

**City of Clark Council Meeting
January 9th, 2023 at 7:00 PM**

Call to order: The Clark City Council met in session on January 9th, 2023 at 7:00pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Andrew Zemlicka, and Brandon Kottke. Not present was Melissa Nesheim.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Emily Yexley, Darin Altfillisch, and Police Chief Jeremy Wellnitz.

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

Motion # 001-2023

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Mayor & Department Updates

Darin Altfillisch gave the council a price on replacing a hot water pipe in the clinic building. New turbo and new brakes are needed for the payloader. Finance Officer called City Attorney Chad Fjelland to nail down some plans for the Jim Freese property. Altfillisch wants to re-run a city ordinance preventing residents from pushing snow back into the streets. Altfillisch also wants residents to keep their fire hydrants cleared of snow. Altfillisch and Chief Wellnitz spoke about parallel parking on both sides of the road on north Smith Street from Hwy 212 North to the first alley north of Sturtevant's. Police Chief Wellnitz presented the council with stats from 2022 and asked for permission to purchase rims for the police squads. Finance Officer Wellnitz advised the council that the ice-skating rink will be opening this weekend. Mayor Kline addressed a few concerns regarding the Clark dump grounds.

Motion # 002-2023

Approve Department Updates

Motion by Kottke and seconded by Dalton to approve the department updates. All members voting yes. Motion carried.

Motion # 003-2023

Utility Bill Write Offs

Motion by Dohmann and seconded by Kottke to write off the four presented utility bills. All members voting yes. Motion carried.

Motion # 004-2023

Bill Collections

Motion by Zemlicka and seconded by Dohmann to send the Severson utility bill to collections. All members voting yes. Motion carried.

2023 Election

Finance Officer Wellnitz advised the council that the following terms expire and are up for reelection on April 11th, 2023: Mayor - 3 year term; Council Ward I - 3 year term; Council Ward II - 3 year term; Council Ward III - 3 year term.

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Motion # 005-2023

Approve Meeting Minutes

Motion by Zemlicka and seconded by Dalton to approve the December meeting minutes. All members voting yes. Motion carried.

Meter Installation Bids

Helms and Associates put together a bid packet for the installation of new water meters. Bids will be opened on February 2nd at 10AM.

Motion # 006-2023

Approve Financials

Motion by Hagstrom and seconded by Kottke to approve the end of year financial statements. All members voting yes. Motion carried.

Motion # 007-2023

Approve Claims

Motion by Hagstrom and seconded by Dalton to approve following claims. All members voting yes. Motion carried.

DECEMBER CLAIMS (12 22 CLMS2)

| # | To | For | Amount |
|-------|------------------------|------------------------|-------------|
| 30143 | Cook's Wastepaper | dumpsters | \$ 258.25 |
| 30142 | Northwestern Energy | utilities | \$ 523.64 |
| 30144 | Dakota Pump Inc. | repairs | \$ 641.48 |
| 30145 | Clark Building & Ranch | supplies | \$ 124.49 |
| 2794 | City of Clark | utilities | \$ 168.65 |
| 30141 | JW Roll off Services | dumpsters | \$ 199.82 |
| 30140 | Menards | supplies | \$ 11.53 |
| 30139 | Zenith Properties | Christmas Party | \$ 834.00 |
| 30146 | Pam Ambrose | payroll adjustment | \$ 12.62 |
| 30151 | Cardmember Services | credit card purchases | \$ 666.68 |
| 30150 | Cook's Wastepaper | December Garbage | \$ 7,633.14 |
| 30149 | Emily Yexley | couch | \$ 80.00 |
| 30152 | Tony's Collision | windshield replacement | \$ 375.00 |
| 30153 | Language Link | translation service | \$ 14.76 |
| 30154 | AT&T | utilities | \$ 125.95 |

12/9/2022

| | | |
|--------------|---------------|-------------|
| City Council | payroll | \$ 2,399.60 |
| EFTPS | payroll taxes | \$ 442.06 |

12/13/22

| | | |
|----------------|---------|-------------|
| Mayor | payroll | \$ 271.58 |
| Finance Office | payroll | \$ 2,275.25 |
| Govt Bldg | payroll | \$ 71.55 |
| Police | payroll | \$ 3,944.62 |
| Streets | payroll | \$ 4,256.78 |
| Sewer | payroll | \$ 1,394.40 |
| Water | payroll | \$ 1,394.67 |

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|------------------------|---------------------|----|----------|
| Transit | payroll | \$ | 633.97 |
| Clubhouse | payroll | \$ | 198.00 |
| Library | payroll | \$ | 585.00 |
| EFTPS | payroll taxes | \$ | 3,380.24 |
| 12/27/2022 | | | |
| Mayor | payroll | \$ | 221.58 |
| Finance Office | payroll | \$ | 2,224.00 |
| Govt Bldg | payroll | \$ | 18.71 |
| Police | payroll | \$ | 4,874.62 |
| Streets | payroll | \$ | 5,043.75 |
| Sewer | payroll | \$ | 1,666.77 |
| Water | payroll | \$ | 1,667.12 |
| Transit | payroll | \$ | 221.58 |
| Clubhouse | payroll | \$ | 528.00 |
| Library | payroll | | |
| EFTPS | payroll taxes | \$ | 4,001.81 |
| SD Retirement | Employee Retirement | \$ | 3,788.58 |
| Child Support Pymt Ctr | Child Support | \$ | 352.62 |
| 12/30/2022 | | | |
| | Vacation Buy Out | | |
| Finance Office | payroll | \$ | 132.60 |
| Police | payroll | \$ | 1,775.84 |
| Streets | payroll | \$ | 1,281.83 |
| Sewer | payroll | \$ | 545.32 |
| Water | payroll | \$ | 545.45 |
| EFTPS | Payroll Taxes | \$ | 954.46 |

JANUARY CLAIMS (01 23 CLMS)

| | | | |
|---------------------------|---------------------|----|-----------|
| IMEG | annual inspections | \$ | 3,200.00 |
| Clark Chamber of Commerce | annual membership | \$ | 1,500.00 |
| SDML Work Comp Fund | 2023 work comp fees | \$ | 12,237.00 |
| Pitney Bowes | meter rental | \$ | 162.00 |
| Wellmark BCBS | insurance | \$ | 5,878.46 |
| Principle Financial Group | insurance | \$ | 42.91 |
| Vision Service Plan | insurance | \$ | 400.98 |
| Delta Dental | insurance | \$ | 1,235.85 |
| Star Laundry | rags and rugs | \$ | 253.93 |
| Milbank Winwater Works | supplies | \$ | 1,497.93 |
| SD Dept of Health | specimen | \$ | 90.00 |
| Quill | supplies | \$ | 54.14 |
| A&B Business Solutions | copier | \$ | 57.00 |

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|-------------------------------------|-----------------------|----|----------|
| Jim Holbeck | room for Wolfgram | \$ | 170.00 |
| Clark Co Historical Society | subsidy | \$ | 577.00 |
| Clark Fire Department | supplies | \$ | 783.05 |
| Sturdevants Auto Value | supplies | \$ | 256.07 |
| Clark County Courier | advertising | \$ | 263.86 |
| Northwestern Energy | utilities | \$ | 7,127.71 |
| Clark Ace Hardware | supplies | \$ | 222.57 |
| SD DANR | 2023 dues | \$ | 50.00 |
| SD Police Chief's Association | 2023 dues | \$ | 97.00 |
| Axon Enterprise, Inc. | support and equipment | \$ | 6,164.11 |
| Dollar General | supplies | \$ | 186.03 |
| Backroads Floral | flowers | \$ | 55.00 |
| WW Tire Service | tires | \$ | 1,576.85 |
| ITC Telephone | utilities | \$ | 621.12 |
| TriTech Software Systems | software | \$ | 2,587.37 |
| Mack's Standard | gas | \$ | 181.05 |
| SD Municipal League | dues | \$ | 1,384.64 |
| U Drive Technology | text tool | \$ | 72.44 |
| Greater Clark Area Community Found. | donations | \$ | 1,012.57 |
| Overdrive | SD Digital Consortium | \$ | 600.00 |
| Clark Community Oil | gas | \$ | 3,965.22 |
| Quill | supplies | \$ | 154.76 |
| Pheasantland Industries | street sign | \$ | 118.22 |
| SD Dept of Revenue | sales tax | \$ | 20.45 |
| SD Dept of Revenue | sales tax | \$ | 65.08 |
| SD Rural Development | sewer loan | \$ | 787.00 |
| SD Rural Development | sewer loan | \$ | 1,307.00 |
| SD Rural Development | water loan | \$ | 908.00 |
| US Bank Corporate Trust | SRF Loan | \$ | 6,940.29 |
| Oscars Machine Shop | repairs | \$ | 2,816.85 |

Payroll

| | | | |
|----------------|---------|----|----------|
| 1/10/23 | | | |
| Mayor | payroll | \$ | 276.92 |
| Finance Office | payroll | \$ | 2,432.30 |
| Govt Bldg | payroll | \$ | 69.22 |
| Police | payroll | \$ | 4,625.97 |
| Streets | payroll | \$ | 4,819.14 |
| Landfill | payroll | \$ | 122.54 |
| Sewer | payroll | \$ | 1,597.29 |
| Water | payroll | \$ | 1,597.60 |
| Transit | payroll | \$ | 395.08 |
| Clubhouse | payroll | \$ | 604.12 |

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|---------|---------------|----|----------|
| Library | payroll | \$ | 589.80 |
| EFTPS | payroll taxes | \$ | 4,010.17 |

Motion # 008-2023 **Approve Operations Manual Changes**
 Motion by Kottke and seconded Zemlicka to approve changes to the operations manual that allows employees to donate sick leave. All members voting yes. Motion carried.

Motion # 009-2023 **Approve Operations Manual for 2023**
 Motion by Hagstrom and seconded by Dohmann to approve the operations manual for 2023. All members voting yes. Motion carried.

Motion # 010-2023 **Resolution #864 Fee Schedule**
 Motion by Hagstrom and seconded Kottke to approve Resolution #864 – fee schedule for 2023. All members voting yes. Motion carried.

RESOLUTION # 864

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 |
| Scan to email..... | \$5.00 |
| NSF charges | maximum allowed by SDCL 57A-3-421 |

Maintenance:

| | |
|--|------------|
| Loader with operator..... | \$125/hour |
| Motor grader/blade with operator | \$125/hour |
| Semi with operator..... | \$125/hour |
| Dump truck with operator..... | \$80/hour |
| Skid loader with operator..... | \$85/hour |
| Operator only | \$50/hour |
| Mowing, rider | \$60/hour |
| Mowing, tractor & rotary | \$85/hour |
| After hours dump fee | \$50.00 |

Zoning:

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

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

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

Dated this 9th day of January 2023.

Kerry Kline, Mayor

ATTEST:

Alaina Wellnitz, Finance Officer

Public Hearing – Resolution #865

A public hearing was held with regards to Resolution #865, a resolution to lease the retention pond cropland to Jason McHenry and Cody Wookey. No one spoke in favor or against the resolution.

Motion # 011-2023

Resolution #865

Motion by Zemlicka and seconded by Dohmann to pass Resolution #865. All members voting yes. Motion carried.

RESOLUTION # 865

A RESOLUTION TO AUTHORIZE THE LEASE OF CERTAIN REAL ESTATE HELD BY THE CITY OF CLARK, TO CODY WOOKEY AND JASON MCHENRY AND TO DESIGNATE THE MAYOR AS THE SIGNATORY FOR ALL DOCUMENTS RELATING TO THE LEASING OF SAID REAL ESTATE.

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

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

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

WHEREAS, Cody Wookey and Jason McHenry, desire to lease a portion of the above-described property from the City of Clark;

WHEREAS, the City of Clark desires to lease a portion of the above described property to Cody Wookey and Jason McHenry;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark, South Dakota, forthwith enter a contract for the lease of the above-referenced real estate, upon those terms and conditions, and for the consideration as contained in the lease agreement on file with the City Finance Office;

AND BE IT FURTHER RESOLVED, that Kerry Kline, Mayor of the City of Clark, is hereby

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authorized and directed to execute all documents and take whatever other action he may deem necessary to consummate the lease of above described real estate.

Kerry Kline, Mayor
City of Clark, South Dakota

ATTEST:

Alaina Wellnitz, City Finance Officer

Annexation Study

The 2016 Annexation Study was discussed. It was decided that the city would move forward with possibly annexing some of the suggested properties.

Motion # 012-2023

Adjourn

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

Meeting adjourned at 7:39 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

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**City of Clark Board of Adjustment Meeting
February 6th, 2023 at 7PM**

Call to order: The Clark City Board of Adjustment met in session on February 6th, 2023 at 7:00 pm in the City Hall Council Room.

Board of Adjustment Members Present: Andrew Zemlicka, Shane Hagstrom, Nick Dalton, Brandon Kottke, Derrick Dohmann, and Melissa Nesheim.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Emily Yexley, Darin Altfillisch, Dala Albright, Rocky & John Guest, Aly McNamara, Luke Mueller, Darren Lewis, and Kristin Vandersnick.

Mayor Kerry Kline called the Board of Adjustment Meeting to order at 7:00pm.

Wookey's Variance

Gayle Wookey applied for a variance to use the following property, Lots 1 through 10, Block 12, Hoskins Addition (700 North Smith Street) in the following manner: to place a storage shed closer than the street setback of 47.5 feet. All required notices have been published and mailed. No opposition was heard. Dala Albright spoke on behalf of Gayle Wookey. Board finds applicant meets requirements of Clark City Code.

Motion by Dohmann and seconded by Hagstrom to approve the variance. All members voting yes. Motion carried.

Meeting adjourned at 7:05pm.

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Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

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**City of Clark Council Meeting
February 6th, 2023 at 7:00 PM**

Call to order: The Clark City Council met in session on February 6th, 2023 at 7:00 pm in the City Hall Council Room.

Council Members Present: Andrew Zemlicka, Shane Hagstrom, Nick Dalton, Brandon Kottke, Derrick Dohmann, and Melissa Nesheim.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Police Chief Jeremy Wellnitz, Emily Yexley, Darin Altfillisch, Rocky & John Guest, Aly McNamara, Luke Mueller, Darren Lewis, and Kristin Vandersnick.

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

Motion # 013-2023

Adopt Agenda

Motion by Nesheim and seconded by Kottke to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Public Input

Andrew Zemlicka asked the council to consider giving the HS Junior Class a discount to use to the Golf Course Clubhouse for their prom supper. The matter was tabled until March.

Planning & Zoning Brainstorming Session

Luke Mueller from 1st District spearheaded a discussion regarding planning and rezoning the City of Clark. A subcommittee will be selected and meet monthly to compile proposed changes to the current ordinance in an effort to rewrite the zoning book.

Public Hearing - Malt Beverage License

A public hearing was held for a malt beverage license for Hooker's Bait and Tackle. No opposition was heard.

Motion # 014-2023

Hooker's Bait and Tackle Malt Beverage License

Motion by Dohmann and seconded by Hagstrom to approve the application for a malt beverage license for Hooker's Bait and Tackle. All members voting yes. Motion carried.

Emerald Ash Bore

Darren Lewis spoke to the council about the spread of the Emerald Ash Bore and projections for when it will likely show up in Clark County. He suggested the city get ahead of the spread by taking down the boulevard trees so landowners can work on the trees in their yard with more ease.

Infrastructure First Project

Kristin Vandersnick from Choose Clark County presented a grant opportunity from the Governor's Office of Economic Development. The Infrastructure First Project helps small communities develop a Capital Improvement Plan. After much discussion, the council decided

not to apply for the grant. Vandersnick also discussed the Hotel Feasibility Study that was done in the fall/winter of 2022 as well as other projects Choose Clark County has been working on.

Motion # 015-2023

Department Updates – Pool Renovation

Finance Officer Wellnitz spoke about the pool renovation. Burbach Aquatics out of Platteville, Wisconsin has been in contact with Wellnitz and sent a proposal for the beginning stages of a renovation. Motion by Nesheim and seconded by Hagstrom to hire Burbach Aquatics for a technical evaluation of the Clark pool. All members voting yes. Motion carried.

Motion # 016-2023

Department Updates - Vehicles

Police Chief Wellnitz and Public Works Supervisor Darin Altfillisch discussed the need for three new vehicles between their two departments: one police squad and two new trucks for the street department. The current manufacturing schedule and bidding procedures was discussed. Motion by Nesheim and seconded by Dohmann to allow the police department and street department to apply for three new vehicles. All members voting yes. Motion carried.

Department Updates

Altfillisch asked the council if he could be reimbursed or if the City could start buying the ammo he uses to kill muskrats at the ponds. Salt sanding for businesses was also discussed and the council decided to start charging for that service. Altfillisch will have a representative from Westside Implement come to the March meeting to discuss the new tractor Altfillisch wishes to purchase.

Motion # 017-2023

Clark Meter Installation Project

Motion by Dalton and seconded by Zemlicka for the tentative award for the Clark Meter Installation Project, Base Bid is made to Forest Excavation, Clark, SD in the amount of \$199,350.00 contingent upon funding agency approval. All members voting yes. Motion carried.

Motion # 018-2023

Approve Meeting Minutes

Motion by Nesheim and seconded by Kottke to approve the January meeting minutes. All members voting yes. Motion carried.

Motion # 019-2023

Approve Financials

Motion by Dalton and seconded by Dohmann to approve the monthly financial statements. All members voting yes. Motion carried.

Motion # 020-2023

Approve Claims

Motion by Hagstrom and seconded by Kottke to approve the following claims. All members voting yes. Motion carried.

JANUARY CLAIMS (01 22 CLMS2)

| # | To | For | Amount |
|-------|-------------------------------|-----------------|--------------|
| 2813 | City of Clark | utilities | \$ 216.32 |
| 30184 | South Dakota 811 | locates | \$ 31.50 |
| 30185 | Cook's Wastepaper & Recycling | January garbage | \$ 7,587.90 |
| 30186 | Clark Rural Water System | materials | \$ 15,084.80 |

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|-------|-------------------------------|-----------------------|----|----------|
| 30187 | Heiman, Inc. | reissue check | \$ | 294.00 |
| 30188 | Midwest Alarm Company | security | \$ | 275.49 |
| 30189 | Cook's Wastepaper & Recycling | dumpsters | \$ | 222.05 |
| 30190 | Alaina Wellnitz | mileage reimbursement | \$ | 30.60 |
| 2815 | Amazon Capital Services | books | \$ | 250.10 |
| 2819 | A & B Business Solution | copier | \$ | 57.00 |
| 2820 | Amazon Capital Services | supplies | \$ | 269.85 |
| 30193 | Northwestern Energy | utilities | \$ | 8,403.28 |

1/24/23 Payroll

| | | | | |
|-------|------------------------------|---------------------|----|----------|
| | Mayor | payroll | \$ | 226.92 |
| | Finance Office | payroll | \$ | 2,304.41 |
| | Govt Bldg | payroll | \$ | 152.41 |
| | Police | payroll | \$ | 4,233.68 |
| | Streets | payroll | \$ | 4,343.69 |
| | Landfill | payroll | \$ | 1,477.62 |
| | Sewer | payroll | \$ | 1,477.92 |
| | Water | payroll | \$ | 419.10 |
| | Transit | payroll | \$ | 127.93 |
| | Clubhouse | payroll | \$ | 353.70 |
| | Library | payroll | \$ | 572.00 |
| 2816 | EFTPS | Payroll Taxes | \$ | 3,636.34 |
| 30191 | Child Support Payment Center | Child Support | \$ | 352.62 |
| 30192 | SD Retirement Systems | Employee Retirement | \$ | 3,932.78 |

FEBRUARY CLAIMS (02 23 CLMS)

| | | | |
|-----------------------------------|----------------------|----|----------|
| Wellmark BCBS | insurance | \$ | 5,878.46 |
| Ellwein Brothers | liquor | \$ | 375.60 |
| First District Association | 2023 Dues | \$ | 1,500.00 |
| Star Laundry | rags and rugs | \$ | 256.98 |
| Principal Financial Group | insurance | \$ | 42.91 |
| Vision Service Plan | insurance | \$ | 400.98 |
| Delta Dental | insurance | \$ | 1,235.85 |
| Creative Printing | supplies | \$ | 308.12 |
| SD Rural Development | loan | \$ | 908.00 |
| SD Rural Development | loan | \$ | 1,307.00 |
| SD Rural Development | loan | \$ | 787.00 |
| Northwestern Energy | utilities | \$ | 57.77 |
| Mid-States Organized Crime Center | 2023 Membership Dues | \$ | 100.00 |
| Kustom Signals | radar guns | \$ | 2,825.00 |
| Pitney Bowes | postage ink | \$ | 132.79 |

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| | | | |
|--------------------------|-------------------------|----|----------|
| Alaina Wellnitz | training reimbursement | \$ | 227.12 |
| U Drive Technology | text tool | \$ | 50.00 |
| WW Tire Service | tires | \$ | 1,322.00 |
| Quill | supplies | \$ | 582.69 |
| AT&T | utilities | \$ | 126.04 |
| Amazon Capital Services | headphones | \$ | 86.74 |
| Cardmember Services | credit card purchases | \$ | 241.10 |
| Mack's Standard | gas | \$ | 257.95 |
| Darin Altfillisch | reimbursement | \$ | 20.00 |
| Ken's Food Fair | concessions | \$ | 106.97 |
| Sturdevant's | supplies | \$ | 343.43 |
| Detectachem | drug test kits | \$ | 380.00 |
| ITC | utilities | \$ | 620.82 |
| Clark County Courier | advertising | \$ | 487.02 |
| Butler Machinery Company | inspection | \$ | 570.00 |
| Clark Community Oil | gas and propane | \$ | 2,313.63 |
| Language Link | interpretation services | \$ | 55.75 |
| Guardian Fleet Safety | mounts | \$ | 100.00 |
| Westside Implement, Inc. | payloader repairs | \$ | 381.57 |
| JW Roll Off Service | roll offs | \$ | 350.60 |
| Oscars Machine Shop | dump truck | \$ | 4,483.25 |

2/7/23 Payroll

| | | | |
|----------------|---------------|----|----------|
| Mayor | payroll | \$ | 276.92 |
| Finance Office | payroll | \$ | 2,381.99 |
| Govt Bldg | payroll | \$ | 130.18 |
| Police | payroll | \$ | 4,114.42 |
| Streets | payroll | \$ | 4,444.57 |
| Sewer | payroll | \$ | 1,490.52 |
| Water | payroll | \$ | 1,490.80 |
| Transit | payroll | \$ | 847.73 |
| Clubhouse | payroll | \$ | 122.75 |
| Parks | payroll | \$ | 183.60 |
| Library | payroll | \$ | 591.50 |
| EFTPS | Payroll Taxes | \$ | 3,607.71 |

Motion # 021-2023

Adjourn

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

Meeting adjourned at 8:58 PM.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
March 6th, 2023 at 7:00 PM**

Call to order: The Clark City Council met in session on March 6th, 2023 at 7:00pm in the City Hall Council Room.

Council Members Present: Derrick Dohmann, Shane Hagstrom, Brandon Kottke, Melissa Nesheim, and Andrew Zemlicka. Not present was Nick Dalton.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Darin Altfillisch, Emily Yexley, Kyle Gaikowski, Craig Spieker, and Tammy Rusher.

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

Motion # 022-2023

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

There was no public input.

