

2020 City of Clark Meeting Minutes

January 6, 2020 Board of Adjustments

January 6, 2020

February 3, 2020

March 2, 2020

March 16, 2020 Board of Equalization

March 16, 2020

March 23, 2020

March 28, 2020

**City of Clark Board of Adjustment Meeting
January 6, 2020**

Call to order: The Clark City Council, meeting as the Board of Adjustment, met in session on January 6, 2020 at 7 pm in the City Hall Council Room.

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

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Darin Altfillisch, Bill Krikac and Bruce Brekke (via telephone).

Mayor Pollock called the meeting to order at 7:08 pm.

Brekke Variance Application

Bruce Brekke has applied for a variance of Clark City Code 11.09.04.4 building a private storage structure larger than maximum dimensions and Clark City Code 11.19.01.1 accessory use must be subordinate to principle use. Brekke states his wish is to build a 70' x 40' storage structure on his property located at OL52 less N 100' of E ½ of OL 52 & Less S 140' of W ½ of OL 52, City of Clark. Brekke was in attendance via telephone. Notice of public hearing was published and adjacent landowners notified as required per variance application. No comments heard either for or against application. Board finds applicant meets requirements of Clark City Code 11.17.03.1.e.

Motion by Larson and seconded by Spieker to approve variance for Bruce Brekke to build storage structure larger than permitted zoning and on a non-principle use lot located at OL52 less N 100' of E ½ of OL 52 & Less S 140' of W ½ of OL 52, City of Clark. All members voting yes. Motion carried.

Meeting adjourned at 7:15 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
January 6, 2020**

Call to order: The Clark City Council met in session on January 6, 2020 in the City Hall Council Room.

Council Members Present: Belinda Hanson, Kerry Kline, Dennis Larson, Harv Spieker and Andrew Zemlicka (via phone). Absent Terry Schlagel.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Darin Altfillisch and Bill Krikac.

Mayor Pollock called the meeting to order at 7:15 pm.

Motion # 001-2020

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

No public input.

Department Updates

Updates given by Altfillisch and Luttrell. Altfillisch entertained comments on snow removal. Luttrell advised of SDML magazine article, preliminary engineering reports by Helms & Associates were sent to RD and DENR, first day to circulate petitions is January 31, FEMA blizzard reimbursements one step closer, clubhouse floor replacement project will happen this spring, presented EOY highlights and renewing insurance at same deductible.

Public Hearing for Big C Travel Plaza On/Off Sale Wine & Cider License was had at the advertised time of 7:30 pm. No public in attendance to comment either for or against.

Public Hearing for Resolution # 850 to authorize farm lease to Cody Wookey and Jason McHenry was had at the advertised time of 7:30 pm. No public in attendance to comment either for or against.

Motion # 002-2020

Big C On/Off Sale Wine & Cider License

Motion by Kline and seconded by Larson to approve Big C Travel Plaza request for a On/Off Sale Wine & Cider license. Members voting in favor Kline, Zemlicka, Spieker and Larson. Hanson abstained. Motion carried by majority vote.

Zemlicka arrived at meeting.

Motion # 003-2020

Resolution # 850 Farm Land Lease

Motion by Zemlicka and seconded by Kline to approve Resolution #850 Farm Land Lease as follows. All members voting yes. Motion carried.

RESOLUTION # 850

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 John Pollock, Mayor of the City of Clark, is hereby authorized and directed to execute all documents and take whatever other action he may deem necessary to consummate the lease of above described real estate.

John Pollock, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell, City Finance Officer

Motion # 004-2020

Approve Minutes

Motion by Hanson and seconded by Kline to approve December 31, 2019 meeting minutes. All members voting yes. Motion carried.

Motion # 005-2020

Approve Financial Statements

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

Motion # 006-2020

Approve Claims

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

To	For	Amount
AT&T Mobility	utilities	\$ 133.86
Clark Co. Courier	advertising	\$ 170.81
Clark Co. Historical Society	subsidies	\$ 577.00
Clark Rural Water Systems	materials	\$ 10,801.40
Dekker Hardware	supplies	\$ 304.92
Delta Dental	insurance	\$ 1,020.75
First District Association	dues	\$ 1,434.09
Future POS	cc fees	\$ 236.56
Heiman Fire Equipment	fire extinguisher maintenance	\$ 273.50
ITC	utilities	\$ 654.17
Ken's Food Fair	supplies	\$ 13.14
Mack's Standard	tools, gas	\$ 370.45
Mid-States Organized Crime Ctr	prof fees	\$ 100.00
Midwest Alarm	prof fees	\$ 270.99
Northwestern Energy	utilities	\$ 7,265.39
Principle Financial Group	insurance	\$ 36.78
SD Assoc. of Code Enforcement	dues	\$ 40.00
SD DENR	prof fees	\$ 24.00
SD DENR	discharge fee	\$ 50.00
SD Dept of Health	water testing	\$ 30.00
SD Dept of Revenue	city sales tax	\$ 15.09
SD Dept of Revenue	golf course sales tax	\$ 43.28
SD Government Finance Office Assoc.	dues	\$ 70.00
SD Human Resource Assoc.	dues	\$ 25.00
SD Municipal League	dues	\$ 1,243.91
SD Municipal Street Maintenance	dues	\$ 35.00
SD Police Chief Assoc.	dues	\$ 96.59
SD Rural Development	revenue bond	\$ 787.00
SD Rural Development	revenue bond	\$ 908.00

City Council Meeting – January 6, 2020

To	For	Amount
SD Rural Development	revenue bond	\$ 1,307.00
SDML Work Comp Fund	work comp insurance	\$ 11,218.00
Sturdevant's	parts	\$ 830.19
St Paul Stamp Works	pet tags	\$ 109.83
Star Laundry	maintenance	\$ 129.60
U Drive Technology	text service	\$ 90.60
US Bank Corporate Trust	SRF loan	\$ 6,940.29
USGA	prof fees	\$ 150.00
Westside Implement	repairs	\$ 319.18
 December		
Dacotah Bank	NSF fee	\$ 5.00

Motion # 007-2020

Approve Operations Manual

Motion by Kline and seconded by Larson to approve the 2020 Operations Manual as noted. All members voting yes. Motion carried.

Motion # 008-2020

Adjourn

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

Meeting adjourned at 7:36 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Council Meeting February, 3, 2020

Call to order: The Clark City Council met in session on February 3, 2020 at 7 pm in the City Hall Council Room.

