

2019 Clark City Council & Respective Board Meeting Minutes

January 7, 2019 Board of Adjustments

January 7, 2019 City Council

February 4, 2019

February 4, 2019 Planning & Zoning Commission

March 4, 2019

**City of Clark Board of Adjustment Meeting
January 7, 2019**

Call to order: The Clark City Council, meeting as the Board of Adjustment, met in session on January 7, 2019 at 7 pm in City Hall.

Council Members Present: Brian Cook, Kerry Kline, Dennis Larson, Harv Spieker and Andrew Zemlicka. Absent Belinda Hanson.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Chad Fjelland, Roger Collins, Bill Krikac, Terry Binger, Mark and Joy Tracy and other concerned citizens.

Mayor Pollock called the meeting to order at 7 pm.

Motion by Larson and seconded by Zemlicka to adopt the agenda. All members voting yes. Motion carried.

Binger Conditional Use

Terry Binger was in attendance to support his conditional use application to install camping sites at his property located at E 150' of S 379' of OL S and 150' x 146' of OL T, 501 1st Avenue East. Council considered and determined the application is in compliance to City Code 11.17.02.f.

Motion by Spieker and seconded by Kline to approve a conditional use to Terry Binger to install camping sites at E 150' of S 379' of OL S and 150' x 146' of OL T, 501 1st Avenue East. All members voting yes. Motion carried.

United Methodist Church Day Care

Mark Tracy was in attendance to support his conditional use application to operate a daycare in a residential district located at OLS 2 & 3 less S 90' & Less N 150' of W 125' of OL 2 Conklins Addition, 606 N Commercial. Mr. Tracy was able to obtain signatures of approval of at least 50% of landowners within 250' of said property as is required by Code. Council considered and determined the application is in compliance to City Code 11.17.02.f.

Motion by Cook and seconded by Larson to approve a conditional use to United Methodist Church to operate a daycare in a residential district at OLS 2 & 3 less S 90' & Less N 150' of W 125' of OL 2 Conklins Addition, 606 N Commercial. All members voting yes. Motion carried.

Mayor Pollock declared the Board of Adjustment adjourned at 7:05 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock
(seal)

Attest: Finance Officer Jackie Luttrell

Published once at the approximate cost of _____.

**City of Clark Council Meeting
January 7, 2019**

Call to order: The Clark City Council met in session on January 7, 2019 at 7 pm at City Hall.

Council Members Present: Brian Cook, Kerry Kline, Dennis Larson, Harv Spieker and Andrew Zemlicka. Absent Belinda Hanson.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Chad Fjelland, Roger Collins, Bill Krikac and many concerned citizens.

Mayor Pollock called the meeting to order at 7:06 pm.

Motion # 001-2019

Adopt Agenda

Motion by Zemlicka and seconded by Larson to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Moritz Sidewalk

Dave Moritz and neighbors were in attendance asking for an exemption to clear snow off the sidewalk adjacent to 3rd Avenue N.W. Conclusion was Bob Bjerke will assist on lighter snow falls and city will not clear all the way to the curb and clear snow away as time permits.

Clark County Development Corporation

Greg Janisch presented the status of this newly formed county wide economic development organization, board members and key parts of the bylaws. The group's mission is to improve our economy by promoting business growth, increase housing and enhancing the quality of life of Clark County residents. The group asked for a 3 year commitment of \$25,000 in getting the group established. The group answered questions from the board.

Motion # 002-2019

CCDC Payment

Motion by Spieker and seconded by Cook to authorize a check from the budgeted funds of \$25,000 to the Clark County Development Corporation. After much discussion all members voted yes. Motion carried.

Mayor & Department Updates

Collins states the dump permit was renewed for 5 years. Absolutely no more houses can be taken to dump. Reviewed replacement semi options and summer help. Luttrell advised about a water leak problem at City Hall that will be addressed soon to bring it to code. Community room door was replaced. Senior Citizens have given up renting responsibilities of the community room which will be taken over by the Finance Office. Rental fee is \$50 plus \$50 cleaning/key deposit. Luttrell gave update on the Clubhouse renovation and end of year review. Skating rink now open.

Motion # 003-2019 **Street Summer Help**
 Motion by Larson and seconded by Kline to re-hire Sherry Swanson for street department summer help at \$12.00/hour. All members voting yes. Motion carried.

Motion # 004-2019 **2006 Freightliner Purchase**
 Motion by Larson and seconded by Zemlicka to authorize Street Superintendent Collins to purchase a 2006 Freightliner from I-State Truck Center for \$21,000 plus wet kit. All members voting yes. Motion carried.

Motion # 005-2019 **Surplus Fencing**
 Motion by Larson and seconded by Kline to surplus the old fencing from Dickinson Park. Appraisers were Pam Dekker, Bill Boss and Bob Bjerke who all appraised fence at less than \$500 which allows the city to sell the fencing to anyone without notice upon board approval. Board approved to sell the fence to United Methodist Church daycare for \$200. All members voting yes. Motion carried.

