

2011 City Council Meeting Minutes

January 12, 2011

February 7, 2011

March 7, 2011

March 21, 2011 Equalization Meeting

March 21, 2011

April 4, 2011

May 3, 2011

June 6, 2011

June 29, 2011

July 7, 2011

August 4, 2011

August 29, 2011

September 7, 2011

October 10, 2011

October 20, 2011

November 7, 2011

December 5, 2011

December 28, 2011 Planning Commission

December 28, 2011

**City of Clark Council Meeting
January 12, 2011
7:00 PM**

Call to order: The Clark City Council met in session on January 12, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Darin Altfillisch, Roger Collins and Loren Stanley.

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

Motion # 001-2011

Adopt Agenda

Motion by Fuller and seconded by Heim to adopt the agenda. All members voting yes. Motion carried.

Public Input

None.

Department Updates

Department updates given by Collins, Altfillisch, Stanley and Luttrell. City hired Clausen Construction to assist removing snow after the New Year's Day storm. Clausen's hauled out 147 side dump loads. City is asking residence for their patience during snow clearing and removal. Everyone is getting tired of the snow, but this is South Dakota and it snows!

Luttrell advised the council on an energy audit funded by DENR for the wastewater plant. City will give a gift certificate to the Aberdeen lawyer who assisted the City in winning a lawsuit that confirmed that water and sewer line fees are a legal fee to be charged by the city to vacant houses.

Motion # 002-2011

Approve Updates

Motion by Pollock and seconded by Heim to approve the department updates and sheriff's report. All members voting yes. Motion carried.

Motion # 003-2011

Approve Minutes

Motion by Dreher and seconded by Reidburn to approve the council meeting minutes from December 29, 2010. All members voting yes. Motion carried.

Motion # 004-2011

Approve Financial Statements

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

Motion # 005-2011

Library Financial Statements

Motion by Pollock and seconded by Reidburn to approve the library's 3rd and 4th quarters financial statements. All members voting yes. Motion carried.

Motion # 006-2011

Approve Claims

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

Additional December Claims

#	To	For	Amount
401	Harland Checks	supplies	\$41.94

Additional January Claims

402	Dacotah Bank	professional fees	\$55.58
403	City of Clark	utilities	\$39.11
404	EFTPS	941 taxes	\$2,225.72
20046 - 20059	Water Dept.	payroll	\$853.53
	Sewer Dept.	payroll	\$853.54
	Govt. Bldg.	payroll	\$76.34
	Streets Dept.	payroll	\$3,068.40
	Finance Office	payroll	\$1,058.13
	Sanitation Dept.	payroll	\$306.67
	Library	payroll	\$350.74
	Transit	payroll	\$517.94
	Mayor	payroll	\$172.27
	Parks Dept.	payroll	\$675.39
20060	AFLAC	insurance	\$131.80
20061	The US Life Insurance Co.	insurance	\$18.70
20062	Cook's Wastepaper	garbage	\$5,084.88

New January Claims

To	For	Amount
A-OX Welding	supplies	\$10.54
A & B Business	maintenance	\$65.45
Avera Queen of Peace	professional fees	\$78.90
City of Clark	utilities	39.11
Clark Co. Courier	advertising	\$391.26
Clark Community Oil	supplies	\$2,746.96
Clark Engineering	professional fees	\$3,040.00
Clark Flower & Gift	supplies	\$56.94
Clark Rural Water	materials	\$9,843.00
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	professional fees	55.58

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To	For	Amount
Dekker Hardware	supplies	\$216.35
Ellwein Brothers	liquor	\$9,575.20
First District	professional fees	\$1,171.25
ITC	utilities	\$394.33
Johnson Brothers	liquor	\$7,281.06
Ken's	supplies	\$24.53
Midwest Alarm	professional fees	\$261.25
Moritz Publishing	supplies	\$188.00
Olson Auto Parts	supplies	\$202.52
Oscar's Machine Shop	supplies	\$316.83
Porter Distributing	liquor	\$2,618.10
Republic National	liquor	\$6,572.60
SD Dept of Revenue	sales tax	\$115.21
Star Laundry	maintenance	\$53.41
USA Blue Book	supplies	\$305.62
Westside Implement	supplies	\$135.00

Motion # 007-2011

2011 Policy & Procedure Manual

Motion by Streff and seconded by Reidburn to approve the changes to the Policy & Procedure Manual. All members voting yes. Motion carried.

Motion # 008-2011

Election Date

Motion by Heim and seconded by Streff to set April 12, 2011 as the date for the municipal election, if needed. All members voting yes. Motion carried.

Motion # 009-2011

Election Workers

Motion by Dreher and seconded by Reidburn to set election worker pay at \$8.25/hour for the election superintendent and \$8.00/hour for two workers. All members voting yes. Motion carried.

No executive session was needed.

Motion # 010-2011

Adjourn

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

Meeting adjourned at 7:24 pm.

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Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

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**City of Clark Council Meeting
February 7, 2011
7:00 PM**

Call to order: The Clark City Council met in session on February 7, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Roger Collins and Bill Krikac.

President Dreher called the meeting to order at 7:00 pm.

Motion # 011-2011

Adopt Agenda

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

No Public Input

Department Updates

Updates given by Collins and Luttrell. Sheriff's report was reviewed.

Motion # 012-2011

Approve ACH Module

Motion by Heim and seconded by Streff to approve the purchase of an ACH module to have payroll checks automatically deposited and to require all employees to use automatic deposit for payroll. All members voting yes. Motion carried.

Motion # 013-2011

Approve Updates

Motion by Pollock and seconded by Heim to approve department updates and the sheriff's report. All members voting yes. Motion carried.

Motion # 014-2011

Approve Minutes

Motion by Streff and seconded by Reidburn to approve the council meeting minutes from January 12, 2011. All members voting yes. Motion carried.

Motion # 015-2011

Approve Financial Statements

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

Motion # 016-2011

Approve Claims

Motion by Reidburn and seconded by Fuller to approve the following claims. All members voting yes. Motion carried.

City Council Meeting – February 7, 2011

Additional Paid Claims

#	To	For	Amount
406	Alltel	utilities	\$86.36
407	Cardmember Services	professional fees	\$170.00
408	EFTPS	payroll taxes	\$1,938.04
409	American Family Insurance	insurance	\$8.00
410	SD Rural Development	sewer revenue bond	\$787.00
411	SD Rural Development	water revenue bond	\$908.00
412	Dacotah Bank	professional fees	\$51.80
413	SD Dept of Revenue	sales tax	\$14.25
414	City of Clark	utilities	\$39.11
415	EFTPS	payroll taxes	\$1,960.06
20087 - 20100	Water Dept.	payroll	\$867.27
	Sewer Dept.	payroll	\$867.27
	Govt. Bldg	payroll	\$89.63
	Street Dept.	payroll	\$2,362.35
	Finance Office	payroll	\$1,103.80
	Sanitation	payroll	\$318.23
	Library	payroll	\$353.84
	Transit	payroll	\$470.75
	Mayor	payroll	\$165.43
	Parks Dept.	payroll	\$647.94
20101	Wellmark	insurance	\$3,819.88
20102	Account Mngt.	garnish	\$30.00
20103	Credit Collection Bureau	garnish	\$18.80
20104	SD Retirement Systems	retirement	\$2,062.02
20105	First National Bank	SRF loan	\$6,940.29
20106	Petty Cash	supplies	\$86.94
20107	Jimmy Dunbar	professional fees	\$224.00
20108	Northwestern Energy	utilities	\$7,111.74
20109 - 20122	Water Dept.	payroll	\$863.01
	Sewer Dept.	payroll	\$863.02
	Govt. Bldg	payroll	\$89.63
	Street Dept.	payroll	\$2,391.90
	Finance Office	payroll	\$1,082.80
	Sanitation	payroll	\$326.74
	Library	payroll	\$353.84
	Transit	payroll	\$587.55
	Mayor	payroll	\$165.43
	Parks Dept.	payroll	\$673.97
20123	AFLAC	insurance	\$131.80

New February Claims

To	For	Amount
A&B Business	supplies	\$78.24
A-OX Welding	supplies	\$10.85
Banyon Data Systems	professional fees	\$195.00
Chief	supplies	\$624.87
Clark Area Chamber of Commerce	subsidies	\$3,000.00
Clark Community Oil	supplies	\$3,138.57
Clark Co. Courier	advertising	\$350.82
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Hometown Variety	supplies	\$18.91
Clark Rural Water	materials	\$9,339.80
Colonial Research	supplies	\$648.87
Consumer Reports	subscription	\$26.00
Cook's Wastepaper	utilities	\$41.53
Cook's Wastepaper	garbage service	\$5,074.24
Dacotah Bank	subsidies	\$6,477.47
Dekker Hardware	supplies	\$573.05
Ecolab	maintenance	\$77.00
Ellwein Brothers	liquor	\$8,902.85
Expetec	professional fees	\$51.74
Fjelland Law Office	legal fees	\$405.00
F.M. Acoustical Tile	repairs	\$349.00
Forest Excavating	repairs	\$1,655.59
Highsmith	books	\$27.54
ITC	utilities	\$389.97
J&J Heating	repairs	\$113.42
JB Repair	repairs	\$181.00
Johnson Brothers	liquor	\$4,780.87
K&P Pump Repair	repairs	\$10,331.90
Mack's	supplies	\$756.81
Michael Todd & Co.	supplies	\$429.98
Milbank Winwater	supplies	\$1,002.63
Moritz Publishing	supplies	\$172.55
National Geographic Society	subscription	\$34.00
Office Peeps	supplies	\$39.36
Olson Motor Co.	repairs	\$457.57
Oscar's Machine Shop	supplies	\$26.00
Porter Distributing	liquor	\$3,307.30
Pro Build	supplies	\$5.42
Republic National	liquor	\$5,433.76

City Council Meeting – February 7, 2011

To	For	Amount
Reader's Digest	subscription	\$13.98
Sanford Health	professional fees	\$46.00
SD Dept. of Revenue	professional fees	\$200.00
SD Municipal League	professional fees	\$32.45
SD Public Assurance Alliance	insurance	\$26,587.82
Share Corp.	supplies	\$168.98
Sign Pro	supplies	\$31.25
The Literary Guild	books	\$38.98
Time	subscription	\$29.95
Westside Implement	supplies	\$7.68

Motion # 017-2011

Med Van Drug & Alcohol Policy

Motion by Fuller and seconded by Reidburn to approve the Drug & Alcohol Policy for the med van employees. All members voting yes. Motion carried.

At 7:15 pm, the Council held a public hearing for a special events liquor license for the Clark American Legion for March 25, 2011. No public was present

Motion # 018-2011

Approve Special Events Liquor License

Motion by Reidburn and seconded by Streff to approve a special events liquor license for Clark American Legion for March 25, 2011 from 4:00 pm to 2:00 am. All members voting yes. Motion carried.

Councilwoman Heim presented current house and senate bills of concern to her.

Motion # 019-2011

Adjourn

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

Meeting adjourned at 7:25 pm.

This institution is an equal opportunity provider, and employer.

President Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

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City of Clark Council Meeting
March 7, 2011
7:00 PM

Call to order: The Clark City Council met in session on March 7, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Roger Collins, Loren Stanley, Bill Krikac and Terry Binger.

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

Motion # 020-2011

Adopt Agenda

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

No public input.

Department Updates

Department updates given by Collins, Luttrell and Stanley. Altfillisch was absent.

Collins addressed the snow removal off Highway 212 from business owners clearing the parking lots out to the highway which causes the City the expense of hauling away the snow. Council will consider charging businesses for the service beginning next year. Clausen Construction hauled away an additional 140 loads of snow from the February storm. Collins presented three projects planned for 2011. First, Collins estimates the need for \$4,000 to do more trenching for the storm drainage project on both the north and south side of Highway 212. Second, Collins would like to get a tanker of oil to chip seal streets. Lastly, he would like to reconstruct Pebble Beach. All projects estimated to cost less than the bid limit.

Council discussed increasing the disconnect and reconnect fee for delinquent water accounts from \$25 each to \$75 each. City Attorney Fjelland will write up an ordinance for a first reading at the next meeting.

Luttrell gave an update on the Cloud Street Sewer Relining project. Clark Engineering is pursuing a quote for cleaning and televising of the lines. Luttrell presented an option to apply for a Rural Water Association loan to complete the water meter project instead of using Rural Development funds. Rural Water offers a \$100,000 loan at 3% for 10 years versus Rural Development loan for 3.25 % for 40 years. Luttrell gave an update on the Mitigation project. Luttrell presented a proposal from Arneson Electric for a generator for the sewer plant and a portable generator for the lift stations, totaling \$85,312. If

approved, the mitigation grant is 75%, with city matching 25%. Luttrell will proceed with the loan and grant applications.

Motion # 021-2011

Street Maintenance Association

Motion by Pollock and seconded by Heim to approve Roger Collins to attend the Street Maintenance Association meeting on April 13 and 14, 2011 in Oacoma and approve the related expenses. All members voting yes. Motion carried.

Motion # 022-2011

Code Enforcement Meeting

Motion by Dreher and seconded by Fuller to approve Jackie Luttrell to attend the Code Enforcement meeting on May 4 and 5, 2011 in Pierre and approve the related expenses. All members voting yes. Motion carried.

Motion # 023-2011

Approve Department Updates

Motion by Fuller and seconded by Streff to approve the department updates. All members voting yes. Motion carried.

Motion # 024-2011

Approve Minutes

Motion by Heim and seconded by Pollock to approve the council meeting minutes from February 7, 2011. All members voting yes. Motion carried.

Motion # 025-2011

Approve Financial Statements

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

Motion # 026-2011

Approve Sheriff Report

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

Election Update

There will not be an election in April due to no competition for positions. Larry Dreher will take over as Mayor, Terry Binger will take over council for Ward I. Paul Fuller will renew his term for council in Ward II. Lonnie Reidburn will renew his term for council in Ward III. Councilman Fuller announced his intent to resign his position for Ward II effective on or around May 2, 2011. Council asked to look for his appointed replacement.

Luttrell presented the 2010 annual report that was filed with the State and published with the Courier.

Motion # 027-2011

2010 Annual Report

Motion by Reidburn and seconded by Fuller to approve the 2010 Annual Report as presented by Finance Officer Luttrell. All members voting yes. Motion carried.

Motion # 028-2011

Transient Permit

Motion by Dreher and seconded by Pollock to retroactively approve the Transient Permit from Osborn Clothing for a clothing sale that was held February 18 and 19 at the Clark American Legion. All members voting yes. Motion carried.

District 1 Meeting will be held March 29, 2011 in Peever, SD. No one will be attending this year.

Dreher asked Council to think about what direction the summer rec programs will take this summer.

Motion # 029-2011

Equalization Meeting

Motion by Dreher and seconded by Heim to set the Equalization Meeting for March 21, 2011 at 7:00 pm. All members voting yes. Motion carried.

Motion # 030-2011

Executive Session

Motion by Dreher and seconded by Reidburn to enter into executive session for personnel issues, pursuant to SDCL 1-25-2.1. All members voting yes. Motion carried.

Executive session began at 8:05 and ended at 8:17 pm.

Motion # 031-2011

Approve Claims

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

Additional Paid Claims			
#	To	For	Amount
416	Pitney Bowes	supplies	\$100.48
418	EFTPS	941 taxes	\$2,038.31
20174	The US Life Insurance Co.	insurance	\$18.70
20175	Alltel	utilities	\$86.99
20176 - 20187	Water Dept.	payroll	\$858.04
	Sewer Dept.	payroll	\$858.04
	Govt Bldg.	payroll	\$98.69
	Streets Dept.	payroll	\$2,411.66
	Finance Office	payroll	\$1,082.82
	Sanitation	payroll	\$347.99
	Library	payroll	\$353.84
	Transit	payroll	\$701.21
	Mayor	payroll	\$165.43
	Parks	payroll	\$714.20
	Wellmark BCBS	insurance	\$3,819.88
20189	SD Retirement Systems	retirement	\$1,960.36
20190	Account Mngt.	garnish	\$30.00
20191	Credit Collection Bureau	garnish	\$18.80
Payroll	Water Dept.	payroll	\$882.62
	Sewer Dept.	payroll	\$882.62
	Govt Bldg.	payroll	\$98.69
	Streets Dept.	payroll	\$2,600.98
	Finance Office	payroll	\$1,082.80

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#	To	For	Amount
	Sanitation	payroll	\$376.81
	Library	payroll	\$353.84
	Transit	payroll	\$533.76
	Mayor	payroll	\$165.43
	Parks	payroll	\$650.67
20192	AFLAC	insurance	\$131.80
426	EFTPS	payroll taxes	\$2,073.27

New Claims

To	For	Amount
American Family Insurance	insurance	\$8.00
A-Ox Welding	supplies	\$10.85
Avera Queen of Peace	professional fees	\$78.90
Banyan Data Systems	software	\$795.00
Best Roofers	maintenance	\$930.00
Bendy	supplies	\$99.99
Book of the Month Club	books	\$17.28
Butler CAT	repairs	\$271.48
Butler Machinery	repairs	\$132.00
City of Clark	utilities	\$32.31
Clark Co. Courier	advertising	\$119.28
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Rural Water	materials	\$8,812.80
Clark Schools	books	\$35.00
Clausen Construction	supplies and professional fees	\$15,109.50
Cook's Wastepaper	garbage	\$5,044.20
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	subsidies	\$6,477.47
Dacotah Bank	professional fees	\$45.71
Dekker Hardware	supplies	\$174.49
Ellwein Brothers	liquor	\$8,099.90
Gruenwald Electric	repairs	\$1,701.87
ITC	utilities	\$395.09
JB Repair	repairs	\$1,784.00
Johnson Brothers	liquor	\$4,762.69
Ken's	supplies	\$32.57
Mack's Standard	supplies	\$508.95
Michael Todd & Co.	maintenance	\$643.06
Moritz Publishing	supplies	\$60.10
Northwestern Energy	utilities	\$7,894.30
Olson Auto Parts	supplies	\$43.82

City Council Meeting – March 7, 2011

To	For	Amount
Oscar's Machine Shop	repairs	\$616.02
Pitney Bowes	postage	\$1,019.99
Pitney Bowes	meter rental	\$162.00
Porter Distributing	liquor	\$1,942.00
Pro-Tec	repairs	\$3,830.00
Quill	supplies	\$163.56
Republic National	liquor	\$6,296.94
Sanford Health	professional fees	\$46.00
SD Dept of Revenue	professional fees	\$224.00
SD Dept of Revenue	sales tax	\$31.20
SD Municipal Street Maintenance Assoc.	registration	\$40.00
SD Rural Development	water revenue bond	\$908.00
SD Rural Development	sewer revenue bond	\$787.00
Star Laundry	maintenance	\$106.82
The Literary Guild	books	\$61.16
WW Tire Service	repairs	\$164.00

Motion # 32-2011

Adjourn

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

Meeting adjourned at 8:18 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

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City of Clark Equalization Meeting
March 21, 2011
7:00 PM

Call to order: The Clark City Council met in session on March 21, 2011 at 7:00 pm in the City Hall Council Room for the equalization meeting.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn. Bob Steffen was in attendance for the Clark School Board.

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

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

Motion # 33-2011

Adopt Agenda

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

Assessment list was reviewed by the Council and school board representative Bob Steffen. No appeals were received.

Motion # 34-2011

Approve Assessment List

Motion by Heim and seconded by Streff to approve the assessment list. All members voting yes. Motion carried.

Motion # 35-2011

Adjourn

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

Meeting adjourned at 7:04 pm.

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Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

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**City of Clark Council Meeting
March 21, 2011
7:05 PM**

Call to order: The Clark City Council met in session on March 21, 2011 at 7:05 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

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

Mayor Stevens called the meeting to order at 7:05 pm.

Motion # 36-2011 **Adopt Agenda**
Motion by Dreher and seconded by Pollock to adopt the agenda. All members voting yes.
Motion carried.

Motion # 37-2011 **Approve Minutes**
Motion by Heim and seconded by Reidburn to approve the Council Meeting Minutes from March 7, 2011. All members voting yes. Motion carried.

Motion # 38-2011 **Approve Claims**
Motion by Pollock and seconded by Fuller to approve the following claims. All members voting yes. Motion carried.

Additional Paid Claims

#	To	For	Amount
20232	The US Life Insur. Co.	insurance	\$18.70
20233	Wellmark BCBS	insurance	\$3,819.88
20234	SD Retirement Systems	retirement	\$1,990.16
20235	Account Mngt	garnish	\$30.00
20236	Credit Collections Bureau	garnish	\$18.80
428	EFTPS	941 taxes	\$1,874.56
	Water Dept.	payroll	\$894.69
	Sewer Dept.	payroll	\$894.68
	Govt. Bldg.	payroll	\$98.69
	Street Dept.	payroll	\$2,240.05
	Finance Office	payroll	\$1,082.82
	Sanitation Dept.	payroll	\$309.73
	Library	payroll	\$353.84
	Transit	payroll	\$467.97

City Council Meeting – March 21, 2011

Mayor	payroll	\$165.43
Park Dept.	payroll	\$519.29

New Claims

To	For	Amount
A & B Business	maintenance	\$47.81
Alltel	utilities	\$86.36
Ana Con Leasing	buy out copier	\$1,441.48
Bendix	repairs	\$85.00
Butler	maintenance	\$34.16
Caterpillar Financial Services	loan payment	\$24,266.45
Clark Community Oil	supplies	\$3,017.14
Darin Altfillisch	deductible reimbursement	\$750.00
Gruenwald Electric	repairs	\$79.70
Itron	maintenance	\$603.66
Jim Dunbar	street help	\$84.00
K&P Pump Repairs	repairs	\$1,204.45
Ken's	supplies	\$29.65
M&T Fire & Safety	supplies	\$40.50
Moeller Sheet Metal	repairs	\$898.80
Northwestern Energy	utilities	\$6,986.66
Petty Cash	supplies	\$71.15
Quill	supplies	\$90.10
Sanford Health	professional fees	\$92.00

Motion # 39-2011

NEFOG Meeting

Motion by Fuller and seconded by Reidburn to authorize Luttrell to attend the NEFOG meeting in Aberdeen on March 24, 2011. All members voting yes. Motion carried.