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

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Chad Fjelland, Darin Altfillisch, Bill Krikac, Kristin Vandersnick, Hudson Fuller, Melissa Nesheim and Tammy Rusher.

Mayor Pollock called the meeting to order at 7:07 pm.

Motion # 009-2020

Adopt Agenda

Motion by Schlagel and seconded by Spieker to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Choose Clark County

Kristin Brekke Vandersnick introduced herself as the new director for the newly formed Choose Clark County, our county-wide economic development group. Kristin gave an update on their mission, goals and expectations.

Department Updates

Altfillisch wishes to put a flatbed on the old red pickup and stated Fairground is filling up with snow. Wellnitz presented police report, explained upcoming agenda items for fines, server agreement and needed ordinance updates. Clubhouse managers, Nesheim and Rusher, shared schedule of 2020 activities, hoping to add kids golf lessons. Clubhouse flooring will be replaced in a few weeks. Luttrell stated petitions can be taken out now, discussed solar panel analysis for some city buildings, presented proposal to replace fire alarm panel at the clinic building, and presented proposal for a new pool toy/equipment called Aqua Zip'N – will look for source to fund half of the \$13,300 cost and determine feasibility of pool deck supporting it.

Motion # 010-2020

Approve Minutes

Motion by Kline and seconded by Hanson to approve the January 6, 2020 city council and Board of Adjustment meeting minutes. All members voting yes. Motion carried.

Motion # 011-2020

Approve Financials

Motion by Hanson and seconded by Schlagel to approve the January financials. All members voting yes. Motion carried.

Motion # 12-2020

Approve Claims

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

#	To	For	Amount
2093	City of Clark	utilities	\$ 196.15
2094	EFTPS	941 taxes	\$ 3,500.55
2095	Pitney Bowes	meter rental	\$ 162.00
2096	Wellmark BCBS	insurance	\$ 5,942.14
2104	A&B Business Solutions	copier maintenance	\$ 75.57
2106	EFTPS	941 taxes	\$ 3,620.93
2107	Dacotah Bank	service charge	\$ 10.00
28002	Overdrive	SD Titles to Go	\$ 600.00
28003	Clark Community Oil	gas	\$ 1,854.84
28004	Oscar's Machine Shop	parts	\$ 65.27
28005	Creative Printing	supplies	\$ 112.79
28006	Cook's Wastepaper	garbage collection	\$ 6,991.40
28007	Cook's Wastepaper	dumpsters	\$ 149.21
28008	Northwestern Energy	utilities	\$ 598.45
28009	Duane's Floor Covering	down payment	\$ 5,000.00
28010	SD Retirement Systems	retirement	\$ 3,424.84
28011	Child Support Payment Ctr	child support	\$ 352.62
1/13/2020	Mayor	payroll, utilities	\$ 271.58
Gross	Finance Office	payroll, utilities	\$ 2,654.49
Payroll	Govt Bldg	payroll	\$ 72.07
	Police	payroll	\$ 2,924.04
	Streets	payroll, utilities	\$ 4,335.72
	Sewer	payroll, utilities	\$ 1,550.68
	Water	payroll, utilities	\$ 1,550.97
	Med Van	payroll	\$ 315.79
	Clubhouse	payroll	\$ 305.37
	Parks	payroll	\$ 368.56
	Library	payroll	\$ 448.63
Overtime included in the above: D. Altfillisch \$123.60; E. Brush \$340.54; J. Luttrell \$28.11; T. Silkman \$168.00			
1/27/2020	Mayor	payroll	\$ 221.58
Gross	Finance Office	payroll	\$ 2,598.22
Payroll	Govt Bldg	payroll	\$ 82.04
	Police	payroll	\$ 3,768.90
	Streets	payroll	\$ 4,136.31
	Sewer	payroll	\$ 1,540.43

City Council Meeting – February 3, 2020

#	To	For	Amount
	Water	payroll	\$ 1,540.68
	Med Van	payroll	\$ 350.04
	Clubhouse	payroll	\$ 121.51
	Parks	payroll	\$ 259.44
	Library	payroll	\$ 440.88
Overtime & holiday included in the above: D. Altfillisch \$229.48; E. Brush \$165.30; T. Silkman \$210.00; J. Wellnitz \$150			

To	For	Amount
Amazon Capital Services	books	\$ 162.39
AT&T Mobility	utilities	\$ 133.77
Butler Machinery Co.	inspection	\$ 834.36
Cardmember Services	supplies	\$ 524.30
Clark Chamber of Commerce	subsidy	\$ 3,000.00
Clark Co. Courier	advertising	\$ 187.24
Clark Co. Historical Society	subsidies	\$ 577.00
Creative Printing	envelopes	\$ 169.25
Dekker Hardware	supplies	\$ 578.06
Delta Dental	insurance	\$ 1,020.75
Dollar General	supplies	\$ 12.25
Forest Excavating	repairs, gravel, snow removal	\$ 2,742.35
Hovde Excavating & Gravel	snow removal	\$ 663.00
ITC	utilities	\$ 756.00
J&J Heating & A/C	repairs	\$ 70.00
Mack's Standard	gas, pickup accessories	\$ 799.00
Menard's	repairs	\$ 124.00
Michael Todd & Co.	parts	\$ 42.21
Northwestern Energy	utilities	\$ 8,302.13
Oscar's Machine	repairs	\$ 222.85
Pitney Bowes	postage	\$ 1,020.99
Principle Financial Group	insurance	\$ 36.78
Quill	supplies	\$ 403.37
SD Dept of Health	water testing	\$ 30.00
SD Rural Development	sewer revenue bond	\$ 787.00
SD Rural Development	water revenue bond	\$ 908.00
SD Rural Development	sewer revenue bond	\$ 1,307.00
Sign Pro	stickers	\$ 100.00
South Dakota One Call	locates	\$ 57.75
Star Laundry	maintenance	\$ 256.22
Tony's Collision	repairs	\$ 315.00
U Drive Technology	text service	\$ 63.92
US Bank Corporate Trust	SRF 2 loan	\$ 25,016.47

To	For	Amount
US Foods	ice maker	\$ 2,398.88
Vision Service Plan	insurance	\$ 369.02
Watertown PD	server access fee	\$ 500.00
Westside Implement	parts	\$ 128.96

Motion # 013-2020

Resolution #851 Schedule of Fines

Motion by Larson and seconded by Kline to approve Resolution #851 Schedule of Fines. All members voting yes. Motion carried.