Mayor & Department Updates

Mayor Kline started off with an election update. Hagstrom, Nesheim, Dalton, and Mayor Kline all ran unopposed and will remain on the council for 3 more years. Kyle Gaikowski presented different options for a new tractor for the street department and the golf course. Altfillisch spoke about the snow piles in town. Currently, contractors that are hired to move snow for private businesses are dumping snow onto the city's piles at no charge from the city. Altfillisch would like to stop this practice or start billing contractors for the removal of snow. The topic was tabled until next month. Finance Officer Wellnitz told the council the skating rink is closed for the season and the new floors in the Ulyot Building are almost complete. Golf Course Manager Tammy Rusher said the clubhouse will be opening in mid-April with spring hours. The new golf carts are in and new scorecards are being ordered.

Motion # 023-203

Approve Department Updates

Motion by Nesheim seconded by Hagstrom to approve the department updates. All members voting yes. Motion carried.

Field Sponsorship

Craig Spieker spoke to the council about Dakota Style Field. Dakota Style reduced their donation to the field to \$2,000 and The Rotary wanted the City's blessing to keep the field named after Dakota Style. The council had no issues with that.

1st District – PDM Updates

Payton Carda from 1st Districts appeared via phone to go over disaster funding updates, a FEMA requirement that allows the city to be eligible for disaster relief funding.

Football Team Fundraising Request

FO Wellnitz spoke on behalf of CWL football coach Dave Severson. Severson volunteered his team to pick up branches on the golf course and the city parks. Severson asked that in return, the

city monetarily donate to the football team. The council agreed to donate a minimum of \$500 but the final amount will be determined after the clean-up is completed.

Motion # 024-2023 **Authorization for Mayor to sign Fuel Site Use Agreement**
Motion by Kottke and seconded by Melissa to authorize Mayor Kline to sign the Fuel Site Use Agreement. This agreement allows the city to use state fuel sites for gasoline in city equipment. All members voting yes. Motion carried.

Motion # 025-2023 **2023 Dump Fees**
Motion by Zemlicka and seconded by Dohmann to approve the updated dump fees for 2023. All members voting yes. Motion carried.

Motion # 026-2023 **Pool Manager Pay**
Staffing and pay at the city pool was discussed. Motion by Dohmann and seconded by Zemlicka to increase the Pool Manager pay to \$16.00 an hour. All members voting yes. Motion carried.

Motion # 027-2023 **Summer Recreation Fees and Coaches**
Motion by Nesheim and seconded by Dohmann to approve the 2023 pool fees, golf fees, and summer ball fees. All members voting yes. Motion carried.

Motion # 028-2023 **Pro Pheasants Liquor License**
Motion by Kottke and seconded by Dohmann to approve the special event liquor license for the Pro Pheasants on March 24th for the hours of 6:00pm and midnight. All members voting yes. Motion carried.

Motion # 029-2023 **2nd Chance Prom Liquor License**
Motion by Kottke and seconded by Hagstrom to approve the special event liquor license for the 2nd Chance Prom on April 1st for the hours of 5:00pm and midnight. All members voting yes. Motion carried.

Motion # 030-2023 **Approve February Meeting Minutes**
Motion by Nesheim and seconded by Kottke to approve the February meeting minutes. All members voting yes. Motion carried.

Motion # 031-2023 **Approve Financial Statements**
Motion by Hagstrom and seconded by Zemlicka to approve the monthly financial statements. All members voting yes. Motion carried.

Motion # 032-2023 **Approve Claims**
Motion by Dohmann and seconded by Kottke to approve the following claims. All members voting yes. Motion carried.

FEBRUARY CLAIMS

| # | To | For | Amount |
|-------|------------------------------|------------|--------------|
| 2232 | US Bank Corporate Trust | SRF Loan 2 | \$ 25,016.47 |
| 30219 | Clark Co. Historical Society | subsidy | \$ 577.00 |

2023 City of Clark Meeting Minutes

| | | | |
|-------|--------------------------|-----------------------|--------------|
| 2826 | SD Dept. of Revenue | sales tax | \$ 17.72 |
| 2827 | SD Dept. of Revenue | sales tax | \$ 219.65 |
| 2828 | City of Clark | utilities | \$ 257.27 |
| 30220 | Clark Ace Hardware | supplies | \$ 556.77 |
| 2830 | Amazon Capital Services | supplies | \$ 132.30 |
| 30221 | Clark Rural Water System | materials | \$ 15,486.60 |
| 30222 | Cooks Wastepaper | February garbage | \$ 7,549.88 |
| 30223 | Cooks Wastepaper | dumpsters | \$ 255.25 |
| 30226 | Northwestern Energy | utilities | \$ 611.67 |
| 30227 | Cardmember Services | credit card purchases | \$ 850.36 |
| 30228 | Northwestern Energy | utilities | \$ 8,685.28 |
| 2838 | Amazon Capital Services | supplies | \$ 348.35 |
| 2839 | Dacotah Bank | service charge | \$ 60.00 |
| 2840 | FuturePOS | credit card fees | \$ 58.48 |

2/21/2023 Payroll

| | | |
|----------------|---------|-------------|
| Mayor | payroll | \$ 226.92 |
| Finance Office | payroll | \$ 2,410.43 |
| Govt Bldg | payroll | \$ 104.78 |
| Police | payroll | \$ 4,064.42 |
| Streets | payroll | \$ 4,361.49 |
| Sewer | payroll | \$ 1,557.60 |
| Water | payroll | \$ 1,557.89 |
| Transit | payroll | \$ 358.78 |
| Clubhouse | payroll | \$ 69.75 |
| Parks | payroll | \$ 491.40 |
| Library | payroll | \$ 572.00 |

| | | | |
|-------|------------------------------|---------------------|-------------|
| 2832 | EFTPS | Payroll Taxes | \$ 3,674.04 |
| 30225 | Child Support Payment Center | Child Support | \$ 352.62 |
| 30224 | SD Retirement Systems | Employee Retirement | \$ 3,801.90 |

MARCH CLAIMS

| | | |
|---------------------------|-------------------------|-------------|
| Wellmark BCBS | insurance | \$ 5,878.46 |
| Forest Excavating | services | \$ 6,223.98 |
| J & J Heating | new heater at City Shop | \$ 2,559.20 |
| Dakota Butcher | concessions | \$ 77.46 |
| Sign Pro | golf cart stickers | \$ 195.00 |
| Pitney Bowes | postage | \$ 1,520.99 |
| Principal Financial Group | insurance | \$ 42.91 |
| A&B Business Solution | copier | \$ 75.84 |
| Vision Service Plan | insurance | \$ 400.98 |
| Delta Dental | insurance | \$ 1,235.85 |

2023 City of Clark Meeting Minutes

| | | | |
|------------------------------------|--------------------------|----|----------|
| SD Dept of Health | specimen | \$ | 15.00 |
| Intoximeters | supplies | \$ | 325.00 |
| Star Laundry | rags and rugs | \$ | 341.83 |
| Quill | supplies | \$ | 60.57 |
| Jeremy Wellnitz | deductible reimbursement | \$ | 1,650.92 |
| AT&T Mobility | utilities | \$ | 68.45 |
| Mack's Standard | gas | \$ | 351.55 |
| Core & Main | software | \$ | 7,956.25 |
| Clark County Courier | advertising | \$ | 165.14 |
| SD Federal Property Agency | supplies | \$ | 44.00 |
| Northwestern Energy | utilities | \$ | 366.21 |
| A-I Computer Solutions | software | \$ | 250.00 |
| Clark ACE Hardware | supplies | \$ | 247.20 |
| Kens Food Fair | concessions | \$ | 13.88 |
| SD Rural Development | Sewer 1 loan | \$ | 787.00 |
| SD Rural Development | Sewer 2 loan | \$ | 1,307.00 |
| SD Rural Development | Water loan | \$ | 908.00 |
| Clark Co. Historical Society | subsidy | \$ | 577.00 |
| Westside Implement | parts | \$ | 28.44 |
| U Drive Technology | text tool | \$ | 50.20 |
| South Dakota Sheriff's Association | conference fees | \$ | 115.00 |
| Interstate Telephone Co. | utilities | \$ | 606.81 |
| SD Assoc. of Code Enforcement | 2023 dues | \$ | 75.00 |
| SD Governmental FO Assoc. | 2023 dues | \$ | 70.00 |
| SD Human Resources Assoc. | 2023 dues | \$ | 50.00 |
| Sturdevant's | parts | \$ | 350.21 |
| Payroll | | | |
| Mayor | payroll | \$ | 276.92 |
| Finance Office | payroll | \$ | 2,371.40 |
| Govt Bldg | payroll | \$ | 104.78 |
| Police | payroll | \$ | 4,821.17 |
| Streets | payroll | \$ | 5,269.61 |
| Sewer | payroll | \$ | 1,567.03 |
| Water | payroll | \$ | 1,567.34 |
| Transit | payroll | \$ | 311.16 |
| Clubhouse | payroll | \$ | 308.28 |
| Library | payroll | \$ | 588.25 |
| EFTPS | Payroll Taxes | \$ | 3,836.75 |

April Meeting Date

The April meeting date was set for Tuesday, April 4th at 7:00PM.

Special March Meeting

The next council meeting will be March 20th at 7:00PM so the Board of Equalization can meet to discuss 2023 assessment roles.

Motion # 033-2023

Adjourn

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

Meeting adjourned at 9:09 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Board of Equalization Meeting
March 20th, 2023**

Call to order: The Clark City Council and School Board President Bob Steffen met in session on March 20th, 2023 at 7:00 pm in the City Hall Council Room as the Board of Equalization.

Council Members Present: Derrick Dohmann, Brandon Kottke, Andrew Zemlicka, Melissa Nesheim, Shane Hagstrom and School Board President Bob Steffens. Nick Dalton was absent.

Others Present: Mayor Kerry Kline and Finance Officer Alaina Wellnitz.

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

Parcel 5219: Lot 12, Block 6, Original Clark.

Owner Chelsi Paulson (not present), appealing structure value. Director of Equalization Jarvis Reidburn (not present) provided thoughts to Shane Hagstrom and agreed to lower the value until the property remodel was finished.

Motion by Hagstrom and seconded by Nesheim to send the appeal to the county. All members voting yes. Motion carried.

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

Meeting adjourned at 7:13pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
March 20th, 2023**

Call to order: The Clark City Council met in session on March 20th, 2023 at 7:00 pm in the City Hall Council Room.

Council Members Present: Brandon Kottke, Derrick Dohmann, Shane Hagstrom, Melissa Nesheim, and Andrew Zemlicka. Not present was Nick Dalton.

Others Present: Mayor Kerry Kline and Finance Officer Alaina Wellnitz.

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

Motion # 034-2023

Adopt Agenda

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

Public Input

Brandon Kottke asked the council about having employees reimburse the city for use of city equipment. Mayor Kline will look into what was done in the past and have an answer at the next meeting.

Motion # 035-2023

Accept Resignation

Motion by Zemlicka and seconded by Dohmann to accept the resignation of Eric Brush. All members voting yes. Motion carried.

Motion # 036-2023

Adjourn

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

Meeting adjourned at 7:27pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
April 4th, 2023**

Call to order: The Clark City Council met in session on April 4th, 2023 at 7:00 pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Melissa Nesheim, Brandon Kottke and Andrew Zemlicka.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Anna Kirkeby, Darin Altfillisch, and Police Chief Jeremy Wellnitz.

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

Motion # 037-2023

Adopt Agenda

Motion by Hagstrom and seconded by Dalton to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

There was no public input.

St. Paul Lutheran Church Parking

Anna Kirkeby spoke to the council about the need for parallel parking on the north side of St. Paul Lutheran Church. The council saw no issue with her request and will order the appropriate street signs.

Mayor & Department Updates

Melissa Nesheim spoke on behalf of the new pool manager, Angie Graves, and gave the council pool updates. Derrick Dohmann spoke on behalf of Tammy Rusher and advised that the golf course clubhouse will open on April 16th. He requested a discounted rate for memberships on that day only and the council agreed on a 10% discount to incentivize membership purchases for that day. Summer Recreation Sign Up is April 6th from 5pm to 6:30pm.

Motion # 038-2023

Approve Meeting Minutes

Motion by Hagstrom and seconded by Zemlicka to approve the March meeting minutes. All members voting yes. Motion carried.

Motion # 039-2023

Approve Financials

Motion by Kottke and seconded by Dohmann to approve the financial reports. All members voting yes. Motion carried.

Motion # 040-2023

Approve Claims

Motion by Zemlicka and seconded by Kottke to approve the following claims. All members voting yes. Motion carried.

MARCH CLAIMS (03 23 CLMS2)

| # | To | For | Amount |
|--------------------------|------------------------------|----------------------|--------------|
| 30255 | Clark Community Oil Company | gas | \$ 3,006.64 |
| 30256 | Cooks Wastepaper | dumpsters | \$ 60.77 |
| 30268 | New Tech Bio, Inc. | AquaShade | \$ 2,634.00 |
| 30257 | Clark Rural Water System | materials | \$ 11,161.10 |
| 30258 | Dougs Service and Marine | repairs | \$ 3,164.77 |
| 30529 | Clark Building Center | signs | \$ 60.77 |
| 30261 | 212 Truck & Trailer | repairs | \$ 2,780.66 |
| 2843 | City of Clark | utilities | \$ 222.17 |
| 30260 | Clark Building Center | ice melt | \$ 425.81 |
| 2844 | SD Dept of Revenue | sales tax | \$ 18.43 |
| 2845 | SD Dep of Revenue | sales tax | \$ 13.70 |
| 2846 | Quill | supplies | \$ 149.93 |
| 30267 | Northwestern Energy | utilities | \$ 567.06 |
| 30263 | Grace Adam | water deposit refund | \$ 61.57 |
| 30262 | City of Clark | utilities | \$ 88.43 |
| 30264 | Cooks Wastepaper | March garbage | \$ 7,565.04 |
| 2853 | Amazon Capital Services | supplies | \$ 579.92 |
| 2857 | Dacotah Bank | service charges | \$ 30.00 |
| 2858 | Future POS | credit card fees | \$ 63.53 |
| 3/21/2023 Payroll | | | |
| | Mayor | payroll | \$ 226.92 |
| | Finance Office | payroll | \$ 2,320.72 |
| | Govt Bldg | payroll | \$ 114.30 |
| | Police | payroll | \$ 4,276.00 |
| | Streets | payroll | \$ 4,572.79 |
| | Sewer | payroll | \$ 1,520.75 |
| | Water | payroll | \$ 1,521.05 |
| | Transit | payroll | \$ 565.16 |
| | Clubhouse | payroll | \$ 265.13 |
| | Library | payroll | \$ 631.45 |
| 2832 | EFTPS | Payroll Taxes | \$3,708.91 |
| 30225 | Child Support Payment Center | Child Support | \$352.62 |
| 30224 | SD Retirement Systems | Employee Retirement | \$3,886.46 |

APRIL CLAIMS (04 23 CLMS)

| | | |
|------------------------|---------------|-------------|
| TreeTop Products, Inc | picnic tables | \$ 4,717.06 |
| A-I Computer Solutions | software | \$ 319.99 |
| Dakota Butcher | concessions | \$ 77.46 |

2023 City of Clark Meeting Minutes

| | | | |
|------------------------------|-----------------------|----|----------|
| Pitney Bowes Supplies | meter rental | \$ | 162.00 |
| Wellmark BCBS | insurance | \$ | 5,878.46 |
| US Bank Corporate Trust | SRF loan | \$ | 6,940.29 |
| SD Rural Development | water loan | \$ | 908.00 |
| SD Rural Development | sewer loan | \$ | 1,307.00 |
| SD Rural Development | sewer loan | \$ | 787.00 |
| Colleen Hohm | CPR Training | \$ | 300.00 |
| Vision Service Plan | insurance | \$ | 400.98 |
| Principal Financial Group | insurance | \$ | 42.91 |
| Tara Thomas | training | \$ | 55.31 |
| Star Laundry | rags and rugs | \$ | 253.80 |
| Cardmember Services | credit card purchases | \$ | 921.44 |
| SD Dept of Health | specimen | \$ | 30.00 |
| Delta Dental | insurance | \$ | 1,235.85 |
| AT&T Mobility | utilities | \$ | 125.44 |
| Darin Altfillisch | ammo | \$ | 326.00 |
| Ecolab | pest removal | \$ | 94.76 |
| Jim Holbeck | room | \$ | 255.00 |
| A & B Business Solutions | copier | \$ | 65.55 |
| Quill | supplies | \$ | 122.37 |
| Woodring Plumbing | toilet replacement | \$ | 1,045.92 |
| Northwestern Energy | utilities | \$ | 8,591.84 |
| Oscar's Machine Shop | repairs | \$ | 225.68 |
| Midwest Alarm Company | battery | \$ | 56.50 |
| Clark Co. Historical Society | subsidy | \$ | 577.00 |
| Clark Building Center | supplies | \$ | 32.24 |
| VGM Financial Services | golf cart lease | \$ | 1,903.15 |
| Mack's Standard | supplies | \$ | 592.85 |
| Sturdevant's Auto Value | supplies | \$ | 134.04 |
| Nate Nickeson | window tint | \$ | 117.15 |
| Efraimson Electric | repairs | \$ | 150.51 |
| Clark County Courier | advertising | \$ | 311.69 |
| Banyon Data System | software | \$ | 2,075.00 |
| Interstate Telephone Co. | utilities | \$ | 597.06 |

Hay Ground Auction

Jason Foster was present via telephone to bid on baling the city owned hay land which consists of 30 acres, commonly referred to as the “East Pasture”, and 20 acres by the retention pond. Foster bid \$3000 for the East Pasture and \$1500 for the retention pond hay land.

Motion # 041-2023

East Pasture Hay Land Agreement

Motion by Hagstrom and seconded by Nesheim to approve the bid from Jason Foster for \$3000 to bale the East Pasture and authorize Mayor Kline to sign the lease agreement. All members voting yes. Motion carried.

Motion # 042-2023

Retention Pond Hay Land Agreement

Motion by Kottke and seconded by Zemlicka to approve the bid from Jason Foster for \$1500 to bale the hay land by the retention pond and authorize Mayor Kline to sign the lease agreement. All members voting yes. Motion carried.

Motion # 043-2023

Tractor Purchase

Motion by Zemlicka and seconded by Dohmann to approve the purchase of a new tractor from Westside Implement. All members voting yes. Motion carried.

Motion # 044-2023

Solid Waste Collection Bids

Motion by Nesheim and seconded by Dohmann to accept the bid from Cook’s Wastepaper and Recycling for solid waste collection. All members voting yes. Motion carried.

Water and Sewer Repair Bids

No bids were received for water and sewer repairs. City Attorney Chad Fjelland advised the council that any repairs needed would be hired at an ad hoc basis.

Motion # 045-2023

Adjourn

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

Meeting adjourned at 7:30pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
May 1st, 2023 at 7:00 PM**

Call to order: The Clark City Council met in session on May 1st, 2023 at 7:00 pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Andrew Zemlicka, Melissa Nesheim, and Brandon Kottke.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Police Chief Jeremy Wellnitz, Darin Altfillisch, and Joslyn Hurlbert.

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

Motion # 046-2023 **Adopt Agenda**
Motion by Dohmann and seconded by Hagstrom to adopt the amended agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Motion # 047-2023 **Approve Minutes**
Motion by Zemlicka and seconded by Nesheim to approve the April meeting minutes. All members voting yes. Motion carried.

Motion # 048-2023 **Approve Financials**
Motion by Hagstrom and seconded by Kottke to approve the financial reports. All members voting yes. Motion carried.

Motion # 049-2023 **Approve April Claims**
Motion by Kottke and seconded by Dohmann to approve the following claims. All members voting yes. Motion carried.

APRIL CLAIMS (04 23 CLMS2)

| # | To | For | Amount |
|-------|-------------------------------|--------------------|-------------|
| 30297 | Doug's Service and Marine | repairs | \$ 2,751.95 |
| 30298 | U Drive Technology | text tool | \$ 57.48 |
| 30299 | Cook's Wastepaper & Recycling | dumpsters | \$ 255.25 |
| 30295 | Stephanie Hagstrom | refund for ball | \$ 27.00 |
| 30296 | Nicole Peckham | refund for ball | \$ 30.00 |
| 30311 | Jeff Peterson | rental | \$ 270.00 |
| 30300 | Clark Ace Hardware | supplies | \$ 430.03 |
| 2864 | Quill | supplies | \$ 6.59 |
| 30301 | Madison Pickrel | meal reimbursement | \$ 14.00 |
| 30302 | Nevaeh Rusher | meal reimbursement | \$ 14.00 |

2023 City of Clark Meeting Minutes

| | | | |
|-------|-------------------------------|-----------------------|--------------|
| 30303 | Ella Wellnitz | mileage and meals | \$ 46.64 |
| 30304 | Angie Graves | mileage and meals | \$ 105.28 |
| 30305 | Cook's Wastepaper & Recycling | April garbage | \$ 7,549.88 |
| 30306 | Clark Rural Water System | materials | \$ 11,091.40 |
| 2865 | City of Clark | utilities | \$ 228.02 |
| 30307 | SD DANR | loan | \$ 1,253.67 |
| 30308 | Clark Community Oil Company | gas | \$ 2,589.92 |
| 30312 | Northwestern Energy | utilities | \$ 563.69 |
| 2867 | SD Dept. of Revenue | sales tax | \$ 43.07 |
| 2868 | SD Dept. of Revenue | sales tax | \$ 55.48 |
| 2871 | Amazon Capital Services | supplies | \$ 560.08 |
| 30313 | Clark Golf Course | GC till reimbursement | \$ 366.54 |
| 30314 | Watertown JO | softball registration | \$ 175.00 |
| 30315 | Tiffany Wheeler | water deposit refund | \$ 52.33 |
| 30316 | City of Clark | applied water deposit | \$ 47.67 |
| 30317 | Watertown JO | softball registration | \$ 175.00 |
| 30318 | Watertown JO | softball registration | \$ 175.00 |

Payroll

| | | | |
|--|----------------|---------|-------------|
| | Mayor | payroll | \$ 261.64 |
| | Finance Office | payroll | \$ 2,316.89 |
| | Govt Bldg | payroll | \$ 130.18 |
| | Police | payroll | \$ 5,160.50 |
| | Streets | payroll | \$ 2,812.90 |
| | Sewer | payroll | \$ 1,498.56 |
| | Water | payroll | \$ 1,498.85 |
| | Transit | payroll | \$ 222.25 |
| | Pool | payroll | \$ 564.38 |
| | Clubhouse | payroll | \$ 1,361.22 |
| | Library | payroll | \$ 568.75 |

| | | | |
|-------|------------------------------|---------------------|------------|
| 2866 | EFTPS | Payroll Taxes | \$3,664.28 |
| 30310 | Child Support Payment Center | Child Support | \$352.62 |
| 30309 | SD Retirement Systems | Employee Retirement | \$3,709.34 |

Oaths of Office

Finance Officer Wellnitz and Mayor Kline gave oaths of office to Kerry Kline, Shane Hagstrom, Melissa Nesheim, and Nick Dalton.

Mayor Kline called to order the 2023 City Council.

Motion # 050-2023

Approve Mayor Appointments

Motion by Nesheim and seconded by Zemlicka to approve the mayoral appointments for 2023. All members voting yes. Motion carried.

