this would be a good idea and will look at working out the details and bring this to the council at the next council meeting.

Action #182-2004:

Motion by Don DesLauriers seconded by Lyle Brenden to close regular session and convene into executive session for legal consultation. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 8:49pm and ended at 9:42pm.

Action #183-2004:

Motion by Lyle Brenden seconded by Don DesLauriers to approve \$2,000.00 payable to Roger and Carolyn Collins for a land easement for the sewer lines that are being run out to the previous McCains facility. All members voting yes. Motion carried.

Action #184-2004:

Motion by Larry Dreher seconded by Larry Bartels to release \$5,000.00 of the 2nd Cent sales tax dollars for the REA expense to develop the East Industrial Development park. All members voting yes. Motion carried.

Action #185-2004:

Motion by Larry Bartels seconded by Kerry Kline to adjourn meeting. All members voting yes. Motion carried.

Meeting ended at 9:50pm.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Binger

Clark City Council Meeting
July 6th, 2004
7:00pm

MINUTES

Call to Order: The Clark City Council met in session July 6th, 2004 at 7:00pm. Council members present were: John Pollock, Lyle Brenden, Kerry Kline, Don DesLauriers, Larry Dreher and Larry Bartels. Others present were: Mayor Lester C. Solberg, Finance Officer Nichole Geise, City Attorney Chad Fjelland, Courier Editor Bill Krikac, J. Elaine Hanson, Pam Cooper, Jim Canaan (ITC Rep), Police Chief Stacy Mayou, C. C. Neill, Jim Holbeck, Keith Warren, and Valois Danekas.

Mayor Solberg called the meeting to order at 7:00pm

Action #186-2004:

Motion by Lyle Brenden, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #187-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve the minutes from the June 7th, 2004 council meeting. All members voting yes. Motion carried.

Action #188-2004:

Motion by Larry Dreher, seconded by Larry Bartels to approve the Financial Statement as of June 30th, 2004. All members voting yes. Motion carried.

Action #189-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve the Claims as of June 30th, 2004. All members voting yes. Motion carried.

Claim Sheet

TO:	FOR:	AMOUNT:
1. Federal Express	Police Dept. Supplies	\$6.70
2. Ellwein Brothers	Liquor invoices	\$8781.45
3. Star Laundry	Maintenance	\$48.57
4. Greenfield's Short Stop	Supplies-Fuel	\$11.50
5. Clark Farmer's Elevator	Park-Supplies	\$53.50
6. Recreonics	Pool-Supplies & Materials	\$988.07
7. Share Corporation	Pool Materials	\$17.15
8. Girton Adams Co.	Pool repairs, supplies, mileage	\$1420.41
9. U S Life Insurance	Insurance premiums	\$13.70
10. Chief	Police Dept. Supplies	\$256.93
11. Florey's Heating & AC	Fire Dept. Supplies & Materials	\$451.40

12. Avera Health Services	Maintenance	\$59.75
13. DesLauriers Oil	Supplies-Fuel	\$67.00
14. Clark Co. Weed Board	Materials & Supplies	\$559.40
15. Expectec Tech Services	Computer repairs police/office	\$101.97
16. SoDak Dist. Co	Liquor Invoices	\$7923.90
17. Dacotah Insurance	Liability renewal policies	\$269.00
18. U B C	Supplies & Materials	\$3116.86
19. N A P A Auto Parts	Supplies	\$197.34
20. ITC	Utilities	\$540.00
21. Literary Guild	Books	\$62.42
22. Milbank Winwater Works	Supplies & Materials	\$1522.71
23. Ryan's Candy Co	Concession stand supplies	\$228.75
24. Oscar's Machine Shop	Repairs & Supplies	\$2098.08
25. Qualification Targets	Police Supplies	\$91.31
26. Cardell's	Supplies-Fuel	\$183.44
27. Wells Fargo Financial Leasing	Supplies-copier lease	\$132.87
28. Porter Dist. Co.	Liquor Invoices	\$1172.00
29. Duckwalls	Supplies	\$181.14
30. Mack's Standard	Supplies-Fuel	\$366.35
31. In the Swim	Pool Materials	\$29.92
32. Recreation Supply Co	Pool Materials	\$202.33
33. Desnoyers Hardware	Supplies-Materials	\$476.95
34. Office Systems Inc.	Supplies-Materials	\$69.88
35. Watertown Parks & Rec	Supplies	\$50.00
36. Watertown Rec Center	Pool Staff Training	\$371.88
37. K & P Pump Repairs	Supplies	\$316.33
38. American Family Ins.	Insurance Premiums	\$20.49
39. Pitney Bowes	Postage	\$372.00
40. Sioux Valley Clinic	Drug screening	\$38.00
41. Cooks Office Products	Supplies	\$29.28
42. Sign Pro	Pool Supplies	\$482.00
43. Wellmark BC &BS	Insurance Premiums	\$3395.36
44. Service Master	Floor Cleaning-Mat	\$206.00
45. Clark-Doland Concrete	Concession-Supplies/Materials	\$2261.25
46. SD Dept Health Lab	Water testing	\$589.00
47. Quartermaster	Police Dept. Supplies	\$86.85
48. Clark Engineering	Engineering Fees	\$12,605.06
49. Ultra Max	Police Supplies	\$373.25
50. Gruenwald Electric	Supplies/Materials	\$372.68
51. Colonial Research Chem	Pool Supplies	\$839.30
52. Viking Office Products	Office/Library Supplies	\$230.44
53. Roy's Sport Shop	Summer Rec Supplies	\$263.89
54. Cellular One	Utilities-Med Van	\$26.66
55. Cellular One	Utilities-City	\$106.08
56. Cellular One	Utilities-Police Dept	\$69.90
57. Galls Inc.	Police Dept Supplies	\$70.95
58 Northwestern Energy	Utilities	\$6005.39

59. Hawkins Water Treat	Pool Supplies	\$3322.87
60 SDRS	Payroll & Retirement Deductions	\$2,540.08

ADDITIONAL CLAIM SHEET

TO:	FOR:	AMOUNT:
-----	------	---------

1. One Call Systems	Locate Requests called in	\$33.44
2. WhiteTail Plumbing	Dickinson Park Restrooms	\$1,600.00
3. Fjelland Attorney at Law	Legal Fees	\$445.60
4. Hawkins Water Treatment Supplies – pool		\$2,652.99
5. Carlson Distributing	Malt Beverage Invoices	\$6,133.71
6. Cook’s Wastepaper & RecUtilities – city garbage pick –up		\$30.00
7. A-OX Welding Supply	Supplies – cylinder rent	\$7.13
8. Viking Office Products	Supplies	\$189.84
9. Johnson Brothers Famous Liquor Invoices		\$5,692.10
10. David Watson	Water Deposit Refund	\$53.53
11. City of Clark	D. Watson final water bill	\$46.47
12. Ryan’s Candy	Concession Stand Supplies	\$191.75
13. Recreonics	Pool Supplies/Materials	\$0.00
14. AFLAC	Payroll Deductions	\$299.42
15. Recreation Supply Comp.	Pool Supplies/Materials	\$759.96
16. Banyon Data Systems	Computer Supplies and Support	\$2,380.00
17. Clark Community Oil	Supplies/Repairs	\$1,438.02
18. Pitney Bowes	Postage for machine	\$2,500.00
19. Kirk’s Towing	Misc Expense	\$55.00
20. Olson’s Auto Parts	Supplies/Materials	\$161.81
21. Olson’ Motor Company	Repairs/Maintenance	\$410.82
Payroll –(net amounts)		
22. Darin Altfillisch	Payroll Expense	\$3,094.07
23. Nichole Geise	Payroll Expense	\$1,471.25
24. Holly Borns	Payroll Expense	\$1,005.62
25. Ryan Burke	Payroll Expense	\$534.10
26. Richard Claussen	Payroll Expense	\$836.85
27. Roger Collins	Payroll Expense	\$2,446.18
28. Ashley DesLauriers	Payroll Expense	\$696.00
29. Amy Dreher	Payroll Expense	\$891.45
30. Rae Jean Flora	Payroll Expense	\$845.23
31. Mackenzie Hallberg	Payroll Expense	\$804.44
32. Brock Greenfield	Payroll Expense	\$1,481.93
33. Kandice Hanley	Payroll Expense	\$1,107.33
34. John Howardson	Payroll Expense	\$142.22
35. Shawn Kjetland	Payroll Expense	\$969.43
36. Carmen Kloster	Payroll Expense	\$592.70
37. Rachel Krikac	Payroll Expense	\$270.70
38. Keith Kruthoff	Payroll Expense	\$628.38
39. Stacy Mayou	Payroll Expense	\$2,035.80

40. Angie O'Neill	Payroll Expense	\$745.57
41. Paige Paulson	Payroll Expense	\$660.56
42. Dorcas Protexter	Payroll Expense	\$669.15
43. Cassi Schlagel	Payroll Expense	\$809.59
44. Lester C. Solberg	Payroll Expense	\$350.85
45. Loren Stanley	Payroll Expense	\$1,615.20
46. Teri Stokely	Payroll Expense	\$220.08
47. Jeremy Wellnitz	Payroll Expense	\$1,359.82
48. Ashley Yanish	Payroll Expense	\$727.99
49. Craig Bruening	Payroll Expense	\$691.11
50. Comm. First Nat'l Bank	Fed/SS tax Dep.	\$5,649.68
51. SD Amateur Softball Assoc	Entry Fee	\$20.00
52. Carol Pipgras	SD State Softball Entry Fee	\$150.00
53. Craig Bruening	Mileage& Supplies Reimb.	\$183.50
54. Nichole Geise	Petty Cash	\$42.33
55. Nichole Geise	Petty Cash	\$43.00
56. Comm. First Nat'l Bank	Fed/SS tax Dep	\$3,246.46
57. VALIC	Payroll Deduction	\$135.00
58. Ken's Food Fair	Supplies	\$13.98
59. Werdel Construction	pool and sidewalk repairs	\$2,800.00
60. Kandice Hanley	Supplies – pool	\$27.50
61. WhiteTail Plumbing	Restroom Construction	\$4,342.09
62. Brock Greenfield	Ball Program Jersey's	\$465.00
63. Fred Obermeier	Baseball Program Donation	\$750.00
64. Boen & Associates	Teener Baseball Ins Prem	\$116.00
65. Ashley DesLauriers	Mileage	\$40.60
66. Fed Ex	Return Pool Vacuum – Freight	\$155.40
67. Ashley Yanish	Mileage	\$20.30
68. Angie O'Neill	Mileage	\$40.60
69. SD Dept VFW	Entry Fee	\$50.00
70. Clark Rural Water	Materials Purch for Re-Sale	\$12,341.00
71. Carmen Kloster	Petty Cash Reimb	\$49.50
72. Comm. First Nat'l Bank	Fed/SS tax Dep	\$1,396.52
73. Clark Chamber of Commerce	Fireworks Donation	\$750.00
74. Kevin Zobel	Tree Stump Removal	\$50.00
75. Bob Gergen	Payroll Expense	\$815.03
76. Dean Hilmoe	Payroll Expense	\$285.48
77. Ronnie Schorg	Payroll Expense	\$75.15
78. Sharon Bjerke	Payroll Expense	\$42.71
79. Lisa McGraw	Payroll Expense	\$193.79
80. City of Clark	Utilities	\$58.50
81. Clark County Courier	Advertising	\$484.14
82. Cook's Wastepaper & Rec	Garbage Collection Remittance	\$4,630.98
83. Moritz Publishing	Supplies	\$173.80
84. Northwestern	Utilities	\$18.62

Action #190-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to approve Pay Request #2 from Midland Contracting in the amount of \$180,290.00 contingent upon agency approvals. All members voting yes. Motion carried.

Action #191-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve the Final Pay Request from Olson Construction for the sewer line run to the former McCain's facility. The amount approved \$52,007.40 (city share). All members voting yes. Motion carried.

Action #192-2004:

Motion by Larry Bartels, seconded by Larry Dreher to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

Police Report:

Police dept patrolled 1,388 mile for the month of June 2004 with 152 misc calls. Charges were filed on the recent burglaries (Clark Storage).

Action #193-2004:

Motion by John Pollock, seconded by Larry Bartels to approve the 2004 library annual report and the 2nd quarter report for the library. All members voting yes. Motion carried.

Pam Cooper:

At this time Pam Cooper approached the council regarding the variance and abatements from the city. She asked the council to extend the time frame for correcting her abatements and to get the variance to move the house situated on Kansas Street. Her request was until Sept 1, 2004. City Attorney Fjelland will compose a letter to send the house movers stating the time frame in which this variance work needs to be completed by and will have Pam look at the letter and sign before sending it. Once she obtains the 100% adjacent land owners signatures for the variance she needs to bring it to the Finance Office. Jeremy Wellnitz will follow up on the progress of the abatements and further discussion will be forthcoming when available to the council.

Thank You Award Presentation:

At this time the 3rd quarter thank you award was presented to Willis Danekas. His wife Valois Danekas accepted the award on behalf of Willis. Mayor Solberg commended Willis for all he contributed to the Clark community and for making Clark a better place to live.

Jim Canaan – ITC Rep

Jim Canaan, ITC, presented a power point presentation for the community access channel that is available to Clark. ITC provides the hardware, software and training to Clark all that is needed is a representative to compile the information and keep the site updated. Kerry Kline suggested that this be brought to the Chamber board to see if it would be something the Chamber would be interested in doing. Council is very interested in this and will do some further checking on this before committing to anything.

Holbeck Development:

Mr. Jim Holbeck visited with the council regarding developing the property located to the North of Dick Neill. C.C. Neill owns this property currently and passed out a sketch that was done a few years back. Mr. Holbeck would like an engineer to come in to perform an engineer study on plotting, infrastructure and elevations. This item will again be discussed in future meetings.

Action #194-2004:

Motion by John Pollock, seconded by Larry Bartels to approve the expense of having an engineer study completed on proposed Holbeck addition. All members voting yes. Motion carried.

Finance Officer's Schooling

Nichole Geise read a report that Rae Jean brought back from finance officers schooling. Items discussed: abstaining from votes, west Nile Dept., sending ordinances to appropriate places, white goods at rubble site, surplus property on computer sites and city credit cards. Council would like to research the credit card options thru the local banks, look at resolutions regarding credit cards and bring to the next council meeting.

Action #195-2004:

Motion Lyle Brenden, seconded by Larry Dreher to approve the asphalt bid of \$156,152.00 for the Phase I project area. Bid from McLaughlin & Schulz, Inc. from MN. Bid awarded contingent upon funding agency approvals. All members voting yes. Motion carried.