Motion # 006-2019 **Surplus Back Bar Cabinets**
 Motion by Larson and seconded by Zemlicka to surplus the back bar cabinets at the Clubhouse and assign appraisers as Heather Johansen, Greg Furness and John Olson. All members voting yes. Motion carried.

Motion # 007-2019 **Approve 12/3/18**
 Motion by Kline and seconded by Zemlicka to approve the December 3, 2018 city council meeting. All members voting yes. Motion carried.

Motion # 008-2019 **Approve Financial Statements**
 Motion by Larson and seconded by Zemlicka to approve the financial statements. All members voting yes. Motion carried.

Motion # 009-2019 **Approve Claims**
 Motion by Zemlicka and seconded by Kline to approve the following December and January claims. All members voting yes. Motion carried.

#	To	For	Amount
1844	EFPTS	941 taxes	\$ 596.85
1845	SD Dept of Revenue	city sales tax	\$ 37.11
1846	SD Dept of Revenue	golf course sales tax	\$ 20.54
1847	FuturePOS	credit card fees	\$ 36.54
1848	City of Clark	utilities	\$ 206.35
1849	Wellmark BCBS	insurance	\$ 6,542.77
1851	EFTPS	941 taxes	\$ 2,947.89
1852	Triumph Systems	supplies	\$ 657.80
1858	EFTPS	941 taxes	\$ 3,235.18
1860	EFTPS	941 taxes	\$ 679.74
27173	City of Clark	interfund loan	\$ 3,800.00
27174	Sturdevant's	parts	\$ 92.80

City Council Meeting – January 7, 2019

#	To	For	Amount
27175	Zuercher	maintenance	\$ 1,531.49
27176	Watertown P.D.	server fee	\$ 500.00
27177	Clark Rural Water System	materials	\$ 9,599.00
27178	Clark Community Oil	gas	\$ 784.21
27179	Clark Lanes	Christmas party	\$ 611.78
27180	Oscar's Machine Shop	repairs	\$ 486.86
27181	Conway Shield	equipment	\$ 1,400.00
27182	Cook's Wastepaper	utilities	\$ 7,127.89
27183	Quill	supplies	\$ 143.39
27184	DASH	supplies	\$ 93.17
27185	Black Hills Ammunition	ammo	\$ 1,238.00
27186	Northwestern Energy	utilities	\$ 573.40
27187	Eleven 10	police gear	\$ 128.66
27188	SD Dept of Revenue	water testing	\$ 30.00
27189	M&T Fire & Safety	supplies	\$ 26.50
27190	Heiman Inc	fire extinguisher maintenance	\$ 478.50
27191	Runnings	supplies	\$ 109.28
27192	Westside Implement	repairs	\$ 628.01
27193	Patrick Wolfgram	reimburse uniforms	\$ 375.26
27194	Watch Guard Video	warranty	\$ 450.00
27195	Jeremy Wellnitz	reimburse uniforms	\$ 58.62
27196	Haider Construction	boring line at pool	\$ 2,204.09
27197	Forest Excavating	repairs	\$ 168.37
27198	Clark Fire Department	training	\$ 8,266.72
27199	Zuercher	software	\$ 1,899.00
27200	SD Retirement Systems	retirement contributions	\$ 4,917.06
27201	Child Support Payment Ctr	child support	\$ 528.93
27202	Northwestern Energy	utilities	\$ 3,366.78
27203	J & J Heating & A/C	repairs	\$ 1,525.85
27204	Woodring Plumbing	repairs	\$ 214.29
12/4/2018	Council	payroll	\$ 3,364.67
12/18/2018	Mayor	payroll	\$ 208.85
	Gross Fiance Office	payroll	\$ 2,426.33
	Payroll Govt Bldg	payroll	\$ 93.89
	Police	payroll	\$ 3,389.11
	Streets	payroll	\$ 3,280.00
	Sewer	payroll	\$ 1,412.80
	Water	payroll	\$ 1,412.81
	Transit	payroll	\$ 512.12
	Clubhouse	payroll	\$ 151.93

City Council Meeting – January 7, 2019

#	To	For	Amount
	Library	payroll	\$ 410.00
	Overtime included in the above: D. Altfillisch \$64.69		
12/31/2018	Mayor	payroll	\$ 208.85
Gross	Fiance Office	payroll	\$ 2,426.32
Payroll	Govt Bldg	payroll	\$ 73.97
	Police	payroll	\$ 4,313.11
	Streets	payroll	\$ 3,280.00
	Sewer	payroll	\$ 1,402.73
	Water	payroll	\$ 1,402.75
	Transit	payroll	\$ 321.49
	Clubhouse	payroll	\$ 18.03
	Parks	payroll	\$ 38.00
	Library	payroll	\$ 420.25
	Holiday & Overtime included in the above: D. Altfillisch \$23.00; N. Nickeson \$300.00		
12/31/2018	Darin Altfillisch	vacation payout	\$ 621.00
Vacation	Roger Collins	vacation payout	\$ 255.20
Payout	Rae Jean Flora	vacation payout	\$ 517.65
	Nathan Nickeson	vacation payout	\$ 740.80
	Jeremy Wellnitz	vacation payout	\$ 954.00