RESOLUTION #851

A RESOLUTION SETTING FORTH A SCHEDULE OF FINES FOR CERTAIN VIOLATIONS OF THE CLARK MUNICIPAL CODE.

BE IT RESOLVED that the following schedule of fines shall be effective as of the date of this Resolution for certain violations of the Clark Municipal Code.

SCHEDULE OF FINES FOR MUNICIPAL CODE VIOLATIONS

<u>Chapter</u> <u>Section</u>	<u>Health and Sanitation Offenses</u>	<u>Fine</u>	<u>Court</u> <u>Costs</u>	<u>Totals</u>
3.04	Restricted Use, Acceptable Wastes, Rubble Sites	104.00	62.50	166.50
3.06	Residential Solid Waste Collection and Disposal	104.00	62.50	166.50
3.10	Trees on Private Property	104.00	62.50	166.50
3.14	Dutch Elm Disease	104.00	62.50	166.50
	International Property Maintenance Code: (a) first offence, minimum (b) council discretion for each additional offense	50.00	62.50	112.50

<u>Chapter</u> <u>Section</u>	<u>Animal Offenses</u>	<u>Fine</u>	<u>Court</u> <u>Costs</u>	<u>Totals</u>
4.04	Allowing domestic animal to run at large	54.00	62.50	116.50

City Council Meeting – February 3, 2020

4.06	Permitting domestic animal on school ground when school is in session or public recreation area without leash	54.00	62.50	116.50
4.08	Failure to immunize domestic animal for rabies	104.00	62.50	166.50
4.10	Failure of owner to place animal for observation	104.00	62.50	166.50
4.12	Failure to control vicious animal – <i>Fine per day:</i>	104.00	62.50	166.50
4.13	Exceeding the number of animals within the residence	54.00	62.50	116.50
4.14	Disturbance of peace by animal:			
	(a) 1 st Offense:	29.00	62.50	91.50
	(b) 2 nd Offense	54.00	62.50	116.50
	c) 3 rd and Subsequent Offenses	104.00	62.50	166.50
4.16	Maintaining a dog kennel—animal disturbing public	54.00	62.50	116.50
4.18	Cruelty to animals	104.00	62.50	166.50
4.20	Harboring or keeping stray animals within City	54.00	62.50	116.50
4.22	Unlawfully keeping livestock within City	104.00	62.50	166.50
4.24	Violation of this Chapter Re: Keeping animals other than dogs within the City	104.00	62.50	166.50
4.26	Animal defecation on public or other person's private property	104.00	62.50	166.50
4.30	Failure to license domestic animals	54.00	62.50	116.50

<u>Chapter Section</u>	<u>Public Safety Offenses</u>	<u>Fine</u>	<u>Court Costs</u>	<u>Totals</u>
5.02.18	Attempt by underage person to purchase alcoholic beverage	54.00	62.50	116.50

City Council Meeting – February 3, 2020

5.02.20	Misstatement as to age for purpose of purchasing any alcoholic beverage	54.00	62.50	116.50
5.02.22	Open container (alcoholic beverage)	54.00	62.50	116.50
5.04.02	Discharging fireworks outside of permitted dates and times	104.00	62.50	166.50
5.06	Failure to abide by curfew	29.00	62.50	91.50
5.10	Discharging firearm, slingshots, air guns, bows and arrows in City limits and carrying concealed weapon	104.00	62.50	166.50
5.14.02	Resisting an officer	104.00	62.50	166.50
5.14.06	Refusing to obey the command of an officer	104.00	62.50	166.50
5.18.02	Malicious Mischief	104.00	62.50	166.50
5.18.12	Injury or removal of public or private property	104.00	62.50	166.50
5.18.14	Tampering in general	104.00	62.50	166.50

<u>Chapter</u> <u>Section</u>	<u>Street and Public Way Offenses</u>	<u>Fine</u>	<u>Court</u> <u>Costs</u>	<u>Totals</u>
6.02.02	Parking of vehicles prohibited where posted	54.00	62.50	116.50
6.04	Sidewalks, curbs and gutters, merchandise, rubbish, snow and ice	54.00	62.50	116.50
6.08.06	Duty of property owners re: trees	54.00	62.50	116.50
6.08.12	Injury to public trees	54.00	62.50	116.50

<u>Chapter</u> <u>Section</u>	<u>Traffic Offenses</u>	<u>Fine</u>	<u>Court</u> <u>Costs</u>	<u>Totals</u>
7.06.08	Illegally making a “U” turn	254.00	62.50	116.50
7.06.10	Failure to yield right-of-way	54.00	62.50	116.50

City Council Meeting – February 3, 2020

7.06.32	(a) Careless Driving (b) areless Driving with drinking involved (c) Exhibition Driving	54.00	62.50	116.50
7.08	Parking—Violation of any part of this Chapter	54.00	62.50	116.50
7.10.02	Speeding:			
	<i>1-5 MPH Over Speed Limit</i>	24.00	62.50	86.50
	<i>6-10 MPH Over Speed Limit</i>	39.00	62.50	101.50
	<i>11-15 MPH Over Speed Limit</i>	59.00	62.50	121.50
	<i>16+ MPH Over Speed Limit</i>	79.00	62.50	141.50
7.10.04	School Zone Violation	104.00	62.50	166.50
7.32	Snowmobiles—Violation of any provision of this Chapter	79.00	62.50	141.50
7.34	Three wheel or all-terrain vehicles— Violation of any provision of this Chapter	104.00	62.50	166.50
7.35	Parking on City Streets During Snow Removal	454.00	62.50	116.50

<u>Chapter Section</u>	<u>License Offenses</u>	<u>Fine</u>	<u>Court Costs</u>	<u>Totals</u>
8.06	Transient merchants/peddlers failure to have approved license	104.00	62.50	166.50

This Resolution in no way shall preclude the City of Clark from seeking greater punishment or additional punishment for the above listed offenses where the Clark Municipal Code or South Dakota Codified Law allows.

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

Passed and Adopted this third day of February, 2020.

John Pollock, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell
City Finance Officer
(S E A L)

Motion # 014-2020

Server Access Contract

Motion by Schlagel and seconded by Spieker to authorize Mayor Pollock to sign the Server Access Contract with the Watertown Police Department. All members voting yes. Motion carried.