Mid – Year - Finances

Nichole Geise discussed with the council regarding mid year expenses. She asked each council person to look at their departments to see where they are at for expenditures and to try to stay within the budget for the year. Council person may want to sit down and visit with department heads on current expenditures and for 2005 budgets which will be set in the coming months. Will review again in Aug meeting.

Delinquent Water Bills

Council reviewed current disconnect list and prioritized the accounts that need to be shut off now.

Action #196-2004:

Motion by Don DesLauriers, seconded by John Pollock for free swimming on August 7th, 2004 (Potato Day) at the Clark swimming pool. All members voting yes. Motion carried.

BBB (3rd cent sales tax)

Council discussed revenue option to replace money if the food tax bill goes thru this year. One of which is the 3rd cent tax. Effective dates are July 1st or Jan 1st of each year. Council will need to look at this option further and pinpoint what the money would be used for specifically prior to looking at enactment (if this is what the city decides to do). Meetings would be held with public for discussion and their feel on this as well.

Mayor Solberg stated one major expenditure that may come up here in the near future would be to renovate the pool. Money would have to be found in order to be able to accomplish this as well.

Action #197-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve Resolution #729: A RESOLUTION TO AUTHORIZE THE EXECUTION OF AN OPTION TO PURCHASE CERTAIN REAL ESTATE OWNED BY KENNETH L. BELL AND SANDRA A. BELL AND TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO THE OPTION TO PURCHASE REAL ESTATE. All members voting yes. Motion carried.

Action #198-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to approve the Clark Lanes operating agreement effective July 6th, 2004 to July 6th, 2005 with an option of a 5 year renewal following that. All members voting yes. Motion carried.

Surplus Property

Discussion held on surplus property located next to the skating rink property. Mayor Solberg wishes to look into this further prior to surplus of said property. Tabled until Aug meeting.

Action #199-2004:

Motion by John Pollock, seconded by Larry Bartels to approve Resolution #730: A RESOLUTION SETTING FORTH A SCHEDULE OF FINES FOR CERTAIN VIOLATIONS OF THE CLARK MUNICIPAL CODE. All members voting yes. Motion carried.

Code Enforcement Officer

Prior to next months meeting council would like to see guidelines, job description, and pay to have a part time Code Enforcement officer.

Update on Concession/Restroom Facility Dickinson Park:

Larry Bartles reported that the cement work for the building will be done this week, plumbing materials have been ordered and are on hand. Contractor feels that they will be on track and will have the building completed by August deadline.

Action #200-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to close regular session and convene into executive session for contractual reasons. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 8:30pm and ended at 8:58pm.

Action #201-2004:

Motion by Lyle Brenden, seconded by John Pollock to pay the claim in the amount of \$1,343.30 to Clark Engineering for the development of the East Industrial Development site. All members voting yes. Motion carried.

Action #202-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to adjourn. All members voting yes. Motion carried.

Lester C. Solberg – Mayor

Nichole Geise – Attest – Finance Officer

**City Council Meeting
July 26th, 2004
7:00pm**

Call to Order: The Clark City Council met on July 26th, 2004 at 7:00pm. Council members present were: Don DesLauriers, John Pollock, Kerry Kline, Lyle Brenden, Larry Dreher, and Larry Bartels. Others present at meeting: Mayor Lester C. Solberg, Finance Officer Nichole Geise, City Attorney Chad Fjelland, and Courier Editor Bill Krikac.

Mayor Solberg called the meeting to order at 7:00pm

Action #203-2004:

Motion by John Pollock, seconded by Lyle Brenden to adopt the agenda as amended. All members voting yes. Motion carried.

Action #204-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to approve the claims presented to the council as of July 26th, 2004. All members voting yes. Motion carried.

CLAIM SHEET

To	For	Amount
1. Haley DesLauriers	Umpire Fee	\$15.00
2. Brandon Varilek	Umpire Fees	\$10.00
3. Kyle Christman	Umpire Fees	\$15.00
4. Leah Dohman	Umpire Fees	\$120.00
5. Brigette Wookey	Umpire Fees	\$120.00
6. Dar DesLauriers	Umpire Fees	\$7.00
7. Brock Greenfield	Umpire Fees	\$7.00
8. Hawkins Inc	Pool Supplies	\$5,100.90
9. Wellmark BlueCross &...	Payroll Deduc & Ins Prem's	\$3,395.36
10. MC& R Pools	Materials for Pool Equipm.	\$63.04
11. Clark County Weed Board	Maintenance – Ball Field	\$31.48
12. Recreonics	Supplies at Pool	\$75.15
13. DesLauriers Oil Co.	Sewer Dept – Supplies	\$107.26
14. Milbank Winwater Works	New Building – Conc./Restroom	\$1,105.65
15. Huron Culvert & Tank	Street Dept Materials	\$32,33.12
16. Department of Revenue	Water Testing – Maintenance	\$332.00
17. SD Assoc of Towns & Towns..	Annual Dues	\$256.35
18. Viking Office Products	Office Supplies	\$240.10
19. Dakota Pump & Control	Sewer Dept Expense	\$699.20
20. Dakota Electronics	Repairs – Fire Dept	\$80.35
21. Cook's Office Products	Park Dept – Supplies	\$56.75
22. Office Systems Inc	Maint. Contract & Office Supplies	\$57.52
23. Share Corp	Pool Supplies	\$1,853.03

24. Gruenwald Electric	Repairs – Parks and Fire Dept	\$1,406.58
25. Sign Pro	Pool Sign	\$180.00
26. Royal Chemical	Fire Dept Supplies	\$661.66
27. Clark Rural Water	Water/Sewer Dept Supplies	\$7.78
28. Desnoyers Hardware	Supplies/Materials	\$411.00
29. Northwestern	Utilities	\$10,803.30
30. VanDiest Supply	Mosquito Mist – Supplies	\$2,813.25
31. UBC	New Building & Supplies	\$6,635.80
32. Ken's Food Fair	Concession Stand Supplies	\$591.41
33. Cellular One	Utilities	\$95.67
34. Cellular One	Utilities	\$26.66
35. Cellular One	Utilities	\$70.53
36. Florey's Heating and A/C	Repairs at Ulliyot Bldg	\$20.15
37. RDJ Specialties	Fire Dept Supplies	\$80.00

Phase I Project Update:

Mayor Solberg stated that he and the engineer have been in contact with the Midland construction crew as to the progress of the project and the problems that have been reported. Contractor stated that they will be ready for the paving contractor when they come to pave the first part of August. Pre-construction meeting for the paving will be held Tues. July 27th, 2004 at 2:00pm. Council members are encouraged to attend if possible.

Phase II Project Update:

Olson Construction is the low bidder on the Phase II project. The bids came in lower than anticipated. Work to begin the week of August 2nd. Contractors will do their best to work around the upcoming activities but does realize that this project needs to get done asap. Les will work with the engineer and contractors during the progress of the project.

Action #205-2004:

Motion by Lyle Brenden, seconded by Larry Bartels to approve the bid of \$485,582.70 for schedule A & B on the Phase II project, contingent upon funding agency approvals, to Olson Construction of Huron, SD. All members voting yes. Motion carried.

Dickinson Park Improvements

Council member Larry Bartels updated council on progress of concession stand/restroom. The plan is still to have this ready to go Aug. 1st, 2004. The PA system is needing some work before the state baseball tournament. Larry will work on this and bring back a recommendation to the council at the next council meeting.

Commercial Street Sidewalk Beautification Project:

Council member Kerry Kline visited with the council regarding commercial street renovation to the sidewalks. There is a group that is working on a plan to replace the sidewalk on Commercial St. Thoughts were also to possibly have some trees placed in this area too. Question to the council was if any of the costs could be specially

assessed? City Attorney Fjelland stated legally it could be assessed but the question is if the city can take this on financially? More information will be brought to the council at a future date.

GASB 34 (General Accounting Standards Board)

Finance Officer Geise stated that according to the State the City of Clark will have to adhere to the GASB 34 standards for fixed assets. This is a more intense recording; including streets, water lines, sewer lines etc. for the fixed asset records. This will require an adoption of a capitalization policy which will need to be adopted. Geise will work with Chad Fjelland for the resolution/ordinance that will need to be adopted.

Action #206-2004:

Motion by Larry Bartels, seconded by Kerry Kline to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 7:48pm.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Geise

City Council Meeting
August 2nd, 2004
7:00pm

Call to Order: The Clark City Council met on August 2nd, 2004 at 7:00pm. Council members present were: Larry Bartels, Larry Dreher, John Pollock, Kerry Kline, Lyle Brenden, and Don DesLauriers. Others present were: Mayor Lester C. Solberg, Finance Officer Nichole Geise, City Attorney Chad Fjelland, Watertown P.O. Reporter – Todd Krysiak, Courier Editor Bill Krikac, J. Elaine Hanson, Police Chief Stacy Mayou, Shawn Silkman, and Keith Warren.

Mayor Solberg called the meeting to order at 7:00pm.

Action #207-2004:

Motion by Lyle Brenden, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #208-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve minutes from July 6th, and 26th, 2004 council meetings. All members voting yes. Motion carried.

Action #209-2004:

Motion by Larry Bartels, seconded by Larry Dreher to approve the financial report as of July 30th, 2004. All members voting yes. Motion carried.

Action #210-2004:

Motion by Larry Dreher, seconded by Kerry Kline to approve the claims as of Aug. 2nd, 2004 – Hold Werdel Construction check until itemized statement has been turned in and Larry Bartels and Les Solberg sign off on bill payment. All members voting yes. Motion carried.

Claim Sheet

To	For	Amount
1. Greg Furness	Reimbursement of Teener Tourn. Shirts	\$840.00
2. Werdel Concession	Concession Stand – Capt Imp	\$1,500.00
3. Whitetail Plumbing	Concession Stand – Capt Imp	\$3,200.00
4. Aspen Tree Service	Tree Removals – Maintenance	\$2,025.00
5. Cassi Schlagel	Mileage Expense	\$22.40
6. Craig Bruening	Mileage & Tourn fee reimbursement	\$236.56
7. Milbank Winwater Works	Concession Stand – Capt Imp	\$226.91
8. South Dakota Retirement	Payroll & Retirement Contr.	\$2,499.14
9. Star Laundry	Maintenance Expense	\$97.09
10. Clark Engineering	Capital Improvements – Sewer Line	\$1,505.81
11. Clark Engineering	Curb and Gutter – Capital Improvement	\$2,852.81
12. Mack's Standard	Supplies – Fuel	\$332.63
13. Sodak Distributing	Liquor Invoices	\$5,876.14
14. Patrician Rosenau	Payroll Expense – library sub	\$56.00
15. Bev Kluess	Payroll Expense – library sub	\$140.00
16. Mystery Guild	Books – library	\$16.98

17. Book of the Month Club Books – library		\$36.67
18. Kacey Hoffman	Mowing – Maintenance (June)	\$410.00
19. Kacey Hoffman	Mowing – Maintenance (July)	\$100.00
20. Reidburn Construction	New Building – Concession Stand	\$6,000.00
21. K&P Pump Repairs	Repairs	\$1,026.15
22. Clark-Doland Concrete	New Building – Concession Stand	\$1,274.50
23. Westside Implement	Stump Removal & Repairs	\$759.50
24. Clark Flower & Gift	Miscellaneous Expense	\$29.50
25. Clark Stainless Shop	Concession Stand – New Building	\$1,417.80
26. Reidburn Construction	Final Bill – Concession Stand	\$8,204.85
27. Clark County Auto Parts	Supplies/Materials	\$5.65
28. Darin Altfillisch	Net Payroll Expense	\$2,962.43
29. Nichole Geise	Net Payroll Expense	\$1,745.38
30. Holly Borns	Net Payroll Expense	\$1,197.67
31. Richard Claussen	Net Payroll Expense	\$854.77
32. Roger Collins	Net Payroll Expense	\$2,178.29
33. Ashley DesLauriers	Net Payroll Expense	\$864.88
34. Amy Dreher	Net Payroll Expense	\$811.11
35. Ryan Burke	Net Payroll Expense	\$534.10
36. Carmen Kloster	Net Payroll Expense	\$625.68
37. Ashley Yanish	Net Payroll Expense	\$403.00
38. Jeremy Wellnitz	Net Payroll Expense	\$1,359.82
39. Loren Stanley	Net Payroll Expense	\$1,640.18
40. Cassi Schlagel	Net Payroll Expense	\$596.99
41. Paige Paulson	Net Payroll Expense	\$1,037.55
42. Angie O’Neill	Net Payroll Expense	\$893.19
43. Stacy Mayou	Net Payroll Expense	\$2,028.52
44. Keith Kruthoff	Net Payroll Expense	\$500.25
45. Rachel Krikac	Net Payroll Expense	\$842.18
46. Rachel Krikac	Mileage – coaching	\$30.72
47. Shawn Kjetland	Net Payroll Expense	\$882.79
48. Kandice Hanley	Net Payroll Expense	\$1,039.17
49. Mackenzie Hallberg	Net Payroll Expense	\$1,247.77
50. Rae Jean Flora	Net Payroll Expense	\$834.76
51. Rae Jean Flora	Supplies – Reimbursement	\$69.37
52. Lester C. Solberg	Payroll Expense	\$350.85
53. Dorcas Protexter	Payroll Expense	\$743.00

Additional Claim Sheet

TO:	FOR:	AMOUNT:
1. Wells Fargo	Copier Lease	\$132.87
2. Moritz Publishing	Water statements paper	\$82.46
3. Codington Clark Equip	Supplies/Materials	\$69.97
4. AFLAC	Insurance premiums	\$299.42
5. Johnson Brothers	Liquor invoices	\$6,286.08

6. Cooks Wastepaper	August service	\$30.00
7. Fjelland Atty @ Law	Attorney fees	\$596.80
8. Superior Products	Supplies/Materials	\$340.00
9. Heiman Fire Equipment	Maintenance	\$290.75
10 Cellular One	Supplies	\$29.99
11. Dakota Electronics	Repairs	\$80.35
12. Hawkins Water Treatment	Supplies	\$2,736.42
13. Forest Excavation	Capitol Improvements	\$1,319.36
14. ITC	Utilities	\$587.88
15. Lakeside Equipment	Materials	\$140.00
16. Cardell's	Supplies	\$142.61
17. Recreonics	Supplies/Materials	\$24.19
18. Clark Co Courier	Advertising	\$455.54
19. Whitetail Plumbing	Materials - Concession Stand Const	\$429.57
20 Darwin Deslauriers	Umpire Fees	\$5.00
21. Brock Greenfield	Umpire Fees	\$5.00
22. Robert Gergan	Net Payroll Expense	\$846.52
23. Ronald Schorg	Net Payroll Expense	\$153.88
24. Dean Hilmoe	Net Payroll Expense	\$161.03
25. Alan Holatz	Net Payroll Expense	\$136.01
26. Craig Bruening	Net Payroll Expense	\$681.83
27. John Howardson	Net Payroll Expense	\$182.85
28. Teri Stokely	Net Payroll Expense	\$300.74
29. Hillcrest Mfg. LLC	Concession Stand Doors	\$2,150.00
30. Gruenwald Electric	Concession Stand Wiring	\$5,102.05
31. VALIC	Payroll Deductions	\$135.00
32. The United States Life Ins	Insurance Premiums	\$13.70
33. Clark Rural Water	Materials Purch for Re-sale	\$12,183.15
34. Cook's Wastepaper & Rec	August Gargb Collection Remittance \$	
35. Clark Community Oil	Repairs and Supplies	\$1,913.32
36. Ellwein Brothers Inc	Malt Beverage Invoices	\$11,448.45
37. Porter Distributing	Malt Beverage Invoices	\$971.00
38. Carmen Kloster - Petty Cash	Petty Cash Reimbursement	\$41.90
39. Carlson Distributing	Malt Beverage Invoices	\$4,652.85
40. Jake Lindgren	Umpire Fees	\$58.00
41. Brigett Wookey	Umpire Fees	\$15.00
42. Trevor Forest	Umpire Fees	\$5.00
43. Lane Severson	Umpire Fees	\$5.00
44. Matt Lindgren	Umpire Fees	\$68.00
45. Brandon Varilek	Umpire Fees	\$58.00
46. Brock Greenfield	Payroll Expense	\$
47 Brock Greenfield	Mileage	\$
48. A-OX Welding Supply	Cylinder Rent	\$6.70
50. Comm. 1 st Nat'l Bank	Fed/SS tax dep's	\$7,452.99

Action #211-2004:

Motion by Don DesLauriers, seconded by Lyle Brenden to approve Pay Request #3 from Midland Contracting in the amount of \$103,887.00 contingent upon approval from funding agencies. All members voting yes. Motion carried.

