

2006 Council Meeting Master

[January 11, 2006](#)

[October 27, 2006](#)

[February 6, 2006](#)

[November 6, 2006](#)

[February 9, 2006](#)

[December 4, 2006](#)

[March 6, 2006](#)

[December 27, 2006](#)

[March 20, 2006 Equalization Meeting](#)

[March 20, 2006 Planning & Zoning](#)

[April 3, 2006](#)

[April 12, 2006](#)

[May 1, 2006](#)

[May 22, 2006](#)

[June 5, 2006 council meeting](#)

[June 5, 2006 planning & zoning](#)

[June 19, 2006 council meeting](#)

[June 19, 2006 planning & zoning](#)

[June 26, 2006 special meeting](#)

[July 6, 2006 council meeting](#)

[July 6, 2006 Board of Adjustment meeting](#)

[August 7, 2006](#)

[September 6, 2006](#)

[September 12, 2006 Special Meeting](#)

[October 2, 2006](#)

[October 9, 2006](#)

**City of Clark Council Meeting
January 11, 2006
7:00 PM**

Call to order: The Clark City Council met in session on January 11, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Police Chief Stacy Mayou, Assistant Police Chief Jeremy Wellnitz, Keith Warren, Roger Collins, Kyle Gaikowski, Joyce Helkenn, Merlyn Ritter, and Bob Bjerke.

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

Motion # 1-2006 **Adopt Agenda**
Motion by Pollock and seconded by Brenden to adopt the agenda. All members voting yes. Motion carried.

Public Input

Community Assessment team is meeting and a Town Hall meeting is scheduled for January 31, 2006 at the Elementary Gym. Pollock stated that Northwestern Energy has 26 contracted linemen coming from Iowa and Colorado to continue work on the lines.

Motion # 2-2006 **Approve Minutes**
Motion by Streff and seconded by Dreher to approve the Council Meeting Minutes from December 29, 2005. All members voting yes. Motion carried.

Motion # 3-2006 **Approve Financial Statements**
Motion by DesLauriers and seconded by Brenden to approve the financial statements. All members voting yes. Motion carried.

Motion # 4-2005 **Approve Library 4th Qtr 2005 Financial Statement**
Motion by Pollock and seconded by Dreher to approve the Library's 4th Quarter 2005 financial statements. All members voting yes. Motion carried.

Motion # 5-2005 **Approve Claims**
Motion by Dreher and seconded by Kline to approve the following claims. All members voting yes. Motion carried.

January Paid Claims

Check #	Vendor	For	Amount
ACH 86	SD Rural Development	sewer bond payment	\$787.00
ACH 87	SD Rural Development	water bond payment	\$908.00

January Paid Claims

Check #	Vendor	For	Amount
19158	First National Bank	SRF loan payment	\$6,940.29
19159	SD DENR	professional fees	\$1,500.00
19160	First District Assoc.	professional fees	\$917.71
19161	SDML Work Comp	work comp insurance	\$10,247.00
19162	ITC Rural Economic	loan payment	\$2,813.54
19163	Dacotah Bank	P4 loan payment	\$2,283.66
19164	Dacotah Bank	Duralite loan payment	\$1,371.76
19165	SD Dept of Revenue	sales tax	\$2.23

January New Claims

Vendor	For	Amount
A & B Business Equip.	professional fees	\$35.00
Adamson Industries	supplies	\$214.95
A-OX Welding Supply	supplies	\$7.50
Avera Queen of Peace	professional fees	\$143.00
Bank of the West	loan payment	\$930.00
Cardell's	supplies	\$194.01
Carlson Distributing	liquor	\$5,175.95
City of Clark	utilities	\$64.75
Clark Community Oil	supplies	\$2,655.40
Clark Flower & Gift	supplies	\$80.51
Clark Rural Water	supplies	\$6,205.35
Cook's Wastepaper & Recycling	utilities	\$32.70
Cook's Wastepaper & Recycling	utilities	\$4,561.71
Fjelland Attorney at Law	legal fees	\$510.40
Gruenwald Electric	sewer repairs	\$61.22
ITC	utilities	\$417.58
Johnson Brothers	liquor	\$273.85
Ken's Food Fair	supplies	\$15.02
Lonnie Lyke DBA Cars U Lyke	refund	\$39.00
Lyle Signs	supplies	\$118.68
Mack's	supplies	\$419.75
Michael Todd & Co.	street supplies	\$422.38
Mid-States Organized Crime	professional fees	\$100.00
Moritz Publishing	supplies	\$116.20
Municipal Street Maintenance	professional fees	\$35.00
Office Systems, Inc.	repairs	\$64.08
Olson Auto Parts	supplies	\$123.54
Olson Motor Co.	repairs	\$905.49
One Call Systems	locate tickets	\$3.96
Oscar's Machine Shop	repairs & supplies	\$701.40
Overhead Door	repairs	\$2,100.00
Playhouse	Christmas party	\$360.71
Porter Distributing	liquor	\$371.00
Quill	supplies	\$169.80
RDJ Specialties	supplies	\$214.12

January New Claims

Vendor	For	Amount
RS Architect	professional fees	\$1,677.00
SD Assoc. of Code Enforcement	professional fees	\$40.00
SD Government Finance Office	professional fees	\$40.00
SD Human Resource Assoc.	professional fees	\$25.00
SD Municipal Attorney Assoc	professional fees	\$20.00
SD Municipal League	professional fees	\$820.17
SD Municipal Liquor Control	professional fees	\$25.00
SD Police Chief's Assoc	professional fees	\$96.80
UBC	supplies	\$54.77
William Neal & Co.	professional fees	\$6,000.00

Motion # 6-2006 **Clark Engineering Sludge Tank**
 Motion by DesLauriers and seconded by Streff to approve payment of \$174.78 of local funds to Clark Engineering for engineering fees on the sludge tank. All members voting yes. Motion carried.

Motion # 7-2006 **First District Water Study**
 Motion by Dreher and seconded by Kline to approve payment of \$3,000 to First District for professional fees on the Water Study. Payment will be made upon receipt of the grant monies. All members voting yes. Motion carried.

Motion # 8-2006 **First District Wastewater Study**
 Motion by Pollock and seconded by Streff to approve payment of \$3,000 to First District for professional fees on the Wastewater Study. Payment will be made upon receipt of the grant monies. All members voting yes. Motion carried.

Motion # 9-2006 **Clark Engineering Water Study**
 Motion by DesLauriers and seconded by Dreher to approve payment of \$3,750 to Clark Engineering for professional fees on the Water Study. Payment will be made upon receipt of the grant monies. All members voting yes. Motion carried.

Motion # 10-2006 **Clark Engineering Wastewater Study**
 Motion by Brenden and seconded by Pollock to approve payment of \$3,750 to Clark Engineering for professional fees on the Wastewater Study. Payment will be made upon receipt of the grant monies. All members voting yes. Motion carried.

Motion # 11-2006 **McLaughlin & Schulz – Jaben Circle**
 Motion by Dreher and seconded by DesLauriers to approve payment of \$8,550 to McLaughlin & Schulz for the asphalt on Jaben Circle. Money will be drawn from the TIF construction loan. All members voting yes. Motion carried.

Motion # 12-2006 **McLaughlin & Schulz – 7th & Kansas Streets**
 Motion by Pollock and seconded by Brenden to approve payment of \$6,887.50 to McLaughlin & Schulz for the asphalt on 7th Street and Kansas Street. All members voting yes. Motion carried.

Police Report

Police Chief Mayou reported 740 miles patrolled with no arrests or citations in the month of December. Mayou handed out the 2005 Police Report showing the totals for the year. DARE programs have begun in Clark and Willow Lake. The new patrol vehicle is almost completed. At the request of Mayor Solberg, Mayou and Assistant Police Chief Wellnitz showed various drug paraphernalia and items seized during search warrants.

City Attorney Fjelland will draw up an independent contractor agreement with Michael Sanchez for Spanish translating. The agreement will be reviewed at the next meeting.

Motion # 13-2006

Approve Police Report

Motion by Pollock and seconded by Streff to approve the Police Report. All members voting yes. Motion carried.

Motion # 14-2006

Official Newspaper

Motion by Pollock and seconded by DesLauriers to approve the Clark County Courier and the City's official newspaper. All members voting yes. Motion carried.

7:30 Public Bid Opening for Skid Steer

A public bid opening was held for the advertised bid on a skid steer. The bids read as follows:

Vendor	Model	Price after Trade
Codington-Clark Equipment	JD 317	\$32,435.24 list - \$14,835.24 less trade \$17,600.00 net cost
Butler Machinery Co.	Caterpillar 242B	\$32,667.00 list - \$5,200.00 less trade \$27,467.00 net cost
Piorier Equipment Co.	Case 420	\$35,530.00 list - \$15,224.00 less trade \$20,306.00 net cost
Westside Implement	Gehl 4840	\$21,300.00 list - \$6,500.00 less trade \$14,800.00 net cost

A short recess was held to allow Finance Officer Luttrell to check the numbers.

Motion # 15-2006

Accept Westside Bid

Motion by Pollock and seconded by Brenden to accept the Westside bid for a Gehl 4840 skid steer with a list price of \$21,300, less \$6,500 trade, for a net cost of \$14,800. All members voting yes. Motion carried.

Street Help

Council discussed the need for additional street help for Roger as Keith Kruthoff can only work 19 hours a week, and Loren is working at dump or parks. No decision made.

Motion # 16-2006

Accept Quote from Clark Engineering

Motion by Dreher and seconded by DesLauriers to accept a quote from Clark Engineering for surveying services on the medical building site. Services include boundary surveying, topographic surveying and locating utilities at a cost of \$3,000 to \$3,500. All members voting yes. Motion carried.

Motion # 17-2006

Resolution # 746 Credit Card Acquisition

Motion by Dreher and seconded by Kline to approve Resolution #746 with the addition and subtraction of statements that reads as follows. All members voting yes. Motion carried.

RESOLUTION NO. 746

CREDIT CARD ACQUISITION AND USE POLICY

Whereas: The City of Clark Council has determined that the City has a need for a credit card as authorized by SDCL 4-3-27,

Now Therefore, Be It Resolved: The Finance Officer (herein after referred to as the “designated official”) is hereby authorized to acquire and use a credit card for the purchase of certain necessities on behalf of and for the benefit of the City of Clark, in accordance with the policies set out below.

The credit card shall only be used for the purchase of meeting registration, motel room guarantees, motel room payment, or other purchases that can not be accomplished by the issuance of a purchase order and billed directly to the city to be processed in the normal warrant process, unless it is more economically advantageous to pay by credit card.

The card may be used to pay for preauthorized purchases through the internet.

All purchases in excess of \$500.00 must be preapproved by the City Council.

The card may only be used to purchase gas/fuel for city owned vehicles. If the card is used to purchase gas/fuel for a private vehicle used on approved travel, the mileage allowance will not be paid for that trip.

The card may not be used to pay for meals that qualify for reimbursement through per diem or for any item which does not directly benefit the City of Clark.

The credit card shall remain in the custody of the designated official at all times, except when entrusted to an employee for an authorized use.

In all cases where the credit card is used by any city employee, the card shall immediately be returned to the designated official, along with a copy of the receipt, and an invoice or other documentation stating what the card was used for.

The designated person shall immediately verify the purchase was necessary and to the benefit of the City of Clark and submit the invoice to the Finance Office.

The authority reconciling the credit card statement will not be the same individual whose statement is being reconciled.

Any perks, credits or items of value earned because of the use of said cards shall only be used for the benefit of the city and not for that of any employee, unless authorized by the governing body. Except, frequent flier credits may accrue to the employee/official actually incurring the credit, in accordance with Official Opinion No. 90-04 of the SD Office of the Attorney General.

No more than two cards will be issued with a maximum credit limit of \$5,000. The following credit card issuance agreement shall be signed by city employee who will be using the card.

CREDIT CARD ISSUANCE AGREEMENT

I hereby acknowledge receipt of a _____ credit card. I have read the Credit Card Acquisition and Use Policy adopted by the governing board and agree to the terms listed therein. I understand that this card is only for purchases for the benefit of the municipality and agree not to use this card for any personal uses. Personal use will result in disciplinary action, which may include termination of employment. In the event the card is lost or stolen, I will immediately notify the credit card company and the municipal approving authority.

Signed this _____ day of _____, 20__.

Recipient Signature:

Printed Name:

Credit Card Number: _____

Date Issued: _____

Return Date: _____

Credit Limit: _____

Purpose of Issuance: _____

Dated this 11th day of January, 2006.

Lester C. Solberg, Mayor

ATTEST: Jackie Luttrell, Finance Officer

* * * * *

Motion # 18-2006

Delinquent Water Accounts

Motion by Dreher and seconded by Streff to turn over additional delinquent water accounts to Credit Bureau of Watertown. All members voting yes. Motion carried.

Industrial Development Update

Keith Warren addressed the Council on behalf of the Industrial Development group. No further progress has been made regarding the group becoming independent from the City as they are waiting for a response from the Council on paying off their loans and giving them the land referred to as the East Pasture. The survey on the East Pasture has not been completed by Clark Engineering. The remaining EDI grant monies will likely be used to blacktop at the vinyl plant. The funding has been finalized for the vinyl plant. In December, CIDC submitted a proposal in response to a GOED lead.

Medical Building Update / Jans Corporation

At this time, the reorganized medical board committee members Joyce Helkenn, Merlyn Ritter and Bob Bjerke joined the meeting to discuss the concerns that the Mayor has regarding the Jans Corporation contract for services of Construction Manager At Risk. This contract was approved at the November 7, 2005 council meeting but has yet to be signed by the Mayor. The Mayor expressed concerns over the cost and whether Jans Corporation was needed. The Jan Corporation contract states payment of \$15,000 to cover costs of the preconstruction phase and guaranteed maximum price proposal and contract time, and 7% of the cost of work. The Mayor concluded this could run between \$60-70,000.

Councilman Pollock stated this could be a small price to pay for a guaranteed building price and timely completion as opposed to the increased costs that incurred on the industrial development buildings. Councilwoman Streff stated that time is of the essence right now because of the deteriorating conditions of the current medical building. Streff relayed that Steve Hilipipre felt if we went with a general contractor that the construction date would be pushed back and they are in support of using the architect and Jans Corporation. After a length discussion, Mayor Solberg asked the Council and the medical board if they were comfortable with the Jans contract and if they felt they had the expertise to handle this project. He was assured that they were and he stated he would sign the agreement with Jans Corporation.

Motion # 19-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:01 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
February 6, 2006
7:00 PM**

Call to order: The Clark City Council met in session on February 6, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, William Ellingson, Tom LaBrie, Keith Warren, Stacy Mayou, Jim Holbeck, Kyle Gaikowski, Bryan Wientjes, and Larry Bartels.

In Mayor Solberg's absence, Council President Larry Dreher called the meeting to order at 7:00 pm.

Motion # 20-2006

Adopt Agenda

Motion by Pollock and seconded by Brenden to adopt the agenda. All members voting yes. Motion carried.

Public Input

Councilman Pollock stated that Brock Greenfield is going to run the high school Spring baseball league again and has requested the use of the field and concessions stand like last year. Item will be put on March agenda.

Luttrell invited the Council to join the LeadershipPlenty course that started today. Meetings are every Monday in the Community Room from 5:15 to 6:45 pm until April 3.

TIF District #1

TIF Attorney, William Ellingson addressed the council on wrapping up the Holbeck Addition TIF District # 1 and explained the financing options. Public improvements are completed and paid for by a construction loan through Dacotah Bank. Long term financing needs to be set up which will be paid from new real estate tax revenue. Council reviewed the cash flow projections. Ellingson recommends financing \$83,000 which is approximately \$14,000 over the expenditures. Loan would be for 15 years at 6.0% interest. The extra amount would be used to make the loan payments before the tax revenue is generated. Dacotah Bank has offered to invest the overage in Certificate of Deposit generating 5% interest.

Motion # 21-2006

Approve Ellingson's Legal Fees Invoice

Motion by DesLauriers and seconded by Brenden to approve William Ellingson's bill for legal fees for the TIF District #1 in the amount of \$2,712.60. All members voting yes. Motion carried.

Motion # 22-2006

Approve Resolution # 747

Motion by Streff and seconded by Kline to approve Resolution #747 a RESOLUTION GIVING APPROVAL TO THE ISSUANCE OF TAX INCREMENTAL NOTE TO FINANCE PUBLIC IMPROVEMENTS IN T.I.D. #1. All members voting yes. Motion carried.

**RESOLUTION NO. 747
T.I.D. #1**

RESOLUTION GIVING APPROVAL TO THE ISSUANCE OF TAX INCREMENTAL NOTE TO FINANCE PUBLIC IMPROVEMENTS IN T.I.D. #1.

BE IT RESOLVED by the City Council of the City of Clark, South Dakota as follows:

1. Recitals. The City of Clark (the "City") has made public improvements in T.I.D. #1 including the installation of water and sanitary sewer lines and construction of street, curb and gutter in Holbeck Addition to the City of Clark (the "Project") which project is outlined in the Tax Increment Plan copies of which are on file with the finance officer and open to public inspection.
2. Authority. The City is authorized to issue its Tax Incremental Notes, Series 2006 to finance project costs pursuant to Section 11-9-33 of the South Dakota Codified Laws. Pursuant to Chapter 11-9 of the South Dakota Codified Laws (the "Act") the City proposes to issue municipal tax incremental revenue notes (as herein authorized, the Tax Incremental Notes, or the "Notes") to finance a portion of the Project costs. The City is authorized by the Tax Incremental Act to pledge a special fund into which the City will deposit the tax increment (as defined by the Act).
3. Pledge of State of South Dakota. Pursuant to SDCL 11-9-39.1, the state of South Dakota does pledge to and agree with the holders of any issued notes or bonds under 11-9 that the state will not alter the rights vested in the note or bond holders until such notes or bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such holders, are fully met and discharged.
4. Cost of the Project. The total estimated cost of the Project is approximately \$69,000.00 which includes construction costs and engineering and legal fees. The City proposes to finance these costs together with the sum of \$14,000.00 for loan costs to accrue pending receipt of tax increments in the total amount not to exceed its constitutional debt limit or \$83,000.00, whichever is less, through the issuance of Tax Incremental Revenue Notes, (the "Notes"). The Notes shall be payable out of the special fund created by the City into which the tax increment shall be deposited.

5. Authorization to issue the Notes. The City does hereby authorize the issuance of the Notes upon such terms as negotiated with the lender, and which are set out in paragraph 10.1.
6. Findings. The City Council hereby finds and determines as follows:
 - 6.1. The Tax Incremental Revenue Notes authorized hereby will be used to pay the Project costs and accrued note payments pending receipt of tax increments since the City has no other available means or source of financing.
 - 6.2. It is in the best interests of the City to authorize the borrowing of funds to pay the costs of the Project by authorizing and issuing its Tax Incremental Revenue Notes consistent with the terms approved hereby for an aggregate sum not in excess of the amount of \$83,000.00; and
 - 6.3. That the Tax Incremental Revenue Notes are payable only solely out of the special fund created herein and that it does not constitute a general indebtedness of the municipality or a charge against its general taxing power.
7. Execution of Notes. It is hereby determined to be necessary and in the best interests of the City and its inhabitants that this City Council authorize the Notes to be executed in order to finance a portion of the cost of the Project. The Mayor and Finance officer are authorized to negotiate the terms of the Notes subject to the limitations of the law and this resolution.
8. No Election Required. The Notes may be issued by the City without an election pursuant to SDCL §11-09-34.
9. Form of Notes. The Notes shall be prepared in substantially the form on file with the Finance Officer and open to public inspection.
10. Terms of Notes.
 - 10.1. Date, Amount, Maturities and Interest Rates. The City Council hereby authorizes the execution of the Notes and issuance to the Dacotah Bank of Clark, South Dakota. The principal amount of the Notes shall not exceed any statutory or constitutional debt limitation. The Notes shall have maturities and interest rates as negotiated by the Mayor and Finance Officer, which, unless modified by agreement, shall include a fixed interest rate of 6% per annum on the unpaid principal balance, with principal and interest payments to be paid at least annually, and a final maturity date of no later than fifteen (15) years from the date of issuance.
 - 10.2. Preparation and Delivery. The Notes shall be prepared under the direction of the Finance Officer and shall be executed on behalf of the City by the Mayor and the Finance Officer.
11. Security Provisions; Funds and Accounts and Other Covenants and Determinations.

- 11.1. Pledge Tax Increments. Pursuant to the Act, the City shall receive Tax increments. All Tax Increments shall be placed in the Tax Incremental Bond/Note Fund for T.I.D. #1. The Tax Increments are irrevocably pledged and appropriated to, and shall be deposited to the Tax Incremental Revenue Bond/Note Fund. For purposes of this Resolution, "Outstanding Notes" shall mean these Notes and any parity lien Notes herebefore or hereafter issued pursuant to this Resolution. The Tax Incremental Revenue Bond/Note Fund shall be used and applied only in the manner and order hereinafter set forth. The holders of the Outstanding Notes shall have a lien against the Tax Incremental Revenue Bond/Note Fund for payment of the principal and interest and may either at law or in equity protect and enforce the lien.
- 11.2. Tax Incremental Revenue Bond/Note Fund. The Finance Officer is hereby authorized and directed to establish and shall maintain a special fund, the Tax Incremental Revenue Bond/Note Fund for T.I.D. #1, as a separate and special fund in the financial records of the City until all Notes issued and made payable therefrom, and interest due thereon, have been duly paid or discharged. All collections of the Tax Increments, as hereinafter defined, shall be credited, as received, to the Tax Incremental Revenue Bond/Note Fund. Within the Tax Incremental Revenue Bond/Note Fund are various separate accounts to be maintained by the City.
 - 11.2.1. Grant Account. There is hereby created and established as an account of the Tax Incremental Revenue Bond/Note Fund, a "Grant Account". There shall be credited to the Grant Account the proceeds from the Notes. All moneys credited to the Grant Account shall be applied solely to reimbursement to the City of its Project costs referred to above. All sums derived from the investment of moneys in the Grant Account shall remain in and become part of such account. Upon completion of the Project and when all costs of the Project have been paid, any balance remaining in the Grant Account shall be credited to the Principal and Interest Account hereinafter established.
 - 11.2.2. Principal and interest Account. There is hereby created and established as an account of the Tax Incremental Revenue Bond/Note Fund, a "Principal and Interest Account." Periodically, as needed there shall be withdrawn from the Tax Incremental Revenue Bond/Note Fund and credited to the Principal and Interest Account an amount which will equal at least the next principal and interest payment. In all events there shall be credited to the Principal and Interest Account amounts sufficient to pay the principal of and interest on the Outstanding Notes as the same become due.
 - 11.2.3. Subordinate Lien Bonds. After making the above required payments, any remaining Tax Increment shall be used for the

payment of the principal of and interest on any additional Tax Incremental revenue bonds/notes having a lien which is subordinate to the lien of the Outstanding Notes, and for a reserve fund as additional security for the payment of such subordinate lien bonds/notes.

- 11.2.4. Inter-fund Loans. In the event there are insufficient funds in the Tax Incremental Revenue Bond/Note Fund to cover principal and interest payments when due, the City covenants to loan from the Sales Tax Fund of the City, heretofore established, to the Tax Incremental Revenue Bond/Note Fund such amounts as will allow the payment of principal and interest when due. Such loan shall represent an interfund loan and be evidenced by a note prepared by the Finance Officer.
- 11.2.5. Deposit and Investment of Funds. The Finance Officer shall cause all moneys pertaining to the Fund to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of Chapter 4-6A, South Dakota Codified Laws, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the City, so long as any of the Bonds/Notes and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No moneys shall at any time be withdrawn from such deposit accounts except for the purposes of the Fund as authorized in this Resolution; except that moneys from time to time on hand in the Fund may at any time, in the discretion of this Council, be invested in securities permitted by the provisions of Section 4-5-6, South Dakota Codified Laws, maturing and bearing interest at the times and in the amounts estimated to be required to provide cash when needed for the purposes of the respective accounts. Income received from the deposit or investment of moneys shall be credited to the account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys in that account.
- 11.3. Covenants of the City. The City hereby irrevocably covenants and agrees with each and every holder of the Bonds/Notes that so long as any of the Bonds/Notes remain outstanding:
 - 11.3.1. It will not amend or repeal the Tax Incremental Ordinance relating to the Tax Incremental by decreasing the Tax Incremental rate or the allocation of revenues thereof to the Tax Incremental Revenue Bond/Note Fund, or in any way that would adversely affect the amount of Tax Incremental revenues which would otherwise be collected and deposited to the Tax Incremental Revenue Bond/Note Fund. However, nothing shall prevent the City from amending the Tax Incremental Ordinance in order to make certain

changes in the administration, collection or enforcement of the Tax Incremental, provided that such changes would not materially adversely affect the owners of the Bonds/Notes.

- 11.3.2. It will administer, enforce, and collect, or cause to be administered, enforced or collected, the Tax Incremental authorized by the Tax Incremental Ordinance and shall take such necessary action to collect delinquent payments in accordance with law.
- 11.3.3. It will keep or cause to be kept such books and records showing the proceeds of the Tax Incremental, in which complete entries shall be made in accordance with standard principles of accounting, and any owner of any Bond/Note shall have the right at all reasonable times to inspect the records and accounts relating to the collection and receipts of such Tax Incremental.
- 11.3.4. In the event the Tax Increment of the City is replaced and superseded by the state collected-locally shared Tax Increment or taxes, or is replaced and superseded in some other manner from other source or sources, the revenues derived by the City from the replacement source or sources, as received by the City shall be appropriated in the same manner as if the City had levied and imposed a Tax Incremental. From and after the date of a replacement, the Outstanding Bonds/Notes shall have a first and prior lien, but not necessarily an exclusive lien, upon such replacement revenues to the extent therein specified.

ATTEST:

Lester C. Solberg, Mayor

Jackie Luttrell, Finance Officer

Adopted: February 28, 2006

Approved: February 6, 2006

Published: February 8, 2006

The motion for adoption of the foregoing resolution was made by Louann Streff and duly seconded by Kerry Kline, and upon vote being taken thereof, the following voted YEA: DesLauriers, Dreher, Streff, Kline, Brenden and Pollock.

and the following voted NAY: (none)

Whereupon said resolution was declared duly passed and adopted.

ATTEST:

Lester C. Solberg, Mayor

Jackie Luttrell, Finance Officer

Motion # 23-2006**Approve Minutes**

Motion by Pollock and seconded by Kline to approve the Council Meeting Minutes from January 11, 2006. All members voting yes. Motion carried.

Motion # 24-2006**Approve Financial Statements**

Motion by Pollock and seconded by Brenden to approve the financial statements. All members voting yes. Motion carried.

Motion # 25-2006**Approve Claims**

Motion by Kline and seconded by Pollock to approve the following claims. All members voting yes. Motion carried.

Additional January Paid Claims

Check #	Name	For	Amount
19210	Darin Alfillisch	payroll	\$1,066.08
19211	Pamela Ambrose-Eng	payroll	\$70.53
19212	Roger Collins	payroll	\$1,188.60
19213	Rae Jean Flora	payroll	\$605.53
19214	Keith Kruthoff	payroll	\$361.77
19215	Jackie Luttrell	payroll	\$805.55
19216	Stacy Mayou	payroll	\$1,059.47
19217	Loren Stanley	payroll	\$856.82
19218	Jeremy Wellnitz	payroll	\$715.59
19219	Bank of the West	941 taxes	\$2,111.39
19220	Rae Jean Flora	travel expense	\$9.00
19221	Jackie Luttrell	travel expense	\$9.00
19222	Petty Cash	supplies	\$33.00
19223	Darin Alfillisch	payroll	\$1,071.02
19224	Pamela Ambrose-Eng	payroll	\$428.46
19225	Roger Collins	payroll	\$1,095.74
19226	Rae Jean Flora	payroll	\$605.53
19227	Keith Kruthoff	payroll	\$380.92
19228	Jackie Luttrell	payroll	\$805.55
19229	Stacy Mayou	payroll	\$1,059.47
19230	Loren Stanley	payroll	\$844.68
19231	Jeremy Wellnitz	payroll	\$715.59
19232	AFLAC	insurance	\$229.80
19233	Wellmark BCBS	insurance	\$4,191.76
19234	Bank of the West	941 taxes	\$2,158.89
19235	SD Retirement Systems	retirement	\$2,411.00
19236	VALIC	retirement	\$25.00
19237	American Family Insur.	insurance	\$6.83
19238	The United States Life Insurance	insurance	\$15.20
19239	Sharon Bjerke	payroll	\$220.11
19240	Ryan Burke	payroll	\$138.91
19241	Eileen Dunbar	payroll	\$180.47
19242	Robert Gergen	payroll	\$908.16

Check #	Name	For	Amount
19243	John Howardson	payroll	\$145.45
19244	Carmen Kloster	payroll	\$383.83
19245	Dorcas Proxtexter	payroll	\$669.98
19246	Robert Schlueter	payroll	\$21.47
19247	Ronald Schorg	payroll	\$144.93
19248	Lester Solberg	payroll	\$364.78
19249	Teri Stokely	payroll	\$318.54
19250	Bank of the West	941 taxes	\$915.48
19251	Wellmark BCBS	insurance	\$1,075.15

New February Claims

Name	For	Amount
A & B Business Equipment	copier contract	\$32.06
A-OX Welding Supplying Co.	supplies	\$7.50
Brock Greenfield	mileage	\$410.56
Bryan Wientjes	supplies	\$40.02
Butler Machinery Co.	repairs	\$1,539.91
BW Insurance Agency	insurance	\$602.27
Carlson Distributing	liquor	\$3,415.55
CellularOne	utilities	\$123.01
Chief	fire dept supplies	\$325.41
City of Clark	utilities	\$64.75
Clark Chamber of Commerce	dues	\$3,000.00
Clark County Courier	advertising	\$411.28
Clark Engineering	prof fees	\$5,154.40
Clark Community Oil	supplies	\$1,550.73
Cook's Wastepaper & Recycling	garbage collection	\$4,571.78
Dacotah Bank	loan payment	\$3,655.42
Dakota Electronics	equipment	\$2,258.50
Decatur Electronics	equipment	\$1,443.00
Desnoyers Hardware	supplies	\$297.40
Desnoyers	fire dept supplies	\$1,392.88
Ecolab Pest Control	pest control	\$67.00
Ellwein Brothers	liquor	\$9,519.20
Expectec Technology	prof fees	\$500.16
Fjelland Attorney at Law	legal fees	\$301.60
Forests Excavating	repairs	\$387.60
ITC Rural Economic Development	loan payment	\$2,813.54
ITC Telephone	utilities	\$542.72
Johnson Brothers Famous Brands	liquor	\$6,830.72
K&P Pump Repairs	sewer repairs	\$793.70
Ken's Fairway	supplies	\$9.07
Literary Guild	books	\$20.08
M&T Fire & Safety	supplies	\$56.25
Mack's Standard	supplies	\$335.92
Milbank Winwater Works	supplies	\$148.06
Moritz Publishing	supplies	\$57.10
NAPA Auto Parts	supplies	\$46.13

Name	For	Amount
National Geographic Society	subscription	\$34.00
Northwestern Public Service	utilities	\$7,539.52
Office Systems	supplies	\$28.40
Olson Auto Parts	supplies	\$169.22
Olson Auto Parts	fire dept repairs	\$841.85
Olson Motor Company	repairs	\$356.48
One Call Systems	locate tickets	\$4.00
Oscar's Machine Shop	repairs	\$141.03
Patricia Rosenau	library	\$28.00
Porter Distributing Co.	liquor	\$175.00
Quill	supplies	\$160.35
Reader's Digest	subscription	\$24.98
Roy's Repair	prof fees	\$1,066.65
SD Dept of Revenue	prof fees	\$248.00
SD Rural Development	bond payment	\$787.00
SD Rural Development	bond payment	\$908.00
Share Corporation	supplies	\$151.72
Sioux Falls Two Way Radio	repairs	\$84.63
SoDak Distributing	liquor	\$9,151.62
Star Laundry	maintenance	\$49.40
The Library Store	supplies	\$19.05
Time	subscription	\$61.00
UBC	supplies	\$47.55
UBC	fire dept supplies	\$174.49
Viking Office Products	supplies	\$63.44
Wells Fargo Financial Leasing	copier contract	\$132.87
Westside Implement	equipment	\$335.00
Westside Implement	skid steer	\$14,485.00
William Ellingson	legal fees	\$2,712.60

Motion # 26-2006 **Approve SD Public Assurance Alliance Claim**

Motion by DesLauriers and seconded by Streff to approve the insurance liability, officials, damage property, boilers & machinery insurance claim from SD Public Assurance Alliance for \$21,475.60. Coverage period is 3/1/06 to 3/1/07. All members voting yes. Motion carried.