To	For	Amount
USGA	professional fees	\$ 150.00
A&B Business Solutions	maintenance	\$ 68.08
AT&T Mobility	utilities	\$ 133.74
Butler	inspection	\$ 617.00
Cardmember Services	supplies	\$ 757.62
Clark Co. Courier	advertising	\$ 185.51
Clark Co. Historical Society	subsidies	\$ 577.00
Cole Papers	supplies	\$ 180.74
Cook's Wastepaper	dumpsters	\$ 69.72
Dekker Hardware	supplies	\$ 273.46
Delta Dental	insurance	\$ 846.50
Dollar General	supplies	\$ 20.72
ESEinc. Inc.	professional fees	\$ 306.00
First District Assoc.	professional fees	\$ 1,392.32
Forest Excavating	water leak repair	\$ 1,010.21
Gruenwald Electric	Charters of Freedom lights	\$ 1,858.98
ITC	utilities	\$ 737.76
JB Auto Repair	repairs	\$ 655.90
Ken's Food Fair	supplies	\$ 38.21

City Council Meeting – January 7, 2019

To	For	Amount
Mack's Standard	gas	\$ 180.00
Mid-States Organized Crime	professional fees	\$ 100.00
Midwest Alarm Co.	professional fees	\$ 270.99
Milbank Winwater	supplies	\$ 516.07
New Dimension LLC	stump removal	\$ 340.00
Northwestern Energy	utilities	\$ 2,862.22
Oscar's Machine Shop	parts	\$ 74.36
Pitney Bowes	meter rental	\$ 162.00
Quill	supplies	\$ 52.84
Roger Collins	dedt reimbursement	\$ 644.48
SD Assoc. of Code Enforcement	professional fees	\$ 40.00
SD DENR	professional fees	\$ 24.00
SD DENR	stormwater environmental fee	\$ 750.00
SD DENR	discharge permit	\$ 50.00
SD Government Finance Office	professional fees	\$ 70.00
SD Human Resources Assoc.	professional fees	\$ 25.00
SD Municipal League	professional fees	\$ 1,204.54
SD Municipal Street Assoc.	professional fees	\$ 35.00
SD Police Chief Assoc.	professional fees	\$ 96.59
SD Rural Development	revenue bond	\$ 787.00
SD Rural Development	revenue bond	\$ 908.00
SD Rural Development	revenue bond	\$ 1,307.00
SD Water & Wastewater Assoc.	professional fees	\$ 10.00
SDML Work Comp Fund	professional fees	\$ 10,544.00
St. Paul Stamp Works	supplies	\$ 72.72
Star Laundry	maintenance	\$ 131.91
Sturdevant's	parts	\$ 386.04
U Drive Technology	professional fees	\$ 58.92
US Bank Corporate Trust	SRF loan	\$ 6,940.29
Vision Service plan	insurance	\$ 329.97
WW Tire Service	repairs	\$ 30.00
Zimco Supply Co.	maintenance	\$ 470.00

Motion # 010-2019

Resolution # 843 Fees

Motion by Cook and seconded by Kline to approve Resolution # 843 Schedule of Fees as follows. All members voting yes. Motion carried.

RESOLUTION # 843

A RESOLUTION SETTING FORTH A SCHEDULE OF RATES FOR USE BY THE CITY OF CLARK. BE IT RESOLVED that the following schedule of rates shall be effective as of the date of this Resolution for the following services provided by the City of Clark.

City Council Meeting – January 7, 2019

City Hall Offices:

Black and White photocopies	\$0.25/page
Color photocopies	\$1.00/page
Faxes	\$2.00/page, incoming and outgoing
Scan to email.....	\$5.00
NSF charges	maximum allowed by SDCL 57A-3-421

Maintenance:

Loader with operator	\$110/hour
Motor grader/blade with operator	\$110/hour
Semi	\$110/hour
Dump truck with operator	\$80/hour
Skid loader with operator.....	\$85/hour
Operator only	\$50/hour
Mowing, rider	\$60/hour
Mowing, tractor & rotary.....	\$85/hour
Black dirt.....	\$45/yard
Fill dirt	\$20/yard
Gravel.....	\$5.50/yard

Zoning:

Building Permit – fence, deck or storage shed	\$10
Building Permit – garage or small addition	\$25
Building Permit – house or commercial building.....	\$50
Variance, Conditional Use or Rezoning application.....	\$50

BE IT FURTHER RESOLVED that the city office employee shall determine as to the rate payable to the City of Clark.