Dreher and Luttrell explained the progression of getting generators through the mitigation grant. The city's share of the grant is equal to the cost of two used generator and the mitigation process could delay getting generators for another two years. The council expressed concern that the need for generators is too great to wait.

Motion # 40-2011

Generators

Motion by Streff and seconded by Heim to approve the purchase of two used generators from Abraham Industrial for \$12,500 and \$10,500 to be used as public improvements for the sewer plant and lift stations, respectively. All members voting yes. Motion carried.

Motion # 41-2011

Generator Loan

Motion by Fuller and seconded by Pollock to authorize the mayor to sign a sewer loan for the above mentioned generators with multiple advance line of credit to be fully amortized over five years with monthly payments when project completed. All members voting yes. Motion carried.

Dreher and Luttrell explained the progression of getting new meters and auto readers for the remaining residential properties, approximately 300 households. Rural Development has not approved the project. We have approximately 160 auto readers on hand. By getting composite meters, we can purchase these as a public improvement with cash on hand and water reserve monies for under \$50,000.

Motion # 42-2011

Water Meters

Motion by Streff and seconded by Dreher to purchase water meters and auto readers from Milbank Winwater to complete residential metering. All members voting yes. Motion carried.

Cleaning & Televising Quotes

The City received two quotes for cleaning and televising Cloud Street to prepare for the relining project.

Midwest Trenchless Technologies	\$7,380.71
A-Tech	\$7,496.95

Motion # 43-2011

Accept Quote

Motion by Reidburn and seconded by Heim to accept the quote from A-Tech for \$7,496.95 as they are more familiar with our system and lines and having had good past business relations. All members voting yes. Motion carried.

Motion # 44-2011

Reschedule May Meeting

Motion by Heim and seconded by Streff to reschedule the May city council meeting to May 3, 2011 at 7:00 pm due to a school concert conflict. All members voting yes. Motion carried.

Motion # 45-2011

Adjourn

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

Meeting adjourned at 7:40 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Council Meeting
April 4, 2011
7:00 PM

Call to order: The Clark City Council met in session on April 4, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Roger Collins, Loren Stanley, Bill Krikac, Terry Binger, Brent Forest and Michael Cook.

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

Motion # 46-2011

Adopt Agenda

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

No Public Input

Department Updates

Updates given by Collins, Stanley and Luttrell. Altfillisch was absent. Collins has lined up a contractor to rebuild the water tower building. Collins presented two estimates to replace the top 12" of Pebble Beach. Council requested engineering estimates to ensure proper grading. Luttrell explained how DENR increased their funding for the outfall line to 60% up to \$80,000.

Motion # 47-2011

Revised Funding Agreement

Motion by Streff and seconded by Reidburn to authorize the Mayor to sign the revised Consolidated Water Facilities Construction Program Funding Agreement for the outfall line repairs. All members voting yes. Motion carried.

Motion # 48-2011

Finance Officer School

Motion by Fuller and seconded by Dreher to authorize conference and travel for Rae Jean Flora and Jackie Luttrell to attend Finance Officer School in Pierre on June 8-10, 2011. All members voting yes. Motion carried.

Motion # 49-2011

Department Updates

Motion by Dreher and seconded by Reidburn to approve the department updates. All members voting yes. Motion carried.

Motion # 50-2011

Approve Minutes

Motion by Heim and seconded by Pollock to approve the council meeting minutes from March 21, 2011. All members voting yes. Motion carried.

Motion # 51-2011

Approve Financial Statements

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

Motion # 52-2011

Approve Claims

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

Additional Paid Claims

#	To	For	Amount
429	Abraham Generator Sales	generators	\$24,000.00
20255	Jackie Luttrell	meeting/mileage	\$73.38
433	EFTPS	941 taxes	\$1,922.79
	Water Dept.	payroll	\$939.90
	Sewer Dept.	payroll	\$939.91
	Street Dept.	payroll	\$2,290.59
	Library	payroll	\$353.84
	Govt. Bldg.	payroll	\$98.69
	Finance Office	payroll	\$1,108.78
	Sanitation	payroll	\$309.73
	Mayor	payroll	\$165.43
	Parks	payroll	\$309.74
	Transit	payroll	\$546.65

New April Claims

To	For	Amount
AFLAC	insurance	\$131.80
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.85
Banyon Data Systems	software	\$1,540.00
Chief	fire dept supplies	\$185.99
Clark Co. Farmers Elevator	repairs	\$340.20
Clark Co. Historical Society	subsidies	\$560.00
Clark County Treasurer	police protection	\$8,165.00
Clark Hometown Variety	supplies	\$33.68
Clausen Construction	snow removal	\$8,585.00
Colonial Research	supplies	\$393.44
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	subsidies	\$6,477.47
Dekker Hardware	supplies	\$481.85
Ellwein Brothers	liquor	\$8,522.90
First National Bank	SRF loan	\$6,940.29

City Council Meeting – April 4, 2011

To	For	Amount
Fjelland Law Office	professional fees	\$700.00
Gruenwald Electric	repairs	\$504.49
ITC	utilities	\$357.78
Johnson Brothers	liquor	\$6,669.26
Mack's	supplies	\$425.95
NAPA Auto Parts	supplies	\$339.25
Northwestern Energy	utilities	\$69.54
Office Peeps	supplies	\$116.92
Olson Auto Parts	repairs	\$127.54
Porter Distributing	liquor	\$3,886.50
Rae Jean Flora	deductible reimbursement	\$388.50
Republic National	liquor	\$5,132.44
Sanitation Products	repairs	\$1,584.08
SD Dept or Revenue	professional fees	\$200.00
SD Dept of Revenue	sales tax	\$2.97
SD Rural Development	water revenue bond	\$908.00
SD Rural Development	sewer revenue bond	\$787.00
Star Laundry	maintenance	\$54.41
The Literacy Guild	books	\$105.99
The US Life Insurance Co.	insurance	\$18.70
Westside Implement	equipment	\$1,360.00

Motion # 53-2011

Sheriff's Report

Motion by Pollock and seconded by Fuller to approve the Sheriff's report. All members voting yes. Motion carried.

Cloud Street Relining Project Update

Project on hold until Rural Development approves the awarding of the quote for cleaning and televising the sewer lines on South Cloud Street.

Motion # 54-2011

Sanford Lease Agreement

Motion by Dreher and seconded by Fuller to authorize the Mayor to sign the Sanford Lease Agreement amendment for Sanford Laboratories. Voting yes – Dreher, Fuller, Heim, Pollock and Reidburn. Abstaining – Streff. Motion carries.

Motion # 55-2011

Mitigation Grant

Motion by Reidburn and seconded by Streff to authorize the Mayor to sign off on waiving the mitigation grant. All members voting yes. Motion carried.

Private Wastewater Disposal Ordinance #499

A first reading was heard on Ordinance #499 An Ordinance Amending Clark Municipal Code 10.08 "Title 10 – Water and Sewer, Chapter 10,08 -Private Wastewater Disposal" of the Clark Municipal Code.

Being 7:30 pm as the advertised time to open bids, the following bids were opened and read as follows:

Water & Sewer Repairs: Forest Excavating

Tractor Backhoe – machine and operator	\$95.00
Labor – additional man	\$48.00
Excavator – machine and operator	\$125.00
Tandem end dump – machine and operator	\$80.00
Single axle end dump and operator	\$65.00
Skid steer and operator	\$75.00

Residential Solid Waste: Cook's Wastepaper & Recycling

One cart per household	\$10.50 plus tax
Additional cart	\$5.00 plus tax
Plus the City's \$0.30 per household administrative fee	

Motion # 56-2011

Accept Water & Sewer Repairs Bid

Motion by Fuller and seconded by Dreher to accept the bid from Forest Excavating for water and sewer repairs. All members voting yes. Motion carried.

Motion # 57-2011

Accept Residential Solid Waste Bid

Motion by Fuller and seconded by Reidburn to accept the bid from Cook's Wastepaper & Recycling for residential solid waste collection. All members voting yes. Motion carried.

Motion # 58-2011

Operating Agreements

Motion by Heim and seconded by Fuller to approve the operating agreements for Sportsman and Time Out. All members voting yes. Motion carried.

Motion # 59-2011

Arbor Day Proclamation

Motion by Dreher and seconded by Reidburn to proclaim April 29, 2011 as Arbor Day in the city of Clark. All members voting yes. Motion carried.

High School Baseball

Brock Greenfield may use Dickinson Park for make-up high school baseball games. All scheduled games are away due to our snow cover.

Summer Rec Program

Will advertise for coaches for boys and girls baseball and softball teams, T-ball through Teeners. Lack of interest over the years is putting the program in jeopardy.

Motion # 60-2011

Executive Session

Motion by Dreher and seconded by Reidburn to enter into executive session for personnel issues per SDCL 1-25.2.1. All members voting yes. Motion carried.

Executive session began at 7:47 pm and ended at 7:54 pm.

Motion # 61-2011

Pool Employees

Motion by Dreher and seconded by Reidburn to hire the following pool employees: Renae Mudgett and Sara Hoogheem as co-managers at a pay of \$8.50/hour. Returning lifeguards Chase Monson, Kendra Stromsness, Brooklyn Bjerke, Emma Adam, Carly DesLauriers and Tara DesLauriers at \$7.50/hour. New lifeguards Kalli Bell, Morgan Huber and Jakob Weisbrod at a pay of \$7.25/hour. All members voting yes. Motion carried.

Motion # 62-2011

Adjourn

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

Meeting adjourned at 7:55 pm.

This institution is an equal opportunity provider, and employer.

Mayor Eric Stevens

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
May 3, 2011
7:00 PM**

Call to order: The Clark City Council met in session on May 3, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Larry Dreher, Paul Fuller, Louann Streff, Roberta Heim, John Pollock and Lon Reidburn.

Others Present: Mayor Eric Stevens, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Roger Collins, Loren Stanley, Bill Krikac, Terry Binger, Kerry Kline, Tom LaBrie and Keith Zobel.

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

Motion # 63-2011

Adopt Agenda

Motion by Fuller and seconded by Heim to adopt the agenda. All members voting yes. Motion carried.

Motion # 64-2011

Approve Minutes

Motion by Pollock and seconded by Streff to approve the council meeting minutes from April 4, 2011. All members voting yes. Motion carried.

Motion # 65-2011

Approve Financial Statements

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

Motion # 66-2011

Approve Claims

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

Additional April Claims

#	To	For	Amount
435	Dacotah Bank	professional fees	\$38.76
436	City of Clark	utilities	\$35.71
437	Alltel	utilities	\$87.88
441	EFTPS	payroll taxes	\$1,796.67
442	EFTPS	payroll taxes	\$4.88
443	EFTPS	payroll taxes	\$1,828.73
444	EFTPS	payroll taxes	\$11.08
20289	SD Govt. Finance Officer Assoc	conference	\$150.00
20290	Cook's Wastepaper Recycling	garbage collection	\$5,022.96
20291	Jeff Lautenslager	reissued check	\$100.00

City Council Meeting – May 3, 2011

#	To	For	Amount
20292	Roger Collins	meals	\$23.00
	Water Dept.	payroll	\$876.59
	Sewer Dept.	payroll	\$876.58
	Govt. Bldg.	payroll	\$98.69
	Street Dept.	payroll	\$2,203.57
	Finance Office	payroll	\$1,082.82
	Sanitation	payroll	\$315.40
	Library	payroll	\$353.84
	Transit	payroll	\$514.10
	Mayor	payroll	\$165.43
	Parks	payroll	\$315.41
20293	Account Mngt	garnish	\$30.00
20294	Credit Collections Bureau	garnish	\$18.80
20295	SD Retirement Systems	retirement contributions	\$1,933.78
20296	Wellmark BCBS	insurance	\$3,819.88
20297	Menards	repairs	\$222.28
	Water Dept.	payroll	\$859.71
	Sewer Dept.	payroll	\$859.72
	Govt. Bldg.	payroll	\$98.69
	Street Dept.	payroll	\$2,178.49
	Finance Office	payroll	\$1,082.80
	Sanitation	payroll	\$478.14
	Library	payroll	\$353.84
	Transit	payroll	\$682.35
	Mayor	payroll	\$165.43
	Parks	payroll	\$309.74

New May Claims

To	For	Amount
3D Specialties	supplies	357.64
A&B Business	maintenance	\$49.47
AFLAC	insurance	\$131.80
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.85
Avera Queen of Peace	professional fees	\$157.80
Baker & Taylor	books	\$27.43
Book of the Month	books	\$22.48
Cedar Shore Resort	hotel	\$81.95
Clark Co. Courier	advertising	\$731.27
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00

City Council Meeting – May 3, 2011

To	For	Amount
Clark Community Oil	supplies	\$3,654.31
Clark Engineering	engineering fees	\$1,520.00
Clark Flower & Gift	supplies	\$53.94
Clark Rural Water	materials	\$10,584.20
Colonial Research	supplies	\$275.80
Credit Bureau of Wtn	professional fees	\$318.60
Dacotah Bank	subsidies	\$6,477.47
Ellwein Brothers	liquor	\$13,679.85
Fjelland Law Office	legal fees	\$500.00
Forest Excavating	maintenance	\$1,428.00
Huron Culvert	supplies	\$217.00
ITC	utilities	\$374.84
Jakob Weisbrod	mileage	\$25.16
JB Repair	repairs	\$162.00
John Pickrel	deductible reimbursement	\$750.00
Johnson Brothers	liquor	\$6,784.51
Kalli Bell	mileage	\$100.64
Ken's	supplies	\$17.18
Loren Stanley	deductible reimbursement	\$750.00
Lyle Signs	supplies	\$360.82
Mack's Standard	supplies	\$945.00
Midwest Alarm	professional fees	\$261.25
Milbank Winwater	supplies	\$14,926.50
Morgan Huber	mileage	\$50.32
Moritz Publishing	supplies	\$320.80
Northwestern Energy	utilities	\$6,241.32
Olson Auto Parts	repairs	\$422.50
Olson Motor Co.	repar	\$82.68
Oscar's Machine Shop	repairs	\$138.41
Petty Cash	supplies	\$116.28
Porter Distributing	liquor	\$2,716.20
Pro Build	supplies	\$569.00
Pro-Tec Roofing	repairs	\$3,630.00
Quill	supplies	\$167.23
Reidburn Construction	repairs	\$2,274.12
Republic National	liquor	\$4,482.35
Ritter's Repair	repairs	\$966.28
SD Assoc of Code Enforcement	registration	\$60.00
SD Assoc of Rural Water	dues	\$410.00
SD Dept of Revenue	sales tax	\$26.77
SD Dept of Revenue	professional fees	\$200.00
SD One Call	locates	\$9.45

To	For	Amount
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
Share Corp.	supplies	\$4,389.51
Sanford Clinic	repairs	\$50.00
Star Laundry	maintenance	\$65.15
The Literary Guild	books	\$58.61
Westside Implement	repairs	\$814.35
Woodring Plumbing	repairs	\$101.50

Motion # 67-2011

Sheriff's Report

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

Motion # 68-2011

Ordinance #499

Motion by Pollock and seconded by Dreher to approve Ordinance #499 an Ordinance Amending Clark Municipal Code 10.08. All members voting yes. Motion carried.

Ordinance #499

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE 10.08 "TITLE 10 – WATER AND SEWER, CHAPTER 10.08 – PRIVATE WASTEWATER DISPOSAL" OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that "Title 10 – Water and Sewer, Chapter 10.08 – Private Wastewater Disposal" be amended to read as follows:

"Section

10.08.02	Sewer Connections
10.08.04	Permit Required
10.08.06	Inspection and Approval
10.08.08	Private Wastewater System Compliance
10.08.10	Connection to Public System
10.08.12	Maintenance of Private System
10.08.14	Validity

10.08.02 Sewer Connections

Where a public sanitary or combined sewer is not available under the provisions of Chapter 10.06.10, the building's sewer shall be connected to a private wastewater disposal system complying with the provisions of this article and State of South Dakota Administrative Rules for individual and small wastewater systems (ARSD Chapter 74:53:01).

10.08.04 Permit Required

Before commencement of construction of a private wastewater disposal system, the owner(s) shall first apply for a building permit. The application for such permit shall be made on a form furnished by the municipality, which the applicant shall supplement plans and proof of a passable percolation test performed by a certified installer. Residential installations must be made by a contractor licensed and certified by the State of South Dakota Department of Natural Resources. A permit and inspection fee of One Hundred Dollars (\$100) shall be paid to the municipality at the time the application is filed. Commercial installations must be reviewed and approved by the DENR.

10.08.06 Inspection and Approval

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the Approving Authority. The Approving Authority shall be allowed to inspect the work at any state of construction, and in any event, the applicant for the permit shall notify the Approving Authority when the work is ready for final inspection, and before any underground portions are covered. The inspection shall be made within twenty-four (24) hours of the receipt of notice by the Approving Authority.

10.08.08 Private Wastewater System Compliance

The type, capacities, location, and layout of a private wastewater disposal system shall comply with all recommendations of the state Department of Natural Resources. For persons with a public water supply, no permit shall be issued for any private wastewater disposal system employing subsurface soil absorption facilities where the area of the lot is less than one acre. For persons with a private well, no permit shall be issued for any private wastewater disposal system. No septic tank shall be permitted to discharge to any natural outlet.

10.08.10 Connection to Public System

At such time as a public sewer becomes available to a property served by a private wastewater disposal system, as provided in Chapter 10.06.10, a direct connection shall be made to the public sewer within ninety (90) days in compliance with this Ordinance, and any septic tanks and similar private wastewater disposal facilities shall be cleaned of sludge and fill with suitable material.

10.08.12 Maintenance of Private System

The owner(s) shall operate and maintain the private wastewater disposal facilities in a sanitary manner at all times, at no expense to the municipality.

10.08.14 Validity

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by the health officer.”

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

CITY OF CLARK

Eric Stevens, Mayor

ATTEST:

Jackie Luttrell, City Finance Officer

(SEAL)

First Reading: April 4, 2011

Second Reading: May 3, 2011

Published: May 11, 2011

Effective: May 31, 2011

Motion # 69-2011

Fuller Resignation

Motion by Pollock and seconded by Reidburn to accept Paul Fuller's resignation as council for Ward II. Members voting yes include Dreher, Reidburn, Pollock, Streff and Heim. Fuller abstained. Motion carried.

Motion # 70-2011

Kline Appointment

Motion by Dreher and seconded by Reidburn to accept the appointment of Kerry Kline to the position of Council for Ward II until the next election in 2012. All members voting yes. Motion carried.

Oath of Office

Oaths of offices were taken by Larry Dreher as Mayor, Terry Binger for Ward I Council and Kerry Kline for Ward II Council. Mayor Dreher continued the meeting with the new sitting council.

Motion # 71-2011

Elect Council President

Motion by Heim and seconded by Pollock to elect Lon Reidburn as Council President. No other nominations were made. All members voting yes. Motion carried.

Motion # 72-2011

Elect Council Vice President

Motion by Pollock and seconded by Heim to elect Louann Streff as Council Vice President. No other nominations were made. All members voting yes. Motion carried.

Motion # 73-2011

Mayor Appointments

Motion by Streff and seconded by Reidburn to approve the mayor appointments as followed. All members voting yes. Motion carried.

**Year 2011
Mayor Larry Dreher Appointments**

City Council Meeting – May 3, 2011

Streets, Alleys, Sidewalks	Terry Binger
American Disabilities Act.....	Roberta Heim
Pool.....	Larry Dreher
Rubble Site	John Pollock
City Parks.....	Lon Reidburn
Water & Sewer	Larry Dreher
Fire Dept. & Emergency Management	John Pollock
Zoning Officer.....	Terry Binger
Finance Dept.....	Louann Streff
Liquor Officer.....	Kerry Kline
Med Van.....	Louann Streff
Recreation Director, Softball & Baseball Complex.....	Lon Reidburn
Government Buildings	Kerry Kline
City Attorney	Chad Fjelland
Health Officer	Jason Coenen
Finance Officer.....	Jackie Luttrell

Library Board (3 year term)

Joyce Warren – 2013 (renew)
Bev Kluess – 2013 (renew)
Carolyn Harding – 2012
Marlys Moritz – 2011
Patti Lamb – 2011
Roberta Heim – council representative

Park Board

Carmen Kloster
Dorcas Protexter
Rae Jean Flora

Clark Housing & Redevelopment Board (5 year term)

Bruce Brekke – 2014
Bill Krikac – 2013
Sandy Altfillisch – 2012
Bob Schlueter – 2016 (renew)
Jerry Jacobson – 2015
Teresa Kaufman - Secretary

Public Input

Tom LaBrie addressed the council on behalf of the Rotary. They would like to lay a concrete pad at Dickinson Park to make the bleachers and concession stand handicapped accessible. Council felt this would be a great addition to the park. Councilman Reidburn will work with the Rotary on this project.