District Meeting is March 17 in Roslyn.

Motion # 015-2020

Adjourn

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

Meeting adjourned at 8:16 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Council Meeting March 2, 2020

Call to order: The Clark City Council met in session on March 2, 2020 at 7 pm in the City Hall Council Room.

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

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Bill Krikac and Barb Pollock.

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

Motion # 016-2020

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Public Input

Library Board President, Barb Pollock, gave an update on the happenings at the Library. Tara Thomas, Librarian, has gotten the library re-certified, started new groups (i.e., book club, crochet classes), partnered with the schools for students to access SD Titles to Go and much more.

Department Updates

Altfillisch and Wellnitz were not in attendance. Luttrell reviewed the GenPro Solar Panel study that was done on the water and sewer buildings. Consensus is payback does not support the investment. AquaZip for pool was ordered with donation commitments to pay for half from Lion's, anonymous, Schlagel Foundation, Rotary and Community Foundation. District meeting March 17 in Roslyn. No election will be needed. Petitions filed to fill positions as followed:

Mayor	Kerry Kline (3 year term)
Council Ward I	Terry Schlagel (1 year term)
Council, Ward I	Nick Dalton (3 year term)
Council, Ward II	Derrick Dohmann (1 year term)
Council, Ward II	open (3 year term)
Council, Ward III	open (3 year term)

Open positions will be appointed by Council to cover till next election in 2021. Will advertise for pool managers, lifeguards and coaches. Discussed funeral leave policy.

Motion # 017-2020

Operations Manual Update

Motion by Larson and seconded by Kline to update definition of immediate family to include grandparents (in-laws) in the Operations Manual retroactive back to January 1, 2020. All members voting yes. Motion carried.

Motion # 018-2020

Approve Meeting Minutes

Motion by Hanson and seconded by Spieker to approve February 3, 2020 meeting minutes. All members voting yes. Motion carried.

Motion # 019-2020

Approve Financial Statements

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

Motion # 020-2020

Approve Claims

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

#	To	For	Amount
2109	FuturePOS	credit card fees	\$ 55.34
2110	City of Clark	utilities	\$ 294.45
2111	EFTPS	941 taxes	\$ 3,425.87
2112	Wellmark BCBS	insurance	\$ 5,942.14
2113	SD Dept of Revenue	sales tax	\$ 3.00
2114	SD Dept of Revenue	sales tax, golf course	\$ 119.94
2116	A&B Business Solutions	copier maintenance	\$ 74.89
2119	EFTPS	941 taxes	\$ 3,658.21
2123	Dacotah Bank	service charge, NSF	\$ 5.00
2124	Pepsi Co	concessions	\$ 505.82
28040	Ken's Food Fair	supplies	\$ 27.89
28041	Sturdevant's	supplies	\$ 888.39
28042	Clark Community Oil	gas	\$ 2,136.54
28043	Cook's Wastepaper	dumpsters	\$ 87.23
28044	Clark Rural Water System	materials	\$ 13,829.00
28045	Cook's Wastepaper	garbage service	\$ 6,977.09
28046	Northwestern Energy	utilities	\$ 498.34
28047	Pyramide USA	Aqua Zip'N deposit	\$ 6,649.50
28048	SD Retirement System	retirement	\$ 3,363.92
28049	Child Support Payment Ctr	child support	\$ 352.62
28050	SD Municipal League	district meeting	\$ 161.00
28051	Jason Edwards	water deposit refund	\$ 60.65
28052	City of Clark	deposit applied to bill	\$ 39.35
2/10/2020	Mayor	payroll & utilities	\$ 271.58
Gross	Finance Officer	payroll & utilities	\$ 2,761.77
Payroll &	Govt Bldg	payroll	\$ 66.39
Utilities	Police	payroll & utilities	\$ 3,131.92
	Streets	payroll & utilities	\$ 3,874.56

City Council Meeting – March 2, 2020

#	To	For	Amount
	Sewer	payroll & utilities	\$ 1,525.44
	Water	payroll & utilities	\$ 1,525.69
	Med Van	payroll	\$ 353.05
	Clubhouse	payroll	\$ 363.15
	Parks	payroll	\$ 415.80
	Library	payroll	\$ 434.80
	Overtime included in the above: D. Altfillisch \$127.46; E. Brush \$53.61; J. Luttrell \$96.53		
2/24/2020	Mayor	payroll	\$ 221.58
Gross	Finance Officer	payroll	\$ 2,595.58
Payroll	Govt Bldg	payroll	\$ 78.46
	Police	payroll	\$ 3,601.93
	Streets	payroll	\$ 4,189.38
	Sewer	payroll	\$ 1,575.97
	Water	payroll	\$ 1,576.26
	Med Van	payroll	\$ 244.42
	Clubhouse	payroll	\$ 444.14
	Parks	payroll	\$ 362.88
	Library	payroll	\$ 451.11
	Overtime & holiday pay include in the above: D. Altfillisch \$332.18; E. Brush \$165.30; T. Silkman \$262.50		
To	For	Amount	
212 Truck & Trailer	parts	\$ 11.13	
Aberdeen Chrysler Center	flat bed	\$ 2,500.00	
a-i Computer Solutions	antivirus	\$ 150.00	
Amazon Capital Services	books	\$ 161.60	
AT&T	cell phones	\$ 133.77	
Avera Occupational Medicine	collection fees	\$ 63.55	
Cardmember Services	supplies	\$ 656.48	
Clark Co. Historical Society	subsidies	\$ 577.00	
Clark County Courier	advertising/subscription	\$ 163.96	
Clark Rotary	concessions floor epoxy	\$ 3,000.00	
Clausen Construction	snow removal	\$ 877.50	
Dekker Hardware	supplies	\$ 677.61	
Delta Dental	insurance	\$ 1,020.75	
EcoLab	rodent control	\$ 94.76	
ESEind. Inc.	monitoring	\$ 306.00	
Forest Excavating	water leak repair	\$ 1,587.96	
Good Housekeeping	periodical	\$ 31.94	
Helms & Assoc.	prof fees	\$ 1,875.00	