Motion # 27-2006 **Approve Clark Chamber of Commerce Claim**

Motion by Pollock and seconded by Kline to approve the 2006 Clark Chamber of Commerce membership/donation for \$3,000. All members voting yes. Motion carried.

Motion # 28-2006 **Approve Banyon Data Systems Claim**

Motion by Brenden and seconded by Streff to approve a claim from Banyon Data Systems for water meter software for \$1,890.00. Claim is eligible with the remaining water grant money. All members voting yes. Motion carried.

Motion # 29-2006

Approve Clark Engineering Claims

Motion by Kline and seconded by Pollock to approve the following Clark Engineering claims: \$667.70 for Phase II as built plans, \$2,559.50 for surveying East Pasture, and \$1,927.20 for medical building site survey. All members voting yes. Motion carried.

Police Report

Police Chief Mayou gave the February 2006 report: 1059 miles patrolled, one speed, one allow dog to run loose, two open containers in a motor vehicle, one driving under revocation, one exhibition driving and one fail to stop for emergency vehicle using signals.

Motion # 30-2006

Approve Police Report

Motion by Streff and seconded by Brenden to approve the police report. All members voting yes. Motion carried.

Motion # 31-2006

Approve Police Grant

Motion by DesLauriers and seconded by Pollock to approve a police grant for \$1,154 for reimbursement of a Genesis II Select K Dual K Band radar placed on the new police vehicle. This 80% grant match allows us to increase the police equipment budget accordingly. All members voting yes. Motion carried.

Fire Department

Volunteer Firemen Kyle Gaikowski and Bryan Wientjes addressed the council on their need for a new grass/transport truck for the Fire Department. They desire to replace the 1966 Dodge truck that requires lots of repairs. The Fire Department receives annual support from 7 ½ townships, totaling \$4,500 (\$600/township). They are considering raising their fee to \$1000/township to help cover the costs of a new vehicle. Council asked that they get preliminary costs together and meet again at the March meeting.

18 and Under Girls Softball

Larry Bartels addressed the council on his desire to volunteer coach the 18 and under Girls Softball league this summer. With the lack of teams in the area, he would like to join the Junior Olympics league that plays regular games each week in Watertown, SD. This year's national tournament is in Sioux Falls and he would like the team to participate. The City Attorney will research if an independent contractor agreement is necessary. Will be revisited at the March meeting.

Motion # 32-2006

East Pasture Addition

Motion by Pollock and seconded by Kline to approve the East Pasture Addition plat and vacate the Lamb's Addition to contain 27.60 acres of which 1.16 acres is section line right of way. Motion also authorizes Mayor Solberg to sign plat as owner of City of Clark. All members voting yes. Motion carried.

Motion # 33-2006

Bank Depositories

Motion by Brenden and seconded by DesLauriers to designate Bank of the West and Dacotah Bank as the official bank depositories for the year 2006. All members voting yes. Motion carried.

Motion # 34-2006

Capitalization Policy

Motion by DesLauriers and seconded by Streff to reaffirm the capitalization policy for 2006. 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

All members voting yes. Motion carried.

Policy & Procedure Manual

Finance Officer Luttrell informed the council that she is documenting a City Policy & Procedure Manual to capture the necessary policies and procedures. A draft will be available to review at a future meeting.

Motion # 35-2006

Equalization Meeting

Motion by Pollock and seconded by Kline to set the 2006 Equalization Meeting for 7:00 pm on March 20, 2006. All members voting yes. Motion carried.

Motion # 36-2006

Annual Report Extension

Motion by Brenden and seconded by DesLauriers to approve filing for an extension with the Department of Legislative Audit for the 2005 annual report. All members voting yes. Motion carried.

Street Signs

New street signs are needed for Jaben Circle and those streets whose names were changed with the 911 addressing. Council decided this is general street maintenance and no motion necessary to purchase signs.

Motion # 37-2006

Skid Steer Loan

Motion by Pollock and seconded by Kline to authorize Mayor Solberg and Finance Officer Luttrell to sign the necessary loan papers with Dacotah Bank for the purchase of the skid steer. A loan for \$14,485 at 7.05% for a little less than 3 years will be repaid with quarterly payments of \$1,332.35. All members voting yes. Motion carried.

Late Liquor Payments

Council reviewed the Operating Agreements of Municipal On-Sale Liquor Establishments to determine compliance with payment schedules. The agreement states payment is due to the city on a weekly basis. Late payments may subject the establishment to requiring a performance bond and/or halting of delivery.

FEMA Update

Finance Officer Luttrell informed she has completed the paperwork for the FEMA application. Any eligible expenses are reimbursable at 75%. No date is known on when any expenses will be reimbursed. Council also reviewed quotes from 1st Rate Tree Service for removal of 24 damaged trees and 1st Rate Fencing for repairs to the softball field backstop and tennis court fence. The expenses are not enough to require the City to follow the state bidding regulations.

Motion # 38-2006

1st Rate Quote

Motion by Pollock and seconded by Kline to approve the quote from 1st Rate Tree Service for \$3200 to remove 24 trees on city property (stump grinding not included), and to approve the quote from 1st Rate Fencing to make repairs to the softball backstop and tennis court fences for \$2,050. Quote includes labor, removal of old fence and installing and reassembling new fence. All members voting yes. Motion carried.

Motion # 39-2006

Mitigation Meeting

Motion by Kline and seconded by Streff to approve travel to Watertown, SD for Finance Officer and another city employee to attend a mitigation meeting on February 8 2006. All members voting yes. Motion carried.

Generator for Lift Stations

Council discussed wiring the lift stations for a generator and purchasing a 3-phase generator. Pollock stated we could expect to pay approximately \$1,750 per lift station for wiring and another \$5,000 for a generator. Luttrell will research if any grant monies are available for this type of purchase.

Long Term Goals

Kline discussed the need to create a infrastructure plan. The City is waiting for the Clark Engineering Facility Plan that should address some of these planning issues.

Medical Building Update

Two lots for the medical building need to be rezoned Commercial. City Attorney Fjelland will begin the process.

Industrial Development Update

Keith Warren gave an Industrial Development update. A community meeting will be held in the near future to address the community response to the Community Assessment.

Motion # 40-2006

Executive Session

Motion by Pollock and seconded by Kline to close regular session at 9:52 pm and convene into executive session for personnel and contractual issues. All members voting yes. Motion carried.

Executive Session closed at 11:20 pm.

Motion # 41-2006

Spanish Translator

Motion by Pollock and seconded by Brenden to enter into an independent contractor agreement with Michael Sanchez for Spanish translating, and to authorize Mayor Solberg to sign agreement papers. Members voting yes: DesLauriers, Dreher, Streff, Brenden and Pollock. Abstain: Kline. Motion carried.

Motion # 42-2006

Advertise Summer Help

Motion by DesLauriers and seconded by Streff to advertise for the following temporary summer help positions at the same pay as 2005: Pool Manager, Lifeguards, Basket Attendants, Baseball Coach, Softball Coach, Landfill Attendants and Street Summer Help. All members voting yes. Motion carried.

Motion # 43-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 11:24 pm.

Council President Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Special Council Meeting
February 9, 2006
12:00 PM**

Call to order: The Clark City Council met in special session on February 9, 2006 at 12:00 in the Community Room.

Council Members Present: Larry Dreher, Louann Streff, Kerry Kline and Lyle Brenden.

Others Present: Finance Officer Jackie Luttrell

In Mayor Solberg's absence, Council President Larry Dreher called the meeting to order at 12:05 pm.

Motion # 44-2006

Adopt Agenda

Motion by Kline and seconded by Streff to adopt the agenda. All members voting yes. Motion carried.

Public Input

No public input.

Motion # 45-2006

Approve Advertise for Bid

Motion by Brenden and seconded by Kline to approve advertising for bid for a mobile mammography system for the future medical clinic. All members voting yes. Motion carried by majority vote.

Motion # 46-2006

Approve RS Architect Claim

Motion by Kline and seconded by Streff to approve the architect claim from RS Architect for \$496.00 for the medical clinic. All members voting yes. Motion carried by majority vote.

Motion # 47-2006

Approve Extension

Motion by Streff and seconded by Brenden to authorize Mayor Solberg to sign the extension request for the SD DENR Small Community Planning Grant for Wastewater to June 1, 2006. All members voting yes. Motion carried by majority vote.

Grant Opportunities

Councilman Larry Dreher, new Emergency Management Coordinator Bryan Wientjes and Finance Officer Jackie Luttrell attended a Hazard Mitigation Grant Program meeting held February 8, 2006 in Watertown. Limited grant opportunities are available for generators and flood prevention projects. The consensus is we should apply to see if we are eligible for any assistance.

Motion # 48-2006

Approve Grant Applications

Motion by Kline and seconded by Streff to allow the City of Clark to apply for a Hazard Mitigation Grant and a National Flood Insurance Program Grant. All members voting yes. Motion carried by majority vote.

Motion # 49-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried by majority vote.

Meeting adjourned at 12:15 pm.

Council President Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
March 6, 2006
7:00 PM**

Call to order: The Clark City Council met in session on March 6, 2006 at 7:00 pm in the Clark Community Room.

Council Members Present: Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Council Members Absent: Don DesLauriers

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Keith Warren, Police Chief Stacy Mayou, Larry Bartels, Doug Harvey, Steve Hilpippre, and Wayne Kaufman.

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

Motion # 50-2006

Adopt Agenda

Motion by Pollock and seconded by Brenden to adopt the agenda. All members voting yes. Motion carried.

Public Input

Council discussed the downed tree issues.

Motion # 51-2006

Approve Minutes

Motion by Dreher and seconded by Kline to approve the Council Meeting Minutes from February 6, 2006 and February 9, 2006. All members voting yes. Motion carried.

Motion # 52-2006

Approve Financial Statements

Motion by Kline and seconded by Streff to approve the financial statements. All members voting yes. Motion carried.

Motion # 53-2006

Approve Claims

Motion by Dreher and seconded by Brenden to approve the following claims. All members voting yes. Motion carried.

Paid Claims

<u>Check #</u>	<u>Vendor</u>	<u>For</u>	<u>Amount</u>
1071	Banyon Data Systems	software	\$1,890.00
16393	RS Architect	professional fees	\$496.00
16394	Dacotah Bank	loan	\$70,043.43
16395	Dacotah Bank	CD	\$12,956.57
19310	SD Public Assurance	insurance	\$21,475.60
19311	Jackie Luttrell	travel	\$21.76
19312	Clark Rural Water	water	\$6,223.80

Paid Claims

<u>Check #</u>	<u>Vendor</u>	<u>For</u>	<u>Amount</u>
19313	Bank of the West	loan payment	\$930.00
19314	Petty Cash	supplies	\$46.78
19315	Darin Altfillisch	payroll	\$1,056.85
19316	Pamela Ambrose-Eng	payroll	\$462.34
19317	Roger Collins	payroll	\$1,106.66
19318	Rae Jean Flora	payroll	\$605.53
19319	Keith Kruthoff	payroll	\$310.72
19320	Jackie Luttrell	payroll	\$824.79
19321	Stacy Mayou	payroll	\$1,059.47
19322	Loren Stanley	payroll	\$818.27
19323	Jeremy Wellnitz	payroll	\$646.30
19324	Bank of the West	941 taxes	\$2,111.65
19325	CellularOne	utilities	\$123.42
19326	Pioneer Bank & Trust	copier lease	\$157.00
19327	Darin Altfillisch	payroll	\$1,042.77
19328	Pamela Ambrose-Eng	payroll	\$365.06
19329	Roger Collins	payroll	\$1,074.53
19330	Rae Jean Flora	payroll	\$605.53
19331	Keith Kruthoff	payroll	\$228.17
19332	Jackie Luttrell	payroll	\$806.38
19333	Stacy Mayou	payroll	\$1,060.10
19334	Loren Stanley	payroll	\$819.31
19335	Jeremy Wellnitz	payroll	\$646.72
19336	Sharon Bjerke	payroll	\$247.81
19337	Ryan Burke	payroll	\$208.41
19338	Eileen Dunbar	payroll	\$180.47
19339	Robert Gergen	payroll	\$729.15
19340	Alan Hollatz	payroll	\$163.21
19341	John Howardson	payroll	\$166.23
19342	Carmen Kloster	payroll	\$235.60
19343	Dorcas Protexter	payroll	\$621.55
19344	Ronald Schorg	payroll	\$189.67
19345	Lester Solberg	payroll	\$364.78
19346	Bank of the West	payroll	\$766.06
19347	Bank of the West	941 taxes	\$2,021.90
19348	AFLAC	insurance	\$229.80
19349	Wellmark BCBS	insurance	\$4,191.76
19350	American Family Insurance	insurance	\$13.73
19351	VALIC	retirement	\$25.00
19352	The US Life Insurance Co.	insurance	\$14.60
19353	SD Retirement	retirement	\$2,403.24
19354	Ext. Revolving/WNV conf.	conference	\$15.00
19355	Dacotah Bank	loan payment	\$3,655.42
19356	ITC Rural Economic	loan payment	\$2,813.54

New Claims

<u>Name</u>	<u>For</u>	<u>Amount</u>
A&B Business Equipment	copier	\$98.76
A-OX Supply	supplies	\$7.50
Cardell's	supplies	\$152.00
Carlson Distributing	liquor	\$2,951.95
Central States Fire App.	repairs	\$998.46
Chief	supplies	\$58.48
City of Clark	utilities	\$64.75
Clark Co. Register of Deeds	plat filing fee	\$15.00
Clark County Courier	advertising	\$528.54
Clark Engineering	site survey	\$943.76
Cook's Wastepaper	garbage	\$35.40
Cook's Wastepaper	garbage	\$4,531.50
Credit Bureau of Watertown	prof fees	\$65.65
Desnoyer's Hardware	supplies	\$200.33
Ellwein	liquor	\$4,440.70
First Rate Tree Service	tree removal	\$3,200.00
Fjelland Attorney at Law	legal fees	\$488.80
Gall's	supplies	\$91.92
Gruenwald Electric	repairs	\$64.57
International Police Tech	equipment	\$75.50
ITC	utilities	\$422.29
Jack's Uniform & Equip.	equipment	\$389.47
Jeanette Kaufman	repairs	\$10.00
Ken's Food Fair	supplies	\$23.42
Mack's	supplies	\$216.19
Michael Todd & Co.	repairs	\$258.29
Moritz Publishing	supplies	\$121.80
NAPA Auto Parts	maintenance	\$230.92
Northwestern	utilities	\$6,758.91
Office Systems	copier	\$28.40
Olson Motor Co.	maintenance	\$434.63
Olson's Auto Parts	supplies	\$144.47
One Call Systems	locate tickets	\$2.00
Oscar's Machine Shop	repairs	\$560.55
Pitney Bowes	postage	\$5,016.99
Porter Distributing	liquor	\$175.00
Quill	supplies	\$165.68
Rod's Truck Service & Repair	repairs	\$30.00
SD Dept of Revenue	prof fees	\$260.00
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
SoDak Distributing	liquor	\$6,669.02
Star Laundry	maintenance	\$98.80
The Literacy Guild	books	\$17.38
Tom Bergeson	water deposit refund	\$100.00
UBC	supplies	\$92.85

Motion # 54-2006

Approve Milbank Winwater Claim

Motion by Brenden and seconded by Pollock to approve the claim from Milbank Winwater for \$40,559.01. This will be reimbursed from the remaining Phase I water grant funds. All members voting yes. Motion carried.

Motion # 55-2006

Approve Clark Engineering Claim

Motion by Dreher and seconded by Pollock to approve the claim from Clark Engineering for \$943.76 for medical building site survey expenses. All members voting yes. Motion carried.

Police Report

Police Chief Mayou reported 1,341 miles patrolled, one disturbing the peace – barking dog, and two simple assaults – domestic violence. DARE graduations will be held this month in Willow Lake and Clark. Extra patrolling is being done up at the high school.

Motion # 56-2006

Approve Police Report

Motion by Pollock and seconded by Dreher to approve the Police Report. All members voting yes. Motion carried.

Motion # 57-2006

Approve One Day Liquor License

Motion by Brenden and seconded by Pollock to approve one-day liquor licenses for the Clark American Legion for the Lion's Fishing Raffle on March 25, 2006 and the Pro Pheasant Banquet on April 1, 2006 from 4 pm to 2 am. All members voting yes. Motion carried.

125th Anniversary Update

Councilman Dreher gave an update on the City's 125th Anniversary celebration planned for June 10 and 11, 2006.

Motion # 58-2006

Approve District 1 Meeting

Motion by Dreher and seconded by Pollock to approve meeting and travel expenses for the District 1 Meeting to be held in Clear Lake on March 28, 2006 for the Council, Mayor and Finance Officer. All members voting yes. Motion carried.

Motion # 59-2006

Approve NEFOG Meeting

Motion by Dreher and seconded by Streff to approve meeting and travel expenses for the NEFOG meeting to be held in Aberdeen on March 24, 2006 for the finance officer and deputy finance officer. All members voting yes. Motion carried.

Motion # 60-2006

Surplus Copier

Motion by Dreher and seconded by Kline to buy out the lease on the Toshiba copier for \$600 and declare it surplus. Three appraisals will be sought out. Surplus bids will be opened at the April 4, 2006 council meeting. All members voting yes. Motion carried.

Dickinson Park Concessions

Janet Hurlbert will be offered the opportunity to run the Dickinson Park concessions stand for the 2006 baseball season.

Election Update

An election will be held for Ward I between incumbent Lyle Brenden and challenger Roberta Heim. A contingency fund transfer will be necessary to fund election expenses.

Motion # 61-2006 Contingency Funds Transfer - Resolution # 750
Motion by Kline and seconded by Streff to transfer \$500 from the Contingency fund to the Election fund – Resolution # 750. All members voting yes. Motion carried.

Resolution # 750

BE IT NOW RESOLVED BY THE CITY COUNCIL OF CLARK, SD that the following transfer be made from the Contingency Fund due to unforeseen expenses to the following fund:

Election \$500

Motion by Kerry Kline and seconded by Louann Streff. All members voting yes. Motion carried.

Passed this 6th day of March, 2006.

Lester C. Solberg, Mayor

Jackie Luttrell, City Finance Officer

Motion # 62-2006 Independent Contractor Agreement
Motion by Streff and seconded by Brenden to authorize Mayor Solberg to sign an independent contractor agreement with Larry Bartels to coach the 18 and under summer softball league for the 2006 season. All members voting yes. Motion carried.

Motion # 63-2006 City of Clark Policy & Procedure Manual
Motion by Streff and seconded by Kline to approve the City of Clark Policy & Procedure Manual. All members voting yes. Motion carried.

Bid Opening

At this time Finance Officer Luttrell opened and read the bids received for the scheduled 7:30 pm bid opening for the Mobile Mammography Unit components. Bids read as follows:

Ward Muscatell Auto Group	2006 Dodge Sprinter Cargo Van	\$29,890.00
Radiographic Technologies, Inc.	Sophie Classic Mobile Mammography	\$92,610.00
Bert’s Truck Equipment	Commercial Lift	\$5,760.50

Motion # 64-2006 Approve bid from Ward Muscatell
Motion by Dreher and seconded by Kline to approve the bid for a 2006 Dodge Sprinter Cargo Van from Ward Muscatell Auto Group for \$29,890.00. This is reimbursable from the HRSA medical building equipment grant for the Clark medical building. All members voting yes. Motion carried.

Motion # 65-2006 **Approve bid from Radiographic Technologies, Inc.**

Motion by Brenden and seconded by Pollock to approve the bid for a Sophie Classic Mobile Mammography from Radiographic Technologies, Inc. for \$92,610.00. This is reimbursable from the HRSA medical building equipment grant for the Clark medical building. All members voting yes. Motion carried.

Motion # 66-2006 **Approve bid from Bert's Truck Equipment**

Motion by Kline and seconded by Streff to approve the bid for a commercial lift for the Mobile Mammography from Bert's Truck Equipment for \$5,760.50. This is reimbursable from the HRSA medical building equipment grant for the Clark medical building. All members voting yes. Motion carried.

Medical Building Update

The Council reviewed the latest drawings for the medical building. Rezoning will be addressed at the April 3, 2006 Council Meeting.

Motion # 67-2006 **Resolution 748 Financing for Medical Clinic**

Motion by Dreher and seconded by Pollock to approve Resolution # 748 as stated below. All members voting yes. Motion carried.

RESOLUTION # 748

A RESOLUTION TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO FINANCING FOR CLARK MEDICAL CLINIC WITHIN THE CITY OF CLARK, SOUTH DAKOTA.

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

WHEREAS, a source of financing is necessary with respect to the construction of the Clark Medical Clinic, within the City of Clark, South Dakota;

WHEREAS, Dacotah Bank has agreed in principle to extend said interim financing;

NOW, THEREFORE, BE IT 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 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.

Passed this 6th day of March 2006.

Lester C. Solberg, Mayor

ATTEST: Jackie Luttrell, City Finance Officer

Quarterly Award

At this time, Mayor Solberg presented the Fourth Quarter of 2005 Quarterly Award to Warren Brandlee for his many years of service to the City of Clark. Congratulations Warren!

Motion # 68-2006

Spring Baseball

Motion by Brenden and seconded by Kline to approve Brock Greenfield to use the Dickinson Park baseball field for Spring High School baseball in the same manner as last year. All members voting yes. Motion carried.

Generators for Liftstations

Councilman Pollock presented estimates from Gruenwald Electric for wiring the liftstations for generators and a quote from PowerDak for a John Deere 60 Hz Diesel generator. Bryan Wientjes is researching the possibilities of receiving grant money for this type of purchase. No action taken at this time.

Motion # 69-2006

Resolution # 749 Investment Policy

Motion by Kline and seconded by Streff to approve Resolution # 749 Investment Policy. All members voting yes. Motion carried.

RESOLUTION # 749

Motion by Kerry Kline seconded by Louann Streff to approve the following Resolution. All members voting yes. Motion carried.

A RESOLUTION TO ESTABLISH AN INVESTMENT POLICY FOR THE CITY OF CLARK WITH RESPECT TO PUBLIC FUNDS.

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

WHEREAS, South Dakota Codified Law requires that public funds as defined in SDCL 4-5-5 shall be invested only after adoption of an investment policy by the appropriate governing board;

WHEREAS, the City of Clark does not currently have an investment policy;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark hereby adopts the following investment policy:

**CITY OF CLARK, SOUTH DAKOTA
INVESTMENT POLICY**

1. POLICY

Pursuant to SDCL 4-5-8 it is the policy of the City of Clark, South Dakota, to invest idle public funds in a manner to meet the daily cash flow demands of the City with the primary objectives, in priority order, being: a) Safety b) Liquidity and c) Return.

2. DELEGATION OF AUTHORITY

Authority to manage the investment program is granted to the City Finance Officer, who shall refrain from personal business activity that could impair her ability to make impartial decisions. The City Finance Officer, acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy. In case of extended leave of absence, the Governing Board shall appoint a replacement Officer.

3. AUTHORIZED FINANCIAL DEALER AND INSTITUTION

The Governing Board authorizes the placement of cash resources in the following financial institutions:

- Dacotah Bank,
- Bank of the West, and,
- South Dakota Public Funds Investment Trust (FIT).

4. AUTHORIZED AND SUITABLE INVESTMENTS

The City of Clark, is empowered by statute to invest in the following types of securities:

- Interest bearing checking accounts,
- United States Treasury bills, bonds and notes (SDCL 4-5-6),
- United States Government Agencies (SDCL 4-5-6),
- Certificates of Deposit (CDs) - not to exceed 18 month maturities (SDCL 4-5-6)*
- Certificates of Deposit (CDs) purchased through CDARS (Certificate of Deposit Account Registry Service) - not to exceed 18 month maturities (SDCL 4-5-6.1)*,
- Money Market Mutual Funds - open-end, no-load (SDCL 4-5-6),
- Repurchase Agreements fully collateralized by allowable securities (SDCL 4-5-6), and,
- Local Government Investment Pool.

*When investing in Certificates of Deposit (CDs) public funds will be invested at the highest rate of interest possible after attempting to secure three quotes.

5. COLLATERALIZATION

In accordance with the SDCL 4-6A, 51A-10-9, and 52-5-20, Qualified Public Depositories will furnish collateral in the sum equal to one hundred percent (100%) of the public deposit accounts that exceed deposit insurance. The financial institution shall submit a copy of their collateralization report to the City Finance Officer.

6. REPORTING

When funds are invested pursuant to this policy, the City Finance Officer shall prepare an investment report not less than quarterly, that provides a clear picture of the status of the

current investment. The report will include the following: (Pie or Bar Chart)

- Percent invested in each security type (CD, US Treasury, money market funds, etc),
- Listing of investments by maturity date, and,
- Percent held by each financial institution.

7. INTEREST EARNED

The interest earned from investments shall be credited to the respective fund, except Agency funds. At year end, all investment income will be transferred to the General Fund. (SDCL 4-5-9).

Adopted this 6th day of March, 2006.

Lester C. Solberg, Mayor

ATTEST: Jackie Luttrell, City Finance Officer

Equalization Meeting

2006 Equalization Meeting will be held on March 20, 2006 at 7:00.

Fire Department

No representative appeared before Council.

Gruenwald Development: TIF Request

No representative appeared before Council.

Motion # 70-2006

Executive Session

Motion by Dreher and seconded by Pollock to close regular session at 8:14 pm and convene into executive session for personnel and contractual issues. All members voting yes. Motion carried.

Executive Session closed at 8:48 pm.

Motion # 71-2006

Hire Pool Manager

Motion by Streff and seconded by Kline to hire Melissa Rahn as the Pool Manager for the Summer 2006 season at a set pay of \$7.75/hour. All members voting yes. Motion carried.

Motion # 72-2006

Hire Lifeguards/Basket Attendants

Motion by Dreher and seconded by Brenden to hire the following pool employees for the 2006 season: Adrienne Brannon, Paige Paulson, Angie O’Neill, Becky Jenkins, Allyson Warkenthien for the position of Lifeguard and Instructor at a set pay of \$7.00/hour; Heather Borns and Caitlyn Bjerke at a set pay of \$6.75/hour while in training for their Lifeguard and WSI Instructor certificate and increase to \$7.00/hour upon completion; and Jordan Lindgren as Basket Attendant at a set pay of \$5.25/hour. Council voting yea were Dreher, Streff, Brenden and Pollock; Abstain was Kline. Motion carried.

Motion # 73-2006

Hire Head Landfill Attendant

Motion by Dreher and seconded by Brenden to hire Floyd Sjoberg at Head Landfill Attendant for the 2006 Dump season at a set pay of \$7.25/hour. All members voting yes. Motion carried.

Motion # 74-2006 **Hire Landfill Attendant**
Motion by Pollock and seconded by Streff to hire Ronnie Schorg at assistant Landfill Attendant for the 2006 Dump season at a set pay of \$7.00/hour. All members voting yes. Motion carried.

Motion # 75-2006 **Hire Street Assistant Summer Help**
Motion by Kline and seconded by Dreher to hire Curtis Binger as Street Assistant for the 2006 summer season at a set pay of \$7.00/hour. All members voting yes. Motion carried.

Motion # 76-2006 **Re-advertise Baseball & Softball Coaches Position**
Motion by Dreher and seconded by Streff to re-advertise the positions for summer Baseball and Softball coaches at a set pay of \$7.50/hour with a new application deadline of 5:00 pm on March 20, 2006.

Motion # 77-2006 **Adjourn**
Motion by Kline and seconded by Streff adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:50 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council & Equalization Meeting
March 20, 2006
7:00 PM**

Call to order: The Clark City Council met in session on March 20, 2006 at 7:00 pm in the Community Room at City Hall.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Others Present: Finance Officer Jackie Luttrell, Julie Foster, Bill Krikac, Todd Keyes. Mayor Solberg was absent.

Council President Dreher called the meeting to order at 7:05 pm.

Motion # 78-2006 **Adopt Agenda**
Motion by Streff and seconded by Brenden to adopt the agenda. All members voting yes. Motion carried.

Motion # 79-2006 **Planning & Zoning Meeting**
Motion by Pollock and seconded by Kline to close regular session and enter in the Planning & Zoning meeting to hold a joint Equalization and information meeting. All members voting yes. Motion carried.

Planning & Zoning Meeting began at 7:06 pm and ended 8:08 pm. Regular Council meeting resumed. Planning and Zoning Meeting minutes are documented separately.

Public Input

Councilman Pollock requested a few items to be added to the next regular council meeting regarding FEMA and tree cleanup.

Motion # 80-2006 **Approve Minutes**
Motion by Kline and seconded by Pollock to approve the Council Meeting Minutes from March 6, 2006. All members voting yes. Motion carried.

Council discussed late bills received by the Fire Department. The Fire Department will be responsible for any finance charges incurred from a late bill not being turned in to us in a timely fashion.

Motion # 81-2006 **Approve Claims**
Motion by DesLauriers and seconded by Brenden to approve the following claims. All members voting yes. Motion carried.

Paid March Claims

<u>Check #</u>	<u>Name</u>	<u>For</u>	<u>Amount</u>
1072	Milbank Winwater	water meters	\$40,559.01
19401	South Dakota State Treasurer	sales tax	\$2.66
19402	Wells Fargo Financial	copier	\$600.00
19403	Bank of the West	sludge tank loan	\$930.00
19404	Petty Cash	supplies	\$32.65
19405	SD Municipal League	meeting	\$154.00
19406	Darin Altfillisch	payroll	\$1,200.61
19407	Pam Ambrose	payroll	\$73.54
19408	Roger Collins	payroll	\$1,058.14
19409	Rae Jean Flora	payroll	\$605.53
19410	Keith Kruthoff	payroll	\$266.46
19411	Jackie Luttrell	payroll	\$806.38
19412	Stacy Mayou	payroll	\$1,060.10
19413	Loren Stanley	payroll	\$819.31
19414	Jeremy Wellnitz	payroll	\$646.71
19415	Bank of the West	payroll taxes	\$2,070.29
19416	Dacotah Bank	loan payment	\$1,332.35

Additional March Claims

<u>Name</u>	<u>For</u>	<u>Amount</u>
Alltel	utilities	\$147.20
Brown & Senger	election supplies	\$51.91
Cardell's	supplies	\$170.01
Clark Rural Water System	supplies	\$7,449.50
Cook's Wastepaper	garbage	\$32.70
Clark Community oil	supplies	\$1,456.20
DesLauriers Oil	supplies	\$75.51
Johnson Brothers Famous Brands	liquor	\$7,013.81
K&P Pump	sewer repairs	\$1,416.02
Milbank Winwater	supplies	\$240.00
M&T Fire & Safety	supplies	\$46.45
Municipal Emergency Services	fire dept. bunker gear	\$2,853.00
Northwestern Energy	utilities	\$25.32
Office Systems	supplies	\$28.40
Pitney Bowes	supplies	\$372.00
Quill	supplies	\$136.71
Ritter's Repair	repairs	\$575.95
RS Architect	professional fees	\$1,200.00
SD Dept. of Revenue	professional fees	\$248.00
Tee's Plus	DARE supplies	\$91.10
Westside Implement	fire dept. supplies	\$1,739.03

Motion # 82-2006

Advertise for Bid

Motion by Streff and seconded by Pollock to advertise for bid for a backhoe operator and residential solid waste collection for bid opening at the April 3, 2006 council meeting at 7:15 pm. All members voting yes. Motion carried.

2005 Audit

Council agreed on the need for the City to perform yearly audits. Luttrell will work with William Neal & Co. to have an agreement for approval at the next meeting.

Quarterly Award

Council discussed possible recipients for the Quarterly Award for the first quarter of 2006.

Motion # 83-2006

Executive Session

Motion by DesLauriers and seconded by Kline to close regular session at 8:24 pm and enter into executive session for personnel and contractual purposes. All members voting yes. Motion carried.

Executive Session ended at 8:44 pm.

Motion # 84-2006

Summer Rec Hiring

Motion by DesLauriers and seconded by Kline to hire Malissa Gruenwald, Amber Harrington and Kyle Christman for summer rec softball and baseball coaching at a pay of \$7.50/hour. All members voting yes. Motion carried.

Motion # 85-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:45 pm.

Council President Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Planning & Zoning Meeting
March 20, 2006**

Call to order: The City of Clark Planning and Zoning Commission met in session on March 20, 2006 at 7:00 pm in the Clark Community Room to hold a joint equalization and informational meeting.

Members Present: Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Others Present: Don DesLauriers, Finance Officer Jackie Luttrell, School Board Member Julie Foster, Bill Krikac and Todd Keyes.

Councilman Dreher called the meeting to order at 7:06 pm.

Latunski Appeal

The Board reviewed one appeal received from Danny Latunski for the property at 109 3rd Ave. N.W..

Motion by Pollock and seconded by Kline to reduce the assessed values as follows: House and garage reduced to \$40,372 and Land value remained the same at \$3,058. All members voting yes. Motion carried.