Department Updates

Department updates given by Collins, Stanley and Luttrell. Altfillisch was absent. City will be getting a Case tractor with loader from Titan Machinery for free use for 250 hours under a government program. Arbor Day was held on April 29, 2011 at Dickinson Park.

Motion # 74-2011

Pebble Beach Drive Repairs

Motion by Pollock and seconded by Binger to accept Clausen Constructions quote to repair Pebble Beach Drive at a cost of \$30,708.30. All members voting yes. Motion carried.

At 7:36 pm, a break was taken from department updates to have the public hearing for a special event liquor license for the Clark Fire Department for their 4th of July street dance on July 2, 2011. If approved, the license would allow the Clark Fire Department to sell malt beverages from 6 pm to 2:00 am in the alley for their street dance. No public in attendance to voice opinion on the license. Keith Zobel was in attendance on behalf of the Fire Department.

Motion # 75-2011

Fire Department Malt Beverage License

Motion by Heim and seconded by Streff to approve the special event malt beverage license for the Clark Fire Department on July 2nd. All members voting yes. Motion carried.

Rural Development Projects

City Attorney Fjelland and Finance Officer Luttrell gave an update on Rural Development questioning the city's motion to approve the cleaning and televising quote from A-Tech on the Cloud Street project. Even though the project dollar amount doesn't require following bid guidelines and we considered it a quote, not a bid, Rural Development states we needed to follow bidding guidelines making our decision to go with A-Tech ineligible for Rural Development funding. Outfall line repairs are being held up also as RD wants to see the outcome of uncompleted wastewater system study to determine Clark's future wastewater system even though the repairs are needed to continue using the current system. Any future replacement system is 7-10 years away and until then the outfall line needs to be used. More cave-ins have been reported this spring making the repairs critical.

Motion # 76-2011

Department Updates

Motion by Reidburn and seconded by Heim to approve the department updates. All members voting yes. Motion carried.

Motion # 77-2011

Renew Malt Beverage Licenses

Motion by Kline and seconded by Binger to renew the malt beverage licenses for Clark American Legion and Clark Lanes. All members voting yes. Motion carried.

Motion # 78-2011

Budget Supplements

Motion by Reidburn and seconded by Streff to approve the following automatic budget supplements due to insurance compensations: \$3,616.56 for Health (44100) and \$716.28 for Streets (43110). All members voting yes. Motion carried.

First Reading of Ordinance #500 Municipal Employees

Motion # 79-2011

Resolution # 797 Credit/Debit Card Fee

Motion by Pollock and seconded by Reidburn to approve Resolution #797 Credit/Debit Card Processing Fee as follows. All members voting yes. Motion carried.

RESOLUTION # 797

A RESOLUTION AUTHORIZING A PROCESSING FEE FOR CREDIT CARD OR DEBIT CARD TRANSACTION PAYMENTS.

WHEREAS, SDCL 4-3-28 allows local governments, by resolution, to establish and collect a processing fee associated with a credit card or debit card transaction.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CLARK, SD;

That the City of Clark Finance Office is hereby authorized in their discretion to accept a credit card or a debit card payment as payment for a transaction. The Finance Office is also authorized to impose a reasonable transaction fee for any such payment.

Dated this 3rd day of May, 2011.

Larry Dreher, Mayor

ATTEST:

Jackie Luttrell, Finance Officer

Date Adopted: May 3, 2011

Date Published: May 11, 2011

Date Effective: June 1, 2011

Motion # 80-2011

Resolution # 796 Schedule of Rates

Motion by Streff and seconded by Binger to approve Resolution #796 Schedule of Rates as follows: All members voting yes. Motion carried.

RESOLUTION # 796

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 Hall Offices:

Black and White photocopies	\$0.25/page
Color photocopies	\$1.00/page
Faxes	\$2.00/page, incoming and outgoing

NSF charges maximum allowed by SDCL 57A-3-421
Credit/Debit card transaction \$3/00/transaction

Maintenance:

Loader with operator \$85/hour
Motor grader/blade with operator \$85/hour
Dump truck with operator \$75/hour
Skid loader with operator \$85/hour
Operator only \$50/hour
Mowing, rider \$60/hour
Mowing, tractor & rotary \$85/hour
Black dirt \$35/yard
Gravel \$4.50/yard

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 3rd day of May, 2011.

Larry Dreher
City of Clark, South Dakota

ATTEST:

Jackie Luttrell
Finance Officer

(seal)

Passed & Adopted: May 3, 2011
Published: May 11, 2011
Effective: June 1, 2011

New Business Free Water

Councilman Pollock clarified to the council how the benefit of receiving one year of free water service for new businesses is administered. Change of ownership does not qualify for the benefit.

Knutson Tear Down

Council reviewed a letter from Faye Knutson requesting an extension to the tear down date for the property at 309 N. Smith Street. The current deadline is June 1st, Mrs. Knutson requested an extension to July 15th.

Motion # 81-2011

Knutson Extension

Motion by Streff and seconded by Reidburn to extend the tear down date to June 15, 2011 and clearly state there will be no more extensions. All members voting yes. Motion carried.

Motion # 82-2011

Wellmark Renewal

Motion by Heim and seconded by Pollock to table the approval of the Wellmark insurance renewal on July 1, 2011 until the June meeting. All members voting yes. Motion carried.

Motion # 83-2011

Legion Baseball Support

Motion by Pollock and seconded by Reidburn to support the Clark American Legion baseball program with a \$1,500 donation. All members voting yes. Motion carried.

Motion # 84-2011

Executive Session

Motion by Heim and seconded by Reidburn to enter into executive session for contractual and personnel issues per SDML 1-25-2.1. All members voting yes. Motion carried.

Executive session began at 8:47 pm and ended at 9:35 pm.

Motion # 85-2011

Summer Rec Coaches

Motion by Streff and seconded by Binger to extend offers of employment for the summer rec program: Coaching and coordinators Leah Dohman and Kari Thonvold at \$2,500 each and Hannah Steffen and Jamie Finstad as part-time practice only assistants at \$7.50/hour. All members voting yes. Motion carried.

No coaching applications were received for Teener baseball. Will advertise for someone to rent the concession stand.

Motion # 84-2011

Adjourn

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

Meeting adjourned at 9:39 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
June 6, 2011
7:00 PM**

Call to order: The Clark City Council met in session on June 6, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock and Lon Reidburn. Absent Louann Streff.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Darin Altfillisch, Loren Stanley and concerned citizens.

Mayor Dreher called the meeting to order at 7:01 pm.

Motion # 85-2011

Adopt Agenda

Motion by Reidburn and seconded by Heim to adopt the agenda. All members voting yes. Motion carried.

Public Input

Trudy Collins addressed the council on the issue of dogs running at large and barking. She was recently bit by a dog and other neighbors are concerned about walking because of dogs approaching them. Fjelland asked that people document when dogs are running, where they are, and if known, who the owners are. Tickets will be issued to dog owners.

Dodd Peckenpaugh from the Playhouse was not in attendance for his agenda item.

Department Updates

A manhole caved in yesterday causing sewer back up on S. Cloud Street. Repairs are underway but residence are warned to move their belongings from their basements until the situation is stabilized. Two claims have been made against the city. Sump pumps need to be removed from the sewer lines. The sewer plant is taking on almost double the load of what it is designed to handle. The City will ask to expedite both projects on Cloud Street and the Outfall line to avoid future problems. Pool should be ready to open this weekend.

Being 7:30 pm, the public hearing was held for the Board of Adjustment variance.

Motion # 86-2011

Board of Adjustment

Motion by Heim and seconded by Kline to enter in Board of Adjustment meeting to hear a variance request by Terry Kaufman. All members voting yes. Motion carried.

Terry Kaufman has applied for a variance to place a storage shed on his property at 310 N. Dakota Street closer than the zoned 6 feet side property line. No objections were heard by the Finance Officer and no residence came to voice an opinion.

Motion # 87-2011

Approve Variance

Motion by Reidburn and seconded by Heim to approve the variance for Terry Kaufman to place a storage shed closer than 6 feet from side property being the applicant has meet the requirements of 11.17.03.1.E. All members voting yes. Motion carried.

Board of Adjustment was declared out at 7:34 pm.

Being the published time to hold the advertised auction for baling the land known as “East Pasture”, Mayor Dreher held the auction with an opening bid of \$500. Three interested parties bid on the baling. Robert Bjerke won with a high bid of \$900.

Motion # 88-2011

Baling Lease Agreement

Motion by Kline and seconded by Pollock to authorize the Mayor to sign the lease agreement between the City and Robert Bjerke to bale the East pasture for \$900 for 2011. All members voting yes. Motion carried.

Department updates resumed. Residence are asked to trim trees and bushes along city streets and alleys. Sidewalk repair project will continue. Pebble Beach repairs are scheduled for late July. Cleaning drainage will resume when road restrictions are lifted. Abatements are being done on mowing. Memorials were given in memory of Lee Schlagel for the summer rec program and Dickinson Park. Park mowing and upkeep were discussed. Project funding updates given for Cloud Street repairs and Outfall Line.

Motion # 89-2011

Department Updates

Motion by Pollock and seconded by Reidburn to approve the department updates. All members voting yes. Motion carried.

Motion # 90-2011

Sheriff Report

Motion by Heim and seconded by Binger to approve the Sheriff’s report. All members voting yes. Motion carried.

Motion # 91-2011

Approve Minutes

Motion by Pollock and seconded by Reidburn to approve the Council Meeting Minutes from May 3, 2011. All members voting yes. Motion carried.

Motion # 92-2011

Approve Financial Statements

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

Motion # 93-2011

Approve Claims

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

Additional May Claims

#	To	For	Amount
446	City of Clark	utilities	\$52.37
447	Dacotah Bank	professional fees	\$34.33

City Council Meeting – June 6, 2011

#	To	For	Amount
451	EFTPS	941 payroll taxes	\$1,871.65
452	Alltel	utilities	\$112.29
453	Pitney Bowes	supplies	\$57.48
	Water Dept.	payroll	\$847.20
	Sewer Dept.	payroll	\$847.20
	Govt Bldg.	payroll	\$89.63
	Streets Dept.	payroll	\$2,179.57
	Finance Office	payroll	\$1,082.82
	Sanitation Dept.	payroll	\$784.31
	Library	payroll	\$382.14
	Transit	payroll	\$566.63
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$321.08
20356	Jackie Luttrell	mileage	\$154.51
20357	Clark American Legion	subsidies	\$1,500.00
20358	Clark Rural Water	materials	\$11,073.80
20359	SD Public Assurance Alliance	insurance	\$270.00
20360	Cook's Wastepaper	utilities	\$41.53
20361	The US Life Insurance Co.	insurance	\$18.70
20362	City of Clark	deposit applied to bill	\$100.00
20363	SD Dept of Revenue	licenses	\$300.00
20364	Cook's Wastepaper	garbage	\$5,387.80
20365	City of Clark	deposit applied to bill	\$58.25
20366	Darrell Dochter	refund deposit	\$41.75
20367	City of Clark	deposit applied to bill	\$78.63
20368	Lezlie Holmes	refund deposit	\$21.37
20369	Wellmark BCBS	insurance	\$3,819.88
20370	Account Mngt	garnish	\$45.00
20371	Credit Collections Bureau	garnish	\$28.20
20372	SD Retirement	retirement contributions	\$2,826.16
	Water Dept.	payroll	\$934.21
	Sewer Dept.	payroll	\$934.22
	Govt Bldg.	payroll	\$80.58
	Streets Dept.	payroll	\$2,230.01
	Finance Office	payroll	\$1,253.14
	Sanitation Dept.	payroll	\$749.92
	Library	payroll	\$382.14
	Transit	payroll	\$624.91
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$318.95
	Pool	payroll	\$317.11
455	EFTPS	941 payroll taxes	\$2,053.29

City Council Meeting – June 6, 2011

#	To	For	Amount
456	EFTPS	941 payroll taxes	\$511.02
457	Council payroll	payroll	\$2,653.89

Additional June Claims		
To	For	Amount
A&B Business	maintenance	\$51.11
AFLAC	insurance	\$131.80
American Family	insurance	\$8.00
A-OX Welding	supplies	\$10.85
Best Roofers	repairs	\$3,040.00
Boss Construction	repairs	\$5,174.87
Cardmember Services	misc supplies	\$375.15
Clark County Highway	supplies	\$35.70
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Community Oil	supplies	\$1,292.76
Clark County Courier	advertising	\$392.51
Cole Papers	supplies	\$268.24
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	subsidies	\$6,477.47
Dacotah Bank	professional fees	\$54.85
Darin Altfillisch	2010 deductible reimbursement	\$223.87
Dekker Hardware	supplies	\$1,446.51
Ecolab	spraying	\$81.00
Ellwein Brothers	liquor	\$10,730.80
ESRI	maintenance	\$400.00
Fjelland Law Office	legal fees	\$390.00
Forest Excavating	repairs	\$1,100.94
Hawkins Inc.	pool supplies	\$5,234.14
Huron Culvert	supplies	\$76.13
ITC	utilities	\$373.48
Johnson Brothers	liquor	\$6,342.59
K&P Pump	repairs	\$13,210.82
Ken's	supplies	\$80.15
Literary Guild	books	\$23.68
Lon Reidburn	spraying	\$125.00
Mack's Standard	supplies	\$566.95
Milbank Winwater	meters	\$34,700.00
Moritz Publishing	supplies	\$158.40
Northwestern Energy	utilities	\$5,637.01
Olson Auto Parts	supplies	\$31.90
Oscar's Machine Shop	repairs	\$121.39

To	For	Amount
Overhead Door	repairs	\$382.60
Petty Cash	supplies	\$97.75
Pitney Bowes	postage	\$1,019.99
Pitney Bowes	meter rental	\$162.00
Porter Distributing	liquor	\$2,627.80
ProBuild	repairs	\$9,531.72
Republic National	liquor	\$7,001.76
Roy's Sport Shop	supplies	\$119.96
SD DENR	professional fees	\$600.00
SD Dept of Revenue	water testing	\$200.00
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
Star Laundry	maintenance	\$130.30
The Tree Farm	supplies	\$179.40
Watertown Community Rec Ctr	lifeguard training	\$630.00
Westside Implement	repairs	\$90.27
Wookey's Asst Living	supplies	\$42.25

Motion # 94-2011

Water Restricted Funds

Motion by Kline and seconded by Binger to approve to pay \$25,000 of the Milbank Winwater bill from the water restricted funds. All members voting yes. Motion carried.

Contract Mowing

Council discussed contracting out some of the city's mowing needs. Bob Bjerke will mow, trim and spray the back part of Flat Iron Park, the Swimming Pool Park and George Florey residence.

Outfall Line Project Update

Luttrell gave an update on the Outfall Line Project. Rural Development has pulled its funding for this project. DENR has now offered to fund the portion after the \$80,000 grant with a loan at 3% for 20 years. Clark Engineering revised the cost estimates to take into account the new sink holes. The new estimate is at \$106,200. Current rates can support this additional loan. City needs to send letter requesting for additional funding. That will be review/approved at their June meeting. This allows this project to proceed.

Motion # 95-2011

DENR Additional Funding

Motion by Pollock and seconded by Reidburn to authorize the Mayor to send a letter asking for additional support from DENR for the outfall line project. All members voting yes. Motion carried.

FEMA Funding

Clark County has been declared in the disaster declaration. The City has submitted application for consideration with the outfall line collapse.

Motion # 96-2011

Wellmark Renewal

Motion by Pollock and seconded by Binger to renew the Wellmark health insurance package effective July 1, 2011. All members voting yes. Motion carried.

Motion # 97-2011

Ordinance #500 Municipal Employees

Motion by Kline and seconded by Binger to approve Ordinance #500 Municipal Employees as followed. Members voting in favor Binger, Heim, Kline and Pollock. Against Reidburn. Streff absent. Motion passed.

Ordinance #500

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE 1.01 “TITLE 1 – ADMINISTRATIVE CODE, CHAPTER 1.01 – MUNICIPAL EMPLOYEES” OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that “Title 1 – Administrative Code, Chapter 1.01 – Municipal Employees” be amended as follows:

“Section

- | | |
|---------|-------------------------|
| 1.01.01 | Appointment of Officers |
| 1.01.02 | Employment Policies |
| 1.01.03 | Salaries |
| 1.01.04 | Bond |

1.01.01 Appointment of Officers

At the first regular meeting in May of each year, there shall be appointed by the governing board a Library Board, Park Board, Housing and Redevelopment Board, Health Officer, City Attorney, Chief of Police, and such other officers as may be provided by ordinance, to hold office until the appointment and qualifications or successors. All such appointments shall be made by the Mayor with approval of the City Council. All others shall be considered paid employees or in the case of the city attorney or other professionals shall be independent contractors appointed by the majority of the governing body. (SDCL 9-14-3)

1.01.02 Employment Policies

All policies regarding personnel regulations and benefits of the City shall be included in a Personal Policy manual, which shall be filed with the Finance Officer and be available to all municipal employees. (Ordinance 298)

1.01.03 Salaries

All salaries for employees of the city shall be fixed by ordinance or by resolution of the board and shall be paid bi-weekly, or at such time as determined by the board, by resolution.

1.01.04 Bond

The Finance Officer of the city shall furnish bond to be determined by the governing board in such sums may be determined by resolution or ordinance conditioned for the faithful performance of their duties and to account and pay over and deliver all money or property coming into their hands by virtue of their office, excepting that the bond of the municipal finance officer shall be in the amount as provided by SDCL 9-14-6.1.” All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this ordinance, this ordinance shall take precedence over any other ordinances or resolution previously adopted.

City of Clark

Larry Dreher, Mayor

Attest:

Jackie Luttrell, Finance Officer

(SEAL)

First Reading: May 3, 2011

Second Reading: June 6, 2011

Published: June 15, 2011

Effective: July 5, 2011

Library Update

The Emil M. Larson Library will be celebrating its 90th anniversary with an open house on July 22, 2011 from 2-4 pm.

Motion # 98-2011

Clark Lanes Operating Agreement

Motion by Pollock and seconded by Reidburn to approve the Clark Lanes operating agreement renewing July 1, 2011. All members voting yes. Motion carried.

Motion # 99-2011

City Fireworks

Motion by Pollock and seconded by Reidburn to take over the 4th of July Fireworks from the Chamber, with their blessing, and supplement the Fire Department’s purchase up to \$2,000. Donations are still needed for the display. All members voting yes. Motion carried.

Voter Redistricting

With the 2010 census, it has been determined that we need to redistrict our voting wards to be in compliance. First District has used our ArcView GIS to determine populations and gave two options for us to review on the new boundaries. The change must be made by ordinance; a first reading will be done in July.

Motion # 100-2011

Reschedule July Meeting

Motion by Heim and seconded by Reidburn to reschedule the July city council meeting to July 7, 2011 at 7:00 pm. All members voting yes. Motion carried.

Teener Coach

Brenda Jenkins has been hired to be the Teener coach for 2011.

Benefit Summaries

Heim would like to see a detailed benefit summary for employees, along with an explanation of any overtime.

Motion # 101-2011

Executive Session

Motion by Heim and seconded by Binger to enter into executive session for contractual and personnel issues per SDML 1-25-2.1. All members voting yes. Motion carried.

Executive session began at 9:12 pm and ended at 10:02 pm.

Motion # 102-2011

Adjourn

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

Meeting adjourned at 10:03 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
June 29, 2011
7:00 PM**

Call to order: The Clark City Council met in session on June 29, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock, Lon Reidburn and Louann Streff.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell and Bill Krikac.

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

Motion # 103-2011

Adopt Agenda

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

Motion # 104-2011

Approve Minutes

Motion by Streff and seconded by Reidburn to approve the council meeting minutes from June 6, 2011. All members voting yes. Motion carried.

Motion # 105-2011

Claim Payment

Motion by Heim and seconded by Binger to authorize Finance Officer Luttrell to use her discretion on paying claims that are due prior to the next council meeting to prevent late fees or finance charges. All members voting yes. Motion carried.