City Council Meeting – March 2, 2020

To	For	Amount
ITC	utilities	\$ 567.73
Mack's Standard	supplies	\$ 761.00
Michael Todd & Co.	chains for loader	\$ 1,366.81
Northwestern Energy	utilities	\$ 7,449.19
Pheasantland Industries	supplies	\$ 161.25
Principle Financial	insurance	\$ 42.91
Quill	supplies	\$ 144.98
SD Dept of Health	water testing	\$ 30.00
SD Federal Surplus Agency	trailer	\$ 1,250.00
SD Public Assurance Alliance	insurance	\$ 39,463.40
SD Rural Development	sewer revenue bond	\$ 787.00
SD Rural Development	water revenue bond	\$ 908.00
SD Rural Development	sewer revenue bond	\$ 1,307.00
Star Laundry	maintenance	\$ 179.61
Sturdevant's	parts	\$ 997.40
U Drive Technology	prof fees	\$ 50.16
Vision Service Plan	insurance	\$ 369.02
Westside Implement	parts	\$ 242.58
WW Tire	tire repair	\$ 543.09

Motion # 021-2020

Storm Drainage Department & Contingency Transfer

Motion by Kline and seconded by Zemlicka to create Storm Drainage department (43150) and approve a contingency transfer of \$1,250 to pay the Helms & Assoc. bill for the storm drainage study. All members voting yes. Motion carried.

Water Study Update

Luttrell explained that the Water Study performed by Helms & Associates has been submitted to Rural Development and the DENR. To determine funding from RD and State, we need to get on the State Water Plan which first requires a public hearing on the improvements. Smid provided a brief overview of costs for the most extensive improvements. Will schedule hearing at the April meeting.

Motion # 022-2020

Rotary Donation

Motion by Schlagel and seconded by Kline to increase Rotary donation to \$3,000 for the epoxy flooring done at the Dickinson Park concession/bathroom building. All members voting yes. Motion carried.

First reading was had on Ordinance #560 Pet Licensing to increase pet licensing to every two years from current yearly at a cost of \$10 for 2 years.

First reading was had on Ordinance #561 Title 5 & 7 clarifications.

Motion # 023-2020

2019 Annual Report

Motion by Kline and seconded by Zemlicka to approve the 2019 Annual Report as provided by Luttrell and authorize submission to the State.

Motion # 024-2020

SD Public Library Survey

Motion by Schlagel and seconded by Spieker to approve the SD Public Library Survey as provided by Librarian Tara Thomas. All members voting yes, Motion carried.

Motion # 025-2020

Adjourn

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

Meeting adjourned at 8:00 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

City of Clark Local Board of Equalization Meeting March 16, 2020

Call to order: The Clark City Council and School Board President Bob Steffen met in session on March 16, 2020 at 7 pm in the City Hall Community Room as the Board of Equalization.

Members Present: Belinda Hanson, Kerry Kline, Dennis Larson (via telephone), Terry Schlagel, Andrew Zemlicka (arrived at 7:09 pm) and School Board President Bob Steffen. Harv Spieker was absent.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Bill Krikac, Les McElhany, Loren Stanley, Charlene Hamann, Shane Hagstrom and Dean Kirkeby.

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

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

All stood and recited the Pledge of Allegiance.

The Board of Equalization reviewed the assessment role and then heard the following appeals.

There were 16 clerical error appeals submitted by the Director of Equalization:

#	Tract #	Name	Address
1	5573	Trevor Backous 202 6 th Ave SE Assessed \$115,964; clerical error Change to \$10,238 land & \$96,167 building = \$106,405	S 115' of Lot 8 & S 115' of W ½ of Lot 9 Block 7 Brown & Wares Addn.
2	5194	Andrea Binger 109 N Dakota Assessed \$79,954; clerical error - changed condition Change to \$7,081 land & \$47,779 building = \$54,860	Lot 19 Block 4 Original
3	5683	Laura Conzet 205 Kansas St Assessed \$94,406; clerical error Change to \$14,593 land & \$59,003 building = \$73,596	W 200 Lot 2 Block 3 Harrid Addn
4	5498	Fay Wookey Memorial 700 N Smith Assessed \$1,633,694; clerical error – changed year built Change to \$32,513 land & \$1,280,944 building = \$1,313,457	Lots 1-10 Block 12 Hoskins Addn

City Council Local Board of Equalization – March 16, 2020

#	Tract #	Name	Address
5	5873	Chad Fjelland 205 8 th Ave SE Assessed \$339,627; clerical error – changed grade & condition Change to \$20,655 land & \$275,332 building = \$295,987	Lot 7 & W ½ of Lot 8 Block 2 Olsons & Kelly Addn
6	5343	Saundra Gruenwald 312 N Commercial Assessed \$84,564; clerical error Change to \$12,875 land & \$51,321 building = \$64,196	Lots 1 & 2 Block 16 Second Railway Addn
7	7933	Wilfred Gruenwald Clark Drive Inn, bare lot Assessed \$6,013; clerical error – bare lot, no building Change to \$4,725 land	Lot A Gruenwald Addn
8	5238	Wilfred Gruenwald Playhouse Assessed \$79,151; clerical error Change to \$15,450 land & \$27,300 building = \$42,750	Lots 11 & 12 & 13 & 14 Block 7 Original
9	5334	Shane Hagstrom 309 N Dakota (rental) Assessed \$58,671; clerical error – changed condition to poor Change to \$6,438 land & \$33,504 building = \$39,942	Lots 10 & 11 less S 20' & less N 10' of S 30' of W 88' Block 15 Second Railway Addn
10	5803	Bradley Janvrin 1110 N Smith Assessed \$251,594; clerical error – changed grading Change to \$28,250 land & \$213,855 building = \$242,105	Lot B & N 52.5' of Lot C Less S 147' of N 309' of E 190' of OL B Heckmans Subdiv
11	5767	Dean Kirkeby 1204 N Commercial Assessed \$82,833; clerical error - incorrect MH date Change to \$14,716 land & \$49,801 building & \$4,925 building = \$69,442	E 165' of OL 56 Less N 75' & Less S 145' of OL 56
12	7812	Leslie McElhany City View Apartments Assessed \$417,976; clerical error - changed condition, function & layout Change \$22,950 land & \$217,832 building = \$240,782	Lot 2 Block 1 South City view Addn

#	Tract #	Name	Address
13	5703	Leslie McElhany Dakota Manor Assessed \$108,436; clerical error, lowered condition, condition, function & layout Change to \$17,150 land & \$50,327 building = \$67,477	Except N 113' of OL 18
14	5702	Leslie McElhany Dakota Manor Assessed \$108,575; clerical error - changed condition, function & HVAC Change \$17,289 land & \$50,327 building = \$67,616	N 113 of OL 18
15	5455	Leslie McElhany Colonial Apartments Assessed \$196,313; clerical error - changed condition & layout Change \$15,750 land & \$110,021 building = \$125,771	Lots 1 & 2 Block 2 Hoskins Addn
16	5534	Leslie McElhany Griffin Apartment Assessed \$213,659; clerical error - changed condition & function Change \$17,010 land & \$108,414 building = \$125,424	Except S 16' of Lot 1 Block 1 Brown & Wares Addn

Motion by Kline and seconded by Larson to approve the above 16 Director of Equalization appeals. All members voting yes. Motion carried.