**Year 2023
Mayor Kerry Kline Appointments**

| | |
|--|-----------------|
| Streets, Alleys, Sidewalks | Brandon Kottke |
| American Disabilities Act..... | Nick Dalton |
| Pool..... | Melissa Nesheim |
| Rubble Site..... | Nick Dalton |
| City Parks..... | Melissa Nesheim |
| Water & Sewer | Brandon Kottke |
| Fire Dept. | Shane Hagstrom |
| Zoning Officer..... | Shane Hagstrom |
| Finance Office..... | Derrick Dohmann |
| Liquor Officer..... | Derrick Dohmann |
| Med Van..... | Andrew Zemlicka |
| Recreation Director, Softball & Baseball Complex | Melissa Nesheim |
| Farm Land Lease | Andrew Zemlicka |
| Government Buildings..... | Nick Dalton |
| Golf Course/Clubhouse | Derrick Dohmann |
| Code Official..... | Alaina Wellnitz |
| City Attorney..... | Chad Fjelland |
| Health Officer | Louann Streff |
| Police Chief | Jeremy Wellnitz |
| Emergency Management | Jeremy Wellnitz |
| Hispanic Liaison | Wanda Torres |

Library Board (3 year term)

Patty Rosenau –2024
Mona Marshall –2025
Chris Jenkins – 2023
Brenda Jenkins – 2023
Melissa Nesheim – 2023
Barb Pollock, President – 2023

Clark Housing & Redevelopment Board (5 year term)

Jon Moeller – 2027
Desi Lamb – 2024
Trevor Forrest – 2025
Terry Schlagel – 2026
Shannon Huber, Secretary – 2025

Park Board

Rae Jean Flora
Deb Schlagel
Alaina Wellnitz

IPMC Code Board of Appeals

Shane Hagstrom
Nick Dalton
Derrick Dohmann
Melissa Nesheim
Andrew Zemlicka

Brandon Kottke, alternate

Motion # 051-2023 **Elect President**
 Motion by Hagstrom and seconded by Nesheim to nominate Andrew Zemlicka as Council President. All members voting yes. Motion carried.

Motion # 052-2023 **Elect Vice President**
 Motion by Nesheim and seconded by Hagstrom to nominate Brandon Kottke as Council Vice President. All members voting yes. Motion carried.

Public Input

Mayor Kline advised the council that Don Greenfield asked to be on the agenda for June to talk about selling fireworks.

Motion # 053-2023 **Farmers Market**
 Joslyn Hurlbert spoke to the council about starting up the Farmers Market again. Farmers Market will be held on Commercial Street (from Backroads Floral to Dacotah Bank alley) on the 2nd and 4th Tuesday of every month from June to October. Motion by Kottke and seconded by Nesheim to allow Farmers Market at the above location and dates. All members voting yes. Motion carried.

Coffee Cart

Alaina Wellnitz spoke on behalf of Julie McElhone and Kaden Binger. They were asking to use the Community Room kitchen for Kaden’s Coffee Cart throughout the summer. The council agreed to allow this at no charge.

Motion # 054-2023 **Lewis Drug Lease Agreement**
 Motion by Nesheim and seconded by Dohmann to approve the 5-year lease agreement for Lewis Drug at the rate of \$350 a month. All members voting yes. Motion carried.

Motion # 055-2023 **Approve May Claims**
 Motion by Kottke and seconded by Hagstrom to approve the following claims. All members voting yes. Motion carried.

MAY CLAIMS (05 23 CLMS)

| | | |
|---------------------------|----------------|-------------|
| Wellmark BCBS | insurance | \$ 5,878.46 |
| South Dakota 811 | locates | \$ 7.35 |
| Dakota Pump Inc | repairs | \$ 1,874.91 |
| RNDC | liquor | \$ 474.04 |
| Midwest Alarm Company | alarms | \$ 275.49 |
| SD Human Resource Assoc. | conference fee | \$ 50.00 |
| SD Finance Officer Assoc. | conference fee | \$ 150.00 |
| Black Hill Ammunition | ammo | \$ 669.00 |
| Porter Distributing | liquor | \$ 259.40 |
| Butler Machinery Company | parts | \$ 63.46 |
| Creative Printing | pamphlets | \$ 1,617.41 |
| Vision Service Plan | insurance | \$ 400.98 |
| Chesterman Company | pop | \$ 713.22 |
| Pheasantland Industries | cards | \$ 94.50 |

2023 City of Clark Meeting Minutes

| | | |
|---------------------------|------------------------------|--------------|
| SD Dept of Transportation | keys | \$ 97.34 |
| Quill | supplies | \$ 573.83 |
| US Foods | concessions | \$ 3,170.76 |
| Delta Dental | insurance | \$ 1,235.85 |
| A & B Business Solutions | copier | \$ 65.55 |
| Forest Excavating | gravel and services | \$ 1,045.88 |
| SD Dept of Health | specimen | \$ 30.00 |
| Star Laundry | rags and rugs | \$ 288.00 |
| Principle Financial Group | insurance | \$ 42.91 |
| Van Diest Supply Company | chemical | \$ 104.40 |
| Share Corporation | chemical | \$ 6,788.99 |
| Southern Glazers | liquor | \$ 315.50 |
| Cardmember Services | credit card purchases | \$ 1,076.82 |
| Northwestern Energy | utilities | \$ 7,950.92 |
| Clark County Auditor | non-emergency dispatch srvc. | \$ 4,144.28 |
| Marjorie Lopez | water deposit | \$ 150.00 |
| Dakota Applicators | city hall floors | \$ 13,712.48 |
| Clark County Treasurer | Tango Tango | \$ 634.44 |
| Jeremy Wellnitz | trip reimbursement | \$ 140.00 |
| SD Rural Development | sewer loan | \$ 787.00 |
| SD Rural Development | sewer loan | \$ 1,307.00 |
| SD Rural Development | water loan | \$ 908.00 |
| US Bank Corporate Trust | SRF loan | \$ 25,016.37 |
| RDNC | liquor | \$ 346.90 |
| Francis Dean & Associates | summer ball insurance | \$ 539.10 |
| Joe Medanich | crack sealing | \$ 32,050.00 |
| Macks Standard | gas and tools | \$ 605.58 |
| AT&T Mobility | utilities | \$ 125.39 |
| Two Way Solutions Inc. | radio repairs | \$ 306.99 |
| Sturdevant's | supplies | \$ 327.87 |
| Oscar's Machine Shop | repairs | \$ 3,352.10 |
| Payroll | | |
| Mayor | payroll | \$ 276.92 |
| Finance Office | payroll | \$ 2,463.84 |
| Govt Bldg | payroll | \$ 57.15 |
| Police | payroll | \$ 4,442.36 |
| Code Enforcement | payroll | \$ 50.00 |
| Streets | payroll | \$ 2,933.63 |
| Landfill | payroll | \$ 414.00 |
| Sewer | payroll | \$1,544.72 |
| Water | payroll | \$1,545.00 |

2023 City of Clark Meeting Minutes

| | | | |
|-----------|---------------|----|----------|
| Transit | payroll | \$ | 473.89 |
| Pool | payroll | \$ | 96.00 |
| Clubhouse | payroll | \$ | 3,922.46 |
| Library | payroll | \$ | 614.25 |
| EFTPS | Payroll Taxes | \$ | 4,261.91 |

Department Updates

Melissa Nesheim brought the council up to speed about the new pool manager, Leslie Schlagel. Tentative pool opening date is the 2nd weekend in June. Darin Altfillisch spoke about working on the roads with limited people and materials. He also discussed running water and sewer lines to the Warkenthein property north of Pebble Beach Drive. Altfillisch presented a quote for \$43,000 for a new roof on the clinic. The council would like to get a few more quotes. Shane Hagstrom said the golf course will need a new pump for the main well which has an estimated cost of \$7000-\$9000. Alaina Wellnitz spoke about the summer recreation meeting on May 4th and starting the abatement process again. Police Chief Wellnitz told the council that the south tornado siren is down and he’s waiting for Sharp Electric to look at it.

Motion # 056-2023

Approve Department Updates

Motion by Hagstrom and seconded by Dohmann to approve department updates. All members voting yes. Motion carried.

Dickinson Park Baseball Field

Craig Spieker advised the council that Dacotah Bank and Clark Area Community Foundation both donated \$2500 and would like to rename the baseball field “Dickinson Field.” The council saw no issues with that.

Motion # 057-2023

Use of Capital Outlay Funds

Motion by Nesheim and seconded by Kottke to approve the use of \$14,000 of the government building capital outlay funds to pay for the new floors in the Ulliyot Building. All members voting yes. Motion carried.

Motion # 058-2023

Transfer of Capital Outlay Funds

Motion by Dohmann and seconded by Zemlicka to transfer \$14,000 from the capital outlay fund into the general fund for the new floors. All members voting yes. Motion carried.

Motion # 059-2023

Approve Mayor Signature on Draw Down Request

Motion by Hagstrom and seconded by Dalton to approve the mayor’s signature on the draw down request for use of SRF loan funds. All members voting yes. Motion carried.

Motion # 060-2023

Malt Beverage License Renewal

Motion by Hagstrom and seconded by Kottke to approve the malt beverage license renewals for Heather’s Bistro, Big C, Ken’s Food Fair, El Corral, and Hookers Bait and Tackle. All members voting yes. Motion carried.

Citizen Concerns

A few concerns about the streets in Clark were discussed.

Motion # 061-2023

Executive Session

2023 City of Clark Meeting Minutes

Motion by Zemlicka and seconded by Nesheim to enter executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4. All members voting yes. Motion carried.

Executive session began at 8:02 PM and was declared out at 8:36 PM.

Motion # 062-2023

Adjourn

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

Meeting adjourned at 8:37 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Board of Adjustment Meeting
June 5th, 2023 at 7:00PM**

Call to order: The Clark City Board of Adjustment met in session on June 5th, 2023 at 7:00pm in the City Hall Council Room.

Board of Adjustment Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Andrew Zemlicka, Melissa Nesheim, and Brandon Kottke.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Police Chief Jeremy Wellnitz, Luveta Wicks, Tracy Aguayo, Lana & Don Greenfield, Angie Werdel, Bill Boss, Chad Fjelland, Tammy Rusher, Darin Altfillisch, and Tyler Silkman.

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

Handke Conditional Use

Glenn Handke applied for a conditional use permit to build an addition on his property at 206 1st Ave West (Lots 7-9, Block 11, Alberts Keep Addition) that would take up more than the allowed 30% of a rear lot. All required notices have been published and mailed and all signatures were collected. No opposition was heard. Bill Boss appeared on behalf of Glenn Handke.

Motion by Hagstrom and seconded by Dalton to approve the conditional use permit on the condition that Roger Hurlburt is notified. All members voting yes. Motion carried.

Kline Conditional Use

Kerry Kline applied for a conditional use permit to build a fence on her property of 208 N Smith Street (Lots 1 & 2, Block 3, Original Clark) that is taller than the allowed four-foot height in the front yard of a property. All required notices have been published and mail and all signatures were collected. Comments from Kottke and Hagstrom were heard. No opposition was heard.

Motion by Dohmann and seconded by Hagstrom to approve the conditional use permit. All members voting yes. Motion carried.

Wicks Conditional Use

Luveta Wicks applied for a conditional use permit to build a garage on her property at 305 5th Ave SE (Lot 3, Block 10, Brown & Wares Addition) that would be closer than the 25-foot setback from the right-of-way. All required notices have been published and mail and all signatures were collected. No opposition was heard.

Motion by Zemlicka and seconded by Hagstrom to approve the conditional use. All members voting yes. Motion carried.

Motion by Nesheim and seconded by Dalton to adjourn.

Meeting adjourned at 7:14 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
June 5th, 2023 at 7:00 PM**

Call to order: The Clark City Council met in session on June 5th, 2023 at 7:00pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Andrew Zemlicka, Melissa Nesheim, and Brandon Kottke.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Police Chief Jeremy Wellnitz, Lana & Don Greenfield, Angie Werdel, Chad Fjelland, Tammy Rusher, Darin Altfillisch, Tyler Silkman, and Emily Yexley.

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

Motion # 063-2023

Adopt Agenda

Motion by Dohmann and seconded by Nesheim to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

There was no public input.

Motion # 064-2023

Fireworks Sales

Motion by Nesheim and seconded by Kottke to approve Don Greenfield's fireworks sales by the Lion's can bank on Hwy 212 from June 27th to July 5th. All members voting yes. Motion carried.

Motion # 065-2023

Potato Days

Angie Werdel spoke about the annual Potato Days festivities. Motion by Nesheim and seconded by Dohmann to allow open containers within a 4-block radius of the bars. All members voting yes. Motion carried.

Choose Clark County

Kristin Vandersnick spoke to the council about the upcoming projects that Choose Clark County has been working on.

Motion # 066-2023

Lew's Fireworks

Motion by Nesheim and seconded by Dalton to allow the mayor to sign the Lew's Fireworks contract for the fireworks display on the 4th of July. All members voting yes. Motion carried.

Motion # 067-2023

CABS Donation

Motion by Hagstrom and seconded by Dohmann to cost share the price of a batter's box stencil for Clark Area Baseball. All members voting yes. Motion carried.

Motion # 068-2023

Football Field Donation

Motion by Kottke and seconded by Hagstrom to donate \$750 to the Clark/Willow Lake Football Boosters for their help in cleaning up the golf course and the parks in Clark. All members voting yes. Motion carried.

Department Updates

Darin Altfillisch gave an update on the pool. The cost of running water and sewer on North Idaho was discussed and it was decided to make a final decision at the July meeting. Jeremy Wellnitz spoke about the golf cart ordinance and children operating golf carts on City streets. Wellnitz will be installing cameras at the softball field. Finance Officer Wellnitz advised the council that the Finance Office will be closed June 7-9 while Wellnitz and Flora attend Finance Officer School in Pierre. Water issues at the golf course were discussed.

Motion # 069-2023

Approve Department Updates

Motion by Hagstrom and seconded by Kottke to approve department updates. All members voting yes. Motion carried.

Budget Cuts

Finance Officer Wellnitz discussed various budget cut ideas including the med van service and free dental and vision insurance for the council.

Motion # 070-2023

CPI

Motion by Hagstrom and seconded by Dalton to forfeit the 3% tax increase. All members voting yes. Motion carried.

Motion # 071-2023

Surplus City Equipment

Motion by Nesheim and seconded by Dohmann to surplus the following city owned equipment: utility tractor, leaf vacuum/bagger, fairway mower, pull behind fertilizer spreader and law spiker, 3600-gallon insulated tank, sewer snake, and pizza oven. All members voting yes. Motion carried.

Motion # 072-2023

Appoint Appraisers

Motion by Dohmann and seconded by Hagstrom to appoint Kyle Gaikowski, Terry Schlagel, and Bob Bjerke as appraisers for the above surplus equipment. All members voting yes. Motion carried.

Motion # 073-2023

Approve Meeting Minutes

Motion by Nesheim and seconded by Hagstrom to approve the May meeting minutes. All members voting yes. Motion carried.

Motion # 074-2023

Approve Financials

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

Motion # 075-2023

Approve Claims

Motion by Zemlicka and seconded by Nesheim to approve the following claims. All members voting yes. Motion carried.

MAY CLAIMS (05 23 CLMS2)

| # | To | For | Amount |
|-------|--------------|-----------------------|-------------|
| 30352 | Watertown JO | softball registration | \$ 175.00 |
| 30353 | Agwrx | GC gas | \$ 1,185.36 |

2023 City of Clark Meeting Minutes

| | | | |
|-------|-------------------------------|-------------------------|--------------|
| 2880 | Johnson Brothers | liquor | \$ 589.41 |
| 2881 | Johnson Brothers | liquor | \$ 384.77 |
| 30354 | Ellwein Brother | liquor | \$ 1,128.35 |
| 30355 | Dakota Style | concessions | \$ 144.00 |
| 30356 | Clark County Courier | advertising | \$ 347.66 |
| 30387 | Eastside Equipment | tractor | \$ 34,884.00 |
| 30357 | Clark Co Historical Society | subsidy | \$ 577.00 |
| 30358 | Westside Implement, Inc. | repairs and parts | \$ 237.39 |
| 2882 | Amazon Capital Services | supplies | \$ 950.50 |
| 30359 | Zimco Supply Co. | chemical | \$ 10,395.62 |
| 30360 | Two Way Solutions | radios | \$ 419.97 |
| 2883 | ITC Telephone | utilities | \$ 635.76 |
| 30361 | Clark Community Oil Company | gas | \$ 838.45 |
| 30362 | US Foods Inc | concessions | \$ 1,816.17 |
| 30363 | Dollar General | supplies | \$ 60.17 |
| 30364 | Clark Ace Hardware | supplies | \$ 782.88 |
| 30365 | Clark Building Center & Ranch | supplies | \$ 25.28 |
| 30366 | Spot on Printing | shirts | \$ 78.05 |
| 30367 | Rae Jean Flora | mileage | \$ 62.22 |
| 30368 | Kens Food Fair | concessions | \$ 382.90 |
| 30369 | VGM Financial Services | golf carts | \$ 1,903.15 |
| 2884 | Quill | supplies | \$ 360.95 |
| 30370 | Jeff Peterson | room | \$ 270.00 |
| 30371 | Dougs Service & Marine Inc. | mower service | \$ 2,062.00 |
| 30372 | Clark Rural Water System | materials | \$ 11,989.30 |
| 30373 | Cooks Wastepaper & Recycling | dumpsters | \$ 255.25 |
| 2885 | City of Clark | utilities | \$ 245.57 |
| 30374 | Cooks Wastepaper & Recycling | garbage | \$ 7,863.61 |
| 30380 | Core & Main | meters | \$ 92,137.56 |
| 30381 | Meierhenry Sargent LLP | bond counsel | \$ 33,153.16 |
| 2888 | SD Dept of Revenue | sales tax | \$ 780.08 |
| 2889 | SD Dept of Revenue | sales tax | \$ 2,758.10 |
| 30376 | Northwestern Energy | utilities | \$ 714.75 |
| 30375 | Matti Boomgaarden | mower | \$ 150.00 |
| 30377 | Denise Lafortune | refund | \$ 27.00 |
| 30378 | Derrick Dohmann | grill | \$ 299.15 |
| 30379 | SD Dept of Revenue | malt beverage license | \$ 600.00 |
| 30382 | SD Public Assurance Alliance | insurance | \$ 43,948.69 |
| 2897 | Amazon Capital Services | SRP supplies | \$ 723.98 |
| 2898 | Amazon Capital Services | books and concessions | \$ 1,015.34 |
| 30383 | Sodexo | library institute meals | \$ 129.44 |
| 30387 | Northwestern Energy | utilities | \$ 6,701.73 |

2023 City of Clark Meeting Minutes

Payroll

| | | | |
|-----------|----------------|---------------|-------------|
| 5/15/2023 | Mayor | payroll | \$ 226.92 |
| | Finance Office | payroll | \$ 2,842.44 |
| | Govt Bldg | payroll | \$ 107.95 |
| | Police | payroll | \$ 4,789.67 |
| | Streets | payroll | \$ 2,978.33 |
| | Landfill | payroll | \$ 390.00 |
| | Sewer | payroll | \$ 1,539.16 |
| | Water | payroll | \$ 1,539.48 |
| | Transit | payroll | \$ 508.01 |
| | Pool | payroll | \$ 32.00 |
| | Golf Club | payroll | \$ 5,254.16 |
| | Parks | payroll | \$ 78.00 |
| | Library | payroll | \$ 95.20 |
| 2866 | EFTPS | Payroll Taxes | \$ 4,567.06 |

Payroll

| | | | |
|-----------|------------------------------|----------------------|-------------|
| 5/30/2023 | Mayor | payroll | \$ 226.92 |
| | Finance Office | payroll | \$ 2,347.60 |
| | Govt Bldg | payroll | \$ 95.25 |
| | Police | payroll | \$ 4,064.42 |
| | Streets | payroll | \$ 3,085.22 |
| | Landfill | payroll | \$ 384.00 |
| | Sewer | payroll | \$ 1,497.75 |
| | Water | payroll | \$ 1,498.02 |
| | Transit | payroll | \$ 368.31 |
| | Pool | payroll | \$ 211.00 |
| | Golf Club | payroll | \$ 5,224.23 |
| | Library | payroll | \$ 679.50 |
| 2899 | EFTPS | Payroll Taxes | \$ 4,493.04 |
| 30384 | SD Retirement | Employees Retirement | \$ 5,187.44 |
| 30385 | Child Support Payment Center | Child Support | \$ 528.93 |

JUNE CLAIMS (06 23 CLMS)

| | | |
|--------------------------------|---------------|-------------|
| Chesterman Company | pop | \$ 891.08 |
| U Drive Technology | text tool | \$ 116.12 |
| SD Assoc of Rural Water System | membership | \$ 565.00 |
| Runnings Supply, Inc. | supplies | \$ 119.99 |
| Menards | pothole patch | \$ 1,576.55 |
| JB Auto Repair | siren work | \$ 546.98 |
| Woodring Plumbing | repairs | \$ 460.21 |
| Pheasantland Industries | supplies | \$ 566.35 |
| Ellwein Brothers | liquor | \$ 1,652.95 |

2023 City of Clark Meeting Minutes

| | | |
|-------------------------------|--------------------------|-------------|
| Star Laundry | rags and rugs | \$ 574.76 |
| SD Federal Property Agency | stove and refrigerator | \$ 40.00 |
| RNDC | liquor | \$ 119.00 |
| Wellmark BCBS | insurance | \$ 5,878.46 |
| Porter Distributing Co | liquor | \$ 1,498.45 |
| WW Tire Service | tires | \$ 1,052.90 |
| Quill | supplies | \$ 302.86 |
| Tony's Collison Center | repairs and maintenance | \$ 1,670.10 |
| Ecolab Pest Elimination | pest control | \$ 102.34 |
| Southern Glazers | liquor | \$ 532.63 |
| Principal Financial Group | insurance | \$ 42.91 |
| SD Dept of Transportation | gas | \$ 649.92 |
| Cardmember Services | credit card bill | \$ 533.22 |
| Vision Service Plan | insurance | \$ 400.98 |
| Delta Dental of SD | insurance | \$ 1,235.85 |
| Darin Altfillisch | deductible reimbursement | \$ 913.95 |
| SD Dept of Health | specimen | \$ 30.00 |
| A & B Business Solutions | copier | \$ 65.55 |
| RNDC | liquor | \$ 581.59 |
| Consolidated Electrical Dist. | lift station generator | \$ 3,538.43 |
| US Foods | concessions and supplies | \$ 6,606.49 |
| Quill | supplies | \$ 189.65 |
| SD Rural Development | loan | \$ 1,307.00 |
| SD Rural Development | loan | \$ 908.00 |
| SD Rural Development | loan | \$ 787.00 |
| Clark Co. Historical Society | subsidy | \$ 577.00 |
| Hawkins Inc | chemical | \$ 8,583.16 |
| Ferguson Waterworks | sprinkler heads | \$ 4,902.00 |
| AT&T Mobility | utilities | \$ 125.39 |
| Econo Signs | street signs | \$ 1,913.87 |
| Dollar General | supplies | \$ 85.09 |
| Dakota Butcher | concessions and liquor | \$ 113.64 |
| Dakota Style | chips and seeds | \$ 151.20 |
| Johnson Brothers | liquor | \$ 291.86 |
| Westside Implement | parts | \$ 416.22 |
| Agwrx Cooperative | gas | \$ 756.56 |
| Sturdevants | parts | \$ 35.98 |
| Mack's Standard | gas | \$ 486.94 |
| SD DANR | drinking water fees | \$ 600.00 |
| Clark County Courier | advertising | \$ 519.70 |
| New Dimensions LLC | mowing/trimming | \$ 2,500.00 |
| Clark Ace Hardware | supplies | \$ 1,161.64 |

2023 City of Clark Meeting Minutes

Helms and Associates engineering fees \$ 409,775.00

July Council Meeting

The July council meeting will be on July 10th, 2023 at 7:00pm.