Motion # 106-2011

Approve Claims

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

Additional June Claims

#	To	For	Amount
464	Alltel	cell phones	\$82.74
	Water Dept	payroll	\$1,070.41
	Sewer Dept	payroll	\$1,070.41
	Govt Bldg	payroll	\$89.63
	Pool	payroll	\$853.34
	Streets	payroll	\$2,189.48
	Finance Office	payroll	\$1,068.25
	Sanitation	payroll	\$761.97
	Library	payroll	\$353.84
	Transit	payroll	\$562.58
	Mayor	payroll	\$176.01
	Parks	payroll	\$969.65

City Council Meeting – June 29, 2011

#	To	For	Amount
	Teener Coach	payroll	\$471.75
460	SD Dept of Revenue	sales tax	\$227.84
461	Dacotah Bank	TIF 2 loan	\$2,771.10
462	City of Clark	utilities	\$59.17
463	EFTPS	payroll taxes	\$2,443.04
20421	Francis L. Dean & Assoc.	summer rec insurance	\$218.59
20422	The US Life Insur. Co.	insurance	\$18.70
20423	Cook's Wastepaper	garbage collections	\$5,404.10
20424	Boss Construction	interest	\$77.62
20425	State of SD VFW Teener Baseball	registration	\$125.00
20426	Emma Adam	payroll	\$122.07
20427	Teresa Goertz-Reidburn	payroll	\$12.03
20428	Chase Monson	payroll	\$137.99
20429	Dacotah Bank	interest	\$306.65
20430	Wellmark BCBS	insurance	\$4,135.02
20431	SD Retirement Systems	retirement	\$1,963.54
20432	The US Life Insurance	insurance	\$18.70
20433	Account Mngt	garnish	\$30.00
20434	Credit Collections Bureau	garnish	\$18.80
	Water Dept	payroll	\$854.34
	Sewer Dept	payroll	\$854.35
	Govt Bldg	payroll	\$98.69
	Pool	payroll	\$2,112.33
	Streets	payroll	\$2,183.82
	Finance Office	payroll	\$1,068.26
	Sanitation	payroll	\$734.79
	Library	payroll	\$353.84
	Transit	payroll	\$606.70
	Mayor	payroll	\$176.01
	Parks	payroll	\$1,048.89
	Teener Coach	payroll	\$471.75
465	EFTPS	payroll taxes	\$2,362.22

New June Claims

To	For	Amount
A&B Business	maintenance	\$126.56
Adolph Kiefer & Assoc	supplies	\$632.01
Angie Bornsen	refund	\$110.00
Asphalt Paving & Materials	maintenance	\$6,662.40
AT&T	utilities	\$72.91
Banyon Data Systems	maintenance	\$195.00

City Council Meeting – June 29, 2011

Carrot Top Industries	supplies	\$103.59
Clark Community Oil	supplies	\$1,863.54
Clark County Farmers Elevator	supplies	\$391.18
Clark Rural Water	May materials	\$14,960.00
Credit Bureau of Wtn	supplies	\$43.44
First National Bank	SRF loan	\$6,940.29
Gruenwald Electric	repairs	\$854.00
Hawkins	pool supplies	\$3,391.78
Home Oasis	pool supplies	\$36.56
Huron Culvert & Tank	drainage supplies	\$322.32
JB Repair	street repairs	\$1,604.80
Jim Fiedler	maintenance	\$185.00
Jodi Hemiller	CPR classes	\$240.00
Adolph Kiefer & Assoc	supplies	\$661.55
M&T Fire & Safety	supplies	\$53.00
Moeller Sheet Metal	maintenance	\$204.88
Northwestern Energy	utilities	\$5,282.39
Overhead Door	repairs	\$155.92
Pro Build	repairs	\$1,593.01
Quill	supplies	\$213.81
Ron's Saw Shop	equipment	\$1,219.91
Roy's Sport Shop	supplies	\$27.93
SD Dept of Revenue	professional fees	\$212.00
Star Laundry	maintenance	\$65.15
USA Blue Book	supplies	\$566.90

Tax Deed Properties/Tear Down Update

Mayor Dreher and Finance Officer Luttrell gave an update on the county commissioner meeting that they attended on June 21. County agreed to allow the City to tear down the Pamela Cooper house prior to the county auction on July 6. Any money made after the back taxes are paid, may be paid to the City to reimburse the costs of the tear down. Also discussed other properties up for tax deed sale.

Motion # 107-2011

Executive Session

Motion by Reidburn and seconded by Heim to enter into executive session for contractual and personnel issues per SDCL 1-25.2.1 and 3. All members voting yes. Motion carried.

Executive session began at 7:09 and ended at 7:57 pm.

Motion # 108-2011

County Auction Property

Motion by Pollock and seconded by Reidburn to authorize the mayor to bid on tax deed property offered at county auction on July 6, 2011. All members voting yes. Motion carried.

Motion # 109-2011

Adjourn

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

Meeting adjourned at 7:59 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Council Meeting
July 7, 2011
7:00 PM

Call to order: The Clark City Council met in session on July 7, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock, Lon Reidburn and Louann Streff.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Darin Altfillisch, Roger Collins, Loren Stanley, Bill Krikac and Vernie and Dorothy Petersen.

Prior to the start of the meeting, Mayor Dreher presented Vernie Peterson with the City's Thank You Award in recognition of all Vernie has done for the city.

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

Motion # 110-2011

Adopt Agenda

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

No Public Input

Department Updates

Department updates given by Altfillisch, Collins, Stanley and Luttrell. Collins getting sewer generators functional and lining up Rieke to clean out more ditches for drainage. Cooper and Knutson houses have been torn down. City purchased Mayme Cooper property at county auction for \$3,825. Discussed the repairs from the manhole cave-in on South Cloud Street, sump pump restrictions and penalties, and the need to enforce residents to direct their sump pump water outside to the storm sewer rather into city sewer. The State has pulled our request for an energy audit until the future of our sewer system is determined.

Motion # 111-2011

Term Down M. Cooper House

Motion by Streff and seconded by Reidburn to tear down the house on the city-owned property known as Mayme Cooper's. All members voting yes. Motion carried.

Motion # 112-2011

Approve Department Updates

Motion by Kline and seconded by Reidburn to approve the department updates. All members voting yes. Motion carried.

Public Hearing for Special Events Liquor License

A public hearing was held as advertised for hearing a request from the Clark American Legion for a special events liquor license for July 9, 2011. No public in attendance.

Motion # 113-2011

Approve Special Events License

Motion by Pollock and seconded by Heim to approve the special events liquor license for the Clark American Legion for July 9 from 4 pm to 2 am on July 10, 2011. All members voting yes. Motion carried.

Motion # 114-2011

Approve Minutes

Motion by Reidburn and seconded by Pollock to approve the council meeting minutes from June 29, 2011. All members voting yes. Motion carried.

Motion # 115-2011

Approve Financial Statements

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

Motion # 116-2011

Approve Claims

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

Additional July Claims

#20466	Clark Co. Treasurer	land	\$3,835.00
#20465	Adolph Keifer	reissued check	\$661.55

New July Claims

To	For	Amount
AFLAC	insurance	\$131.80
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.85
Book of the Month Club	books	\$44.96
Clark Community Oil	supplies	\$2,303.41
Clark Concrete	supplies	\$216.00
Clark County Courier	advertising	\$187.95
Clark Co. Historical Society	subsidies	\$560.00
Clark County Treasurer	police protection	\$8,165.00
Clark Fire Dept.	training	\$546.60
Clark Hometown Variety	supplies	\$158.85
Clark Rural Water	materials	\$14,443.20
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	professional fees	\$48.81
Dacotah Bank	subsidies	\$6,477.47
Dekker Hardware	supplies	\$1,010.06
Ellwein Brothers	liquor	\$14,550.90
Fjelland Law Office	legal fees	\$260.00
Forest Excavating	repairs	\$18,524.40
Full Throttle	supplies	\$5.30
Greenfield's Short Stop	repairs	\$308.17

City Council Meeting – July 7, 2011

To	For	Amount
Hawkins	supplies	\$2,876.51
ITC	utilities	\$402.16
Jackie Luttrell	mileage	\$12.21
Johnson Brothers	liquor	\$6,264.18
K&L Mechanical	repairs	\$5,306.14
K&P Pump	repairs	\$369.18
Ken's	supplies	\$453.77
Lew's Fireworks	fireworks	\$2,000.00
Literary Guild	books	\$23.68
Mack's Standard	supplies	\$943.15
Midwest Alarm	professional fees	\$261.26
Moritz Publishing	supplies	\$127.30
Olson Auto Parts	supplies	\$104.56
Olson Motor Co.	repairs	\$83.26
Oscar's Machine Shop	supplies	\$4,168.12
Petty Cash	supplies	\$65.83
Porter Distributing	liquor	\$3,557.00
Pro Build	supplies	\$22.41
Republic National	liquor	\$6,905.70
Roy's Sport Shop	supplies	\$65.98
SD Dept. of Revenue	sales tax	\$220.64
SD Rural Development	bond	\$787.00
SD Rural Development	bond	\$908.00
Share Corp.	supplies	\$196.36
Star Laundry	rugs	\$65.15

Motion # 117-2011

Approve Sheriff Report

Motion by Pollock and seconded by Heim to approve the department updates. All members voting yes. Motion carried.

Dump Days

Council readdressed the issue of whether the city should offer more free dump days. Consensus is leave as is for now and deal with problems on an individual basis.

First reading was had on Ordinance #501 – Title 2 Boundaries, Ward & Precincts.

Motion # 118-2011

Firewall & Wireless Access Point

Motion by Heim and seconded by Reidburn to authorize the purchase of upgraded equipment for a firewall, wireless access point and LAN for the Finance Office from Expetec at a price of \$1,076. All members voting yes. Motion carried.

Motion # 119-2011

Cell Phones

Motion by Streff and seconded by Binger to authorize a supplement for the cost of using personal cell phones for city work to Finance Officer Luttrell at \$50/month and Deputy Finance Officer Flora at \$30/month effective August 1, 2011. Voting in favor were Streff, Binger and Kline. Voting against were Pollock, Heim and Reidburn. Mayor Dreher broke the tie voting in favor. Motion carried.

Motion # 120-2011

Surplus Property

Motion by Heim and seconded by Reidburn to declare the property known as the old city well lot as surplus property (Lot 3 of Olson Addn in NW ¼ of Section 7 in Township 116 N, Range 57, West of the 5th PM, Clark County, South Dakota). Sealed bids will be opened at the August meeting with minimum bid at the appraised value. All members voting yes. Motion carried.

Motion # 121-2011

Playhouse Operating Agreement

Motion by Pollock and seconded by Kline to renew the operating agreement with the Playhouse effective August 4, 2011. All members voting yes. Motion carried.

Med Van

Council discussed issues with keeping med van drivers and the challenges associated with operating the med van.

Motion # 122-2011

Rescheduled Meetings

Motion by Pollock and seconded by Heim to reschedule the August, September and October meetings because the first Monday of the month falls on a holiday or it is too early in the work week. The next city council meetings will be on August 4, 2011, September 7, 2011 and October 5, 2011. All members voting yes. Motion carried.

Motion # 123-2011

Executive Session

Motion by Binger and seconded by Reidburn to enter into executive session for personnel issues per SDCL 1-25-2-1. All members voting yes. Motion carried.

Executive session began at 8:24 pm and ended at 8:43 pm.

Motion # 124-2011

Adjourn

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

Meeting adjourned at 8:44 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
August 4, 2011
7:00 PM**

Call to order: The Clark City Council met in session on August 4, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock, Lon Reidburn and Louann Streff.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Darin Altfillisch, Roger Collins, Sharon and Shirley Larson, Merlyn Ritter, Mark and Larry McHenry.

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

Motion # 125-2011

Adopt Agenda

Motion by Reidburn and seconded by Heim to adopt the agenda. All members voting yes. Motion carried.

Public Input

Residents Sharon Larson, Shirley Larson and Merlyn Ritter addressed the council on the drainage and trenching near their properties. The Larsons want the city to stop cleaning the ditch as they are concerned about the water flowing to their property at Antelope Lake. Mr. Ritter thanked the city for the drainage as he has already seen an improvement at his residence. The City will hold off on replacing the culvert on 5th Avenue.

Department Updates

Updates given by Altfillisch, Collins and Luttrell. Stanley was absent.

Surplus Land Bid Opening

At 7:30 pm, the department updates were suspended to handle the bid opening for surplus land. No bids were received. This item will be revisited at the September meeting to decide what to do with the property.

Motion # 126-2011

Approve Department Updates

Motion by Pollock and seconded by Reidburn to approve the department updates. All members voting yes. Motion carried.

Motion # 127-2011

Approve Minutes

Motion by Pollock and seconded by Heim to approve the Council Meeting Minutes from July 7, 2011. All members voting yes. Motion carried.

Motion # 128-2011

Approve Financial Statements

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

Motion # 129-2011

Approve Claims

Motion by Reidburn and seconded by Binger to approve the following claims. All members voting yes. Motion carried.

#	To	For	Amount
20466	Clark Co. Treasurer	land	\$3,835.00
	Water Dept.	payroll	\$862.05
	Sewer Dept.	payroll	\$862.06
	Govt. Bldg.	payroll	\$89.63
	Pool	payroll	\$3,788.20
	Street Dept.	payroll	\$2,196.09
	Finance Office	payroll	\$1,121.27
	Sanitation Dept.	payroll	\$661.68
	Library	payroll	\$353.84
	Transit	payroll	\$663.79
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$1,093.47
	Teener	payroll	\$471.75
471	EFTPS	941 taxes	\$2,655.35
472	City of Clark	utilities	\$1,103.77
	Water Dept.	payroll	\$1,083.23
	Sewer Dept.	payroll	\$1,083.24
	Govt. Bldg.	payroll	\$98.69
	Pool	payroll	\$3,971.79
	Street Dept.	payroll	\$2,213.52
	Finance Office	payroll	\$1,068.26
	Sanitation Dept.	payroll	\$853.81
	Library	payroll	\$353.84
	Transit	payroll	\$683.20
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$1,233.44
	Teener	payroll	\$471.75
476	EFTPS	941 taxes	\$3,033.88
20508	Expetec	equipment	\$1,076.00
20509	Cook's Wastepaper	garbage collections	\$5,427.10
20510	SD Solid Waste Mngt. Assoc.	conference	\$50.00
20511	AT&T Mobility	utilities	\$110.12
20512	Wellmark BCBS	insurance	\$4,135.02
20513	Account Mngt.	garnish	\$30.00
20514	Credit Collections Bureau	garnish	\$18.80
20515	SD Retirement Systems	retirement	\$1,990.06
20516	AT&T Mobility	utilities	\$40.12

City Council Meeting – August 4, 2011

20517	Literary Guild	books	\$72.11
478	Dacotah Bank	professional fees	\$78.62

To	For	Amount
A&B Business	maintenance	\$76.17
Adolph Kiefer & Assoc.	supplies	\$93.75
ALFAC	insurance	\$131.80
American Family Insurance	insurance	\$8.00
American Red Cross	professional fees	\$275.00
A-OX Welding	supplies	\$10.50
Arneson Electric	equipment	\$14,546.02
Aspen Tree Service	tree removal	\$1,400.00
A-Tech Sewer	repairs	\$20,487.95
Baker & Taylor	books	\$50.83
Banyon Data Systems	maintenance	\$195.00
Book of the Month Club	books	\$38.98
City of Clark	utilities	\$1,700.00
Clark Community Oil	supplies	\$1,613.45
Clark County Courier	advertising	\$473.60
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Doland Concrete	equipment	\$303.00
Clark Flower Shop	misc supplies	\$83.95
Clark Hometown Variety	supplies	\$23.13
Clausen Construction	tear downs	\$8,387.77
Cook's Wastepaper	garbage	\$41.53
Dacotah Bank	subsidies	\$6,477.47
Dekker Hardware	supplies	\$496.69
Dell	supplies	\$399.26
Ellwein	liquor	\$11,569.80
Fjelland Law Office	legal fees	\$770.00
Forest Excavating	repairs	\$13,538.58
Gruenwald Electric	repairs	\$93.84
Hawkins	supplies	\$12,316.67
Heiman Fire Equipment	professional fees	\$45.00
Huron Culvert & Tank	drainage	\$1,314.72
ITC	utilities	\$387.49
Jackie Luttrell	utilities	\$50.00
Johnson Brothers	liquor	\$4,850.33
K&P Pump	repairs	\$1,979.49
Ken's	supplies	\$396.13
Kristin Boil	water deposit refund	\$100.00
Literary Guild	books	\$36.58

City Council Meeting – August 4, 2011

To	For	Amount
Mack's	supplies	\$460.35
Michael Todd	repairs	\$753.15
Midwest Alarm	repairs	\$604.80
Moeller Sheet Metal	repairs	\$91.73
Moritz Publishing	supplies	\$60.10
New Dimension	maintenance	\$646.60
Northwestern Energy	utilities	\$9,357.40
Olson Auto parts	supplies	\$40.07
Overhead Door	repairs	\$1,275.51
Oscar's Machine Shop	supplies	\$323.67
Porter Distributing	liquor	\$2,741.20
Pro Build	supplies	\$218.75
Rae Jean Flora	utilities	\$30.00
Republic	liquor	\$4,896.87
Roy's Sport Shop	supplies	\$199.97
SD Dept of Revenue	professional fees	\$332.00
SD Dept of Revenue	sales tax	\$183.11
SD Federal Property Agency	supplies	\$30.75
SD One Call	locates	\$60.90
SD Rural Development	revenue bond	\$787.00
SD Rural Development	revenue bond	\$908.00
Share Corp.	supplies	\$552.20
Star Laundry	cleaning	\$65.15
Thomson West	supplies	\$174.00
USA Blue Book	repairs	\$494.95
Werdel Construction	equipment	\$975.00
Westside Implement	supplies	\$75.33

Motion # 130-2011

Budget Supplement

Motion by Kline and seconded by Streff to approve the following budget supplements: \$1,428.48 to Promoting the City (46530) for fireworks donations and \$750 to Parks (45200) for memorials received from the family of Lee Schlagel. All members voting yes. Motion carried.

Motion # 131-2011

Ordinance #501 Redistricting

Motion by Heim and seconded by Reidburn to approve the second reading of Ordinance #501 Redistricting as follows. All members voting yes. Motion carried.

Ordinance #501

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE 2.04 "TITLE 2 – BOUNDARIES, WARDS AND PRECINCTS, CHAPTER 2.04 – WARDS" OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that “Title 2 – Boundaries, Wards and Precincts, Chapter 2.04 Wards” be amended as follows:

“Section

2.04.02 Ward I
2.04.04 Ward II
2.04.06 Ward III

2.04.02 Ward I

Ward “I” shall comprise of all the territory within the corporate city limits lying East of South Commercial Street and South of 1st Ave East, and South of Grant Street to include the west boundary of Outlots F and G.

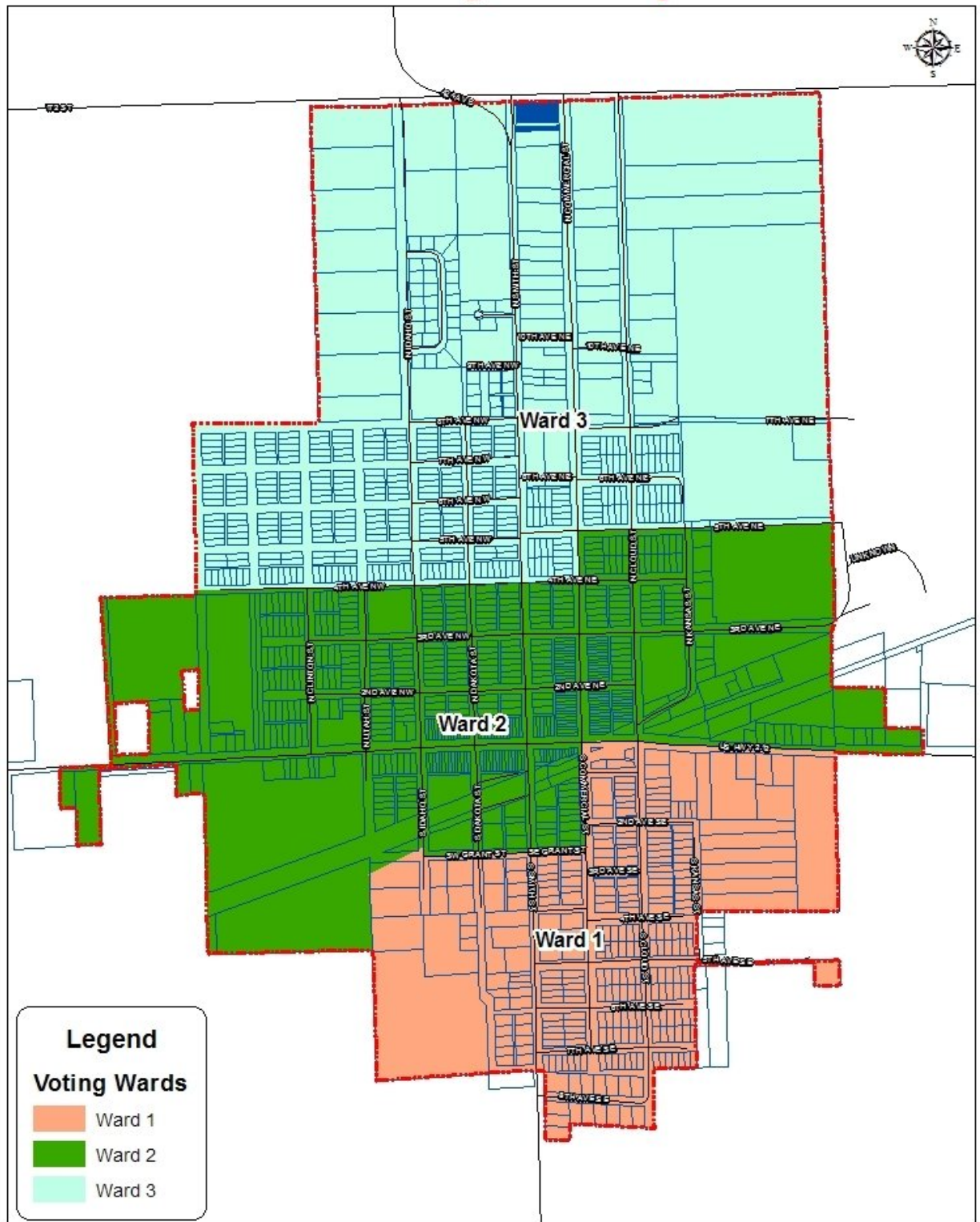
2.04.04 Ward II

Ward “II” shall comprise of all the territory within the corporate city limits with a south boundary lying north of Grant Ave to the east boundary of Commercial Street and west boundary, not including, Outlots F and G, and north boundary up to 4th Ave. North West to Commercial Street jogging up to 5th Ave. NE.