Loren Stanley and Charlene Hamann presented their appeal as follows. Finance Officer Luttrell presented information obtained from Director of Equalization Reidburn regarding how values were determined and similar house sales.

#	Tract #	Name	Address
17	5783	Loren Stanley & Charlene Hamann Assessed \$9,135 land & \$68,648 building Appealing values stating they felt value is too high for the age of their house. They believe total value should be between \$55-60,000.	Part of OL 68 (Refer 4D-7-8) Clark

Motion by Schlagel and seconded by Hanson to reappraise the buildings at \$58,350 and keep land value at \$9,135. All members voting yes. Motion carried.

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

Meeting adjourned at 7:44 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
March 16, 2020**

Call to order: The Clark City Council met in session on March 16, 2020 at 7:45 pm in the City Hall Council Room.

Council Members Present: Belinda Hanson, Kerry Kline, Dennis Larson, Terry Schlager and Andrew Zemlicka. Harv Spieker was absent.

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Bill Krikac, and Bob Steffen.

Mayor Pollock called the meeting to order at 7:45 pm.

Motion # 026-2020 **Adopt Agenda**

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

There was no public input. Members discussed coronavirus issues and recommendations on social distancing.

Motion # 027-2020 **Approve Meeting Minutes**

Motion by Kline and seconded by Hanson to approve the March 2, 2020 meeting minutes. All members voting yes. Motion carried.

Motion # 028-2020 **Approve Claims**

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

To	For	Amount
a-l Computer Solutions	internet security	\$ 319.99
Amazon Capital Services	books	\$ 148.46
Butler Machinery	parts	\$ 945.50
Choose Clark County	subsidy	\$ 25,000.00
City of Clark	utilities	\$ 166.80
Clark Community Oil	gas	\$ 872.14
Clark Rural Water System	materials	\$ 10,758.20
Cook's Wastepaper	dumpsters	\$ 115.93
Cook's Wastepaper	garbage collection	\$ 6,962.78
Duane's Flooring Covering	flooring	\$ 5,176.00
EFTPS	941 taxes	\$ 3,366.11
Ellwein Brothers	beer	\$ 234.40
Future POS	cc fees	\$ 55.51
Johnson Brothers	liquor	\$ 62.00

City Council Meeting – March 16, 2020

To	For	Amount
Ken's Food Fair	supplies	\$ 64.34
Lyle Signs	signs	\$ 175.36
Menards	repairs, improvements	\$ 426.95
Northwestern Energy	utilities	\$ 500.31
Oscar's Machine Shop	repairs, supplies	\$ 863.42
Pitney Bowes	ink cartridge	\$ 113.04
Porter Distributing	liquor	\$ 181.20
Quill	supplies	\$ 392.68
SD Dept of Revenue	sales tax	\$ 9.13
SD Dept of Revenue	sales tax	\$ 91.85
Star Laundry	rugs	\$ 99.51
Todd Walker	sharpen reels, repairs	\$ 2,850.61
Uline	supplies	\$ 63.70
USA Blue Book	supplies	\$ 575.36
Wellmark BCBS	insurance	\$ 7,262.60

3/09/20 Payroll (gross)

Mayor	payroll & utilities	\$ 271.58
Finance Office	payroll & utilities	\$ 2,641.36
Govt Bldg	payroll	\$ 105.61
Police	payroll & utilities	\$ 3,645.46
Streets	payroll & utilities	\$ 3,881.13
Sewer	payroll & utilities	\$ 1,476.54
Water	payroll & utilities	\$ 1,476.78
Med Van	payroll	\$ 479.79
Golf Course	payroll	\$ 69.53
Clubhouse	payroll	\$ 380.93
Parks	payroll	\$ 80.64
Library	payroll	\$ 537.10

Overtime included in the above: E. Brush \$26.81; T. Silkman \$63.00

Motion # 029-2020

Special Event Liquor License

Motion by Hanson and seconded by Kline to approve a special event liquor license to the Clark American Legion for the Pro Pheasants banquet scheduled for March 27, 2020 or a future rescheduled date as needed due to the COVID-19 social distancing guidelines. All members voting yes. Motion carried.

Motion # 030-2020

Ordinance # 560 Pet Licensing

Motion by Zemlicka and seconded by Kline to approve Ordinance #560 Pet Licensing as follows. All members voting yes. Motion carried.

Ordinance # 560

AN ORDINANCE AMENDING THE CLARK MUNICIPAL CODE BOOK, TITLE 4 ANIMALS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, the following section be replaced as follows:

“Chapter 4.30: Licensing

Section

4.30.02	Licensing of Dogs and Cat
4.30.04	Application for License Certificate and Tag
4.30.06	License Fee Schedule
4.30.99	Penalty

4.30.02 Licensing of Dogs and Cats

Each owner or keeper of a dog or cat of the age of six months or over shall on or before January 30, bi-annually, or at such time as such dog or cat becomes six month old.

4.30.04 Application for License Certificate and Tag

A license application shall be furnished by the City Finance Officer and must be accompanied by a rabies immunization certificate and the fee as established in Section 4.30.06.

A certificate and tag shall be issued upon receipt of a proper application for a license. The certificate shall at all times be in possession of the owner or keeper of the animal. The tag must at all times be worn by the licensed dog or cat.

4.30.06 License Fee Schedule

The fee for an animal license shall be \$10.00 for a two-year license. This rate can be prorated at the discretion of the Finance Office.