Motion # 076-2023

Executive Session

Motion by Hagstrom and seconded by Kottke to enter executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4. All members voting yes. Motion carried.

Executive session began at 9:06 PM and was declared out at 9:16 PM.

Motion # 077-2023

Executive Session

Motion by Hagstrom and seconded by Kottke to hire Owen Spieker as a summer maintenance helper at a pay rate of \$13 an hour. All members voting yes. Motion carried.

Motion # 078-2023

Adjourn

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

Meeting adjourned at 9:17 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Board of Adjustment Meeting
June 15th, 2023 at 12:00pm**

Call to order: The Clark City Board of Adjustment met in session on June 15th, 2023 at 12pm in the City Hall Council Room.

Board of Adjustment Members Present: Derrick Dohmann, Shane Hagstrom, Brandon Kottke, and Melissa Nesheim. Not present were Andrew Zemlicka and Nick Dalton.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Brandon Smid from Helms and Associates, Darin Altfillisch, Cassie Kottke, Todd Warkenthien, Bonnie Fjelland, and Tad Heaton.

Mayor Kline called the meeting to order at 12:05pm.

Fjelland Variance

Bonnie Fjelland applied for a variance to place a shed on her property at 501 N Idaho Street (Lot 6 & 7 Block 5 Hoskins Addition) that is larger than the allowed 150 square feet and closer to the allowed setbacks. All required notices were published and mailed. No opposition was heard.

Motion by Hagstrom and seconded by Dohmann to approve the variance. All members voting yes. Motion carried.

Dan Whalen did not appear on behalf of his variance so his application was tabled.

Motion by Hagstrom and seconded by Kottke to adjourn.

Meeting adjourned at 12:14pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
June 15th, 2023**

Call to order: The Clark City Council met in session on June 15th, 2023, at 12pm in the City Hall Council Room.

Council Members Present: Derrick Dohmann, Shane Hagstrom, Brandon Kottke, and Melissa Nesheim. Not present were Andrew Zemlicka and Nick Dalton.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Brandon Smid from Helms and Associates, Darin Altfillisch, Cassie Kottke, Todd Warkenthien, and Tad Heaton.

Mayor Kline called the meeting to order at 12:14pm.

Motion # 079-2023

Adopt Agenda

Motion by Nesheim and seconded by Dohmann to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

There was no public input.

Water System Improvement Bids

4 bids were received for the Water System Improvements Project. Halme Incorporated from Lake Norden, SD, came in as the lowest bidder.

Motion # 080-2023

Bid Approval

Motion by Dohmann and seconded by Hagstrom to give tentative award for the Clark Water System Improvements Project, Base Bid is made to Halme Inc. of Lake Norden, SD in the amount of \$4,682,986.00 contingent upon funding agency approval. All members voting yes. Motion carried.

Motion # 081-2023

Potato Days Electricity

Motion by Kottke and seconded by Nesheim to accept the proposal from Sharp Electric to put extra electrical panels at the swimming pool park. All members voting yes. Motion carried.

Warkenthien Water/Sewer

A discussion was held at length regarding the city's involvement on getting water and sewer access to Todd Warkenthien's property on North Idaho St. The discussion was tabled until further estimates could be provided.

Motion # 082-2023

Adjourn

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

Meeting adjourned at 1:10pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
July 10th, 2023**

Call to order: The Clark City Council met in session on July 10th, 2023 at 7:00 pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Brandon Kottle, Melissa Nesheim, and Andrew Zemlicka.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Luanne Warren, Todd & Tina Warkenthein, and Deb Schlagel.

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

Motion # 083-2023

Adopt Agenda

Motion by Dohmann and seconded by Hagstrom to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

There was no public input.

Warkenthein Property

Todd Warkenthein came back to the council for a 3rd time to discuss the water and sewer lines that will be put in on his property on North Idaho Street. It was decided that Warkenthein will place the lines at his own expense and the city will find an alternative way to get water and sewer up north if it is ever deemed necessary.

Pickleball

Deb Schlagel wants to renovate the tennis courts at the High School and asked for the council's blessing to start the process. Schlagel plans on turning the west side of the tennis courts into a pickleball court. The east side will remain a tennis court. The council saw no issue with the plans.

Department Updates

Brandon Kottke spoke on behalf of Darin Altfillisch regarding a water leak on the east side of town. The council agreed that the leak must be fixed and Chad Fjelland will look into assessing the cost if that becomes necessary. Dohmann informed the council that he would like to look into getting a well dedicated for irrigating the golf course.

Motion # 084-2023

Approve Department Updates

Motion by Nesheim and seconded by Dalton to approve department updates. All members voting yes. Motion carried.

Swimming Pool Filter

The council discussed purchasing a new sand filter for the swimming pool. A new filter would be roughly \$40,000. Hagstrom would like to repair the filter if possible. It was agreed that, since the filter wouldn't be installed before the end of the season, purchasing it can wait until the city receives the engineering report from Burbach Aquatics.

Easement

Luanne Warren asked the council for assistance with a neighbor dispute regarding city property. After much discussion, it was decided the city would have an engineer look at the easement and make recommendations on how to fix the issue of gravel and water running into Warren’s property. The city will also take over maintaining the property from here on out to lessen the conflicts.

Freese Property

No further updates were provided regarding the drainage on this property.

Motion # 085-2023

Approve Meeting Minutes

Motion by Dohmann and seconded by Zemlicka to approve the June meeting minutes. All members voting yes. Motion carried.

Motion # 086-2023

Approve Financials

Motion by Kottke and seconded by Nesheim to approve the financial reports. All members voting yes. Motion carried.

Motion # 087-2023

Approve Claims

Motion by Hagstrom and seconded by Dalton to approve the following claims. All members voting yes. Motion carried.

JUNE CLAIMS (06 23 CLMS2)

| # | To | For | Amount |
|-------|--------------------------------|-------------------|--------------|
| 30427 | Tara Thomas | mileage | \$ 102.51 |
| 30428 | Rae Jean Flora | mileage and meals | \$ 263.71 |
| 30429 | Alaina Wellnitz | mileage and meals | \$ 252.10 |
| 30430 | Clark Rural Water System | materials | \$ 19,668.60 |
| 30431 | Clark Area Baseball & Softball | stencil | \$ 170.00 |
| 30433 | Ken's Food Fair | concessions | \$ 719.52 |
| 30455 | Clark Building and Ranch | supplies | \$ 1,748.54 |
| 2907 | City of Clark | utilities | \$ 883.21 |
| 30434 | Cook's Wastepaper & Recycling | garbage | \$ 8,005.36 |
| 30435 | Cook's Wastepaper & Recycling | dumpsters | \$ 255.25 |
| 30436 | SD Golf Association | handicap dues | \$ 675.00 |
| 30437 | VGM Financial Services | golf carts | \$ 1,903.15 |
| 30438 | Northern Con Agg LLP | pea rock | \$ 1,152.30 |
| 30439 | Oscars Machine Shop | supplies | \$ 140.00 |
| 30440 | Clark Community Oil Company | gas | \$ 1,246.26 |
| 2908 | Quill | supplies | \$ 155.15 |
| 2909 | ITC | utilities | \$ 602.41 |
| 30441 | Choose Clark County | subsidy | \$ 20,000.00 |
| 30442 | Northwestern Energy | utilities | \$ 1,161.61 |
| 2912 | SD Dept of Revenue | sales tax | \$ 268.88 |

2023 City of Clark Meeting Minutes

| | | | |
|-------|-------------------------|---------------------------|-------------|
| 2913 | SD Dept of Revenue | sales tax | \$ 3,278.99 |
| 30443 | CWL Booster Club | donation | \$ 750.00 |
| 30452 | US Foods | concessions & supplies | \$ 7,756.37 |
| 2915 | Amazon Capital Services | supplies | \$ 1,088.62 |
| 30444 | Cardmember Services | credit card closing | \$ 68.56 |
| 30445 | Cardmember Services | credit card charges | \$ 2,792.02 |
| 30446 | Angie Graves | purchase reimbursement | \$ 25.56 |
| 30447 | Alaina Wellnitz | purchase reimbursement | \$ 111.63 |
| 30448 | Shannon Huber | VFW Tournament Fee | \$ 207.30 |
| 30449 | Chris Bokinskie | VFW Tournament Fee | \$ 225.00 |
| 30457 | Northwestern Energy | utilities | \$ 6,559.11 |
| 30453 | AT&T Mobility | utilities | \$ 125.39 |
| 30454 | Clark Golf Course | petty cash | \$ 9,000.00 |
| 30456 | Lindner Music | DJ at Golf Course | \$ 400.00 |
| 30458 | Charlotte Carpenter | swim lesson reimbursement | \$ 72.00 |

Payroll

| | | | |
|---------|------------------|---------------|-------------|
| 6/13/23 | Code Enforcement | payroll | \$ 80.00 |
| | Mayor | payroll | \$ 276.92 |
| | Finance Office | payroll | \$ 2,469.28 |
| | Govt Bldg | payroll | \$ 76.20 |
| | Police | payroll | \$ 4,729.89 |
| | Streets | payroll | \$ 3,194.71 |
| | Landfill | payroll | \$ 204.00 |
| | Sewer | payroll | \$ 1,579.86 |
| | Water | payroll | \$ 1,580.16 |
| | Transit | payroll | \$ 517.53 |
| | Pool | payroll | \$ 1,386.45 |
| | Golf Club | payroll | \$ 7,698.46 |
| | Parks | payroll | \$ 750.00 |
| | Library | payroll | \$ 975.35 |
| 2905 | EFTPS | Payroll Taxes | \$5,600.19 |

Payroll

| | | | |
|-----------|---------|---------------|------------|
| 6/14/2023 | Council | payroll | \$3,345.50 |
| 2906 | EFTPS | Payroll Taxes | \$586.84 |

Payroll

| | | | |
|-----------|------------------|---------|-------------|
| 6/27/2023 | Code Enforcement | payroll | \$ 76.50 |
| | Mayor | payroll | \$ 226.92 |
| | Finance Office | payroll | \$ 2,354.96 |
| | Govt Bldg | payroll | \$ 117.48 |
| | Police | payroll | \$ 4,064.42 |
| | Streets | payroll | \$ 3,343.22 |

2023 City of Clark Meeting Minutes

| | | |
|------------------------------|----------------------|-------------|
| Landfill | payroll | \$ 384.00 |
| Sewer | payroll | \$ 1,651.94 |
| Water | payroll | \$ 1,652.28 |
| Transit | payroll | \$ 384.18 |
| Pool | payroll | \$ 8,345.76 |
| Golf Club | payroll | \$ 6,533.23 |
| Parks | payroll | \$ 750.00 |
| Library | payroll | \$ 601.25 |
| EFTPS | Payroll Taxes | \$ 6,384.35 |
| SD Retirement | Employees Retirement | \$ 3,630.80 |
| Child Support Payment Center | Child Support | \$ 352.62 |

JULY CLAIMS (07 23 CLMS)

| | | |
|------------------------------------|------------------------------|-------------|
| Lew's Fireworks | display | \$ 5,000.00 |
| Moeller Sheet Metal | AC inspection | \$ 363.83 |
| Chesterman Company | pop | \$ 1,172.74 |
| IMEG | inspection | \$ 924.00 |
| Motorola Solutions | warranty | \$ 244.08 |
| Porter Distributing | liquor | \$ 1,221.15 |
| Pitney Bowes | meter rental | \$ 162.00 |
| Ellwein Brothers | liquor | \$ 2,146.05 |
| Southern Glazers | liquor | \$ 681.60 |
| Recreation Supply Co. | basketball hoop and supplies | \$ 1,064.00 |
| Ferguson Waterworks | parts | \$ 207.00 |
| My Turn Playsystems | wood chips | \$ 3,561.00 |
| Rivards Turf & Forage | chemicals | \$ 1,056.34 |
| Star Laundry | rags and rugs | \$ 307.61 |
| Clark County Weed Board | spraying | \$ 294.64 |
| Elite Drain & Sewer Cleaning | manhole pumping | \$ 328.50 |
| JW Roll Off Service | dumpsters | \$ 946.68 |
| Butler Machinery Company | generator maintenance | \$ 1,222.00 |
| Republic National Distributing Co. | liquor | \$ 533.96 |
| Johnson Brothers | liquor | \$ 1,733.93 |
| SD Dept of Health | specimen | \$ 30.00 |
| Tony's Collision Center | repairs | \$ 413.30 |
| Wellmark BCBS | insurance | \$ 3,265.82 |
| Delta Dental | insurance | \$ 1,093.50 |
| Vision Service Plan | insurance | \$ 354.12 |
| Principal Financial Group | insurance | \$ 18.39 |
| Menards | pothole patch | \$ 938.66 |
| Pitney Bowes | postage | \$ 1,520.99 |
| Kibble Equipment | parts | \$ 103.60 |

2023 City of Clark Meeting Minutes

| | | |
|------------------------------|--------------------------------|--------------|
| SD Dept of Transportation | fuel | \$ 1,044.24 |
| Dakota Butcher | liquor | \$ 98.03 |
| Dakota Style | chips | \$ 144.00 |
| Clark County Auditor | supplies | \$ 82.80 |
| Pullman Well Drilling Inc | golf course pump | \$ 5,097.64 |
| A & B Business Solutions | copier | \$ 153.19 |
| Overhead Door Company | repairs | \$ 193.83 |
| Window Pros | cleaning | \$ 160.00 |
| Eastside Equipment | parts | \$ 595.00 |
| Johnson Lawn & Tree Service | remove trees | \$ 250.00 |
| New Dimension, LLC | mowing/trimming | \$ 2,500.00 |
| Clark County Courier | advertising | \$ 275.81 |
| Clark Co Historical Society | subsidy | \$ 577.00 |
| SD Rural Development | loan | \$ 787.00 |
| SD Rural Development | loan | \$ 1,307.00 |
| SD Rural Development | loan | \$ 908.00 |
| US Bank Corporate Trust | loan | \$ 6,940.29 |
| U Drive Technology | text tool | \$ 50.00 |
| Ken's Food Fair | concessions | \$ 907.33 |
| Mack's Standard | gas | \$ 398.02 |
| Agwrx | fuel | \$ 791.30 |
| Westside Implement | parts | \$ 45.44 |
| VGM Financial Services | golf cart rentals | \$ 1,903.15 |
| Clark Ace Hardware | supplies | \$ 813.99 |
| Interstate Telephone Company | utilities | \$ 668.84 |
| Clark Community Oil | water for golf course and fuel | \$ 8,016.58 |
| Clark Rural Water System | materials | \$ 21,042.10 |
| Oscars Machine Shop | repairs | \$ 146.72 |
| 212 Truck & Trailer Repairs | repairs | \$ 280.44 |
| US Foods | concessions and supplies | \$ 2,214.31 |
| RNDC | liquor | \$ 570.90 |
| Clark County Courier | advertising | \$ 50.00 |
| Ellwein Brothers, Inc. | liquor | \$ 2,418.45 |
| Johnson Brothers | liquor | \$ 665.22 |
| Pullman Well Drilling | descaling | \$ 907.20 |

Payroll 7/10/2023

| | | |
|------------------|---------|-------------|
| Code Enforcement | payroll | \$ 80.00 |
| Mayor | payroll | \$ 276.92 |
| Finance Office | payroll | \$ 2,653.54 |
| Govt Bldg | payroll | \$ 146.05 |
| Police | payroll | \$ 4,645.26 |

2023 City of Clark Meeting Minutes

| | | |
|-----------|---------------|-------------|
| Streets | payroll | \$ 3,383.33 |
| Landfill | payroll | \$ 384.00 |
| Sewer | payroll | \$ 1,605.80 |
| Water | payroll | \$ 1,606.12 |
| Transit | payroll | \$ 315.14 |
| Pool | payroll | \$ 5,518.19 |
| Golf Club | payroll | \$ 7,567.44 |
| Parks | payroll | \$ 750.00 |
| Library | payroll | \$ 809.60 |
| EFTPS | Payroll Taxes | \$ 6,373.99 |

Motion # 088-2023

Adjourn

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

Meeting adjourned at 7:58pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Board of Adjustment Meeting
August 7th, 2023**

Call to order: The Clark City Board of Adjustment met in session on August 7th, 2023 at 7:00 pm in the City Hall Council Room.

Board of Adjustment Members Present: Kerry Kline, Nick Dalton, Derrick Dohmann, Shane Hagstrom, and Brandon Kottke. Not present were Melissa Nesheim and Andrew Zemlicka.

Others Present: Finance Officer Alaina Wellnitz, Sara Gjerde, Todd Fiedler, Mark Cronauer, Chad Fjelland, Theresa and Lon Reidburn, and Luanne Warren.

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

SGR Distributing Variance

Sara Gjerde with SGR Distributing applied for a variance to build a duplex on her property at 201 North Dakota Street that is larger than the allowed lot coverage amount. All required notices were published and mailed. Mark Cronauer and Todd Fielder addressed the possible drainage issues with building this duplex. Discussion ensued regarding the drainage concerns.

Motion by Dohmann and seconded by Dalton to approve the variance. All members voting yes. Motion carried.

Meeting adjourned at 7:08pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
August 7th, 2023**

Call to order: The Clark City Council met in session on August 7th, 2023 at 7:00 pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, and Brandon Kottke. Not present were Melissa Nesheim and Andrew Zemlicka.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Chad Fjelland, Theresa & Lon Reidburn, and Luanne Warren.

Mayor Kline called the meeting to order at 7:09pm.

Motion # 089-2023

Adopt Agenda

Motion by Dohmann and seconded by Dalton to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Public Input

Lon Reidburn asked about snow removal on the city owned lot next to his house. Brandon Kottke spoke on behalf of Cassi Kottke and thanked the city for their help with Potato Days.

Water Improvement Project

Finance Officer Wellnitz advised the council that Halme, Inc will break ground for the Water Improvement Project as soon as August 14th. Halme will start by replacing old water lines on a select number of streets on the north side of town. A map of the streets that will be affected is at City Hall.

Easement

Discussion regarding the city owned lot between the Warren and Reidburn residences continued. Lon Reidburn agreed to redirect the gutters on his house and shed to help alleviate some of the gravel run-off in Warren's yards.

Department Updates

Wellnitz updated the council on the pool study being done by Burbach Aquatics. The study will hopefully be done by the end of August. The appraisal for the med van building came back at \$130,000. The city would have to repay 80% of that to the State in order to own the building. Discussion regarding the med van service ensued. Hagstrom asked Wellnitz to talk to Halme, Inc about putting a hydrant on the northeast corner of the golf course parking lot.

Motion # 090-2023

Approve Department Updates

Motion Dohmann and seconded by Kottke to approve the department updates. All members voting yes. Motion carried.

Motion # 091-2023

Approve Minutes

Motion by Dohmann and seconded by Dalton to approve the August meeting minutes. All members voting yes. Motion carried.

Motion # 092-2023

Approve Financials

Motion by Dalton and seconded by Hagstrom to approve the financial reports. All members voting yes. Motion carried.

Motion # 093-2023

Approve Claims

Motion by Kottke and seconded by Hagstrom to approve the following claims. All members voting yes. Motion carried.

JULY CLAIMS (07 23 CLMS2)

| # | To | For | Amount |
|-----------|-------------------------------|-------------------------|-------------|
| 2930 | City of Clark | utilites | \$ 3,545.50 |
| 30505 | Cook's Wastepaper & Recycling | July Garbage | \$ 7,858.11 |
| 30506 | Angie Werdel | refund for swim lessons | \$ 108.00 |
| 2931 | Quill | supplies | \$ 367.10 |
| 30507 | Jill Rathe | utility payment refund | \$ 34.79 |
| 30508 | Midwest Alarm Company | alarms | \$ 275.49 |
| 30509 | Cook's Wastepaper & Recycling | dumpsters | \$ 255.25 |
| 30510 | South Dakota 811 | locates | \$ 52.50 |
| 30511 | Clark Building & Ranch | field chalk | \$ 139.90 |
| 30513 | Northwestern Energy | utilites | \$ 1,803.48 |
| 30512 | Lonnie Phillips | beadboard at City Hall | \$ 3,108.20 |
| 2936 | Amazon Capital Services | concessions | \$ 286.44 |
| 2938 | SD Dept of Revenue | sales tax | \$ 528.24 |
| 2939 | SD Dept of Revenue | sales tax | \$ 3,084.80 |
| 30516 | John Deere Financial | parts | \$ 103.60 |
| 30517 | Renee Mudgett | pool manager pay | \$ 98.00 |
| 2946 | Quill | supplies | \$ 728.70 |
| 2947 | Amazon Capital Services | supplies & books | \$ 304.60 |
| 30518 | Matti Boomgarden | water deposit refund | \$ 100.00 |
| 30519 | City of Clark | water deposit applied | \$ 150.00 |
| 30520 | Justus Reidburn | water deposit refund | \$ 150.00 |
| 2950 | Dacotah Bank | service charge | \$ 10.00 |
| 2951 | FuturePOS | credit card fees | \$ 1,218.73 |
| 7/25/2023 | | | |
| Payroll | Mayor | payroll | \$ 226.92 |
| | Finance Office | payroll | \$ 2,322.92 |
| | Govt Bldg | payroll | \$ 63.50 |
| | Police | payroll | \$ 4,064.42 |
| | Streets | payroll | \$ 4,370.28 |
| | Landfill | payroll | \$ 384.00 |
| | Sewer | payroll | \$ 1,630.82 |
| | Water | payroll | \$ 1,631.14 |
| | Transit | payroll | \$ 288.93 |

2023 City of Clark Meeting Minutes

| | | | | |
|-------|------------------------------|----------------------|----|----------|
| | Pool | payroll | \$ | 9,435.88 |
| | Golf Club | payroll | \$ | 7,059.97 |
| | Parks | payroll | \$ | 750.00 |
| | Library | payroll | \$ | 588.25 |
| 2942 | EFTPS | Payroll Taxes | \$ | 6,889.90 |
| 30514 | SD Retirement | Employees Retirement | \$ | 3,610.60 |
| 30515 | Child Support Payment Center | Child Support | \$ | 352.62 |