2.04.06 Ward III

Ward “III” shall comprise of all the territory within the corporate city limits lying North of 4th Ave. North West over to Commercial Street and all property North of 5th Avenue North East. “

City of Clark 2011 Voting Wards Map



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

City of Clark

Larry Dreher, Mayor

Attest:

Jackie Luttrell, Finance Officer

(SEAL)

First Reading: July 7, 2011

Second Reading: August 4, 2011

Published: August 10, 2011

Effective: August 30, 2011

Motion # 132-2011 Resolution #798 Outfall Line Improvement Loan Agreement

Motion by Reidburn and seconded by Heim to approve Resolution #798 as follows. All members voting yes. Motion carried.

RESOLUTION NO. 798

RESOLUTION GIVING APPROVAL TO CERTAIN WASTEWATER FACILITIES IMPROVEMENTS; GIVING APPROVAL TO THE ISSUANCE AND SALE OF A REVENUE BOND TO FINANCE, DIRECTLY OR INDIRECTLY, THE IMPROVEMENTS TO THE FACILITIES; APPROVING THE FORM OF THE LOAN AGREEMENT AND THE REVENUE BOND AND PLEDGING REVENUES AND COLLATERAL TO SECURE THE PAYMENT OF THE REVENUE BOND; AND CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF FUNDS FOR OPERATION OF THE SYSTEM AND RETIREMENT OF THE REVENUE BOND.

WHEREAS, one of the purposes of SDCL Chapter 9-40 (the "Act") as found and determined by the Legislature is to provide for financing the acquisition, maintenance, operation, extension or improvement of any system or part of any system of waterworks for the purpose of providing water and water supply for domestic, municipal, and industrial purposes; or any system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; or any system for the control of floods and drainage; or any combination thereof, together with extensions, additions, and necessary appurtenances; and,

WHEREAS, a municipality is authorized to issue revenue bonds to fund improvements, extensions and additions to its sewer system by SDCL 9-40-6; and,

WHEREAS, the City of Clark (the “City”) currently operates a sewer system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; and for the control of floods and drainage and has determined that improvements to the sewer facilities are necessary for the conduct of its governmental programs and qualifies as an improvement, extension or addition to its sewer system; and,

WHEREAS, the City has determined to issue its revenue bonds to finance the improvements to its system for the purpose of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes (the “System”) and has applied for a Loan to finance the improvements;

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. Declaration of Necessity and Determination of Facilities Financed. The City desires and hereby determines it is necessary to construct improvements to its wastewater facilities within its System, as described in Exhibit A hereto (the "Project"). The City hereby expressly finds that if the Project is not undertaken, the System will pose a health hazard to the City and its inhabitants, and will make the City unable to comply with state and federal law. Because of the functional interdependence of the various portions of the System, the fact that the System may not lawfully operate unless it complies with state and federal laws, including SDCL Chapter 34A-2, and the nature of the improvements financed, the City hereby determines that the Projects will substantially benefit the entire System and all of its users within the meaning of SDCL 9-40-15 and SDCL 9-40-17.

2. Approval of Loan. The City hereby determines to finance up to \$106,200 of the costs of the Project through the issuance of utility revenue bonds (the "Revenue Bond").

3. Approval of Loan Agreement. The execution and delivery of the Revenue Obligation Loan Agreement (the "Loan Agreement") between the City as Borrower and the South Dakota Board of Water and Natural Resources (the “Board”), is hereby in all respects authorized, approved and confirmed, and the Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content attached hereto, with such changes as the Attorney for the City deems appropriate and approves, for and on behalf of the City. The Mayor and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the City set forth in or required by the Loan Agreement. The Loan Agreement herein referred to and made a part of this Resolution is on file in the office of the Finance Officer and is available for inspection by any interested party.

4. Approval of Revenue Bonds. The issuance of the Revenue Bond in aggregate principal amount not to exceed \$106,200 as determined according to the Loan Agreement in the form and content set forth in Appendix B attached to the form of Loan Agreement shall be and the same is, in all respects, hereby authorized, approved, and confirmed and the Mayor, Finance Officer, and other appropriate officials shall be and are hereby authorized and directed to execute and seal the Revenue Bond and deliver the Revenue Bond to the Board, for and on behalf of the City, upon receipt of the purchase price, and to use the

proceeds thereof in the manner set forth in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Revenue Bond and their execution and delivery thereof shall evidence that approval. The Revenue Bond shall be issued under the authority of SDCL Chapter 9-40 and SDCL Chapter 6-8B, and the provisions of the Act are hereby expressly incorporated herein as provided in SDCL 9-40-19.

5. Paying Agent/Registrar. The Revenue Bond shall be payable at the office of the Board of Water and Natural Resources. The Finance Officer, hereby designated as paying agent and registrar.

6. System Fund Accounts. For the purpose of application and proper allocation of the income of the System and to secure the payment of principal of and interest on the Revenue Bond, the following mandatory segregation accounts shall be used solely for the following respective purposes until payment in full of the principal of and interest on the Revenue Bond:

(a) Revenue Account. There shall be deposited in the Revenue Account as received the entire gross revenues derived from the operation of the System collected pursuant to the ordinances or regulations of the City Council of City of Clark, South Dakota (the “Rate Ordinance”) including future improvements, enlargements, extensions and repairs thereto (the “Gross Revenues”). Moneys from the System Revenue Account shall be transferred periodically into separate accounts as provided below.

(b) Operation and Maintenance Account. There shall be established the General Operation and Maintenance Account. Out of the remaining revenues of the System Revenue Account after application described in (c) and (d) below, there shall be set aside each month into the General Operation and Maintenance Account, a sum sufficient to provide for the payment of the next month's current expenses of administration and operation of the remainder of the System and such current expenses for the maintenance thereof as may be necessary to preserve the remainder of such System in good repair and working order. The term current expenses shall be construed to include all reasonable and necessary costs of operating, repairing, maintaining and insuring the System, including without limitation salaries, supplies and rent t, but shall exclude General Depreciation Account and System Debt Service Account.

(c) System Debt Service Account. Out of the revenues in the System Revenue Account, there shall be set aside no later than the 25th day of each month into the account designated System Debt Service Account, a sum sufficient to provide for the payment as the same become due of the next maturing principal and interest on, the Revenue Bond and any reserve determined by the City Council to be necessary. The amount set aside monthly shall be not less than one-sixth of the total principal, interest, and

other amounts payable on the following May 1 or November 1, and if there shall be any deficiency in the amount previously set aside, then the amount of such deficiency shall be added to the current requirement.

(d) Depreciation Account. There shall be established a General Depreciation Account. Out of the revenues of the System Revenue Account there shall be set aside each month into the General Depreciation Account an amount determined by the City Council to be a proper and adequate amount for repair and depreciation of the System.

(e) Surplus Account. There shall be established the General Surplus Account. Revenues remaining in the System Revenue Account at the end of any fiscal year after all periodic transfers have been made therefrom as above required, shall be deemed to be surplus and shall be credited to the General Surplus Account. If at any time there shall exist any default in making any periodic transfer to the System Debt Service Account, the City Council shall authorize the City Finance Officer to rectify such default so far as possible by the transfer of money from the General Surplus Account. If any such default shall exist as to more than one account at any time, then such transfer shall be made in the order such accounts are listed above.

When not required to restore a current deficiency in the System Debt Service Account, moneys in the General Surplus Account from time to time may be used for any of the following purposes and not otherwise:

i. To redeem and prepay the Revenue Bond when and as such Revenue Bond become prepayable according to its terms;

ii. To pay for repairs of or for the construction and installation of improvements or additions to the System; and, if the balances in the System Debt Service Account and the Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made there from prior to the end of the then current fiscal year, then:

iii. To be held as a reserve for redemption and prepayment of any bonds of the System which are not then but will later be prepayable according to their terms; or

iv. To be used for any other authorized municipal purpose designated by the City Council.

No moneys shall at any time be transferred from the General Surplus Account or any other account to any other account of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as allowed by this Section.

7. Pledge of Revenues. The Revenue Bond, together with the interest thereon, shall not constitute a charge against the City's general credit or taxing power, but shall be a limited obligation of the City payable solely out of the System Debt Service Account, which payments, revenues and receipts are hereby and in the Loan Agreement pledged and assigned for the equal and ratable payments of the Revenue Bond and shall be used for no other purpose than to pay the principal of and interest on the Revenue Bond, except as may be otherwise expressly authorized in the Loan Agreement (including the purpose of securing Additional Bonds issued as permitted by the terms thereof). The City covenants and agrees to charge rates for all services from the System or establish special charges or surcharges which will be sufficient to provide for the payments upon the Revenue Bond issued hereunder as and when the same become due, and as may be necessary to provide for the operation and maintenance and repairs of the System, and depreciation, and the Rate Ordinance shall be revised from time to time so as to produce these amounts. The City hereby reserves the right to determine on a periodic basis the appropriate allocation of operation and maintenance expenses, depreciation, repair and reserves associated with the facilities financed with the Revenue Bond, provided that such determination of allocable operation and maintenance expenses shall in no event abrogate, abridge or otherwise contravene the covenant of the City set forth in this Section 8 or any other covenant or agreement in the Loan Agreement.

8. Additional Bonds. As permitted by SDCL 9-40-8 and SDCL 9-40-9, additional Bonds payable from revenues and income of the System may be issued, as permitted in the Loan Agreement and no provision of this Resolution shall have the effect of restricting the issuance of, or impairing the lien of, such additional parity bonds with respect to the net revenues or income from the extensions, additions or improvements. The City shall have the right to issue additional bonds secured by a lien subordinate to the lien from the Revenue Bond pursuant to the Loan Agreement.

9. General Covenants.

(a) The City hereby covenants and agrees with the Board and other owners of the Revenue Bond that it will punctually perform all duties with reference to the Project, the System and the Revenue Bond required by the constitution and laws of the State of South Dakota and by this Resolution.

(b) The City agrees and covenants that it will promptly construct the improvements included in the Project.

(c) The City covenants and agrees that pursuant to SDCL 9-40-28 and SDCL 9-40-29, the lawful holders of the Revenue Bond shall have a statutory mortgage lien upon the System and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal, interest, and Administrative Surcharge on the Revenue Bond, and the City agrees not to sell or otherwise dispose of the System, the Project, or any substantial part thereof, except as provided in the Loan

Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the collection and treatment of wastewater for municipal, industrial, and domestic purposes within the City.

(d) The City covenants and agrees with the Board and other owners of the Revenue Bond that it will maintain the Project and the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as any portion of the Revenue Bond remain outstanding; that it will maintain insurance on the System for the benefit of the holders of the Revenue Bond in an amount which usually would be carried by private companies in a similar type of business; that it will prepare, keep and file records, statements and accounts as provided for in this Resolution and the Loan Agreement. The Revenue Bond shall refer expressly to this Resolution and the Act and shall state that it is subject to all provisions and limitations thereof pursuant to SDCL 9-40-19.

(e) The Finance Officer shall cause all moneys pertaining to the Accounts to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of SDCL Ch. 4-6A, 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 Revenue Bond 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 money shall at any time be withdrawn from such deposit accounts except for the purposes of the Accounts as authorized in this Resolution; except that moneys from time to time on hand in the Accounts may at any time, in the discretion of the City's governing body, be invested in securities permitted by the provisions of SDCL 4-5-6; provided, however, that the Depreciation Account may be invested in such securities maturing not later than ten years from the date of the investment. 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 therein.

(f) In the event of mismanagement of the System, a default in the payment of the principal or interest of the Revenue Bond, or in any other condition thereof materially affecting the lawful holder of the Revenue Bond, or if the revenues of the Project or System are dissipated, wasted or diverted from their proper application as set forth in the Loan Agreement, Revenue Bond, or herein, the City hereby consents to the appointment of a receiver pursuant to SDCL 9-40-33, and agrees that the receiver will have the powers set forth therein, and in SDCL 9-40-34 and SDCL 9-40-35 to operate and administer the System, and charge and collect rates as described therein.

10. Issuance without Election. The City hereby determines that because the Revenue Bond is issued in connection with a financing agreement described in SDCL 46A-1-49, pursuant to SDCL 9-40-15 no election is required to issue the Revenue Bond.

11. Severability. If any section, paragraph, clause or provision of this Resolution, the Loan Agreement, the Revenue Bond, or any other Loan Document shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution or said Loan Agreement, Revenue Bond, or any other Loan Document.

12. Authorization of City Officials. The Mayor, Finance Officer, City Attorney and City officials shall be and they are hereby authorized to execute and deliver for and on behalf of the City any and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

13. Definitions. All terms used in this Resolution which are not defined herein shall have the meanings assigned to them in the Loan Agreement unless the context clearly otherwise requires.

14. Effective Date. This Resolution shall take effect on the 20th day following its publication, unless suspended by a referendum.

Adopted at City of Clark, South Dakota, this 4th day of August, 2011.

APPROVED:

Larry Dreher, Mayor
City of Clark

(Seal)

Attest: _____
Jackie Luttrell, Finance Officer

Approved: August 4, 2011
Published: August 10, 2011
Effective: August 30, 2011

EXHIBIT A

DESCRIPTION OF THE PROJECT

The project is for upgrades to the wastewater treatment plant outfall line.

Motion # 133-2011

Engineering Agreements

Motion by Pollock and seconded by Reidburn to authorize the Mayor to sign the Clark Engineering Agreements for the Cloud Street and Outfall Line projects. All members voting yes. Motion carried.

Motion # 134-2011

Street Dance

Motion by Kline and seconded by Heim to approve the bars request to hold a street dance on August 20, 2011. All members voting yes. Motion carried.

Motion # 135-2011

Sewer Fund Restricted Funds & Transfer In

Motion by Binger and seconded by Pollock to authorize restricted sewer funds of \$25,170.10 to be used to pay for sewer repairs and to authorize a transfer from general fund to sewer fund of \$28,000 to be used to pay for sewer repairs. All members voting yes. Motion carried.

Motion # 136-2011

Credit Card Security Policy

Motion by Heim and seconded by Reidburn to approve the credit card security policy. All members voting yes. Motion carried.

Motion # 137-2011

Med Van Holiday Pay

Motion by Streff and seconded by Heim to pay med van drivers standard holiday pay for dialysis trips and charge riders \$15/trip for trips on city recognized holidays. All members voting yes. Motion carried.

County Wide Law Enforcement

Mayor Dreher attended the last county commissioners meeting as the county is wishing to increase the police protection fee. Council reviewed the proposed increase and rates other communities pay for similar services. Will revisit at next meeting.

Motion # 138-2011

Executive Session

Motion by Reidburn and seconded by Heim to enter into executive session for contractual issues per SDCL 1-25-2.3. All members voting yes. Motion carried.

Executive session began at 8:17 pm and ended at 8:22 pm.

Motion # 139-2011

Adjourn

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

Meeting adjourned at 8:22 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
August 29, 2011
7:00 PM**

Call to order: The Clark City Council met in session on August 29, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock, Lon Reidburn and Louann Streff.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac and Don Aalbers.

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

Motion # 140-2011

Adopt Agenda

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

Motion # 141-2011

Approve Minutes

Motion by Pollock and seconded by Reidburn to approve the council meeting minutes from August 4, 2011 with the following changes: Add Larry and Mark McHenry as attending the meeting and change motion 137-2011 to Heim as the person seconding the motion. All members voting yes. Motion carried.

Motion # 142-2011

Approve Claims

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

August Paid Claims			
#	To	For	Amount
Payroll			
8/8/2011	Water Department	payroll	\$665.09
	Sewer Department	payroll	\$665.09
	Govt. Bldg.	payroll	\$98.69
	Pool	payroll	\$5,972.38
	Street Department	payroll	\$2,287.09
	Finance Office	payroll	\$1,068.25
	Sanitation	payroll	\$835.36
	Library	payroll	\$382.14
	Transit	payroll	\$434.55
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$450.59
Overtime included in the above: Darin Altfillisch \$718.43, Roger Collins			

City Council Meeting – August 29, 2011

#	To	For	Amount
		\$110.52, John Pickrel \$25.07, Loren Stanley \$68.72	
Payroll			
8/22/2011	Water Department	payroll	\$647.02
	Sewer Department	payroll	\$647.02
	Govt. Bldg.	payroll	\$98.69
	Pool	payroll	\$2,836.80
	Street Department	payroll	\$2,188.76
	Finance Office	payroll	\$1,068.26
	Sanitation	payroll	\$776.57
	Library	payroll	\$382.14
	Transit	payroll	\$570.68
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$341.58
	Overtime include in the above: Darin Altfillisch \$467.33, Roger Collins \$27.63		
480	EFTPS	941 taxes	\$2,981.46
481	City of Clark	utilities	\$1,095.97
482	Pitney Bowes	maintenance	\$382.00
484	Harland Checks	supplies	\$44.58
485	EFTPS	941 taxes	\$2,358.70
20580	City of Clark	transfer	\$28,000.00
20581	The US Life Insurance Co.	insurance	\$18.70
20582	Clark Rural Water Systems	materials	\$16,928.60
20583	Cook's Wastepaper	garbage collections	\$5,511.15
20584	Wellmark BCBS	insurance	\$4,135.02
20585	SD Retirement Systems	retirement contributions	\$2,036.00
20586	Account Mngt	garnish	\$30.00
20587	Credit Collections Bureau	garnish	\$18.80
20588	Petty Cash	supplies	\$105.10

New Claims

To	For	Amount
A&B Business	maintenance	\$73.14
AFLAC	insurance	\$131.80
AT&T	utilities	\$91.81
Avera Queen of Peace	professional fees	\$116.90
Baker & Taylor	books	\$25.54
Banyon Data Systems	support	\$770.00
Clark Chamber	subsidy	\$500.00
Clark Doland Concrete	supplies	\$1,500.00
Clark Fire Dept	training	\$1,100.00

City Council Meeting – August 29, 2011

To	For	Amount
Clausen Construction	improvements	\$39,688.13
Dakota Electronics	equipment	\$3,267.00
Ecolab	maintenance	\$81.00
Forest Excavating	repairs	\$1,037.21
Glass Products	repairs	\$47.70
Hawkins	supplies	\$4,751.78
JB Repair	repairs	\$1,200.50
Jackie Luttrell	mileage	\$70.42
K&P Pump	repairs	\$737.63
M&T Fire & Safety	supplies	\$278.00
New Dimension	mowing	\$595.00
Northwestern Energy	utilities	\$6,654.83
Office Peeps	supplies	\$29.55
Pitney Bowes	postage	\$1,019.99
Quill	supplies	\$227.94
Sanford Health	professional fees	\$82.00
SD Department of Revenue	professional fees	\$590.00
SD Municipal League	conference	\$200.00
Significant Digits	professional fees	\$550.00
Springer Construction	repairs	\$2,291.51
Star Laundry	rug cleaning	\$65.15

Motion # 143-2011

Snow Plow

Motion by Reidburn and seconded by Binger to purchase a 1997 Ford L8000 snowplow from Boyer Truck for \$36,900 using \$20,000 from the streets restricted cash. All members voting yes. Motion carried.

Motion # 144-2011

Surplus Dump Truck

Motion by Streff and seconded by Heim to surplus the 1983 dump truck and put on the next Clark Sales Auction on September 23, 2011. All members voting yes. Motion carried.

Motion # 145-2011

Transient Permit

Motion by Heim and seconded by Pollock to retroactively approve the transient permit for Osborn Clothing from August 12 and 13, 2011, permit previously verbally approved by all council. All members voting yes. Motion carried.

Motion # 146-2011

Executive Session

Motion by Reidburn and seconded by Streff to enter into executive session for contractual issues (SDCL 1-25-2-3). All members voting yes. Motion carried.

Executive session began at 7:08 pm and ended at 7:32 pm.

Sewer Fund Budget

A preliminary sewer fund budget was presented to show a shortfall in 2012. Options discussed including paying for the generators with an inter-fund transfer from the general fund and initiating a rate increase at the next meeting.

County Law Enforcement

Council discussed the proposed county law enforcement proposal presented by the county commissioners. The proposal includes a 5% increase from \$97,980/year to \$103,349.64/year for 45 hours/week of general law enforcement services. No changes have been made to the contract since its inception in 2008. Kline and Streff presented options to decrease the current two full-time officers to one officer or one and a half officers to be comparable to other contract law contract in similar sized towns.

Motion # 147-2011

Contract Law

Motion by Pollock and seconded by Reidburn to accept the proposed rate of \$103,349.64/year for county law enforcement. Voting in favor: Pollock, Reidburn, Heim and Streff. Voting against: Binger and Kline. Motion passes by majority vote.

Motion # 148-2011

Executive Session

Motion by Reidburn and seconded by Kline to enter into executive session for contractual issues (SDCL 1-25-2-3). All members voting yes. Motion carried.

Executive session began at 8:05 pm and ended at 8: 20 pm.

Motion # 149-2011

Adjourn

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

Meeting adjourned at 8:21 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
September 7, 2011
7:00 PM**

Call to order: The Clark City Council met in session on September 7, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock, Lon Reidburn and Louann Streff.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Sheldon Adam, Darin Altfillisch, Roger Collins and Loren Stanley.

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

Motion # 150-2011

Adopt Agenda

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

Public Input

Sheldon Adam addressed the council regarding a Eagle Scout community service project he would like to do at Dickinson Park. He explained how he would scrape and paint the picnic shelter, and fix boards and paint the picnic tables. He would like the city to pay for the paint, and he would provide the paint supplies and labor.

Motion # 151-2011

Community Service Project

Motion by Kline and seconded by Streff to approve Sheldon Adam to perform his Eagle Scout community service project on the Dickinson Park picnic shelter and picnic tables. All members voting yes. Motion carried.

Councilwoman Heim questioned Courier Editor Bill Krikac about his article regarding the last meeting.