Police Report:

Police patrolled 1,650 miles for the month of July 2004 and answered 149 misc calls.

Action #212-2004:

Motion by John Pollock, seconded by Larry Dreher to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

Action #213-2004:

Motion by John Pollock, seconded by Larry Bartels to approve annual renewals of operating agreements for the Clark VFW and Playhouse Family Restaurant. All members voting yes. Motion carried.

Chamber Update:

Kerry Kline gave an update on upcoming Potato Day activities that will be the weekend of Aug. 7th, 2004. There are 48 booths coming into Dickinson Park for Arts in the Park and Potato Wrestling will also be held in Dickinson Park. Questions arose about the park being ready for these events with the construction that is going on there. Council feels all will be ready to go. There will be a clean up night Wed. Aug. 4th, 2004.

Community Access Channel:

Kerry Kline stated that the Chamber board was very interested in looking into the Community access channel and being involved with it. Once Potato Day weekend is over the Chamber will look into this project more intensely.

Action #214-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to approve free swim for the state teener tournament participants over the weekend of Aug 13th, 14th, 15th, 2004. Players must present their pass to gain free admission to pool. All members voting yes. Motion carried.

Dickinson Park Construction:

Larry Bartels reported that there was a water and sewer line hit by a trencher today. The repairs on this should be taken care of by Thur Aug. 5th as parts needed to be ordered. All other construction will be finalized on the concession stand/restroom facility by the Aug 7th deadline. They will be moving all equipment from the old concession stand to the new one this week and help would be appreciated in the moving of coolers. Maybe contact Pepsi and see if they can move the coolers? Larry B. will check into this.

PA System:

Larry Bartels has been working on an estimate to update the PA system at Dickinson Park. Two speakers have been ordered; existing speakers will remain at the field and will be re-positioned for clarity. Loren Stanley has been fixing up the bleachers at the park and crow's nest has been repaired. Bat racks with helmet shelves have been built

and placed in each dug out area. All of these projects will be finalized by Aug. 13th, (state teener tournament).

Action #215-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve up to \$1,000.00 for the expense of the PA system update at Dickinson Park. All members voting yes. Motion carried.

Action #216-2004:

Motion by Larry Bartels, seconded by John Pollock to adjourn the regular meeting temporarily for the purpose of convening a joint meeting of the Clark Zoning and Planning Commission and the Clark City Council. All members voting yes. Motion carried.

Request #1:

Brad and Desiree Lamb requests that the property located on: The South Forty and One-Half Feet (S. 40½') of Outlot Sixty-Three (63) and all of Outlot Sixty-Four (64) of Outlots Thirty-Eight (38) to Sixty-Eight (68) situated in the Northwest Quarter (NW¼) of Section Six (6), in Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., being part of the City of Clark be re-zoned from Ag zoning currently to R2 zoning as they would like to build a new home with garage and a detached garage for storage only(not to be used for business purposes).

Concern expressed from John Pollock regarding if this will be a steel garage? There is no indication of it being a steel garage per Chad Fjelland and if they want this type of garage they would need to obtain a variance from the city prior to building.

Recommendation to the Clark City Council to amend the current zoning of Ag to R2 for Brad and Desiree Lamb's property. All voted in favor.

Request #2:

Jeremy and Stacey Wellnitz requests that their property located on The North Twenty Feet (N. 20') of the South Eighty Feet (S. 80') of the East One Hundred Fifty Feet (E. 150') of Outlot Sixty-Two (62) to the City of Clark, and the South Sixty Feet (S. 60') of the East One Hundred Fifty Feet (E. 150') of Outlot Sixty-Two (62) to the City of Clark, Clark County, South Dakota be re-zoned from Ag to R2 so they are able to place a residential house on this property. All codes will need to be followed prior to the placing of a home on this lot.

Recommendation to the Clark City Council to amend the current zoning of Ag to R2 for Jeremy and Stacey Wellnitz's property. All voted in favor.

Motion #001-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to adjourn the Clark Zoning & Planning Commission meeting. All members voting yes. Motion carried.

Action #217-2004:

Motion by John Pollock, seconded by Larry Dreher to re-convene the Clark City Council meeting. All members voting yes. Motion carried.

1st Reading of Ordinance #439 : AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLARK, PURSUANT TO TITLE 11.03.02 OF THE CLARK MUNICIPAL CODE. (Iamb property)

1st Reading of Ordinance #440: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLARK, PURSUANT TO TITLE 11.03.02 OF THE CLARK MUNICIPAL CODE. (Wellnitz property)

Shawn Silkman (Horseman's Association):

Shawn visited with the council regarding access to the fairgrounds for the bull challenge to be held in August with the road construction that will be under way. Council will have detour and signage up for individuals to gain access to the fairgrounds for the activities at the fairgrounds in August. Horseman's Association also is asking for financial help for the bull challenge since the group didn't ask for any money for the 4-H rodeo this year. Also, if the city will spray for mosquito's prior to the events that will be held in August. City council will have spraying done for the mosquito's.

Action #218-2004:

Motion by John Pollock, seconded by Don DesLauriers to approve \$350.00 for donation to the Horseman's Club for the bull challenge event in August 2004. All members voting yes. Motion carried.

Pam Cooper abatements:

City Attorney Fjelland updated the council regarding the Cooper abatement issues. She will know by Aug. 3rd, 2004 if her house will be movable – council will have to place conditions as to the moving of the house. Permission from neighbors need to be obtained in order to trim the trees to move the house. Officer Jeremy Wellnitz will follow up on the abatements that are in process and will continue to work with Attorney Fjelland on these issues.

Gary Kruthoff:

Gary requested that the council forgive delinquent charges on his mother's house that were assessed as previous leasee's did not pay the city utility bills. He would like to clean up this property and sell it at some point and time.

Action #219-2004:

Motion by Larry Bartels, seconded by Kerry Kline to accept a \$250.00 settlement from Gary Kruthoff for assessments on the property and forgive the remaining balance of \$405.47. All members voting yes. Motion carried.

Action #220-2004:

Motion by Larry Dreher, seconded by Kerry Kline to set August 23rd, 2004 at 7:00pm for a special council meeting for the purpose of a budget hearing for 2005 – Salaries/Payroll for 2005 will also be reviewed in executive session. All members voting yes. Motion carried.

Action #221-2004:

Motion by John Pollock, seconded by Larry Bartels to inform Brent Forest that he needs to have fuel tanks that Brent placed up at the rubble site removed by August 23rd, 2004

or the city will have the tanks removed and all costs relating to the removal will be billed to Brent Forest. All members voting yes. Motion carried.

Vacating of Alley:

City Attorney Fjelland stated petition is ready for signatures of neighbors which will need to be circulated by either Lyle Brenden or Larry Dreher. Once petition has been circulated then vacation of alley will be put into process.

Delinquent Water Bills:

Council viewed delinquent water/sewer bills for July. Council then prioritized the list for shut offs. Numbers: 2,3 and 9 on the list will be sent notice and disconnected.

Action #222-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to close the pool Sept 7th, 2004. Pool Manager, Cassi Schlagel, will post amended hours when school starts and will put this info in the Clark County Courier as well. All members voting yes. Motion carried.

Action #223-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to set September 2004 council meeting for Sept. 7th, 2004 at 7:00pm (due to the Labor Day Holiday). All members voting yes. Motion carried.

Action #224-2004:

Motion by Lyle Brenden, seconded by Kerry Kline to pay Andy Wookey \$8.50 per hour for any city work he does for the water and sewer department for 2004. All members voting yes. Motion carried.

Action #225-2004:

Motion by Don DesLauriers, seconded by Larry Dreher to close the regular meeting and convene into executive session for contractual and personnel matters. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 8:22pm and ended at 8:54pm.

Action #226-2004:

Motion by Larry Bartels, seconded by Kerry Kline to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:56pm.

Mayor Lester C. Solberg

Attest: Finance Officer Nichole Geise

City Council Meeting
August 23, 2004
7:00pm

Call to Order: The Clark City Council met on July 26, 2004 at 7:00pm. Council members present were: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, Larry Dreher and Larry Bartels. Others present at meeting: Mayor Lester C. Solberg, Acting Finance Officer Rae Jean Flora, City Attorney Chad Fjelland and Courier Editor Bill Krikac.

Mayor Solberg called the meeting to order at 7:05pm

Action #227-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #228-2004:

Motion by Lyle Brenden, seconded by Don DesLauriers to convene into executive session for personel matters. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 7:07pm and ended at 8:00pm.

Action #229-2004:

Motion by John Pollock, seconded by Don DesLauriers to accept the resignation of Nichole Geise as Finance Officer. All members voting yes. Motion carried.

Action #230-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to leave the alley behind Roger Hurlbert's house as is. All members voting yes. Motion carried.

Action #231-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to approve the 4th quarter Thank You award recipient. All members voting yes. Motion carried.

Recap on State Tournament:

Larry Bartels reported that he received nothing but positive feedback from the tournament.

Action #232-2004:

Motion by John Pollock, seconded by Larry Bartels to purchase a \$50 gift certificate or Clark Bucks as a thank you for Mr. Leo Tom for his work on the flower pots. All members voting yes. Motion carried.

Action #233-2004:

Motion by Don DesLauriers, seconded by John Pollock to help the Chamber pay for a full page ad in the South Dakota Vacation Guide. It was decided that the

chamber will pay the same as last year, which was \$775.00. All members voting yes. Motion carried.

Action #234-2004:

Motion by Larry Dreher, seconded by Larry Bartels to declare the Drot loader as surplus property, to appoint Ken Bell, Ken Clausen and Tom LaBrie to appraise the property, and to advertise the same for bids. All members voting yes. Motion carried.

Action #235-2004:

Motion by Larry Dreher, seconded by John Pollock to declare the PA system from Dickinson Park as surplus property, to appoint Mike Woodland, Paul Fuller and Darwin DesLauriers to appraise the property, and to advertise the same for bids. All members voting yes. Motion carried.

Budget 2005:

Since the budget was not yet completed, it was tabled until the next special meeting, which will be held on August 30, 2004.

Action #236-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to approve two change orders from Midland Contracting, Inc., one in the amount of \$53864.84 for the Phase I project and the other for \$13978.73, also for the Phase I project. All members voting yes. Motion carried.

Action #237-2004:

Motion by Larry Bartels, seconded by Kerry Kline to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:37pm.

Mayor Lester C. Solberg

Attest: Acting Finance Officer Rae Jean Flora

City Council Meeting
August 30, 2004
7:00pm

AGENDA

Call to Order: The Clark City Council met on August 30, 2004 at 7:00pm. Council members present were: Don DesLauriers, John Pollock, Kerry Kline, Lyle Brenden, Larry Dreher, and Larry Bartels. Others present at meeting: Mayor Lester C. Solberg, Acting Finance Officer Rae Jean Flora, City Attorney Chad Fjelland, Courier Editor Bill Krikac, and J. Elaine Hanson.

Mayor Solberg called the meeting to order at 7:00pm.

Action #238-2004:

Motion by John Pollock, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #239-2004:

Motion by Lyle Brenden, seconded by Don DesLauriers to rescind the first part of motion #236-2004, which was an approval for a pay request to Midland Contracting, Inc., in the amount of \$53864.84 for the Phase I project. All members voting yes. Motion carried.

Action #240-2004:

Motion by John Pollock, seconded by Larry Bartels to approve the corrected change order from Midland Contracting in the amount of \$34236.54. All members voting yes. Motion carried.

Action #241-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to approve payments to Clark Engineering in the amounts of \$8190.00 and \$13305.00 for the Phase II project. All members voting yes. Motion carried.

Action #242-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to approve a payment to First District Association of Local Governments in the amount of \$874.01. All members voting yes. Motion carried.

Action #243-2004:

Motion by John Pollock, seconded by Lyle Brenden to rescind motion #267-2003, which states that the current state meal rates are \$7.00 for breakfast, \$11.00 for lunch and \$16.00 for dinner.

Action #244-2004:

Motion by John Pollock, seconded by Larry Dreher to amend the meal rates to current state meal rates of \$5.00 for breakfast, \$7.00 for lunch and \$11.00 for dinner per city personnel manual. All members voting yes. Motion carried.

Action #245-2004:

Motion by Larry Bartels, seconded by Kerry Kline to approve one-day liquor licenses for the VFW on the following days: 10/02/04 for a Wedding Dance and every Wednesday beginning 9/8/04 and ending on 2/23/04 for gun raffles. All members voting yes. Motion carried.

Northwestern Energy Buyout:

Chad Fjelland discussed a memorandum that he had received from the South Dakota Municipal League about some municipalities that were looking at purchasing the electric and gas assets of Northwestern energy. He informed the council that there will be a tele-conference on September 1 & 2 at 9:00. It was decided to table this discussion until the September 7, 2004 meeting, which will be after the tele-conference.