AUGUST CLAIMS (08 23 CLMS)

| | | | |
|---------------------------------|--------------------------|----|----------|
| Chesterman Company | pop | \$ | 895.50 |
| Southern Glazers | liquor | \$ | 292.18 |
| Star Laundry | rags and rugs | \$ | 227.91 |
| Pitney Bowes | service agreement | \$ | 493.08 |
| Avera Occupational Medicine | drug testing | \$ | 203.00 |
| Johnson Brothers | liquor | \$ | 687.18 |
| Republic National Dist. Company | liquor | \$ | 466.05 |
| Glass Products | door glass | \$ | 407.13 |
| Recreation Supply Co. | tests | \$ | 111.10 |
| Share Corporation | chemicals | \$ | 2,974.53 |
| JW Roll Off Service | dumpsters | \$ | 619.27 |
| Girton Adams Co. | pool heater repairs | \$ | 1,208.53 |
| Mark Foster | Sickle Mower | \$ | 500.00 |
| Wellmark BCBS | insurance | \$ | 5,225.30 |
| Hawkins | chemicals | \$ | 3,589.31 |
| US Foods Inc. | concessions and supplies | \$ | 8,005.74 |
| Dakota Style | chips and seeds | \$ | 139.20 |
| Ellwein Brothers | liquor | \$ | 1,484.05 |
| Principal Financial Group | insurance | \$ | 36.78 |
| Porter Distributing Company | liquor | \$ | 709.55 |
| Heiman Inc | inspection | \$ | 49.00 |
| Vision Service Plan | insurance | \$ | 385.36 |
| 212 Truck & Trailer Repairs | parts | \$ | 528.61 |
| SD Dept of Transportation | fuel | \$ | 423.65 |
| Lacey Helkenn | coach pay | \$ | 500.00 |
| Stephanie Hagstrom | coach pay | \$ | 500.00 |
| Angie Werdel | coach pay | \$ | 500.00 |
| Travis Werdel | coach pay | \$ | 500.00 |
| Stephanie Arthur | coach pay | \$ | 500.00 |
| Kasie Ingraham | coach pay | \$ | 500.00 |
| Kari Thonvold | coach pay | \$ | 500.00 |
| Brian Thonvold | coach pay | \$ | 250.00 |
| Amy Nelson | coach pay | \$ | 500.00 |
| Janet Gehrke | coach pay | \$ | 500.00 |

2023 City of Clark Meeting Minutes

| | | |
|---------------------------------|----------------------|--------------|
| Tiffany Pickrel | coach pay | \$ 250.00 |
| Jack Helkenn | coach pay | \$ 500.00 |
| Collin Gaikowski | coach pay | \$ 500.00 |
| Chris Bokinskie | coach pay | \$ 500.00 |
| Hudson Fuller | coach pay | \$ 500.00 |
| Northwestern Energy | utilities | \$ 7,760.02 |
| Book Systems Inc | Atrium System | \$ 1,210.00 |
| A & B Business Solutions | copier | \$ 65.55 |
| Northern Con Agg LLP | pea rock | \$ 1,780.40 |
| SD Dept of Health | specimen | \$ 60.00 |
| Delta Dental | insurance | \$ 1,188.40 |
| Kissner Paving | street repairs | \$ 16,836.77 |
| Republic National Dist. Company | liquor | \$ 637.48 |
| Butler Machinery Company | payloader repairs | \$ 12,552.55 |
| Dakota Pump Inc. | sewer plant repairs | \$ 3,317.30 |
| Clark County Courier | advertising | \$ 204.72 |
| Core & Main | meter parts | \$ 31,197.38 |
| Oscars Machine Shop | parts | \$ 2,225.34 |
| Eastside Equipment | tractor parts | \$ 450.53 |
| Mack's Standard | fuel | \$ 430.80 |
| AT&T Mobility | utilities | \$ 125.36 |
| Uline | parts | \$ 126.63 |
| ITC | utilities | \$ 648.56 |
| Clark Ace Hardware | supplies | \$ 718.38 |
| Clark Chamber of Commerce | potato days donation | \$ 1,500.00 |
| Strurdevants Auto Value Clark | parts | \$ 519.20 |
| Tony's Collision Center | repairs | \$ 520.00 |
| Jeff's Vacuum Center | repairs | \$ 109.89 |
| Agwrx Cooperative | fuel | \$ 735.35 |
| Clark Building Center | supplies | \$ 83.95 |
| Ken's Food Fair | concessions | \$ 616.58 |
| Westside Implement | parts | \$ 141.91 |
| VanDiest Supply Company | mosquito chemical | \$ 3,723.50 |
| Johnson Brothers | liquor | \$ 844.73 |
| Tonys Electric | fryer repair | \$ 216.75 |
| Clark Community Oil Company | fuel and chemical | \$ 1,122.64 |
| U Drive Technology | text tool | \$ 69.28 |
| VGM Financial Services | cart rental | \$ 1,903.15 |
| Halme, Inc. | MOD payment | \$ 28,500.00 |
| SD Rural Development | loan | \$ 787.00 |
| SD Rural Development | loan | \$ 1,307.00 |
| SD Rural Development | loan | \$ 908.00 |

2023 City of Clark Meeting Minutes

| | | |
|--------------------------------|---------------------|--------------|
| US Bank Corporate Trust | loan | \$ 25,016.47 |
| Clark Co. Historical Society | subsidy | \$ 577.00 |
| New Dimensions, LLC | mowing/trimming | \$ 2,500.00 |
| Clark Chamber of Commerce | clark bucks | \$ 125.00 |
| NB Golf, LLC | cart repairs | \$ 384.20 |
| Cardmember Services | credit card charges | \$ 443.67 |
| Cooks Wastepaper and Recycling | dumpsters | \$ 255.25 |
| Quill | supplies | \$ 62.55 |

8/8/2023 Payroll

| | | |
|------------------|---------------|------------|
| Code Enforcement | payroll | \$131.00 |
| Mayor | payroll | \$276.92 |
| Finance Office | payroll | \$2,703.28 |
| Govt Bldg | payroll | \$82.55 |
| Police | payroll | \$4,114.42 |
| Streets | payroll | \$3,600.45 |
| Landfill | payroll | \$288.00 |
| Sewer | payroll | \$1,591.82 |
| Water | payroll | \$1,592.12 |
| Transit | payroll | \$469.93 |
| Pool | payroll | \$6,151.57 |
| Golf Club | payroll | \$7,020.17 |
| Library | payroll | \$399.20 |
| EFTPS | Payroll Taxes | \$5,853.81 |

Set September Meeting Date

The September council meeting was set for September 6th at 7:00PM.

Motion # 094-2023

Adjourn

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

Meeting adjourned at 7:44 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

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City of Clark Council Meeting

September 6th, 2023

Call to order: The Clark City Council met in session on September 6th, 2023 at 7:00pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Melissa Nesheim, Brandon Kottke, and Andrew Zemlicka.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Darin Altfillisch, Police Chief Jeremy Wellnitz, Wade DeSart, and Angie Werdel.

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

Motion # 095-2023

Adopt Agenda

Motion by Dohmann and seconded by Dalton to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Public Input

Shane Hagstrom advised the council that the drain spouts on Lon Reidburn's house had not been moved per his agreement with the City. Mayor Kline will address this issue with Reidburn and have him fix them by September 20th.

Harvest Fest

Angie Werdel spoke to the council about Harvest Fest coming up on September 30th and asked the City for picnic tables and garbages.

Department Updates

Wade DeSart from Helms and Associates spoke to the council about the water improvement project starting on the north side of Clark. Police Chief Wellnitz gave 2023 stats from the PD. Altfillisch asked about fixing the drainage issue on the Berg property.

Motion # 096-2023

Approve Department Updates

Motion by Zemlicka and seconded by Nesheim to approve department updates. All members voting yes. Motion carried.

14U Fast Pitch

Finance Officer Wellnitz spoke on behalf of Kasie Ingraham. Ingraham is starting a girls 14U fast pitch softball team and asked the city for help with the tournament fee and equipment. The council was against donating to a club sport and advised Wellnitz that fast pitch players and parents should raise money on their own.

Motion # 097-2023

Resolution #866

Motion by Kottke and seconded by Zemlicka to approve Resolution #866 – Park Equipment Capital Outlay. All members voting yes. Motion carried.

RESOLUTION # 866

A RESOLUTION ESTABLISHING A CAPITAL OUTLAY FOR GENERAL FUND PARK EQUIPMENT REPLACEMENT.

WHEREAS, the City Council of the City of Clark, South Dakota, has determined that the replacement of certain pieces of park equipment is necessary for the proper repair, maintenance and upkeep of the City parks, and;

WHEREAS, the City Council of the City of Clark, South Dakota, has determined that there are not sufficient funds within the general fund to purchase said park equipment, and;

WHEREAS, SDCL 9-21-14.1, authorizes the municipality to establish a Capital Outlay accumulation account for the purposes of purchasing said park equipment;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Clark, South Dakota that a Capital Outlay account be established and that the Finance Officer is hereby authorized and directed to budget and accumulate \$5,000 per annum beginning with the 2024 appropriations from the general fund for the purpose of replacing park equipment.

AND BE IT FURTHER RESOLVED, that the accumulation of said funds will not exceed a maximum of more than sixty (60) months commencing from the date of this resolution.

Dated this 6th day of September, 2023.

Kerry Kline, Mayor

ATTEST:

Alaina Wellnitz, Finance Officer
(SEAL)

Motion # 098-2023

Motion by Dohmann and seconded by Hagstrom to approve the audit bid for \$14,250 from William Neal & Co for auditing services. All members voting yes. Motion carried.

Approve Audit Bid

Med Van Services

After much discussion by the council, it was decided that the city will not buy out the Med Van building from the State and the council will raise the med van rates for the nursing home and assisted living facilities.

Dickinson Park Well

2023 City of Clark Meeting Minutes

Council members and Altfillisch discussed putting a well in at Dickinson Park for irrigation on the ball field. More quotes were requested.

Golf Course Water Issues

The council brainstormed ideas to solve the water issues at the golf course. Dohmann and Kline will be getting quotes to dredge and reline the irrigation pond.

Motion # 099-2023

Approve Meeting Minutes

Motion by Dohmann and seconded by Hagstrom to approve the August meeting minutes. All members voting yes. Motion carried.

Motion # 100-2023

Approve Financial Statements

Motion by Nesheim and seconded by Hagstrom to approve the September financial statements. All members voting yes. Motion carried.

Motion # 101-2023

Approve Meeting Minutes

Motion by Dohmann and seconded by Hagstrom to approve the August meeting minutes. All members voting yes. Motion carried.

Motion # 102-2023

Approve Claims

Motion by Hagstrom and seconded by Kottke to approve the following claims. All members voting yes. Motion carried.

AUGUST CLAIMS

| # | To | For | Amount |
|----------------------|---------------------------|----------------|--------------|
| 30591 | JW Roll Off Service | dumpsters | \$ 289.16 |
| 30592 | Northwestern Energy | utilities | \$ 7,003.95 |
| 30593 | Cooks Wastepaper | August garbage | \$ 7,964.18 |
| 30594 | Language Link | translation | \$ 8.83 |
| 30595 | Menards | supplies | \$ 171.81 |
| 30596 | SD Golf Association | dues | \$ 275.00 |
| 30597 | SD Dept of Transportation | fuel | \$ 795.53 |
| 30598 | Clark Rural Water System | materials | \$ 21,156.90 |
| 2957 | City of Clark | utilities | \$ 2,314.43 |
| 2958 | SD Dept of Revenue | sales tax | \$ 366.51 |
| 2959 | SD Dept of Revenue | sales tax | \$ 3,949.22 |
| 2965 | Amazon Capital Services | books | \$ 148.56 |
| 8/22/2023 | | | |
| Payroll | Mayor | payroll | \$ 226.92 |
| | Finance Office | payroll | \$ 2,304.40 |
| | Govt Bldg | payroll | \$ 88.90 |
| | Police | payroll | \$ 4,064.42 |
| | Streets | payroll | \$ 2,894.88 |
| | Landfill | payroll | \$ 384.00 |

2023 City of Clark Meeting Minutes

| | | | | |
|-------|------------------------------|----------------------|----|----------|
| | Sewer | payroll | \$ | 1,502.35 |
| | Water | payroll | \$ | 1,502.63 |
| | Transit | payroll | \$ | 459.63 |
| | Pool | payroll | \$ | 198.53 |
| | Golf Club | payroll | \$ | 6,382.79 |
| | Library | payroll | \$ | 611.00 |
| 2961 | EFTPS | Payroll Taxes | \$ | 4,649.21 |
| 30589 | SD Retirement | Employees Retirement | \$ | 3,450.02 |
| 30590 | Child Support Payment Center | Child Support | \$ | 352.62 |

SEPTEMBER CLAIMS (09 23 CLMS)

| | | | |
|------------------------------------|-------------------------|----|-----------|
| TopKote Inc | chip seal | \$ | 39,960.00 |
| IMEG | services | \$ | 924.00 |
| Southern Glazers of SD | liquor | \$ | 702.64 |
| Porter Distributing Inc | liquor | \$ | 1,137.75 |
| Dakota Style | concessions | \$ | 325.68 |
| Ellwein Brothers Inc | liquor | \$ | 2,950.80 |
| Dakota Butcher | liquor | \$ | 546.95 |
| Wellmark BCBS | insurance | \$ | 5,225.30 |
| Star Laundry | rags and rugs | \$ | 401.87 |
| Dakota Pump Inc | repairs | \$ | 19,185.41 |
| Republic National Distributing Co. | liquor | \$ | 677.06 |
| USA Blue Book | supplies | \$ | 575.20 |
| Creative Printing | supplies | \$ | 1,105.22 |
| Hawkins Inc | chemical | \$ | 20.00 |
| Ecolab | pest control | \$ | 102.34 |
| SD Dept of Health | specimen | \$ | 362.00 |
| Chesterman Company | pop | \$ | 769.80 |
| Vision Service Plan | insurance | \$ | 385.36 |
| Delta Dental | insurance | \$ | 1,188.40 |
| US Foods | concessions | \$ | 5,046.92 |
| AT&T | utilities | \$ | 140.47 |
| Rae Jean Flora | insurance reimbursement | \$ | 2,899.98 |
| Johnson Brothers | liquor | \$ | 369.74 |
| Northwestern Energy | utilities | \$ | 3,499.85 |
| Jeremy Wellnitz | meal reimbursement | \$ | 20.00 |
| SD Rural Development | loan | \$ | 787.00 |
| SD Rural Development | loan | \$ | 1,307.00 |
| SD Rural Development | loan | \$ | 908.00 |
| Clark Co Historical Society | subsidy | \$ | 577.00 |
| Principal Financial Group | insurance | \$ | 36.78 |

2023 City of Clark Meeting Minutes

| | | |
|------------------------------------|--------------------------|-------------|
| First Service Appraisal | appraisal | \$ 1,200.00 |
| Westside Implement | parts | \$ 197.55 |
| Republic National Distributing Co. | liquor | \$ 841.46 |
| Johnson Brothers | liquor | \$ 1,234.81 |
| Dash Medical Gloves | gloves | \$ 96.90 |
| Sturdevants Auto Value | supplies | \$ 1,069.22 |
| Kens Food Fair | concessions and supplies | \$ 852.18 |
| Agwrx Cooperative | fuel | \$ 1,285.76 |
| VGM Financial Services | cart rentals | \$ 1,903.15 |
| New Dimensions | mowing/trimming | \$ 2,500.00 |
| Cardmember Services | credit card purchases | \$ 474.97 |
| U Drive Technology | text tool | \$ 52.12 |
| Clark County Courier | advertising | \$ 417.90 |

9/1/23 Payroll

| | | |
|----------------|---------------|-------------|
| Mayor | payroll | \$ 276.92 |
| Finance Office | payroll | \$ 2,371.40 |
| Govt Bldg | payroll | \$ 107.95 |
| Police | payroll | \$ 4,114.42 |
| Streets | payroll | \$ 2,783.52 |
| Landfill | payroll | \$ 384.00 |
| Sewer | payroll | \$ 1,517.09 |
| Water | payroll | \$ 1,517.37 |
| Transit | payroll | \$ 371.48 |
| Golf Club | payroll | \$ 5,657.28 |
| Library | payroll | \$ 572.00 |
| EFTPS | Payroll Taxes | \$ 4,380.80 |

Motion # 103-2023

Approve Capital Outlay Transfer

Motion by Dohmann and seconded by Nesheim to approve the transfer of \$3000 from the Government Building Capital Outlay fund to the General Fund. All members voting yes. Motion carried.

Motion # 104-2023

Approve Use of Funds

Motion by Nesheim and seconded by Kottke to approve the use of \$3000 from the Capital Outlay funds to pay for beadboard in the Ulliyot Building. All members voting yes. Motion carried.

First Reading- Ordinance #581 Flood Plain Management

The first reading was had for Ordinance # 581 – Flood Plain Management.

First Reading – Ordinance #580 2024 Budget

The first reading was had for Ordinance #580- 2024 Budget. Budget discussion and cuts followed the reading.

Motion # 105-2023

Executive Session

Motion by Nesheim and seconded by Dohmann to enter executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4. All members voting yes. Motion carried.

Executive session began at 8:55pm and was declared out at 9:30pm.

Motion # 106-2023

Adjourn

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

Meeting adjourned at 9:30 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
October 2nd, 2023**

Call to order: The Clark City Council met in session on October 2nd, 2023 at 7:00pm in the City Hall Community Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Shane Hagstrom, Melissa Nesheim, and Brandon Kottke. Not present was Andrew Zemlicka.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Tony Werdel, Tammy Rusher, Lon Reidburn, andCarolynn Olson.

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

Motion # 107-2023

Adopt Agenda

Motion by Dohmann and seconded by Nesheim to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Public Input

Tammy Rusher spoke on behalf of the Youth Group and asked for permission to use 2nd Ave between City Hall and the courthouse for Trunk or Treat on October 25th. Lon Reidburn asked the council if his gutters were properly place per his agreement with the City. The Council agreed that Lon had done what was asked of him. Melissa Nesheim spoke on behalf of Felicia and Matt Hofman and asked if the street department could remove one of the signs in front of their home.

Motion # 108-2023

Approval of Plat

Motion by Kottke and seconded by Dalton to approve Tony Werdel's plat for the East Park Addition (formerly McCain Foods). All members voting yes. Motion carried.

City of Clark Parcel 7903

Tony Werdel proposed a development plan regarding city owned parcel 7903, roughly 27 acres east of the old McCain's building. Werdel and Ron Clausen would like to see that land developed for housing and asked for the city's blessing in having an engineer draft a site plan for the area. The council saw no issues.

Department Updates

Clubhouse Manager Tammy Rusher spoke about the October clubhouse schedule and touched on the golf course's promising revenue despite being over budget. Deputy Finance Officer Rae Jean Flora will attend Municipal League this week and health insurance premiums will go up by 4.28%.

Motion # 109-2023

Approve Change Order

Motion by Kottke and seconded by Dalton to approve the change order from Halme Construction for the Drinking Water Improvement project. All members voting yes. Motion carried.

Motion # 110-2023

Approve Payment Application

Motion by Dohmann and seconded by Nesheim to approve the second payment application from Halme Construction. All members voting yes. Motion carried.

Shop Houses

The council and Mayor Kline spoke at length regarding the pros and cons of allowing shop houses in residential districts. In the end, the council decided to allow them.

Burbach Aquatic Report

Wellnitz provided the preliminary report from Burbach Aquatic regarding the Clark swimming pool. A copy of the report will be available at City Hall.

New Dimensions Mowing Contract

The council discussed the mowing contract provided by Bob Bjerke with New Dimensions. Fjelland suggested putting the contract on the November agenda so he can look up the previous contracts to see what city lots are on them.

Med Van Fee Schedule

After much discussion, the city council came up with a new fee schedule for those individuals and businesses utilizing the Med Van service. The new fee schedule will be uploaded on the City of Clark website or available at City Hall.

Motion # 111-2023

Approve Meeting Minutes

Motion by Dohmann and seconded by Dalton to approve the September meeting minutes. All members voting yes. Motion carried.

Motion # 112-2023

Approve Financial Statements

Motion by Nesheim and seconded by Kottke to approve the current financial statements. All members voting yes. Motion carried.

Motion # 113-2023

Approve Claims

Motion by Dalton and seconded by Dohmann to approve the following claims. All members voting yes. Motion carried.

SEPTEMBER CLAIMS (09 23 CLMS2)

| # | To | For | Amount |
|-------|------------------------------|-------------------|--------------|
| 30361 | Share Corporation | chemical | \$ 300.00 |
| 2974 | City of Clark | utilities | \$ 3,686.21 |
| 30632 | Oscars Machine Shop | parts | \$ 25.41 |
| 30633 | Macks Standard | fuel | \$ 538.55 |
| 30634 | Cooks Wastepaper & Recycling | dumpsters | \$ 255.25 |
| 2975 | ITC | utilities | \$ 649.85 |
| 30635 | SD Dept of Transportation | signs | \$ 32.00 |
| 30636 | Clark Community Oil | fuel and chemical | \$ 888.84 |
| 30637 | Language Link | translation | \$ 13.74 |
| 30638 | Clark Rural Water System | materials | \$ 14,244.30 |
| 30639 | Cooks Wastepaper & Recycling | September garbage | \$ 7,964.18 |
| 30640 | SD Dept of Transportation | fuel | \$ 506.48 |

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| | | | | |
|------------------|------------------------------|----------------------|----|------------|
| 2977 | Amazon Capital Services | supplies | \$ | 85.56 |
| 30641 | Clark Ace Hardware | supplies | \$ | 506.48 |
| 30644 | Northwestern Energy | utilities | \$ | 7,135.20 |
| 2981 | Quill | supplies | \$ | 242.36 |
| 2983 | SD Dept of Revenue | sales tax | \$ | 158.81 |
| 2984 | SD Dept of Revenue | sales tax | \$ | 2,909.79 |
| 2987 | Amazon Capital Services | supplies | \$ | 276.34 |
| 2990 | A & B Business Solutions | copier | \$ | 65.55 |
| 2991 | FuturePOS | credit card fees | \$ | 847.45 |
| | Johnson Brothers | fix invoicing error | \$ | 19.98 |
| 2993 | Johnson Brothers | liquor | \$ | 1,106.98 |
| 9/18/2023 | Mayor | payroll | | |
| Payroll | Finance Office | payroll | \$ | 226.92 |
| | Govt Bldg | payroll | \$ | 2,304.40 |
| | Police | payroll | | \$117.48 |
| | Streets | payroll | | \$4,891.46 |
| | Landfill | payroll | | \$2,966.64 |
| | Sewer | payroll | | \$384.00 |
| | Water | payroll | | \$1,767.25 |
| | Transit | payroll | \$ | 1,767.59 |
| | Golf Club | payroll | \$ | 463.55 |
| | Library | payroll | \$ | 5,662.69 |
| | EFTPS | Payroll Taxes | \$ | 578.50 |
| 2982 | | | \$ | 4,971.74 |
| 30642 | SD Retirement | Employees Retirement | \$ | 3,613.50 |
| 30643 | Child Support Payment Center | Child Support | \$ | 352.62 |

OCTOBER CLAIMS (10 23 CLMS)

| | | | |
|---------------------------|--------------------------|----|----------|
| Porter Distributing Co. | liquor | \$ | 403.75 |
| Office Peeps | calendars | \$ | 14.26 |
| Wellmark BCBS | insurance | \$ | 5,225.30 |
| Chesterman Company | pop | \$ | 479.60 |
| US Food Inc. | concessions and supplies | \$ | 6,812.69 |
| Pitney Bowes | meter rental | \$ | 162.00 |
| Dakota Style | seeds | \$ | 120.96 |
| Republic National Dist Co | liquor | \$ | 554.83 |
| Ellwein Brothers, Inc. | liquor | \$ | 1,342.95 |
| Johnson Lawn & Tree | trimming | \$ | 100.00 |
| IMEG | inspection | \$ | 952.00 |
| Principle Financial Group | insurance | \$ | 36.78 |
| Share Corporation | chemical | \$ | 161.92 |

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| | | |
|--------------------------|----------------------|-------------|
| JW Roll Off Service | dumpsters | \$ 341.88 |
| Delta Dental | insurance | \$ 1,188.40 |
| Vision Service Plan | insurance | \$ 385.36 |
| Ron's Saw Shop | pole saw and repairs | \$ 1,045.27 |
| SD Dept of Revenue | plates | \$ 16.70 |
| A & B Business Solutions | copier | \$ 65.55 |
| Menards | chemical | \$ 14.94 |
| Creative Printing | wall calendars | \$ 188.76 |
| Star Laundry | rags and rugs | \$ 304.53 |
| SD Dept of Health | specimen | \$ 30.00 |
| Cardmember Services | credit card fees | \$ 649.48 |
| Northwestern Energy | utilities | \$ 298.69 |
| New Dimensions | mowing | \$ 2,620.00 |
| AT & T Mobility | utilities | \$ 470.61 |
| Clark County Courier | advertising | \$ 204.27 |
| Mack's Standard | fuel | \$ 506.20 |
| U Drive Technology | text tool | \$ 127.80 |
| Milbank Winwater Works | parts | \$ 108.40 |
| Sturdevants Auto Value | parts | \$ 18.59 |
| Banyon Data Systems Inc. | software support | \$ 2,105.00 |

10/3/23 Payroll

| | | |
|----------------|---------|-------------|
| Mayor | payroll | \$ 276.92 |
| Finance Office | payroll | \$ 2,355.09 |
| Govt Bldg | payroll | \$ 95.25 |
| Police | payroll | \$ 4,114.42 |
| Streets | payroll | \$ 2,995.24 |
| Landfill | payroll | \$ 318.00 |
| Sewer | payroll | \$ 1,701.27 |
| Water | payroll | \$ 1,701.59 |
| Transit | payroll | \$ 431.80 |
| Golf Club | payroll | \$ 3,976.08 |
| Library | payroll | \$ 581.75 |

| | | |
|-------|---------------|-------------|
| EFTPS | Payroll Taxes | \$ 4,183.87 |
|-------|---------------|-------------|

Motion # 114-2023

Approve Temporary Liquor License

Motion by Nesheim and seconded by Hagstrom to approve the temporary liquor license for the Lion's Gun Raffle on October 14th. All members voting yes. Motion carried.