Department Updates

Updates given by Altfillisch, Collins, Stanley and Luttrell. A 2 ½" asphalt mat for Pebble Beach is estimated to cost \$84,000 – may be considered in the 2012 budget. Stanley will resume mowing duties at the parks. Snow removal practices of residents and businesses of pushing snow onto and across city streets will be discussed in more detail at the next meeting. Altfillisch is busy doing locates for the ITC fiber optic installations. Cloud Street Relining project specs have been sent to RD and DENR for their review and approval. Discussions are ongoing for the wastewater system study for the sewer plant future.

Bid opening for the outfall line repair project were done earlier today with the following bids: Forest Excavating \$120,019.20 and J&J Earthworks Inc. \$74,745.30.

Motion # 152-2011

Outfall Line Bid Acceptance

Motion by Pollock and seconded by Heim to accept the J&J Earthworks Inc. bid for \$74,745.30 contingent upon the review and approval of the DENR. All members voting yes. Motion carried.

Motion # 153-2011

Repair Nature Deli Road

Motion by Kline and seconded by Binger to authorize the repairs to the Nature Deli road from the culvert replacement at a cost of \$2,250.00. All members voting yes. Motion carried.

Motion # 154-2011

Approve Department Updates

Motion by Reidburn and seconded by Heim to approve the department updates. All members voting yes. Motion carried.

Motion # 155-2011

Recess

Councilman Reidburn made a motion to enter executive session to discuss the dirt from trenching agenda item. Heim seconded the motion. City Attorney Fjelland requested a conference with Reidburn privately to determine if the topic met the guidelines for executive session. No vote was completed. Motion was then made by Pollock and seconded by Heim to take a recess for that discussion. All members voting yes. Motion carried. Fjelland returned and stated he saw no cause for executive session.

Discussion continued regarding Reidburn questioning the city hauling 12 loads of dirt on to the property of Terry Binger in 2010 (prior to his term on council). Fjelland stated this was previously discussed and wished this discussion to proceed in a civil manner. After a lengthy discussion, Fjelland offered to pay the bill to move this item off the agenda and to not be brought up again.

Motion # 156-2011

Approve Minutes

Motion by Reidburn and seconded by Pollock to approve the council meeting minutes from August 29, 2011. All members voting yes. Motion carried.

Motion # 157-2011

Approve Financial Statements

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

Motion # 158-2011

Approve Claims

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

Additional August Claims

#	To	For	Amount
Payroll	Water Dept.	payroll	\$571.02
	Sewer Dept.	payroll	\$571.02
	Govt Bldg.	payroll	\$98.69
	Pool	payroll	\$860.33

City Council Meeting – September 7, 2011

#	To	For	Amount
	Streets	payroll	\$2,173.89
	Finance Office	payroll	\$1,072.66
	Sanitation	payroll	\$783.48
	Library	payroll	\$353.84
	Transit	payroll	\$540.44
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$315.41
	Overtime included in the above: J. Luttrell \$5.59, L. Stanley \$22.91		
490	EFTPS	payroll taxes	\$1,897.21
20618	Boyer Truck	snowplow	\$36,900.00

New September Claims

To	For	Amount
Allegiant Emergency Services	supplies	\$530.00
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.85
City of Clark	deposit applied to bill	\$100.00
City of Clark	utilities	\$1,150.51
Clark Community Oil	supplies	\$2,449.10
Clark Co. Historical Society	subsidy	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark County Courier	advertising	\$389.77
Clark Doland Concrete	supplies	\$1,788.00
Clark Flower & Gifts	flowers	\$43.95
Colonial Research	supplies	\$901.38
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	subsidy	\$6,477.47
Dacotah Bank	professional fees	\$26.57
Dakota Electronics	equipment	\$388.00
Dekker Hardware	supplies	\$167.73
Ecolab	maintenance	\$81.00
Ellwein Brothers	liquor	\$11,800.50
Fjelland Law Office	legal fees	\$540.00
Forest Excavating	repairs	\$5,094.58
Gaylord Brothers	book	\$26.09
Huron Culvert & Tank	supplies	\$388.44
ITC	utilities	\$295.36
Jackie Luttrell	utility	\$50.00
Johnson Brothers	liquor	\$8,860.12
Ken's	supplies	\$104.34
Lyle Signs	supplies	\$134.22

To	For	Amount
Mack's	supplies	\$346.40
Moritz Publishing	supplies	\$66.37
New Dimension	mowing	\$310.00
Office Peeps	supplies	\$168.83
Olson Auto Parts	supplies	\$196.22
Oscar's Machine	parts	\$1,635.68
Pitney Bowes	rental	\$162.00
Porter Distributing	liquor	\$4,738.90
Pro Build	supplies	\$1,295.39
Rae Jean Flora	utility	\$30.00
Republic	liquor	\$8,767.85
Rural Development	sewer revenue bond	\$787.00
Rural Development	water revenue bond	\$908.00
SD Dept of Revenue	sales tax	\$97.94
SD Dept of Transportation	advertising	\$32.00
Star Laundry	maintenance	\$65.15
The US Life Insurance Co.	insurance	\$18.70
Westside Implement	parts	\$51.18

Motion # 159-2011

Approve Sheriff Report

Motion by Heim and seconded by Pollock to approve the department updates. All members voting yes. Motion carried.

Ordinance #503 2012 Budget was read and discussed.

Motion # 160-2011

Special Event Liquor License

Motion by Binger and seconded by Kline to approve a special event liquor license for the Clark American Legion for the Lion's Gun Raffle on October 8, 2011 from 4:00 pm to October 9, 2011 to 2:00 am. All members voting yes. Motion carried.

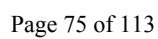
Surplus Land

The property declared surplus, Lot 3 of Olson Addition in NW ¼ of Section 7, in Township 116 North, Range 57, West of the 5th PM Clark County, South Dakota, has been appraised at \$800. SDCL 6-13-5 states the city may sell this property at private sale for not less than 90% of the appraised value or \$720 within 12 months without further publication or appraisal. No offers can be considered for less than \$720.

Motion # 161-2011

LJ's Countryside Outlot 1 Plat

Motion by Binger and seconded by Streff to approve Resolution # 799 LJ's Countryside Outlot 1 plat as followed. All members voting yes. Motion carried.



**PLAT SHOWING
LJ's COUNTRYSIDE OUTLOT 1
IN THE SW1/4 OF SECTION 1
TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M.,
CLARK COUNTY, SOUTH DAKOTA**

OWNER'S CERTIFICATE

WE, LEO J. WERDEL AND JEANNE WERDEL, HUSBAND AND WIFE, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE NORTH 226.98 FEET OF THE EAST 682 FEET OF THE WEST 1935.4 FEET OF THE SOUTH 698.98 FEET OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION ONE (1), IN TOWNSHIP ONE HUNDRED SIXTEEN (116) NORTH, RANGE FIFTY-EIGHT (58) WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED A PORTION OF THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREAFTER KNOWN AND DESCRIBED AS "LJ's COUNTRYSIDE OUTLOT 1 IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

SIGNED THIS _____ DAY OF _____, 2011.

OWNERS:

LEO J. WERDEL

JEANNE WERDEL

COUNTY OF _____ }
STATE OF _____ } SS

ON THIS _____ DAY OF _____, 2011, BEFORE ME, A NOTARY PUBLIC, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED LEO J. WERDEL AND JEANNE WERDEL, AS HUSBAND AND WIFE, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, KNOWN TO ME TO BE THE PERSON IN AND WHO EXECUTED THE WITHIN INSTRUMENT.

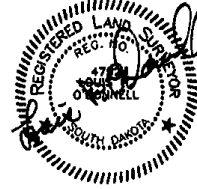
MY COMMISSION EXPIRES: _____

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, LOUIS P. O'DONNELL, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "LJ's COUNTRYSIDE OUTLOT 1 IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" AS SHOWN ON THE ATTACHED PLAT, THAT I HAVE FOUND AND/OR SET IRON PINS AS INDICATED THEREON, AND THAT SAID SURVEY AND PLAT ARE TRUE AND CORRECT.

SIGNED THIS 16th DAY OF August, 2011.



COUNTY PLANNING COMMISSION APPROVAL

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY PLANNING COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, AT A MEETING HELD ON THE _____ DAY OF _____, 2011.

SECRETARY OF COUNTY PLANNING COMMISSION
CLARK COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOT 1 IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-6, AND ANY AMENDMENTS.

COUNTY COMMISSION APPROVAL

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, AT A MEETING HELD ON THE _____ DAY OF _____, 2011.

COUNTY AUDITOR
CLARK COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOT 1 IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF."

CITY PLANNING COMMISSION APPROVAL

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY PLANNING COMMISSION OF CLARK, SOUTH DAKOTA, AT A MEETING HELD ON THE _____ DAY OF _____, 2011.

FINANCE OFFICER
CLARK, SOUTH DAKOTA

"BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF CLARK, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOT 1 IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-6, AND ANY AMENDMENTS THEREOF."



Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 226-3494
Fax: (605) 226-6433
Aberdeen@clark-eng.com EOE

A11087
SHEET 2 of 2

PLOTTED BY: ZACH PLOTTED ON: 8/16/2011 1:22 PM 2\3011 PROJECTS\11087 CLARK CONCRETE\PLAT\A11087.DWG

**PLAT SHOWING
LJ's COUNTRYSIDE OUTLOT 1
IN THE SW1/4 OF SECTION 1
TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M.,
CLARK COUNTY, SOUTH DAKOTA**

CITY COUNCIL APPROVAL
I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY COUNCIL OF CLARK, SOUTH DAKOTA, AT A MEETING HELD ON THE _____ DAY OF _____, 2011.

FINANCE OFFICER
CLARK, SOUTH DAKOTA

"BE IT RESOLVED BY THE CITY COUNCIL OF CLARK, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOT 1 IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF."

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ATTACHED PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID.

SIGNED THIS _____ DAY OF _____, 2011.

COUNTY TREASURER, CLARK COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION CERTIFICATE

I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT THIS _____ DAY OF _____, 2011.

DIRECTOR OF EQUALIZATION, CLARK COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS' CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____, 2011, AT _____ O'CLOCK _____ M., AND DULY RECORDED IN BOOK
No. _____ PLAT No. _____

REGISTER OF DEEDS, CLARK COUNTY, SOUTH DAKOTA



Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 225-3484
Fax: (605) 225-6433
Aberdeen@clark-eng.com EOE

A11087
SHEET 3 of 3

PLOTTED BY: ZACH PLOTTED ON: 8/16/2011 1:22 PM Z:\2011 PROJECTS\11087 CLARK CONCRETE\PLAT\A11087.DWG

Motion # 162-2011

Uncashed Check

Motion by Pollock and seconded by Reidburn to issue a stop payment on check # 19204 to SD VFW for \$75 issued 6/7/10 pursuant to SDCL 9-23-21. All members voting yes. Motion carried.

Ordinance #502 Sewer Rates

A first reading was had on Ordinance # 502 a revision to the sewer rates.

Motion # 163-2011

County Law Enforcement Contract

Motion by Pollock and seconded by Reidburn to authorize the mayor to sign the County Law Enforcement contract to renew on January 1, 2012 and to form Clark County Law Enforcement Advisory Board at the next meeting. All members voting yes. Motion carried.

Motion # 164-2011

Dakota Butcher Operating Agreement

Motion by Binger and seconded by Kline to transfer the Clark Liquors operating agreement to Dakota Butcher effective October 1, 2011 for a one year contract and to authorize the mayor to sign the operating agreement. All members voting yes. Motion carried.

A first reading was had on Ordinance #504 2012 salaries.

Motion # 165-2011

Executive Session

Motion by Reidburn and seconded by Kline to enter into executive session for personnel issues, pursuant to SDCL 1-25-2-1. All members voting yes. Motion carried.

Executive session began at 8:25 pm and ended at 8:43 pm.

Motion # 166-2011

Adjourn

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

Meeting adjourned at 8:44 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
October 10, 2011
7:00 PM**

Call to order: The Clark City Council met in session on October 10, 2011 at 7:00 pm in the City Hall Council Room. This was the rescheduled time from October 5 which was cancelled due to a family emergency with the Mayor.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock, Lon Reidburn and Louann Streff.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Darin Altfillisch, Roger Collins, Loren Stanley, Bob Bauman and Glen Warkenthien

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

Motion # 167-2011

Adopt Agenda

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

Public Input

Bob Bauman and Glen Warkenthien addressed the council on behalf of the Clark American Legion to question the process for a special event liquor license. Luttrell explained that back in 2010 state law added a provision to require a public hearing for all special event licenses. This requires a notice in the paper seven days prior to the public hearing at a council meeting. The legion has a request for another special event to serve alcohol on the 29th of this month. A special meeting would be required to get the notice in the paper and have the public hearing to get approval. Four council members, enough for a quorum, offered their service at no charge to allow a meeting to be held on the 20th of October at 12:30 pm.

Department Updates

Updates given by Altfillisch, Collins, Stanley and Luttrell. Collins discussed charging commercial business for the snow removal that the city does when they push snow from their parking areas onto city streets. Outfall line repairs have been completed. Cloud Street sewer relining project is ready to be advertised for bid.

Motion # 168-2011

Election Workshop

Motion by Binger and seconded by Kline to authorize conference and travel expenses for Luttrell to attend the election workshop on December 9 in Aberdeen. All members voting yes. Motion carried.

Motion # 169-2011

Approve Department Updates

Motion by Heim and seconded by Streff to approve the department updates. All members voting yes. Motion carried.

Motion # 170-2011

Approve Minutes

Motion by Reidburn and seconded by Pollock to approve the council meeting minutes from September 7, 2011 All members voting yes. Motion carried.

Motion # 171-2011

Approve Financial Statements

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

Motion # 172-2011

Approve Claims

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

		Paid Claims	
#	To	For	Amount
	Water Dept.	payroll	\$584.05
	Sewer Dept.	payroll	\$584.06
	Govt. Bldg.	payroll	\$89.63
	Pool	payroll	\$571.62
	Streets	payroll	\$2,172.01
	Finance Office	payroll	\$1,068.26
	Sanitation	payroll	\$744.49
	Library	payroll	\$353.84
	Transit	payroll	\$589.80
	Mayor	payroll	\$176.01
	Parks	payroll	\$313.52
	Overtime included in the above: D. Altfillisch \$13.95, L. Stanley \$15.27		
493	Dacotah Bank	professional fee	\$25.00
494	EFTPS	payroll taxes	\$1,874.91
20658	Cook's Wastepaper	garbage	\$5,526.90
20659	SD Dept of Revenue	professional fee	\$5.00
20660	Account Mngt.	garnish	\$30.00
20661	Credit Collections Bureau	garnish	\$18.80
20662	SD Retirement Systems	retirement	\$1,872.78
20663	Wellmark	insurance	\$4,135.02
20664	City of Clark	deposit applied to bill	\$100.00
20665	City of Clark	deposit applied to bill	\$100.00
20666	Dacotah Bank	generator loan	\$44,208.54
20667	Clark Rural Water	materials	\$20,515.60
	Water Dept.	payroll	\$911.32
	Sewer Dept.	payroll	\$911.32
	Govt. Bldg.	payroll	\$98.69
	Streets	payroll	\$2,188.01
	Finance Office	payroll	\$1,068.25

City Council Meeting – October 10, 2011

Sanitation	payroll	\$776.57
Library	payroll	\$382.14
Transit	payroll	\$557.52
Mayor	payroll	\$176.01
Parks	payroll	\$309.74
Overtime included in the above: D. Altfillisch \$244.13, J. Pickrel \$25.07		
499 EFTPS	payroll taxes	\$1,953.02

Additional Claims

To	For	Amount
A&B Business	maintenance	\$57.71
ABC Lock & Key	repairs	\$65.00
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.85
AT&T Mobility	utilities	\$122.60
Book of the Month Club	books	\$39.98
Cardmember Services	supplies	\$8.97
Clark County Courier	advertising	\$372.77
Clark Co. Historical Society	subsidy	\$560.00
Clark County Treasurer	professional	\$8,165.00
Clausen Construction	supplies	\$2,121.60
Clark Doland Concrete	repairs	\$1,818.00
Colonial Research	supplies	\$334.30
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	subsidy	\$6,477.47
Dacotah Insurance	insurance	\$6,156.00
Dekker Hardware	supplies	\$707.65
Ellwein Brothers	liquor	\$9,588.50
Expetec	repairs	\$279.90
First National Bank	SRF loan	\$6,940.29
First Response	supplies	\$439.00
Fjelland Law Office	legal fees	\$750.00
ITC	utilities	\$372.49
Jackie Luttrell	subsidy	\$50.00
J&J Heating	repairs	\$64.32
Johnson Brothers	liquor	\$11,535.64
Mack's Standard	supplies	\$366.45
Moritz Publishing	supplies	\$98.10
Northwestern Energy	utilities	\$8,276.53
Olson Auto Parts	repairs	\$468.41
Olson Motor Co.	repairs	\$658.09
Oscar's Machine Shop	repairs	\$1,286.30
Pitney Bowes	supplies	\$102.48

City Council Meeting – October 10, 2011

To	For	Amount
Porter Distributing	liquor	\$3,214.85
Pro Build	supplies	\$132.89
Rae Jean Flora	subsidy	\$30.00
Republic National	liquor	\$9,388.74
Rieke Excavating	drainage	\$4,972.50
Ron's Saw Shop	repairs	\$43.89
SD Dept of Revenue	professional	\$248.00
SD Dept of Revenue	sales tax	\$464.42
SDML	workshop	\$20.00
SD Rural Development	sewer revenue bond	\$787.00
SD Rural Development	water revenue bond	\$908.00
SD Secretary of State	professional fee	\$10.00
Star Laundry	maintenance	\$65.15
The US Life Insurance Co.	insurance	\$18.70
Werdel Construction	repairs	\$3,568.00
Westside Implement	repairs & equipment	\$2,290.60
Woodring Plumbing	repairs	\$281.01
USA Blue Book	supplies	\$2,082.45
A&B Business	copier maintenance	\$54.54
Dakota Electronics	repairs	\$129.45
Midwest Alarm Co.	professional fees	\$261.24
Overhead Door	repairs	\$948.98
AFLAC	insurance	\$131.80
Woodring Plumbing	maintenance	\$51.00
Jackie Luttrell	conference travel	\$142.48
Rae Jean Flora	conference travel	\$154.48
Clark Community Oil	supplies	\$2,043.49
Ellwein Brothers	liquor	\$2,670.50

Motion # 173-2011

Approve Sheriff Report

Motion by Pollock and seconded by Heim to approve the department updates. All members voting yes. Motion carried.

Motion # 174-2011

Law Enforcement Advisory Board

Motion by Streff and seconded by Binger to nominate Kerry Kline as the city's representative for the law enforcement advisory board. All members voting yes. Motion carried.

Motion # 175-2011

Motion by Heim and seconded by Reidburn to transfer \$44,000 from the general fund to sewer funds for the cost of the generators. All members voting yes. Motion carried.

Public Hearing for Special Event Liquor License

This scheduled public hearing is for an application by Clark American Legion for a special event liquor license for October 22, 2011 from 4 – 8 pm. No one was in attendance to speak for or against the request.

Motion # 176-2011

Special Event Liquor License

Motion by Reidburn and seconded by Pollock to approve a special event liquor license for the Clark American Legion on October 22, 2011 from 4 – 8 pm. All members voting yes. Motion carried.

Motion # 177-2011

Automatic Budget Supplement

Motion by Kline and seconded by Heim to approve an automatic budget supplement to the following departments: 41110 Council for \$3,000.00, 43110 Streets for \$4,891.80, 44100 Clinic for \$1,452.00, 45200 Parks for \$963.95. All members voting yes. Motion carried.

Motion # 178-2011

Ordinance #502 Sewer Rates

Motion by Pollock and seconded by Reidburn to approve Ordinance #502 An Ordinance Amending Clark Municipal Code 10.24.04 – Water and Sewer Rates as follows. All members voting yes. Motion carried.

ORDINANCE # 502

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE “TITLE 10 – WATER AND SEWER, CHAPTER 10.24 – RATES”, OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that “Title 10 – Water and Sewer, Chapter 10.24 – Rates – Section 10.24.04 – Sewer Rate – City of Clark” be amended to read as follows:

Section

“10.24.04 Sewer Rates – City of Clark

Properties where Municipal Water is turned on at the Curb Stop:

A base rate fee of \$2.00 per month; plus,

The minimum sewer rate for the users within the city limits shall be \$24.00 per month for the first 8,000 gallons of wastewater discharged per month. All additional gallons in excess of 8,000 gallons shall be charged at the rate of \$1.50 per 1,000 gallons.

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

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

There shall be a minimum line service fee of \$2.00 charged to each dwelling house, residence, business, building or other place for which sewer is maintained. This line

service fee shall be charged irrespective of vacancy or abandonment of the property and irrespective of the fact that the municipal water supply has been shut off at the curb stop for such property. This fee is applicable to seasonal residents. There shall be no line service fee for any vacant lot where no building is situated on the property. “

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

CITY OF CLARK

Larry Dreher, Mayor

ATTEST:

Jackie Luttrell, City Finance Officer

(SEAL)

First Reading: September 7, 2011

Second Reading: October 10, 2011

Published: October 19, 2011

Effective: December 1, 2011 billings for November 2011 usage

Motion # 179-2011

Ordinance #503 2012 Appropriations Budget

Motion by Binger and seconded by Reidburn to approve Ordinance #503 – 2012

Appropriations Ordinance as follows. All members voting yes. Motion carried.