As provided by SDCL 9-9-13, this Resolution shall be effective upon publication of the Notice of Adoption and replaces any previously stated rates.

Dated this 7th day of January, 2019.

John Pollock, Mayor

ATTEST:

Jackie Luttrell, Finance Officer

(seal)

Motion # 011-2019

2018 Budget Supplement Comp for Loss

Motion by Kline and seconded by Spieker to supplement the street department’s 2018 budget of \$378.01 from insurance payout for compensation for loss. All members voting yes. Motion carried.

Motion # 012-2019

Operations Manual

Motion by Larson and seconded by Zemlicka to approve updates to the Operations Manual and its contents for 2019. All members voting yes. Motion carried.

Motion # 013-2019

Golf Rates

Motion by Spieker and seconded by Kline to set the 2019 golf rates as the same from 2018. All members voting yes. Motion carried.

Motion # 014-2019

Adjourn

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

Meeting adjourned at 8:36 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

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**City of Clark Council Meeting
February 4, 2019**

Call to order: The Clark City Council met in session on February 4, 2019 at 7 pm in the City Hall Council Room.

Council Members Present: Brian Cook, Belinda Hanson, Kerry Kline, Dennis Larson (via telephone) Harv Spieker and Andrew Zemlicka.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Chad Fjelland, Jeremy Wellnitz, Roger Collins, Bill Krikac, Don Weigel, Kerrie Johnson, Dustin Zemlicka, Andy Wookey, Cody Wookey and Darin Lewis.

Mayor Pollock called the meeting to order at 7 pm.

Motion # 015-2019

Adopt Agenda

Motion by Kline and seconded by Zemlicka to adopt the agenda as amended with ITC right away agreement. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Farm Land Lease Auction

City Attorney Fjelland auctioned off the 2019 farming rights for the 89.13 acres of the retention pond land. Highest bidder was Dustin Zemlicka for \$160 acres.

Ash Tree Policy

Darin Lewis, Chairman of the Soil Conservation Office, presented the Ash Tree Policy. He estimates 50% of the trees in city limits are Ash trees and are susceptible to getting the Emerald Ash Borer infestation. This policy plans out the removal and replacement plan.

Wetland Monitoring

Clark Engineering, Don Weigel and Kerry Johnson, explained the 5 year wetland management and monitoring requirements. The costs for 2019 are \$3,350 for monthly wetland inspection and \$3,000 for the annual monitoring report.

Motion # 016-2019

2019 Wetland Inspection & Annual Monitoring

Motion by Hanson and seconded by Zemlicka to authorize Mayor Pollock to sign the 2019 Wetland Inspection & Annual Monitoring proposal for 2019. All members voting yes. Motion carried.

Motion # 017-2019

Foothills Contracting Pay Request # 9

Motion by Kline and seconded by Hanson to approve to pay Foothills Contracting pay request #9 for \$286,345.16 to be covered by SRF loan and CWFCP grant. All members voting yes. Motion carried.

Department Updates

Updates given by Collins, Luttrell and Wellnitz. The street truck approved to purchase in January fell through. Collins back to shopping for new truck. Luttrell asked about advertising on street banners.

Motion # 018-2019

Skid Steer Trade

Motion by Larson and seconded by Cook to approve trade in of the Gehl skid steer with Westside Implement. All members voting yes. Motion carried.

Motion # 019-2019

Executive Session

Motion by Cook and seconded by Zemlicka to go into executive session for personnel and contractual issues. All members voting yes. Motion carried.

Executive session began at 7:52 pm and declared out at 8:15 pm.

Motion # 020-2019

Approve Meeting Minutes

Motion by Kline and seconded by Cook to approve the January 7, 2019 city council and Board of Adjustment meeting minutes. All members voting yes. Motion carried.

Motion # 021-2019

Approve Financials

Motion by Cook and seconded by Zemlicka to approve the January financial statements. All members voting yes. Motion carried.

Motion # 022-2019

Approve Claims

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

#	To	For	Amount
1864	City of Clark	utilities	\$ 195.65
1865	SD Dept of Revenue	city sales tax	\$ 31.56
1866	SD Dept of Revenue	golf course sales tax	\$ 36.34
1867	Wellmark BCBS	insurance	\$ 6,542.77
1868	EFTPS	941 taxes	\$ 3,329.10
1874	FuturePOS	cc fees	\$ 215.14
1879	Dacotah Bank	service charge	\$ 5.00
27247	Cook's Wastepaper	garbage collections	\$ 7,027.72
27248	Clark Community Oil	gas	\$ 1,489.00
27249	Clark Rural Water	materials	\$ 9,444.20
27250	Creative Printing	supplies	\$ 110.03
27251	Tony's Collision	repairs	\$ 1,571.78
27252	Northwestern Energy	utilities	\$ 680.78
27253	Child Support Payment Center	child support	\$ 352.62
27254	SD Retirement System	retirement	\$ 3,529.94
1/15/2019	Mayor	payroll	\$ 265.12
Gross	Finance Office	payroll	\$ 2,643.44