Motion # 115-2023

Resolution # 867

Motion by Nesheim and seconded by Dohmann to approve Resolution # 867 – Golf Course Capital Outlay. All members voting yes. Motion carried.

RESOLUTION # 867

A RESOLUTION ESTABLISHING A CAPITAL OUTLAY FOR GENERAL FUND GOLF COURSE AND GOLF COURSE CLUBHOUSE IMPROVEMENTS AND EQUIPMENT REPLACEMENT.

WHEREAS, the City Council of the City of Clark, South Dakota, has determined that equipment replacement, maintenance, and improvements of the golf course and the golf course clubhouse is necessary for proper upkeep and;

WHEREAS, the City Council of the City of Clark, South Dakota, has determined that there are not sufficient funds within the general fund to maintain the golf course and golf course clubhouse, and;

WHEREAS, SDCL 9-21-14.1, authorizes the municipality to establish a Capital Outlay accumulation account for the purposes of maintaining and improving the golf course and golf course clubhouse;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Clark, South Dakota that a Capital Outlay account be established and that the Finance Officer is hereby authorized and directed to budget and accumulate \$10,000 per annum beginning with the 2024 appropriations from the general fund for the purpose of replacing equipment, maintaining, and improving the golf course and golf course clubhouse.

AND BE IT FURTHER RESOLVED, that the accumulation of said funds will not exceed a maximum of more than sixty (60) months commencing from the date of this resolution.

Dated this 2nd day of October, 2023.

Kerry Kline, Mayor

ATTEST:

Alaina Wellnitz, Finance Officer
(SEAL)

Passed & Adopted: October 2nd, 2023
Published: October 4th, 2023
Effective: January 1st, 2024

1st Reading – Ordinance #582

A first reading was had for Ordinance # 582 – 2024 employee salaries.

1st Reading – Ordinance #583

A first reading was had for Ordinance # 583 – Water Rates.

Motion # 116-2023

2nd Reading – Ordinance # 581

Motion by Hagstrom and seconded by Dohmann to approve Ordinance # 581 – Flood Plain Management. All members voting yes. Motion carried.

ORDINANCE #581 - FLOOD DAMAGE PREVENTION

ARTICLE I

STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. STATUTORY AUTHORIZATION

The Legislature of the State of South Dakota has in SDCL 11-2-13 and 11-4-1 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the City Council of the City of Clark in Clark, South Dakota, does ordain as follows:

The City of Clark elects to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended). The National Flood Insurance Program (NFIP) is a voluntary program administered by the Federal Emergency Management Agency (FEMA), a component of the U.S. Department of Homeland Security, and the City of Clark’s community officials have elected to join the program, participate, and enforce this Flood Damage Prevention Ordinance and the requirements and regulations of the NFIP. The NFIP, established in the aforesaid act, provides that areas of the City of Clark having a special flood hazard be identified by FEMA, and that floodplain management measures be applied in such flood hazard areas. Furthermore, the City of Clark may elect to administer the Flood Damage Prevention Ordinance to areas not identified as Special Flood Hazard Areas (SFHAs) by FEMA on the community’s effective Flood Insurance Rate Map (FIRM), if the community has documentation to support that there is an inherent risk of flooding in such areas.

SECTION B. FINDINGS OF FACT

The flood hazard areas of the City of Clark are subject to periodic inundation by flood waters, which results in potential loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief; all of which adversely affect the public health, safety and general welfare of the inhabitants of the City of Clark.

These potential flood losses are caused by:

1. The cumulative effect of obstructions in floodplains that are known to cause increases in flood heights and velocities;
2. The occupancy of flood hazard areas by structures vulnerable to floods because they are inadequately elevated or otherwise unprotected from flood damages; and
3. Uses deemed unsuitable for floodplain areas or that do not account for the increased flood risk.

SECTION C. STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety and general welfare of the community and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize damage to public infrastructure, including but not limited to utilities, streets, and bridges that are susceptible to flooding;
3. Minimize prolonged business interruptions caused by flooding;
4. Minimize public expenditures on flood control projects;
5. Minimize the need for rescue and relief efforts associated with flooding and are generally undertaken at the expense of the public;

6. Protect and safeguard the welfare and safety of first responders should an emergency response is needed;
7. Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas; and
8. Promote that potential buyers are notified if properties are in a flood area.

SECTION D. METHODS OF REDUCING FLOOD LOSSES

To accomplish the purposes outlined in **ARTICLE I, SECTION C. STATEMENT OF PURPOSE**, this ordinance applies the following methods:

1. Restricts or prohibits land uses that are dangerous to health, safety, or property in times of flooding, or cause excessive increases in flood heights or velocities;
2. Requires that land uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
3. Controls the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
4. Controls filling, grading, dredging and other developments that may increase flood damage; and
5. Prevents or regulates the construction of flood barriers that will unnaturally divert floodwaters or may increase flood hazards to other lands.

ARTICLE II DEFINITIONS

SECTION A. DEFINITIONS

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

100-Year Flood means a flood having a recurrence interval that has a 1-percent chance of being equaled or exceeded during any given year (1-percent-annual-chance flood). The terms “100-hundred-year flood” and “1-percent-annual-chance flood” are synonymous. The term does not imply that the flood will necessarily happen once every 100 hundred years. Mandatory flood insurance requirements may apply.

100-Year Floodplain means the area of land susceptible to being inundated due to the occurrence of a 1-percent-annual-chance flood.

500-Year Flood means a flood having a recurrence interval that has a 0.2-percent chance of being equaled or exceeded during any given year (0.2-percent-annual-chance flood). The term does not imply that the flood will necessarily happen once every 500 years and mandatory flood insurance requirement generally does not apply.

500-Year Floodplain means the area of land susceptible to being inundated due to the occurrence of a 0.2-percent-annual-chance flood.

Accessory Structure is a structure that is on the same parcel of property as a principal structure. Its use is incidental to the use of the principal structure the ownership of the accessory structure is the same owner as of the principal structure. An accessory structure is a non-residential structure of low value that is used solely for the parking of vehicles and storage of tools, materials, or equipment. No human habitation is allowed within an accessory structure.

Addition is any improvement that expands the enclosed footprint or increases the square footage of an existing structure. This includes lateral additions added to the side, front, or rear of a structure; vertical additions added on top of a structure; and enclosures added underneath a structure.

Alluvial Fan Flooding means flooding occurring on the surface of an alluvial fan or similar landform that originates at the apex. It is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant Structure—see *Accessory Structure*.

Area of Future-Conditions Flood Hazard means the land area that would be inundated by the 1-percent-annual-chance (100-year) flood, based on future-conditions hydrology.

Area of Shallow Flooding means a designated AO, AH, AR/AO, or AR/AH zone on a community's Flood Insurance Rate Map (FIRM) with a 1 percent or greater annual chance of flooding to an average depth of 1 to 3 feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood-Related Erosion Hazard is the land within a community that is most likely to be subject to severe flood-related erosion losses. The area may be designated as Zone E on the Flood Hazard Boundary Map (FHBM). After the detailed evaluation of the special flood-related erosion hazard area, in preparation for publication of the FIRM, Zone E may be further refined.

Area of Special Flood Hazard is the land in the flood plain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated as Zone A on the FHBM. After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, or V1-30, VE, or V. For purposes of these regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

Base Flood means the flood having a 1-percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) is the water surface elevation of the 1-percent-annual-chance flood event. It is the height in relation to mean sea level expected to be reached by the waters of the base flood at pertinent points in the floodplains of coastal and riverine areas. It is also the elevation shown on the FIRM and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a 1-percent chance of equaling or exceeding that level in any given year.

Basement means any area of the building having its floor subgrade (below ground level) on all sides. A walkout basement that does not require a step up to grade is not considered a basement.

Best Available Data is existing flood hazard information adopted by a community and reflected on an effective FIRM, FBFM, FHBM and/or within an FIS report; or draft or preliminary flood hazard information supplied by FEMA or from another source. Other sources may include, but are not limited to, state, other federal agencies, or local studies, the more restrictive of which would be reasonably used by the community.

Breakaway Wall means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing

damage to the elevated portion of the building or supporting foundation system. Any walls below the lowest floor in a building in a V or VE Zone should give way under wind and water loads without causing collapse, displacement, or other damage to the elevated portion of the building or the supporting pilings or columns. Breakaway walls apply only to V or VE Zones.

Building—see *Structure*.

Channelization means the artificial creation, enlargement, realignment, or alteration of a stream channel's slope, shape, or alignment. Streambank restoration may be deemed as channelization.

Code of Federal Regulations (CFR) is the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic and/or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, and/or the SFHA. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be recognized by FEMA.

Conditional Letter of Map Revision Based on Fill (CLOMR-F) is FEMA's comment on a proposed structure or property. The letter does not revise an effective map; it indicates whether the project, if built as proposed, would be removed from the floodplain.

Crawlspace means an under-floor space that has its interior floor area (finished or not) no more than 4 feet from the bottom floor joist to the next higher floor elevation, designed with proper openings that equalize hydrostatic pressures of flood water, and is not used for habitation. Reference: **ARTICLE V, SECTION B.4 CRAWLSPACE**

Critical Facility means a facility or building where even a slight chance of flooding is too great a threat. Typical critical facilities include hospitals, fire stations, police stations, schools, storage of critical records, assisted living and similar facilities.

Deed Restriction refers to a clause in a deed that limits the future use of the property in some respect. Deed restrictions may impose a vast variety of limitations and conditions. For example, they may limit the density of buildings, dictate the types of structures that can be erected, or prevent buildings from being used for specific purposes or from being used at all.

Detached Garage is a building that is used solely for storage of materials or vehicle parking for up to four housing occupants. If a detached garage is designed or used for habitation or conducting business, or has multiple stories, then the building is not considered a detached garage under the NFIP.

Development means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, demolition, excavation or drilling operations, or storage either temporary or permanent of equipment or materials.

Elevated Building is a non-basement building built, in the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, to have the top of the elevated floor above the ground level by means of pilings, columns (post and piers), or shear walls parallel to the flow of the water and adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of a building in Zone A1-30, AE, A, A99, AR, AO, AH, B, C, X and D, an "elevated

building” also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Enclosure refers to an enclosed walled-in area below the lowest floor of an elevated building. Enclosures below the BFE may only be used for building access, vehicle parking, and storage.

Erosion means the process of the gradual wearing away of land masses by wind, water, or other natural agents.

Existing Construction refers to structures for which the “start of construction” commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. It may also be referred to as **Existing Structures**.

Existing Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Existing Structures—see **Existing Construction**.

Expansion to an Existing Manufactured Home Park or Subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FEMA means the Federal Emergency Management Agency.

Fill refers to the placement of materials, such as dirt, sand, or rock to elevate a structure, property, or portion of a property above the natural elevation of the site, regardless of where the material was obtained from. The common practice of removing unsuitable material and replacing with engineered material is not considered fill if the elevations are returned to the existing conditions. Any fill placed or used prior to the area being mapped as a flood hazard area is not deemed as fill.

Flood or Flooding means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
2. Mudslides (i.e., mudflows) that are proximately caused by flooding as defined in this ordinance and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
3. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in this ordinance.

Flood Insurance Manual is the document FEMA produces twice a year and is used to write flood insurance policies underwritten by the NFIP. The document contains definitions, policy rates, coverage and limitations, application and insurance policy forms.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Administrator has delineated both the SFHAs and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) or Flood Elevation Study means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Floodplain Development Permit is a community issued permit or document that is used for any development that occurs within an SFHA identified by FEMA or the community. It is used to address the proposed development to ensure compliance with the community's ordinance.

Floodplain or Flood-Prone Area means any land area susceptible to being inundated by water from any source whether or not identified by FEMA (see definition of **Flooding**).

Floodplain Management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, mitigation plans, and floodplain management regulations.

Floodplain Management Regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for flood damage prevention and reduction.

Flood Opening refers to an opening in the wall of an enclosed structure that allows floodwaters to automatically enter and exit the enclosure. Refer to FEMA Technical Bulletin 1.

Flood Protection System means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to an SFHA and to reduce the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized, flood modifying works are those constructed in conformance with sound engineering standards. FEMA only accredits levees, both private and public, that have been certified by a professional engineer or firm in which the certification shows that the levee have met and continue to meet the minimum regulatory standards cited in Title 44, Chapter 1, Section 65.10 of the Code of Federal Regulations (44 CFR 65.10).

Floodproofing means any combination of structural and non-structural additions, changes, or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents. Floodproofing can either be accomplished in the form of dry floodproofing in which the structure is watertight below the levels that need flood protection, or wet floodproofing in permanent or contingent measures applied to a structure that prevent or provide resistance to damage from flooding, while allowing floodwaters to enter the structure or area.

Floodway—see **Regulatory Floodway**.

Floodway encroachment lines mean the lines marking the limits of floodways on federal, state, and local flood plain maps.

Freeboard means a factor of safety usually expressed in feet above a flood level for purposes of flood plain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Functionally Dependent Use means a development that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and repair facilities. It does not include long-term storage or related manufacturing facilities.

Highest Adjacent Grade (HAG) means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. In AO Zones, the highest adjacent grade is utilized by comparing the lowest floor elevation to that of the highest adjacent grade and the depth of the AO Zone.

Historic Structure means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic reservation programs that have been approved by the Secretary of the Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Letter of Map Amendment (LOMA) means an official amendment, by letter, to an effective FIRM. A LOMA establishes a property’s location in relation to the SFHA. It is usually issued because a property or structure has been inadvertently mapped as being in the floodplain, when the property or structure is actually on natural high ground above the BFE.

Letter of Map Revision (LOMR) means FEMA's modification or revision to an entire or portion of the effective FIRM, or Flood Boundary and Floodway Map, or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective BFEs, or the SFHA.

Letter of Map Revision Based on Fill (LOMR-F) means FEMA’s amendment, by letter, to an effective FIRM where fill was brought in or used to elevate a property, portion of property or structure above the BFE.

Levee means a man-made structure usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee System means a flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest Adjacent Grade (LAG) means the lowest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. For an existing structure, it means the lowest point where the structure and ground touch, including but not limited to attached garages, decks, stairs, and basement windows.

Lowest Floor means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 60.3.

Manufactured Home means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle”; however, a manufactured home may be used for both residential and non-residential use.

Manufactured Home Park or Subdivision means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Map means the FHBM or the FIRM for a community issued by FEMA.

Mean Sea Level means, for purposes of the NFIP, the National Geodetic Vertical Datum (NGVD) of 1929, North American Vertical Datum (NAVD) of 1988, or other datum, to which BFEs shown on a community's FIRM are referenced.

Mixed Use Structures are structures with both a business and a residential component, but where the area used for business is less than 50 percent of the total floor area of the structure.

New Construction means structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. For the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

No-Rise Certifications are formal certifications signed and stamped by a professional engineer licensed to practice in the state, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed development will not result in any increase (0.00 feet) in flood levels within the community during the occurrence of a base flood event.

Physical Map Revision (PMR) is FEMA’s action whereby one or more map panels are physically revised and republished.

Recreational Vehicle means a vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily, not for use as a permanent dwelling but, as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Riverine means relating to, formed by, or resembling a river (including tributaries), stream, brook, creek, etcetera, which can be intermittent or perennial.

Section 1316 refers to the section of the National Flood Insurance Act of 1968, as amended, which provides for the denial of flood insurance coverage for any property that the Administrator finds has been declared by a duly constituted State or local authority to be in violation of State or local floodplain management regulations. Section 1316 is issued for a property, not a property owner, and remains with the property even after a change of ownership.

Special Flood Hazard Area—see *Area of Special Flood Hazard*.

Start of Construction (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)) includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure means, for floodplain management purposes, a walled and roofed building, culvert, bridge, dam, or a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

Structure, for insurance purposes, means:

1. A building with two or more outside rigid walls and a fully secured roof, which is affixed to a permanent site;
2. A manufactured home (“a manufactured home,” also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or
3. A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For insurance purposes, “structure” does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

Substantial Damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed.

The term does not, however, include:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications that have been identified by the local code enforcement official and are the minimum necessary to assure safe living conditions; or
2. Any alteration of a “historic structure”, if the alteration will not preclude the structure's continued designation as a “historic structure.”

Variance means a grant of relief by a community from the terms of a flood plain management regulation. Reference: **ARTICLE IV, SECTION E. VARIANCE PROCEDURES**

Violation means the failure of a structure or other development to be fully compliant with the community's flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Sections 44 CFR 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water Surface Elevation means the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies, such as the 1-percent-annual-chance flood event, in the flood plains of coastal or riverine areas.

Watercourse means the channel and banks of an identifiable water in a creek, brook, stream, river, ditch or other similar feature.

ARTICLE III GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

The ordinance shall apply to all areas of special flood hazard identified by FEMA or, if elected in **ARTICLE III, SECTION B.1. USE OF BEST AVAILABLE DATA**, areas of identified and documented flood risk supported using Best Available Data within the jurisdiction of the City of Clark.

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by FEMA in a scientific and engineering report entitled, "The Flood Insurance Study for Clark County, South Dakota and Incorporated Areas" dated January 11th, 2024, accompanying FIRMs, and any Letters of Map Change including Letters of Map Amendment, Letters of Map Revision based on Fill, and Letters of Map Revision, thereto are hereby automatically adopted by reference and declared to be a part of this ordinance.

SECTION B.1. USE OF BEST AVAILABLE DATA HIGHER STANDARD OPTION

The community has elected to adopt Best Available Data, defined in **ARTICLE III, SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES**, to regulate floodplain development in addition

to utilizing the effective FIRMs, FHBM, FIS, and/or FBFM. Where Best Available Data contradicts the FIRMs, FHBM, FIS, and/or the FBFM, the more restrictive data shall be utilized.

SECTION C. ESTABLISHMENT OF FLOODPLAIN DEVELOPMENT PERMIT

A Floodplain Development Permit shall be required to ensure conformance with the provisions of this ordinance.

SECTION D. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION E. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

SECTION F. WARNING AND DISCLAIMER OR LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by human-made or natural causes.

This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION G. SEVERABILITY

If any section, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court, the remainder of the ordinance shall not be affected.

SECTION H. COMPLIANCE

No structures or developments including buildings, recreation vehicles, or manufactured homes or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations. Nothing herein shall prevent the City of Clark Council from taking such lawful action as is necessary to prevent or remedy any violations.

SECTION I. STOP WORK ORDER

1. Authority. Whenever the floodplain administrator or other community official discovers any work or activity regulated by this ordinance being performed in a manner contrary to the provision of this ordinance, the floodplain administrator is authorized to issue a stop work order.
2. Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume.
3. Unlawful continuance. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by local or state law including but not limited to the penalties outlined in **ARTICLE III, SECTION J. PENALTIES FOR NONCOMPLIANCE**.

SECTION J. PENALTIES FOR NONCOMPLIANCE

In accordance with Section 59.2(b) of CFR 44, Chapter 1, of the NFIP regulation, to qualify for the sale of federally subsidized flood insurance, a community must adopt floodplain management regulations that meet or exceed the minimum standards of Section 60. “These regulations must include effective enforcement provisions.” In accordance with Section 60.1(b) of CFR 44, Chapter 1, of the NFIP regulations, “These regulations must be legally-enforceable, applied uniformly throughout the community to all privately and publicly owned land within flood-prone (i.e. mudflow) or flood-related erosion areas, and the community must provide that the regulations take precedence over less restrictive conflicting local laws, ordinances, or codes.”

THEREFORE:

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$200 for each violation assessed daily, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Clark from taking such other lawful action as is necessary to prevent or remedy any violation.

**ARTICLE IV
ADMINISTRATION**

SECTION A. DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The City of Clark Finance Officer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of the NFIP Regulations and 44 CFR pertaining to floodplain management.

SECTION B. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:

1. Uphold the goals of the community and the NFIP to reduce risk when possible and increase the community’s resistance to future disasters.
2. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance, including the actual elevation of the lowest floor (including basement or crawlspace) of all new or substantially improved structures and any floodproofing certificates, including the data supporting such certificates.
3. Maintain and hold open for public inspection maps that identify and locate the boundaries of the SFHAs to which this ordinance applies, including, but not limited to, the FIRM.
4. Review development proposals to determine whether a proposed building site, including sites designed for the placement of manufactured homes, will be reasonably safe from flooding.
5. Review, approve, or deny all applications for development permits required by adoption of this ordinance.
6. Ensure that all necessary permits have been obtained from those federal, state, or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334 and the Endangered Species Act of 1973) from which prior approval is required.
7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.

8. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the South Dakota Office of Emergency Management, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to FEMA.
9. Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions), the Floodplain Administrator shall make the necessary interpretation.
10. When BFE data has not been provided by FEMA, the Floodplain Administrator shall obtain, review, and reasonably utilize any BFE data and floodway data available from a federal, state, or other source including data provided by the applicant, in order to administer the provisions of this ordinance.
11. When a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30, AE, and AH on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than 1.00 foot at any point within the community.
 - a. Under the provisions of 44 CFR Chapter 1, Section 65.12 of the NFIP Regulations, a community may approve certain development in Zones A1-30, AE, and AH on the community's FIRM, which increases the water surface elevation of the base flood by more than 1.00 foot, provided that the community first meets the requirements of Section 65.12 for a conditional FIRM revision through FEMA's CLOMR process.
12. **HIGHER STANDARD OPTION:**
 - a. Must be selected if Best Available Data option in **ARTICLE III, SECTION B.1. USE OF BEST AVAILABLE DATA** is selected and can only be selected if the Best Available Data option is selected.
 - b. In addition to utilizing the effective FIRMs, FIS, Flood Boundary and Floodway Map, all permit reviews will utilize Best Available Data. Reference **ARTICLE III, SECTION B.1. USE OF BEST AVAILABLE DATA**.
13. If the project is determined or reasonably believed to cause an adverse effect on the BFE(s), boundaries of the floodplain or any insurable structures, technical justification for the proposed development shall be submitted and the community may require a CLOMR or LOMR to be submitted prior to the permit approval or as a requirement of the permit.