**Ordinance # 503
2012 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>Debt Service</u>
	<u>General Fund</u>	<u>Library Fund</u>	<u>TIF District No. 1</u>	<u>TIF District No. 2</u>
410 General Government				
411 Council	\$ 25,495			
411.5 Contingency	\$ 67,855			
412 Mayor	\$ 5,810			
413 Elections	\$ 850			
414.1 Legal Services	\$ 4,000			
414.2 Finance Office	\$ 99,430			
419 Government Bldgs	\$ 26,924			
Total General Government	\$ 230,364			

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420 Public Safety

421 Police	\$	103,350	
422 Fire Department	\$	24,700	
Total Public Safety	\$	128,050	

430 Public Works

431 Highway & Streets	\$	227,969	
431.5 Storm Drainage	\$	5,000	
431.6 Street Lighting	\$	25,000	
432.1 Sanitation	\$	95,928	
439 Transit	\$	29,407	
Total Public Works	\$	383,304	

441 Health and Welfare

441 Health - Medical Building	\$	18,547	
Total Health and Welfare	\$	18,547	

450 Culture & Recreation

451.1 Teener's	\$	2,703	
451.2 Swimming Pool	\$	84,663	
452 Parks	\$	51,165	
455 Library	\$	18,506	\$ 100
Total Culture & Recreation	\$	157,037	\$ 100

465 Economic Development

465.1 Industrial Development	\$	77,730	
465.3 Promoting the City	\$	5,500	
Total Economic Development	\$	83,230	

470 Debt Services

470 Debt Services	\$	8,546	\$ 5,543
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490 Miscellaneous

499 Liquor	\$	379,492	
Total Miscellaneous	\$	379,492	

Total Appropriations	\$	1,380,024	\$ 100	\$ 8,546	\$ 5,543
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REVENUES

Part Two:

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

	<u>Governmental</u>	<u>Special Revenue</u>	<u>Debt Service</u>	<u>Debt Service</u>
Revenue	<u>General Fund</u>	<u>Library Fund</u>	<u>TIF District No. 1</u>	<u>TIF District No. 2</u>
310 Taxes	\$ 756,447		\$ 8,443	\$ 12,265
320 Licenses & Permits	\$ 1,800			
330 Intergovernmental Revenue	\$ 56,460			
340 Charges for Goods & Svcs	\$ 106,485			

City Council Meeting – October 10, 2011

350 Fines & Forfeits		\$	100					
360 Miscellaneous Revenue	\$	52,352		\$	35	\$	70	
380 Liquor	\$	406,480						
390 Other Sources								
Reserves & Capital Outlays				\$	68	\$	(6,792)	
Total Means of Finance	\$	1,380,024	\$	100	\$	8,546	\$	5,543

PROPRIETARY FUNDS

	<u>Water Fund</u>		<u>Sewer Fund</u>	
Estimated Beginning Retained Earnings	\$	120,150	\$	46,800
Estimated Revenue	\$	260,575	\$	207,916
Total Available	\$	380,725	\$	254,716
Less Appropriations	\$	(260,575)	\$	(207,916)
Estimated Surplus	\$	120,150	\$	46,800

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

Larry Dreher,
Mayor

Attest:

Jackie Luttrell, Finance Officer

(seal)

First Reading:	7-Sep-11
Second Reading:	10-Oct-11
Adopted:	10-Oct-11
Published:	19-Oct-11
Effective Date:	1-Nov-11

Motion # 180-2011

Ordinance #504 2012 Salaries

Motion by Binger and seconded by Streff to approve Ordinance #504 2012 Salaries as follows. Members voting in favor – Streff, Pollock, Binger and Kline. Members voting against – Heim and Reidburn. Motion carried by majority vote.

Ordinance # 504

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, 2012 shall be as follows:

Mayor	\$ 4,850.00	annual salary
City Council Members	\$ 60.00	per meeting
Finance Officer - Jackie Luttrell	\$32,403.36	annual salary
Deputy Finance Officer - Rae Jean Flora	\$28,885.89	annual salary
Finance Office Assistant	\$ 8.50	per hour
Street Superintendent - Roger Collins	\$40,031.86	annual salary
Parks & Landfill Superintendent - Loren Stanley	\$32,720.00	annual salary
Water & Sewer Superintendent - Darin Altfillisch	\$39,840.40	annual salary
FT City Maintenance Worker – John Pickrel	\$24,216.83	annual salary
Librarian - Dorcas Protexter	\$ 9.50	per hour
Librarian Assistant (sub only)	\$ 7.50	per hour
Landfill Attendant, primary	\$ 8.75	per hour
Landfill Attendant, assistant	\$ 8.05	per hour
Water & Sewer PT Attendant - John Howardson	\$ 50.00	per weekend
City Janitor - Eileen Dunbar	\$ 10.00	per hour
Med Van Drivers	\$ 9.75	per hour

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

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

First Reading: September 7, 2011
Second Reading: October 10, 2011
Adopted: October 10, 2011
Published: October 19, 2011
Effective Date: January 1, 2012

Ordinance #505 5.02.10 Hours of Business

A first reading was held on Ordinance #505 An ordinance amending Clark Municipal Code 5.02.10 Alcoholic Beverages- Hours of Business. This ordinance would allow service and consumption of alcoholic beverages on Sundays and Memorial Day as allowed by state law.

No executive session was held.

Motion # 181-2011

Adjourn

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

Meeting adjourned at 8:12 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Special Council Meeting
October 20, 2011
12:30 PM**

Call to order: The Clark City Council met in special session on October 20, 2011 at 12:30 pm in the City Hall Council Room for a public hearing for a special event liquor license.

Council Members Present: Terry Binger, Roberta Heim, Lon Reidburn and Louann Streff. Absent Kerry Kline and John Pollock

Others Present: Mayor Larry Dreher and Finance Officer Jackie Luttrell.

Mayor Dreher called the meeting to order at 12:35 pm.

Motion # 182-2011

Adopt Agenda

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

This being the published date and time for a public hearing for a special event liquor license hearing for the Clark American Legion on October 29, 2011 from 5 pm to 2 am. No public was in attendance to speak on the request.

Motion # 183-2011

Approve License

Motion by Heim and seconded by Streff to approve the special event liquor license for the Clark American Legion for October 29, 2011 from 5 pm to 2 am. All members voting yes. Motion carried.

Motion # 184-2011

Adjourn

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

Meeting adjourned at 12:36 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
November 7, 2011
7:00 PM**

Call to order: The Clark City Council met in session on November 7, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, John Pollock and Louann Streff arriving at 7:29 pm. Lon Reidburn was absent.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac, Roger Collins and Darin Altfillisch.

Mayor Dreher called the meeting to order at 7:03 pm.

Motion # 185-2011

Adopt Agenda

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

No Public Input

Department Updates

Updates given by Collins, Altfillisch and Luttrell. Stanley was absent. Collins and Council discussed charging for removing the snow that is pushed into streets and alleys from parking lots. Decided to charge three rates depending on size of lot - \$200, \$175 and \$150/annual rate. Residents need to be reminded that city ordinance prohibits blowing and pushing snow onto city streets and alleys. Collins asked about installing the culvert, purchased by the county, to the north entrance of the fairgrounds. Mayor Dreher will let him know when and if that can proceed. SD Rural Water Association has been in town trying to locate water leaks. Luttrell stated the 2010 audit is complete, \$35,839.69 in FEMA funds have been received from the spring flood that caused a collapsed manhole and sewer lines, and wiring is completed on the generators.

Motion # 186-2011

Approve Department Updates

Motion by Kline and seconded by Binger to approve the department updates. All members voting yes. Motion carried.

Motion # 187-2011

Approve 10/10/11 Minutes

Motion by Kline and seconded by Pollock to approve the council meeting minutes from October 10, 2011 with one correction. All members voting yes. Motion carried.

Motion # 188-2011

Approve 10/20/11 Minutes

Motion by Heim and seconded by Pollock to approve the council meeting minutes from October 20, 2011. All members voting yes. Motion carried.

Motion # 189-2011

Approve Financial Statements

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

Motion # 190-2011

Approve Claims

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

Additional October Claims

#	To	For	Amount
Payroll	Water Dept.	payroll	\$952.11
	Sewer Dept.	payroll	\$952.11
	Govt. Bldg.	payroll	\$80.58
	Streets Dept.	payroll	\$2,216.82
	Finance Office	payroll	\$1,216.35
	Sanitation Dept.	payroll	\$748.26
	Library	payroll	\$353.84
	Transit	payroll	\$519.19
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$317.29
	Overtime and holiday pay include in the above: D. Altfillisch \$309.23, R. Collins \$55.26, R. Flora \$29.91, J. Luttrell \$44.73, J. Pickrel \$25.07, L. Stanley \$30.54, D. Schlagel \$63.00		
501	City of Clark	utilities	\$90.80
502	Dacotah Bank	professional fees	\$21.84
503	EFTPS	941 taxes	\$2,019.10
20724	City of Clark	funds transfer	\$44,000.00
20725	Cook's Wastepaper	garbage collections	\$5,471.15
20726	Wellmark BCBS	insurance	\$4,135.02
20727	Clark Rural Water	materials	\$15,589.00
20728	Petty Cash	supplies	\$96.34
20729	Cardmember Services	convention fees	\$299.49
20730	SD Retirement Systems	retirement	\$2,901.04
20731	Account Mngt	garnish	\$45.00
20732	Credit Collections Bureau	garnish	\$28.20
20733	AFLAC	insurance	\$131.80
507	EFTPS	941 taxes	\$2,016.82
Payroll	Water Dept.	payroll	\$921.12
	Sewer Dept.	payroll	\$921.10
	Govt. Bldg.	payroll	\$98.69
	Streets Dept.	payroll	\$2,203.63

City Council Meeting – May 10, 2011

#	To	For	Amount
	Finance Office	payroll	\$1,269.76
	Sanitation Dept.	payroll	\$785.78
	Library	payroll	\$353.84
	Transit	payroll	\$576.10
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$318.95
	Overtime pay included in the above: D. Altfillisch \$90.68, J. Luttrell \$22.37		

New November Claims

To	For	Amount
A&B Business	maintenance	\$45.19
American Family Insurance	insurance	\$8.00
A-OX Welding	supplies	\$10.85
Arneson Electric	equipment & repairs	\$15,274.10
AT&T Mobility	utilities	\$88.63
Book of the Month Club	books	\$34.97
Butler	repairs	\$94.66
Carrot Top Industries	supplies	\$96.37
City of Clark	utilities	\$273.71
Clark Co. Farmers Elevator	supplies	\$202.80
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Community Oil	supplies	\$1,615.77
Clark County Courier	advertising	\$366.50
Clark Engineering	professional fees	\$8,281.95
Clark Rural Water	materials	\$12,338.60
Cook's Wastepaper	utilities	\$41.53
Dacotah Bank	subsidies	\$6,477.47
Dacotah Bank	professional fees	\$23.04
Dacotah Insurance	insurance	\$357.00
Dakota Electronics	supplies	\$75.70
Dekker Hardware	supplies	\$1,061.31
Ellwein Brothers	liquor	\$24,349.25
Fjelland Law Office	legal fees	\$310.00
Greenfield's	supplies	\$234.97
Gruenwald Electric	repairs	\$324.10
Heiman	supplies	\$382.29
ITC	utilities	\$342.14
Jackie Luttrell	utilities	\$50.00
Johnson Brothers	liquor	\$21,966.70
Ken's	supplies	\$7.35

City Council Meeting – May 10, 2011

To	For	Amount
Literary Guild	books	\$45.72
Lyle Signs	supplies	\$204.20
M&T Fire & Safety	supplies	\$63.00
Mack's Standard	supplies	\$544.55
Michael Todd & Co.	supplies	\$677.97
Moeller Sheet Metal	repairs	\$426.64
Moritz Publishing	supplies	\$135.70
Northwestern Energy	utilities	\$4,755.77
Olson Auto Parts	supplies	\$14.68
Olson's Motor Co.	repairs	\$82.49
Oscar's Machine Shop	supplies	\$1,323.89
Porter Distributing	liquor	\$4,902.10
Pro Build	supplies	\$179.10
Rae Jean Flora	utilities	\$30.00
Republic National	liquor	\$18,134.03
Ritter's Repair	repairs	\$387.00
SD Department of Revenue	professional fees	\$200.00
SD Department of Revenue	sales tax	\$43.21
SD Rural Development	water revenue bond	\$908.00
SD Rural Development	sewer revenue bond	\$787.00
Share Corp.	supplies	\$154.19
Sharp Electric	repairs	\$262.21
South Dakota One Call	professional fees	\$84.00
Star Laundry	maintenance	\$65.15
Westside Implement	supplies	\$56.41
William Neal & co	professional fees	\$11,050.00
Woodring Plumbing	maintenance	\$76.50

Motion # 191-2011

Approve J & J Earthwork Pay Request

Motion by Binger and seconded by Kline to approve Pay Request #1 from J&J Earthworks for \$59,581.63 for the outfall line repairs, upon receipt of funds from the Consolidated Water grant and loan. All members voting yes. Motion carried.

Motion # 192-2011

Approve Consolidated Draw Down

Motion by Pollock and seconded by Heim to authorize Mayor Dreher to sign off on the \$83,042.43 draw down for the grant and loan funds from the Consolidated Water Facilities Construction Program for the Wastewater Outfall Line Improvements Project. All members voting yes. Motion carried.

Motion # 193-2011

Approve Sheriff Report

Motion by Binger and seconded by Kline to approve the sheriff report. All members voting yes. Motion carried.

Councilwoman Streff arrived at 7:29 pm.

Cloud Street Relining Project

Finance Officer Luttrell explained that the bid opening for the Cloud Street Relining project was on October 28, 2011. One bid was received from A-Tech as follows:

Cured in place pipe and relining manholes (A&B)	\$202,545.50
Cured in place pipe and replace manholes (A&C)	\$294,131.05

Luttrell explained that the project would all fall to Rural Development loan. Clark Engineering recommends approving A&C. Rural Development has yet to approve the bid. A-Tech states they can meet the completion deadline of December 17, 2011. We can anticipate a change order as the bid includes replacing manholes that do not need replacing.

Motion # 194-2011

Accept Cloud Street Relining Bid

Motion by Binger and seconded by Pollock to approve the bid from A-Tech for A&C for \$294,131.05 contingent upon approval from Rural Development. All members voting yes. Motion carried.

Motion # 195-2011

Accept First District Agreement

Motion by Streff and seconded by Heim to authorize the Mayor to sign an agreement with First District to handle the Rural Development paperwork for the Cloud Street Relining project at a cost not to exceed \$1,000. All members voting yes. Motion carried.

Motion # 196-2011

Ordinance #505 Hours of Business

Motion by Kline and seconded by Binger to approve Ordinance #505 Hours of Business as follows. All members voting yes. Motion carried.

Ordinance #505

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE “TITLE 5 – PUBLIC SAFETY, CHAPTER 5.02 – ALCOHOLIC BEVERAGES”, OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that “Title 5 – Public Safety, Chapter 5.02 – Alcoholic Beverage – Section 5.02.10 – Hours of Business – City of Clark” be amended to read as follows:

“5.02.10 Hours of Business

No operator under City license shall sell, serve or allow to be consumed on a licensed premises any alcoholic beverage at any time or on any day not permitted by SDCL Chapter 35. Sale, service and allowed consumption of alcoholic beverages on Sundays and Memorial Day are authorized to full extent allowed by SDCL Chapter 35 for any respective licensee. Further, no operator of an on-sale liquor establishment shall allow to remain on the licensed premises any person who is not an essential employee engaged in either the cleaning of the establishment or doing daily required business tasks when the operator is not permitted by SDCL Chapter 35 to sell, serve or allow to be consumed on the premises any alcoholic beverage. Further, no operator of an on-sale liquor

establishment shall allow alcoholic beverages of any kind to be sold later than one-half hour prior to the time that the operator is no longer permitted by SDCL Chapter 35 to sell, serve or allow to be consumed on the premises any alcoholic beverage.”

CITY OF CLARK

Larry Dreher, Mayor

ATTEST:

Jackie Luttrell, City Finance Officer

(SEAL)

First Reading: October 10, 2011

Second Reading: November 7, 2011

Published: November 9, 2011

Effective: November 29, 2011

Ordinance #506 2011 Supplementing Appropriations

The first reading was had on the 2011 Supplementing Appropriations ordinance.

Motion # 197-2011

Liquor Licenses

Motion by Kline and seconded by Streff to renew the 2012 liquor licenses for Dakota Butcher, Time Out, Sportsman, Playhouse and Clark Golf Club. All members voting yes. Motion carried.

Community Development Meeting

Mayor Dreher extended an invitation to the council to attend a Community Development meeting organized by Clark School. The meeting will be held on November 16, 2011. No city business will be discussed at the meeting.

Motion # 198-2011

Adjourn

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

Meeting adjourned at 7:45 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
December 5, 2011
7:00 PM**

Call to order: The Clark City Council met in session on December 5, 2011 at 7:00 pm in the City Hall Council Room.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline, Lon Reidburn and Louann Streff. Absent John Pollock.

Others Present: Mayor Larry Dreher, Finance Officer Jackie Luttrell, Bill Krikac, Darin Altfillisch, Roger Collins and Loren Stanley.

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

Motion # 199-2011

Adopt Agenda

Motion by Reidburn and seconded by Heim to adopt the agenda. All members voting yes. Motion carried.

No Public Input

Department Updates

Department updates given by Altfillisch, Collins, Stanley and Luttrell.

Motion # 200-2011

Fire Hydrants

Motion by Heim and seconded by Kline to authorize the purchase and installation of three fire hydrants, expected to cost \$12-15,000. All members voting yes. Motion carried.

Effective, January 1, 2012, commercial district snow removal will be charged for snow removal if businesses push snow out on to city streets. Residents will be reminded of snow removal policy with an insert in their water bills and notice in the paper.

Motion # 201-2011

Approve Department Updates

Motion by Binger and seconded by Streff to approve the department updates. All members voting yes. Motion carried.

Motion # 202-2011

Approve Minutes

Motion by Heim and seconded by Reidburn to approve the council meeting minutes from November 7, 2011. All members voting yes. Motion carried.

Motion # 203-2011

Approve Financial Statements

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

Motion # 204-2011

Inter-fund Loan

Motion by Kline and second by Streff to pay back the general fund \$10,000 for an inter-fund loan to the sewer fund. All members voting yes. Motion carried.

Motion # 205-2011

Outfall Line Pay Request #2

Motion by Heim and seconded by Reidburn to pay J&J Earthworks \$5,719.00 from pay request # 2 for the outfall line project and to request draw down from the DENR grant/loan. All members voting yes. Motion carried.

Motion # 206-2011

Approve Claims

Motion by Reidburn and seconded by Binger to approve the following claims. All members voting yes. Motion carried.