City Council Meeting – February 4, 2019

#	To	For	Amount
Payroll	Govt Bldg	payroll	\$ 96.69
& Utilities	Police	payroll	\$ 3,540.77
	Streets	payroll	\$ 3,916.63
	Water	payroll	\$ 1,554.65
	Sewer	payroll	\$ 1,554.66
	Transit	payroll	\$ 515.68
	Clubhouse	payroll	\$ 122.02
	Parks	payroll	\$ 513.98
	Library	payroll	\$ 421.16
Overtime & holiday included in the above: D. Altfillisch \$189.53; R. Collins \$388.38			
J. Luttrell \$84.34; T. Silkman \$64.16			

1/29/2019	Mayor	payroll	\$ 215.12
Gross	Finance Office	payroll	\$ 2,499.41
Payroll	Govt Bldg	payroll	\$ 82.04
	Police	payroll	\$ 4,149.97
	Streets	payroll	\$ 4,169.85
	Water	payroll	\$ 1,598.93
	Sewer	payroll	\$ 1,598.92
	Transit	payroll	\$ 335.47
	Clubhouse	payroll	\$ 241.97
	Parks	payroll	\$ 288.81
	Library	payroll	\$ 416.64
Overtime & holiday pay included in the above: D. Altfillisch \$331.66; R. Collins \$633.35;			
T. Silkman \$158.10			

To	For	Amount
A&B Business Solutions	maintenance	\$ 68.08
AT&T Mobility	utilities	\$ 133.74
Cardmember Services	supplies	\$ 371.28
Clark Co. Historical Society	subsidies	\$ 577.00
Clark County Courier	advertising	\$ 163.19
Dakota Dental	insurance	\$ 846.50
Dakota Pump	repairs	\$ 8,750.02
Dekker Hardware	supplies	\$ 1,111.90
Foothills Contracting	improvements	\$ 286,345.16
Forest Excavating	snow removal	\$ 5,707.15
Glass Products Inc.	door replacement	\$ 2,782.00
Good Housekeeping	periodicals	\$ 15.97
Gruenwald Electric	repairs	\$ 114.56
Mack's Standard	gas, tires	\$ 604.00
Northwestern Energy	utilities	\$ 6,744.43

City Council Meeting – February 4, 2019

To	For	Amount
Overdrive	SD Titles to Go	\$ 600.00
Pheasantland Industries	supplies	\$ 59.91
Pitney Bowes	postage	\$ 1,020.99
Principle Financial Group	insurance	\$ 39.90
Quill	supplies	\$ 139.67
Readers Digest	periodicals	\$ 19.98
SD Dept of Health	water testing	\$ 30.00
SD Rural Development	sewer revenue bond	\$ 787.00
SD Rural Development	water revenue bond	\$ 908.00
SD Rural Development	sewer revenue bond 2	\$ 1,307.00
Share Corp	degreaser	\$ 1,828.75
Sign Pro	supplies	\$ 93.75
South Dakota One Call	locates	\$ 51.36
Star Laundry	maintenance	\$ 105.42
Sturdevant's	parts	\$ 342.81
U Drive Technology	professional fees	\$ 54.56
US Bank Corporate Trust	SRF Loan 2	\$ 23,096.27
Vision Service Plan	insurance	\$ 329.97
Westside Implement	parts	\$ 1,549.20

Motion # 023-2019

Water Restricted Funds Transfer

Motion by Larson and seconded by Zemlicka to approve paying the Dakota Pump Inc. bill of \$8,750.02 out of the water restricted for depreciation fund. All members voting yes. Motion carried.

Motion # 024-2019

Resolution #844 Intent to Lease

Motion by Zemlicka and seconded by Spieker to approve Resolution #844 Intent to Lease farm land to Dustin Zemlicka. All members voting yes. Motion carried.

Resolution # 844

A RESOLUTION OF INTENT TO LEASE CITY OWNED PROPERTY TO DUSTIN ZEMLICA.

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

Approximately 89.13 acres of cropland (FSA Farm 5729) located in the Southeast Quarter (SE ¼) of Section Seventeen (17), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57) West of the 5th P.M., 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 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 term 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 Dustin Zemlicka.

Approximately 89.13 acres of cropland (FSA Farm 5729) located in the Southeast Quarter (SE ¼) of Section Seventeen (17), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57) West of the 5th P.M., 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, March 4, 2019 at 7:30 PM 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.

John Pollock, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell, City Finance Officer

First Reading of Ordinance #557 2019 Pay Revision

Motion # 025-2019 **Enter Planning Commission**
Motion by Cook and seconded by Zemlicka to enter into a Planning Commission meeting. All members voting yes. Motion carried.

Joint planning meeting entered 8:26 pm and declared out at 8:28 pm.