SECTION C. REQUIREMENT TO SUBMIT NEW TECHNICAL DATA

1. The property owner or developer shall notify FEMA by submittal of a LOMR within 6 months of project completion when an applicant had obtained a CLOMR from FEMA or when development altered a watercourse, modified floodplain boundaries, or modified BFE.
2. The property owner or developer shall be responsible for preparing technical data to support the CLOMR or LOMR application and paying any processing or application fees to FEMA. The property owner or developer is responsible for submitting the CLOMR and LOMR to FEMA and shall provide all necessary data to FEMA if requested during the review process to ensure the CLOMR or LOMR is issued.
3. The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this ordinance and all applicable state federal, and local laws.

SECTION D. PERMIT PROCEDURES

Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to:

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1. Duplicated plans drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations.
2. Duplicated plans drawn to scale showing the location, dimensions, and elevation of existing and proposed structures, including the placement of manufactured homes.
3. Location of the foregoing in relation to SFHAs.
4. Elevation (in relation to mean sea level), of the lowest floor (including basement and crawlspace) of all new and substantially improved structures, if applicable;
5. Elevation (in relation to mean sea level), to which any nonresidential structure (if applicable) shall be floodproofed.
6. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure (if applicable) shall meet the floodproofing criteria of this ordinance and the NFIP Regulations.
7. Description of the extent to which any watercourse or natural drainage will be altered or relocated because of proposed development, if applicable.
8. At the community's discretion, the community may charge a fee for issuance of floodplain development permits.
9. Copies of all floodplain development permits and the associated documents shall become property of the community and a permanent record.

Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage.
2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
3. The danger that materials may be swept onto other lands to the injury of others.
4. The compatibility of the proposed use with existing and anticipated development.
5. The safety of access to the property in times of flood for ordinary and emergency vehicles.
6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical, and water systems.
7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site.
8. The necessity to the facility of a waterfront location, where applicable.
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
10. The relationship of the proposed use to the comprehensive plan for that area.

SECTION E. VARIANCE AND APPEAL PROCEDURES

1. **VARIANCE**
 - a. An application for a variance must be submitted to the Finance Officer on the form provided by the City of Clark and include at a minimum the same information required for a development permit and an explanation for the basis for the variance request.
 - b. Upon receipt of a completed application for a variance, the variance request will be set for public hearing at the next City Council meeting in which time is available for the matter.
 - c. Prior to the public hearing, Notice of the hearing will be published in the official newspaper of the City at least 15 days prior to the hearing. In addition to the newspaper publication, written notice shall be provided to all adjoining property owners.
 - d. The burden to show that the variance is warranted and meets the criteria set out herein is on the applicant.

2. **CRITERIA FOR VARIANCES**

- a. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
- b. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
- c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- d. Variances may be issued upon;
 - a. A showing by the applicant of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws and ordinances.
- e. Variances pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods.

3. **VARIANCE DECISION**

The decision to either grant or deny a variance shall be in writing and shall set forth the reasons for such approval or denial. If the variance is granted, the property owner shall be put on notice along with the written decision that the permitted building will have its lowest floor below the Flood Protection Elevation and that the cost of flood insurance likely will be commensurate with the increased flood damage risk.

4. **APPEALS**

The City Council shall hear and decide appeals from the interpretations of the Administrator.

1. An appeal must be filed with the Finance Officer within fourteen (14) days of the date of any permit denial or interpretation of the Administrator. Failure to timely file an appeal shall be considered a failure to exhaust the administrative remedies. The appeal must set out the interpretation of the Administrator and a narrative setting forth the facts relied upon by the appellant and the appellants claim regarding the error in the interpretation.
2. Upon receipt of a completed appeal, the appeal will be scheduled for the next available City Council meeting to be heard. In ruling on an appeal, the City Council shall consider all technical evaluations, all relevant factors, and standards specified in other sections of this ordinance, including:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effects of such damage on the individual landowner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity of the facility to a waterfront location, where applicable;
 - f. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - g. The compatibility of the proposed use with existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;

- i. The safety of access to the property in times of flooding for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
 - k. The cost of providing government services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
5. **DECISION**
The City Council's decision on appeal shall be in writing and set out the facts, technical information, and the legal basis for the decision.

ARTICLE V PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In all areas of special flood hazards, the following provisions are required for all new construction and substantial improvements:

1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage.
4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters.
7. On-site waste disposal systems shall be designed or located to avoid impairment to them or contamination from them during flooding.

SECTION A.1. SUBSTANTIAL IMPROVEMENT

Any combination of repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, if the cumulative cost of the entire project equals or exceeds 50 percent of the market value of the structure only (not of the structure and land value combined) before the improvement or repair is started then the work shall be considered as substantial improvement. If the structure has sustained substantial damage, any repairs are considered substantial improvements regardless of the actual repair work performed. For Substantial Damage, refer to **ARTICLE V, SECTION A.2. SUBSTANTIAL DAMAGE**. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

SECTION A.2. SUBSTANTIAL DAMAGE

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its pre-damaged condition would equal or exceed 50 percent of the market value of the structure only before the damage occurred. This term also applies to structures which have incurred any damage that equals or exceeds 50 percent of the structure's market value regardless of the actual repair work performed. When a structure or building has been determined as substantially damaged, any work or repair on said structure or building will be considered as substantial improvement and will be required to meet the development requirements set forth within this ordinance for substantial improvement.

SECTION A.3. SUBSTANTIAL IMPROVEMENT AND SUBSTANTIAL DAMAGE DETERMINATION

For applications for building permits to improve buildings and structures, including alterations, movement, enlargement, replacement, repair, change of occupancy, additions, rehabilitations, renovations, and any other improvement of or work on such buildings and structures, the Floodplain Administrator, in coordination with the applicable community officials and staff, shall:

1. Estimate the market value, or require the applicant to obtain an appraisal of the market value prepared by a qualified independent appraiser, of the building or structure only, not of land and building, before the start of construction of the proposed work. In the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.
2. Compare the cost to perform the improvement, the cost to repair a damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, if applicable, to the market value of the building or structure.
3. Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; the determination requires evaluation of previous permits issued for improvements and repairs as specified in the **ARTICLE V, SECTION A.1. SUBSTANTIAL IMPROVEMENT.**
4. Utilize FEMA's Substantial Improvement/Substantial Damage Desk Reference when making any determination on Substantial Improvement and/or Substantial Damage.
5. The substantial improvement regulations apply to all of the work that is proposed as the improvement, even if multiple permits are issued. Therefore, the determination of the cost of the improvement should consider all costs of all phases of the work before issuance of the first permit.
6. Notify the applicant that if it is determined that the work constitutes substantial improvement or repair of substantial damage, that compliance with the floodplain management ordinance is required.

SECTION B. SPECIFIC STANDARDS

In all SFHAs, and if **ARTICLE III, SECTION B.1 USE OF BEST AVAILABLE DATA** has been selected, areas of known or suspected flood risk areas, the following provisions are required:

SECTION B.1. RESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated to the BFE, unless a freeboard option is noted below. If a freeboard option is noted, new construction and substantial improvement shall have the lowest floor (including basement) elevated to the freeboard elevation. A registered professional engineer, architect, or land surveyor shall submit certified elevations to the Floodplain Administrator that the standards of this ordinance are satisfied.

In AO/AH Zones, new and substantially improved residential structures must have their lowest floor (including basement) above the highest adjacent grade at least one foot above the FIRM's depth number

(at least three feet if no depth number is specified). In AO/AH Zones, adequate drainage paths around structures on slopes are required to guide flood waters away from proposed structures.

SECTION B.1.1. RESIDENTIAL CONSTRUCTION FREEBOARD

The Clark of Clark has elected to adopt a freeboard option for new construction and substantial improvement of any residential structure. The freeboard option requires that lowest floor elevation to be built above the BFE by the height selected. The City of Clark has elected a:

1. 1 feet of freeboard meaning the lowest floor must be built 1 feet above the BFE.

SECTION B.2 NONRESIDENTIAL CONSTRUCTION

New construction and substantial improvements of any commercial, industrial, or other nonresidential structure shall either have the lowest floor (including basement) elevated to the base flood level, unless a freeboard option is noted below, or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the Floodplain Administrator. If the use or occupancy of the building changes in the future to residential, then the dry floodproofing of the structure cannot be used when determining compliance of the structure to the residential construction of this ordinance, **ARTICLE V, SECTION B.1 RESIDENTIAL CONSTRUCTION** and **ARTICLE V, SECTION B.1.1 RESIDENTIAL CONSTRUCTION FREEBOARD**. As such, the building will not be grandfathered into compliance and will be required to be brought into compliance with the residential construction requirements of this ordinance.

In AO/AH Zones, new and substantially improved non-residential structures must have their lowest floor (including basement) above the highest adjacent grade at least one foot above the FIRM's depth number (at least three feet if no depth number is specified). In AO/AH Zones, adequate drainage paths around structures on slopes are required to guide flood waters away from proposed structures.

SECTION B.2.1 NONRESIDENTIAL CONSTRUCTION FREEBOARD

The City of Clark has elected to adopt a freeboard option for new construction and substantial improvement of any nonresidential structure. The freeboard option requires that lowest floor elevation to be built above the BFE by the height selected. The City of Clark has elected a:

1. 1 feet of freeboard meaning the lowest floor must be built 1 feet above the BFE.

SECTION B.3. ENCLOSURES

New construction and substantial improvements, with fully enclosed areas below the lowest floor that are to be used solely for parking of vehicles, building access, or storage in an area other than a basement, and are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or must meet or exceed the following minimum criteria:

1. A minimum of two openings having a total net area of not less than 1 square inch for every square foot of enclosed area subject to flooding shall be provided.
2. The bottom of all openings shall be no higher than 1 foot above grade.
3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

The development and construction of the structure must conform with the provision in FEMA/Federal Insurance Administration (FIA)-Technical Bulletins 1 and 2. Certification and documentation from a professional, licensed engineer or architect is required if the structure's lowest floor is built below the BFE.

SECTION B.4. CRAWLSPACE

New construction and substantial improvements built on a crawlspace or sub-grade (below grade) crawlspace may be permitted if the development is designed and meets or exceeds the standards found in FEMA's Technical Bulletins 1, 2, and 11, which include but are not limited to the following:

1. The structure must be affixed to a permanent foundation, designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Because of hydrodynamic loads, crawlspace construction is not allowed in areas with flood velocities greater than 5 feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer.
2. The crawlspace is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than 1 foot above the LAG.
3. The crawlspace enclosure must have proper openings that allow equalization of hydrostatic pressure by allowing automatic entry and exit of floodwaters. To achieve this, a minimum of 1 square inch of flood opening is required per 1 square foot of the enclosed area subject to flooding.
4. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, piers, or other materials that extend below the BFE. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
5. Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions.
6. The interior grade of a crawlspace below the BFE must not be more than 2 feet below the LAG.
7. The height of the below-grade crawlspace, measured from the lowest interior grade of the crawlspace floor to the bottom of the floor joist of the next higher floor cannot exceed 4 feet at any point.
8. There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
9. Buildings with below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the LAG.

SECTION B.5. MANUFACTURED HOMES

1. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
2. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the community's FIRM on sites outside of a manufactured home park or subdivision;) in a new manufactured home park or subdivision; in an expansion to an existing manufactured home park or subdivision; or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is

2023 City of Clark Meeting Minutes

elevated at least 1 foot above the BFE, and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- 3. In A-1-30, AH, AO and AE Zones, require that manufactured homes to be placed or substantially improved in an existing manufactured home park to be elevated so that the lowest floor is at least 1 foot above the BFE; or the chassis is supported by reinforced piers no less than 36 inches in height above grade and securely anchored.

SECTION B.6. RECREATIONAL VEHICLES

Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:

- 1. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use;
 - a. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.
- 2. Or meet the permit requirements of **ARTICLE IV, SECTION D, PERMIT PROCEDURES**, and the elevation and anchoring requirements for "manufactured homes" of this section.

SECTION C. STANDARDS FOR SUBDIVISION PROPOSALS

- 1. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with the provisions of this ordinance.
- 2. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- 3. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of this ordinance.
- 4. BFE data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions, which is greater than 50 lots or 5 acres, or whichever is lesser.
- 5. All subdivision proposals including the placement of manufactured home parks and subdivisions shall minimize flood damage.
- 6. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

CERTIFICATION

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

First Reading: September 6th, 2023
Second Reading & Adopted: October 2nd, 2023
Published: October 5th, 2023
Effective Date: January 1st, 2024

Motion # 117-2023

2nd Reading – Ordinance # 580

Motion by Kottke and seconded by Dohmann to approve Ordinance # 580 – 2024 Appropriations Ordinance. All members voting yes. Motion carried.

**Ordinance # 580
2024 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>General Fund</u> | <u>Library Fund</u> | <u>TIF District No. 1</u> |
| 410 General Government | | | |
| 411 Council | \$ 30,225 | | |
| 411.5 Contingency | \$ 84,000 | | |
| 412 Mayor | \$ 12,549 | | |
| 413 Elections | \$ 725 | | |
| 414.1 Legal Services | \$ 3,500 | | |
| 414.2 Finance Office | \$ 122,950 | | |
| 419 Government Bldgs | \$ 46,630 | | |
| Total General Government | \$ 300,579 | | |
| 420 Public Safety | | | |
| 421 Police | \$ 297,350 | | |
| 422 Fire Department | \$ 39,150 | | |
| 429 Sirens | \$ 500 | | |
| Total Public Safety | \$ 337,000 | | |
| 430 Public Works | | | |
| 431 Highway & Streets | \$ 512,325 | | |
| 431.6 Street Lighting | \$ 39,000 | | |
| 432.1 Sanitation | \$ 106,720 | | |
| 439 Transit | \$ 20,100 | | |
| Total Public Works | \$ 678,145 | | |
| 441 Health and Welfare | | | |
| 441 Health - Medical Building | \$ 14,256 | | |
| 441.3 West Nile | \$ 21,000 | | |
| Total Health & Welfare | \$ 35,256 | | |
| 450 Culture & Recreation | | | |
| 451.2 Swimming Pool | \$ 169,700 | | |
| 451.25 Golf Course/Clubhouse | \$ 299,200 | | |
| 451.11 Summer Recreation | \$ 15,555 | | |
| 452 Parks | \$ 72,670 | | |
| 455 Library | \$ 32,125 | \$ 1,000 | |
| Total Culture & Recreation | \$ 589,250 | \$ 1,000 | |
| 465 Economic Development | | | |
| 465.3 Promoting the City | \$ 29,500 | | |

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| | | | |
|-----------------------------|-----------|------------------|-----------------|
| 470 Debt Service | | | \$ 2,761 |
| 499 Liquor | \$ | 2,450 | |
| Total Appropriations | \$ | 1,972,180 | \$ 2,761 |

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> |
|-------------------------------|---------------------|------------------------|---------------------|
| Revenue | General Fund | Library Fund | |
| 310 Taxes | \$ 1,061,330 | | \$ 2,761 |
| 320 Licenses & Permits | \$ 2,000 | | |
| 330 Intergovernmental Revenue | \$ 126,030 | \$ 500 | |
| 340 Charges for Goods & Srvs | \$ 403,950 | \$ 350 | |
| 350 Fines & Forfeits | \$ 200 | \$ 150 | |
| 360 Miscellaneous Revenue | \$ 120,320 | | |
| 370 Operating Revenue | \$ 19,600 | | |
| 380 Liquor | \$ 131,750 | | |
| 390 Other Sources | \$ 2,000 | | |
| Use of Restricted Cash | \$ 55,000 | | |
| Use of Cash on Hand | \$ 50,000 | | |
| Total Means of Finance | \$ 1,972,180 | \$ 1,000 | \$ 2,761 |

PROPRIETARY FUNDS

| | <u>Water Fund</u> | <u>Sewer Fund</u> |
|---------------------------------------|-------------------|-------------------|
| Estimated Beginning Retained Earnings | \$ 85,000 | \$ 183,000 |
| Estimated Revenue | \$ 1,472,200 | \$ 343,329 |
| Restricted Funds | \$ - | \$ 27,132 |
| Transfer In from General Fund | \$ - | \$ - |
| Total Available | \$ 1,557,200 | \$ 553,461 |
| | | \$ |
| Less Appropriations | \$ (1,472,200) | (343,329) |
| Estimated Surplus | \$ 85,000 | \$ 210,132 |

The Finance Officer is directed to certify the following dollar amount of tax levies made in this ordinance to the County Auditor: General Fund \$449,682

CITY OF CLARK

Kerry Kline, Mayor

Attest:

Alaina Wellnitz, Finance Officer

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(seal)
First Reading: September 6th, 2023
Second
Reading: October 2nd, 2023
Adopted: October 2nd, 2023
Published: October 10th, 2023
Effective Date: January 1st, 2024

Motion # 118-2023

Executive Session

Motion by Nesheim and seconded by Dohmann to enter executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4. All members voting yes. Motion carried.

Executive session began at 8:08pm and was declared out at 8:23pm.

Motion # 119-2023

Adjourn

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

Meeting adjourned at 8:26pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
November 6th, 2023**

Call to order: The Clark City Council met in session on November 6th, 2023 at 7:00pm in the City Hall Council Room.

Council Members Present: Nick Dalton, Shane Hagstrom, Andrew Zemlicka, Brandon Kottke, and Melissa Nesheim. Not present was Derrick Dohmann.

Others Present: Finance Officer Alaina Wellnitz, Public Works Superintendent Darin Altfillisch, Wade DeSart, Gayle Wookey, Les Solberg, Chris Tarbox, Terry Schlagel, Tony Werdel, Ronnie Clausen, Ralph Hurlburt,Carolynn Olson, Joshua Layer, and Jordan Weigand.

City Council President Andrew Zemlicka called the meeting to order at 7:00pm.

Motion # 120-2023

Adopt Agenda

Motion by Hagstrom and seconded by Nesheim adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

There was no public input.

Med Van Policies and Procedures

Chris Tarbox, Gayle Wookey, Terry Schlagel, and Les Solberg all spoke regarding their disappointment of the Medical Van rate increase. The council agreed to table the issue until next month.

Department Updates

Darin Altfillisch updated the council on the drinking water project. The City Dump will only be open on Saturdays starting this week until Thanksgiving, weather permitting. Alaina Wellnitz spoke on behalf of Todd Warkenthien and asked for clarification regarding the cost of his culvert and who is responsible for the parts. Altfillisch and the council agreed to repay Warkenthien for the full cost of his culvert since he installed it himself.

Motion # 121-2023

Approve Department Updates

Motion by Hagstrom and seconded by Kottke to approve the department updates. All members voting yes. Motion carried.

Burbach Aquatic

Joshua Layer and Jordan Weigand from Burbach Aquatic presenting their findings from the pool study that was completed by their company this summer.

Werdel/Clausen Development Update

Tony Werdel and Ronnie Clausen presented the concept plan for developing the City owned property east of town. The council approved of the plan and Wellnitz will speak with Chad Fjelland to find out what the next step should be.

Historical Society Dump Fees

Ralph Hurlburt spoke on behalf of the Historical Society and asked the council to consider allowing the Historical Society to use the City Dump free of charge. The council denied the request for free dumping.

Motion # 122-2023

Approve Change Order

Wade DeSart from Helms and Associates answered questions from the council regarding the change orders and progress of the drinking water project. Motion by Hagstrom and seconded by Kottke to approve the change order from Halme Construction. All members voting yes. Motion carried.

Motion # 123-2023

2nd Reading Ordinance #582 – 2024 Salaries

Motion by Kottke and seconded by Hagstrom to approve Ordinance #582 – 2024 Employee Salaries. All members voting yes. Motion carried.

Ordinance # 582 2024 Employee Salaries

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, 2024** shall be as follows:

| | | | |
|--|----|-------------|-----------------|
| Mayor | \$ | 5,900.00 | salary |
| City Council Members | \$ | 84.50 | meeting |
| | \$ | 42.00 | call-in meeting |
| | \$ | 10.00 | short meeting |
| <u>Finance Office</u> | | | |
| Finance Officer: Alaina Wellnitz | \$ | 22.75 | hour |
| Deputy Finance Officer: Rae Jean Flora | \$ | 21.75 | hour |
| Finance Office Substitute | \$ | 12.00 | hour |
| <u>Police Department</u> | | | |
| Police Chief: Jeremy Wellnitz | \$ | 61,000.00 | salary |
| Deputy: Nate Nickeson | \$ | 50,000.00 | salary |
| Part Time Deputy | \$ | 20.00 | hour |
| <u>City Maintenance Department</u> | | | |
| Superintendent: Darin Altfillisch | \$ | 33.00 | hour |
| Maintenance Crewman: Tyler Silkman | \$ | 24.00 | hour |
| Maintenance Crewman: Vacant | \$ | 20.00 | hour |
| <u>Golf Course</u> | | | |
| Greenskeeper | \$ | 18.00 | hour |
| Greenskeeper Assistants | \$ | 12.00-15.00 | hour |

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|---------------------------|----|-------|------|
| Clubhouse Manager | \$ | 19.00 | hour |
| Clubhouse Kitchen Manager | \$ | 16.50 | hour |
| Clubhouse Workers | \$ | 11.50 | hour |

Library

| | | | |
|------------------------|----|-------|------|
| Librarian: Tara Thomas | \$ | 15.00 | hour |
| Librarian Substitute | \$ | 12.00 | hour |

Sanitation Department

| | | | |
|--------------------|----|-------|------|
| Landfill Attendant | \$ | 14.00 | hour |
|--------------------|----|-------|------|

Pool

| | | | |
|---------------|----|-------|------|
| Manager | \$ | 16.00 | hour |
| Co-Manager(s) | \$ | 14.00 | hour |
| Lifeguards | \$ | 11.20 | hour |

For every year a lifeguard has worked, they receive an additional \$.25 per hour.

WSI Certified Lifeguards also receive an additional \$.25 per hour on top of their years of service increase.

| | | | |
|------------------------|----|----------|------|
| City Janitor | \$ | 13.00 | hour |
| Med Van Drivers | \$ | 13.00 | hour |
| Skating Rink Attendant | \$ | 11.20 | hour |
| Summer Rec Coaches | \$ | 1,000.00 | team |

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

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

First Reading: October 2nd, 2023
 Second Reading & Adopted: November 6th, 2023
 Published: November 8th, 2023
 Effective Date: January 1st, 2024

Motion # 124-2023

2nd Reading Ordinance #583 - Water Rates

Motion by Hagstrom and seconded by Kottke to approve Ordinance #583 – Water Rates. All members voting yes. Motion carried.

ORDINANCE # 583

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

2023 City of Clark Meeting Minutes

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, that “Title 10 – Water and Sewers, Chapter 10.24 – Rates - Section 10.2402- Water Rate – City” be amended to read as follows:

Section

“10.2402 WATER RATE – CITY

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

A base rate fee of \$17.00 per month; plus,

\$6.10 per every 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 Curb Stop:

There shall be a minimum line service fee of \$17.00 charged to each dwelling house, residence, business, building or other place for which sewer and water is maintained. This line service fee shall be charged irrespective of vacancy or abandonment of the property and irrespective of the fact that the municipal water supply has been shut off at the curb stop for such property. This fee is applicable to seasonal residents. There shall be no service fees for any vacant lot where no building is situated on the property.”