South Dakota Highway Dept:

Mayor Solberg informed the council that the South Dakota Highway Department will attend the October 4, 2004 City Council meeting to discuss the possible installation of a crossing light on Highway 212.

Action #246-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to advertise for bids for a Drot loader for the landfill. All members voting yes. Motion carried.

Pam Cooper Moving Permit:

Chad Fjelland informed the Council that Pam Cooper has met all the conditions that the council had set for her to move the house from Kansas St. to 7th Street SE. According to Chad she has thirty days to have the lot cleaned up and get the house up to code.

Budget 2005:

The first reading of the budget was held.

Action #247-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to proceed with repairs on the east side of Seventh Ave. All members voting yes. Motion carried.

Action #248-2004:

Motion by Larry Bartels, seconded by John Pollock to convene into executive session for personnel and contractual matters. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 7:50pm and ended at 8:22pm.

Action #249-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to advertise for the Finance Officer position. All members voting yes. Motion carried.

Action #250-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to terminate the land agreement with Bob Bjerke. All members voting yes. Motion carried.

Action #251-2004:

Motion by Larry Dreher, seconded by Don DesLauriers to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:25pm.

Mayor Lester C. Solberg

Attest: Acting Finance Officer Rae Jean Flora

**City Council Meeting
September 7, 2004
7:00pm
Minutes**

Call to Order: The Clark City council met in session September 7, 2004 at 7:00pm. Council members present were: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, and Larry Dreher. Others present: Mayor Lester Solberg, Acting Finance Officer Rae Jean Flora, City Attorney Chad Fjelland, Police Chief Stacy Mayou, J. Elaine Hanson and Courier Editor Bill Krikac.

Mayor Solberg called the meeting to order at 7:00pm.

Action #252-2004:

Motion by John Pollock, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #253-2004:

Motion by Lyle Brenden, seconded by Don DesLauriers to approve the minutes from August 2, August 23 and August 30, 2004 council meetings. All members voting yes. Motion carried.

Action #254-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve the financial statement as of Aug. 31, 2004. All Members voting yes. Motion carried.

It was decided to wait to approve claims until after executive session.

Police Report: Mileage for August: 1,859 miles. They had 132 miscellaneous calls, 3 vehicle burglaries with 1 cleared, 1 domestic, 3 disturbance calls, 1 car deer accident, 2 non-injury accidents, 1 exhibition driving, 2 speeding, 1 possession of drug paraphernalia, 3 underage consumptions, 1 no drivers license, 1 open container in vehicle and 1 theft or intentional damage.

Action #255-2004:

Motion by Kerry Kline, seconded by John Pollock to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

Action #256-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to approve Resolution #731: A RESOLUTION RELATING TO THE IMPROVEMENT OF THE MUNICIPAL SEWER UTILITY; CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF THE MONEYS DERIVED THEREFROM; AUTHORIZING AND DIRECTING THE ISSUANCE AND SALE OF REVENUE BONDS TO PAY THE COST OF IMPROVEMENTS AND DEFINING THE TERMS AND MANNER OF PAYMENT OF THE BONDS AND THE SECURITY THEREOF. All members voting yes. Motion carried.

4th Quarter Thank You Award was tabled until the next meeting.

Action #257-2004:

Motion by John Pollock, seconded by Larry Dreher to approve Pay Request No. 1 from Mclaughlin & Schulz Inc. in the amount of \$138,268.10 for 2004 water & sewer street restoration of Phase I. All members voting yes. Motion carried.

Discussion on Dickinson Park Restrooms:

Don DesLauriers voiced some concerns that the new Restrooms at Dickinson Park are being left open at night. They discussed possible solutions and Mayor Solberg said that he would talk to Larry Bartels on the matter.

Water/Sewer rates 2005: At this time council reviewed options for water and sewer increase. Council's feelings are to raise the water rates to \$2.60 per thousand and sewer rates to \$21.00 in order to derive the needed revenues.

Final Teener Report:

Greg Furness gave a final report on the State "A" Teener Tournament. He said that he heard nothing but good comments about the park and the City. He stated that the total Net Income was \$5230.89. He would like to continue having tournaments, such as this, and eventually, hopefully, see the ball programs paying for themselves. He thanked the Council and the Council thanked him.

Delinquent Water Bills:

Council reviewed current disconnect list and prioritized the accounts that need to be shut off immediately.

Action #258-2004:

Discussion was held regarding delinquent water bills. Motion was made by John Pollock, seconded by Larry Dreher to authorize the shut off of #3 on the list. All members voting yes. Motion carried.

1st Reading of Ordinance # 439 – Budget 2005.

Action #259-2004:

Motion by John Pollock, seconded by Larry Dreher to approve travel expenses and lodging, reimbursable per the City's Personnel Manual, for Carmen Kloster to go to the Annual Dakota Transit Association Conference in Sioux Falls on September 21 and 22, 2004. All members voting yes. Motion carried.

Northwestern Energy Buyout:

At this time discussion was held on the conference call that Chad Fjelland was involved in with a group of City Attorneys that were discussing the possible buyout of the Northwestern Energy Gas and Electricity Division by some South Dakota Municipalities. There would be an initial non refundable payment of \$10,000 and there is no guarantee that these municipalities would come out as high bidders.

Action #260-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to not join the South Dakota Public Power Authority at this time. Voting yes were Kerry Kline, Lyle Brenden, Don DesLauriers and Larry Dreher. John Pollock abstained from the vote and Larry Bartels was absent. Motion carried.

Action #261-2004:

Motion by Lyle Brenden, seconded by Don DesLauriers to approve the cleaning of our water tower by the same company that is cleaning Clark Rural Water’s overhead tanks. The company name is Liquid Engineering. All members voting yes. Motion carried.

Action #262-2004:

Motion by John Pollock, seconded by Kerry Kline to purchase Anti-Virus software, 3 for the library and 1 for the Finance Office, as they have all expired. All members voting yes. Motion carried.

Special Meeting:

It was decided to hold a special meeting on September 20, 2004 at 7:00pm in order to hold interviews and possibly decide on hiring the new Finance Officer.

Update on Chamber’s Tourism advertisements:

Kerry Kline spoke to the Council on the Chamber’s decision for advertising for Clark. They have decided to go with one-half page in the South Dakota Vacation Guide and one-half page in the Glacial Lakes & Prairies magazine.

Action #263-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to close regular session and convene into executive session for personnel matters and to discuss some of the claims. All members voting yes. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 8:26pm and ended at 8:42pm.

Action #264-2004:

Motion by John Pollock, seconded by Lyle Brenden to approve September’s claim list and the August Additional Claims list. All members voting yes. Motion carried.

September Claims

<u>TO:</u>	<u>FOR:</u>	<u>AMOUNT:</u>
1. Dakota Electronics	supplies/repairs	\$ 829.10
2. Hawkins Water Treat	supplies	5956.00
3. Office Systems	supplies	104.47
4. Cole Papers	supplies/concession stand	318.51
5. Cook’s Wastepaper	utilities	30.00
6. Dakota Style Chips	supplies/teener baseball	77.00
7. Coca Cola Bottling	supplies/teener baseball	90.00

8.	Dakota Insurance	insurance premiums	616.00
9.	ITC	utilities	544.23
10.	Porter Dist	liquor	486.50
11.	Westside Imp.	repairs/maintenance	325.40
12.	Clausen Construction	capital improvements	7573.99
13.	Greenfield's Short Stop	fuel	10.00
14.	Oscar's Machine Shop	supplies	30.00
15.	Oscar's Machine Shop	repairs/maintence	102.31
16.	Gruenwald Electric	capital improvements	305.38
17.	NAPA	supplies	55.33
18.	AFLAC	insurance premiums	299.42
19.	DSR	repairs	105.00
20.	Star Laundry	supplies/maintence	48.57
21.	Deslauriers Oil	fuel	82.08
22.	NWPS	utilities	8926.58
23.	SD Dept. Health Lab	water testing	380.00
24.	Desnoyers Hardware	supplies	1440.02
25.	Clark Co Courier	advertising	332.79
26.	Fed Ex	transportation charges	6.68
27.	Clark/Doland Concrete	supplies/materials	448.50
28.	SoDak Dist	liquor	7460.75
29.	Roy's Sport Shop	supplies	209.98
30.	Ellwein Brothers	liquor	10,151.10
31.	Expectec Tech Service	maintenance	101.97
32.	Wells Fargo Financial	copier lease	132.87
33.	Duckwalls	supplies	116.61
34.	Moritz Publishing	supplies/programs	615.20
35.	Carlson Dist	liquor	5548.40
36.	A-OX welding	supplies	7.13
37.	Johnson Brothers	liquor	7483.77
38.	American Red Cross	summer swimming	141.00
39.	Cell One	utilities/police	70.47
40.	Cell One	utilities/water	109.38
41.	Cell One	utilities/med van	26.66
42.	A-Tech Sewer	maintenance	975.00
43.	Clarke Mosquito	supplies	34.74
44.	Banyon Data Sys	software	695.00
45.	U B C	materials/supplies	8533.06
46.	Ecolab	maintenance	62.00
47.	Cardell's	supplies/fuel	49.00
48.	Clausen Farms	gravel	660.00
49.	Wellmark BC BS	insurance premiums	3395.30
50.	Pitney Bowes	supplies	122.21
51.	Cellular One	utilities	19.99
52.	Share Corp	supplies	1440.10
53.	Clark Co Hwy Shop	gravel	367.61
54.	Ken's	supplies	136.74

55. Clark Co Weed Board	maintenance	29.88
56. Milbank Winwater	meters	413.00
57. M A R C	supplies	57.62
58. Clark Bakery	supplies	34.06
59. Mack's Standard	supplies/fuel	282.96
60. Olson's Motor Co	repairs/maintenance	167.97
61. Olson's Auto Parts	supplies/materials	79.84
62. Clark Traders Baseball	baseballs	290.82
63. Reader's Digest	magazine	27.98
64. Ladies Home Journal	magazine	17.65
65. Beverly Kluess	payroll/library	150.00
66. Clark School Dist	High School Annual	35.00
67. Literary Guild	Books	47.97
68. Audio Book Club	Books	29.83
69. Brock Greenfield	mileage	132.36
70. Brock Greenfield	unpire fees	5.00
71. Viking Office Sup	supplies	434.36
72. SD Municipal League	directories	40.00
73. SDRS	retirement	2369.34
74. Chad Fjelland	attorney fees	1216.00
75. Comfort Inn	taxation meeting	55.00
76. Community Oil Co	fuel/supplies	1241.38
77. Harve's Sport Shop	baseball bases	178.30
78. U S Life Insurance	insurance premium	13.70
79. One Call Systems	locate tickets	26.40

Additional Claims August

TO:	FOR:	AMOUNT:
1. Alan Hollatz	payroll	\$ 136.01
2. Dean Hilmoe	payroll	161.03
3. Ronald Schorg	payroll	153.88
4. Craig Bruening	payroll	681.83
5. John Howardson	payroll	182.85
6. Teri Stokely	payroll	300.74
7. Aspen Tree Service	maintenance	2025.00
8. Olson's Motor Co	repairs/maintenance	321.30
9. Olson's Auto Parts	supplies/materials	57.86
10. Porter Dist Co	malt beverage invoices	971.00
11. A-OX Welding	supplies/materials	6.90
12. Clark Co Farmers El	supplies	3.43
13. Oscar's Machine Shop	repairs	1207.26
14. Clark Community Oil	supplies/fuel	1913.32
15. Duckwalls	misc/supplies	168.57

16. Ellwein Brothers	malt beverage invoices	11,448.45
17. Carlson Dist Co	malt beverage invoices	4652.85
18. Northwestern Energy	utilities/softball field	67.89
19. Clark Chamber Commerce	Booth rent	15.00
20. Clark Rural Water System	materials purchase for resale	12,183.15
21. Ed Babcock	teener baseball/return foul balls	51.00
22. Cook's Wastepaper	garbage collection	4630.98
23. City of Clark	utilities	58.50
24. Pauer Sound & Music	P A system update	1366.80
25. Clark Horseman's Assoc	donation	350.00
26. Kandice Hanley	movie/pool	10.00
27. Jeremy Wellnitz	payroll	679.91
28. Stacey Mayou	payroll	1014.26
29. Shawn Kjetland	payroll	472.53
30. Keith Kruthoff	payroll	466.43
31. Loren Stanley	payroll	851.31
32. Amy Dreher	payroll	249.09
33. Ashley Deslauriers	payroll	377.77
34. Richard Clausen	payroll	415.43
35. Holly Borns	payroll	548.75
36. Kandice Hanley	payroll	415.35
37. Mackenzie Hallberg	payroll	556.88
38. Rachel Krikac	payroll	332.41
39. Cassi Schlagel	payroll	261.69
40. Paige Paulson	payroll	339.38
41. Angie O'Neill	payroll	404.85
42. Ashley Yanish	payroll	537.50
43. Cash	petty cash/teeners	400.00
44. Darin Altfillisch	payroll	1486.04
45. Roger Collins	payroll	1258.53
46. DTA	registration	200.00
47. Gary Grewing	umpire fees	101.00
48. Brad Gauer	umpire fees	423.00
49. Geof Furness	umpire fees	320.00
50. Fred Obermeier	umpire fees	436.00
51. Darwin Deslauriers	payroll/2 nd half coaching	500.00
52. Darwin Deslauriers	mileage	233.60
53. Darwin Deslauriers	umpire fees	5.00
54. Jeremy Wellnitz	travel expense	11.00
55. Darin Altfillisch	payroll	1251.46
56. Keith Kruthoff	payroll	360.94
57. Mackenzie Hallberg	payroll	358.30
58. Holly Borns	payroll	407.30
59. Rachel Krikac	payroll	369.65
60. Kandice Hanley	payroll	289.29
61. Amy Dreher	payroll	369.99
62. Paige Paulson	payroll	329.69

63. Angie O'neill	payroll	181.10
64. Ashley Yanish	payroll	352.07
65. Cassie Schlagel	payroll	168.20
66. Ashley Deslauriers	payroll	270.44
67. Andy Wookey	payroll	49.07
68. Richard Clausen	payroll	481.12
69. Lisa McGraw	payroll	188.48
70. Brock Greenfield	payroll (August)	552.59
71. Roger Collins	payroll	990.66
72. John Howardson	payroll	162.54
73. Loren Stanley	payroll	788.88
74. Ryan Burke	payroll	360.55
75. Stacey Mayou	payroll	1014.26
76. Jeremy Wellnitz	payroll	679.91
77. Carmen Kloster	payroll	768.04
78. Rae Jean Flora	payroll	430.90
79. Brock Greenfield	payroll	773.08
80. Lester Solberg	payroll	350.85
81. Ronald Schorg	payroll	134.19
82. Dorcas Protexter	payroll	687.61
83. Lisa McGraw	payroll (August)	176.57
84. Dean Hilmoe	payroll	272.71
85. Petty Cash	postage/gift certificate	62.55
86. Teri Stokely	payroll	289.75
87. Community First Bank	Fed SS Deposit	456.77

Action #265-2004:

Motion by Don DesLauriers, seconded by Larry Dreher to adjourn. All members voting yes.
Motion carried.