Motion # 026-2019 **Approve GCC Plat**
Motion by Larson and seconded by Spieker to approve the GCC Addition plat as recommended by the Planning & Zoning Commission. All members voting yes. Motion carried.

Motion # 027-2019 **Change April Meeting Date**
Motion by Zemlicka and seconded by Hanson to change the date of the April meeting to April 3, 2019 at 7 pm. All members voting yes. Motion carried.

Motion # 028-2019 **ROW Occupancy Agreement**

Motion by Cook and seconded by Spieker to approve a Right of Way application for occupancy for buried fiber optic within the city limits for Interstate Telecommunications Cooperative. All members voting yes. Motion carried.

Motion # 029-2019

Adjourn

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

Meeting adjourned at 8:32 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark
Joint Council Meeting & Planning & Zoning Meeting
February 4, 2019

Call to order: The Clark City Council met in joint session as the Planning & Zoning board on February 4, 2019 in the City Hall Council Room.

Council Members Present: Brian Cook, Belinda Hanson, Kerry Kline, Dennis Larson (via telephone), Harv Spieker and Andrew Zemlicka.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Chad Fjelland and Bill Krikac,

Mayor Pollock called the meeting to order at 8:26 pm.

Motion by Cook and seconded by Zemlicka to adopt the agenda. All members voting yes. Motion carried.

Sitting as the joint city council and planning and zoning board, the board met to review the GCC Addition plat legally known as GCC Addition in the SW ¼ of Section 1, Township 116 North, Range 58 West of the 5th P.M. Clark County, South Dakota.

Motion by Zemlicka and seconded by Kline to recommend approval of the GCC Addition Plat to the Clark City Council. All members voting yes. Motion carried.

Mayor Pollock declared the joint meeting out and reconvened into the city council meeting.

Meeting adjourned at 8:28 pm.

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Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

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**City of Clark Council Meeting
March 4, 2019**

Call to order: The Clark City Council met in session on March 4, 2019 at 7 pm in the City Hall Council Room.

Council Members Present: Brian Cook, Belinda Hanson, Kerry Kline, Dennis Larson (via telephone), Harv Spieker and Andrew Zemlicka.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Jeremy Wellnitz, Dala Albright, Tammy Rusher and Melissa Nesheim.

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

Motion # 30-2019

Adopt Agenda

Motion by Zemlicka and seconded by Cook to adopt the agenda. All members voting yes.
Motion carried.

All stood and recited the Pledge of Allegiance.

Public Input

Rosenau was not in attendance. Dala Albright, speaking on behalf of the Rotary, shared their vision for Dickinson Park to plant juniper trees behind the outfield fence and replace the fence topper. They've secured funding for the trees, \$3,200. Asking for assistance for fence topper, \$2,854. Will check with Park board on funding and place on next month's agenda. No other public input.

Motion # 31-2019

Approve Dickinson Park Trees

Motion by Kline and seconded by Hanson to approve Rotary's project to plant trees along Dickinson Park baseball outfield. All members voting yes. Motion carried.

Department Updates

Clubhouse managers, Melissa Nesheim and Tammy Rusher, gave an update on the clubhouse and upcoming golf season. Planning on moving around carts to allow rental carts to be stored closer to clubhouse. Chief Wellnitz asked for executive session to discuss a personnel matter.

Motion # 32-2019

Executive Session

Motion by Kline and seconded by Cook to enter into executive session to discuss a personnel matter, SDCL 1-25-2.4. All members voting yes. Motion carried.

Executive session from 7:21 pm to 7:28 pm.

Motion # 33-2019

Police Changes

Motion by Hanson and seconded by Kline to approve Police Chief Wellnitz pay increase of \$450/week during Officer Nickeson deployment starting March 24, 2019, pay part time officers \$50/weekend for on-call plus hourly rate when called out and continue to pay Nickeson family

vision and dental insurance while on leave. Nickeson has signed agreement that all payments would be reimbursed should he leave the department within one year after his return. All members voting yes. Motion carried.

Luttrell spoke for surplus semi, new water/sewer pickup, reminded council of district meeting and office work in lining up summer rec staff.

Motion # 34-2019 **Surplus 1995 Volvo Semi**
 Motion by Spieker and seconded by Cook to surplus the 1995 Volvo semi and assign Kyle Gaikowski, Mike Clyde and Jamie Gloe as appraisers. Appraised over \$500 so semi will be advertised for sealed bids to be opened at the April 3, 2019 meeting. All members voting yes. Motion carried.

Motion # 35-2019 **Purchase 2019 GMC Water/Sewer Pickup**
 Motion by Larson and seconded by Cook to authorize the purchase of a 2019 GMC Sierra 1500 pickup at a cost of \$28,848.40 for the water and sewer departments to be paid out of the restricted water and sewer funds. In addition, Altfillisch will need to spend approximately \$1,300 for a toolbox and to transfer his hoist. All members voting yes. Motion carried.