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

CITY OF CLARK

Kerry Kline, Mayor

ATTEST:

Alaina Wellnitz, City Finance Officer
(S E A L)

FIRST READING: October 2nd, 2023

SECOND READING AND ADOPTED: November 6th, 2023

PUBLISHED: November 8th, 2023

EFFECTIVE DATE: January 1st, 2024 for December 2023 billing

1st Reading Ordinance #584 Budget Supplement

A 1st Reading was had for Ordinance #584 – Budget Supplement.

New Dimensions Contract

More information still needs to be gathered regarding the previous contract, so this topic was tabled until the December meeting.

Motion # 125-2023 **Approve 2024 Wellmark Rates**
 Motion by Nesheim and seconded by Dalton to approve the 2024 Wellmark health insurance rates. All members voting yes. Motion carried.

Motion # 126-2023 **Approve Contractor Payment Application**
 Motion by Hagstrom and seconded by Kottke to approve the Forest and Halme payment applications for the drinking water project. All members voting yes. Motion carried.

Motion # 127-2023 **Approve October Meeting Minutes**
 Motion by Kottke and seconded by Nesheim to approve the October meeting minutes All members voting yes. Motion carried.

Motion # 128-2023 **Approve Financial Statements**
 Motion by Hagstrom and seconded by Dalton to approve the monthly finance statements. All members voting yes. Motion carried.

Motion # 129-2023 **Approve Claims**
 Motion by Hagstrom and seconded by Dalton to approve the following claims. All members voting yes. Motion carried.

OCTOBER CLAIMS (10 23 CLMS2)

| # | To | For | Amount |
|-------|-----------------------------|------------------|--------------|
| 30671 | Rae Jean Flora | ML reimbursement | \$ 134.00 |
| 30672 | Clark County Courier | advertising | \$ 40.00 |
| 30673 | Westside Implement, Inc. | parts | \$ 14.42 |
| 2994 | Quill | supplies | \$ 63.57 |
| 30674 | Avera Occupational Medicine | drug testing | \$ 205.00 |
| 30675 | Clark Community Oil | gas | \$ 247.15 |
| 30676 | Kens Food Fair | concessions | \$ 352.88 |
| 30677 | Midwest Alarm Company | services | \$ 275.49 |
| 30686 | Northwestern Energy | utilities | \$ 1,935.98 |
| 30678 | Cook's Wastepaper | dumpsters | \$ 255.25 |
| 30679 | Justice Fire & Safety | inspection | \$ 413.00 |
| 30680 | Overhead Door Company | repairs | \$ 188.72 |
| 30681 | Clark Rural Water System | materials | \$ 14,982.30 |
| 30682 | Share Corporation | supplies | \$ 95.06 |
| 30683 | C & B Operations, LLC | parts | \$ 157.55 |
| 2995 | ITC | utilities | \$ 645.70 |
| 30684 | Clark Ace Hardware | supplies | \$ 329.41 |
| 30685 | Clark Co Historical Society | subsidy | \$ 577.00 |
| 2374 | Rural Development | loan | \$ 787.00 |
| 2375 | Rural Development | loan | \$ 1,307.00 |
| 2376 | Rural Development | loan | \$ 908.00 |

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|-------------------------------------|------------------------------|----------------------|----|----------|
| 2996 | US Bank Corporate Trust | loan | \$ | 6,940.29 |
| 2998 | SD Dept of Revenue | sales tax | \$ | 1,440.64 |
| 2997 | SD Dept of Revenue | sales tax | \$ | 146.03 |
| 3000 | City of Clark | utilities | \$ | 633.77 |
| 30687 | Cook's Wastepaper | October garbage | \$ | 7,947.65 |
| 30688 | Johnson Lawn & Tree Service | trimming | \$ | 75.00 |
| 30691 | Northwestern Energy | utilities | \$ | 5,281.44 |
| 10/17/2023 | Mayor | payroll | \$ | 226.92 |
| Payroll | Finance Office | payroll | \$ | 2,384.87 |
| | Govt Bldg | payroll | \$ | 85.73 |
| | Police | payroll | \$ | 4,064.42 |
| | Streets | payroll | \$ | 2,860.20 |
| | Landfill | payroll | \$ | 372.00 |
| | Sewer | payroll | \$ | 1,628.20 |
| | Water | payroll | \$ | 1,628.52 |
| | Transit | payroll | \$ | 320.68 |
| | Golf Club | payroll | \$ | 2,039.65 |
| | Library | payroll | \$ | 615.20 |
| 2999 | EFTPS | Payroll Taxes | \$ | 3,770.24 |
| 10/31/2023 | Mayor | payroll | \$ | 276.92 |
| Payroll | Finance Office | payroll | \$ | 2,371.40 |
| | Govt Bldg | payroll | \$ | 69.85 |
| | Police | payroll | \$ | 4,802.67 |
| | Streets | payroll | \$ | 2,867.22 |
| | Landfill | payroll | \$ | 360.00 |
| | Sewer | payroll | \$ | 1,655.22 |
| | Water | payroll | \$ | 1,655.54 |
| | Transit | payroll | \$ | 508.01 |
| | Golf Club | payroll | \$ | 1,384.75 |
| | Library | payroll | \$ | 588.25 |
| 3005 | EFTPS | Payroll Taxes | \$ | 3,796.95 |
| 30689 | SD Retirement Systems | Employees Retirement | \$ | 5,238.62 |
| 30690 | Child Support Payment Center | Child Support | \$ | 528.93 |
| NOVEMBER CLAIMS (11 23 CLMS) | | | | |
| | JW Roll Off Service | dumpsters | \$ | 308.44 |
| | Axon Enterprise, Inc. | parts | \$ | 747.00 |
| | South Dakota 811 | locates | \$ | 38.85 |
| | WW Tire Service Inc. | repairs | \$ | 62.00 |

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| | | |
|------------------------------|----------------------|-------------|
| IMEG | inspection | \$ 3,400.00 |
| Star Laundry | rags and rugs | \$ 160.80 |
| Wellmark BCBS | insurance | \$ 5,225.30 |
| Principal Financial Group | insurance | \$ 36.78 |
| A & B Business Solutions | copier | \$ 71.12 |
| Delta Dental of South Dakota | insurance | \$ 1,188.40 |
| Moeller Sheet Metal | furnace check | \$ 149.93 |
| Dakota Pump Inc | pump | \$ 9,670.00 |
| SD Dept of Health | food service license | \$ 170.00 |
| Vision Service Plan | insurance | \$ 385.36 |
| Clark County Courier | advertising | \$ 2,154.22 |
| SD Dept of Health | specimen | \$ 330.00 |
| SD Municipal League | conference | \$ 125.00 |
| New Dimensions | mowing/trimming | \$ 1,511.63 |
| Menards | supplies | \$ 419.12 |
| U Drive Technology | text tool | \$ 182.40 |
| Ken's Food Fair | concessions | \$ 30.91 |
| Mack's Standard | fuel | \$ 609.71 |
| JB Auto Repair | repairs | \$ 867.05 |
| Amazon Capital Services | books and supplies | \$ 287.70 |
| Cardmember Services | credit card fees | \$ 678.33 |
| Clark ACE Hardware | supplies | \$ 438.49 |
| AT&T | utilities | \$ 168.64 |
| ITC | utilities | \$ 591.70 |
| Sturdevants | supplies | \$ 163.78 |
| TreeTop Products | benches and tables | \$ 8,910.51 |
| Carpenter Decorating | Christmas décor | \$ 4,961.11 |
| SD Dept of Transportation | fuel | \$ 693.87 |
| Fjelland Law Office | fees | \$ 2,850.00 |

Motion # 130-2023

Approve Contingency Transfer

Motion by Kottke and seconded by Nesheim to approve the following contingency transfer: West Nile (\$1,328); Golf Course (\$13,000); Promoting City (\$750). All members voting yes. Motion carried.

Motion # 131-2023

Approve Wine & Cider and Liquor Licenses

Motion by Nesheim and seconded by Hagstrom to approve the following retail on-sale liquor licenses: Golf course, Sportsman's, The Look Out, Clark Lanes, Dakota Butcher (off-sale), and the following Wine & Cider licenses: Ken's (on/off sale) and Big C (on/off sale). All members voting yes. Motion carried.

Motion # 132-2023

Executive Session

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Motion by Nesheim and seconded by Dalton to enter executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4. All members voting yes. Motion carried. Executive Session began at 8:37pm and was declared out at 8:39pm.

Motion # 133-2023

Street Department Job

Motion by Kottke and seconded by Hagstrom to hire Jimmie Mora for the street department at \$20/hr. All members voting yes. Motion carried.

Motion # 134-2023

Adjourn

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

Meeting adjourned at 8:40pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
December 11, 2023 at 7:00PM**

Call to order: The Clark City Council met in session on December 11th, 2023 at 7:00 pm in the City Hall Community Room.

Council Members Present: Nick Dalton, Derrick Dohmann, Andrew Zemlicka, and Brandon Kottke. Not present were Melissa Nesheim and Shane Hagstrom.

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Public Works Superintendent Darin Altfillisch, Police Chief Jeremy Wellnitz, City Attorney Chad Fjelland, Tammy Rusher, Tony Werdel, Ronnie Clausen, Chris Tarbox, Larry Dreher, Landon and Justyne Weber, Dave Musser Jr, Dave Musser Sr, and Dan & Linda Knox.

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

Motion # 135-2023

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Department Updates

Altfillisch gave updates on the water project, the new hire, and ordering a rotary mower.

Motion # 136-2023

Approve Department Updates

Motion by Kottke and seconded by Dohmann to approve department updates. All members voting yes. Motion carried.

Pool Donation

An anonymous resident donated \$50,000 to be used for the pool filter. The council discussed this option and decided to move forward with buying a filter and repainting the fiberglass shell of the pool.

Werdel/Clausen Property

Members of the public, including Dave Musser Jr. & Sr., The Webers, and The Knoxs, spoke of their concerns and suggestions regarding Ronnie Clausen and Tony Werdel's development plans for the City owned property east of town.

Motion # 137-2023

Approve Plat

Motion by Zemlicka and seconded by Kottke to approve the plat presented by Tony Werdel and Ronnie Clausen. All members voting yes. Motion carried.

Motion # 138-2023

Approve New Dimensions Contract

Motion by Dohmann and seconded by Kottke to approve New Dimensions' 5-year contract for mowing the parks. All members voting yes. Motion carried.

Motion # 139-2023

Approve 2022 Audit

Motion by Zemlicka and seconded by Kottke to approve the 2022 audit done by William Neale & Co. All members voting yes. Motion carried.

Motion # 140-2023

Approve Forest PPE

Motion by Dohmann and seconded by Zemlicka to approve the payment request for water meter installations from Forest Excavating. All members voting yes. Motion carried.

Motion # 141-2023

Approve Halme PPE

Motion by Kottke and seconded by Dohmann to approve the payment request for the water project from Halme Construction. All members voting yes. Motion carried.

Motion # 142-2023

Approve 2024 Med Van Rates

Motion by Kottke and seconded by Dohmann to approve the 2024 Med Van rates. All members voting yes. Motion carried.

Motion # 143-2023

Approve 2024 Golf Course Fees

Motion by Kottke and seconded by Dalton to approve the 2024 golf course fees. All members voting yes. Motion carried.

Motion # 144-2023

Contingency Transfers

Motion by Dohmann and seconded by Zemlicka to approve the following contingency transfers: Storm Siren \$967.01, Sanitary \$2000, Transit \$1500, Golf Course \$13,000, Parks \$4000, Library \$7000, and Police \$2000. All members voting yes. Motion carried.

Motion # 145-2023

Approve Ordinance #854

Motion by Zemlicka and seconded by Kottke to approve Ordinance #854 – Supplemental Budget. All members voting yes. Motion carried.

Ordinance # 584

“An Ordinance Supplementing Appropriations for the City of Clark, Clark County, South Dakota.

Be it ordained that the following sums be appropriated to supplement the City of Clark 2023 Budget:

| | |
|------------------|----------------------------------|
| 602 – Water Fund | |
| 43350 | Improvements\$1,969,186 |
| 43350 | Professional Fees\$546,000 |
| 226 – Library | |
| 45500 | Libraries\$500 |

Means of Finance will be Fund Balance and Federal Grant funds.

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

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

By: _____
Mayor Kerry Kline

Attest: _____
Finance Officer Alaina Wellnitz

(SEAL)

1st Reading: November 6th, 2023
2nd Reading: December 11th, 2023
Published: December 13th, 2023
Effective: January 3rd, 2024

Motion # 146-2023 **Approve Operating Agreements**
Motion by Kottke and seconded by Dohmann to approve the 2024 Operating Agreements for Clark Lanes, Clark Golf Course, Sportsman’s, Look Out, Dakota Butcher, Ken’s Fairway Foods, Hooker’s Bait & Tackle, El Corral, and Big C Travel Plaza. All members voting yes. Motion carried.

Motion # 147-2023 **Approve Meeting Minutes**
Motion by Dohmann and seconded by Dalton to approve the November meeting minutes. All members voting yes. Motion carried.

Motion # 148-2023 **Approve Financials**
Motion by Dalton and seconded by Zemlicka to approve the monthly financials. All members voting yes. Motion carried.

Motion # 149-2023 **Approve Claims**
Motion by Dohmann and seconded by Dalton to approve the following claims. All members voting yes. Motion carried.

NOVEMBER CLAIMS (11 23 CLMS2)

| # | To | For | Amount |
|-------|--------------------------|------------------------|---------------|
| 30730 | Halme, Inc. | MOB Payment #2 | \$ 876,749.01 |
| 30731 | Core & Main | water project supplies | \$ 424,579.14 |
| 30729 | Helms & Associates | engineering fees | \$ 43,555.72 |
| 30720 | Todd Warkenthein | culvert | \$ 1,069.37 |
| 30719 | SD DANR | loan | \$ 1,253.67 |
| 30721 | Clark Rural Water System | materials | \$ 14,810.10 |
| 30733 | Northwestern Energy | utilities | \$ 1,313.26 |
| 30722 | Oscars Machine Shop | repairs | \$ 2,641.00 |

2023 City of Clark Meeting Minutes

| | | | | | |
|-------------------|------------------------------|-------------------------|---------------|--------------|----------|
| 30723 | Mack Landscaping | blow out sprinklers | \$ | 430.00 | |
| 30724 | Agwrx | fuel | \$ | 387.00 | |
| 30725 | Clark Building Center | supplies | \$ | 28.45 | |
| 30726 | Cooks Wastepaper | dumpsters | \$ | 261.25 | |
| 30727 | Cooks Wastepaper | garbage | \$ | 7,940.21 | |
| 3011 | Quill | supplies | \$ | 180.11 | |
| 3012 | City of Clark | utilities | \$ | 253.94 | |
| 30728 | Clark Community Oil Company | fuel | \$ | 586.34 | |
| 2234 | US Bank Corporate Trust | loan | \$ | 25,016.47 | |
| 2377 | SD Rural Development | loan | \$ | 787.00 | |
| 2379 | SD Rural Development | loan | \$ | 1,307.00 | |
| 2381 | SD Rural Development | loan | \$ | 908.00 | |
| 3014 | SD Dept of Revenue | sales tax | \$ | 149.01 | |
| 3015 | SD Dept of Revenue | sales tax | \$ | 535.04 | |
| 30732 | Clark Co. Historical Society | subsidy | \$ | 577.00 | |
| 30734 | Cardmember Services | credit card fees | \$ | 887.97 | |
| 30735 | Jimmie Mora | insurance reimbursement | \$ | 1,806.04 | |
| 30738 | West Cenral Communications | siren repair | \$ | 798.00 | |
| 3024 | Future POS | credit card fees | \$ | 149.69 | |
| | | | \$ | 1,408,959.79 | |
| 11/14/2023 | Mayor | payroll | \$ | 226.92 | |
| Payroll | Finance Office | payroll | \$ | 2,334.10 | |
| | Govt Bldg | payroll | \$ | 57.15 | |
| | Police | payroll | \$ | 4,381.78 | |
| | Streets | payroll | \$ | 3,749.74 | |
| | Landfill | payroll | \$ | 276.00 | |
| | Sewer | payroll | \$ | 1,606.55 | |
| | Water | payroll | \$ | 1,606.87 | |
| | Transit | payroll | \$ | 254.00 | |
| | Golf Club | payroll | \$ | 867.25 | |
| | Library | payroll | \$ | 698.75 | |
| | 3009 | EFTPS | Payroll Taxes | \$ | 3,766.94 |
| 11/28/2023 | Mayor | payroll | \$ | 226.92 | |
| Payroll | Finance Office | payroll | \$ | 2,239.16 | |
| | Govt Bldg | payroll | \$ | 50.80 | |
| | Police | payroll | \$ | 4,214.42 | |
| | Streets | payroll | \$ | 4,499.96 | |
| | Landfill | payroll | \$ | 84.00 | |
| | Sewer | payroll | \$ | 1,539.67 | |
| | Water | payroll | \$ | 1,539.96 | |

2023 City of Clark Meeting Minutes

| | | | | |
|------|------------------------------|------------------------------------|----|----------|
| | Transit | payroll | \$ | 247.65 |
| | Golf Club | payroll | \$ | 453.40 |
| | Library | payroll | \$ | 572.00 |
| 3021 | EFTPS | Payroll Taxes | \$ | 3,672.55 |
| | SD Retirement | Employees Retirement Contributions | \$ | 3,834.80 |
| | Child Support Payment Center | Child Support | \$ | 352.62 |

DECEMBER CLAIMS (12 23 CLMS)

| | | | |
|------------------------------|--------------------|----|-----------|
| Wellmark BCBS | insurance | \$ | 5,225.30 |
| Ecolab Pest Elimination | rodent control | \$ | 102.34 |
| SD Rural Development | loan | \$ | 787.00 |
| SD Rural Development | loan | \$ | 1,307.00 |
| SD Rural Development | loan | \$ | 908.00 |
| Avera Occupational Medicine | drug test | \$ | 85.00 |
| Dakota Butcher | concessions | \$ | 75.93 |
| SD Dept of Health | specimens | \$ | 30.00 |
| Vision Service Plan | insurance | \$ | 385.36 |
| Delta Dental | insurance | \$ | 1,188.40 |
| Principal Financial Group | insurance | \$ | 36.78 |
| Prairie Lakes Wellness Cnt. | training | \$ | 875.00 |
| Clark Co. Historical Society | subsidy | \$ | 577.00 |
| JW Roll Off Service | dumpsters | \$ | 332.28 |
| SD Dept of Transportation | fuel | \$ | 652.65 |
| A & B Business Solutions | copiers | \$ | 65.55 |
| Northwestern Energy | utilities | \$ | 6,033.06 |
| AT&T | utilities | \$ | 348.68 |
| Westside Implement, Inc. | supplies | \$ | 1,171.00 |
| William Neale & Co | audit | \$ | 12,540.00 |
| Quill | supplies | \$ | 142.57 |
| US Foods Inc | concessions | \$ | 838.28 |
| Carpenter Decorating | Snowman | \$ | 8,107.33 |
| Chesterman Company | pop | \$ | 131.00 |
| Sturdevant's | parts | \$ | 4,028.83 |
| Forest Excavating | soil and labor | \$ | 2,285.20 |
| Butler Machine Co. | parts | \$ | 42.39 |
| Pitney Bowes | postage | \$ | 1,520.99 |
| Stan Houston Equipment | equipment | \$ | 839.95 |
| Star Laundry | rags and rugs | \$ | 232.46 |
| SD DANR | environmental fees | \$ | 50.00 |
| U Drive Technology | text tool | \$ | 143.76 |
| Mack's Standard | fuel | \$ | 1,019.25 |

2023 City of Clark Meeting Minutes

| | | |
|-----------------------------|-------------------------|-------------|
| Oscars Machine Shop | parts | \$ 2,540.56 |
| Menards | supplies | \$ 151.92 |
| Agwrx Cooperative | fuel | \$ 7.74 |
| WW Tire Service | service | \$ 120.00 |
| Moeller Sheet Metal | furnace | \$ 2,555.45 |
| Ken's Food Fair | concessions | \$ 127.11 |
| Clark ACE Hardware | supplies | \$ 1,287.94 |
| Andrea Begemen | water deposit refund | \$ 150.00 |
| Andrew Bingen | water deposit refund | \$ 150.00 |
| Mark Crawford | water deposit refund | \$ 150.00 |
| David Feldt | water deposit refund | \$ 150.00 |
| April Fitzgerald | water deposit refund | \$ 150.00 |
| Doug Fjelland | water deposit refund | \$ 150.00 |
| Brandi Foster | water deposit refund | \$ 150.00 |
| SGR Distributing, LLC | water deposit refund | \$ 150.00 |
| Erin Heiman | water deposit refund | \$ 150.00 |
| Rene Herke | water deposit refund | \$ 150.00 |
| Jared Hoefert | water deposit refund | \$ 150.00 |
| Matthew Hofman | water deposit refund | \$ 100.00 |
| Sara Hoogheem | water deposit refund | \$ 100.00 |
| Eathan Jordan | water deposit refund | \$ 150.00 |
| Michelle Lantgen | water deposit refund | \$ 150.00 |
| Robert Larson | water deposit refund | \$ 150.00 |
| Alice Madline | water deposit refund | \$ 100.00 |
| Brad Rasmussen | water deposit refund | \$ 150.00 |
| Clinton Schieckoff | water deposit refund | \$ 150.00 |
| Rebecca Winfrey | water deposit refund | \$ 150.00 |
| Pamela Fehr | water deposit refund | \$ 150.00 |
| Cook's Wastepaper | dumpsters | \$ 261.25 |
| Tony's Collision Center | tires | \$ 1,333.92 |
| Clark Community Oil | fuel | \$ 1,517.40 |
| Interstate Telephone Co. | utilities | \$ 605.79 |
| Clark County Courier | advertising | \$ 248.75 |
| Amazon Capital Services | supplies | \$ 365.63 |
| Heiman Inc | inspection | \$ 392.00 |
| Jim Holm | golf course land rental | \$ 200.00 |
| Dacotah Bank | TIF payment | \$ 7,403.97 |
| Sanford Health | testing | \$ 35.00 |
| 12/12/23 Payroll | | |
| Mayor | payroll | \$ 276.92 |
| Finance Office | payroll | \$ 2,371.41 |

2023 City of Clark Meeting Minutes

| | | |
|-----------|---------------|-------------|
| Govt Bldg | payroll | \$ 98.43 |
| Police | payroll | \$ 4,241.37 |
| Streets | payroll | \$ 4,413.30 |
| Sewer | payroll | \$ 1,434.21 |
| Water | payroll | \$ 1,434.47 |
| Transit | payroll | \$ 190.51 |
| Golf Club | payroll | \$ 797.65 |
| Library | payroll | \$ 611.00 |
| EFTPS | Payroll Taxes | \$ 3,587.81 |

Motion # 150-2023

Approve Claims

Motion by Kottke and seconded by Dalton to authorize Finance Officer Alaina Wellnitz to pay out additional end of the year claims. All members voting yes. Motion carried.

Set January Meeting Date

The January meeting was set for Wednesday, January 3rd at 7:00PM.

Motion # 151-2023

Adjourn

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

Meeting adjourned at 8:27pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

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Published once at the approximate cost of _____.