Planning & Zoning

Todd Keys, Senior Planner at First District of Local Government, addressed the Commission on the need to review the Comprehensive Land Use and Zoning Ordinance as it was written almost six years ago. He answered the Commissioners questions on transitional zones outside the city limits, annexation, assessing water and sewer improvements, and TIF Districts.

Adjourn

Motion by Kline and seconded by Streff to adjourn the Planning & Zoning meeting and reopen the regular council meeting.

Meeting adjourned at 8:08 pm.

Councilman Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
April 3, 2006
7:00 PM**

Call to order: The Clark City Council met in session on April 3, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Assistant Police Chief Jeremy Wellnitz, Bill Krikac, Keith Warren, Clara Luvaas, Nancy Worth, Bryan Wientjes, Keith Zobel, Randy Gruenwald, Bill Ellingson, Jim Holbeck, Jim Forest, Sharon Larson, Bill Wolf, Michael Cook, Julie Brandenburger, Eric Brandenburger.

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

Motion # 86-2006

Adopt Agenda

Motion by Dreher and seconded by Brenden to adopt the agenda. All members voting yes. Motion carried.

Public Input

Kline suggested general maintenance for the swimming pool park for the upcoming summer festivities. Dreher stated the west side sidewalks on Commercial Street will be replaced starting within the next couple of weeks.

Motion # 87-2006

Approve Minutes

Motion by Pollock and seconded by Streff to approve the Council Meeting Minutes from March 20, 2006. All members voting yes. Motion carried.

Motion # 88-2006

Approve Financial Statements

Motion by Dreher and seconded by DesLauriers to approve the financial statements. All members voting yes. Motion carried.

Motion # 89-2006

Approve Claims

Motion by Kline and seconded by Brenden to approve the following claims. All members voting yes. Motion carried.

Additional March Claims

Check #	Name	For	Amount
19437	Cardmember Services	police supplies	\$98.28
19438	Ramada Inn	meeting expenses	\$17.00
19439	Petty Cash	supplies & maintenance	\$52.38
19440	Pioneer Bank & Trust	copier lease	\$157.00

Additional March Claims

Check #	Name	For	Amount
19441	Darin Altfillisch	payroll	\$1,182.14
19442	Roger Collins	payroll	\$1,058.14
19443	Rae Jean Flora	payroll	\$605.53
19444	Keith Kruthoff	payroll	\$266.46
19445	Jackie Luttrell	payroll	\$825.62
19446	Stacy Mayou	payroll	\$1,060.10
19447	Ronald Schorg	payroll	\$118.10
19448	Loren Stanley	payroll	\$819.31
19449	Jeremy Wellnitz	payroll	\$646.71
19450	Sharon Bjerke	payroll	\$266.28
19451	Ryan Burke	payroll	\$238.19
19452	Eileen Dunbar	payroll	\$188.09
19453	Robert Gergen	payroll	\$852.04
19454	Alan Hollatz	payroll	\$173.74
19455	John Howardson	payroll	\$124.67
19456	Carmen Kloster	payroll	\$327.84
19457	Dorcas Proxtexter	payroll	\$695.43
19458	Patricia Rosenau	payroll	\$25.85
19459	Lester Solberg	payroll	\$364.78
19460	Teri Stokely	payroll	\$277.36
19461	Bank of the West	taxes	\$897.01
19462	AFLAC	insurance	\$229.80
19463	Bank of the West	taxes	\$2,072.46
19464	SD Retirement	retirement	\$2,425.76
19465	VALIC	retirement	\$25.00
19466	The US Life Insur.	insurance	\$14.60
19467	Wellmark BCBS	insurance	\$4,191.76
19468	IRS	taxes	\$603.50
19469	Alan Hollatz	retirement	\$1,033.46
19470	Bank of the West	taxes	\$144.88
19471	Watertown Rec Center	class	\$100.00
19472	Aberdeen Family YMCA	class	\$230.00

New April Claims

To	For	Amount
SD Rural Development	water revenue bond	\$908.00
SD Rural Development	sewer revenue bond	\$787.00
A-OX Welding	supplies	\$7.00
A Tech Sewer Cleaning	sewer televising	\$3,000.00
Baker & Taylor Books	books	\$22.01
Banyon Data Systems	support	\$1,540.00
Book of the Month Club	books	\$22.48
Dacotah Bank	loan payments	\$3,655.42
Desnoyers Hardware	supplies	\$64.81
First National Bank	sewer loan payment	\$6,940.29
Fjelland Attorney at Law	legal fees	\$474.40

New April Claims

To	For	Amount
ITC Rural Economic	loan payments	\$2,813.54
ITC	utilities	\$427.13
Johnson Brothers	liquor	\$4,264.53
Larry Bartels	softball supplies	\$368.39
Literacy Guild	books	\$47.22
Mack's	supplies	\$184.30
NAPA Auto Body	supplies	\$30.55
Northwestern Energy	utilities	\$7,323.91
Olson's Auto Parts	supplies	\$217.94
Olson's Motor Co.	repairs	\$150.99
Oscar's Machine Shop	repairs	\$1,089.51
Sanitation Products	repairs	\$1,014.84
SoDak Distributing	liquor	\$5,998.84
Star Laundry	maintenance	\$49.40
Westside Implement	supplies & maintenance	\$425.12

Police Report

Assistant Police Chief Wellnitz gave the police report: 1265 miles patrolled with three non-injury accidents, one failure to yield, one exhibition driving and two speed citations.

Motion # 90-2006

Approve Police Report

Motion by Dreher and seconded by Kline to approve the police report. All members voting yes. Motion carried.

Emergency Management

County Emergency Management Coordinator Bryan Wientjes addressed the Council on the necessity of having Incident Command System (ICS) classes that are required for Council members, some City employees, police, firefighters, EMTs and paramedics. Classes are available over the internet or participants can attend classes on May 13 and 14. This is a requirement to obtain grants and classes must be completed by 1/1/07.

Wientjes and Keith Zobel addressed the Council on a Ford F550 crew cab dually 4x4 pickup that is on hold for the Fire Department. This is a potential replacement for their grass fire truck. The cost is \$29,000. Due to not budgeting this expense, bid requirements and open meeting laws, the council was unable take any action. Council asked the Fire Department to get creative in finding a way to purchase their equipment.

Call for Bids Backhoe Operator

At this time the Council held the public bid opened for a one-year contract for a backhoe service operator. One bid was received from Forest Excavating for \$65/hour for backhoe & operator, plus \$30 for extra man.

Motion # 91-2006

Approve Backhoe Operator Bid

Motion by Dreher and seconded by DesLauriers to accept the bid from Forest Excavating for \$65/hour for backhoe and operator, plus \$30/hour for extra man. All members voting yes. Motion carried.

Call for Bids for Residential Solid Waste Collection

At this time the Council held the public bid opening for a one-year contract, starting May 1, for residential solid waste collection. One bid was received from Cook's Wastepaper & Recycling in the amount of \$9.95 per household (includes city compensation for administration) plus tax. Michael Cook was on hand to also explain in addition to collection, they are offering recycling twice a month and a 95 gallon cart for household garbage. Cook's would also like the City to consider changing the pickup date from Saturday to Friday. Council decided to ask their constituents about these other options before making a decision.

Motion # 92-2006

Approve Residential Solid Waste Collection

Motion by Streff and seconded by Dreher to approve the residential solid waste collection bid from Cook's Wastepaper & Recycling at a price of \$9.95 per household (includes city administration fee), plus tax. All members voting yes. Motion carried.

Call for Bid for Surplus Copier

At this time the Council held the public bid opening for the surplus copier. As required by bid laws, three assessed values were received that averaged \$500. Bids must be at 90%, or \$450, of valuation. One bid was received from St. Paul Lutheran Church at a bid price of \$451.30.

Motion # 93-2006

Approve Bid for Surplus Copier

Motion by DesLauriers and seconded by Pollock to accept the bid from St. Paul Lutheran Church for the surplus Konica copier for \$451.30. All members voting yes. Motion carried.

Planning & Zoning Meeting

Planning & Zoning Members Present: Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden and John Pollock.

The Planning & Zoning meeting was called to order at 7:40 pm.

Motion # 94-2006

Planning & Zoning Meeting

Motion by Brenden and seconded by Pollock to open the scheduled Planning & Zoning meeting to hold a public hearing for a proposed TIF district and rezoning request. All members voting yes. Motion carried.

Motion # 95-2006

Approve 3/20/06 Planning & Zoning Minutes

Motion by Pollock and seconded by Kline to approve the March 20, 2006 Planning and Zoning meeting minutes. All members voting yes. Motion carried.

Public Hearing for Proposed TIF District No. 2

Bill Ellingson addressed the Council on the proposed Gruenwald development for 18 residential lots. Public improvements for water, sewer and 8” gravel bed for streets are expected to cost approximately \$192,000. The plan is not yet ready to be presented. Gruenwald has secured a loan through South Dakota Housing Development Authority. If the improvements are approved, the City would take out a loan to pay off that loan. The City is currently researching its debt limit to determine if they are able to take on this additional debt. Ellingson stated by approving a resolution to create the TIF district does not lock the City in to making the improvements. If funds are not available, the district is abandoned. If funds are determined to be available, the next step after approving the resolution is to adopt the Plan (which is not yet available) and enter into an agreement.

Motion # 96-2006

Recommendation to City Council

Motion by Pollock and seconded by Kline to make a recommendation from the Planning & Zoning Commission to the City Council to create TIF District No. 2. All members voting yes. Motion carried.

1st Quarter 2006 Award

The Planning & Zoning meeting took a short break to reconvene into regular session to announce the winner of the Quarterly Award for 1st Quarter of 2006. Jim Forest was awarded for his years of community service to City Council, Fire Department, School Board, and Rotary and his part in getting rural water lines to modernized farm houses.

The Planning & Zoning Meeting resumed.

Public Hearing for Rezoning Request

City Attorney Fjelland read the rezoning request from the City of Clark to rezone Lots 14 and 15, Block One, Original Plat from R2 to C1 for the future site of the medical building. No objections from public.

Motion # 97-2006

Recommendation to City Council

Motion by Dreher and seconded by Kline to make a recommendation from the Planning & Zoning Commission to the City Council to rezone Lots 14 and 15, Block One, Original Plat from R2 to C1. All members voting yes. Motion carried.

Motion # 98-2006

Joint Meeting

Motion by Brenden and seconded by Kline to open a joint meeting between the City Council and the Planning & Zoning meeting. All members voting yes. Motion carried.

Motion # 99-2006

Approve Resolution 751 Establish TIF District No.

Motion by Dreher and seconded by Streff to accept the Planning & Zoning’s recommendation to approve **Resolution 751 – A Resolution Establishing Tax Incremental District # 2 in the City of Clark**. All members voting yes. Motion carried.

RESOLUTION NO. 751

A RESOLUTION ESTABLISHING TAX INCREMENTAL DISTRICT #2 IN THE CITY OF CLARK, SOUTH DAKOTA.

The Clark City Council has received a recommendation from its Planning and Zoning Commission for the creation of a tax incremental district as authorized by South Dakota statutes SDCL Chapter 11-9. Upon consideration of all of the facts and circumstances regarding that recommendation, and good reasons appearing therefore,

IT IS HEREBY RESOLVED by the City Council of the City of Clark, South Dakota as follows:

1. That the proposed Tax Incremental District #2 includes property located in the City of Clark, South Dakota, described as follows:

The rectangular area including 786 feet west of the west line of Idaho Street and 1,565 feet south of the south line of First Ave. N. in the City of Clark, South Dakota, which also can be described as a parcel of land bounded on the east by Idaho Street, on the west by a line parallel to and distant 786 feet west of Idaho Street, on the north by First Avenue North, and on the south by a line parallel to and 1,565 feet south of First Avenue North, consisting of approximately 28 acres.

2. Most of the entire area consists of bare unimproved land. Most of the area is open, undeveloped and because of inadequate site improvements and infrastructure, it remains undeveloped and substantially impairs the sound growth of the City of Clark and is therefore a blighted area as defined by South Dakota Law.

3. The proposed improvements of residential and possible commercial development of this area is likely to significantly enhance the value of substantially all of the other real property in the district.

4. The Council finds that the aggregate assessed value of the taxable property in the district plus the tax incremental base of all other existing districts does not exceed ten percent (10%) of the total assessed value of taxable property in the municipality.

5. The Council finds that not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area.

6. That this Tax Incremental District be and is hereby created as of the effective date of this Resolution.

7. Since this is the second district created in this municipality it shall be known as "Tax Incremental District No. 2, City of Clark, South Dakota."

Adopted this 3rd day of April, 2006.

ATTEST:
Jackie Luttrell, Finance Officer

Lester C. Solberg, Mayor

DATE ADOPTED: April 3, 2006
DATE PUBLISHED: April 12, 2006
EFFECTIVE DATE: May 2, 2006

Motion # 100-2006 **Ordinance #455 Rezoning**
Motion by Kline and seconded by DesLauriers to accept the Planning & Zoning board's recommendation to do a first reading of **Ordinance #455 – An Ordinance Amending the Official Zoning Map of the City of Clark**. All members voting yes. Motion carried.

Motion # 101-2006 **Adjourn Joint Meeting**
Motion by Dreher and seconded by Streff to adjourn joint meeting and reconvene into the regular City Council meeting. All members voting yes. Motion carried.

Transfer of Liquor Agreement
Via City Attorney Chad Fjelland, Council heard a request from Ray Hirte, owner of Reggie's, to transfer Reggie's liquor agreement to Julie and Eric Brandenburger who are planning on leasing the building for a one year period to open a new restaurant, Out West Grill & Bar. Tentative opening date is April 15, 2006.

Motion # 102-2006 **Executive Session**
Motion by Dreher and seconded by Streff to enter into Executive Session for contractual reasons. All members voting yes. Motion carried.

Executive Session began at 8:10 pm and ended at 8:20 pm.

Motion # 103-2006 **Terminate Reggie's Operating Agreement**
Motion by DesLauriers and seconded by Dreher to terminate the operating agreement with Reggie's. All members voting yes. Motion carried.

Motion # 103-2006 **New Operating Agreement with Out West**
Motion by Kline and seconded by Streff to enter into an operating agreement with Julie and Eric Brandenburger to open a new restaurant – Out West Grill & Bar, and to allow Mayor Solberg to sign the agreement. All members voting yes. Motion carried.

Motion # 104-2006 **Election Canvas Meeting**
Motion by Streff and seconded by Brenden to schedule the Election Canvas Meeting for 6:00 pm on April, 12, 2006. All members voting yes. Motion carried.

Motion # 105-2006 **Approve 1st Qtr Library Financial Statement**
Motion by DesLauriers and seconded by Pollock to approve the Library's 1st Quarter financial statements. All members voting yes. Motion carried.

FEMA/Tree Removal/Generator

FEMA money has been received to reimburse the City and Fire Department for filed expenses. The Fire Department is eligible to receive \$1,462.32 for their expenses. Tree removal around the City will be residents' responsibility. The City Dump continues to accept trees at no charge. Pollock stated that some communities received hefty fines for sewer dumping due to no electricity. He states we need to budget a generator into the 2007 budget.

Motion # 106-2006

FEMA Money

Motion by DesLauriers and seconded by Pollock to reimburse the Fire Department \$1,462.32 for their expenses from the November 2005 Ice Storm. All members voting yes. Motion carried.

Dump Report

Dump opened up on April 1, 2006 and was very busy with tree and branch clean up. Hours and dump prices will remain the same this year. The City has to pay 6% tax on all revenue received from the dump so this additional cost may be added to next year's rates. Dump fliers will be going out in the May water bills showing the hours and rates. The Dump will be locked after non-business hours starting immediately.

Motion # 107-2006

Approve Dump Report

Motion by Dreher and seconded by Kline to approve the Dump Report. All members voting yes. Motion carried.

125th Anniversary Update

Dreher reported that the Fire Department is planning a street dance to coincide with the celebration on June 10, 2006.

Motion # 108-2006

Arbor Day Proclamation

Motion by Dreher and seconded by Kline to proclaim April 28, 2006 as Arbor Day in the City of Clark and to plant two trees in the Swimming Pool Park. All members voting yes. Motion carried.

Motion # 109-2006

2005 Audit

Motion by Streff and seconded by Brenden to approve William Neale & Co. to perform the 2005 audit at a price of \$45 per hour, but not to exceed \$11,250.00. All members voting yes. Motion carried.

Motion # 109-2006

Clark Traders Amateur Baseball

Motion by DesLauriers and seconded by Pollock to approve \$500 to support the Clark Traders Amateur baseball program. All members voting yes. Motion carried.

Motion # 110-2006

Northwestern Bankruptcy & Late Fees

Motion by Dreher and seconded by Streff to approve writing off the late fees incurred during the bankruptcy reorganization of Northwestern Energy. Account 02-00004270-00-3 incurred \$330.00 in late fees and account 02-00004260-00-0 incurred \$310.00 in late

fees. Members voting yes: DesLauriers, Dreher, Streff, Kline and Brenden. Abstain: Pollock. Motion carried.

Motion # 111-2006

Executive Session

Motion by DesLauriers and seconded by Dreher to close regular session at 8:39 pm and enter executive session for contractual purposes. All members voting yes. Motion carried.

Executive session ended at 8:55 pm.

Motion # 112-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:56 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
May 1, 2006
7:00 PM**

Call to order: The Clark City Council met in session on May 1, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Roberta Heim, Bill Krikac, Keith Warren, Michael Cook, Ken Bell, Nan Bell, Gene Furness, Gary Heineman, Stacy Mayou, Warren Brandlee, Tom LaBrie, Darryl Tonak, Dave Musser and Beth Hollatz.

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

Motion # 122-2006 **Adopt Agenda**
Motion by Kline and seconded by Pollock to adopt the agenda. All members voting yes.
Motion carried.

Motion # 123-2006 **Approve Minutes**
Motion by Pollock and seconded by Streff to approve the Council Meeting Minutes from April 12, 2006. All members voting yes. Motion carried.

Motion # 124-2006 **Approve Financial Statements**
Motion by Dreher and seconded by DesLauriers to approve the financial statements. All members voting yes. Motion carried.

Motion # 125-2006 **Approve Claims**
Motion by Dreher and seconded by Brenden to approve the following claims. All members voting yes. Motion carried.

Additional April Claims

Check #	Name	For	Amount
19528	Clark American Legion	legion baseball	\$1,500.00
19529	Darin Altfillisch	payroll	\$1,071.42
19530	Roger Collins	payroll	\$1,148.26
19531	Rae Jean Flora	payroll	\$605.53
19532	Keith Kruthoff	payroll	\$260.07
19533	Jackie Luttrell	payroll	\$825.62
19534	Stacy Mayou	payroll	\$1,060.10
19535	Melissa Rahn	payroll	\$96.62
19536	Floyd Sjoberg	payroll	\$486.11
19537	Loren Stanley	payroll	\$898.56
19538	Jeremy Wellnitz	payroll	\$646.71

Additional April Claims

Check #	Name	For	Amount
19539	Bank of the West	941 taxes	\$2,213.64
19540	Clark County Treasurer	taxes	\$517.48
19541	Brock Greenfield	reissued check	\$50.00
19542	Alltel	utilities	\$122.34
19543	SD Assoc. of Code Enforcement	conference	\$50.00
19544	Petty Cash	supplies	\$74.53
19545	Darin Altfillisch	payroll	\$1,115.70
19546	Roger Collins	payroll	\$1,058.14
19547	Rae Jean Flora	payroll	\$605.53
19548	Keith Kruthoff	payroll	\$247.31
19549	Jackie Luttrell	payroll	\$806.38
19550	Stacy Mayou	payroll	\$1,060.10
19551	Melissa Rahn	payroll	\$26.84
19552	Ronald Schorg	payroll	\$189.67
19553	Floyd Sjoberg	payroll	\$401.99
19554	Loren Stanley	payroll	\$819.31
19555	Jeremy Wellnitz	payroll	\$646.72
19556	Sharon Bjerke	payroll	\$257.05
19557	Ryan Burke	payroll	\$233.23
19558	Eileen Dunbar	payroll	\$188.09
19559	Robert Gergen	payroll	\$757.62
19560	John Howardson	payroll	\$207.37
19561	Carmen Kloster	payroll	\$301.48
19562	Beverly Kluess	payroll	\$51.72
19563	Dorcas Protexter	payroll	\$646.18
19564	Lester Solberg	payroll	\$364.78
19565	Teri Stokely	payroll	\$269.13
19566	Bank of the West	941 taxes	\$820.89
19567	AFLAC	insurance	\$229.80
19568	Bank of the West	941 taxes	\$2,148.83
19569	VALIC	insurance	\$25.00
19570	American Family Insurance	insurance	\$6.83
19571	The US Life Insurance Co.	insurance	\$14.60
19572	SD Retirement Systems	retirement	\$2,408.88
19573	Wellmark BCBS	insurance	\$4,191.76

New May Claims

Name	For	Amount
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
A-OX Welding Supply	supplies	\$8.06
Baker & Taylor Books	books	\$18.84
Bank of the West	savings bond	\$75.00
Book of the Month Club	books	\$22.98
Cardell's	supplies	\$80.00
Clark County Courier	advertising	\$510.95

New May Claims

Name	For	Amount
Clark County Treasurer	street supplies	\$4,002.68
Clark School	books	\$35.00
Codington-Clark Equipment	maintenance	\$58.56
Dacotah Bank	loan payment	\$3,655.42
DesLauriers Oil	dump supplies	\$41.80
Desnoyers Hardware	supplies	\$118.21
Expetec Tech Services	professional fees	\$564.51
Fjelland Attorney at Law	legal fees	\$589.60
Florey's Plumbing	park repairs	\$104.22
Gov. Finance Officer Assoc	conference fees	\$100.00
Gruenwald Electric	siren repairs	\$195.42
Hillcrest Electric	siren repairs	\$91.50
Int'l Police Technologies	supplies	\$69.25
ITC Rural Economic	loan payment	\$2,813.54
ITC	utilities	\$426.79
Jim Fielder	maintenance	\$195.00
Johnson Brothers Famous Brands	liquor	\$6,554.10
Literacy Guild	books	\$29.08
Lyle Signs, Inc.	supplies	\$159.22
Mack's	supplies	\$360.75
Northwestern Energy	utilities	\$6,110.77
Office Systems	maintenance	\$15.15
Olson Auto Parts	supplies	\$4.68
Olson's Motor Company	repairs	\$701.08
SD Assoc. of Rural Water System	professional fees	\$285.00
SD Dept. of Revenue	water testing	\$729.00
SoDak Distributing	liquor	\$7,425.08
Star Laundry	maintenance	\$49.40
Stacy Mayou	meal reimbursement	\$9.00
The Library Store	supplies	\$25.97
The Tree Farm	trees	\$123.80
USA Blue Book	sewer supplies	\$413.07
Woodring Plumbing	repairs	\$299.88
Zobel Construction	maintenance	\$375.00

Oath of Office

At this time, new councilperson Roberta Heim and unopposed council members Louann Streff and John Pollock took their Oaths of Office. Roberta Heim took Lyle Brenden's seat at the council table.

Motion # 126-2006

Council President

Motion by Kline and seconded by DesLauriers to nominate Larry Dreher as Council President. Streff made a motion that nominations cease. All members voting yes. Motion carried.

Motion # 127-2006

Council Vice President

Motion by Kline and seconded by Streff to nominate John Pollock as Council Vice President. Dreher made a motion that nominations ceased. All members voting yes. Motion carried.

Public Input

No public came forward for input.

Police Report

Police Chief Mayou reported 1366 miles patrolled with one non-injury accident. Citations and arrests: 3 speed, 3 no insurance, 2 driving under suspension, 2 possession of tobacco by minor, 2 simple assaults, 1 intentional damage to property, 1 disorderly conduct, 3 underage consumption and 2 DWI. Mayou attended DNA training in Watertown.

Motion # 128-2006

Approve Police Report

Motion by Dreher and seconded by Streff to approve the police report. All members voting yes. Motion carried.

Cook's Recycling & Wastepaper

Michael Cook from Cook's Recycling addressed the Council regarding tabled items from April. Cook's would like to switch residential garbage pickup day from Saturday to Friday. Carts will be made available to residents for garbage pickup. Michael brought in a cart to show the Council. A smaller cart is available for residents who don't feel they would need the large one. A cart will be left at City Hall for residents to view. If a resident needs an additional cart, they will be charged an extra \$5 per cart. Recycling will be available to all residents twice a month. Cook's will provide City Hall with a flier showing what is recyclable and when the pickup dates will be. Notices will be included in the June bills to begin the noted changed starting July 1, 2006.

Medical Building Update

Streff gave an update on the medical building. They are working on getting a maximum price from the Construction Manager and also planning on advertising for bids. They expect a June 1st start date and construction to last seven months. City Attorney has been researching a way to have the construction loan to not apply to the city debt limit.

Motion # 129-2006

Ordinance #455 Rezoning Medical Building Lots

Motion by DesLauriers and seconded by Pollock to approve the second reading of Ordinance # 455 An Ordinance Amending the Official Zoning Map. All members voting yes. Motion carried.

Ordinance #455

AN ORDINANCE AMENDING THE OFFICAL 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 R2-General Family Residential to C1-Central Commercial pursuant to authority to amend said zoning map exercised by the City Council upon recommendation of the Clark Planning and Zoning Commission:

Lots Fourteen and Fifteen, Block One, Original Plat of Clark Center, now 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.

CITY OF CLARK
Lester C. Solberg, Mayor

Attest: Jackie Luttrell, Finance Officer
First Reading: April 3, 2006
Second Reading: May 1, 2006
Adopted: May 1, 2006
Published: May 3, 2006
Effective May 23, 2006

Grants

Luttrell informed the Council that the City put in a grant request with the County for 50/50 cost share for mosquito chemical. Two barrels of mosquito mist will cost \$6,457.00. This grant deadline was 4/30/06. A 80/20 transit grant is available for a new medical van. Discussion surrounded whether the Council should put in for this grant.

Motion # 130-2006

Transit Grant

Motion by Pollock and seconded by Streff to approve filing for the 80/20 transit grant. All members voting yes. Motion carried.

Motion # 131-2006

City Wide Cleanup & Free Dump Day

Motion by Dreher and seconded by Heim to approve May 6, 2006 as free dump day, excluding commercial, to coincide with the Rotary Citywide Clean up day, and to set May 6, 2006 as the last day of free dumping of storm trees.

7:30 PM Public bid Opening for 1966 Dodge Power Wagon

Being the set time for the public bid opening for the 1966 Dodge Power Wagon fire truck, Finance Officer Luttrell informed the council of the two appraised values received of \$650 and \$1,500. One bid was received from Bob Johnson for \$465.00.

Motion # 132-2006

Reject Bid

Motion by Pollock and seconded by Dreher to reject the bid of \$465 from Bob Johnson for the sale of the fire truck and instead, put the truck on the next auction at Clark Sales. All members voting yes. Motion carried.

Mayoral Appointments

Much discussion surrounded the Mayor’s appointments to the Industrial Development board. Mayor Solberg wishes to fill the remaining 3 year term from Warren Brandlee’s resignation with Darryl Tonak. Lyle Brenden’s term ended and Mayor Solberg reappointed Brenden to another five year term. The remaining members for the five member board include Francis Hass (1 year remaining), Keith Warren (4 years remaining), and Rick Worth (2 years remaining).

The Council and public discussed their concerns about the current board, questioned why they are appointed by the mayor, their wish for a better understanding of the corporation, what are their by-laws and why the bylaws aren’t available to the Council. When Councilman Dreher requested a copy of the bylaws from Keith Warren, Warren conferred with Fjelland who concluded that that the bylaws are available to CIDC members; however, who makes up the membership is unknown as the CIDC was originally founded in the 1970’s. Fjelland stated that the Mayor appoints the Board with the council’s approval.

Motion # 133-2006

Mayor Appointments

Motion by Dreher and seconded by Roberta to approve the following Mayor Appointments, with the exception of the Industrial Development board. All members voting yes. Motion carried.

Year 2006

Mayor Lester C. Solberg Appointments

Streets, Alleys, Sidewalks & American Disabilities Act.....	Louann Streff
Pool & Rubble Site	Larry Dreher
City Parks, Water & Sewer	John Pollock
Police, Fire Dept. & Emergency Management	Roberta Heim
Zoning Officer, Finance Dept, Liquor Officer & Med Van	Kerry Kline
Recreation Director, Softball & Baseball Complex.....	Don DesLauriers
Finance Officer	Jackie Luttrell
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	Bryan Wientjes
125 th Anniversary City Rep	Larry Dreher

Library Board

Joyce Warren – 1 yr
Beverly Clausen – 1 yr
Carolyn Harding – 5 yrs
Bev Kluess- 2 yrs
Nancy Fischer – 2 yrs

Planning Commission

Larry Dreher
Roberta Heim
Kerry Kline
Louann Streff
John Pollock

Park Board

Kerry Kline
Dorcas Protexter
Rae Jean Flora

Clark Housing & Redevelopment Board

Chuck Bokinski – 3 yrs
Bill Krikac – 2 yrs
Sandy Altfillisch – 1 yr
Bob Schlueter – 5 yrs
Tracy Aquayo – 4 yrs
Theresa Kaufman - Secretary

Motion # 133-2006

Mayor Appointments

Motion by Dreher and seconded by DesLauriers to table the Industrial Development board appointments. All members voting yes. Motion carried.

Motion # 134-2006

Oil for Street Department

Motion by Dreher and seconded by Streff to approve the Street Department request to purchase \$9,500 work of oil for top coating roads. All members voting yes. Motion carried.

Commercial Street Sidewalk Project

The replacement of the sidewalk along the west side of Commercial Street business district is a go. The work will start at the south side and go north. The timeline depends on weather and will try to work around the 125th Anniversary celebration.

Motion # 135-2006

Pool and Summer Recreation Rates

Motion by Dreher and seconded by Pollock to approve the following rates for the pool and summer recreation programs with two swimming sessions: June 19 – 30 and July 17 -28. All members voting yes. Motion carried.

Family Pool Pass (includes all swimming lessons)	\$110
Family Pass (without swimming lessons).....	\$85
Individual Pool Pass (includes one lesson).....	\$60
Individual Swimming Lesson	\$20
Private Lessons (5 - 30 minutes lessons)	\$30
Daily Pass – Adult	\$3
Daily Pass – Student	\$2
Boys & Girls Ball Program.....	\$20

Motion # 136-2006

Summer Rec Sign Up

Motion by Dreher and seconded by Kline to pay the meals for the summer recreation sign up workers for May 15 and May 16. All members voting yes. Motion carried.

Playground Equipment

Streff informed the Council that the City insurance feels the City ought to put pea rock around all the playground equipment for safety reasons. Streff states the Park supervisor estimates the costs to be around \$30,000. No action taken as other options will be researched.

Capital Community Award

Tom LaBrie addressed the Council on the joint efforts of Rural Development, Gary Heineman, Keith Warren and himself on the application for a Capital Community Award through the Federal Home Loan Bank in Des Moines, IA. The group worked to put together Clark's accomplishments from the past seven years. A copy of these accomplishments, that were part of the application, was handed out to each council member. Even though Clark did not receive the award, they did receive honorable mention and a plaque that will hang in City Hall.

Motion # 137-2006

Relay for Life

Motion by Pollock and seconded by DeSLauriers to approve American Cancer Society's request to use Dickinson Park for their annual Relay for Life event on June 2 & 3, 2006. All members voting yes. Motion carried.

Motion # 138-2006

Code Enforcement

Motion by Dreher and seconded by Streff to approve travel and conference expenses for Jackie Luttrell to attend the SD Association of Code Enforcement in Pierre, SD on May 3 and 4, 2006. All members voting yes. Motion carried.

Motion # 139-2006

Finance Officer School

Motion by Pollock and seconded by Kline to approve travel and conference expenses for Jackie Luttrell and Rae Jean Flora to attend Finance Officer School in Watertown, SD on June 14 and 15, 2006. All members voting yes. Motion carried.

Motion # 140-2006

Firewall

Motion by Dreher and seconded by Heim to conditional approve the quote from Expetec for a firewall for the Finance Office, Police and Library for \$1,476.91 for a firewall, unless ITC is able to provide a similar service. All members voting yes. Motion carried.

Motion # 141-2006

Malt Beverage License

Motion by Dreher and seconded by Kline to approve the malt beverage licenses for the Clark American Legion, Playhouse, and Clark Lanes effective July 1, 2006. All members voting yes. Motion carried.

Motion # 142-2006

Donated Gazebo

Motion by Pollock and seconded by Dreher to accept a gazebo donated by Darryl and Sharon Tonak and express the Council's appreciation for the donation. All members voting yes. Motion carried.