4.30.99 Penalty

Any person violating any of the provisions of this title shall be guilty of a misdemeanor and upon conviction therefore shall be subject to a fine as set by the current year’s Schedule of Fines Resolution. Each day or portion thereof during which a violation of this title shall continue shall be deemed a separate offense.”

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

John Pollock, Mayor

ATTEST:

Jackie Luttrell, Finance Officer

(SEAL)

First Reading: March 2, 2020
Second Reading: March 16, 2020
Adopted: March 16, 2020
Published: March 25, 2020
Effective: April 13, 2020

Motion # 031-2020

Ordinance #561 Revisions to Titles 5 & 7

Motion by Kline and seconded by Zemlicka to approve Ordinance #561 Revisions to Titles 5 and 7. All members voting yes. Motion carried.

Ordinance # 561

AN ORDINANCE AMENDING THE CLARK MUNICIPAL CODE BOOK, TITLE 5 PUBLIC SAFETY AND TITLE 7 TRAFFIC CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA, the following section be replaced or repealed as follows:

“7.08.10 Removing and Storing Illegally Parked Vehicles

When any vehicle is illegally parked or parked in a location which it creates a hazard, obstruction, nuisance or interference to or with the movement of traffic, snow removal operations, street sweeping or street maintenance, the police department may order such vehicle to be moved to a designated parking area or may have a tow company, of their choice, tow and store the vehicle at a location of the tow company’s choice, and under such circumstances the owner of the vehicle shall pay the tow company the actual cost of the removal of the vehicle to the parked or stored location plus the actual cost of storage.

7.35.06 Parking Prohibited During Snow Removal Alert

In the event a snow removal alert is declared, no person shall park or allow to remain parked any motor vehicle or trailer on any public street in the City until such time as said street is cleared of snow accumulation, curb-to-curb, and the snow removal equipment is no longer operating in that area. Refer to 7.08.12 for time of limit of parked vehicle.”

Repeal 5.10.06 Carrying Concealed Weapons”

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

John Pollock, Mayor

ATTEST:

Jackie Luttrell, Finance Officer

(SEAL)

First Reading: March 2, 2020

Second Reading: March 16, 2020

Adopted: March 16, 2020

Published: March 25, 2020

Effective: April 13, 2020

Motion # 032-2020

Wetland Monthly Inspection & Annual Monitoring

Motion by Zemlicka and seconded by Kline to approve the Clark Engineering Wetland Monthly Inspections and Annual Monitoring agreement. All members voting yes. Motion carried.

Motion # 033-2020

Adjourn

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

Meeting adjourned at 7:51 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Emergency Council Meeting
March 23, 2020**

Call to order: The Clark City Council held an emergency meeting in session on March 23, 2020 at 3 pm in the City Hall Community Room.

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

Others Present: Mayor John Pollock, Finance Officer Jackie Luttrell, Chad Fjelland and Jeremy Wellnitz.

Mayor Pollock called the meeting to order at 3 pm.

Motion # 34-2020

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Motion # 35-2020

Enter Executive Session

Motion by Kline and seconded by Schlagel to enter executive session per SDCL 1-25-2-3. All members voting yes. Motion carried.

Executive session started at 3:01 pm and declared out at 3:44 pm.

Motion # 36-2020

Resolution # 852 Emergency Resolution

Motion by Kline and seconded by Hanson to approve Resolution # 852 All members voting yes. Motion carried.

Resolution # 852

**AN EMERGENCY RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING
CERTAIN MEASURES WHICH HAVE BEEN DEEMD NECESSARY TO SLOW THE COMMUNITY
SPREAD OF CORONAVIRUS (COVID-19).**

WHEREAS, the City of Clark has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass resolutions for the purpose of promoting the health, safety, morals and general welfare, of the community and the promotion of health and the suppression of disease; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious

illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, cases of COVID-19 have been confirmed in several counties in South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing all schools in the state have been closed for at least two weeks; and

WHEREAS, on March 16th, the White House issued guidance recommending that social gatherings of more than ten people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts; and

WHEREAS, the guidance issued by the White House further recommended that in states with evidence of community transmission, bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate should be closed; and

WHEREAS, many states and communities across the country have already implemented the White House recommendations by ordering all bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate be closed until the public health emergency is over; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City's residents, especially for seniors

and those with underlying health conditions that make them particularly vulnerable to COVID-19.

NOW THEREFORE, BE IT ORDAINED, by the City Commission of the City of Clark that:

1. Effective at 5:00 p.m. on March 23, 2020, all restaurants, food courts, coffee houses, bars, breweries, distilleries, wineries, clubs, cafes and other similar places of public accommodation offering food and beverages for on-site consumption, including any alcohol licensees with on-sale privileges, are closed to on-site/on-sale patrons. These businesses may continue to operate in order to provide take-out, delivery, curbside service, drive-thru service. Any business continuing to operate in order to provide off-site service should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of COVID-19.
2. Effective at 5:00 p.m. on March 23, 2020, all recreational facilities, public pools, health clubs, athletic facilities and theaters, including movie theaters and music or entertainment venues are directed to close and cease operations.
3. Effective at 5:00 p.m. on March 23, 2020, all hookah lounges, cigar bars, vaping lounges or other similar business which allow for on-site consumption are directed to cease allowing on-site consumption, but may continue to offer products for sale to consume off-site under the same conditions as bars and restaurants outlined in paragraph #1.
4. Effective at 5:00 p.m. on March 23, 2020, all arcades, bingo halls, bowling alleys. Indoor climbing facilities, skating rinks, trampoline parks, and other similar recreational or entertainment facilities are directed to close and cease operations.
5. The prohibitions and closures in this order do not apply to the following businesses:
 - a. Places of public accommodation that offer food and beverages for off-site consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries, other than any portion of such business which would be subject to the requirements of paragraph #1.
 - b. Room service in hotels.
 - c. Health care facilities, residential care facilities, congregate care facilities, and correctional facilities.
 - d. Crisis shelters, homeless shelters, soup kitchens, or other similar institutions.
 - e. Airport concessionaires.

- f. Any emergency facilities necessary for the response to the current public health emergency or any other community emergency or disaster.

6. This resolution shall remain in effect until such time as it is amended or repealed.

7. Any violation of this resolution is subject to the general penalty provision in Section 12.99.02 of the Clark Municipal Code. Each day a violation of this resolution is allowed to occur is considered a separate offense.

BE IT FURTHER RESOLVED, that, pursuant to SDCL 9-19-13, this resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage.