Additional November Claims

#	To	For	Amount
	Water Deposit	payroll	\$1,011.60
	Sewer Deposit	payroll	\$1,011.61
	Govt. Bldg.	payroll	\$98.69
	Streets	payroll	\$2,181.92
	Finance Officer	payroll	\$1,068.25
	Sanitation	payroll	\$389.93
	Library	payroll	\$353.84
	Transit	payroll	\$467.60
	Mayor	payroll	\$176.01
	Parks	payroll	\$309.74
	Overtime & holiday pay included in the above: D. Altfillisch \$483.60, R. Collins \$18.42 P. Ambrose \$55.19		
	EFTPS	payroll taxes	\$1,936.79
20785	Cook's Wastepaper	garbage	\$5,493.45
20786	The US Life Insur. Co.	insurance	\$18.70
20787	Wellmark BCBS	insurance	\$4,135.02
20788	City of Clark	deposit applied to bill	\$100.00
20789	J&J Earthwork	outfall line repair	\$59,581.63
20790	Clark Engineering	professional fees	\$8,281.95
20791	SD Retirement Systems	retirement contributions	\$1,962.68
20792	Account Mngt.	garnish	\$30.00
20793	The US Life Insur. Co.	insurance	\$18.70
20794	Credit Collections Bureau	garnish	\$18.80
	Water Deposit	payroll	\$915.86
	Sewer Deposit	payroll	\$915.87
	Govt. Bldg.	payroll	\$89.63
	Streets	payroll	\$2,229.78
	Finance Officer	payroll	\$1,093.62
	Sanitation	payroll	\$309.73

City Council Meeting – December 5, 2011

#	To	For	Amount
	Library	payroll	\$382.14
	Transit	payroll	\$576.50
	Mayor	payroll	\$176.01
	Parks	payroll	\$309.74
	Overtime & holiday pay included in the above: D. Altfillisch \$188.33 R. Collins \$82.89, J. Luttrell \$33.55, P. Ambrose \$60.75		
	EFTPS	payroll taxes	\$1,870.30
20795	Lezlie Holmes	reissued check	\$21.37
	Council payroll	payroll	\$2,484.06
	EFTPS	payroll taxes	\$487.08

New December Claims

To	For	Amount
AFLAC	insurance	\$131.80
American Family Insurance	insurance	\$8.00
Anna Alfonso	water deposit refund	\$100.00
A-OX Welding	supplies	\$10.85
AT&T Mobility	utilities	\$91.90
Bettie Willoughby	water deposit refund	\$100.00
Bob Berens	water deposit refund	\$100.00
Book of the Month	book	\$35.99
Christopher Hartley	water deposit refund	\$100.00
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$8,165.00
Clark Community Oil	supplies	\$2,713.45
Clark County Courier	advertising	\$176.96
Clark Engineering	professional fees	\$552.88
Clark Flower & Gifts	supplies	\$95.88
Clark-Doland Concrete	supplies	\$470.50
Cook's Wastepaper	utilities	\$41.53
Cornie Waldner	water deposit refund	\$100.00
Crystal Ambrose	water deposit refund	\$100.00
D&D Delites	repairs	\$70.00
Dacotah Bank	subsidies	\$6,477.47
Dacotah Bank	processing fees	\$24.80
Dean Hilmoie	water deposit refund	\$100.00
Dekker Hardware	supplies	\$353.74
Ecolab	maintenance	\$81.00
Ellwein Brothers	liquor	\$12,646.40
ITC	utilities	\$356.50
J&J Heating & A/C	repairs	\$100.00
Jackie Luttrell	subsidy	\$50.00

City Council Meeting – December 5, 2011

To	For	Amount
Jackie Luttrell	mileage	\$4.44
Jeana Sankey-Hurlbut	water deposit refund	\$100.00
Jessica Lenzen	water deposit refund	\$100.00
John Olson	water deposit refund	\$100.00
Johnson Brothers	liquor	\$6,903.54
K&P Pump	repairs	\$1,977.33
Karen Ceisel	water deposit refund	\$100.00
Keith VanWesten	water deposit refund	\$100.00
Ken's	supplies	\$13.08
Kevin Ortberg	water deposit refund	\$100.00
M&T Fire & Safety	supplies	\$421.50
Mack's Standard	supplies	\$347.90
Marvin Virchow	water deposit refund	\$100.00
Michael Todd & Co.	supplies	\$651.85
Milbank Winwater	supplies	\$2,232.90
Moritz Publishing	supplies	\$82.20
New Dimension	maintenance	\$75.00
Northwestern Energy	utilities	\$5,228.35
Olson Auto Parts	supplies	\$435.00
Olson Motor Co.	repairs	\$57.49
O'Neill's Drywall	repairs	\$296.94
Oscar's Machine Shop	repairs	\$455.46
Playhouse	water deposit refund	\$100.00
Porter Distributing	liquor	\$3,903.80
Pro Build	supplies	\$34.82
Quill	supplies	\$156.56
Rae Jean Flora	subsidy	\$30.00
Republic National	liquor	\$10,100.47
Robert Cole	water deposit refund	\$100.00
Roger Mitchell	water deposit refund	\$100.00
Ron's Saw Shop	supplies	\$449.99
Scott Wirkus	water deposit refund	\$100.00
SD Dept of Revenue	professional fees	\$706.00
SD Dept of Revenue	sales tax	\$50.57
SD Rural Development	revenue bond	\$787.00
SD Rural Development	revenue bond	\$908.00
SD Water & Wastewater Assoc	membership	\$10.00
Service Master	maintenance	\$387.60
Star Laundry	maintenance	\$130.30
USA Blue Book	supplies	\$852.71

Motion # 207-2011

Approve Sheriff Report

Motion by Heim and seconded by Binger to approve the sheriff's report. All members voting yes. Motion carried.

Motion # 208-2011

2012 Law Enforcement Contract

Motion by Kline and seconded by Binger to approve an amendment to the 2012 Law Enforcement Contract with Clark County to change the rate to \$7,957.60/month and authorize the Mayor to sign the amendment. All members voting yes. Motion carried.

Cloud Street Relining Project

After taking another look at the manholes, A-Tech feels they are structurally sound and a relining, versus a replacement, is sufficient. The engineering contract needed a few items added to it, including a Rural Development sign and ARRA requirements. The deadline needs to be changed to next spring to finish up some digging.

Motion # 209-2011

Change Orders 1 & 2 Cloud St. Relining

Motion by Reidburn and seconded by Heim to approve change order #1 with a decrease of the project cost by \$101,882.55 due to the change from replacing to relining the manholes, and approve change order # 2 that includes ARRA requirements. All members voting yes. Motion carried.

Ordinance #507 Pet Licensing

First reading of Ordinance #507 to change the Pet License Fee Schedule to \$5.00 for a one year license.

Motion # 210-2011

Ordinance #506 2011 Supplementing Appropriations

Motion by Heim and seconded by Binger to approve Ordinance #506 2011 Supplementing Appropriations. All members voting yes. Motion carried.

Motion # 211-2011

End of Year Meeting

Motion by Reidburn and seconded by Streff to schedule an end of year meeting for December 28, 2011 at 7:00 pm. All members voting yes. Motion carried.

Motion # 212-2011

January Meeting

Motion by Binger and seconded by Heim to reschedule the January council meeting for January 11, 2012 at 7:30 pm. All members voting yes. Motion carried.

Motion # 213-2011

Adjourn

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

Meeting adjourned at 7:53 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark
Joint Council & Planning Commission Meeting
December 28, 2011

Call to order: The Clark City Council and Planning Commission met in joint session on December 28, 2011 at 7:14 pm in the City Hall Council Room.

Members Present: Mayor Larry Dreher, Terry Binger, Roberta Heim, Kerry Kline and Louann Streff. Absent John Pollock and Lon Reidburn.

Others Present: Finance Officer Jackie Luttrell, City Attorney Chad Fjelland, Bill Krikac and Keith Butcher.

Mayor Dreher called the meeting to order at 7:14 pm.

Motion by Heim and seconded by Kline to enter into the joint City Council and Planning Commission meeting to review the LJ's Countryside Outlot plat and review a rezoning request by Terry Binger. All members voting yes. Motion carried.

Motion by Heim and seconded by Kline to recommend approval to the Clark City Council for the LJ's Countryside Outlot plat. All members voting yes. Motion carried by majority vote.

Finance Officer Luttrell presented a petition for a change in zoning classification from Terry Binger on legal description Lot 2 Grace Subdivision in SE ½ 6-116-57 City of Clark, formerly Irregulars, South Dakota. The request, if approved, would change the zoning from HC – Highway Commercial to R2 – General Residential District. Application has been made, fees paid and notifications were sent to all property owners within 250' of the proposed rezoned property. Property is listed as single family residential on the existing land use map. Luttrell addressed questions from Mr. Butcher.

Motion by Streff and seconded by Kline to recommend approval to the Clark City Council to rezone the property – Lot 2 Grace Subdivision in SE ½ 6-116-57 City of Clark, formerly Irregulars, South Dakota – from 'HC' – Highway Commercial to 'R2' – General Residential District. Members voting in favor: Dreher, Kline, Streff, Heim. Binger abstained. Motion passes by majority vote.

Motion by Heim and seconded by Streff to adjourn the joint meeting and resume to the council meeting. All members voting yes. Motion carried by majority vote.

Meeting adjourned at 7:19 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
December 28, 2011
7:00 PM**

Call to order: The Clark City Council met in session on December 28, 2011 at 7:00 pm in the City Hall Council Room for the year end council meeting.

Council Members Present: Terry Binger, Roberta Heim, Kerry Kline and Louann Streff. Absent John Pollock and Lon Reidburn.

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

Mayor Dreher called the meeting to order at 7:01 pm.

Motion # 214-2011 **Adopt Agenda**
Motion by Heim and seconded by Streff to adopt the agenda. All members voting yes.
Motion carried.

Motion # 215-2011 **Approve Minutes**
Motion by Kline and seconded by Binger to approve the council meeting minutes from December 5, 2011. All members voting yes. Motion carried.

Motion # 216-2011 **Approve Claims**
Motion by Binger and seconded by Heim to approve the following claims. All members voting yes. Motion carried.

Additional December Claims			
#	To	For	Amount
12/12/2011 payroll	Water Dept.	payroll	\$843.51
	Sewer Dept.	payroll	\$843.50
	Govt. Bldg.	payroll	\$98.69
	Streets Dept.	payroll	\$2,173.90
	Finance Office	payroll	\$1,106.75
	Sanitation	payroll	\$315.40
	Library	payroll	\$353.84
	Transit	payroll	\$611.43
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$315.41
	Overtime included in the above: L. Stanley \$22.91		
520	EFTPS	941 taxes	\$1,775.26
521	City of Clark	utilities	\$33.25
20860	Clark Fire Dept	professional fees	\$3,695.00
20861	Playhouse	meals	\$349.08
20862	Jackie Luttrell	mileage	\$59.20

City Council Meeting – December 28, 2011

#	To	For	Amount
20863	Vickie Dreher	supplies	\$163.81
20864	Clark Rural Water System	materials	\$11,726.60
20865	Dacotah Bank	TIF #1 loan payment	\$8,546.00
20866	Dacotah Bank	TIF #2 loan payment	\$2,771.10
20867	J&J Earthworks	pay request #2	\$5,719.00
20868	Cook's Wastepaper	garbage	\$5,426.55
20869	VOIDED CHECK		\$0.00
20870	Wellmark BCBS	insurance	\$4,135.02
20871	Account Mngt	garnish	\$30.00
20872	Credit Collection Bureau	garnish	\$18.80
20873	SD Retirement Systems	retirement	\$1,868.62
12/23/2011	Water Dept.	payroll	\$843.51
payroll	Sewer Dept.	payroll	\$843.51
	Govt. Bldg.	payroll	\$89.63
	Streets Dept.	payroll	\$2,168.23
	Finance Office	payroll	\$1,068.26
	Sanitation	payroll	\$309.73
	Library	payroll	\$353.84
	Transit	payroll	\$723.12
	Mayor	payroll	\$176.01
	Parks Dept.	payroll	\$309.74

New December Claims

To	For	Amount
A&B Business	maintenance	\$59.93
AT&T Mobility	utilities	\$89.90
Bendix	supplies	\$99.99
Book of the Month Club	books	\$39.96
City of Clark	utilities	\$492.74
City of Clark	supplies	\$57.32
Clark Flower & Gifts	supplies	\$95.98
Clark-Doland Concrete	maintenance	\$276.00
Clausen Construction	maintenance	\$582.40
Ellwein Brothers	liquor	\$12,394.30
Gruenwald Electric	repairs	\$76.02
Hawkins	repairs	\$148.52
Johnson Brothers	liquor	\$11,114.55
Literary Guild	books	\$33.28
M&T Fire & Safety	supplies	\$63.00
Northwestern Energy	utilities	\$6,384.01
Petty Cash	supplies	\$95.85
Pitney Bowes	supplies	\$319.99

City Council Meeting – December 28, 2011

To	For	Amount
Porter Distributing	liquor	\$2,772.45
Quill	supplies	\$139.52
Republic National	liquor	\$11,395.92
SD Assoc of Rural Water Systems	repairs	\$1,100.00
SD Dept of Revenue	professional fees	\$162.00
Star Laundry	maintenance	\$65.15
St. Paul Stamp Works	supplies	\$75.91
Thomson West	supplies	\$85.50
Tom's Top Deck	maintenance	\$255.00
Woodring Plumbing	repairs	\$55.08

New January Claims

To	For	Amount
American Family Insurance	insurance	\$8.00
Clark Co. Historical Society	subsidies	\$560.00
Clark Co. Treasurer	police protection	\$7,957.60
Dacotah Bank	subsidies	\$6,477.47
First National Bank	loan	\$6,940.29
Jackie Luttrell	subsidies	\$50.00
Pitney Bowes	rental	\$162.00
Rae Jean Flora	subsidies	\$30.00
SD Assoc. of Code Enforcement	professional fees	\$40.00
SD DENR	professional fees	\$1,500.00
SD DENR	professional fees	\$24.00
SD Govt. Finance Assoc	professional fees	\$70.00
SD Human Resourced Assoc	professional fees	\$25.00
SD Library Assoc	membership	\$100.00
SD Municipal League	professional fees	\$980.91
SD Municipal Liquor Assoc	professional fees	\$35.00
SD Municipal Street	professional fees	\$35.00
SD Rural Development	revenue bond	\$908.00
SD Rural Development	revenue bond	\$787.00
SD Rural Development	sewer revenue #2	\$1,307.00
SDML Work Comp	insurance	\$8,933.00
The US Life Insurance Co.	insurance	\$21.30

Motion # 217-2011

Cloud Street Relining Change Order #3

Motion by Binger and seconded by Streff to approve change order # 3 on the Cloud Street Relining project to extend the project completion date to June 15, 2012. All members voting yes. Motion carried.

Motion # 218-2011

Outfall Line Change Order #1

Motion by Kline and seconded by Binger to approve change order #1 to decrease the Outfall Line Replacement project cost by \$6,007.80 for the work performed by J&J Earthworks. All members voting yes. Motion carried.

Motion # 219-2011

Outfall Line Final Pay Request

Motion by Binger and seconded by Heim to approve the final pay request to J&J Earthworks for the Outfall Line Replacement project for \$3,436.87 and request a draw down from the DENR grant/loan. All members voting yes. Motion carried.

Motion # 220-2011

Outfall Line Final Engineering

Motion by Kline and seconded by Streff to approve the final engineering bill from Clark Engineering for \$1,010.00 for the Outfall Line Replacement project and request a draw down from the DENR grant/loan. All members voting yes. Motion carried.

Motion # 221-2011

Certificate of Completion

Motion by Binger and seconded by Kline to approve the as built plans and authorize the mayor to sign the Certificate of Final Completion on the Outfall Line Replacement project. All members voting yes. Motion carried.

Motion # 222-2011

Ordinance #507 License Fee Schedule

Motion by Kline and seconded by Binger to approve Ordinance #507 License Fee Schedule for an animal license and to have changes become effective today for all 2012 pet licenses. All members voting yes. Motion carried.

Ordinance #507

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE TITLE 4 – ANIMALS, CHAPTER 30 – LICENSING OF THE CLARK MUNICIPAL CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that Title 4 – Animals, Chapter 30 – Licensing be amended to read as follows:

Section

“4.30.08 License Fee Schedule

The fee for an animal license shall be \$5.00 for a one-year license. This rate can be prorated at the discretion of the Finance Office. “

All ordinances and resolutions or parts of ordinances or resolutions in conflict with this ordinance are hereby expressly repealed and from and after the effective date of this

ordinance, this ordinance shall take precedence over any other ordinances or resolution previously adopted.

CITY OF CLARK

Larry Dreher, Mayor

ATTEST:

Jackie Luttrell, City Finance Officer
(SEAL)

First Reading: December 5, 2011

Second Reading: December 28, 2011

Published: January 4, 2012

Effective: December 28, 2011

Policy & Procedure Manual

Finance Officer Luttrell discussed changes to be made to the Policy & Procedure Manual to be reviewed and approved at the January meeting.

The joint City Council and Planning Commission meeting was entered into at 7:14 pm and ended at 7:19 pm to review a plat and rezoning request.

Motion # 223-2011

LJ's Countryside Outlot Plat

Motion by Streff and seconded by Kline to accept the Planning Commission's recommendation to approve the LJ's Countryside Outlot plat as follows. All members voting yes. Motion carried.

**PLAT SHOWING
LJ's COUNTRYSIDE OUTLOTS
IN THE SW1/4 OF SECTION 1
TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M.,
CLARK COUNTY, SOUTH DAKOTA**

OWNER'S CERTIFICATE

WE, LEO J. WERDEL AND JEANNE WERDEL, HUSBAND AND WIFE, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE EAST 662 FEET OF THE WEST 1935.4 FEET OF THE SOUTH 696.96 FEET OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION ONE (1), IN TOWNSHIP ONE HUNDRED SIXTEEN (116) NORTH, RANGE FIFTY-EIGHT (58) WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA, AND THAT WE HAVE CAUSED A PORTION OF THE SAME TO BE SURVEYED AND PLATTED AS SHOWN ON THE ATTACHED PLAT WHICH SHALL BE HEREINAFTER KNOWN AND DESCRIBED AS "LJ's COUNTRYSIDE OUTLOTS IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" AND THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND SEDIMENT CONTROL REGULATIONS.

SIGNED THIS 19th DAY OF December, 2011.

OWNERS:

LEO J. WERDEL

JEANNE WERDEL

COUNTY OF Clark }
STATE OF South Dakota } SS

ON THIS 19th DAY OF December, 2011, BEFORE ME, A NOTARY PUBLIC, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED LEO J. WERDEL AND JEANNE WERDEL, AS HUSBAND AND WIFE, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP AND NOT AS TENANTS IN COMMON, KNOWN TO ME TO BE THE PERSON IN AND WHO EXECUTED THE WITHIN INSTRUMENT.

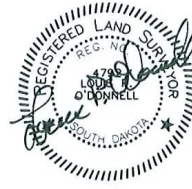
MY COMMISSION EXPIRES: 11/9/2016

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I, LOUIS P. O'DONNELL, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE OWNERS, I HAVE SURVEYED AND PLATTED "LJ's COUNTRYSIDE OUTLOTS IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" AS SHOWN ON THE ATTACHED PLAT, THAT I HAVE FOUND AND/OR SET IRON PINS AS INDICATED THEREON, AND THAT SAID SURVEY AND PLAT ARE TRUE AND CORRECT.

SIGNED THIS 18th DAY OF December, 2011.



COUNTY PLANNING COMMISSION APPROVAL

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY PLANNING COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, AT A MEETING HELD ON THE 28 DAY OF December, 2011.

SECRETARY OF COUNTY PLANNING COMMISSION
CLARK COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY PLANNING COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOTS IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-6, AND ANY AMENDMENTS.

COUNTY COMMISSION APPROVAL

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE COUNTY COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, AT A MEETING HELD ON THE 28 DAY OF December, 2011.

COUNTY AUDITOR
CLARK COUNTY, SOUTH DAKOTA

"BE IT RESOLVED BY THE COUNTY COMMISSION OF CLARK COUNTY, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOTS IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF."

CITY PLANNING COMMISSION APPROVAL

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY PLANNING COMMISSION OF CLARK, SOUTH DAKOTA, AT A MEETING HELD ON THE 28th DAY OF December, 2011.

FINANCE OFFICER
CLARK, SOUTH DAKOTA

"BE IT RESOLVED BY THE CITY PLANNING COMMISSION OF CLARK, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOTS IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-6, AND ANY AMENDMENTS THEREOF."

CLARK
ENGINEERING CORPORATION

Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

A11087
SHEET 2 of 3

PLOTTED BY: ZACH PLOTTED ON: 12/12/2011 1:34 PM Z:\2011 PROJECTS\11087 CLARK CONCRETE\PLAT\A11087.DWG

**PLAT SHOWING
LJ's COUNTRYSIDE OUTLOTS
IN THE SW1/4 OF SECTION 1
TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M.,
CLARK COUNTY, SOUTH DAKOTA**

CITY COUNCIL APPROVAL

I HEREBY CERTIFY THAT THE FOLLOWING IS A CORRECT COPY OF THE RESOLUTION DULY PASSED BY THE CITY COUNCIL OF CLARK, SOUTH DAKOTA, AT A MEETING HELD ON THE 21st DAY OF December, 2011.

Currie Rutledge
FINANCE OFFICER
CLARK, SOUTH DAKOTA

"BE IT RESOLVED BY THE CITY COUNCIL OF CLARK, SOUTH DAKOTA, THAT THE PLAT SHOWING "LJ's COUNTRYSIDE OUTLOTS IN THE SW1/4 OF SECTION 1, TOWNSHIP 116 NORTH, RANGE 58 WEST OF THE 5th P.M., CLARK COUNTY, SOUTH DAKOTA" HAVING BEEN EXAMINED IS HEREBY APPROVED IN ACCORDANCE WITH THE PROVISIONS OF SDCL OF 1967, CHAPTER 11-3, AND ANY AMENDMENTS THEREOF."

HIGHWAY APPROVAL

THE LOCATION OF THE INPLACE ACCESS ROAD(S), IS HEREBY APPROVED. ANY CHANGE IN THE INPLACE ACCESS SHALL REQUIRE ADDITIONAL APPROVAL

SIGNED THIS 21 DAY OF December, 2011.

BRADLEY LETHBRIDGE, ENR. SUPR
PRINT NAME AND TITLE
[Signature]
SIGNATURE

TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY OF THE LANDS INCLUDED IN THE ATTACHED PLAT ARE SHOWN BY THE RECORDS OF MY OFFICE TO BE FULLY PAID.

SIGNED THIS 22 DAY OF December, 2011.

Kay M. Madsen
COUNTY TREASURER, CLARK COUNTY, SOUTH DAKOTA

DIRECTOR OF EQUALIZATION CERTIFICATE


I HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT THIS 27 DAY OF Dec, 2011.


D. D. Pardon
DIRECTOR OF EQUALIZATION, CLARK COUNTY, SOUTH DAKOTA

REGISTER OF DEEDS' CERTIFICATE

FILED FOR RECORD THIS 29th DAY OF December, 2011, AT 10:30 O'CLOCK A.M., AND DULY RECORDED IN BOOK No. , PLAT No. 184 B

Janet Huselbert
REGISTER OF DEEDS, CLARK COUNTY, SOUTH DAKOTA





Clark Engineering Corporation
2301 8th Avenue NE, Suite 125
Aberdeen, SD 57401
Phone: (605) 225-3494
Fax: (605) 225-5433
Aberdeen@clark-eng.com EOE

A11087
SHEET 3 of 3

PLOTTED BY: ZACH PLOTTED ON: 12/12/2011 1:34 PM 2:\2011 PROJECTS\11087 CLARK CONCRETE\PLAT\A11087.DWG

Ordinance #508

First reading was had on Ordinance #508 An Ordinance Amending the Official Zoning Map of the City of Clark. The second reading will be had at the January 11, 2012 council meeting.

Motion # 224-2011

Adjourn

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

Meeting adjourned at 7:20 pm.

This institution is an equal opportunity provider, and employer.

Mayor Larry Dreher

Attest: Finance Officer Jackie Luttrell
(seal)

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