City Attorney Fjelland stated the scheduled Planning & Zoning meeting is not necessary as the actions to be reviewed can be handled by the City Council.

Planning & Zoning Items

The City has been notified by Paul Kittelson of his request to move in his house from Redfield to a lot on N. Smith St. Council feels that the bond should be set at the same amount as the last similar request - \$10,000. Council requests a picture of the house being moved in and to confirm the type of home, regular construction vs. manufactured.

Kline discussed her desire to rezone the northern part of the City from Agriculture to Residential. The change does not affect the taxes on the property. It only affects the permitted uses. Council agreed to proceed with the rezoning actions.

No items for executive session.

Motion # 143-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:30 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
April 12, 2006
6:00 PM**

Call to order: The Clark City Council met in session on April 12, 2006 at 6:00 pm in the City Hall Council Room for the purpose of canvassing the election and general business.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland and Glen Warkenthien.

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

Motion # 113-2006

Adopt Agenda

Motion by Pollock and seconded by Streff to adopt the agenda. All members voting yes. Motion carried.

Canvas Election

Finance Officer Luttrell reported a 36% voter turnout for the Ward I election held on April 11, 2006.

Motion # 114-2006

Accept Election Results

Motion by Pollock and seconded by DesLauriers to accept the votes by the City Council, acting as the canvassing board for the April 11, 2006 election, as follows:

Ward I:	Lyle Brenden: 38 votes	Ward II:	Louann Streff (Unopposed)
	Roberta Heim: 83 votes	Ward III:	John Pollock (Unopposed)

Members voting yes: DesLauriers, Streff, Kline, Brenden and Pollock. Absent: Dreher. Motion carried.

Public Input

Kline gave an update on the activities of the Community Assessment team in helping get the Hometown Variety store and a Community Education program in the community.

Councilman Dreher entered the meeting at this time.

Motion # 115-2006

Approve Minutes

Motion by Brenden and seconded by Pollock to approve the Council Meeting Minutes from April 3, 2006. All members voting yes. Motion carried.

Motion # 116-2006

Approve Claims

Motion by Dreher and seconded by Kline to approve the following claims. All members voting yes. Motion carried.

Additional April Claims

Check #	To	For	Amount
19497	Clark Traders	donation	\$500.00
19498	Clark Fire Department	reimbursement	\$1,462.32
19499	Bank of the West	loan payment	\$930.00

New April Claims

To	For	Amount
A & B Business Equipment	maintenance contract	\$32.06
Carlson Distributing	liquor	\$3,924.85
Carmen Kloster	professional fees	\$87.75
City of Clark	utilities	\$64.75
Clark Community Oil Company	supplies	\$1,836.87
Clark County Courier	advertising	\$473.49
Clark County Farmers Elevator	supplies	\$45.00
Clark Golf Club	refund	\$134.26
Clark Rural Water	supplies	\$7,745.60
Colonial Research	maintenance supplies	\$704.56
Cook's Wastepaper & Recycling	garbage collection	\$4,581.85
Credit Bureau of Watertown	professional fees	\$28.96
Dakota Electronics	supplies	\$10.25
Eileen Dunbar	professional fees	\$91.00
Ellwein	liquor	\$6,259.80
Ken's Food Fair	supplies	\$34.99
K & P Pump Repairs	repairs	\$311.46
Lyle Signs	supplies	\$236.01
Milbank Winwater	supplies	\$823.00
Moritz Publishing	supplies	\$84.50
Myrtle Cornelius	professional fees	\$87.75
Northwestern Energy	utilities	\$75.65
One Call Systems	locate tickets	\$2.00
Pioneer Bank & Trust	copier lease	\$157.00
Porter Distributing	liquor	\$211.00
Quill	supplies	\$58.59
RS Architect	professional fees	\$6,263.00
Star Laundry	rug cleaning	\$49.40
UBC	supplies	\$30.52

Motion # 117-2006

One-Day Liquor License

Motion by Pollock and seconded by Streff to approve a one-day liquor license for the Clark American Legion for a Legion district banquet on April 20, 2006. All members voting yes. Motion carried.

Legion Baseball

Glen Warkenthien asked the Council for their continued support of the Legion Baseball program. Brock Greenfield will coach the team again this year. Luttrell stated the last couple years the Council had given \$1500.

Motion # 117-2006

Legion Baseball Donation

Motion by Kline and seconded by Dreher to donate \$1500 to the Clark American Legion to support the Legion baseball team. All members voting yes. Motion carried.

Motion # 118-2006

Flower Pots

Motion by Brenden and seconded by DesLauriers to accept Kline’s proposal on the handling the flower pots the same way as last year – businesses assigned a flower pot and they plants and water it throughout the summer. All members voting yes. Motion carried.

Parks & Trees

Streff informed the Council on Rotary’s desire to apply for a tree grant and possibly taking over the Swimming Pool Park to use as their tree and landscaping project. Council responded very positively on the efforts put forth by the Rotary. More information will be forthcoming as more meetings are planned.

Fire Department Truck

The Fire Department purchased the Ford pickup that they discussed at the last meeting with their own funds. The old 1966 Dodge is titled to the City and therefore, we are required to follow the disposal of property rules governed by the State. Fjelland states we are unable to deed the vehicle to the Fire Department. An option is the City surplus the property and consider donating the amount received from the sale to the Fire Department.

Motion # 119-2006

Surplus 1966 Dodge Grass Fire Truck

Motion by Pollock and seconded by Kline to surplus the 1966 Dodge grass fire truck, appoint three landowners to appraise the truck, and advertise for bid the sale of the truck. All members voting yes. Motion carried.

Children at Play Signs

Luttrell read a request from Jenny Hallstrom regarding her desire to have street signs put up by her home daycare to remind drivers to slow down and watch for children. Four signs would cost approximately \$120.

Motion # 120-2006

Approve Signs

Motion by Dreher and seconded by Streff to approve purchasing four signs advising slow/caution Children at Play and to put them by Jenny’s Daycare located at 505 S. Smith. All members voting yes. Motion carried.

Motion # 121-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 6:45 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Special Council Meeting
May 22, 2006
7:00 PM**

Call to order: The Clark City Council met in session on May 22, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline (arrived at 8:23 pm), Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Craig Spieker, Gayle Wookey, Brock Greenfield, Tom LaBrie, Vicky Dreher, Randy Gruenwald, Toby Morris, Bob Hall, Willie Gruenwald, Steve Berg and John Howardson.

Mayor Solberg called the meeting to order at 7:04 pm.

Motion # 144-2006

Adopt Agenda

Motion by Dreher and seconded by Streff to adopt the agenda. All members voting yes. Motion carried.

Public Input

Pollock had two comments for public input: (1) serve beer at Clark Traders game from the concession stand and (2) post fees and regulations at the campground at Dickinson Park.

Motion # 145-2006

Approve Minutes

Motion by Dreher and seconded by Pollock to approve the Council Meeting Minutes from May 1, 2006. All members voting yes. Motion carried.

Motion # 146-2006

Approve Claims

Motion by Dreher and seconded by Heim to approve the following claims. All members voting yes. Motion carried.

May Paid Claims

Check #	Name	For	Amount
97	Bank of the West	Arbor Day supplies	\$25.00
19613	Jackie Luttrell	travel reimbursement	\$126.80
19614	Expetec	firewall	\$1,476.91
19615	Ellwein Brothers	liquor	\$8,175.70
19616	Carlson Distributing	liquor	\$3,642.40
19617	Porter Distributing	liquor	\$175.00
19618	City of Clark	utilities	\$64.75
19619	Petty Cash	supplies	\$44.84
19620	Cook's Wastepaper & Recycling	garbage collection	\$4,715.00
19621	SD Dept of Revenue	sales tax	\$19.89

May Paid Claims

Check #	Name	For	Amount
19622	Cook's Wastepaper & Recycling	garbage collection	\$32.70
19623	SD Dept of Revenue	liquor licenses	\$375.00
19624	Darin Altfillisch	payroll	\$1,237.51
19625	Roger Collins	payroll	\$1,140.07
19626	Rae Jean Flora	payroll	\$605.53
19627	Keith Kruthoff	payroll	\$560.03
19628	Jackie Luttrell	payroll	\$806.38
19629	Stacy Mayou	payroll	\$1,060.10
19630	Melissa Rahn	payroll	\$82.31
19631	Floyd Sjoberg	payroll	\$393.59
19632	Loren Stanley	payroll	\$819.31
19633	Jeremy Wellnitz	payroll	\$716.01
19634	Bank of the West	941 taxes	\$2,363.39
19635	Bank of the West	sludge tank loan	\$930.00
19636	Dacotah Bank	skid steer loan	\$1,332.35
19637	Pioneer Bank & Trust	copier loan	\$157.00
19638	Clark Rural Water	water	\$9,139.15
19639	alltel	utilities	\$221.42
19640	Aberdeen YMCA	swimming	\$500.00

May Additional Claims

Name	For	Amount
A & B Business Equipment	copier	\$66.62
Asphalt Paving & Materials	street supplies	\$10,328.34
Baker & Taylor	books	\$83.05
Book of the Month Club	books	\$22.98
Boss Construction	repairs	\$4,957.68
Cardmember Service	charges	\$224.14
Clark Community Oil	supplies	\$1,890.33
Clark County Farmers Elevator	park supplies	\$125.39
Credit Bureau of Watertown	professional fees	\$86.00
Dakota Electronics	police & fire dept supplies	\$319.30
Dakota Style	concessions	\$27.72
Ecolab Pest Elimination	pest control	\$72.00
Florey's Plumbing	repairs	\$92.73
Galls	supplies	\$236.97
Gruenwald Electric	repairs	\$465.78
Hawkins Water Treatment	pool supplies	\$4,315.61
Huron Culvert & Tank	street maintenance	\$258.44
Ken's Food Fair	supplies	\$11.07
M&T Fire & Safety	supplies	\$66.00
Milbank Communication	siren repairs	\$191.90
Milbank Winwater	water supplies	\$475.84
Moritz Publishing	supplies	\$76.90
Northwestern Energy	utilities	\$19.61
Olverson Transmission & Body	fire dept repairs	\$90.00

May Additional Claims

Name	For	Amount
One Call Systems	locate tickets	\$29.00
Oscar's Machine Shop	repairs	\$150.09
Playhouse	meals	\$33.55
Quill	supplies	\$29.08
Recreonics	pool supplies	\$159.05
RS Architects	professional fees	\$7,317.00
SD DENR	professional fees	\$600.00
SD Dept of Revenue	professional fees	\$248.00
Share Corp.	pool supplies	\$4,906.69
Shirts in the Works	summer rec supplies	\$156.00
Star Laundry	rug cleaning	\$49.40
UBC	supplies	\$45.44
Woodring Plumbing	repairs	\$91.80

Motion # 147-2006

Approve Boss Construction Claim

Motion by Pollock and seconded by DesLauriers to approve the claim from Boss Construction for \$4,957.68 for roof repairs at the water plant. This claim is covered by \$4,958 of water grants which will be an automatic supplement to the water budget. All members voting yes. Motion carried.

After this claim, there is \$6,412 remaining on the water grant from Phase I.

Medical Building Update

Louann Streff gave a medical building update. The building loan is eligible for a Tax Exempt Lease financing which excludes the debt from the City's debt limit. Fjelland has been in contact with Todd Meierhenry to do the paperwork. Bid opening is scheduled for 2:00 tomorrow, May 23, at City Hall. A variance is necessary for placement on the building next to residential property. More discussion at the June meeting.

Gruenwald Development & TIF District

Randy Gruenwald introduced Bob Hall and Toby Morris who encouraged the Council to consider more housing developments in Clark for economic growth. Morris also explained how the TIF would work. Spieker Dental Clinic has committed to building their new building on the land to support the TIF. Once a legal description is determined, the land will need to be rezoned Highway Commercial. Informal review of the council is that they are in support of the TIF and the next step would be to approve the TIF plan. Bill Ellingson will be contacted to have plan ready for June meeting.

Health Insurance Renewal

Luttrell advised the Council that the health insurance renewal indicates an increase of 7% with Wellmark Blue Cross Blue Shield. A preliminary quote was received from Sioux Valley Health Plan but not well received by the employees due to the lack of participating providers. The consensus of the employees is to stay with Wellmark insurance and consider a change in deductible. A decision is due at the June meeting.

Fire Truck Titles

Luttrell advised Council on her conversation with the State regarding transferring titles of the fire trucks. According to the State, being the Fire Department is a not for profit, volunteer organization, the City is allowed to transfer the title of the 1966 Dodge fire truck to the Fire Department. Discussion surrounded which vehicles are titled to the City and whose name should appear on the title.

Motion # 148-2006

Rescind Motion

Motion by Dreher and seconded by Heim to rescind motion #132-2006 in regards to selling the surplus 1966 Dodge Fire truck at the next Clark Sales. All members voting yes. Motion carried.

Motion # 149-2006

Transfer Title

Motion by Heim and seconded by Pollock to transfer the title of the 1966 Dodge Power Wagon to the Clark Fire Department and authorize Mayor Solberg to sign for the title transfer. All members voting yes. Motion carried.

Motion # 150-2006

Library Board

Motion by Dreher and seconded by Streff to correct the term of Carolyn Harding on the Library Board appointment to 3 years instead of 5 years per the Library Board's bylaws. All members voting yes. Motion carried.

Pool Update

Dreher gave a pool update stating it is operating and almost ready to open. An opening date will be published in the newspaper.

Motion # 151-2006

Scoreboard

Motion by DesLauriers and seconded by Dreher to purchase a new Daktronics keyboard for \$400 to be used at the baseball park and keep the old one at the softball park. All members voting yes. Motion carried.

Teener Baseball Coach

Still no coach for the Teeners. If a coach isn't found soon, there likely won't be a team.

Motion # 152-2006

Fireworks Donation

Motion by Heim and seconded by Dreher to donate \$750 to the Clark Chamber for the 4th of July Fireworks and to include a donation letter again in the June water bills. All members voting yes. Motion carried.

Memorials

The new U.S. flag in the Council Room and a planter at the Swimming Pool Park were donated by Les Solberg in memory of Darlene. Thank you, Les!

Motion # 153-2006

Executive Session

Motion by Dreher and seconded by Kline to close regular session and proceed into executive session for personnel issues. All members voting yes. Motion carried.

Executive session began at 8:41 pm and concluded at 9:45 pm.

Motion # 154-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:46 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
June 5, 2006
7:00 PM**

Call to order: The Clark City Council met in session on June 5, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Police Chief Jeremy Wellnitz, Bill Krikac, Greg Maag, Ken Bell, Sandy Bell, Keith Warren, Dale Jans, Bill Ellingson, Craig Spieker, Randy Gruenwald, Harvey Spieker, and Patricia Joanna.

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

Motion # 155-2006

Adopt Agenda

Motion by Kline and seconded by Streff to adopt the agenda. All members voting yes. Motion carried.

Public Input

The Quascentennial Anniversary group has requested the City to pay for cake to be served Sunday, June 11, at the community picnic. No action can be taken at public input.

Councilman Pollock revisited his last request to sell beer at Trader's game. He will check with the local bars to see if they'd be interested to set up a vendor booth.

Ken Bell addressed the Council on a community board that he'd like to put up next to Flat Iron Park. He's already purchased a Daktronics two-sided sign that would display time, temp, and messages that would be controlled by Clark Sales. The property is not owned by the City, but the Council is agreeable with the project if approved by the landowner.

Motion # 156-2006

Approve Minutes

Motion by Pollock and seconded by Heim to approve the Council Meeting Minutes from May 22, 2006. All members voting yes. Motion carried.

Motion # 157-2006

Approve Financial Statements

Motion by DesLauriers and seconded by Pollock to approve the financial statements. All members voting yes. Motion carried.

Motion # 158-2006

Approve Claims

Motion by Dreher and seconded by Kline to approve the following claims. All members voting yes. Motion carried.

Check #	Name	For	Amount
99	Bank of the West	savings bond	\$50.00
19676	Petty Cash	supplies	\$42.10
19677	Clark Chamber of Commerce	fireworks donation	\$750.00
19678	Daktronics	keypad	\$404.89
19679	ITC Rural Economic Development	loan payment	\$2,813.54
19680	Dacotah Bank	loan payment	\$3,655.42
19681	Darin Altfillisch	payroll	\$1,553.65
19682	Curtis Binger	payroll	\$103.28
19683	Kyle Christman	payroll	\$72.73
19684	Roger Collins	payroll	\$1,156.46
19685	Rae Jean Flora	payroll	\$605.53
19686	Amber Harrington	payroll	\$76.18
19687	Samantha Hoffman	payroll	\$31.17
19688	Keith Kruthoff	payroll	\$560.03
19689	Jackie Luttrell	payroll	\$825.62
19690	Stacy Mayou	payroll	\$1,060.10
19691	Melissa Rahn	payroll	\$213.67
19692	Ronnie Schorg	payroll	\$182.39
19693	Floyd Sjoberg	payroll	\$273.73
19694	Loren Stanley	payroll	\$838.57
19695	Jeremy Wellnitz	payroll	\$716.01
19696	AFLAC	insurance	\$229.80
19697	Wellmark BCBS	insurance	\$4,191.76
19698	Bank of the West	941 taxes	\$2,621.93
19699	SD Retirement Systems	retirement	\$2,533.10
19700	VALIC	retirement	\$25.00
19701	American Family Insurance	insurance	\$6.83
19702	The US Life Insurance Co.	insurance	\$14.60
19703	Sharon Bjerke	payroll	\$220.11
19704	Ryan Burke	payroll	\$203.45
19705	Beverly Clausen	payroll	\$25.85
19706	Eileen Dunbar	payroll	\$188.09
19707	Robert Gergen	payroll	\$928.48
19708	Alan Hollatz	payroll	\$305.36
19709	John Howardson	payroll	\$124.67
19710	Carmen Kloster	payroll	\$301.48
19711	Dorcus Protexter	payroll	\$695.43
19712	Robert Schlueter	payroll	\$67.99
19713	Lester Solberg	payroll	\$364.78
19714	Teri Stokely	payroll	\$310.30
19715	Stacey Wellnitz	payroll	\$9.23
19716	Bank of the West	941 taxes	\$964.55
19717	Lyle Brenden	payroll	\$554.10
19718	Don DesLauriers	payroll	\$443.28
19719	Larry Dreher	payroll	\$609.51
19720	Robertta Heim	payroll	\$110.82
19721	Kerry Kline	payroll	\$609.51
19722	John Pollock	payroll	\$554.10
19723	Louann Streff	payroll	\$609.51
19724	Bank of the West	941 taxes	\$578.34

New Claims

Name	For	Amount
A-OX Welding Supply	supplies	\$7.80
Baker & Taylor Books	books	\$19.43
Book of the Month Club	books	\$19.48
Butler Machinery Co.	parts	\$60.33
Caitlyn Bjerke	mileage	\$49.92
Cardell's	supplies	\$99.52
Carlson Distributing	liquor	\$3,881.90
City of Clark	utilities	\$64.75
Clark County Courier	advertising	\$470.04
Clark-Doland Concrete	supplies	\$257.00
Colonial Research	supplies	\$875.72
Dacotah Insurance	insurance	\$180.00
Daktronics	supplies	\$404.89
DesLauriers Oil Co.	supplies	\$314.00
Desnoyer's Hardware	supplies	\$527.97
Electric Motor's & Moore	pool repairs	\$45.50
Ellwein Brothers	liquor	\$9,662.55
Fjelland Attorney at Law	legal services	\$654.40
Florey's Plumbing	repairs	\$73.98
Hawkins Water Treatment	supplies	\$3,238.35
Huron Culvert & Tank	supplies	\$661.16
In the Swim	supplies	\$9.99
ITC	utilities	\$447.97
Jim Fiedler	maintenance	\$180.00
Jodi Hemiller	class	\$180.00
Johnson Brothers Famous Brands	liquor	\$7,256.05
Julie Bjerke	water refund	\$100.00
Ken's Food Fair	supplies	\$166.64
Mack's	supplies	\$619.95
Melissa Rahn	supplies	\$154.35
NAPA Auto Parts	supplies	\$431.87
Northwestern Energy	utilities	\$4,611.68
Office Systems	supplies	\$17.98
Olson's Auto Parts	supplies	\$99.05
Olson Motor Co.	repairs	\$291.09
Out West	meals	\$23.25
Porter Distributing	liquor	\$585.00
Quill	supplies	\$45.99
Recreonics	supplies	\$504.73
Roy's Sport Shop	supplies	\$199.96
Samantha Hoffman	mileage	\$70.72
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
SoDak Distributing	liquor	\$7,325.09
Summit Supply Corp	supplies	\$715.00
UBC	supplies & repairs	\$1,032.70
Vernon Peterson	repairs	\$20.00
Westside Implement	skid steer trade	\$1,200.00

Police Report

Assistant Police Chief Jeremy Wellnitz gave the police report: 1,263 miles patrolled with one driving under revocation, four speed, one open container in motor vehicle and two underage consumptions in motor vehicle.

Motion # 159-2006

Approve Police Report

Motion by Dreher and seconded by Streff to approve the police report. All members voting yes. Motion carried.

Rate Maker Report from Fist District

Greg Maag from First District gave a presentation on the final findings of the RateMaker study. This is a study that a DENR grant provided to find out what water and sewer rates would be necessary to sustain the current system and make improvements that were found from the facility plan provided by Clark Engineering. A complete copy of the report is filed with the Finance Office.

Motion # 160-2006

Rescind Planning & Zoning Appointments

Motion by Pollock and seconded by Heim to rescind the mayoral appointments for the Planning & Zoning Board made by motion #150-2006 because Ordinance # 394 states that the Planning & Zoning Commission shall be made up of all the council members and the mayor. Appointments will stay based on the ordinance. All members voting yes. Motion carried.

Motion # 161-2006

Planning & Zoning Meeting

Motion by Dreher and seconded by Kline to proceed into the scheduled Planning & Zoning meeting. All members voting yes. Motion carried.

The Planning & Zoning meeting was held from 7:46 pm to 8:25 pm.

Motion # 162-2006

Approve TIF No. 2

Motion by DesLauriers and seconded by Dreher to accept the Planning and Zoning recommendation to adopt Resolution # 752 for establishing Tax Increment District #2. All members voting yes. Motion carried.

RESOLUTION NO. 752

By Resolution No. 752 dated June 5, 2006, the Clark City Council established Tax Increment District #2 in the City of Clark, South Dakota. On June 5, 2006 the City Zoning and Planning Board recommended that the City Council adopt the Tax Increment Plan for the development of public improvements necessary for housing construction and construction of a dental clinic.

Upon review of the proposed Tax Increment Plan, it appears to the Council that it contains information required by State Law and is feasible. Now therefore, upon motion being duly made, seconded and carried,

IT IS HEREBY RESOLVED as follows:

1. The Council finds that the proposed Tax Increment Plan as recommended by the City Zoning and Planning Commission for its Tax Increment District #2 is feasible and in conformity with the master plan and zoning regulations of the municipality.

2. The Clark City Council hereby adopts the said Tax Increment Plan for District #2 thereby providing for the issuance of tax increment bonds or notes payable out of positive tax increments to finance public works and improvements that are proposed within said District, with the specific improvements and the amount of the bonds or notes to be determined by the Council and incorporated into a written agreement with the developer of said housing project. Said bonds or notes shall in all respects comply with the provisions of South Dakota State Law in Chapter SDCL 11-9.

Dated this 5th day of June, 2006.

Lester C. Solberg , Mayor – City of Clark

ATTEST:

Jackie Luttrell, Finance Officer

Medical Building Update & Bids

Dale Jans, the Construction Manager at Risk from Jans Corporation, informed the Council that the bids for the medical clinic were opened on May 23. Based on the bids and cost breakdowns, Jans Corporation proposes to construct the Clark Medical Clinic using the plans and specifications prepared by RS Architects with a guaranteed maximum price is \$906,378.00. A seven month construction phase is expected. Gus Krueger will be the superintendent on site. A notice to proceed will be given at a later date, after a contract has been entered into with Sioux Valley Clinic for the lease.

Motion # 163-2006

Approve Addendum to Jans Corp. Contract

Motion by Pollock and seconded by Kline to approve Mayor Solberg as signor on Amendment No. 1 to the Construction Manager at Risk contract with Jans Corporation that states the guaranteed maximum price is \$906,378.00 for construction of the medical building clinic. All members voting yes. Motion carried.

The medical board stated there is a possibility of obtaining another lot. City will contact Todd Meierhenry to ask his assistance in writing the papers for the Tax Exempt Lease Financing.

Motion # 164-2006

City Council Meeting

Motion by Dreher and seconded by Heim to approve a city council meeting on June 19, 2006 at 7:00 pm for planning & zoning issues. All members voting yes. Motion carried.

Motion # 165-2006

Water Meter Installation

Motion by Dreher and seconded by Streff to approve Florey's Plumbing to install new water meters that are covered by the Phase I water grant at a cost of \$40 per meter. Maximum payment not to exceed \$6,412 (the amount of the grant) and completion date of October 2, 2006. All members voting yes. Motion carried.

Motion # 166-2006

Budget Supplement - Parks

Motion by Dreher and seconded by Kline to supplement the Parks budget by \$100 in response to the City receiving \$100 grant from Tree City USA for 25th Anniversary of celebrating Arbor Day. All members voting yes. Motion carried.

The City was notified by the County that we are eligible to receive \$2,757.14 for a mosquito spraying grant. A budget supplement will be done upon receipt of the money.

Motion # 167-2006

Budget Supplement - Parks

Motion by Pollock and seconded by DesLauriers to supplement the Parks budget for \$6,973.45 for the repairs to the softball fence, tennis court fence and removal of tree stumps that were covered by FEMA Emergency Management money. All members voting yes. Motion carried.

Motion # 168-2006

Budget Supplement – Fire Dept

Motion by Heim and seconded by Kline to supplement the Fire Department budget for the \$1,462.32 for amount received from the FEMA Emergency Management money and that was already paid back to the Fire Department. All members voting yes. Motion carried.

Motion # 169-2006

Swimming Pool Park Updates

Motion by Kline and seconded by DesLauriers to approve the improvements suggested by Dreher and Pollock to the Swimming Pool Park. Improvements include removing bushes and putting in a butterfly garden that would be kept up by the Community Assessment Beautification Committee. All members voting yes. Motion carried.

Motion # 170-2006

Swimming Pool Rates

Motion by Dreher and seconded by Streff to approve additional rates for the swimming pool: Individual pass without lessons \$45 and Student Weekly pass for \$12. All members voting yes. Motion carried.

Motion # 171-2006

Dickinson Park Camping

Motion by Pollock and seconded by Streff to approve the camping rules and rates at Dickinson Park as follows: first two nights free, then \$15/night with a maximum stay of one week. All members voting yes. Motion carried.

Motion # 172-2006

Spotlight on Postcards

Motion by Dreher and seconded by Heim to approve putting a spotlight on the postcards displayed on the Legion building. The power would be supplied by the street light and paid by the City. All members voting yes. Motion carried.

Motion # 173-2006

A/C Deductible for ICAP Building

Motion by Streff and seconded by Kline to approve paying the County's deductible of \$250 for the replacement of the A/C unit that was destroyed during the Larkin Building demolition. All members voting yes. Motion carried.

Motion # 174-2006

First District Representative

Motion by Streff and seconded by Kline to appoint Roberta Heim as the First District representative for the City. Heim abstained from voting. Remaining members voting yes. Motion carried.

Motion # 175-2006

Health Insurance Renewal

Motion by DesLauriers and seconded by Pollock to renew the City health insurance with Wellmark Blue Cross Blue Shield with a deductible change to \$750.00. All members voting yes. Motion carried.

Water Restrictions & Water Contract

Council discussed the water restrictions that were put on over the weekend due to water shortages. Council discussed getting a contract with the water supplier, Clark Rural Water. Council will invite Duane Stokes to the next meeting.

Motion # 176-2006

July Meeting Date

Motion by Dreher and seconded by Heim to set the July city council meeting to July 19, 2006 at 7:00 pm due to the 4th of July holiday. All members voting yes. Motion carried.

Motion # 177-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:22 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Planning & Zoning Meeting
June 5, 2006**

Call to order: The City of Clark Planning and Zoning Commission met in session on June 5, 2006 in the City Hall Council Room.

Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Lyle Brenden, and John Pollock and Mayor Les Solberg.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Greg Maag, Sandy Bell, Keith Warren, Dale Jans, Bill Ellingson, Craig Spieker, Randy Gruenwald, Harvey Spieker, and Patricia Joanna.

Mayor Solberg called the meeting to order at 7:46 pm.

TIF District No. 2

Bill Ellingson presented the Tax Increment District #2 to the commissioners for the Gruenwald Development that will include a new dental clinic for Harvey and Craig Spieker. The estimated costs of the improvements will be \$300,000. A copy of the plan is filed with the Finance Office. Randy Gruenwald will apply for the low interest loan. The loan will be transferred to the City to be paid by the increase in property taxes.

Approve TIF No. 2

Motion by Pollock and seconded by Solberg to make a recommendation from the Planning and Zoning Commission to the City Council to approve Tax Increment District #2. All members voting yes. Motion carried.

Adjourn

Motion by Streff and seconded by Kline to adjourn the Planning and Zoning Commission and reopen the regular City Council meeting. All members voting yes. Motion carried.

Meeting adjourned at 8:25 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
June 19, 2006
7:00 PM**

Call to order: The Clark City Council met in session on June 19, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Bill Luke, Sandy Luke, Steve Berg, Keith Warren, Craig Spieker, Jim Holbeck, Duane Stokes, Steve Arneson, Larry Wasland.

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

Motion # 178-2006 **Adopt Agenda**
Motion by Streff and seconded by Dreher to adopt the agenda. All members voting yes.
Motion carried.

Public Input

Councilman Pollock stated he'd been in contact with a Department of Health specialist who stated the outdoor bathrooms and showers at Dickinson Park should be primed and painted to prevent bacteria. It's too humid now to paint cement. John will pursue quotes.

Councilwoman Heim would like to invite the Fire Department and township leaders to a future meeting to discuss vehicles titles and fire protection agreement.

Motion # 179-2006 **Approve Minutes**
Motion by Pollock and seconded by DesLauriers to approve the Council Meeting Minutes from June 5, 2006. All members voting yes. Motion carried.

Motion # 180-2006 **Approve Claims**
Motion by Dreher and seconded by Pollock to approve the following claims. All members voting yes. Motion carried.

Additional June Claims

Check #	Name	For	Amount
ACH	SD Dept of Revenue	sales tax	\$399.17
19771	Petty Cash	supplies	\$47.15
19772	Bank of the West	loan payment	\$1,430.00
19773	Petty Cash	supplies	\$65.75
19774	Darin Altfillisch	payroll	\$1,525.40
19775	Curtis Binger	payroll	\$386.52
19776	Caitlyn Bjerke	payroll	\$265.72
19777	Heather Borns	payroll	\$293.68

Check #	Name	For	Amount
19778	Adrienne Brannon	payroll	\$251.71
19779	Kyle Christman	payroll	\$251.91
19780	Roger Collins	payroll	\$1,328.50
19781	Rae Jean Flora	payroll	\$605.53
19782	Malissa Gruenwald	payroll	\$230.30
19783	Amber Harrington	payroll	\$244.20
19784	Samantha Hoffman	payroll	\$195.20
19785	Becky Jenkins	payroll	\$284.85
19786	Keith Kruthoff	payroll	\$595.99
19787	Jordan Lindgren	payroll	\$235.56
19788	Jackie Luttrell	payroll	\$806.38
19789	Stacy Mayou	payroll	\$1,060.10
19790	Angie O'Neill	payroll	\$140.74
19791	Paige Paulson	payroll	\$289.18
19792	Melissa Rahn	payroll	\$706.27
19793	Ronald Schorg	payroll	\$116.36
19794	Floyd Sjoberg	payroll	\$273.73
19795	Loren Stanley	payroll	\$819.31
19796	Jeremy Wellnitz	payroll	\$716.01
19797	Bank of the West	941 taxes	\$3,584.36
19798	Jackie Luttrell	conference expenses	\$83.28
19799	Rae Jean Flora	conference expenses	\$50.60
19800	Cook's Wastepaper	garbage collection	\$4,766.25
19801	Allyson Warkenthien	payroll	\$292.06
19802	Bank of the West	941 taxes	\$75.30

New Claims for June

Name	For	Amount
A & B Business Equip.	maintenance	\$32.06
AlcoPro	police supplies	\$74.00
Alltel	utilities	\$123.13
Angie O'Neill	mileage for class	\$19.20
Avera Queen of Peace	drug testing	\$71.50
Cardmember Services	supplies	\$217.62
Clarke Mosquito Control	parts	\$36.55
City of Clark	water deposit payment	\$34.84
Ranae Lehman	water deposit refund	\$65.16
Clark Community Oil	supplies	\$2,311.68
Clark Rural Water	water	\$11,726.50
Cook's Wastepaper	garbage	\$32.70
Expectec	computer repairs	\$191.94
Florey's Plumbing	pool repairs	\$59.66
Fuller's Country Computers	computer repairs	\$125.00
Hawkins Water Treatment	pool supplies	\$2,468.31
K & P Pump Repairs	sewer repairs	\$291.84
Moritz Publishing	supplies	\$95.80
Northwestern Energy	utilities	\$21.64
One Call Systems	locate tickets	\$28.85

Name	For	Amount
Oscar's Machine Shop	repairs & supplies	\$494.73
Paige Paulson	mileage for class	\$19.20
Pitney Bowes	postage machine	\$372.00
Quill	supplies	\$120.43
Qualifications Targets	police supplies	\$68.04
Recreonics	pool supplies	\$581.25
Roger Collins	meals for conference	\$38.00
RS Architect	professional fees	\$15,924.47
Sanitation Products	sweeper parts	\$660.00
Share Corp	pool supplies	\$442.35
Star Laundry	rug cleaning	\$49.40
Van Diest Supply Co.	mosquito mist	\$3,228.50
Viola Dunlavy	cakes	\$50.00

Motion # 181-2006 **Board of Adjustment**
 Motion by Kline and seconded by Streff to close regular session and open the Board and Adjustment meeting for zoning issues. All members voting yes. Motion carried.