Motion # 36-2019 **Approve Minutes**
 Motion by Hanson and seconded by Kline to approve the February 4, 2019 city council and planning and zoning meeting minutes. All members voting yes. Motion carried.

Motion # 37-2019 **Approve Financial Statements**
 Motion by Zemlicka and seconded by Cook to approve the February financial statements. All members voting yes. Motion carried.

Motion # 38-2019 **Approve Claims**
 Motion by Cook and seconded by Zemlicka to approve claims. All members voting yes. Motion carried.

#	To	For	Amount
1880	ITC	utilities	\$ 720.52
1881	FuturePOS	professional fees	\$ 35.19
1882	City of Clark	utilities	\$ 310.50
1883	Wellmark	insurance	\$ 6,542.77
1884	EFTPS	payroll taxes	\$ 3,218.58
1885	SD Dept of Revenue	sales tax	\$ 40.59
1886	SD Dept of Revenue	golf sales tax	\$ 101.25
1890	EFTPS	payroll taxes	\$ 3,262.36
1891	Dacotah Bank	professional fees	\$ 30.00
1898	Dacotah Bank	professional fees	\$ 5.00
27281	Cook's Wastepaper	utilities	\$ 88.18
27282	Clark Rural Water System	materials	\$ 9,566.60
27283	Ken's Food Fair	supplies	\$ 109.44
27284	Clark Community Oil	gas	\$ 2,006.30

City Council Meeting – March 4, 2019

#	To	For	Amount
27285	212 Truck & Trailer Repairs	supplies	\$ 462.50
27286	Oscar's Machine Shop	repairs	\$ 3,917.49
27287	Cook's Wastepaper	garbage collections	\$ 7,013.41
27288	City of Clark	deposit applied to bill	\$ 100.00
27289	Northwestern Energy	utilities	\$ 479.56
27290	Haber Truck & Trailer Sales	International 8600	\$ 21,900.00
27291	SD Retirement Systems	retirement	\$ 3,435.32
27292	Child Support Payment Center	child support	\$ 352.62
27293	Tara Thomas	mileage	\$ 38.30
27295	Watch Guard Video	reissued lost check	\$ 450.00
27296	Clark Co. Treasurer	title fee	\$ 15.00
2/11/2019	Mayor	payroll	\$ 265.12
	Payroll	Finance Office	\$ 2,566.40
	& utilities	Govt Bldg	\$ 161.15
		Police	\$ 3,540.77
		Streets	\$ 3,937.32
		Water	\$ 1,507.37
		Sewer	\$ 1,507.37
		Transit	\$ 433.64
		Clubhouse	\$ 79.58
		Parks	\$ 154.19
		Library	\$ 422.40
		Overtime included in the above: D. Altfillisch \$35.54; R. Collins \$376.43; T. Silkman \$82.49	
2/25/2019	Mayor	payroll	\$ 215.12
	Finance Office	payroll	\$ 2,574.39
	Govt Bldg	payroll	\$ 131.85
	Police	payroll	\$ 3,490.77
	Streets	payroll	\$ 3,527.78
	Water	payroll	\$ 1,516.00
	Sewer	payroll	\$ 1,516.02
	Transit	payroll	\$ 474.66
	Clubhouse	payroll	\$ 145.89
	Parks	payroll	\$ 440.55
	Library	payroll	\$ 495.84
		Overtime included in the above: D. Altfillisch \$118.45; R. Collins \$149.38; J. Luttrell \$74.97	

To	For	Amount
212 Truck & Trailer Repairs	equipment	\$ 6,629.85
A&B Business Solutions	maintenance	\$ 68.08

City Council Meeting – March 4, 2019

To	For	Amount
A-I Computer Solutions	professional fees	\$ 319.99
AT&T Mobility	utilities	\$ 133.74
Avera Occupational Medicine	drug testing	\$ 127.10
Boss Construction	repairs & improvements	\$ 24,169.71
Brooks Tree Removal Services	maintenance	\$ 650.00
Butler Machinery Co.	repairs	\$ 5,212.55
Cardmember Services	supplies	\$ 115.66
Clark Co. Historical Society	subsidies	\$ 577.00
Clausen Construction	snow removal/gravel	\$ 606.80
Cook's Wastepaper	utilities	\$ 88.18
Creative Printing	supplies	\$ 399.34
Dekker Hardware	improvements, repairs	\$ 1,366.25
Delta Dental	insurance	\$ 846.50
EcoLab	maintenance	\$ 194.76
Foothills Contracting	Pay Request # 10 FINAL	\$ 40,789.38
Forest Excavating	repairs/snow removal	\$ 4,671.18
Gruenwald Electric	improvements	\$ 1,969.99
ITC	utilities	\$ 1,053.39
Ken's Food Fair	supplies	\$ 17.87
Mack's Standard	gas, maintenance	\$ 283.00
Menard's	improvements	\$ 2,871.12
Michael Todd & Co.	blades	\$ 734.11
Milbank Winwater	meters, supplies	\$ 1,915.00
Northwestern Energy	utilities	\$ 7,268.05
Oscar's Machine Shop	repairs	\$ 621.41
Principle Financial Group	insurance	\$ 42.91
Quill	supplies	\$ 22.09
SD Dept of Health	professional fees	\$ 30.00
SD Dept of Revenue	city sales tax	\$ 9.02
SD Dept of Revenue	golf course sales tax	\$ 22.83
SD Rural Development	revenue bond	\$ 787.00
SD Rural Development	revenue bond	\$ 908.00
SD Rural Development	revenue bond	\$ 1,307.00
Star Laundry	maintenance	\$ 199.93
U Drive Technology	professional fees	\$ 50.00
Vision Service Plan	insurance	\$ 329.97
Westside Implement	skid steer trade, repairs	\$ 2,539.41
Woodring Plumbing	repairs & improvements	\$ 1,477.81