Meeting adjourned at 8:44pm.

Mayor Lester C. Solberg

Attest: Acting Finance Officer Rae Jean Flora

City Council Meeting
September 20, 2004
7:00pm
Minutes

Call to Order: The Clark City Council met in session September 20, 2004 at 7:00pm. Council members present were: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, Larry Dreher, and Larry Bartels. Others present: Mayor Lester Solberg, Acting Finance Officer Rae Jean Flora, City Attorney Chad Fjelland, Loren Stanley, Darin Altfillisch and Courier Editor Bill Krikac.

Mayor Solberg called the meeting to order at 7:00pm.

Action #267-2004:

Motion by John Pollock, seconded by Kerry Kline to adopt the agenda as amended. All members voting yes. Motion carried.

Action #268-2004:

Motion by John Pollock, seconded by Lyle Brenden to approve a temporary liquor license for the American Legion on September 24, 2004 for their District Meeting. All members voting yes. Motion carried.

Action #269-2004:

Motion by Larry Bartels, seconded by Larry Dreher to approve a temporary liquor license for the American Legion on October 9, 2004 for the Lions Gun Raffle. All members voting yes. Motion carried.

Pool Repairs:

Larry Dreher informed the Council that he has not gotten any estimates at this time, but now that the water is down about four feet and it seems to be remaining at that level. Because of this he believes that the leak is above where the water is sitting right now. He is still looking into the costs of repairing the pool, because it lost 2,115,470 gallons of water above and beyond the filling and cleaning of the pool. He will report back to the Council when he gets cost estimates.

Action #270-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to approve the 2nd reading of **Ordinance #439 – Budget 2005**. All members voting yes. Motion carried.

Action #271-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to send out letters notifying all City vendors that if they do not have their bills to us by the morning of the monthly Council Meeting, they will not be paid until the following month. All members voting yes. Motion carried.

Action #272-2004:

Motion by Larry Bartels, seconded by Larry Dreher to have the City Employees Christmas Party on December 3, 2004 at Reggie's. All members voting yes. Motion carried.

Action #273-2004:

Motion by Don DesLauriers, seconded by Lyle Brenden to close regular session and convene into executive session for personnel matters. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 7:15pm and ended at 7:35pm.

***Thank you Award:** At this time Mayor Solberg presented Val Fleischhacker with the 3rd quarter Thank You award for all of her dedication to the Community of Clark and the Clark Chamber of Commerce.

Action #274-2004:

Motion by Larry Bartels, seconded by Larry Dreher to again close the regular session and convene into executive session for personnel matters. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 7:38pm and ended at 8:49pm.

*****Mayor Solberg announced that there will be a special meeting on Thursday, September 23, 2004 at 7:00pm.**

Action #275-2004:

Motion by Larry Bartels, seconded by John Pollock to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:51pm.

Mayor Lester C. Solberg

Attest: Acting Finance Officer Rae Jean Flora

**City Council Meeting
September 23, 2004
7:00pm**

Call to Order: The Clark City Council met on September 23, 2004 at 7:00pm. Council members present were: Larry Bartels, Larry Dreher, John Pollock, Kerry Kline, Lyle Brenden and Don DesLauriers. Others present were: Mayor Lester C. Solberg.

Mayor Solberg called the meeting to order at 7:00pm.

Motion by Larry Bartels, seconded by Kerry Kline to close the regular meeting and convene into executive session for personnel matters. All members voting yes. Motion carried. Mayor Solberg announced executive session commenced at 7:01pm and ended at 9:30pm.

Mayor Solberg approved the appointment of Jackie Luttrell to the position of City Finance Officer.

Action #277-2004:

Motion by Larry Bartels, seconded by Don DesLauriers to approve the mayor's appointment. All members voting yes. Motion carried.

Meeting adjourned at 9:31pm.

Mayor Lester C. Solberg

Attest: Acting Finance Officer Rae Jean Flora

City Council Meeting
October 4, 2004
7:00pm

Call to Order: The Clark City Council met in session on October 4, 2004 at 7:00pm. Council members present were: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, Larry Dreher and Larry Bartels. Others present were: Lester C. Solberg, City Attorney Chad Fjelland, Acting Finance Officer Rae Jean Flora, Finance Officer Jackie Luttrell, Glenda Goens, Police Chief Stacy Mayou, Courier Editor Bill Krikac, J. Elaine Hanson.

Mayor Solberg called the meeting to order at 7:00pm.

Action #278-2004:

Motion by John Pollock, seconded by Don DesLauriers to adopt the agenda as amended. All members voting yes. Motion carried.

State Auditor Glenda Goens introduced herself and asked that we go into executive session for the first part of the report for a personnel issue.

Action #279-2004:

Motion by Don DesLauriers, seconded by Larry Dreher to close regular session and convene into executive session for personnel issues. All members voting yes. Motion carried. Mayor Solberg announced that executive session commenced at 7:03pm and ended at 7:30pm.

At this time State Auditor Glenda Goens gave the rest of her report and once her Supervisor goes over her report the City will have the report on file at the Finance Office in City Hall.

Action #280-2004:

Motion by Larry Bartels, seconded by Larry Dreher to authorize the Mayor and Acting Finance Officer to sign a Management Representation Letter that was prepared by State Auditor Goens. All members voting yes. Motion carried.

There were no bids to open on the purchase or the sale of the Drott Loader.

Action #281-2004:

Motion by Lyle Brenden, seconded by Don DesLauriers to approve the minutes from Sept. 7, 20 and 23, 2004 meetings. All members voting yes. Motion carried.

Action #282-2004:

Motion by Larry Dreher, seconded by John Pollock to approve the financial statement as of September 30, 2004.

Action #283-2004:

Motion by Kerry Kline, seconded by John Pollock to approve the claims as of September 30, 2004. All members voting yes. Motion carried.

October Claims

TO:	FOR:	AMOUNT:
1. Florey's Plumbing	labor	\$ 100.76
2. OSI	office supplies	\$ 3.96
3. Northwestern	utilities	\$ 10.00
4. Galls Incorporated	police supplies	\$ 415.23
5. Star Laundry	supplies and maint.	\$ 97.14
6. ITC	utilities	\$ 542.71
7. Moritz Publishing	office supplies	\$ 128.90
8. Codington Clark Equip.	parts and supplies	\$ 47.97
9. Petty Cash	supplies	\$ 54.50
10. Olson Const	construction	\$109,176.57
11. Clark Engineering	engineering fees	\$ 5200.59
12. Clark Engineering	engineering fees	\$ 9744.13
13. NAPA Auto Parts	supplies and part	\$ 173.37
14. City of Clark	water deposit refund	\$ 50.00
15. Ritters Repair	repairs	\$ 549.37
16. Beverly Kluess	library salaries	\$ 56.00
17. Northwestern	utilities	\$ 8708.88
18. SoDak Dist. Co	liquor in	\$ 5750.70
19. SDRS	retirement	\$ 2103.86
20. JF McLaughlin Co.	streets	\$ 8553.59
21. Westside Implement	stump removal	\$ 55.00
22. Star Laundry	rug cleaning	\$ 48.57
23. Literary Guild	books/library	\$ 79.16
24. Mystery Guild	books/library	\$ 8.50
25. OSI	supplies	\$ 21.61
26. Cell One	supply/ water	\$ 198.98
27. Emblem Enterprises	supplies/police	\$ 56.77
28. Express Police Supply	supplies/police	\$ 204.71
29. A Tech Sewer Cleaning	maint.	\$ 1220.75
30. K & P Pump Repair	maint.	\$ 736.19
31. Forests Excavating	maint	\$ 229.21
32. Cell One	utilities/Darin	\$ 102.87
33. Cell One	utilities/Police	\$ 64.29
34. Cell One	utilities/Med Van	\$ 26.66
35. SD Dept of Health	water testing	\$ 272.00
36. Royal Chemical	supplies/fire	\$ 443.64
37. Chief	supplies/fire	\$ 501.87
38. Cod- Clark Equip.	parts	\$ 72.97
39. Clausen Const.	Maint.	\$ 798.47
40. City of Clark	utilities	\$ 58.50
41. Dacotah Ins.	bond renewal	\$ 616.00

42. Napa Auto Parts	parts	\$ 160.42
43. Pitney-Bowes	postage	\$ 372.00
44. UBC	supplies	\$ 268.43
45. US Life Life Ins. Co.	insurance premiums	\$ 13.70
46. Wellmark BCBS	insurance premiums	\$ 6790.72
47. Desnoyers Hardware	supplies	\$ 213.64
48. Olson's Motor Co.	repairs/maintenance	\$ 339.36
49. Olson's Auto Parts	repairs/maintenance	\$ 477.70
50. Cardell's	fuel	\$ 128.34
51. Carmen Kloster	conference travel expense	\$ 162.95
52. Teresa Hulcher	water refund	\$ 36.00
53. Kesselrings	police supplies	\$ 972.52
54. City of Clark	Treadgold's water payment	\$ 54.08
55. Barry Treadgold	water deposit refund	\$ 45.92
56. Fjelland Att @ Law	legal fees	\$ 524.80
57. Jeanette Kaufman	alterations	\$ 30.00
58. Ellwein Brothers	beer invoices	\$10,813.15
59. Carlson Dist	beer invoices	\$ 4011.30
60. AFLAC	insurance premiums	\$ 232.22
61. A-OX Welding	supplies	\$ 7.13
62. Kim Warkenthien	pool lessons refund	\$ 15.00
63. Cross CountryVets	boarding stray dog	\$ 30.00
64. Johnson Brother	liquor invoices	\$ 6342.08
65. Porter Dist	liquor invoices	\$ 935.00
66. M & T Fire & Safety	supplies	\$ 82.50
67. Clark Co Courier	advertising	\$ 742.08
68. Oscar's Machine Shop	repairs/maintenance	\$ 101.45

Additional Claims September

TO:	FOR:	AMOUNT:
1. DesLauriers Oil	fuel	\$ 82.08
2. Wal-Mart	supplies/library	\$ 126.60
3. Ashley Yanish	payroll	\$ 84.04
4. Jeremy Wellnitz	payroll	\$ 679.91
5. Loren Stanley	payroll	\$ 745.19
6. Cassi Schlagel	payroll	\$ 256.91
7. Angie O'Neill	payroll	\$ 106.16
8. Stacy Mayou	payroll	\$ 1014.26
9. Keith Kruthoff	payroll	\$ 388.64
10. Alan Hollatz	payroll	\$ 147.35
11. Rae Jean Flora	payroll	\$ 417.38
12. Eileen Dunbar	payroll	\$ 376.61
13. Ashley DesLauriers	payroll	\$ 84.04
14. Roger Collins	payroll	\$ 1037.93

15. Richard Clausen	payroll	\$ 427.37
16. Darin Altfillisch	payroll	\$ 1209.32
17. US Life Insurance	Ins. Premiums	\$ 13.70
18. Bev Kluess	payroll	\$ 150.00
19. Community First Bank	fed/ ss	\$ 2298.75
20. Dacotah Ins.	Ins. Premiums/fire	\$ 5219.00
21. Olson's Auto Parts	supplies/ parts	\$ 174.28
22. Clark Rural Water	supplies/ water	\$13538.20
23. American Family	Ins. Premiums/ life	\$ 6.83
24. Clark Engineering	curb and gutter	\$ 1730.18
25. Darin Altfillisch	payroll	\$ 1148.40
26. Richard Clausen	payroll	\$ 409.47
27. Roger Collins	payroll	\$ 1085.20
28. Rae Jean Flora	payroll	\$ 439.07
29. Keith Kruthoff	payroll	\$ 243.20
30. Stacy Mayou	payroll	\$ 1014.26
31. Cassi Schlagel	payroll	\$ 232.97
32. Loren Stanley	payroll	\$ 788.88
33. Eileen Dunbar	payroll	\$ 180.47
34. Robert Gergan	payroll	\$ 933.44
35. Dean Hilmoe	payroll	\$ 169.00
36. John Howardson	payroll	\$ 162.54
37. Carmen Kloster	payroll	\$ 946.39
38. Dorcas Protexter	payroll	\$ 669.15
39. Ronald Schorg	payroll	\$ 214.71
40. Lester Solberg	payroll	\$ 350.85
41. Teri Stokley	payroll	\$ 264.09
42. Jeremy Wellnitz	payroll	\$ 701.16
43. Lisa McGraw	payroll	\$ 211.00
44. Ryan Burke	payroll	\$ 403.79
45. Community First	fed/ss	\$ 3430.44

Police Report: Mileage for August was 1626. There was 112 miscellaneous calls.

Action #284-2004:

Motion by Larry Dreher, seconded by John Pollock to approve the police report given by Stacy Mayou. All members voting yes. Motion carried.

Action #285-2004:

Motion by Don DesLauriers, seconded by Kerry Kline to approve the 3rd quarter library report. All members voting yes. Motion carried.

Action #286-2004:

Motion by Lyle Brenden, seconded by Larry Dreher to approve Olson's Pay Request #2 for the Cloud Street project in the amount of \$111,600.90. All members voting yes. Motion carried.

There was discussion on the damage to the burm, up at the dump by one of Brent Forest's employees.

Action #287-2004:

Motion by John Pollock, seconded by Larry Dreher to charge Forest Excavating for the repairs done to the Burm up at the Landfill. All members voting yes. Motion carried.

Action #288-2004:

Motion by Larry Dreher, seconded by John Pollock to authorize the Mayor to seek a bank loan to help fund the new sludge tank at the Sewer Plant to cover the Cities share of the costs. All members voting yes. Motion carried.

Action #289-2004:

Motion by Larry Bartels, seconded by John Pollock to approve payment to First District Association of Local Governments in the amount of \$11,000.00 for administrative assistance regarding the Phase II Water and Sewer/Cloud Street Project. All members voting yes. Motion carried.

Mayor Solberg informed the Council that Duane Stokes had resigned from the Industrial Development Board.

Action #290-2004:

Motion by John Pollock, seconded by Don DesLauriers to schedule the public hearing for the Curb, Gutter and Sidewalk Special Assessments at 7:30pm during the next council meeting. All members voting yes. Motion carried.

Delinquent Water Bills:

Council reviewed current disconnect list and prioritized the accounts that need to be shut off.