See the separate minutes for the Board of Adjustment meeting. The Board of Adjustment meeting started at 7:06 pm and ended at 7:16 pm.

Motion # 182-2006 **Joint Meeting**
 Motion by DesLauriers and seconded by Dreher to open a joint Planning & Zoning and City Council meeting to discuss zoning issues. All members voting yes. Motion carried.

Holbeck Addition – Rezoning

City Attorney Fjelland read the rezoning request of the City’s to rezone all of the Holbeck Addition from Agriculture (A) to Single Family Residential (R1).

Motion # 183-2006 **Approve Rezoning Request – Holbeck Addition**
 Motion by Dreher and seconded by Kline to make a recommendation to the City Council to approve the rezoning request of the Holbeck Addition from Agriculture to Single Family Residential. All members voting yes. Motion carried.

Dental Clinic - Rezoning

City Attorney Fjelland read the rezoning request of the City’s to rezone the following property referenced as the future dental clinic site from Agriculture (A) to Highway Commercial (HC): Commencing at point 311 ½ feet west from the Northwest corner of Block Nine of Albert’s Keep First Addition to the Village, now City of Clark, and running West 160 feet, thence South 175 feet, thence 160 feet, thence 175 feet to the place of beginning.

Motion # 184-2006 **Approve Rezoning Request – Dental Clinic Site**
 Motion by Streff and seconded by Pollock to make a recommendation to the City Council to approve the rezoning request of the dental clinic site from Agriculture to Highway Commercial for the site stated above. All members voting yes. Motion carried.

Motion # 185-2006

Adjourn Joint Meeting

Motion by Dreher and seconded by Heim to adjourn the joint Planning & Zoning and City Council meeting. All members voting yes. Motion carried.

Joint meeting adjourned at 7:20 pm.

First Reading of Ordinance # 456 Rezoning for the Holbeck Addition. Second reading will take place on July 6, 2006 at 7:00 pm.

First Reading of Ordinance # 457 Rezoning for Dental Clinic site. Second reading will take place on July 6, 2006 at 7:00 pm.

Motion # 186-2006

Budget Supplement

Motion by DesLauriers and seconded by Dreher to approve an automatic budget supplement for \$1,000 to the Parks budget for the grant funds received from Northwestern Energy for trees. All members voting yes. Motion carried.

Motion # 187-2006

One Day Liquor License

Motion by Dreher and seconded by Kline to approve a one day liquor license for the Clark American Legion for July 8, 2006 for the Garden City Reunion. All members voting yes. Motion carried.

Motion # 188-2006

18 & Under Softball

Motion by Dreher and seconded by Kline to approve paying the entry fees of \$150 for the State softball tournament and \$250 for the national softball tournament for the 18 and under girls softball team. All members voting yes. Motion carried.

Motion # 189-2006

Elected Officials Workshop

Motion by Pollock and seconded by Dreher to approve paying registration and travel expenses for up to three councilpersons to attend the Elected Officials Workshop in Pierre on July 14, 2006. All members voting yes. Motion carried.

Motion # 190-2006

Town Hall Meeting

Motion by Dreher and seconded by Streff to approve the registration and travel expenses for any councilperson interested in attending the Town Hall meeting sponsored by Northern State University. All members voting yes. Motion carried.

First District At-Large Representative

Council chose five names to present to the Clark County Board of Commissioners to select an individual as the At-Large First District Representative. Final selection will be agreed upon by both Council and County Commissioners.

Motion # 191-2006

Petty Cash

Motion by Dreher and seconded by Streff to increase the petty cash at the Finance Office from \$100 to \$200 due to the increase in petty cash request from the summer activities. All members voting yes. Motion carried.

Clark Rural Water

Duane Stokes, Clark Rural Water manager, Larry Wasland, Board President, and Steve Arneson, Board member, arrived to talk to the Council, per their request. Council would like to pursue a water purchase agreement and guarantee for service. Clark Rural Water would like the City's financial support to upgrade their water system. Pollock will attend their board meeting to discuss this with their board.

Motion # 196-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:25 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Board of Adjustment Meeting
June 19, 2006**

Call to order: The City of Clark Board of Adjustments meeting met in session on June 19, 2006 at 7:00 pm in the City Hall Council Room.

Board Members: Les Solberg, Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim and John Pollock.

Mayor Solberg called the meeting to order at 7:06 pm

Luke – Special Exception

City Attorney Fjelland read the special exception applied for by Bill Luke to operate multiple businesses from his home at 313 1st Ave. W. Bill Luke was in attendance and stated his towing business would require him to keep towed vehicles at the property for 1-2 weeks, sometimes longer.

Approve Special Exception

Motion by Pollock and seconded by Streff to approve the special exception for Bill Luke to operate the multiple businesses at his home at Lot 7 Block 9 Albert Keeps First Addition in Clark. All members voting yes. Motion carried.

Holbeck – Variance

Finance Officer Luttrell read a variance request from James Holbeck for the property located at Lots 1 & 5 of Holbeck Addition Clark for minimum yard and lot depth variance as such: a minimum yard requirement for residential dwellings having a minimum front yard of twenty (20) feet, measuring the same from the most outward point of the building, and a minimum lot requirement for lot depth to be no less than 98 feet. James Holbeck was in attendance to reiterate this request.

Approve Variance

Motion by DesLauriers and seconded by Kline to approve the variance request for the Holbeck Addition to allow minimum yard requirement for residential dwelling having a minimum front yard of 20 feet, measuring the same from the most outward point of the building, and a minimum lot requirement for lot depth to be no less than 98 feet. All members voting yes. Motion carried.

Medical Building - Variance

Finance Officer Luttrell read a variance request by the City to relax the minimum yard requirements of a commercial district adjacent to residential district at Lot 10-15, Block One, Original Plat of Clark Center, now Clark. This is the location of the proposed medical building.

Approve Variance

Motion by Pollock and seconded by Heim to approve the variance request to relax the minimum yard requirement of a commercial district adjacent to the residential district at Lot 10-15, Block One, Original Plat of Clark Center, now Clark. All members voting yes. Motion carried.

Adjourn

Motion by Dreher and seconded by Kline to adjourn the Board of Adjustments meeting. All members voting yes. Motion carried.

Meeting adjourned at 7:16 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
June 26, 2006
7:00 PM**

Call to order: The Clark City Council met in session on June 26, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell and City Attorney Chad Fjelland.

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

Motion # 197-2006 **Adopt Agenda**
Motion by Kline and seconded by Streff to adopt the agenda. All members voting yes.
Motion carried.

Motion # 198-2006 **Correction to 6/5/06 Minutes**
Motion by DesLauriers and seconded by Dreher to rescind motion #176-2006 and re-approve the June 5, 2006 meeting minutes with the correction that the July meeting will be held on July 6, 2006 due to the holiday. All members voting yes. Motion carried.

Motion # 199-2006 **Approve Minutes**
Motion by Pollock and seconded by Heim to approve the City Council meeting minutes from June 19, 2006. All members voting yes. Motion carried.

Motion # 200-2006 **Handicapped Parking Spot**
Motion by Dreher and seconded by Heim to approve a request from Bank of the West for a van accessible, handicapped parking space on the north side of their building. All costs will be paid by Bank of the West. All members voting yes. Motion carried.

Motion # 201-2006 **Executive Session**
Motion by Dreher and seconded by DesLauriers to close regular session to convene into Executive session for personnel and contractual reasons. All members voting yes. Motion carried.

Executive Session began at 7:03 pm and ended at 8:15 pm.

Motion # 202-2006 **Termination**
Motion by Dreher and seconded by Kline to approve the Pool Manager's decision to terminate the employment of a seasonal pool employee. All members voting yes. Motion carried.

Motion # 203-2006

Adjourn

Motion by Kline and seconded by Kline to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:16 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
July 6, 2006
7:00 PM**

Call to order: The Clark City Council met in session on July 6, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock (arriving at 7:50 pm).

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Assistant Police Chief Jeremy Wellnitz, Bill Krikac, Lyle Brenden, Ken and Sandy Bell, Todd Altfillisch, Keith Zobel, Kimberly Paulson, Mike Geise, Mark McHenry, Gail Temple, Greg Janisch, Dick McGraw, Wayne Orris, Earl Foster, Bruce Paulson, Darrell Seefeldt.

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

Motion # 204-2006

Adopt Agenda

Motion by Kline and seconded by Dreher to adopt the agenda. All members voting yes. Motion carried.

Public Input

Heim gave an update on the Town Hall Meeting that she attending in Aberdeen. Topics included having a joint coordinator, with the county, for zoning and public health issues, council for aging, and thinking outside the box for dealing with community issues.

Motion # 205-2006

Approve Minutes

Motion by Dreher and seconded by DesLauriers to approve the Council Meeting Minutes from June 26, 2006. All members voting yes. Motion carried.

Motion # 206-2006

Approve Financial Statements

Motion by Streff and seconded by Heim to approve the financial statements. All members voting yes. Motion carried.

Motion # 207-2006

Approve Library's Financial Statements

Motion by DesLauriers and seconded by Kline to approve the financial statements for the Library. All members voting yes. Motion carried.

Motion # 208-2006

Approve Claims

Motion by Dreher and seconded by Kline to approve the following claims. All members voting yes. Motion carried.

Additional Paid Claims

Check #	To	For	Amount
19835	Petty Cash	petty cash	\$ 100.00

Check #	To	For	Amount
19836	SD Amateur Softball Assoc.	registration	\$ 150.00
19837	Pride of the Dakotas	registration	\$ 250.00
19838	NSU Town Meeting	registration	\$ 25.00
19839	Recreonics	supplies	\$ 19.40
19840	Clark County Auditor	repairs	\$ 250.00
19841	Darin Altfillisch	payroll	\$ 1,595.52
19842	Curtis Binger	payroll	\$ 241.62
19843	Caitlyn Bjerke	payroll	\$ 428.49
19844	Heather Borns	payroll	\$ 410.88
19845	Adrienne Brannan	payroll	\$ 500.23
19846	Kyle Christman	payroll	\$ 319.85
19847	Roger Collins	payroll	\$ 1,115.48
19848	Rae Jean Flora	payroll	\$ 605.53
19849	Malissa Gruenwald	payroll	\$ 204.05
19850	Amber Harrington	payroll	\$ 419.11
19851	Samantha Hoffman	payroll	\$ 371.64
19852	Becky Jenkins	payroll	\$ 435.26
19853	Keith Kruthoff	payroll	\$ 560.03
19854	Jordan Lindgren	payroll	\$ 396.24
19855	Jackie Luttrell	payroll	\$ 844.86
19856	Stacy Mayou	payroll	\$ 1,060.10
19857	Angie O'Neill	payroll	\$ 130.65
19858	Paige Paulson	payroll	\$ 358.09
19859	Melissa Rahn	payroll	\$ 802.19
19860	Ronald Schorg	payroll	\$ 335.51
19861	Floyd Sjoberg	payroll	\$ 225.98
19862	Loren Stanley	payroll	\$ 898.56
19863	Alyson Warkenthien	payroll	\$ 513.76
19864	Jeremy Wellnitz	payroll	\$ 716.01
19865	Sharon Bjerke	payroll	\$ 201.64
19866	Ryan Burke	payroll	\$ 248.12
19867	Eileen Dunbar	payroll	\$ 180.47
19868	Robert Gergen	payroll	\$ 793.60
19869	Alan Hollatz	payroll	\$ 89.35
19870	John Howardson	payroll	\$ 145.45
19871	Carmen Kloster	payroll	\$ 311.37
19872	Beverly Kluess	payroll	\$ 103.44
19873	Dorcas Protexter	payroll	\$ 670.82
19874	Lester Solberg	payroll	\$ 364.78
19875	Teri Stokely	payroll	\$ 285.60
19876	Stacy Wellnitz	payroll	\$ 36.94
19877	Bank of the West	941 taxes	\$ 861.68
19878	AFLAC	insurance	\$ 229.80
19879	Bank of the West	941 taxes	\$ 4,179.85
19880	SD Retirement Systems	retirement	\$ 2,633.48
19881	VALIC	retirement	\$ 25.00
19882	American Family Insurance	insurance	\$ 13.66
19883	The US Life Insurance Co.	insurance	\$ 14.60
19884	Wellmark BCBS	insurance	\$ 4,261.45

Check #	To	For	Amount
19885	Robert Gergen	payroll	\$ 17.90
19886	Bank of the West	941 taxes	\$ 2.96

New Claims

Name	For	Amount
Amber Harrington	mileage	\$ 33.60
A & B Business Equipment	supplies	\$ 119.71
A-OX Welding Supply Co.	supplies	\$ 8.06
Baker & Taylor	books	\$ 22.08
Banyon Data Systems	professional fees	\$ 595.00
Book of the Month Club	books	\$ 22.48
Brandon Varilek	umpire	\$ 14.00
Brigette Wookey	umpire	\$ 5.00
Cardell's	supplies	\$ 194.19
Carlson Distributing	liquor	\$ 5,267.70
City of Clark	utilities	\$ 64.75
Clark Co. Farmers Elevator	spraying	\$ 33.60
Clark Community Oil	supplies	\$ 1,732.34
Clark County Courier	advertising	\$ 474.59
Clark Engineering	professional fees	\$ 268.34
Clark Engineering	professional fees	\$ 184.00
Clark Flower & Gift	supplies	\$ 34.11
Codington Clark Equipment	supplies	\$ 3.15
Colin LaBrie	umpire	\$ 7.00
Dacotah Bank	loan payment	\$ 3,655.42
Dakota Style	supplies	\$ 36.96
Dave Adam	umpire	\$ 5.00
DesLauriers Oil	supplies	\$ 87.15
Desnoyer's Hardware	supplies	\$ 1,212.87
Ellwein Brothers	liquor	\$ 9,914.25
Expectec Technology Service	repairs	\$ 159.94
First District	professional fees	\$ 6,000.00
First National Bank	sewer loan	\$ 6,940.29
Fjelland Attorney at Law	legal fees	\$ 740.80
Forest Excavating	repairs	\$ 5,015.34
Fred Obermeier	umpire	\$ 30.00
Girton Adams Co.	pool maintenance	\$ 460.00
Gruenwald Electric	repairs	\$ 559.67
Hawkins Chemical	supplies & equipment	\$ 5,261.24
ITC	utilities	\$ 446.13
ITC Rural Economic Dev.	loan payment	\$ 2,813.54
Jason Severson	umpire	\$ 21.00
Johnson Brothers	liquor	\$ 8,309.87
K & P Pump Repairs	repairs	\$ 3,405.54
Kyle Christman	mileage	\$ 27.20
Leah Dohman	umpire	\$ 150.00
Leah Dohman	insurance fee	\$ 20.00
Literacy Guild	books	\$ 8.24
Mack's	supplies	\$ 957.62

Name	For	Amount
Malissa Gruenwald	mileage	\$ 33.60
Michael Brown	umpire	\$ 21.00
Moritz Publishing	supplies	\$ 95.30
NAPA	supplies	\$ 128.02
New Dimension	stump removal	\$ 33.92
Northwestern Energy	utilities	\$ 9,470.42
NRA Law Enforcement Activities	professional fees	\$ 30.00
Olson Auto Parts	repairs	\$ 104.71
Olson Motor Co.	maintenance	\$ 192.56
Oscar's Machine Shop	repairs	\$ 122.60
OSI	supplies	\$ 168.42
Pioneer Bank & Trust	copier lease	\$ 157.00
Porter Distributing	liquor	\$ 344.50
Quill	supplies	\$ 16.12
Recreonics	pool supplies	\$ 331.17
Ritter's Repair	repairs	\$ 100.00
RS Architect	professional fees	\$ 4,818.39
SD Dept of Revenue	water testing	\$ 272.00
SD Rural Development	sewer revenue bond	\$ 787.00
SD Rural Development	water revenue bond	\$ 908.00
Share Corp	pool supplies	\$ 717.50
SoDak Distributing	liquor	\$ 6,734.71
Star Laundry	rug cleaning	\$ 49.40
The Penworthy Co.	books	\$ 62.65
Tom LaBrie	umpire	\$ 5.00
Tony Terrill	umpire	\$ 7.00
UBC	supplies & repairs	\$ 231.94
Ultramax	police supplies	\$ 591.85
Westside Implement	rental and supplies	\$ 971.75

Police Report

Assistant Police Chief Wellnitz gave the police report: 1,517 miles patrolled with the following violations: one driving under revocation, one underage possession of tobacco, one stop sign, one speed, one disorderly conduct and one resisting arrest. Council addressed the request from Police Chief Mayou to hire additional help for the Fire Department street dance. Referred to County Sheriff's department for assistance. Council asked for more patrolling on the highway to reduce the semi speeding and to talk to neighboring counties about the ambulance speeding through town.

Motion # 209-2006

Police Report

Motion by Streff and seconded by Heim to approve the police report. All members voting yes. Motion carried.

West End Industrial Park

Todd Altfillisch addressed the Council on his talks with Industrial Development to purchase the 15 acres of land referred to as the West End Industrial Park. He is considering building a house and having horses. The current zoning of Industrial prevents residential housing. It would need to be rezoned Agricultural with a special exception for

horses. He doesn't want to purchase it unless he has a guaranteed that it will be rezoned. Council suggested he talk with the neighboring landowners as they will give Council guidance on the final decision.

Ken Bell addressed the Council again about putting up an electronic sign on City owned property east of Gas Plus. The 7 ½' sign would sit 6' off the ground. A simple lease agreement would be necessary with the City and Mr. Bell. In the event another business opportunity would arise for that site, Mr. Bell has agreed that it would have to be moved.

Motion # 210-2006

Approve Electronic Sign Request

Motion by Heim and seconded by Kline to approve Ken Bell's request to put up his privately owned electronic sign on the City owned property at Lot 4 Clark Community Oil Company Fifth Addition to the City of Clark, South Dakota, with the understanding that he may have to move the sign in the event of a business opportunity, and to authorize Mayor Solberg to sign a lease agreement on behalf of the City with Ken Bell. All members voting yes. Motion carried.

Second Quarter 2006 Quarterly Award

Mayor Solberg presented the Second Quarter 2006 Quarterly Award to Lyle Brenden in recognition and appreciation to his many years of service to the City Council and School Board. Congratulations Lyle!

Motion # 211-2006

Board of Adjustments Meeting

Motion by Dreher and seconded by DesLauriers to adjourn regular session to proceed to the schedule Board of Adjustment Public Hearing for the purpose of hearing a special exception request. All members voting yes. Motion carried.

The Board of Adjustment meeting started at 7:35 pm and ended at 7:38 pm.

Fire Protection Meeting with Township Leaders

Roberta Heim moderated a discussion with the township leaders, city council and fire department to sort out the issue of vehicle titles and fire protection. Heim asked the township leaders to go back to their townships to discuss how they feel these issues should be settled and then return for a future meeting. A knowledgeable insurance agent will be asked to attend to address insurance and non-profit questions.

Motion # 212-2006

Teener Regional Baseball

Motion by Pollock and seconded by DesLauriers to approve Greg Furness' request to use Dickinson Park for the regional Teener tournament on August 1-3, 2006. All members voting yes. Motion carried.

Motion # 213-2006

Ordinance #456 Rezoning Holbeck Addition

Motion by Pollock and seconded by Dreher to approve the second reading of Ordinance #456 Rezoning Holbeck Addition from Agriculture to Single Family Residential. All members voting yes. Motion carried.

Ordinance # 456

ON ORDINANCE AMENDING THE OFFICAL ZONING MAP OF THE CITY OF CLARK, PURSUANT TO TITLE 11.03.02 OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNICL 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 – Agriculture to R1 – Single Family Residential pursuant to authority to amend said zoning map exercised by the City Council upon recommendation of the Clark Planning and Zoning Commission:

All of Holbeck Addition, 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.

Passed and adopted this 6th day of July, 2006.

Lester C. Solberg, Mayor

Attest: Jackie Luttrell, Finance Officer

First Reading: June 19, 2006
Second Reading: July 6, 2006
Published: July 12, 2006
Effective: August 1, 2006

* * * * *

Motion # 214-2006

Ordinance #457 Rezoning Dental Clinic Site

Motion by Streff and seconded by Pollock to approve the second reading of Ordinance #457 for the rezoning of the dental clinic site from Agriculture to Highway Commercial. All members voting yes. Motion carried.

Ordinance # 457

ON ORDINANCE AMENDING THE OFFICAL ZONING MAP OF THE CITY OF CLARK, PURSUANT TO TITLE 11.03.02 OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNICL 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 – Agriculture to HC – Highway Commercial pursuant to authority to amend said zoning map exercised by the City Council upon recommendation of the Clark Planning and Zoning Commission:

Commencing at a point Three Hundred Eleven and One-Half (311 1/2) feet west from the Northwest corner of Block Nine (9) of Albert Keep's First Addition to the Village, now City of Clark, and running West One Hundred Sixty (160) feet, thence South One Hundred Seventy-Five (175) feet, thence One Hundred Sixty (160) feet, thence North One Hundred Seventy-five (175) feet to the place of beginning.

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.

Passed and adopted this 6th day of July, 2006.

Lester C. Solberg, Mayor

Attest: Jackie Luttrell, Finance Officer

First Reading: June 19, 2006

Second Reading: July 6, 2006

Published: July 12, 2006

Effective: August 1, 2006

* * * * *

Motion # 215-2006 **Budget Supplement to Water & Sewer Fund**
Motion by Kline and seconded by DesLauriers to approve a budget supplement to the Water fund for \$1,600 and the Sewer fund for \$1,600 in response to the Small Community Planning Grant of \$3,200 to pay for the Rate Maker preparation by First District. All members voting yes. Motion carried.

Motion # 216-2006 **Budget Supplement to Street Department**
Motion by Pollock and seconded by Dreher to approve a budget supplement to the Street Department in the General Fund of \$2,763.39 from payment on the State Mosquito Grant through Clark County. All members voting yes. Motion carried.

Motion # 217-2006 **First District At Large Representative**
Motion by Dreher and seconded by Heim to approve Clark County Commissioners request to appoint Warren Brandlee as the At-Large Representative for First District Association of Local Government. All members voting yes. Motion carried.

Motion # 218-2006 **Executive Session**
Motion by Dreher and seconded by Kline to close regular session and go into executive session for contractual purposes. All members voting yes. Motion carried.

Executive Session began at 8:18 pm and ended at 8:31 pm.

Motion # 219-2006

Transit Grant

Motion by Dreher and seconded by DesLauriers to accept the 80/20 Transit Grant and authorize Mayor Solberg to sign the grant agreement. All members voting yes. Motion carried.

Motion # 220-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:32 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Board of Adjustments Meeting
July 6, 2006
7:30 PM**

Call to order: The City of Clark Board of Adjustment met in session on July 6, 2006 at 7:30 pm in the City Hall Council Room.

Board Members Present: Lester Solberg, Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline and Roberta Heim. John Pollock was absent.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, and Kimberly Paulson

Mayor Solberg called the meeting to order at 7:35 pm

Approve 6/19/06 Minutes

Motion by Kline and seconded by Streff to approve the 6/19/06 Board of Adjustment meeting minutes. All members voting yes. Motion carried.

At this time the Board held the scheduled public hearing to hear the special exception request by Kimberly Paulson to operate an in-home daycare at Lots 15 & 16 Block 2 Original Town, now City of Clark, Clark County, South Dakota.

Special Exception

Motion by DesLauriers and seconded by Streff to approve the special exception request by Kimberly Paulson to operate an in-home daycare at Lots 15 & 16 Block 2 Original Town, now City of Clark, Clark County, South Dakota. All members voting yes. Motion carried.

Adjourn

Motion by Dreher and seconded by Heim to adjourn the Board of Adjustment meeting and reopen the City Council meeting. All members voting yes. Motion carried.

Meeting adjourned at 7:38 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
August 7, 2006
7:00 PM**

Call to order: The Clark City Council met in session on August 7, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Police Chief Stacy Mayou, Bill Krikac, Keith Warren, Keith Zobel, Mike Geise, Teri Stokely, Melissa Rahn, Randy Gruenwald, Craig Spieker, Mack McHenry, Daryl Seefeldt, Dean Kirkeby, Jim Johnson, Ted & Kim Warkenthien, Dave & Cindy Jenkins, Brenda Jenkins and Brent Forest.

Mayor Solberg called the meeting to order at 7:04 pm.

Motion # 221-2006

Adopt Agenda

Motion by Pollock and seconded by DesLauriers to adopt the agenda. All members voting yes. Motion carried.

Public Input

Pollock addressed the need of having soap dispensers in the restrooms at Dickinson Park. Fjelland addressed a concern by Alice Heim of a slowed sewer line at her house. The City is having the line viewed to determine where the problem lies. Streff brought forth concern of a Commercial garbage user who wishes to have recycling. Luttrell informed that the City only has a residential contract with Cook's. Commercial service is handled directed with Cook's. The recycling trucks come for residential service on the first and third Friday of the month.

Motion # 222-2006

Approve Minutes

Motion by Dreher and seconded by Pollock to approve the Council Meeting Minutes from July 7, 2006 All members voting yes. Motion carried.

Motion # 223-2006

Approve Financial Statements

Motion by Kline and seconded by Heim to approve the financial statements. All members voting yes. Motion carried.

Motion # 224-2006

Approve Claims

Motion by Pollock and seconded by Streff to approve the following claims. All members voting yes. Motion carried.

Additional July Claims

Check	To	For	Amount
ACH101	SD Dept of Revenue	sales tax	\$470.51
ACH102	Harland Check	check printing	\$158.94
19955	Bank of the West	loan payment	\$1,430.00
19956	Sioux Valley Clinic	professional fees	\$15.00
19957	Cook's Wastepaper	garbage	\$32.70
19958	Cook's Wastepaper	city garbage	\$4,838.00
19959	Pioneer Bank & Trust	copier lease	\$471.00
19960	Sioux Valley Clinic	professional fees	\$15.00
19961	Darin Altfillisch	payroll	\$1,498.32
19962	Curtis Binger	payroll	\$421.71
19963	Caitlyn Bjerke	payroll	\$346.83
19964	Heather Borns	payroll	\$367.57
19965	Adrienne Brannan	payroll	\$300.71
19966	Kyle Christman	payroll	\$319.85
19967	Roger Collins	payroll	\$1,090.91
19968	Rae Jean Flora	payroll	\$603.66
19969	Amber Harrington	payroll	\$313.67
19970	Samantha Hoffman	payroll	\$211.36
19971	Becky Jenkins	payroll	\$351.14
19972	Keith Kruthoff	payroll	\$365.38
19973	Jordan Lindgren	payroll	\$339.68
19974	Jackie Luttrell	payroll	\$806.38
19975	Stacy Mayou	payroll	\$1,058.33
19976	Paige Paulson	payroll	\$359.45
19977	Melissa Rahn	payroll	\$587.87
19978	Ronald Schorg	payroll	\$84.04
19979	Floyd Sjoberg	payroll	\$321.50
19980	Loren Stanley	payroll	\$832.51
19981	Allyson Warkenthien	payroll	\$394.64
19982	Jeremy Wellnitz	payroll	\$714.25
19983	Bank of the West	941 taxes	\$3,567.44
19984	Alltel	utilities	\$123.03
19985	Clark Rural Water	supplies	\$12,598.35
19986	Roberta Heim	conference	\$44.80
19987	Cardmember Services	conference	\$59.90
19988	NRA	professional fees	\$25.00
19989	Darin Altfillisch	payroll	\$1,510.64
19990	Curtis Binger	payroll	\$511.06
19991	Caitlyn Bjerke	payroll	\$238.74
19992	Heather Borns	payroll	\$474.51
19993	Adrienne Brannan	payroll	\$398.71
19994	Kyle Christman	payroll	\$375.61
19995	Roger Collins	payroll	\$1,074.53
19996	Rae Jean Flora	payroll	\$603.66
19997	Amber Harrington	payroll	\$391.55
19998	Samantha Hoffman	payroll	\$440.67
19999	Becky Jenkins	payroll	\$463.69

Check	To	For	Amount
20000	Keith Kruthoff	payroll	\$563.03
20001	VOID		
20002	Jackie Luttrell	payroll	\$806.38
20003	Stacy Mayou	payroll	\$1,058.33
20004	Paige Paulson	payroll	\$440.67
20005	Melissa Rahn	payroll	\$737.74
20006	Ronald Schorg	payroll	\$116.36
20007	Floyd Sjoberg	payroll	\$303.59
20008	Loren Stanley	payroll	\$872.14
20009	Allyson Warkenthien	payroll	\$401.41
20010	Jeremy Wellnitz	payroll	\$714.25
20011	AFLAC	insurance	\$229.80
20012	Wellmark	health insurance	\$4,261.45
20013	VOID		
20014	SD Retirement Systems	retirement	\$2,561.02
20015	VALIC	retirement	\$25.00
20016	The US Life Insurance Co.	insurance	\$14.60
20017	Sharon Bjerke	payroll	\$229.34
20018	Ryan Burke	payroll	\$263.01
20019	Eileen Dunbar	payroll	\$188.09
20020	Robert Gergen	payroll	\$715.67
20021	Alan Hollatz	payroll	\$109.21
20022	John Howardson	payroll	\$187.00
20023	Carmen Kloster	payroll	\$268.54
20024	Dorcas Protexter	payroll	\$701.60
20025	Patricia Rosenau	payroll	\$25.85
20026	Lester Solberg	payroll	\$364.78
20027	Teri Stokely	payroll	\$260.89
20028	Stacey Wellnitz	payroll	\$55.41
20029	Bank of the West	941 taxes	\$829.07
20030	Bank of the West	941 taxes	\$3,969.97
20031	Jordan Lindgren	payroll	\$223.84
20032	Petty Cash	petty cash	\$121.13
20033	Cook's Wastepaper	garbage	\$4,848.25

New August Claims

To	For	Amount
Amber Harrington	mileage & reg.	\$139.80
A-OX Welding	supplies	\$8.06
Beverly Kluess	professional fees	\$150.00
Book of the Month Club	books	\$41.16
Cardell's	supplies	\$326.76
Carlson Distributing	liquor	\$3,949.00
City of Clark	utilities	\$48.75
Clark Co. Weed Board	dump spraying	\$75.52
Clark Community Oil	supplies	\$2,170.11
Clark County Courier	advertising	\$389.19
Clark-Doland Concrete	park supplies	\$87.50

Clark Engineering	professional fees	\$903.69
Codington-Clark Equipment	repairs	\$201.77
Cook's Wastepaper & Recycling	garbage collection	\$4,848.25
Cook's Wastepaper & Recycling	utilities	\$32.70
Credit Bureau of Watertown	professional fees	\$37.80
Dacotah Bank	loan payment	\$3,655.42
Dakota Style	concessions	\$18.48
Decatur Electronics	police supplies	\$40.00
Desnoyer's Hardware	supplies	\$347.80
DesLauriers Oil	dump supplies	\$88.77
DSR, Inc.	repairs	\$501.54
Ellwein	liquor	\$9,174.30
First Rate Tree Service	tree removal	\$700.00
Fjelland Attorney at Law	legal fees	\$575.20
Gruenwald Electric	pool repairs	\$51.57
Halogen Supply Co.	pool supplies	\$75.78
Hawkins Water Treatment	pool supplies	\$5,594.16
Heiman Fire Equipment	fire inspection	\$61.50
ITC	utilities	\$442.34
ITC Rural Economic	loan payment	\$2,813.54
Johnson Bro. Famous	liquor	\$6,371.10
Jordan Bethke	umpire	\$7.00
Ken's Food Fair	supplies	\$583.46
K&P Pump Repairs	sewer repairs	\$5,730.04
Kyle Christman	mileage	\$115.20
Leah Dohman	umpire	\$30.00
Literacy Guild	books	\$54.86
Mack's	supplies	\$446.25
Malissa Gruenwald	travel	\$12.80
Milbank Winwater	water supplies	\$292.00
Moritz Publishing	supplies	\$288.10
Northwestern Energy	utilities	\$9,016.90
Office Systems	office supplies	\$5.61
Olson's Motor Co.	repairs	\$669.11
One Call Systems	locate tickets	\$15.00
Oscar's Machine Shop	repairs	\$886.98
Porter Distributing	liquor	\$890.50
Quill	building supplies	\$141.96
Recreonics	pool supplies	\$143.34
Ritters Repairs	truck repairs	\$258.90
SD Dept of Revenue	water testing	\$368.00
SD Dept of Revenue	July sales tax	\$195.33
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
Share Corp	pool supplies	\$2,362.50
SoDak Distributing	liquor	\$6,596.61
Star Laundry	rug cleaning	\$49.40
Tactical Response Gear	police supplies	\$45.00
Thomson West	legal updates	\$161.00
United Building Center	supplies	\$180.11

Van Diest Supply Co.	mosquito mist	\$3,228.50
Werdel Construction	pool repairs	\$750.00
Woodring Plumbing	pool repairs	\$45.90

Motion # 225-2006 **Florey's Plumbing Water Meter Installation**

Motion by Dreher and seconded by DesLauriers to approve paying a \$1,200 claim from Florey's Plumbing for installation of 30 water meters. Money is being reimbursed from the water grant. All members voting yes. Motion carried.