Motion # 39-2019

Approve Final Change Order #7

Motion by Zemlicka and seconded by Spieker to approve final Change Order #7 of the Retention Pond project to reduce project cost by \$10,486.65. All members voting yes. Motion carried.

Motion # 40-2019

Approve Final Pay Request # 10

Motion by Kline and seconded by Hanson to approve final Pay Request # 10 for \$40,789.38 for Foothills Contracting for the Retention Pond project to be paid with grant and loan funds. All members voting yes. Motion carried.

Motion # 41-2019

Approve Semi Purchase

Motion by Kline and seconded by Zemlicka to rescind motion 004-2019 and approve street department purchase of a 2013 International semi for \$21,900 from Haber Truck & Trailer Sales. All members voting yes. Motion carried.

Public hearing for Resolution #845 Farm Lease was had with no one in attendance.

Motion # 42-2019

Approve Resolution #845 Farm Lease

Motion by Larson and seconded by Spieker to approve Resolution #845 to lease farm ground to Dustin Zemlicka and authorize Mayor Pollock to sign lease. All members voting yes. Motion carried.

RESOLUTION #845

A RESOLUTION TO AUTHORIZE THE LEASE OF CERTAIN REAL ESTATE HELD BY THE CITY OF CLARK, TO DUSTIN ZEMLICKA 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:

Approximately 89.13 acres of cropland (FSA Farm 5729) located in the Southeast Quarter (SE¼) of Section Seventeen (17), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57) West of the 5th P.M., Clark County, South Dakota.

WHEREAS, Dustin Zemlicka, 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 Dustin Zemlicka;

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 John Pollock, 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.

John Pollock, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell, City Finance Officer

Government building restricted cash for Ulliyot building repairs tabled until all bills are received.

Motion # 43-2019 **Approve Ordinance #557 Salary Correction**
Motion by Kline and seconded by Hanson to approve Ordinance #557 Salary Correction. All members voting yes. Motion carried.

Ordinance # 557

An Ordinance Correcting 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 shall be as follows:

Golf Course:
Clubhouse Workers \$ 9.29 – 10.34 hour

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

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

First Reading: February 4, 2019
Second Reading & Adopted: March 4, 2019
Published: March 13, 2019
Effective Date: April 2, 2019

Motion # 44-2019 **Approve SD Public Library Survey FY 2018**
Motion by Zemlicka and seconded by Kline to approve the SD Public Library Survey FY 2018 as submitted by Librarian Tara Thomas. All members voting yes. Motion carried.

Motion # 45-2019

Approve 2018 Annual Report

Motion by Hanson and seconded by Spieker to approve the 2018 Annual Report as submitted by Finance Officer Jackie Luttrell. All members voting yes. Motion carried.

Motion # 46-2019

Approve Summer Rec Fees

Motion by Zemlicka and seconded by Kline to approve summer rec fees as follows. All members voting yes. Motion carried.

Pool Rates: Family Pass \$120.00 (includes tax) – includes swim pass and lessons for 2 kids
Family Pass \$80.00 (includes tax) – pass only, no lessons
Individual Pass \$65 (includes tax) –pass and one lesson
Individual lessons (2 weeks of group lessons) \$30 (includes tax)
Daily Pass Adult \$4.00 (includes tax)
Daily Pass Student \$3.00 (includes tax)

Summer Rec: T-Ball, Softball and Midgets and Pee Wees \$30.00 (includes tax)
Teener \$40.00 (includes tax)

Motion # 47-2019

Executive Session

Motion by Cook and seconded by Hanson to enter into executive session for personnel matters, SDCL 1-25-2.4. All members voting yes. Motion carried.

Executive session from 7:48 pm to 7:52 pm.

Motion # 48-2019

Approve Pool Co-Managers

Motion by Cook and seconded by Hanson to approve Dawn Clayton and Nan Bell as the 2019 Pool Co-Managers. All members voting yes. Motion carried.

Motion # 49-2019

Adjourn

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

Meeting adjourned at 7:53 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.