Action #291-2004:

Motion by Larry Dreher, seconded by Lyle Brenden to authorize the shut off of #4, 5, 6, 7, 11, 12, 16, 17, 18, 19, 20, and 22. All members voting yes. Motion carried.

Discussion was held on whether to send out a letter, on behalf of the Mayor and City Council, on the proposed sales tax repeal that is going to come up on the November 2nd ballot. After much discussion, it was decided to not send the letter out. City Attorney Fjelland felt that the Council can take out personal ads, at their own expense, on this issue, if they so choose. Also, Bill Krikac stated that he would be running stories in the paper on the pros and cons of the issue.

Action #292-2004:

Motion by Don DesLauriers, seconded by Larry Bartels to close regular session and convene into executive session for personnel matters. All members voting yes. Motion carried.

Mayor Solberg announced executive session commenced at 8:50pm and ended at 9:40pm.

1st Reading of Ordinance #442 – Salaries 2005.

Action #293-2004:

Motion by Larry Bartels, seconded by John Pollock to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:41pm.

Mayor: _____
Lester C. Solberg

Attest: _____
Acting Finance Officer Rae Jean Flora

City of Clark Council Meeting Minutes
November 1, 2004
7:00 PM

Call to Order The Clark City Council met in session on November 1, 2004 at 7:00 pm. Council members present: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, Larry Dreher and Larry Bartels. Others present: Mayor Lester C. Solberg, City Attorney Chad Fjelland, Finance Officer Jackie Luttrell, Police Chief Stacy Mayou, Courier Editor Bill Krikac, and J. Elaine Hanson. Others attending for public hearing: Gene Furness, Robert Brown, Roger Hurlbert, Don Hay, Ron Palmer, Tom LaBrie, Alice Heim, James Weaver, Gloria Weaver, Naomi Waxdal, and Joanne Bowers.

Mayor Solberg called the meeting to order at 7:00 pm.

Action #294-2004

Motion by Lyle Brenden, seconded by Kerry Kline, to adopt the agenda as amended. All members voting yes. Motion carried.

Action #295-2004

Motion by John Pollock, seconded by Larry Dreher, to approve the minutes from the October 7, 2004 meeting. All members voting yes. Motion carried.

Action #296-2004

Motion by Larry Dreher, seconded by Kerry Kline, to approve the September and October bank account balances. All members voting yes. Motion carried.

Action #297-2004

Motion by John Pollock, seconded by Larry Dreher, to approve the October balance sheet. All members voting yes. Motion carried.

Action #298-2004

Motion by Lyle Brenden, seconded by Don DesLauriers, to approve the September Community First reconciliation statement. All members voting yes. Motion carried.

Action 299-2004

Motion by John Pollock, seconded by Larry Dreher, to approve the claims as of October 31, 2004. All members voting yes. Motion carried.

Additional October Claims

Check #	To	For	Amount
1006	First District Association of Local Government	Administrative Assistance Professional Fees	\$2,000.00
1007	Olson Construction	Construction Fees, Pay Request #2	\$67,493.50
1008	Clark Engineering	Professional Fees	\$1,250.00
1009	First District	Phase II administrative fees	\$9,000.00
1010	Clark Engineering	Phase II Professional Fees	\$8,991.01

Check #	To	For	Amount
1011	Olson Construction	Phase II Construction Project	\$44,107.40
1046	McLaughlin & Schulz	Water & Sewer Construction, Pay Request #1	\$62,220.65
1047	Clark Engineering	Professional Fees	\$4,828.30
1048	Clark Engineering	Professional Fees	\$5,901.25
1049	McLaughlin & Schulz	Water & Sewer Construction, Pay Request #1	\$76,047.45
17244	United States Life Insurance	Employee life insurance	\$13.70
17310	Darin Altfillisch	Payroll	\$1,304.78
17311	Richard Claussen	Payroll	\$421.41
17312	Roger Collins	Payroll	\$990.66
17313	Rae Jean Flora	Payroll	\$482.25
17314	Keith Kruthoff	Payroll	\$500.40
17315	Jackie Luttrell	Payroll	\$812.72
17316	Stacy Mayou	Payroll	\$1,014.26
17317	Cassi Schlagel	Payroll	\$276.06
17318	Loren Stanley	Payroll	\$745.19
17319	Void		
17320	Ashley Yanish	Payroll	\$48.48
17321	Jeremy Wellnitz	Payroll	\$750.56
17322	Community First Bank	Federal Deposit	\$2,436.24
17323	Cook's Wastepaper	October garbage	\$4,670.06
17324	Clark Rural Water	Utilities	\$8,232.80
17325	Department of Revenue	Sales & Use Tax remittance	\$756.51
17326	Internal Revenue Service	941 filing fee	\$137.57
17327	Jeremy Wellnitz	Payroll	\$750.56
17328	Darin Altfillisch	Payroll	\$1,127.07
17329	Richard Claussen	Payroll	\$421.42
17330	Roger Collins	Payroll	\$1,108.84
17331	Rae Jean Flora	Payroll	\$419.38
17332	Keith Kruthoff	Payroll	\$277.82
17333	Jackie Luttrell	Payroll	\$793.49
17334	Stacy Mayou	Payroll	\$1,014.26
17335	Loren Stanley	Payroll	\$745.19
17336	Teri Stokely	Payroll	\$227.41
17337	Lisa McGraw	Payroll	\$245.43
17338	Ryan Burke	Payroll	\$164.54
17339	Eileen Dunbar	Payroll	\$188.09
17340	Robert Gergen	Payroll	\$764.09
17341	Dean Hilmoe	Payroll	\$98.40
17342	Carmen Kloster	Payroll	\$694.61
17343	Dorcas Protexter	Payroll	\$669.15
17344	Ronald Schorg	Payroll	\$46.53
17345	Les Solberg	Payroll	\$350.85
17346	Void		
17347	John Howardson	Payroll	\$203.17

Check #	To	For	Amount
17348	Community First	Federal Deposit	\$3286.69

New November Claims

From	For	Amount
American Family Insurance	Insurance premium	\$6.83
Automatic Systems	Repairs for sewer	\$1,228.10
Beverly Kluess	Payroll – Library	\$84.00
Cardell's	Gas	\$106.00
CellularOnce	Utility fees, cell phone	\$64.29
CellularOne	Utility fees, cell phone	\$46.82
CellularOne	Utility fees, cell phone	\$26.66
Chief	Fire department supplies	\$44.09
Chief	Fire department supplies	\$492.51
City of Clark	Apply Craig Bruening's water deposit	\$50.00
City of Clark	Water/sewer bill	\$58.50
Clark Community Oil	Gas/diesel expenses	\$1,207.82
Clark County Courier	Advertising	\$275.69
Clark County Highway Dept	Gravel	\$274.75
Clark County Weed Board	Spraying	\$118.20
Clark-Doland Concrete	Sand for street repairs	\$418.00
Cook's Wastepaper	October garbage	\$30.00
D & D Holiday Delites	Repairs to Christmas decorations	\$480.00
Dakota Pump & Control	Repairs & supplies for sewer	\$942.02
Danforth, Meierhenry & Meierhenry	Attorney fees	\$1,762.50
Desnoyer's Hardware	Supplies	\$399.74
Duckwall's	Office supplies	\$17.00
Ecolab Pest Elimination	Rodent control	\$62.00
Ellwein Brother's Inc.	Liquor bill	\$10,961.95
Expetec Technology Services	Computer repairs	\$314.39
Express Police Supply	Supplies	\$94.35
Express Police Supply	Police department supplies	\$94.35
Fjelland Law Office	Legal fees	\$524.80
Galls Incorporated	Police supplies	\$35.46
Gruenwald Electric	Repairs for men's bathroom	\$75.84
ITC	Utilities - phone	\$522.74
J & J Heating	Heat unit for sewer plant	\$1,408.90
J & J Heating	Repairs & maintenance on furnace at City Shop	\$205.32
Johnson Brothers Famous	Liquor bill	\$9,872.03
Ken's Food Fair	Supplies	\$11.68
Liquid Engineering	Water tower maintenance	\$2,613.00
Lyle Signs	Street signs	\$55.63
Lyle Signs	Street signs	\$41.18
Mack's	Maintenance & repairs	\$288.54

From	For	Amount
Mack's	Gas	\$190.00
Milbank Winwater Works	Water repair supplies	\$74.52
NAPA	Supplies	\$17.93
NWPS	Utilities	\$130.77
NWPS	Electric bill	\$4,293.50
NWPS	Electric bill	\$75.38
Olson's Motor Company	Repairs	\$415.99
Oscar's Machine Shop	Repairs	\$55.60
One Call Systems	Locate tickets	\$14.96
OSI	Office supplies	\$32.94
OSI	Office supplies	\$28.44
Pauer Sound & Music	Microphone & stand for baseball field	\$81.99
Pitney Bowes	Supplies, postage machine	\$372.00
Porter Distributing CO.	Liquor bill	\$75.00
Ritter's Repair	Deductible for repairs to police car & Medivan	\$100.00
Royal Chemical	Fire department supplies	\$887.43
Royal Chemical	Fire department supplies	\$443.64
Share Corp	Bathroom supplies	\$140.80
SODAK Distributing	Liquor	\$7383.34
South Dakota Municipal League	Election conference for finance officer	\$15.00
South Dakota Water & Wastewater Association	Association fee for Darin	\$10.00
Star Laundry	Rug cleaning	\$48.52
State of South Dakota Health	Water & pool testing	\$248.00
The Literacy Guild	Books	\$84.45
Tru Green – Chemlawn	Lawn care for city park	\$79.25
United Building Center	Locks for park bathroom	\$25.99
Viking Office Products	Office supplies	\$76.94
Viking Office Products	Office supplies	\$93.43
Wellmark Blue Cross Blue Shield	Health insurance premiums	\$738.12
Wells Fargo Financial Leasing	Copier lease	\$132.87

Action #300-2004

Motion by Don DesLauriers, seconded by John Pollock, to sell the dozer at the next Clark Sales Auction. All members voting yes. Motion carried.

Police Report: Police Chief Mayou reported 1,568 miles patrolled, one injury accident, two non-injury accidents, two domestics, 21 citations/arrests; one warrant, and 148 miscellaneous calls. Halloween was average activity.

Police Chief Mayou asked the council to consider putting Vince Owen on the police roster as a part-time officer in order for him to keep his certification current. Council requested that City Attorney Fjelland review this for any legal issues. Tabled until next meeting.

Police Chief Mayou asked the council to consider purchasing two Tasers at a cost of \$1000 each. He has been unable to receive grant money to cover the costs. He provided an educational CD for review. Tabled until next meeting.

Action #301-2004

Motion by Larry Dreher, seconded by Lyle Brenden, to approve the police report. All members voting yes. Motion carried.

Action #302-2004

Motion by Don DesLauriers, seconded by Kerry Kline, to approve the second reading of **Ordinance # 439 - Amending the Official Zoning Map of the City of Clark**. All members voting yes. Motion carried.

Ordinance # 439

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLARK, PURSUANT TO TITLE 11.03.02 OF THE CLARK MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that pursuant to Title 11.03.02 of the Clark Municipal Code, the Official Zoning Map of the City of Clark be changed to reflect that the following described real estate has been rezoned from “A” Agricultural District, to “R2” General Residential District pursuant to authority to amend said zoning map exercised by the City Council upon recommendation of the Clark Planning and Zoning Commission:

The South Forty and One-Half Feet (S. 40½’) of Outlot Sixty-Three (63) and all of Outlot Sixty-Four (64) of Outlots Thirty-Eight (38) to Sixty-Eight (68) situated in the Northwest Quarter (NW¼) of Section Six (6), in Township One Hundred Sixteen (116) North, Range Fifty-Seven (57), West of the 5th P.M., being part of the City of Clark

All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinance previously adopted.

* * * * *

Action #303-2004

Motion by Kerry Kline, seconded by Larry Dreher, to approve the second reading of **Ordinance # 440 – Amending the Official Zoning Map** of the City of Clark. All members voting yes. Motion carried.

Ordinance # 440

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF CLARK, PURSUANT TO TITLE 11.03.02 OF THE CLARK MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that pursuant to Title 11.03.02 of the Clark Municipal Code, the Official Zoning Map

of the City of Clark be changed to reflect that the following described real estate has been rezoned from “A” Agricultural District, to “R2” General Residential District pursuant to authority to amend said zoning map exercised by the City Council upon recommendation of the Clark Planning and Zoning Commission:

The North Twenty Feet (N. 20’) of the South Eighty Feet (S. 80’) of the East One Hundred Fifty Feet (E. 150’) of Outlot Sixty-Two (62) to the City of Clark, and the South Sixty Feet (S. 60’) of the East One Hundred Fifty Feet (E. 150’) of Outlot Sixty-Two (62) to the City of Clark, Clark County, South Dakota

All ordinances or parts of ordinances in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinance previously adopted.

* * * * *

Action #304-2004

Motion by Lyle Brenden, seconded by Larry Dreher, to approve the second reading of **Ordinance # 442 for 2005 Salaries**. All members voting yes. Motion carried.

Ordinance #442

An Ordinance Fixing the Salaries and Compensation of the Appointed, Other Municipal Officials, and Regular Employees for the City of Clark, South Dakota.

Section # 1: That the salaries and compensation of the appointed officers, other municipal officials, and regular employees of the City of Clark, South Dakota from and after January 1, 2005 shall be as follows:

Mayor:	\$ 4,740.00	annual salary
City Council Members:	\$ 60.00	per meeting
Finance Officer - Jackie Luttrell	\$22,500.00	annual salary
Special Meeting attended - Jackie Luttrell	\$ 25.00	per meeting
Deputy Finance Officer - Rae Jean Flora	\$20,700.00	annual salary
Finance Office Assistant - Carmen Kloster	\$ 8.00	per hour
Police Chief - Stacy Mayou	\$37,592.00	annual salary
Police Officer - Jeremy Wellnitz	\$26,210.00	annual salary
Part Time Police Officer - Alan Hollatz	\$ 10.75	per hour
Part Time Police Officer - # 2	\$ 10.75	per hour
Police Dispatcher - Teri Stokely	\$ 20.00	per day
Police Dispatcher - Lisa McGraw	\$ 19.00	per day
Street Superintendent - Roger Collins	\$31,457.00	annual salary
Parks & Landfill Superintendent - Loren Stanley	\$25,367.00	annual salary
Water & Sewer Superintendent - Darin Altfillisch	\$32,580.00	annual salary
Librarian - Dorcas Protexter	\$ 8.00	per hour
Librarian Assistant (sub only)	\$ 7.00	per hour
Landfill Attendant	\$ 7.00	per hour
Water & Sewer PT Attendant - John Howardson	\$ 45.00	per weekend
City Janitor - Eileen Dunbar	\$ 8.25	per hour

Med Van Driver - Robert Gergan	\$	7.75	per hour
Med Van Driver - Dean Hilmoe	\$	7.75	per hour
Med Van Driver - Carmen Kloster	\$	7.75	per hour
Med Van Driver - Bob Schleuter	\$	7.75	per hour
Med Van Driver - Ronald Schorg	\$	7.75	per hour
PT Street Dept - Keith Kruthoff	\$	7.75	per hour

Section # 2: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

* * * * *

First reading of **Ordinance #443 Supplementing Appropriations for the City of Clark, 2004 Budget Year**

First reading of **Ordinance #444 Amending Water Rates**

First reading of **Ordinance #445 Amending Sewer Rates**

2005 Liquor Licenses are due for Clark Liquors, Clark Golf Club, The Time Out, Reggie's and Sportsman's. Discussion evolved around how to keep all establishments paid current. The operating agreements states invoices are to be paid on a weekly basis.