Police Report

Police Chief Mayou gave the July police report: 1,651 mile patrolled with one speed, one protective custody, one domestic and one simple assault. No problems reported from the Fireman's dance on August 5.

Motion # 226-2006 **Approve Police Report**

Motion by Pollock and seconded by Heim to approve the police report. All members voting yes. Motion carried.

Dispatching School

Teri Stokely addressed the Council on her request to be paid for attending two weeks of dispatching school in Pierre from September 10-22. The State pays room, board, gas and meals. She would like to cover her cost of lost pay from not being able to operate her daycare during that two week period.

Motion # 227-2006 **Approve Pay for Dispatch School**

Motion by Pollock and seconded by Dreher to pay Teri Stokely \$5/hour at 40/week for two weeks to attend Dispatcher School in Pierre from September 10-22 contingent upon County matching the wage. All members voting yes. Motion carried.

Motion # 228-2006 **2005 Library Annual Report**

Motion by Pollock and seconded by Streff to approve the Library's 2005 Annual Report. All members voting yes. Motion carried.

Flood Plain Ordinance

Tabled until the next meeting. Needs approval from FEMA before ordinance is read.

Motion # 229-2006 **Resolution #755**

Motion by Heim and seconded by Kline to approve Resolution 755 as follows. All members voting yes. Motion carried.

RESOLUTION # 755

BE IT RESOLVED AS FOLLOWS:

WHEREAS, SDCL Chapter 30-13A offers qualified employees of Special Pay Program employer units of the South Dakota Retirement System, (SDRS) the opportunity of receiving a tax advantage and a Social Security advantage when terminating active

service in SDRS by having special termination payments transmitted to the Special Pay Program;

WHEREAS, SCL Chapter 3-13A offers such qualified members' employers a corresponding Social Security advantage;

WHEREAS, the City of Clark, agrees to transmit all special pay data by electronic media and understands that reporting final compensation data electronically is a condition which must be met in order to participate;

WHEREAS, the City of Clark, understands and agrees to the following points;

- Only special, lump-sum payments made to an employee at the time of the employee's termination are transmitted to the Special Pay Program;
- Only terminated employees who qualify pursuant to SDCL 3-13-A-2(8) to have such special pay transmitted to the Special Pay Program will participate;
- If the employee qualifies, transmission of such special pay to the Special Pay Program is mandatory, and
- The City of Clark shall pay to SDRS an initial onetime fee per participant based on a percentage of such special pay or flat fee, whichever is greater.

NOW, THEREFORE, BE IT RESOLVED, THAT the City of Clark shall become a Special Pay Program unit of the South Dakota Retirement System with an effective date of July 1, 2006 under the terms and conditions of SDCL Chapter 3-13A.

BE IT FURTHER RESOLVED that a copy of this RESOLUTION shall be transmitted to SDRS as soon as possible after adoption.

By: Lester C. Solberg, Mayor

Attest: Jackie Luttrell, Finance Officer

Date Adopted: August 7, 2006

Date Published: August 16, 2006

Effective Date: September 5, 2006

Motion # 230-2006

One Day Liquor Licenses

Motion by Pollock and seconded by Streff to approve one day liquor license for the Clark American Legion on 9/30/06 for the Amateur Baseball Banquet and 10/7/06 for the Lions Gun Raffle. All members voting yes. Motion carried.

FEMA Emergency Training

Luttrell reminded the Mayor and the Council that the FEMA Emergency Training is due by September 30, 2006. Municipals need to comply to be eligible for Homeland Security or FEMA funding. Upon passing the three required tests, copies of the certificates need to be filed with the Finance Officer.

Med Van Grant Update

Luttrell informed the Council that the med van grant has been modified with the help of the state to better meet Clark’s needs. Instead of getting a transit bus, like we already have, we are now pursuing a handicapped accessible Chevrolet Uplander minivan.

Fire Department & Townships

Township and Fire Department leaders met again with the council. The Fire Department operates under the City’s Tax ID number. A new grant is available to cover 90% of gas costs for local fires. Townships would like consideration on the disposal of trucks. Leave the titles as they currently are. City needs to know now of any budget changes for 2007.

Motion # 231-2006

Gruenwald Subdivision Plat

Motion by Pollock and seconded by Kline to approve the Gruenwald Subdivision Plat on behalf of the City Council and the Planning & Zoning Commission, acting as the same. All members voting yes. Motion carried.

TIF # 2 Bids & Update

Bids were opened in City Hall today at 3:00 pm for the Clark Family Dental Clinic for site work and utility improvements. The bids were filed as Schedule A, City’s responsibility, and Schedule B, Spieker Family Dental responsibility. One contractor is to be selected to perform both schedules. Lonnie Anderson with Clark Engineering opened the bids as follows:

Contractor	Schedule A	Schedule B	Combined
Forest Excavating	\$37,435.10	\$60,925.90	\$98,361.00
Clausen Construction	\$52,170.46	\$56,260.50	\$108,430.96
Drifting Goose Construction	\$47,050.89	\$59,413.31	\$106,464.20
Lien Transportation	---	\$63,364.50	ineligible

Motion # 232-2006

Approve Clark Family Dental Bid

Motion by DesLauriers and seconded by Streff to approve the Schedule A bid from Forest Excavating for \$37,435.10 with a known change order to follow for 24” curb and gutter to be reduced from 470 feet to 159 feet and contingent upon approval of the Schedule B bid from Spieker Family Dental. All members voting yes. Motion carried.

Luttrell and Gruenwald informed the council on the process needed to proceed with the residential portion of this TIF. A street needs to be vacated, land swapped, and a new street to be platted.

Zoning Regulation on Tin Buildings

Council discussed citizen concerns on the number of tin buildings and pole sheds being erected in the city. Current code has height and lot coverage restrictions. Future building permits will be reviewed closer for siding requests.

Water Restrictions

Complying with Clark Rural Water request, the City will continue to restrict water on the odd/even days. The north side of Highway 212 is allowed to water on odd days. The south side of Highway 212 is allowed to water on the even days. Citizens are encouraged to use water responsibly.

Road Maintenance at Industrial Park

Heim addressed a concern on performing road work at the Industrial Park. Luttrell will check with the insurance company to see if there are liability or work comp issues when city employees perform work on private property.

Mosquito Spraying

Due to the dry conditions, the City has not been spraying for mosquitoes. They will resume spraying when necessary.

Nature's Deli Update

No new information was known about the status of Nature's Deli going back into operation. Dreher questioned the process of annexing the facility into city limits. Process differs upon it being city initiated vs. landowner initiated.

Motion # 233-2006

September Meeting

Motion by Dreher and seconded by Streff to set the September council meeting to September 7, 2006 having a change due to the Labor Day holiday. All members voting yes. Motion carried.

Pool Update

Dreher states the pool is scheduled to close on August 26.

Motion # 234-2006

Executive Session

Motion by Pollock and seconded by DesLauriers close regular session and proceed into executive session for personnel and contractual issues. All members voting yes. Motion carried.

Executive session started at 8:25 pm and ended at 9:54 pm.

Motion # 235-2006

Disciplinary Action

Motion by Pollock and seconded by Dreher to authorize the department head to take disciplinary action against a city employee. All members voting yes. Motion carried.

Motion # 236-2006

Resignation

Motion by DesLauriers and seconded by Streff to accept Jeremy Wellnitz resignation from employment effective August 20, 2006. All members voting yes. Motion carried.

Motion # 237-2006

Jan's Corporation Claim

Motion by Dreher and seconded by Kline to approve paying the \$15,000 claim from Jan's Corporation for the work done to date for the medical building. All members voting yes. Motion carried.

Motion # 238-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 10:00 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
September 6, 2006
7:00 PM**

Call to order: The Clark City Council met in session on September 6, 2006 at 7:00 pm in the Ulliyot Building Community Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Police Chief Stacy Mayou, Bill Krikac and Keith Warren.

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

Motion # 239-2006 **Adopt Agenda**
Motion by Pollock and seconded by DesLauriers to adopt the agenda with the deletion of item number 12 Flood Plain Ordinance. All members voting yes. Motion carried.

Public Input

Dreher commented on a citizen concern on semis running all night at a lot in the northeast part of town. Police Chief Mayou will talk to the owners again about the noise.

Motion # 240-2006 **Approve Minutes**
Motion by Kline and seconded by Streff to approve the Council Meeting Minutes from August 7, 2006. All members voting yes. Motion carried.

Motion # 241-2006 **Approve Financial Statements**
Motion by Pollock and seconded by Dreher to approve the financial statements. All members voting yes. Motion carried.

Motion # 242-2006 **Approve Claims**
Motion by Dreher and seconded by Streff to approve the following claims. All members voting yes. Motion carried.

Additional August Claims

Check #	To	For	Amount
20094	Bank of the West	941 taxes	\$ 1,430.00
20095	Clark Rural Water	water	\$ 15,545.25
20096	Darin Altfillisch	payroll	\$ 1,399.91
20097	Curtis Binger	payroll	\$ 310.79
20098	Caitlyn Bjerke	payroll	\$ 481.28
2099	Heather Borns	payroll	\$ 450.14
20100	Adrienne Brannan	payroll	\$ 402.77
20101	Kyle Christman	payroll	\$ 153.09
20102	Roger Collins	payroll	\$ 1,058.14

Check #	To	For	Amount
20103	Rae Jean Flora	payroll	\$ 603.66
20104	Malissa Gruenwald	payroll	\$ 173.17
20105	Amber Harrington	payroll	\$ 62.33
20106	Samantha Hoffman	payroll	\$ 294.95
20107	Becky Jenkins	payroll	\$ 279.09
20108	Keith Kruthoff	payroll	\$ 554.03
20109	Jordan Lindgren	payroll	\$ 124.85
20110	Jackie Luttrell	payroll	\$ 806.38
20111	Stacy Mayou	payroll	\$ 1,058.33
20112	Paige Paulson	payroll	\$ 253.15
20113	Melissa Rahn	payroll	\$ 51.90
20114	Floyd Sjoberg	payroll	\$ 407.60
20115	Loren Stanley	payroll	\$ 858.94
20116	Allyson Warkenthien	payroll	\$ 420.37
20117	Jeremy Wellnitz	payroll	\$ 821.74
20118	Bank of the West	941 taxes	\$ 3,388.81
20119	Human Service Agency	professional fees	\$ 75.00
20120	Dacotah Bank	loan payment	\$ 1,332.35
20121	City of Clark	water payment	\$ 100.00
20122	Darin Altfillisch	payroll	\$ 1,259.65
20123	Caitlyn Bjerke	payroll	\$ 199.84
20124	Heather Borns	payroll	\$ 232.97
20125	Adrienne Brannan	payroll	\$ 188.30
20126	Roger Collins	payroll	\$ 1,058.14
20127	Rae Jean Flora	payroll	\$ 603.66
20128	Samantha Hoffman	payroll	\$ 201.27
20129	Becky Jenkins	payroll	\$ 269.01
20130	Keith Kruthoff	payroll	\$ 607.98
20131	Jordan Lindgren	payroll	\$ 218.17
20132	Jackie Luttrell	payroll	\$ 806.38
20133	Stacy Mayou	payroll	\$ 1,058.33
20134	Melissa Rahn	payroll	\$ 172.19
20135	Ronald Schorg	payroll	\$ 287.85
20136	Floyd Sjoberg	payroll	\$ 303.59
20137	Loren Stanley	payroll	\$ 819.31
20138	Allyson Warkenthien	payroll	\$ 146.50
20139	Jeremy Wellnitz	payroll	\$ 821.74
20140	AFLAC	payroll	\$ 229.80
20141	Wellmark BCBS	payroll	\$ 3,335.06
20142	VOID		
20143	SD Retirement	retirement	\$ 2,482.20
20144	VALIC	retirement	\$ 25.00
20145	American Family Insurance	insurance	\$ 6.83
20146	The US Life Insurance Co.	insurance	\$ 13.90
20147	Sharon Bjerke	payroll	\$ 257.05
20148	Ryan Burke	payroll	\$ 312.65
20149	Eileen Dunbar	payroll	\$ 195.71
20150	Robert Gergen	payroll	\$ 768.13
20151	Carmen Kloster	payroll	\$ 256.69

Check #	To	For	Amount
20152	Dorcas Proxtexter	payroll	\$ 695.43
20153	Lester Solberg	payroll	\$ 364.78
20154	Teri Stokely	payroll	\$ 244.42
20155	Stacey Wellnitz	payroll	\$ 46.17
20156	Bank of the West	941 taxes	\$ 800.17
20157	Bank of the West	941 taxes	\$ 2,774.07
20158	Petty Cash	petty cash	\$ 86.85
20159	ITC Rural Economics	loan payment	\$ 2,813.54
20160	Dacotah Bank	loan payment	\$ 3,655.42

New Claims for September

To	For	Amount
SD Rural Development	sewer bond	\$ 787.00
SD Rural Development	water bond	\$ 908.00
Alltel	utilities	\$ 292.21
American Red Cross	professional fees	\$ 127.00
A&B Business Equipment	copier lease	\$ 96.54
A-OX Welding	supplies	\$ 8.06
Arne's Computer	repairs	\$ 31.80
A-Tech	sewer repairs	\$ 175.00
Banyon Data Systems	support	\$ 770.00
Book of the Month	books	\$ 56.97
Carlson Distributing	liquor	\$ 5,628.95
City of Clark	water bill	\$ 300.00
Clark County Courier	advertising	\$ 254.82
Clark County Register of Deeds	filing fee	\$ 15.00
Cook's	garbage	\$ 32.70
Dacotah Insurance	insurance	\$ 6,518.00
Dakota Electronics	maintenance	\$ 144.40
Desnoyers Hardware	supplies	\$ 137.83
DSR, Inc.	repairs	\$ 5,141.00
Ecolab	spraying	\$ 72.00
Elite Drain	sewer maintenance	\$ 243.00
Ellwein Brother	liquor	\$ 12,086.80
Expectec	repairs	\$ 251.92
Fjelland Attorney at Law	legal fees	\$ 856.00
Hawkins Water Treatment	supplies	\$ 4,569.85
ITC	utilities	\$ 441.39
Johnson Brother Famous	liquor	\$ 9,956.64
Ken's Food Fair	supplies	\$ 312.54
K&P Pump Repairs	repairs	\$ 145.92
Ladies Home Journal	publications	\$ 16.97
Literacy Guild	books	\$ 30.77
Lyle Signs	supplies	\$ 155.94
Mack's	supplies	\$ 475.02
M&T Fire & Safety	supplies	\$ 11.50
Milbank Communication	fire radios	\$ 1,100.00
Moritz Publishing	supplies	\$ 202.36

To	For	Amount
NAPA Auto Parts	supplies	\$ 94.50
Newsweek	publications	\$ 42.00
Northwestern Energy	utilities	\$ 6,983.21
Office Systems	supplies	\$ 52.24
Olson Auto Parts	supplies	\$ 541.16
Olson Motor Co.	supplies	\$ 963.02
One Call Systems	locate tickets	\$ 20.00
Oscar's Machine Shop	supplies	\$ 61.69
Quill	supplies	\$ 306.95
Pitney Bowes	equipment & supplies	\$ 1,688.24
Pitney Bowes	lease	\$ 39.99
Porter Distributing	liquor	\$ 368.00
Ron's Saw Shop	supplies	\$ 104.59
SD Dept of Revenue	professional fees	\$ 344.00
Sioux Pipe	supplies	\$ 245.66
Smith Irrigation	supplies	\$ 45.00
SoDak/Republic Beverage	liquor	\$ 7,743.84
Star Laundry	rug cleaning	\$ 98.80
UBC	supplies	\$ 114.62
USA Blue Book	supplies	\$ 128.88
Westside Implement	supplies	\$ 46.63

Motion # 243-2006

Florey's Water Meter Installation

Motion by DesLauriers and seconded by Kline to approve a claim for \$1,320 from Florey's Plumbing for water meter installation to be paid from the Rural Development water grant and to supplement the water budget by the amount of the grant, \$1,320. All members voting yes. Motion carried.

Motion # 244-2006

Clark Engineering Sewer Fence Professional Fees

Motion by Dreher and seconded by Heim to approve a claim from Clark Engineering for \$490 for the professional fees for a fence surrounding the waste water treatment facility to be paid from Rural Development sewer grant and to supplement the sewer budget by the amount of the grant, \$490. All members voting yes. Motion carried.

Police Report

Police Chief Mayou gave the following police report: 1,473 miles patrolled, two domestics, one simple assault, one driving under suspension, recovered theft property and assisted the DCI in executing a search warrant resulting in arrests for possession of marijuana, possession of drug paraphernalia and ingesting marijuana. Mayou discussed with the Council on his wish to get a replacement officer. Council discussed combining departments with the County, but were told that the County Commissioners were not interested. The Sheriff's office has stated a legal opinion from the attorney general that being a police department exists within the town, the Sheriff's department does not have to assist the city officers unless it involves a felony.

Motion # 245-2006

Approve Police Report

Motion by Dreher and seconded by Heim to approve the police report as stated above. All members voting yes. Motion carried.

ICS Certification Classes

The deadline for completing ICS and NIMS certification is September 30, 2006. Bryant Wientjes, Clark County Emergency Manager, is holding classes again September 25 – 28 at the City Hall starting a 6 pm. Council and certain city employees must receive certification in order to be eligible for federal government grants.

Sewer Fence Quotes

At 3 pm this afternoon, September 6, 2006, quotes were opened for the Clark Mechanical Wastewater Treatment Facility fence. Specs were developed by Clark Engineering and sent to four fence supplies. Finance Officer Luttrell opened the two bids at the scheduled time. The results were as follows:

Mohr's Fencing Supply	\$9,530.00
Hawkeye Enterprises, Inc.	\$11,756.00

After the opening, Clark Engineering reviewed the quotes and recommended accepted the Mohr's quote. Clark Engineering will draw up the agreement to the awarded vendor. This project will be funded, in part, by the remaining Rural Development sewer grant of \$7,723.

Motion # 246-2006

Accept Fence Quote

Motion by Pollock and seconded by DesLauriers to accept the fence quote from Mohr's Fencing Supply for \$9,530.00 to enclose the waste water treatment facility. All members voting yes. Motion carried.

Flood Plain Ordinance was removed from the agenda.

Motion # 247-2006

Executive Session

Motion by Pollock and seconded by Kline to close regular session to go into executive session to discuss contractual issues with Randy Gruenwald. All members voting yes. Motion carried.

Executive Session began at 7:30 pm and ended at 7:57 pm.

Amendment E: The J.A.I.L. Amendment

The Council watched a short DVD explaining Amendment E: The J.A.I.L. Amendment that will appear on the November 2006 general election ballot.

Motion # 248-2006

Resolution #756 Amendment E

Motion by DesLauriers and seconded by Dreher to approve Resolution #756 opposing the Amendment E – The J.A.I.L. initiative as stated below. All members voting yes. Motion carried.

RESOLUTION # 756

WHEREAS, an initiated measure self-titled as “The J.A.I.L. Amendment” has been designated as Amendment E by the Secretary of State and will appear on the November, 2006 general election ballot; and

WHEREAS, Amendment E would abolish the doctrine of judicial immunity, create a special grand jury with an annual budget of over two million dollars, allow for the creation of special court under the jurisdiction of the special grand jury apart from the Unified Judicial System and would allow for jury nullification (a measure previously submitted to and rejected by the electorate); and

WHEREAS, the stated purpose of Amendment E is to correct the abuse of judicial power; and

WHEREAS, the South Dakota and the United States Constitutions and the laws made pursuant to these Constitutions by publicly elected officials currently provide remedies for the correction of any abuse of the judicial power; and

WHEREAS, Amendment E would subject any person or group of persons who exercise judicial authority, including quasi-judicial actions such as members of zoning boards of adjustment, planning commissions, and municipal governing bodies, to limitless liability; and

WHEREAS, Amendment E prevents public money from being used to defend a public official from a claim brought by the special grand jury, subjecting the official to massive personal liability; and

WHEREAS, a number of groups including the South Dakota Municipal League, the South Dakota Republican and Democratic parties, the South Dakota State Bar, and many others have voiced opposition to Amendment E because of the threat it poses to the judicial system and to public officials; and

WHEREAS, the Legislature of the State of South Dakota has unanimously approved House Concurrent Resolution 1004 strongly urging the voters of South Dakota to defeat Amendment E “to protect our system of justice, to protect economic development” and “to protect citizens from frivolous lawsuits”; and

WHEREAS, the City of Clark has determined that Amendment E would be contrary to the best interest of the City of Clark because of the potential damage Amendment E could do to South Dakota’s judicial system and the threat it poses to public servants who serve on many municipal boards, such as the Zoning Board of Adjustment, the Planning Commission, as well as the Clark City Council.

NOW THEREFORE BE IT RESOLVED by the City of Clark that the Clark City Council joins with the South Dakota Legislature, the South Dakota Municipal League,

and other groups and strongly urges the voters of South Dakota to reject Amendment E when voting at the 2006 general election.

Dated this 6th day of September, 2006.

ATTEST:

Jackie Luttrell, Finance Officer

Lester C. Solberg, Mayor

Motion # 249-2006

Approve Playhouse Operating Agreement

Motion by Kline and seconded by Pollock to approve extending the Playhouse Operating Agreement for one year, renewing 8/4/06. All members voting yes. Motion carried.

Audit Update

Luttrell stated the auditors from William Neal & Co. have been auditing the 2004 and 2005 books and hope to be completed within the next few weeks. The Auditor would like to see an accountability issue resolved on large dollar vouchers. Pollock would like to see the City implement a purchase order process for purchases over \$500. Luttrell will work on a process to be reviewed for the next meeting.

Medical Building Update

Bids have been reconfirmed by Jans Corporation to allow us to still proceed this year. A special meeting may need to be called early next week to proceed with further action.

Motion # 250-2006

NEFOG Meeting

Motion by Pollock and seconded by Kline to approve travel and meeting expenses for Rae Jean and Jackie to attend NEFOG meeting in Aberdeen on September 22, 2006. All members voting yes. Motion carried.

Motion # 251-2006

SDML Annual Conference

Motion by Heim and seconded by Kline to approve conference, motel and travel expenses for Rae Jean and Jackie to attend the SDML Annual Conference to be held in Spearfish, SD on October 4 -6, 2006. All members voting yes. Motion carried.

First Reading Ordinance #458 2007 Salaries

First Reading Ordinance #459 2007 Budget

Highway 212 Speed Limits

Police Chief Mayou will be talking to the state about reducing the speed limits coming into town on the east and east.

Med Van Update

No delivery date is known for receiving the van from the transit grant for the 2007 Chevrolet Uplander.

Annex Nature's Deli

City Attorney Fjelland explained the process of annexing land into city limits. A resolution of intent would be necessary and First District is available to do a study that details the necessity of doing annexation. Discussion is if annexing is desired, the City should consider going both east and west. Annexed land must be contiguous to city boundaries.

Industrial Park Road Maintenance

Heim readdressed the Council on her concern on the City performing road work at the Industrial Park. Her concerns is the City should not be performing a service for something that is the livelihood of a local business. City Attorney Fjelland will get on a County Commissioners agenda to see if the County would take over this task as long as they have the TIF on this property.

Quarterly Award Recipients

Council discussed possible recipients for the third quarter Quarterly Award

Motion # 252-2006

Executive Session

Motion by Kline and seconded by Streff to close regular session to proceed into executive session to discuss personnel and contractual issues. All members voting yes. Motion carried.

Executive session began at 9:40 pm and ended at 10:30 pm.

Motion # 253-2006

Executive Session

Motion by Heim and seconded by Pollock to advertise for a part-time police officer with wages based on experience. All members voting yes. Motion carried.

Motion # 254-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 10:31 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Special Council Meeting
September 12, 2006
6:00 PM**

Call to order: The Clark City Council met in session on September 12, 2006 at 6:00 in the City Hall Council Room for a special meeting called by the Mayor.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline and Roberta Heim. John Pollock was unable to attend.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland and Bill Krikac.

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

Motion # 255-2006 **Adopt Agenda**
Motion by DesLauriers and seconded by Dreher to adopt the agenda. All members voting yes. Motion carried.

Public Input

Mayor Solberg stated that Mel Hamre would like to put a bench in Flat Iron Park in memory of his wife, Ruth Hamre.

Motion # 256-2006 **Approve Minutes**
Motion by Dreher and seconded by Streff to approve the Council Meeting Minutes from September 6, 2006. All members voting yes. Motion carried.

Motion # 257-2006 **Approve Claims**
Motion by Kline and seconded by Heim to approve the following claims. All members voting yes. Motion carried.

New Claims for September

To	For	Amount
A&B Business Equipment	maintenance	\$32.06
Bank of the West	loan payment	\$1,430.00
Clark Community Oil	supplies	\$2,445.66
City of Clark	utilities	\$48.75
Colonial Research	supplies	\$1,493.47
Cook's Wastepaper	garbage	\$4,848.25
Clark Rural Water	supplies	\$10,180.20
Florey's Plumbing	maintenance	\$80.58
Mack's	supplies	\$113.00
One Call Systems	locate tickets	\$18.00
Quill	supplies	\$59.99
Vernon Peterson	repairs	\$20.00

Motion # 258-2006

Executive Session

Motion by DesLauriers and seconded by Dreher to close regular session to proceed into Executive Session to discuss personnel and contractual issues. All members voting yes. Motion carried.

Executive Session began at 6:05 pm and ended at 6:20 pm.

Motion # 259-2006

Resolution #757

Motion by Dreher and seconded by Kline to approve Resolution # 757 as follows. All members voting yes. Motion carried.

RESOLUTION # 757

A RESOLUTION TO AUTHORIZE THE CITY OF CLARK TO ACCEPT A MONETARY GIFT AND GIFT OF STOCK FROM CLINTON AND JENNIE CLARK TO BE USED FOR THE CONSTRUCTION OF A MEDICAL ARTS FACILITY, AND TO DESIGNATE AND AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT WHICH MEMORIALIZES THE TERMS AND CONDITIONS OF SAID GIFT.

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

WHEREAS, the City of Clark, South Dakota, intends to construct a medical arts facility within the City of Clark, South Dakota; and,

WHEREAS, Clinton and Jennie Clark, desire to make a monetary gift and gift of stock to the City of Clark to be used for the construction of said medical arts facility;

WHEREAS, the City of Clark with deep gratitude desires to accept Clinton and Jennie Clark's generous gift to the City;

NOW, THEREFORE BE IT RESOLVED that the City of Clark, South Dakota, does hereby accept a monetary gift from Clinton and Jennie Clark to be used for the construction of a medical arts facility;

AND BE IT FURTHER RESOLVED, that Lester C. Solberg, Mayor of the City of Clark, is hereby authorized and directed to execute any necessary agreement for the purpose of memorializing the terms and conditions pursuant to which Clinton and Jennie Clark's gift to the City of Clark is to be made and administered;

AND BE IT FURTHER RESOLVED, that the City of Clark, South Dakota, by and through its City Council, offers its sincere appreciation, thanks and gratitude to Clinton and Jennie Clark for their generous gift, which will enable the construction of the medical arts facility, strengthen our community and ensure that the citizens of Clark and the surrounding area will continue to receive the best possible medical care for many years to come.

Adopted this 12th day of September, 2006.

ATTEST:
Jackie Luttrell, City Finance Officer
(SEAL)

Lester C. Solberg, Mayor
City of Clark, South Dakota

* * * * *

Motion # 260-2006

Resolution #758

Motion by DesLauriers and seconded by Heim to approve Resolution # 758 as follows.
All members voting yes. Motion carried.

RESOLUTION # 758

A RESOLUTION OF INTENT TO LEASE CITY OWNED PROPERTY TO SIOUX VALLEY CLINIC.

WHEREAS, the Clark City Council has reviewed and studied the leasing of certain City owned property, legally described as follows:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), of Block One (1), of the Original Plat of the City of Clark, Clark County, South Dakota;

WHEREAS, the Clark City Council has determined that the leasing of the above-described property would be in the best interest for the City;

WHEREAS, the lease would be for a term exceeding 120 days and for the amount exceeding \$500 in annual value, and pursuant to SDCL 9-12-5.2, the City of Clark must hold a public hearing on the adoption of any Resolution approving a lease of City owned property to a private person or entity for a term exceeding 120 days and for an amount exceeding \$500 in annual value;

WHEREAS, the terms and conditions of this lease are as fully set forth in the lease on file in the City Finance Office;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark, a municipal corporation, hereby adopts a Resolution of Intent to enter into a lease of the following described municipally owned property with Sioux Valley Clinic;

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), of Block One (1), of the Original Plat of the City of Clark, Clark County, South Dakota;

BE IT FURTHER RESOLVED that a hearing on the adoption of the Resolution to Lease the above described real estate shall be held on Monday, October 2, 2006, at 7:30 o'clock P.M. during the regular meeting of the Clark City Council, to be held in the

Council Chambers of the Clark City Hall, 120 North Commercial Street, Clark, South Dakota 57225.

Lester C. Solberg, Mayor
City of Clark, South Dakota

ATTEST:
Jackie Luttrell, City Finance Officer
(SEAL)

* * * * *

Motion # 261-2006

Resolution #759

Motion by Kline and seconded by Streff to approve Resolution # 759 as follows. All members voting yes. Motion carried.

RESOLUTION # 759

A RESOLUTION OF INTENT TO LEASE CITY OWNED PROPERTY TO STEVEN AND BEVERLY SPLINTER, D/B/A CLARK COMMUNITY PHARMACY

WHEREAS, The Clark City Council has reviewed and studied the leasing of certain City owned property, legally described as follows:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), of Block One (1), of the Original Plat of the City of Clark, Clark County, South Dakota;

WHEREAS, the Clark City Council has determined that the leasing of the above-described property would be in the best interested of the city;

WHEREAS, the lease would be for a term exceeding 120 days and for an amount exceeding \$500 in annual value, and pursuant to SDCL 9-12-5.2, the City of Clark must hold a public hearing on the adoption of any Resolution approving a lease of City owned property to a private person or entity for a term exceeding 120 days and for an amount exceeding \$500 in annual value;

WHEREAS, the terms and conditions of this lease are as fully set forth in the lease on file City Finance Office;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark, a municipal corporation, hereby adopts a Resolution of Intent to enter into a lease of the following described municipally owned property with Steven and Beverly Splinter, d/b/a Clark Community Pharmacy:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15), of Block One (1), of the Original Plat of the City of Clark, Clark County, South Dakota;

BE IT FURTHER RESOLVED that a hearing on the adoption of the Resolution to Lease the above described real estate shall be held on Monday, October 2, 2006, at 7:35 o'clock P.M. during the regular meeting of the Clark City Council, to be held in the Council Chambers of the Clark City Hall, 120 North Commercial Street, Clark, South Dakota 57225.

Lester C. Solberg, Mayor
City of Clark, South Dakota

ATTEST:
Jackie Luttrell, City Finance Officer
(SEAL)

Motion # 262-2006

Notice to Proceed

Motion by Dreher and seconded by Kline to authorize Mayor Solberg to sign the Notice to Proceed to Jans Corporation to begin the construction of the Clark Medical Clinic. All members voting yes. Motion carried.