Dated this 23rd day of March, 2020.

CITY OF CLARK

John Pollock, Mayor

ATTEST:

Jackie Luttrell, Finance Director
(SEAL)

Ordinance #562

First Reading was held on Ordinance #562 Emergency Resolution to Address Public Health Crisis worded the same as Resolution #852.

Motion # 37-2020

Adjourn

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

Meeting adjourned at 3:45 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
March 28, 2020**

Call to order: The Clark City Council met in session on March 28, 2020 at 4 pm in the City Hall Council Room to take emergency measures related to the COVID-19 pandemic.

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

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

Mayor Pollock called the meeting to order at 4:01pm.

Motion # 38-2020

Adopt Agenda

Motion by Spieker and seconded by Zemlicka to adopt the agenda. Roll call vote: Kline yea, Spieker yea, Hanson yea, Zemlicka yea. Motion carried.

All stood and recited the Pledge of Allegiance.

Public Input

The Library is looking for book donations to set up a self-checkout book access in the west entrance of the Ulliot Building during the pandemic closure. Reviewed sample guideline and set our own guidelines to allow safe golfing. It is the consensus of the council to encourage safe social distancing while getting fresh air and exercise.

Motion # 39-2020

Approve Minutes

Motion by Hanson and seconded by Kline to approve meeting minutes from March 16 (council and equalization) and March 23, 2020. Roll call vote: Kline yea, Spieker yea, Hanson yea, Zemlicka yea. Motion carried.

Motion # 40-2020

Ordinance # 562 Emergency Public Health Crisis

After discussion with City Attorney Fjelland on closures and recommendations, a motion was made by Spieker and seconded by Zemlicka to approve Ordinance #562. Roll call vote: Kline yea, Spieker yea, Hanson yea, Zemlicka yea. Motion carried.

ORDINANCE NO. 562

**AN EMERGENCY ORDINANCE TO ADDRESS A PUBLIC HEALTH CRISIS BY IMPLEMENTING
CERTAIN MEASURES WHICH HAVE BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY
SPREAD OF CORONAVIRUS (COVID-19).**

WHEREAS, the City of Clark has the authority pursuant to SDCL 9-29-1 and 9-32-1 to pass ordinances for the purpose of promoting the health, safety, morals and general welfare, of the community and the promotion of health and the suppression of disease; and

WHEREAS, an outbreak of the disease COVID-19, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the U.S. Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19; and

WHEREAS, on the same day, Governor Kristi Noem, issued Executive Order 2020-04 which declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19; and

WHEREAS, cases of COVID-19 have been confirmed in several counties in South Dakota; and

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19; and

WHEREAS, social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, in response to the need to implement social distancing all schools in the state have been closed for at least two weeks; and

WHEREAS, on March 16th, the White House issued guidance recommending that social gatherings of more than ten people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts; and

WHEREAS, the guidance issued by the White House further recommended that in states with evidence of community transmission, bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate should be closed; and

WHEREAS, many states and communities across the country have already implemented the White House recommendations by ordering all bars, restaurants, food courts, gyms, and other indoor and outdoor venues where people congregate be closed until the public health emergency is over; and

WHEREAS, the failure to successfully implement social distancing will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19.

NOW THEREFORE, BE IT ORDAINED, by the City Commission of the City of Clark that:

1. Effective at 5:00 p.m. on March 28, 2020, all restaurants, food courts, coffee houses, bars, breweries, distilleries, wineries, clubs, cafes and other similar places of public accommodation offering food and beverages for on-site consumption, including any alcohol licensees with on-sale privileges, are closed to on-site/on-sale patrons. These businesses may continue to operate in order to provide take-out, delivery, curbside service, drive-thru service. Any business continuing to operate in order to provide off-site service should implement procedures to ensure social distancing and operate in compliance with federal and state health guidance in order to prevent the spread of COVID-19.
2. Effective at 5:00 p.m. on March 28, 2020, all recreational facilities, public pools, health clubs, athletic facilities and theaters, including movie theaters and music or entertainment venues are directed to close and cease operations during this emergency.
3. Effective at 5:00 p.m. on March 28, 2020, all arcades, bingo halls, bowling alleys, skating rinks and other similar recreational or entertainment facilities are directed to close and cease operations during this emergency.
4. Effective at 5:00 p.m. on March 28, 2020, all salons, barber shops and spas, and other similar facilities are directed to close and cease operations during this emergency.
5. The prohibitions and closures in this order do not apply to the following businesses:
 - a. Places of public accommodation that offer food and beverages for off-site consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries, other than any portion of such business which would be subject to the requirements of paragraph #1.
 - b. Room service in hotels.

- c. Health care facilities, residential care facilities, congregate care facilities, and correctional facilities.
- d. Crisis shelters, homeless shelters, soup kitchens, or other similar institutions.
- e. Any emergency facilities necessary for the response to the current public health emergency or any other community emergency or disaster.

6. This ordinance shall remain in effect until such time as it is amended or repealed.

7. Any violation of this ordinance is subject to the general penalty provision in Section 12.99.02 of the Clark Municipal Code. Each day a violation of this ordinance is allowed to occur is considered a separate offense.

BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13, this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage.

Dated this 28th day of March, 2020.

CITY OF CLARK

John Pollock, Mayor

ATTEST:

Jackie Luttrell, Finance Director

(SEAL)

1st reading: March 23, 2020

2nd reading & Adopted: March 28, 2020

Published: April 1, 2020

Effective: March 28, 2020

Motion # 41-2020

Suspend April On-sale Operating Fees

Motion by Kline and seconded by Hanson to suspend the April liquor operating monthly fee for on-sale restaurants (Clark Lanes, Look Out, Heather's Bistro and Sportsman) due to the closures of their businesses due to the COVID-19 pandemic. Roll call vote: Kline yea, Spieker yea, Hanson yea, Zemlicka yea. Motion carried.

Water Bills for Impacted Residents

Residents who've lost their jobs due to the COVID-19 pandemic are encouraged to complete an application to waive late fees and set a payment plan. Call the Finance Office for more information.

Motion # 42-2020

Adjourn

Motion by Spieker and seconded by Kline to adjourn. Roll call vote: Kline yea, Spieker yea, Hanson yea, Zemlicka yea. Motion carried.

Meeting adjourned at 4:29 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

Published once at the approximate cost of _____.