Action #305-2004

Motion by Kerry Kline, seconded by Larry Dreher, to approve the 2005 liquor licenses, for Clark Liquors, Clark Golf Club, The Time Out, Reggie's and the Sportsman's. All members voting yes. Motion carried.

Action #306-2004

Motion by Kerry Kline, seconded by Don DesLauriers, to approve **Resolution #734 Authorize Borrowing Funds for the Purposes of Certain Sewer Plant Improvements**. All members voting yes. Motion carried.

RESOLUTION # 734

A RESOLUTION TO AUTHORIZE THE BORROWING OF FUNDS FOR THE PURPOSES OF CERTAIN SEWER PLANT IMPROVEMENTS.

WHEREAS, the City of Clark, South Dakota, has recognized a need to improve its Sewer Plant Facilities;

WHEREAS, certain grant dollars are available for said improvements and certain matching funds are required of the City of Clark, South Dakota;

WHEREAS, pursuant to SDCL 9-25-12 the City is authorized to borrow funds from any source;

WHEREAS, the City desires to borrow the sum of \$50,000.00 from Community First State Bank for the financing of the above-referenced improvements;

WHEREAS, Community First State Bank has expressed its desire to loan the sum of \$50,000.00 to the City of Clark at an interest rate of 4.25%;

NOW, THEREFORE, BE IT RESOLVED: that the City of Clark, South Dakota, borrow from Community First State Bank in Clark, the sum of \$50,000.00, payable over a period of five years, at the interest rate of 4.25% .

BE IT FURTHER RESOLVED that Lester C. Solberg, Mayor of the City of Clark, and Jackie Luttrell, Finance Officer of the City of Clark, are hereby authorized and directed to execute all documents and take whatever other action they may deem necessary to secure the financing as above-described.

The City of Clark is adopting this Resolution as an emergency measure in order to protect the public health, safety, and general welfare of the residents of this City. As provided by SDCL 9-19-13, this Resolution shall be effective upon publication of the Notice of Adoption.

* * * * *

Special Hearing for Curb, Gutter & Sidewalk Special Assessment

Homeowners voiced concerns over specific areas of the project, including depths of sidewalks over driveways, steep alleys, grass seeding, poor quality of dirt used to seed grass, and damage caused by grinding up the road. City Attorney Fjelland compiled lists of concerns to address with Clark Engineering. Fjelland also discussed payment options.

Special Hearing for Phase II Water & Sewer Cloud Street Project

No attendance. No discussion.

Action #307-2004

Motion by John Pollock, seconded by Larry Dreher, to approve **Resolution #732 Special Assessment Roll for the 2004 Curb & Gutter Project**. All members voting yes. Motion carried.

RESOLUTION # 732

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE 2004 CURB AND GUTTER PROJECT.

WHEREAS, the City Council of Clark, South Dakota, deemed and declared it a necessity to install curb and gutter on certain streets within the municipality; and,

WHEREAS, the City Council has provided that said assessments shall be payable in 10 installments, payable under Plan 1, "Collection by the County Treasurer"; and,

WHEREAS, the City Council has set the interest rate at 5.00% commencing 30 days from and after the approval of this Resolution and certification of the assessment roll by the Municipal Finance Officer; and,

WHEREAS, any such assessment or any installment thereof may be paid at the City Finance Office, 120 N. Commercial St., Clark, SD 57225, without interest within 30 days after the passage of this Resolution and the filing of the assessment roll; and,

WHEREAS, any such assessment may be paid at anytime and that all installments paid prior to their respective due dates shall be deemed paid in inverse order of their due dates;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council in and for the City of Clark, South Dakota, does hereby approve the Special Assessment Roll for the 2004 Curb and Gutter Project.

* * * * *

Action #308-2004

Motion by Don DesLauriers, seconded by Lyle Brenden, to approve **Resolution #733 Special Assessment Roll for the 2004 Sidewalk Project**. All members voting yes. Motion carried.

RESOLUTION # 733

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE 2004 SIDEWALK PROJECT.

WHEREAS, the City Council of Clark, South Dakota, deemed and declared it a necessity to install sidewalk adjacent to certain streets within the municipality; and,

WHEREAS, the City Council has provided that said assessments shall be payable in 10 installments, payable under Plan 1, "Collection by the County Treasurer"; and,

WHEREAS, the City Council has set the interest rate at 5.00% commencing 30 days from and after the approval of this Resolution and certification of the assessment roll by the Municipal Finance Officer; and,

WHEREAS, any such assessment or any installment thereof may be paid at the City Finance Office, 120 N. Commercial St., Clark, SD 57225, without interest within 30 days after the passage of this Resolution and the filing of the assessment roll; and,

WHEREAS, any such assessment may be paid at anytime and that all installments paid prior to their respective due dates shall be deemed paid in inverse order of their due dates;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council in and for the City of Clark, South Dakota, does hereby approve the Special Assessment Roll for the 2004 Sidewalk Project.

* * * * *

Water off Discussed notification options of when water will be turned off for repairs or due to construction projects. The Finance Office will continue to alert radio stations, when timing permits; publish in newspapers, when timing permits; and/or call critical water customers, such as nursing home.

Action 309-2004

Motion by Larry Dreher, seconded by John Pollock, to approve **Pay Request #3 from Olson Construction for the Cloud Street Project, Phase II** and reduce the retainer from 10% to 5%. Payment totals \$136,803.15. All members voting yes. Motion carried.

Action # 310-2004

Motion by Larry Dreher, seconded by Lyle Brenden, to approve **Change Order Pay Request # 2 for Midland Contracting** totaling \$11,117.42. All members voting yes. Motion carried.

Action # 311-2004

Motion by John Pollock, seconded by Kerry Kline, to approve **Pay Request #5 for Midland Contracting** totaling \$27,095.26 for the Phase I project. All members voting yes. Motion carried.

Action # 312-2004

Motion by John Pollock, seconded by Don DesLauriers, to purchase a copy of the South Dakota Codified Law books for the Finance and Police offices. Initial costs are \$364 good through 2005. Yearly updates estimated at \$212. All members voting yes. Motion carried.

Action #313-2004

Motion by John Pollock, seconded by Larry Dreher, to approve sending Jackie Luttrell to Municipal/School Election Workshop in Sioux Falls on December 1. All members voting yes. Motion carried.

Action #314-2004

Motion by Don DesLauriers, seconded by Kerry Kline, to approve designating the day after Thanksgiving, November 26, as a designated holiday. All members voting yes. Motion carried.

The Finance Office will be closed on Friday, December 24, 2004 for the Christmas Holiday.

Action #315-2004

Motion by Larry Dreher, seconded by Kerry Kline, to approve advertising for a Skating Rink Attendant at the same pay as last year. Applications due by November 22 to be reviewed at the December council meeting. All members voting yes. Motion carried.

Action # 316-2004

Motion by Larry Dreher, seconded by Kerry Kline, to approve the nomination for the December Quarterly Award. All members voting yes. Motion carried.

Action #317-2004

Motion by Larry Dreher, seconded by John Pollock to authorize the water shut off of #3. All members voting yes. Motion carried.

Action #318-2004

Motion by Lyle Brenden, seconded by John Pollock, to close regular session and convene into executive session for Industrial Development matters. All members voting yes. Motion carried.

Mayor Solberg announced executive session commenced at 8:43 pm and ended at 9:12 pm.

Action # 319-2004

Motion by Larry Bartels, seconded by Don DesLauriers, to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:14 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell

**City Council Meeting
November 22, 2004
3:00 PM**

Call to Order: The Clark City Council met for a special meeting on November 22, 2004 at 3:00 pm. Council members present were: Lyle Brenden, John Pollock, Don DesLauriers, Larry Bartels and Kerry Kline. Others present were Mayor Lester C. Solberg and Finance Officer Jackie Luttrell.

Mayor Solberg called the meeting to order at 3:05 pm.

Action #320-2004

Motion by John Pollock, seconded by Don DesLauriers, to adopt the agenda as amended. All members voting yes. Motion carried.

Action # 321-2004

Motion by Lyle Brenden, seconded by John Pollock, to **rescind Action #311-2004** for Pay Request #5 for Midland Contracting. All members voting yes. Motion carried.

Action # 322-2004

Motion by John Pollock, seconded by Larry Bartels, to approve **Corrected Partial Pay Request # 5 from Midland Contracting** for \$58,861.62 for the Phase I project. All members voting yes. Motion carried.

Action # 323-2004

Motion by John Pollock, seconded by Lyle Brenden, to approve a pay request from **Clark Engineering** in the amount of \$7,707.61 for the Phase II project. All members voting yes. Motion carried.

Action # 324-2004

Motion by Kerry Kline, seconded by Larry Bartels, to adjourn. All members voting yes. Motion carried.

Meeting adjourned 3:15 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell

City of Clark Council Meeting Minutes
December 6, 2004
7:00 PM

Call to Order: The Clark City Council met in session on December 6, 2004 at 7:00 pm.

Council members present: Kerry Kline, Lyle Brenden, John Pollock, Don DesLauriers, Larry Dreher, and Larry Bartels.

Others present: Mayor Les Solberg, Finance Officer Jackie Luttrell, Police Chief Stacy Mayou, Courier Editor Bill Krikac, Mark Jones, Randy Gruenwald, and Willie Gruenwald.

Mayor Solberg called the meeting to order at 7:00 pm.

Action #320-2004

Motion by Lyle Brenden, seconded by John Pollock, to adopt the agenda as amended. All members voting yes. Motion carried.

The Safe Communities representatives requested to reschedule their discussions to the January council meeting.

Action #321-2004

Motion by John Pollock, seconded by Don DesLauriers, to approve the November minutes. All members voting yes. Motion carried.

Action #322-2004

Motion by Kerry Kline, seconded by Larry Dreher, to approve the presented Financial Statements as of November 30, 2004. All members voting yes. Motion carried.

Action #323-2004

Motion by John Pollock, seconded by Lyle Brenden, to approve the following claims. All members voting yes. Motion carried.

Additional November Claims

Check #	Paid to	For	Amount
1013	Olson Construction	Phase II Pay Request # 3	\$61,000.00
1014	Olson's Construction	Phase II Pay Request # 3	\$75,803.15
1015	Clark Engineering	Phase II Professional Fees	\$7,707.61
1050	Midland Contracting	Phase I Construction Pay Request #6	\$10,807.30
1051	Midland Contracting	Phase I Construction Pay Request #6	\$4,289.62
17419	Walmart	Computer supplies/software	\$148.32
17420	Dacotah Insurance	Notary insurance – Jackie	\$100.00
17421	Secretary of State	Notary Filing fee - Jackie	\$25.00
17422	Shirley Orris	Water deposit refund	\$100.00
17423	South Dakota State Treasurer	Sales & use tax return	\$24.58

Check #	Paid to	For	Amount
17424	Gary Kruthoff	Penalties refund	\$120.00
17425	Elite Drain & Sewer	Sewer maintenance	\$196.50
17426	Void		
17427	Clark Bakery	Buns for Teener tournament	\$109.62
17428	A-Tech Sewer Cleaning	Sewer maintenance	\$350.00
17429	South Dakota Retirement System	Payroll deductions & retirement	\$2,314.26
17430	The United States Life Insurance Company	Life insurance premium	\$12.90
17431	Shirts in the Work	Teener tournament shirts	\$840.00
17432	City of Clark	Water bill	\$58.50
17433	AFLAC	Insurance premium	\$106.00
17434	Darin Altfillisch	Payroll	\$1,060.05
17435	Richard Claussen	Payroll	\$385.59
17436	Roger Collins	Payroll	\$1,006.41
17437	Rae Jean Flora	Payroll	\$417.38
17438	Alan Hollatz	Payroll	\$154.15
17439	Keith Kruthoff	Payroll	\$318.94
17440	Jackie Luttrell	Payroll	\$793.49
17441	Stacy Mayou	Payroll	\$1,014.26
17442	Loren Stanley	Payroll	\$907.48
17443	Jeremy Wellnitz	Payroll	\$750.56
17444	Community First National Bank	941 filing	\$2,256.08
17445	Cook's Wastepaper & Recycling	Garbage	\$4,601.67
17446	Carlson Distributing	Liquor bill	\$4,551.45
17447	Clark Rural Water	Water supplies	\$8,474.70
17448	Department of Revenue	Late fee from July/August	\$11.35
17449	Petty Cash	Petty cash	\$46.18
17450	Midland Contracting	Curb & Gutter #5 Payment	\$39,212.00
17451	Ryan Burke	Payroll	\$251.81
17452	Eileen Dunbar	Payroll	\$188.09
17453	Robert Gergen	Payroll	\$869.00
17454	Dean Hilmoe	Payroll	\$162.62
17455	John Howardson	Payroll	\$121.91
17456	Carmen Kloster	Payroll	\$604.69
17457	Lisa McGraw	Payroll	\$254.03
17458	Dorcas Protexter	Payroll	\$665.46
17459	Robert Schlueter	Payroll	\$100.20
17460	Les Solberg	Payroll	\$323.86
17461	Teri Stokely	Payroll	\$220.08
17462	Darin Altfillisch	Payroll	\$1,145.84
17463	Richard Claussen	Payroll	\$107.13
17464	Roger Collins	Payroll	\$990.66
17465	Rae Jean Flora	Payroll	\$417.38
17466	Keith Kruthoff	Payroll	\$408.50
17467	Jackie Luttrell	Payroll	\$793.49