Motion # 263-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 6:22 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
October 2, 2006
7:00 PM**

Call to order: The Clark City Council met in session on October 2, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Police Chief Stacy Mayou, Bill Krikac, Keith Warren, Melanie Smith, Linda Seefeldt and Bryan Wientjes.

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

Motion # 264-2006 **Adopt Agenda**
Motion by Dreher and seconded by Pollock to adopt the agenda. All members voting yes. Motion carried.

Public Input

Heim: (1) Remove the water restrictions page from the ITC Community pages, (2) Bathrooms not open during JV football games – school has key to open during their activities, and (3) Attended First District Planning meeting and gave update on various grants.

Motion # 265-2006 **Approve Minutes**
Motion by Streff and seconded by DesLauriers to approve the Council Meeting Minutes from September 12, 2006. All members voting yes. Motion carried.

Motion # 266-2006 **Approve Financial Statements**
Motion by Pollock and seconded by Heim to approve the financial statements. All members voting yes. Motion carried.

Motion # 267-2006 **Approve Claims**
Motion by Pollock and seconded by Dreher to approve the following claims. All members voting yes. Motion carried.

Check/Ref #	To	Additional September Claims For	Amount
106	SD Department of Revenue	sales tax	\$ 112.26
20229-20236	Water Dept.	payroll	\$ 792.59
	Sewer Dept.	payroll	\$ 792.65
	Pool	payroll	\$ 85.48
	Streets	payroll	\$1,810.26
	Finance Office	payroll	\$1,026.82
	Police	payroll	\$1,058.33

City Council Meeting – October 2, 2006

Check/Ref #	To	For	Amount
	Sanitation	payroll	\$ 609.74
	Park	payroll	\$ 278.49
20237	Bank of the West	payroll taxes	\$2,023.29
20238	Alltel	utilities	\$ 122.23
20239	Francis L. Dean & Assoc.	insurance	\$ 269.03
20240	Ramada	meals	\$ 16.46
20241-20249	Water Dept.	payroll	\$ 922.69
	Sewer Dept.	payroll	\$ 922.75
	Mayor	payroll	\$ 364.78
	Finance Office	payroll	\$1,290.94
	Police	payroll	\$2,526.22
	Govt. Bldg	payroll	\$ 180.47
	Library	payroll	\$ 670.82
	Streets	payroll	\$1,797.13
	Pool	payroll	\$ 79.93
	Transit	payroll	\$ 715.67
	Sanitation	payroll	\$ 746.66
	Parks	payroll	\$ 276.27
20250	AFLAC	insurance	\$ 229.80
20251	Wellmark BCBS	insurance	\$3,335.06
20252	Bank of the West	taxes	\$1,988.06
20253	SD Retirement	insurance	\$2,075.66
20254	VALIC	retirement	\$ 25.00
20255	American Family	insurance	\$ 6.83
20256	The US Life Insurance	insurance	\$ 13.90
20268	Bank of the West	taxes	\$ 959.92
20269	Petty Cash	supplies	\$ 61.04
	Harland Checks	checks	\$ 161.87

New October Claims

Name	For	Amount
Cardell's	supplies	\$ 285.74
Cardmember Services	supplies	\$ 18.00
City of Clark	utilities	\$ 4,793.10
Clausen Farms	supplies	\$ 780.00
Codington Clark Equipment	supplies	\$ 21.56
Cook's Wastepaper	utilities	\$ 32.70
Dacotah Bank	loan payment	\$ 3,655.42
DesLauriers Oil	supplies	\$ 109.65
Desnoyers Hardware	supplies	\$ 393.27
DSR, Inc.	repairs	\$ 874.73
ESRI	software support	\$ 400.00
First National Bank	loan payment	\$ 6,940.29
ITC Rural Economic	loan payment	\$ 2,813.54
ITC	utilities	\$ 410.37
Johnson Brothers Famous	liquor	\$ 8,088.68
Fjelland Attorney at Law	professional fees	\$ 697.60
Ken's Food Fair	supplies	\$ 12.85
Mack's	supplies	\$ 660.32

City Council Meeting – October 2, 2006

Name	For	Amount
M&T Fire & Safety	FD supplies	\$ 769.00
Milbank Winwater	supplies	\$ 98.57
NAPA	supplies	\$ 42.85
Northwestern Energy	utilities	\$ 7,175.27
Pioneer Bank & Trust	copier lease	\$ 314.00
Pitney Bowes	lease	\$ 372.00
Quill	supplies	\$ 58.37
Republic Beverage Co.	liquor	\$ 8,045.84
SD Department of Revenue	professional fees	\$ 489.00
SD Rural Development	sewer revenue bond	\$ 787.00
SD Rural Development	water revenue bond	\$ 908.00
Service Master	maintenance	\$ 262.00
Star Laundry	maintenance	\$ 49.40
Teri Stokely	school	\$ 400.00
The Literacy Guild	books	\$ 88.41
Westside Implement	supplies	\$ 227.83

Motion # 268-2006

Water Grant

Motion by Pollock and seconded by Kline to approve to pay the \$3,240 meter installation claim from Florey's Plumbing that is covered by the Phase I Water grant, and to do an automatic budget supplement of the 2006 water budget by the same amount, \$3,240. Extend the deadline for Florey's to complete meter installation to October 31, 2006. All members voting yes. Motion carried.

Police Report

Police Chief Mayou gave the following police report: 1,118 miles patrolled, one violation of license restriction, one speed, four domestics, one non-injury accident, two burglaries (solved), two vandalisms. Mayou followed up on the complaint about the semis running at night and is talking to the state on getting speed zones on Highway 212.

Motion # 269-2006

Police Report

Motion by Dreher and seconded by Pollock to approve the police report. All members voting yes. Motion carried.

Quarterly Award

At this time, Mayor Solberg announced the recipients of the 3rd Quarter 2006 Quarterly Award as Melanie Smith and Linda Seefeldt.

Medical Building Update

Construction continues on the building with footings this week.

Spooktacular Update

Spooktacular will be held October 28, 2006 with activities beginning at 4:00 pm. Neighboring schools have been invited to participate.

Industrial Road Update

Removed from agenda as Heim is researching for more information.

Motion # 270-2006

Resolution #760

Motion by DesLauriers and seconded by Kline to approve Resolution #760 as follows.
All members voting yes. Motion carried.

RESOLUTION # 760

A RESOLUTION TO AUTHORIZE THE PURCHASE OF REAL ESTATE BY THE CITY OF CLARK, SOUTH DAKOTA, AND TO DESIGNATE AN OFFICER OR AGENT FOR THE CITY OF CLARK TO SIGN ALL DOCUMENTS IN CONNECTION WITH THE PURCHASE OF SAID REAL ESTATE.

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

WHEREAS, the City Council of Clark, South Dakota, intends to construct a medical arts facility within the City of Clark, South Dakota, for the use of the people of the community and the surrounding area; and,

WHEREAS, the City of Clark desires to purchase real estate located within the City of Clark, South Dakota, for such purpose; and,

WHEREAS, the City of Clark has received an offer from the owner or owners thereof to sell to the City of Clark the following described real estate, to wit:

Lot Sixteen (16), of Block One (1), of the Original Plat of the City of Clark, Clark County, South Dakota;

for a price of Two Thousand Dollars (\$2,000.00) and other good and valuable consideration; and,

WHEREAS, the City Council deems said real property to be an appropriate location for said medical arts facility and therefore desires to accept the above described offer to sell the above described real property to the City of Clark for the consideration set forth in said offer; and,

WHEREAS, it is necessary to appoint an agent for the City of Clark to execute all documents and take whatever other action may be deemed necessary or appropriate to consummate the purchase of the above described real property on behalf of the City of Clark for the consideration set forth in said offer;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark, South Dakota, does hereby accept the offer of the owner or owners thereof to sell the following described real property, to wit:

Lot Sixteen (16), of Block One (1), of the Original Plat of the City of Clark, Clark County, South Dakota;

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 or appropriate to consummate the purchase of the above described real property for the consideration set forth in the offer accepted in this Resolution.

Adopted this 2nd day of October, 2006.

Lester C. Solberg, Mayor
City of Clark, South Dakota

ATTEST:
Jackie Luttrell, City Finance Officer
(SEAL)

Adopted: October 2, 2006
Published: October 4, 2006
Effective: October 24, 2006

* * * * *

Countywide Law Enforcement

Heim requested Council’s opinion on meeting with the County Commissions to discuss future countywide law enforcement. Luttrell will request to get on the County Commissioners agenda for their November meeting.

Public Hearing: Sioux Valley Lease

This being the advertised scheduled time of 7:30 pm to hold a public hearing to discuss the City entering into a lease with Sioux Valley Clinics. No one outside of the Council was present to address concerns. City Attorney Fjelland reviewed the tentative lease.

Public Hearing: Clark Community Pharmacy

This being the advertised scheduled time of 7:35 pm to hold a public hearing to discuss the City entering into a lease with Clark Community Pharmacy. No one outside of the Council was present to address concerns. City Attorney Fjelland reviewed the tentative lease.

Motion # 271-2006

ICS Training

Motion by Dreher and seconded by Pollock to approve over-time pay for employees who attended the NIMS and ICS training required by FEMA and Homeland Security. All members voting yes. Motion carried.

Clark Rural Water Agreement Update

Mayor Solberg met with Duane Stokes, Manager of CRW, and Senator Johnson’s aide about possible funding for a state of the art water treatment plant designed after a plant in Holland.

Motion # 272-2006

Water Billing for Fire Department

Motion by Pollock and seconded by Heim to approve to bill the Fire Department water usage at cost and the payment will be made by the City out of the Fire Department utilities budget. All members voting yes. Motion carried.

Homeland Security Grant Meeting

Bryan Wientjes addressed the council about a meeting on October 11, 2006 at 7 pm to discuss grant money for homeland security issues. Approximately \$500,000 is available to be shared by 9 counties for communications and securing critical infrastructure. City officials and department heads are invited to voice their needs.

City Christmas Party

The City Christmas party will be scheduled for December 2, 2006 to be catered by The Time Out.

Voucher/Purchase Order Update

Luttrell followed up from last month's discussion on putting a purchase order process in place. After discussions with the other department heads, the decision was to have the department heads review each voucher and sign off on their vouchers. This meets the auditor's suggestions to ensure accurate billing. In addition, department heads will attend monthly council meeting to give an update on their department's activities.

First Reading of Ordinance #460 2006 Supplementing Appropriations.

Motion # 273-2006

Contingency Transfer Resolution

Motion by Dreher and seconded by Streff to approve the following resolution to transfer monies from the contingency fund to the culture-recreation administration and engineering departments. All members voting yes. Motion carried.

Resolution # 761

BE IT NOW RESOLVED BY THE CITY COUNCIL OF CLARK, SD that the following transfer be made from the Contingency Fund due to unforeseen expenses to the following fund:

Culture-Recreation Admin	\$157
Engineering	\$1,733

Motion by Larry Dreher and seconded by Louann Streff. All members voting yes. Motion carried. Passed this 2nd day of October, 2006.

* * * * *

Motion # 274-2006

Ordinance #459 2007 Budget

Motion by Dreher and seconded by Streff to approve Ordinance #459 2007 Budget as follows. All members voting yes. Motion carried.

City Council Meeting – October 2, 2006

**Ordinance # 459
2007 Appropriations Ordinance**

Part One:

Be it ordained by the City of Clark that the following sums are appropriated to meet the obligations of the municipality.

	<u>Governmental</u>	<u>Special Revenue</u>	<u>Debt Service</u>	<u>Capital Project</u>
	<u>General Fund</u>	<u>Library Fund</u>	<u>TIF District No. 1</u>	<u>Medical Bldg Fund</u>
410 General Government				
411 Council	\$ 15,800	\$ -	\$ -	\$ -
411.5 Contingency	\$ 75,679	\$ -	\$ -	\$ -
412 Mayor	\$ 5,922	\$ -	\$ -	\$ -
413 Elections	\$ -	\$ -	\$ -	\$ -
414.1 Legal Services	\$ 6,000	\$ -	\$ -	\$ -
414.2 Finance Office	\$ 75,950	\$ -	\$ -	\$ -
419 Government Bldgs	\$ 15,070	\$ -	\$ -	\$ 545,516
Total General Government	\$ 194,421	\$ -	\$ -	\$ 545,516
420 Public Safety				
421 Police	\$ 96,550	\$ -	\$ -	\$ -
422 Fire Department	\$ 27,300	\$ -	\$ -	\$ -
Total Public Safety	\$ 123,850	\$ -	\$ -	\$ -
430 Public Works				
431 Highway & Streets	\$ 154,100	\$ -	\$ -	\$ -
431.6 Street Lighting	\$ 22,500	\$ -	\$ -	\$ -
432.1 Sanitation	\$ 86,925	\$ -	\$ -	\$ -
439 Transit	\$ 33,300	\$ -	\$ -	\$ -
Total Public Works	\$ 296,825	\$ -	\$ -	\$ -
441 Health and Welfare				
441 Health - Medical Building	\$ 8,720			
441.3 West Nile	\$ 6,500	\$ -	\$ -	\$ -
Total Health and Welfare	\$ 15,220			
450 Culture & Recreation				
451.1 Teener's	\$ 760	\$ -	\$ -	\$ -
451.2 Swimming Pool	\$ 90,505	\$ -	\$ -	\$ -
452 Parks	\$ 38,400	\$ -	\$ -	\$ -
455 Library	\$ 16,855	\$ 75	\$ -	\$ -
Total Culture & Recreation	\$ 146,520	\$ 75	\$ -	\$ -
465 Economic Development				
465.1 Industrial Development	\$ 77,628	\$ -	\$ -	\$ -
465.3 Promoting the City	\$ 3,750	\$ -	\$ -	\$ -
Total Economic Development	\$ 81,378	\$ -	\$ -	\$ -
470 Debt Services				

City Council Meeting – October 2, 2006

471 Principle	\$ 4,000	\$ -	\$ 3,566	\$ -
472 Interest	\$ 1,330	\$ -	\$ 4,980	\$ -
Total Debt Services	\$ 5,330	\$ -	\$ 8,546	\$ -
490 Miscellaneous				
499 Liquor	\$ 320,500	\$ -	\$ -	\$ -
Total Miscellaneous	\$ 320,500	\$ -	\$ -	\$ -
Total Appropriations	\$ 1,184,044	\$ 75	\$ 8,546	\$ 545,516

REVENUES

Part Two:

The following designates the fund or funds that money derived from the following sources is applied to.

Revenue	<u>Governmental</u>	<u>Special Revenue</u>	<u>Debt Service</u>	<u>Capital Project</u>
	<u>General Fund</u>	<u>Library Fund</u>	<u>TIF District No. 1</u>	<u>Medical Bldg Fund</u>
310 Taxes	\$ 650,669	\$ -	\$ -	\$ -
320 Licenses & Permits	\$ 450	\$ -	\$ -	\$ -
330 Intergovernmental Revenue	\$ 41,000	\$ -	\$ -	\$ 245,516
340 Charges for Goods & Srvs	\$ 100,960	\$ -	\$ -	\$ -
350 Fines & Forfeits	\$ 500	\$ 75	\$ -	\$ -
360 Miscellaneous Revenue	\$ 46,915	\$ -	\$ -	\$ 300,000
380 Liquor	\$ 343,550	\$ -	\$ -	\$ -
391 Other Financing Sources	\$ -	\$ -	\$ 8,546	\$ -
Total Means of Finance	\$ 1,184,044	\$ 75	\$ 8,546	\$ 545,516

PROPRIETARY FUNDS

	<u>Water Fund</u>	<u>Sewer Fund</u>
Estimated Beginning Retained Earnings	\$ 75,000	\$ 40,000
Estimated Revenue	\$ 215,750	\$ 157,620
Total Available	\$ 290,750	\$ 197,620
Less Appropriations	\$ (215,750)	\$ (157,620)
Estimated Surplus	\$ 75,000	\$ 40,000

The Finance Officer is directed to certify the following dollar amount of tax levies made in this ordinance to the County Auditor.

CITY OF CLARK

_____	First Reading:	7-Sep-6
Lester C. Solberg, Mayor	Second Reading:	2-Oct-06
Attest: _____	Adopted:	2-Oct-06
Jackie Luttrell, Finance Officer	Published:	11-Oct-06
	Effective Date:	31-Oct-06

Motion # 275-2006

Executive Session

Motion by DesLauriers and seconded by Dreher to close regular session to enter executive session for personnel and contractual issues. All members voting yes. Motion carried.

Executive session began and 8:23 pm and ended at 9:35 pm.

Motion # 276-2006

Ordinance #458 2007 Salaries

Motion by Dreher and seconded by Kline to approve Ordinance #458 as follows. All members voting yes. Motion carried.

Ordinance # 458

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, 2007 shall be as follows:

Mayor:	\$ 4,740.00	annual salary
City Council Members	\$ 60.00	per meeting
Finance Officer - Jackie Luttrell	\$26,000.00	annual salary
Special Meeting attended - Jackie Luttrell	\$ 25.00	per meeting
Deputy Finance Officer - Rae Jean Flora	\$22,700.00	annual salary
Finance Office Assistant - Carmen Kloster	\$ 8.25	per hour
Police Chief - Stacy Mayou	\$39,592.00	annual salary
Police Officer – (open position)		
Part Time Police Officer - Alan Hollatz	\$ 11.00	per hour
Part Time Police Officer – Ryan Burke	\$ 11.00	per hour
Police Dispatcher - Teri Stokely	\$ 20.00	per day
Police Dispatcher – Sharon Bjerke	\$ 20.00	per day
Street Superintendent - Roger Collins	\$33,457.00	annual salary
Parks & Landfill Superintendent - Loren Stanley	\$27,367.00	annual salary
Water & Sewer Superintendent - Darin Altfillisch	\$34,580.00	annual salary
Librarian - Dorcas Protexter	\$ 8.25	per hour
Librarian Assistant (sub only)	\$ 7.25	per hour
Landfill Attendant, primary	\$ 7.50	per hour
Landfill Attendant, assistant	\$ 7.25	per hour
Water & Sewer PT Attendant - John Howardson	\$ 47.50	per weekend
City Janitor - Eileen Dunbar	\$ 8.50	per hour
Med Van Driver - Robert Gergen	\$ 8.00	per hour
Med Van Driver - Carmen Kloster	\$ 8.00	per hour
Med Van Driver - Bob Schlueter	\$ 8.00	per hour
Med Van Driver - Ronald Schorg	\$ 8.00	per hour
PT Street Dept - Keith Kruthoff	\$ 8.00	per hour

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

City Council Meeting – October 2, 2006

Mayor Lester C. Solberg

First Reading: September 7, 2006

Second Reading: October 2, 2006

Adopted: October 2, 2006

Published: October 11, 2006

Effective Date: October 31, 2006

Attest: Finance Officer Jackie Luttrell
(seal)

* * * * *

Motion # 277-2006

PT Police Office

Motion by DesLauriers and seconded by Pollock to offer the part time police officer position to Julie Brandenburger at a starting training pay of \$9.00/hour. All members voting yes. Motion carried.

Motion # 278-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:41 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
October 9, 2006
6:00 PM**

Call to order: The Clark City Council met in special session on October 9, 2006 at 6:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline and John Pollock. Councilperson Heim was absent

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Police Chief Stacy Mayou

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

Motion # 279-2006

Adopt Agenda

Motion by DesLauriers and seconded by Streff to adopt the agenda. All members voting yes. Motion carried.

Motion # 280-2006

Approve Minutes

Motion by Dreher and seconded by Pollock to approve the Council Meeting Minutes from October 2, 2006. All members voting yes. Motion carried.

Motion # 281-2006

Approve Claims

Motion by Dreher and seconded by Kline to approve the following claims. All members voting yes. Motion carried.

To	For	Amount
A&B Business Equipment	copier maintenance contract	\$ 32.06
A-OX Welding Supply	supplies	\$ 8.06
Carlson Distributing	liquor	\$ 3,370.55
City of Clark	utilities	\$ 185.05
City of Clark	park water	\$ 569.95
Clark Community Oil	supplies	\$ 3,697.88
Clark Rural Water	water	\$ 9,101.55
Cook's Wastepaper	garbage	\$ 4,868.75
Ellwein Brothers	liquor	\$ 6,927.85
Harlan Checks	supplies	\$ 31.70
Jackie Luttrell	meals	\$ 78.00
Moritz Publishing	supplies	\$ 78.00
Olson Auto Parts	supplies	\$ 141.44
Olson Motor Company	repairs	\$ 941.31
One Calls Systems	locate tickets	\$ 12.00
Porter Distributing	liquor	\$ 176.50
Quill	supplies	\$ 65.01
Rae Jean Flora	meals	\$ 78.00
Ritter's Repair	repairs	\$ 26.70

City Council Meeting – October 9, 2006

To	For	Amount
RS Architect	professional	\$ 3,120.00
SD Dept of Revenue	sales tax	\$ 30.34
UBC	supplies	\$ 35.99

Christmas Party

Council reconsidered the location and date for the annual Christmas Party. Luttrell will make arrangements and notify employees.

Part Time Officer

Council was advised that Julie Brandenburger rejected the offer of a part-time police officer.

Motion # 282-2006

Executive Session

Motion by Kline and seconded by DesLauriers to close regular session to convene into executive session for personnel and contractual reasons. All members voting yes. Motion carried.

Executive session began at 6:06 pm and ended at 7:04 pm.

Motion # 283-2006

Re-Advertise Position

Motion by Pollock and seconded by Streff to re-advertise for a deputy police chief as a salaried, full-time position with benefits. Salary based on experience. Application deadline October 20, 2006. All members voting yes. Motion carried.

Motion # 284-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 7:05 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
October 27, 2006
5:30 PM**

Call to order: The Clark City Council met in special session on October 27, 2006 at 5:30 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock. Don DesLauriers was absent.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Randy Stevens and Eric Stevens.

Mayor Solberg called the meeting to order at 5:30 pm

Motion # 285-2006 **Adopt Agenda**
Motion by Pollock and seconded by Dreher to adopt the agenda. All members voting yes.
Motion carried.

Motion # 286-2006 **Approve Minutes**
Motion by Streff and seconded by Dreher to approve the Council Meeting Minutes from October 9, 2006. All members voting yes. Motion carried.

Motion # 287-2006 **Approve Claims**
Motion by Kline and seconded by Heim to approve the following claims. All members voting yes. Motion carried.

Additional Claims for October

Check #	Name	For	Amount
20320	Bank of the West	sludge tank loan	\$1,430.00
20321 - 30328	Payroll	Water Dept.	\$794.13
		Sewer Dept.	\$794.18
		Street Dept.	\$2,082.69
		Finance Office	\$1,026.82
		Police Dept.	\$1,058.33
		Sanitation Dept.	\$577.71
20329	Bank of the West	Park Dept.	\$276.27
		941 taxes	\$2,071.55
1004	Clay Yoeman & Matthew Brunner	land acquisition	\$2,000.00

New Claims for October

Name	For	Amount
alltel	utilities	\$122.66
American News	advertising	\$194.40

City Council Meeting – October 27, 2006

Name	For	Amount
Cardmember Services	travel expenses	\$572.09
Carrot-Top	supplies	\$205.40
Clark County Courier	advertising	\$256.85
Clark County Treasurer	streets repairs	\$566.50
Clark County Weed Board	spraying	\$183.04
Desnoyers Hardware	supplies	\$248.59
First Rate Tree Service	tree removal	\$150.00
First Rate Tree Service	tree removal	\$1,450.00
Gall's	police supplies	\$404.91
Gruenwald Electric	maintenance	\$138.44
Huron Culvert & Tank	street supplies	\$11.64
Jan's Corporation	construction	\$39,700.00
M&T Fire & Safety	supplies	\$34.50
NAPA Auto Parts	supplies	\$435.99
Northwestern Energy	utilities	\$4,446.17
Petty Cash	supplies/maintenance	\$44.14
Quill	supplies	\$78.40
Ritter's Repair	repairs	\$119.00
SD Dept of Revenue	water testing	\$272.00
Sioux Falls Two Way Radio	repairs	\$46.28
Star Laundry	maintenance	\$49.40
Watertown Public Opinion	advertising	\$36.60
Westside Implement	skid steer	\$1,180.00
WW Tire Service	repairs	\$150.00

Motion # 288-2006

Thanksgiving Holiday

Motion by Pollock and seconded by Dreher to approve November 24, 2006 as a designated holiday for city employees. All members voting yes. Motion carried.

Medical Building Update

Dreher gave a progress report on the building. Dreher is getting quotes on asphaltting the alley to the east to assist water runoff.

Motion # 289-2006

Resolution #762

Motion by Dreher and seconded by Kline to approve Resolution #762, Sioux Valley Clinic lease, as follows. All members voting yes. Motion carried.

RESOLUTION # 762

A RESOLUTION TO AUTHORIZE THE LEASE OF CERTAIN REAL ESTATE HELD BY THE CITY OF CLARK, TO SIOUX VALLEY CLINIC, AND TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO THE LEASING 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:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) Fifteen (15) and Sixteen (16), of Block One (1), of the Original Plat of the City of Clark, Clark County, South Dakota;

WHEREAS, Sioux Valley Clinic, a non-profit corporation, desires to lease a portion of the above-described property from the City of Clark;

WHEREAS, the City of Clark desires to lease a portion of the above described property to the Sioux Valley Clinic, a non-profit corporation,

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, upon those terms and conditions, and for the consideration as contained in the lease agreement on file with the City Finance Office;

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 forth in this Resolution.

Lester C. Solberg, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell, City Finance Officer

Motion # 290-2006

Motion by Kline and seconded by Heim to approve Resolution #763, lease with Clark Community Pharmacy, as follows. All members voting yes. Motion carried.

Resolution #763

RESOLUTION # 763

A RESOLUTION TO AUTHORIZE THE LEASE OF CERTAIN REAL ESTATE HELD BY THE CITY OF CLARK, TO STEVEN AND BEVERLY SPLINTER D/B/A CLARK COMMUNITY PHARMACY, AND TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO THE LEASING 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:

Lots Ten (10), Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) Fifteen (15) and Sixteen (16), of Block One (1), of the

Original Plat of the City of Clark, Clark County, South Dakota;

WHEREAS, Steven and Beverly Splinter d/b/a Clark Community Pharmacy, desire to lease a portion of the above-described property from the City of Clark;

WHEREAS, the City of Clark desires to lease a portion of the above described property to the Steven and Beverly Splinter, d/b/a Clark Community Pharmacy;

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, upon those terms and conditions, and for the consideration as contained in the lease agreement on file with the City Finance Office;

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 forth in this Resolution.

Lester C. Solberg, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell, City Finance Officer

Motion # 291-2006

Advertise for bid

Motion by Dreher and seconded by Pollock to approve advertising for bid the following items for the medical building equipment grant: diagnostic x-ray machine, Cell-Dyn 1800 Hematology Analyzer and Vitros DT60 Chemistry System. All members voting yes. Motion carried.

Police Officer Hiring Update

Heim advised the Council that there were six applicants for the position. After interviewing all applicants, Heim and Mayou will bring the top applicants to the Council for final selection.

Transfer Liquor Operating Agreement

Les Solberg informed the Council that he is selling Clark Liquors to Eric Stevens, DBA Clark Liquors, and requested that his operating agreement be transferred to Stevens.

Motion # 292-2006

Executive Session

Motion by Dreher and seconded by Kline to close regular session and open executive session for contractual reasons relating to the transfer to the operating agreement. All members voting yes. Motion carried.

Executive Session began at 6:04 pm and ended at 6:39 pm.

City Christmas Party

City Christmas Party will be held on December 9, 2006 at Clark Lanes, with the meal catered by the Time Out.

Motion # 293-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 6:40 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
November 6, 2006
7:00 PM**

Call to order: The Clark City Council met in session on November 6, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Darin Altfillisch, Roger Collins, Loren Stanley, Bill Krikac, Police Chief Stacy Mayou, Todd Blair and Cynthia Blair

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

Motion # 294-2006

Adopt Agenda

Motion by Kline and seconded by Pollock to adopt the agenda. All members voting yes. Motion carried.

Public Input

No public input.

Water/Sewer Department Update

Darin Altfillisch reported: Sewer fence is being installed this week which will close out the sewer grant from Phase II, there are 48 auto read meters left in stock, tonight's bill from Florey's closes out the water grant from Phase I and pool needs repainting next year.

Street Department Update

Roger Collins reported: Besides many miscellaneous street duties, street department graveled the dump and Wookey's road, hauled dirt for dump fill, tore down old house, final fall street sweeping completed, getting quotes for inlet into 2nd Avenue storm sewer for medical building runoff, and putting in handicapped parking spot in front of Ken's Food Fair.

Park/Sanitation Department Update

Loren Stanley reported: Requesting a 5 foot high fence on east side of dump, install electric service at dump shack, plan to close dump on the Wednesday before Thanksgiving and park bathrooms will be winterized by end of week.

Finance Office Update

Jackie Luttrell reported that auditor plans to be back by the end of the month to finalize the 2004 and 2005 audit and annual reports.

Police Report

Police Chief Mayou reported: 966 miles patrolled, three non-injury accidents, one solved burglary, two speed and one stop sign violation.

Motion # 295-2006

Approve Department Reports

Motion by Dreher and seconded by DesLauriers to approve the department reports. All members voting yes. Motion carried.

Motion # 296-2006

Approve Minutes

Motion by Pollock and seconded by Heim to approve the Council Meeting Minutes from October 27, 2006. All members voting yes. Motion carried.

Motion # 297-2006

Approve Financial Statements

Motion by Dreher and seconded by Streff to approve the financial statements. All members voting yes. Motion carried.

Motion # 298-2006

Approve Claims

Motion by Pollock and seconded by Dreher to approve the following claims. All members voting yes. Motion carried.

Additional October Claims

Check	Name	For	Amount
20354-62	Water Dept	payroll	\$823.66
	Sewer Dept.	payroll	\$823.72
	Streets	payroll	\$2,020.03
	Finance Office	payroll	\$1,026.82
	Police	payroll	\$1,058.33
	Sanitation	payroll	\$811.10
	Parks	payroll	\$285.65
20363-74	Water Dept.	payroll	\$93.50
	Sewer Dept.	payroll	\$93.50
	Mayor	payroll	\$364.78
	Finance Office	payroll	\$415.12
	Police	payroll	\$1,128.50
	Govt. Bldg	payroll	\$188.09
	Library	payroll	\$670.82
	Transit	payroll	\$889.47
20375	Bank of the West	taxes	\$981.53
20376	AFLAC	insurance	\$229.80
20377	Wellmark BCBS	insurance	\$3,335.06
20378	Bank of the West	taxes	\$2,129.14
20379	SD Retirement	retirement	\$2,126.94
20380	VALIC	retirement	\$25.00
20381	The US Life Insur. Co.	insurance	\$13.90
20382	American Family Insur.	insurance	\$6.83
20383	Dacotah Bank	loan payment	\$3,655.42
20384	ITC Rural Economic	loan payment	\$2,813.54

New November Claims		
To	For	Amount
A&B Business Equip	copier contract	\$80.82
A-OX Welding Supply	supplies	\$8.06
Book of the Month Club	books	\$73.93
Cardell's	supplies	\$280.01
Carlson Distributing	liquor	\$4,082.35
City of Clark	utilities	\$48.75
Clark Community Oil	supplies	\$1,552.69
Clark County Courier	book	\$29.95
Clark County Courier	advertising	\$591.47
Cook's Wastepaper	garbage	\$4,786.76
Ellwein Brothers	liquor	\$10,202.50
Fjelland Attorney at Law	legal fees	\$834.40
Forest Excavating	TIF No. 2 water under road	\$15,476.00
Huron Plainsman	advertising	\$322.00
ITC	utilities	\$420.86
J&J Heating	maintenance	\$176.27
Jan's Corporation	construction	\$228,340.00
Johnson Brothers	liquor	\$10,264.29
Ken's Food Fair	supplies	\$41.42
Literacy Guild	books	\$8.24
Mack's	supplies	\$226.20
Moritz Publishing	supplies	\$57.10
NAPA	maintenance	\$174.98
Olson Motor Co.	repairs	\$862.15
Olson's Auto Parts	maintenance	\$65.06
Oscar's Machine Shop	repairs	\$51.85
Republic Beverage Co.	liquor	\$10,411.74
Ritter's Repair	repairs	\$9.40
Sanitation Products	repairs	\$4,355.79
SD Dept of Revenue	Oct sales tax	\$22.27
SD Rural Development	water revenue bond	\$908.00
SD Rural Development	sewer revenue bond	\$787.00
Share Corp.	supplies	\$108.00
UBC	supplies	\$79.55
Watertown Public Opinion	advertising	\$217.33

Motion # 299-2006

Water Grant & Close Construction Account

Motion by DesLauriers and seconded by Kline to approve a meter installation bill from Florey's Plumbing for \$680 of which \$652 is covered by the water grant from Phase I and the balance from the water fund. This being the last draw from the water grant, approval also given to close the Phase I construction checking account and transfer the remaining funds to the water fund. All members voting yes. Motion carried.

Medical Building Update

Equipment bid opening is scheduled for November 13, 2006 at 6:00 pm. A special meeting may be called later in the month to formally accept a bid. Fjelland is drawing up an agreement with Clinton Clark to give 20% of the lease payment to the historical society.

Motion # 300-2006

Skating Rink Attendant Job Description

Motion by Pollock and seconded by DesLauriers to approve the job description for a skating rink attendant. All members voting yes. Motion carried.

Motion # 301-2006

Advertise for Skating Rink Attendant

Motion by Pollock and seconded by Heim to advertise for a skating rink attendant for \$6.50/hour; application deadline being November 21, 2006. All members voting yes. Motion carried.

Motion # 302-2006

Planning & Zoning Public Hearing

Motion by Dreher and seconded by Streff to close regular session to open the scheduled joint session between the City Council and the Planning and Zoning Committee for the advertised public hearing for two rezoning requests initiated by the City. All members voting yes. Motion carried.

Joint meeting called to order at 7:30 pm.

Motion # 303-2006

Rezone Recommendation

Motion by Dreher and seconded by Pollock to make a recommendation to the City Council to approve the first reading of Ordinance #461, an ordinance to rezone legal description E 150' of S 379' of Outlot S and 150' x 146' of Outlot T Clark from "R1" Single Family Residential to "HC" Highway Commercial. All members voting yes. Motion carried.

Motion # 304-2006

Rezone Recommendation

Motion by Kline and seconded by Pollock to make a recommendation to the City Council to approve the first reading of Ordinance #462, an ordinance to rezone legal description Outlot V Clark from "R3" Manufactured Home Residential to "R1" Single Family Residential. All members voting yes. Motion carried.

Motion # 305-2006

Close Joint Meeting

Motion by Dreher and seconded by DesLauriers to close the joint meeting and reopen regular city council meeting. All members voting yes. Motion carried.

Joint meeting closed at 7:45 pm.

Regular City Council meeting reopened at 7:45 pm.

Motion # 306-2006

Accept Recommendation, First Reading Ord. # 461

Motion by Kline and seconded by Streff to accept the joint City Council and Planning & Zoning recommendation to do a first reading on Ordinance # 461, an ordinance to rezone legal description E 150' of S 379' of Outlot S and 150' x 146' of Outlot T Clark from "R1" Single Family Residential to "HC" Highway Commercial. All members voting yes. Motion carried.

Motion # 307-2006

Accept Recommendation, First Reading Ord. #462

Motion by DesLauriers and seconded by Pollock to accept the joint City Council and Planning & Zoning recommendation to do a first reading on Ordinance # 462, an ordinance to rezone legal description Outlot V Clark from "R3" Manufactured Home Residential to "R1" Single Family Residential All members voting yes. Motion carried.

Motion # 308-2006

Clark Liquors Operating Agreement

Motion by Pollock and seconded by Kline to transfer the Clark Liquors operating agreement from Les Solberg to Eric Stevens and authorizing Mayor Solberg to sign the operating agreement. All members voting yes. Motion carried.

Motion # 309-2006

Liquor License Renewals

Motion by DesLauriers and seconded by Heim to renew the liquor license for 1/1/07 for Clark Liquors, Clark Golf Club, Time Out and Sportsman Bar. All members voting yes. Motion carried.

Motion # 310-2006

Clark American Legion Operating Agreements

Motion by Dreher and seconded by Streff to approve the liquor operating agreement between the City and Clark American Legion for one year and authorize Mayor Solberg to sign the agreement. All members voting yes. Motion carried.

Motion # 311-2006

Clark Golf Club Operating Agreement

Motion by Pollock and second by DesLauriers to approve the liquor operating agreement between the City and Clark Golf Club for one year and authorize Mayor Solberg to sign the agreement. All members voting yes. Motion carried.

Liquor Request

Council reviewed a request from Ray Hirte and Jennifer Severson for reinstatement of the liquor license and operating agreement for Reggies. Council tabled the request.

Motion # 312-2006

Executive Session

Motion by Dreher and seconded by DesLauriers to close regular session and open executive session for the purpose of interviewing applicants for the police officer position. All members voting yes. Motion carried.

Executive session began at 8:00 pm and ended at 9:04 pm.

Motion # 313-2006

Offer of Employment

Motion by Pollock and seconded by Kline to offer the position of Assistant Deputy Police Chief to Julie Brandenburger at a salary of \$25,000/year, effective upon signing the agreement being drawn up by the City Attorney. All members voting yes. Motion carried.

TIF No. 2 Update

Luttrell gave an overview of what needs to be done relating to the TIF District No. 2.

Motion # 314-2006

Create Fund

Motion by Dreher and seconded by Kline to create the Capitol Project Fund, 505, for TIF District No. 2 and set a budget of \$15,476 to pay the Forest Excavating bill for the same amount for 2006 improvements. All members voting yes. Motion carried.

Motion # 315-2006

Resolution #764

Motion by DesLauriers and seconded by Streff to approve Resolution #764 – A resolution for interim financing for the TIF District No. 2 construction. All members voting yes. Motion carried.

RESOLUTION # 764

A RESOLUTION TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO INTERIM FINANCING FOR TAX INCREMENT DISTRICT #2 WITHIN THE CITY OF CLARK, SOUTH DAKOTA.

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

WHEREAS, a source of interim financing is necessary with respect to the Tax Increment District #2, within the City of Clark, South Dakota;

WHEREAS, Dacotah Bank has agreed in principle to extend said interim financing;

NOW, THEREFORE, BE IT 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 secure the interim 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.

Passed and Adopted this 6th day of November 2006.

ATTEST:
Jackie Luttrell, City Finance Officer

Lester C. Solberg, Mayor
City of Clark, South Dakota

Motion # 316-2006

Executive Session

Motion by Dreher and seconded by Pollock to close regular session to return to executive session for a personnel issues. All members voting yes. Motion carried.

Executive session began at 9:17 pm and ended 9:28 pm.

Motion # 317-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:29 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
December 4, 2006
7:00 PM**

Call to order: The Clark City Council met in session on December 4, 2006 at 7:00 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim, and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Stacy Mayou, Loren Stanley, Darin Altfillisch, Craig Brown, Tom LaBrie, Jenn Severson, Ray Hirte, Alan Hollatz and Beth Hollatz.

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

Motion # 318-2006

Adopt Agenda

Motion by Pollock and seconded by Kline to adopt the agenda. All members voting yes. Motion carried.

Public Input

No public input.

Department Updates

Police Department: Police Chief Mayou gave the following police report: 1,234 miles patrolled, one domestic, vandalism at high school, theft of Christmas decorations, assisted Sheriff's office search for burglary suspects, one non-injury accident, responded to injury accident north of town, one speed, one DWI, one underage consumption, one driving under suspension, one open container and one simple assault. DARE classes start this week.

Street Department: Roger Collins was ill so report by Larry Dreher and Loren Stanley. Would like to surplus the 1979 Ford and 1984 Ford pickups and replace with a used vehicle from federal surplus. Also need to consider upgrading the loader and street sweeper.

Motion # 319-2006

Surplus Pickups

Motion by Dreher and seconded by DesLauriers to surplus the 1984 Ford and 1979 Ford pickups, and set bid opening for December 27, 2006 at the end of year meeting and get three estimates from local businessmen. Bids close at 5 pm on 12/27/06. All members voting yes. Motion carried.

Motion # 320-2006

Purchase Pickup

Motion by Pollock and seconded by Streff to allow Loren to select a pickup from federal surplus at a maximum price of \$10,000 to be charged against the sanitation department. All members voting yes. Motion carried.

Water/Sewer Departments: Altfillisch reported that the fence around sewer plant was completed a couple weeks ago. A rotor went out at sewer plant and broke a shaft. Repair parts are on order. He continues to haul sludge. Pollock informed the Council that the fire department would like to test all the hydrants next spring. Fire Department will arrange time with Darin. Fire department also wants hydrant markers on all the hydrants. Discussed purchasing a special meter for gauging water usage from hydrants.

Parks/Sanitation Department: Stanley reported that the fence was constructed on the east side of the dump. Yard light pole installed at dump site. Work is beginning on getting the skating rink soaked.

Finance Department: Water bills have been run for the month. Auditor return has been delayed due to staff changes.

Motion # 321-2006 **Approve Department Updates**
 Motion by Dreher and seconded by Heim to approve the department updates. All members voting yes. Motion carried.

Motion # 322-2006 **WC Fund Training**
 Motion by Pollock and seconded by Kline to approve sending Loren or Roger to the WC Fund training class being held in 2007. All members voting yes. Motion carried.

Motion # 323-2006 **Approve Minutes**
 Motion by Streff and seconded by DesLauriers to approve the Council Meeting Minutes from November 6, 2006. All members voting yes. Motion carried.

Motion # 324-2006 **Approve Financial Statements**
 Motion by Dreher and seconded by Heim to approve the financial statements. All members voting yes. Motion carried.

Motion # 325-2006 **Approve Claims**
 Motion by Dreher and seconded by Pollock to approve the following claims. All members voting yes. Motion carried.

Additional November Claims

Check #	Name	For	Amount
20415	Bank of the West	loan	\$ 1,430.00
20416	Clark Rural Water	supplies	\$ 9,578.60
20417-24	Water dept.	payroll	\$ 827.33
	Sewer dept.	payroll	\$ 827.39
	Streets dept.	payroll	\$ 1,801.74
	Finance Office	payroll	\$ 1,007.58
	Police dept.	payroll	\$ 1,058.33
	Sanitation dept.	payroll	\$ 666.25
	Park dept.	payroll	\$ 280.90
20425	Bank of the West	payroll taxes	\$ 2,025.67
20426	Julie Brandenburger	payroll	\$ 182.59

City Council Meeting – December 4, 2005

Check #	Name	For	Amount
20427	Bank of the West	payroll taxes	\$ 41.67
20428	Dacotah Bank	loan	\$ 1,832.35
20429	Harlow's Bus Service	van match	\$ 6,351.00
20430	Harlow's Bus Service	State's van match	\$25,404.00
20431	Brock Greenfield	Prof. fees	\$ 88.00
20432-40	Water dept.	payroll	\$ 786.13
	Sewer dept.	payroll	\$ 786.19
	Streets dept.	payroll	\$ 1,847.85
	Finance Office	payroll	\$ 1,007.58
	Police dept.	payroll	\$ 1,825.11
	Sanitation dept.	payroll	\$ 449.36
	Park dept.	payroll	\$ 276.27
	20441	AFLAC	insurance
20442	Wellmark BCBS	health insur.	\$ 3,335.06
20443	voided check		
20444	SD Retirement	retirement	\$ 2,240.98
20445	VALIC	retirement	\$ 25.00
20446	American Family Insur.	insurance	\$ 6.83
20447	The US Life Insurance	insurance	\$ 13.90
20448-58	Water dept.	payroll	\$ 83.12
	Sewer dept.	payroll	\$ 83.12
	Mayor office	payroll	\$ 364.78
	Finance Office	payroll	\$ 239.24
	Police dept.	payroll	\$ 528.17
	Govt. Bldg.	payroll	\$ 165.24
	Library dept.	payroll	\$ 696.67
	Transit dept.	payroll	\$ 976.36
20459	Bank of the West	taxes	\$ 826.66
20460	Bank of the West	taxes	\$ 2,192.48
20461	Petty cash	supplies	\$ 71.24
20462-67	Council dept.	payroll	\$ 3,370.83
20468	Bank of the West	payroll taxes	\$ 698.34

New December Claims

To	For	Amount
Alltel	utilities	\$ 124.28
A-OX Welding	supplies	\$ 8.06
Aspen Tree Service	tree removal	\$ 2,500.00
Burghardt	supplies	\$ 9.95
Butler	repairs	\$ 38.04
Carlson Distributing	liquor	\$ 4,994.30
City of Clark	apply deposit to acct	\$ 50.00
City of Clark	apply deposit to acct	\$ 100.00
City of Clark	apply deposit to acct	\$ 100.00
Clark Co. Farmers Elevator	soil tests	\$ 25.00
Clark Co. Highway Dept.	supplies	\$ 2,872.32
Clark Engineering	professional fees	\$ 174.64
Clark FFA	Christmas party	\$ 24.00

City Council Meeting – December 4, 2005

To	For	Amount
Clark Fire Dept.	professional fees	\$ 4,880.00
Clausen Construction	gravel	\$ 915.00
Cook's Wastepaper	utilities	\$ 65.40
D&D Holiday Delites	repairs	\$ 100.00
Dacotah Bank	loan payment	\$ 3,655.42
Dakota Pump & Control	repairs	\$ 105.61
Dan Latunski	deposit refund	\$ 100.00
Darin Altfillisch	travel and meals	\$ 65.40
Darrell Elvik	deposit refund	\$ 100.00
Dena Edwards	deposit refund	\$ 75.00
DesLauriers Oil Co.	supplies	\$ 191.40
Desnoyers Hardware	supplies & repairs	\$ 300.81
Ecolab	spraying	\$ 72.00
Elite Drain & Sewer	repairs	\$ 227.50
Ellwein Brothers	liquor	\$ 11,840.40
First Rate Tree Service	tree removal	\$ 225.00
Fjelland Attorney at Law	legal fees	\$ 388.00
Gall's	supplies	\$ 464.85
Gary Heineman	deposit refund	\$ 100.00
Glen Sprouse	deposit refund	\$ 100.00
Gruenwald Electric	repairs	\$ 27.01
ITC Rural Econ	loan payment	\$ 2,813.54
ITC	utilities	\$ 429.77
Jaime Castro	deposit refund	\$ 100.00
James Arthur	deposit refund	\$ 50.00
Janelle Paschen	deposit refund	\$ 100.00
Jan's Corporation	construction	\$ 165,365.00
Jeanette Kaufman	repairs	\$ 15.00
Joann Barry	deposit refund	\$ 100.00
Johnson Bro.	liquor	\$ 5,095.52
Josh Halverson	deposit refund	\$ 100.00
Kristi Baker	deposit refund	\$ 100.00
Literacy Guild	books	\$ 63.86
Mack's	supplies	\$ 517.05
Moritz Publishing	printing	\$ 70.90
NAPA Auto Parts	repairs	\$ 302.58
Neve's Uniform & Equip.	supplies	\$ 60.84
New Dimension	maintenance	\$ 477.00
Northwestern Energy	utilities	\$ 5,355.34
Olson Auto Parts	supplies	\$ 20.90
Olson Motor Co.	repairs	\$ 974.12
One Call Systems	locate tickets	\$ 20.00
Oscar's Machine Shop	repairs	\$ 1,203.64
Pitney Bowes	meter rental	\$ 105.00
Porter Liquors	liquor	\$ 628.50
Quill	supplies	\$ 57.98
Randy Gruenwald	deposit refund	\$ 50.00
Raymond Hirte	deposit refund	\$ 100.00
Republic/SoDak	liquor	\$ 5,139.44

City Council Meeting – December 4, 2005

To	For	Amount
Robin Linneman	deposit refund	\$ 100.00
RS Architect	professional fees	\$ 3,949.01
Ryan Decker	deposit refund	\$ 100.00
Sandi Gruenwald	deposit refund	\$ 100.00
Sandra Murphy	deposit refund	\$ 100.00
SD Dept of Revenue	professional fees	\$ 248.00
SD DENR	certification	\$ 24.00
SD Rural Development	water revenue bond	\$ 908.00
SD Rural Development	sewer revenue bond	\$ 787.00
Star Laundry	rug cleaning	\$ 98.80
Tee's Plus	police supplies	\$ 35.50
Thomas West	supplies	\$ 26.00
Time Out	gift certificate	\$ 50.00
Todd Blair	deposit refund	\$ 100.00
Todd Orris	deposit refund	\$ 100.00
UBC	supplies	\$ 963.54
Westside Implement	rental	\$ 80.00
William Durham	deposit refund	\$ 100.00
Woodring Plumbing	deposit refund	\$ 100.00

Motion # 326-2006

Approve Mohr Fencing

Motion by Pollock and seconded by Heim to approve the pay request from Mohr Fencing for \$9,722 of which \$7,723 is covered by the Phase II sewer grant, \$10.67 coming from the balance in the construction checking account, and the balance being local funds. Supplement the sewer budget by the amount of the grant, \$7,723. Close the checking account after checking account is depleted. All members voting yes. Motion carried.

Motion # 327-2006

Approve Clark Engineering

Motion by DesLauriers and seconded by Streff to approve the pay request from Clark Engineering for \$174.64 for engineering fees for fence at the sewer plant. All funds paid by local funds. All members voting yes. Motion carried.

Motion # 328-2006

Approve Police Officer Job Description

Motion by Heim and seconded by Kline to approve the police officer job description as noted with one change. All members voting yes. Motion carried.

First Reading of Flood Plain Ordinance #463

Motion # 329-2006

Ordinance #461 Rezoning

Motion by Pollock and seconded by DesLauriers to approve Ordinance #461 as follows. All members voting yes. Motion carried.

Ordinance # 461

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 “R1” Single Family Residential to “HC” Highway Commercial pursuant to authority to amend said zoning map exercised by the City Council upon recommendation of the Clark Planning and Zoning Commission:

E 150’ of S 379’ of Outlot S and 150’ x 146’ of Outlot T 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 ordinances previously adopted.

Passed and adopted this 4th day of December 2006.

CITY OF CLARK
Lester C. Solberg, Mayor

Jackie Luttrell, Finance Officer

Motion # 330-2006

Ordinance #462 Rezoning

Motion by Streff and seconded by Heim to approve Ordinance #462 as follows. All members voting yes. Motion carried.

Ordinance # 462

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 “R3” Manufactured Home Residential to “R1” Single Family Residential pursuant to authority to amend said zoning map exercised by the City Council upon recommendation of the Clark Planning and Zoning Commission:

Outlot V 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 ordinances previously adopted.

Passed and adopted this 4th day of December 2006.

CITY OF CLARK
Lester C. Solberg, Mayor

Jackie Luttrell, Finance Officer

Bid Opening

This being the scheduled time at 7:30 pm for the bid opening for the equipment for the medical building equipment grant: hematology unit, chemistry system and a surgical light. Luttrell opened and read the bids as follows:

	Vendor	Bid
Hematology Unit	Abbott	\$19,375.00
	Delta Scientific	\$14,350.00
	Fisher Healthcare	\$16,833.33
Chemistry System	Delta Scientific	\$12,000.00
	Fisher Healthcare	\$14,707.50
Surgical Light	Delta Scientific	\$1,975.00
	Skytron	\$6,681.50 + \$819 installation

Streff will compare the specs on the hematology and chemistry system to determine which bids meet the specs and make recommendations at the next meeting. The bid from Delta Scientific for the surgical light does not meet the bid specs.

Motion # 331-2006

Accept Surgical Light Bid

Motion by Dreher and seconded by Pollock to accept the bid from Skytron for the surgical light at a bid price of \$6,681.50 plus \$819 installation, and authorize Mayor Solberg to sign. All members voting yes. Motion carried.

Rotary Tree Project

Tom LaBrie and State Forrester, Craig Brown, presented the council with a rotary project for a tree grant to plant approximately 150 trees along the boulevard. This 2007 grant includes the cost of trees, website development and tree care education.

Liquor License

The owners of the Playhouse and Reggie’s presented their requests for the opportunity to get the open liquor license. Council informed the owners that they are considering changing to a flat fee schedule instead of the percentage of purchased liquor.

Motion # 332-2006

Temporary Liquor License

Motion by Pollock and seconded by DesLauriers to approve a temporary 90 day license to Reggie’s, starting today, while reviewing a more permanent solution. Members voting yes: DesLauriers, Dreher, Streff, Kline and Pollock. Heim opposed. Motion carried 5 – 1.

Digital X-Ray Bid

On November 13, 2006 at 6:00 pm, a special bid opening was held to open bids for a digital x-ray machine for the clinic. Only one vendor, GE Medical Systems, placed a bid for two options:

Proteus XR/a 50kW Standard System	\$72,257.52
Proteus XR/a 65kW Standard System	\$79,622.84

Motion # 333-2006

Accept Digital X-Ray Bid

Motion by Kline and seconded by Pollock to accept the digital x-ray bid from GE Medical Systems for a Proteus XR/a 65kW standard system for \$79,622.84 and the accompanying generator console pedestal for \$504.00. The equipment purchase will be covered by the medical grant. Authorize Mayor Solberg to sign the purchase agreement. All members voting yes. Motion carried.

Motion # 334-2006

Digital Communication System

Motion by Dreher and seconded by Heim to advertise for a digital communication system with the specs provided by Sioux Valley. Bid opening to be held at 7:00 pm at the December 27, 2006 council meeting. All members voting yes. Motion carried.

Motion # 335-2006

Fire Hydrant Markers

Motion by Heim and seconded by Dreher to purchase 70 fire hydrant markers in 2007 at a price of \$25.15/box (box of 15). All members voting yes. Motion carried.

Motion # 336-2006

Fire Hall Lighting

Motion by Heim and seconded by Streff to approve additional lighting at the Fire Hall with 2 poles of 400 watt flood lights. Northwestern estimates each pole will cost \$9.87 a month which will be included with the street lighting bill paid by the City, plus a \$10 installation fee. All members voting yes. Motion carried.

Heim reported that the Fire Department is looking into applying for an equipment grant in 2007 for fire fighting gear and schooling.

Medical Van Grant

Luttrell reported that the medical van that we received from the State on an 80/20 grant was received November 21, 2006. The City 20% share was \$6,351. The Chevrolet Uplander, equipped with wheelchair ramp and handicapped accessibility option, was purchased from Harlow's Bud Service in Webster, SD with a value of \$31,755.

Motion # 337-2006

Ordinance #460 2006 Supplementing Budget

Motion by Kline and seconded by DesLauriers to approve Ordinance #460 to supplement the 2006 budget. All members voting yes. Motion carried.

Ordinance # 460

“An ordinance Supplementing Appropriations for the City of Clark, Clark County, South Dakota, for the year 2006.”

Be it ordained that the following sums be appropriated to supplement the City of Clark 2006 Budget:

101 - General Fund:

41110	Council.....	\$1,500
41410	Legal	\$2,000
41960	Engineer	\$1,182

City Council Meeting – December 4, 2005

42200	Fire Department	\$4,000
43110	Streets.....	\$5,000
43160	Street Lighting	\$1,000
45120	Swimming Pool.....	\$25,000
47000	Debt Services	\$5,830
49900	Liquor.....	<u>\$25,000</u>
Total Appropriations to General Fund		\$70,512
226 – Library		
45500	Libraries	\$91
503 - Capital Funds – Medical Building		
41900	Other General Govt.....	\$583,000
504 - TIF District # 1 Capitol Project:		
41960	Engineer	\$2,713

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.

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

By: _____
Mayor Lester C. Solberg

Attest: _____
Finance Officer Jackie Luttrell

1st Reading: October 2, 2006
2nd Reading: December 4, 2006
Adopted: December 4, 2006
Published: December 6, 2006
Effective: December 26, 2006

Motion # 338-2006

Schedule Meeting

Motion by Heim and seconded by Kline to set the end of year meeting for December 27, 2006 at 6:30 pm with a bid opening for 7:00 pm, and reschedule the January regular council meeting for January 10, 2006 at 7:00 pm. All members voting yes. Motion carried.

Motion # 339-2006

Skating Rink Attendant

Motion by Dreher and seconded by Streff to hire Pamela Ambrose as the skating rink attendant at a pay of \$6.50/hour. All members voting yes. Motion carried.

Quarterly Award

Quarterly award recipients were discussed.

Motion # 340-2006

Executive Session

City Council Meeting – December 4, 2005

Motion by DesLauriers and seconded by Streff to close regular session and open executive session. All members voting yes. Motion carried.

Executive session began at 9:38 pm and ended at 10:03 pm.

Motion # 341-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 10:04 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)

**City of Clark Council Meeting
December 27, 2006
6:30 PM**

Call to order: The Clark City Council met in session on December 27, 2006 at 6:30 pm in the City Hall Council Room.

Council Members Present: Don DesLauriers, Larry Dreher, Louann Streff, Kerry Kline, Roberta Heim and John Pollock.

Others Present: Mayor Les Solberg, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Clinton & Jennie Clark, Steve Hilpipre, Joyce Helkenn, Mike O'Neill, Alan & Beth Hollatz, Eric Stevens and Ryan Claussen.

Mayor Solberg called the meeting to order at 6:30 pm

Motion # 342-2006

Adopt Agenda

Motion by Pollock and seconded by DesLauriers to adopt the agenda. All members voting yes. Motion carried.

Public Input

No public input.

Motion # 343-2006

Approve Minutes

Motion by Streff and seconded by Kline to approve the Council Meeting Minutes from December 4, 2006. All members voting yes. Motion carried.

Motion # 344-2006

Approve Claims

Motion by Dreher and seconded by DesLauriers to approve the following claims. All members voting yes. Motion carried.

Check #	To	For	Amount
117	SD Department of Revenue	sales tax	\$19.46
20543	SD Division of Motor Vehicle	registration	\$13.00
20544	City of Clark	utilities	\$51.10
20545	Cook's Wastepaper	garbage	\$4,761.30
20546	Bank of the West	loan payment	\$930.00
20547-54	Water Department	payroll	\$760.73
	Sewer Department	payroll	\$760.79
	Streets	payroll	\$1,860.56
	Finance Office	payroll	\$1,045.72
	Police Department	payroll	\$1,717.62
	Sanitation Dept.	payroll	\$273.08
	Parks Dept.	payroll	\$273.16
	20555	Bank of the West	taxes
20556	Olson Motor Co.	vehicle	\$9,875.00
20557	SD Dept. of Revenue	registration	\$6.00

City Council Meeting – December 27, 2005

Check #	To	For	Amount
1008	GE Healthcare	x-ray	\$80,126.84
20558	Petty Cash	supplies	\$83.45

New Claims for December

Name	For	Amount
alltel	utilities	\$122.66
A&B Business Equipment	maintenance	\$32.06
Book of the Month Club	books	\$50.97
Clark Community Oil	supplies	\$1,684.52
Clark County Courier	advertising	\$244.71
Clark County Courier	advertising	\$322.59
Clark Engineering	professional fees	\$157.80
Clark Liquors	refund	\$23.76
Clark Rural Water	supplies	\$8,151.21
Colonial Research	supplies	\$135.51
Credit Bureau of Watertown	professional fees	\$4.00
Dakota Pump & Control	repairs	\$1,653.17
DesLauriers Oil	supplies	\$263.70
Desnoyers Hardware	supplies	\$214.39
Dorcas Protexter	mileage	\$20.48
Gall's	police supplies	\$133.90
Jan's Corporation	construction	\$148,494.00
Jeanette Kaufman	repairs	\$20.00
Karen Bossman	supplies	\$30.00
Ken's Food Fair	supplies	\$25.86
Literacy Guild	books	\$40.22
Olson's Auto Parts	repairs	\$364.97
Marlette Accounting	professional fees	\$1,120.00
Milbank Winwater	supplies	\$51.96
Northwestern Energy	utilities	\$6,578.69
Northwestern Services	repairs	\$62.00
One Call Systems	locate tickets	\$12.00
Quill	supplies	\$150.95
RS Architects	professional fees	\$1,743.10
SD Dept of Revenue	professional fees	\$248.00
Sioux Valley Clinic	professional fees	\$174.00
Star Laundry	rug cleaning	\$49.40
Time Out	holiday party	\$320.05
William Neale & Co.	professional fees	\$5,750.00
		\$178,450.63

Approve to Pay in January

Name	For	Amount
First National Bank	SRF loan payment	\$6,940.29
Pioneer Bank & Trust	copier lease	\$471.00
SD Police Chief Assoc.	prof. fees	\$96.80
SDML	prof. fees	\$845.68

Name	For	Amount
SD Govt. FO Assoc	prof. fees	\$70.00
SD Municipal Liquor Control	prof. fees	\$25.00
SD Human Resource Assoc.	prof. fees	\$25.00
SD Assoc. of Code Enforcement	prof. fees	\$40.00
Municipal Street Maintenance Assoc	prof. fees	\$35.00
SDML Workers Comp Fund	work comp insurance	\$9,562.00

Motion # 345-2006

TIF No. 2 Clark Engineering

Motion by Dreher and seconded by Kline to approve to pay the engineering fees of \$10,293.87 for the TIF District No. 2 out of the construction loan. All members voting yes. Motion carried.

Motion # 346-2006

Transfer Funds

Motion by Dreher and seconded by Heim to approve transferring \$0.22 from the Sewer fund to the Water fund within the same Phase I Dacotah Bank account to zero out and close the accounts. All members voting yes. Motion carried.

Hematology & Chemistry System Bid Review

Streff reviewed the bids opened at the last regular meeting and determine which bids met the bid specs. In the case of the Chemistry System, each vendor bid the exact same machine. The Hematology System had 3 bids but only one met the spec for an onboard QC and integrated data system.

Motion # 347-2006

Chemistry System Bid

Motion by DesLauriers and seconded by Heim to accept the bid from Delta Scientific for \$12,000 for the VITROS DT60 II Chemistry System. This will be paid from the equipment grant. All members voting yes. Motion carried.

Motion # 348-2006

Hematology Analyzer Bid

Motion by Dreher and seconded by Kline to accept the Abbott bid of \$19,375.00 for the Cell-Dyn 1800 Hematology System. This will be paid from the equipment grant. All members voting yes. Motion carried.

Motion # 349-2006

Joint Planning & Zoning/City Council Meeting

Motion by Dreher and seconded by Pollock to open the schedule joint Planning & Zoning and City Council meeting to review a plat. All members voting yes. Motion carried.

Joint meeting began at 6:40 pm.

Motion # 350-2006

Authorize Mayor Signature

Motion by Dreher and seconded by Streff to authorize Mayor Solberg to sign as owner on the Walker-Peckham-Palmer Addition Plat owner certificate. All members voting yes. Motion carried.

Motion # 351-2006

City Planning Commission Approval

Motion by DesLauriers and seconded by Dreher to approve the Walker-Peckham-Palmer Addition plat and recommend approval to the City Council. All members voting yes. Motion carried.

Motion # 352-2006

Close Joint Meeting

Motion by Kline and seconded by Streff to close the joint meeting and reopen the city council meeting. All members voting yes. Motion carried.

Joint meeting ended at 6:45 pm.

Motion # 353-2006

Council Approves Plat

Motion by Pollock and seconded by Heim to approve the Plat as recommended by the Planning & Zoning Commission. All members voting yes. Motion carried.

Municipal Government Day

No interest by Council.

Countywide Law Enforcement

The City is on the County Commissioners agenda for January 16, 2006 at 10:00 am to discuss options of going to countywide law enforcement.

Medical Building Update

Dreher explained the seven change orders pertaining to the building. Total additional costs equal \$8,519. The City Attorney will review the change orders against the contracts and discuss again at the next meeting.

Quarterly Award

At this time, Joyce Helkenn was awarded the 4th Quarter of 2006 Quarterly Award for her contributions to the community. Congratulations Joyce!

Communication Bid Opening

This being the time scheduled for bid opening for the Communication System for the medical building. Two bids were received:

Business Telephone Company	\$14,571.98
ATS	\$12,313.00

Steve Hilpipre, Sioux Valley Clinic Watertown, was in attendance and stated that he did not feel the ATS bid will meet the bid spec of “100% transparent feature operation between the clinic’s current Iwatsu Enterprises CS system”. Hilpipre will take the bid back to have his communication team to review it to determine if it will work with the current system. Decision will be made at the next meeting.

Surplus Pickups

One bid was received for the 1979 Ford pickup from Olson Motor’s for \$500. No bids received for the 1984 Ford pickup.

Motion # 354-2006

Approve Pickup Surplus

Motion by Pollock and seconded by Heim to accept the bid from Olson Motors for \$500 for the 1979 Ford Pickup, and offer them first chance on the purchase of the 1984 Ford. All members voting yes. Motion carried.

Pay Loader

The City has the opportunity to purchase a new cat loader from another government bid.

Motion # 355-2006

Butler CAT Loader

Motion by Pollock and seconded by Dreher to purchase a Butler CAT 928Gz loader for \$108,411 from the Butte County bid on the 5 annual payment option and declare the 1984 CAT loader as surplus property. All members voting yes. Motion carried.

Liquor Contracts

Council reviewed a proposal by Kline on reorganizing the liquor fees. Council heard opinions of the operators on the proposal. After much discussion, no change will be made for 2007.

Motion # 356-2006

Adjourn

Motion by Kline and seconded by Streff to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 8:30 pm.

Mayor Lester C. Solberg

Attest: Finance Officer Jackie Luttrell
(seal)