Check #	Paid to	For	Amount
17468	Stacy Mayou	Payroll	\$1,014.26
17469	Loren Stanley	Payroll	\$745.19
17470	Jeremy Wellnitz	Payroll	\$750.56
17471	Community First National Bank	Payroll/941 expenses	\$3,251.53
17472	Les Solberg	Payroll	\$27.00
17473	Larry Bartels	Payroll	\$544.86
17474	Lyle Brenden	Payroll	\$599.35
17475	Don DesLauriers	Payroll	\$599.35
17476	Larry Dreher	Payroll	\$599.35
17477	Kerry Kline	Payroll	\$599.35
17478	John Pollock	Payroll	\$599.35
17479	Community First National Bank	Payroll	\$591.24
17480	South Dakota Retirement Systems	Retirement/payroll expense	\$2,295.20

New Claims for December

Claimant	For	Amount
AFLAC	Insurance	\$106.00
American Family	Life insurance	\$6.83
A-OX Welding Supply	Welding supplies	\$14.03
Aspen Tree Service	Tree removal & trimming	\$750.00
A-Tech Sewer Cleaning	Sewer maintenance	\$350.00
Audio Book Club	Books	\$45.80
Baker & Taylor Books	Books	\$41.04
Beverly Kluess	Library substitute	\$28.00
Book of the Month Club	Books	\$23.36
Cardell's	Supplies	\$11.50
Carlson Distributing Co.	Liquor invoices	\$4,067.15
CellularOnce	Cell phone charges	\$150.20
Champions Engraving	Plaque	\$44.70
Chief	Fire department batteries	\$42.47
City of Clark	Water for Flat Iron Park	\$14.60
City of Clark	Water for Dickinson Park	\$1,330.00
City of Clark	Water for Softball Complex	\$19.80
City of Clark	Water for Swimming Pool	\$9,411.50
Clark Community Oil Company	Supplies	\$1,555.79
Clark County Courier	Advertising	\$275.61
Clark-Doland Concrete	Concrete for sidewalk	\$328.00
Clark Elevator	Supplies – lawn mix	\$185.00
Clark Fire Department	Payroll	\$2,655.00
Clark Flower & Gift Shop	Flowers	\$24.99
Clark Drew Construction	Sidewalk at Catholic Church	\$1,090.64
Clausen Construction	Dump/curb work	\$974.50
Cook's Wastepaper	November garbage	\$30.00
Credit Bureau of Watertown	Credit reports	\$60.00
Dacotah Insurance	Commercial property	\$27,292.00

Claimant	For	Amount
Dacotah Insurance	insurance Insurance increase for Restroom/Concessions	\$84.00
Dacotah Insurance	Workers' Compensation insurance	\$16,546.00
Dakota Electronics	Maintenance – police cars	\$554.34
Department of Legislative Audit	Audit bill	\$19,680.00
Department of Revenue	Water testing	\$248.00
DesLauriers Oil Company	Diesel for sewage truck	\$122.64
Desnoyer's Hardware	Fire department supplies	\$113.34
Desnoyer's Hardware	Supplies	\$97.60
Duckwalls	Supplies	\$183.02
Ellwin Brothers	Liquor invoices	\$8,643.55
Express Police	Police shirts	\$30.79
Fjelland Attorney at Law	Legal fees	\$366.40
Florey's Plumbing	Sewer repair	\$472.59
Florey's Heating, AC & Plumbing	Bathroom repairs	\$40.31
Forest Excavating	Excavating services	\$826.71
Fred Obermeier	Umpire fees	\$150.00
Geoff Furness	Umpire fees	\$450.00
Greg Furness	Umpire fees	\$225.00
Gruenwald Electric	Heaters in bathroom	\$1,073.31
Intoximeters	Police supplies	\$256.00
ITC	Utilities	\$491.64
Jackie Luttrell	Mileage for election workshop	\$86.40
Jeanette Kaufman	Sewing work for police	\$10.00
Johnson's Brothers Famous Brands	Liquor invoices	\$10,453.57
Kevin Zobel	Tree stump removal	\$50.00
M & K Tree Transplanting	Tree transplanting	\$100.00
Mack's	Supplies	\$475.41
Milbank Winwater Works	Water supplies	\$11.42
Moritz Publishing	Office Supplies	\$339.60
Mystery Guild	Books	\$77.40
National Rifle Assoc	Membership dues	\$35.00
Northwestern Energy	Utilities	\$4,653.21
Office Systems	Police & Finance Office Supplies	\$186.94
Olson's Auto Parts	Supplies	\$9.62
Olson's Auto Parts	Fire department supplies	\$102.94
Olson's Motor Company	Med Van oil changes	\$121.52
One Call Systems	Call ticket	\$38.72
Oscar's Machine Shop	Repairs & maintenance	\$1,254.25
Porter Distributing Co.	Liquor Invoices	\$656.50
Reggie's	Holiday Party	\$682.20
Ritter's Repair	Tires for Med Van	\$247.50
SD Federal Property Agency	Supplies	\$53.00

Claimant	For	Amount
Share Corp	Supplies	\$140.80
SoDak Distributing Co.	Liquor invoices	\$9,332.90
South Dakota Library Assoc	Library Dues	\$90.00
South Dakota Municipal League	Membership dues	\$767.09
South Dakota Municipal League	Election school CD	\$10.00
The Literacy Guild	Books	\$65.96
The United States Life Insurance	Life insurance premium	\$12.40
Thompson West	SD Codified Law Books	\$364.00
United Building Centers	Fire department supplies	\$98.29
US Department of Agriculture	Interest payment on Water	\$8,630.13
	Utility Revenue Bond Phase I	
Viking Office Products	Office & bathroom supplies	\$119.85
Wellmark Blue Cross Blue Shield	Insurance premium	\$738.13
Wells Fargo Financial	Copier lease	\$132.87
Werdel Construction	Concrete labor or sidewalk	\$475.00

Action #324-2004

Motion by John Pollock, seconded by Lyle Brenden, to approve the City's water bills and allow the payments to be recorded as a general ledger, if authorized by the auditor. All members voting yes. Motion carried.

Police Report

Police Chief Mayou reported 1,594 miles patrolled, one injury accident, two non-injury accidents, and two car vs. deer accidents. Citations/arrests included one underage consumption, one DWI, one no driver's license, one speeding and four counts of sexual contact with a child under 16. Police Chief Mayou voiced the need in locating a location for impounded vehicles and asked the Council to consider purchasing tasers.

Action #325-2004

Motion by Don DesLauriers, seconded by Kerry Kline, to approve the police report. All members voting yes. Motion carried.

Gruenwald Presentation

Randy and Willie Gruenwald shared their vision on a proposed development site for the City of Clark. Their three phase proposal suggested a location for the Medical Arts Facility and future housing possibilities. No action taken at this time.

December Quarterly Award

Mayor Solberg presented Mark Jones with the 4th Quarter Thank You award for his work with the youth programs. Mark was presented with a plaque that will be hung at City Hall.

Sidewalk/Curb & Gutter Assessments

The Finance Officer informed the Council that the deadline to pay the assessments at City Hall has expired and the remaining assessments have been forwarded to the Courthouse. The outstanding balance is \$49,392.80.

Action #326-2004

Motion by Lyle Brenden, seconded by Larry Dreher, to approve the second reading of **Ordinance 443**. All members voting yes. Motion carried.

Ordinance # 443

“ An ordinance Supplementing Appropriations for the City of Clark, Clark County, South Dakota, for the year 2004.”

Be it ordained that the following sums be appropriated to supplement the City of Clark 2004 Budget:

General Funds:		
41410	Legal	\$1,300.00
41420	Auditor/Clerk Finance Office	\$11,700.00
42110	Police Administration	\$13,600.00
42200	Fire Department	\$17,100.00
43110	Highway & Street Administration	\$140,600.00
43900	Transit	\$1,500.00
45111	Summer Rec – Teeners	\$2,420.00
42120	Swimming Pool	\$40,640.00
45200	Parks	\$36,660.00
Special Reserve Funds:		
41900	Professional	\$9,550.00
43110	Highway & Street Administration	\$1,865.00
Grand Total		\$276,935.00

That this Ordinance is necessary for the immediate support of the public peace, health, and safety of the Municipal Government of the City of Clark, and its existing institutions.

Means of Finance will be from Cash on Hand and with the dispersements of November property tax receipts.

That all Ordinances or parts of the Ordinances in conflict with this Ordinance are hereby repealed.

* * * * *

Loader for Dump

John Pollock discussed loader options for the Dump. John will research the costs of used loaders compared to having Clausen Construction doing the work. No action taken at this time.

Action #327-2004

Motion by John Pollock, seconded by Kerry Kline, to approve the second reading of **Ordinance 444**. All members voting yes. Motion carried.

Ordinance # 444

An ordinance amending Clark Municipal Code “Title 10 – Water and Sewer, Chapter 10.24 – Rates”, of the Clark Municipal Code.

Be it ordained by the City Council of the City of Clark, South Dakota, that “Title 10 – Water and Sewers, Chapter 10.24 – Rates – Section 10.2402 – Water Rate – City” be amended to read as follows:

Section

“10.2402 Water Rate - City of Clark

Properties where Municipal Water Supply is Turned on at the Curb Stop:

A base rate fee of \$12.00 per month; plus,

\$2.75 per every 1,000 gallons – up to 5,000 gallons

\$2.60 per every 1,000 gallons for any gallons in excess of 5,000.

The base rate fee shall be implemented on each housing unit and each apartment unit.

Properties where Municipal Water Supply is Shut Off at Curb Stop:

There shall be a minimum line service fee of \$12.00 charged to each dwelling house, residence, business, building or other place for which sewer and water is maintained. This line service fee shall be charged irrespective of vacancy or abandonment of the property and irrespective of the fact that the municipal water supply has been shut off at the curb stop for such property. This fee is applicable to seasonal residents. There shall be no line service fee for any vacant lot where no building is situated on the property.”

All ordinances and resolutions or parts of ordinances and resolutions in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinance or resolution previously adopted.

* * * * *

Action #328-2004

Motion by Larry Bartels, seconded by John Pollock, to approve the second reading on **Ordinance 445**. All council members voting yes. Motion carried.

Ordinance # 445

An ordinance amending Clark Municipal Code “Title 10 – Water and Sewers, Chapter 10.24 – Rates”, of the Clark Municipal Code.

Be it ordained by the City Council of the city of Clark, South Dakota, that “Title 10 – Water and Sewer, Chapter 10.24 – Rates – Section 10.2404-Sewer Rate – City” be amended to read as follows:

Section

“10.2404 Sewer Rate - City of Clark

The minimum sewer rate for users within the city limits shall be \$21.00 per month for the first 8,000 gallons of wastewater discharged per month. All additional gallons in excess of 8,000 gallons shall be charged at the rate of \$1.00 per 1000 gallons.”

All ordinances and resolutions or parts of ordinances and resolutions in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinance or resolution previously adopted.

* * * * *

Action #329-2004

Motion by John Pollock, seconded by Don DesLauriers, to approve Payment Request No. 2 Final from McLaughlin & Schulz for \$18,013.13. All council members voting yes. Motion carried.

Action #330-2004

Motion by Larry Dreher, seconded by Lyle Brenden, to approve Change Order No. 1 from McLaughlin & Schulz for \$129.23. All council members voting yes. Motion carried.

Action #331-2004

Motion by Larry Dreher, seconded by Lyle Brenden, to approve Payment Request No. 4 from Olson Construction for \$104,286.01. All council members voting yes. Motion carried.

Action #332-2004

Motion by Lyle Brenden, seconded by Larry Dreher, to approve Change Order No. 1 Olson Construction for \$20,185.70. All council members voting yes. Motion carried.

Action #333-2004

Motion by Don DesLauriers, seconded by John Pollock, to approve the Water & Wastewater System Study Proposals with Clark Engineering. All council members voting yes. Motion carried.

Action #334-2004

Motion by Larry Bartels, seconded by Kerry Kline, to approve the Water and Wastewater RateMaker Studies for Clark, SD at a cost of \$6,000 of which \$3,200 could be covered under a Small City Planning Grant. All council members voting yes. Motion carried.

Action #335-2004

Motion by John Pollock, seconded by Larry Bartels, to approve the Capitalization Policy as follows. All council members voting yes. Motion carried.

City of Clark Fixed Assets Capitalization Policy

The City of Clark, South Dakota has adopted the following capitalization policy for its capital assets. The City of Clark will capitalize items as follows:

- Machinery and equipment purchased for \$5,000 or more
- Buildings purchased for \$25,000 or more
- Improvements, other than buildings, for \$15,000 or more
- Land, \$0 or more

Action #336-2004

Motion by Don DesLauriers, seconded by Larry Bartels, to approve the State Rates as follows effective January 1, 2005. All council members voting yes. Motion carried.

Meals	In-State	Out-of-State
Breakfast	\$5.00	\$8.00
Lunch	\$9.00	\$11.00
Dinner	\$12.00	\$17.00

Mileage \$.32/mile

Continental Western Group Insurance Renewal

Finance Officer Luttrell informed the Council that the Commercial and Workers' Compensation insurance renewed December 1, 2004. The Commercial Property annual premium is \$27,292.00 and Workers' Compensation premium is \$16,546.00. Luttrell will provide the Council with cost comparisons from last year's rates. The City will stay at a \$0 deductible for Workers' Compensation and reject the terrorism coverage.

Action #337-2004

Motion by Lyle Brenden, seconded by Larry Dreher, to approve the contract from Engineering America, Inc. for the Wastewater Plant Sludge Storage Tank. All members voting yes. Motion carried.

Action #338-2004

Motion by John Pollock, seconded by Larry Bartels, to approve a temporary liquor license for the VFW on December 11, 2004 for the Clark Schools Christmas party. All members voting yes. Motion carried.

Action #339-2004

Motion by Don DesLauriers, seconded by Kerry Kline, to set the date of the 2005 Municipal Election for April 12, 2005. The following members up for the election are Les Solberg (Mayor), Larry Dreher (District I), Don DesLauriers (District II), and Kerry Kline (District III). All members voting yes. Motion carried.

Action #340-2004

Motion by John Pollock, seconded by Larry Bartels, to approve sending the Finance Officer and the Deputy Finance Officer to the GASB 34 Refresher Course training in Aberdeen on January 14, 2005. All members voting yes. Motion carried.

Action #341-2004

Motion by Larry Dreher, seconded by Don DesLauriers, to hire Diana Flora for the skating rink attendant position. All members voting yes. Motion carried.

Delinquent Water Bills

Council reviewed the delinquent water bill list and agreed to follow normal procedures of sending the past due notices.

Action #342-2004

Motion by Don DesLauriers, seconded by Larry Bartels, to close regular session and convene into executive session for Industrial Development matters. All members voting yes. Motion carried.

Mayor Solberg announced executive session began at 9:00 pm and ended at 9:42 pm.

Action #343-2004

Motion by Larry Bartels, seconded by Kerry Kline, to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:43 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell