

**City of Clark Council Meeting  
January 4, 2021**

**Call to order:** The Clark City Council met in session on January 4, 2021 at 7pm in the City Hall Community Room.

**Council Members Present:** Nick Dalton, Derrick Dohmann, Shane Hagstrom, Dennis Larson, Terry Schlagel and Andrew Zemlicka.

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, and Brandon Kottke.

Mayor Kline called the meeting to order at 7pm.

**Motion # 001-2021**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

**Public Input**

Mayor Kline was contacted by Robin Arne to display her artwork in City Hall. Kline and Wellnitz decided to allow members of the public to display artwork for six months in the hallway of City Hall.

**Mayor & Department Updates**

Wellnitz discussed the positive response to a City of Clark Facebook post reminding the public that they can help out families in need by paying late utility bills. Golf course manager Tammy Rusher emailed Dohmann, Wellnitz, and Kline an inventory spreadsheet that was printed out for the council members to look over. Kline informed the council that the Tesch's moved the shed that was on the city's right of way.

**Motion # 002-2021**

**Water Tower Paint Project**

Motion by Larson and seconded by Dalton to hire Maguire Iron to paint the water tower. All members voting yes. Motion carried.

**Motion # 003-2021**

**Annual Approvals**

Motion by Dohmann and seconded by Larson to approve the 2021 Operations Manual which lists Dacotah Bank as depositor, Clark County Courier as the official newspaper, and approves the Fire Department for perpetual care work comp coverage. All members voting yes. Motion carried.

**Election Date and Council Vacancies**

Election date was set for April 13, 2021. Council members up for election are Schlagel, Dohmann, Hagstrom, Larson, and Zemlicka.

## Schlagel Resignation

The council received a resignation letter from Schlagel and approved his resignation.

### Motion # 004-2021

### Ward I Replacement

Motion by Dohmann and seconded by Zemlicka to appoint Brandon Kottke as the new council member in Ward I. Schlagel abstained. All other members voting yes. Motion carried.

### Motion # 005-2021

### Approve Minutes

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

### Motion # 006-2021

### Approve Financial Statements

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

### Motion # 007-2021

### Approve Claims

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

28673	Clark Fire Department	jaws of life	\$ 7,500.00
28674	Cook's Wastepaper & Recy.	Dec garbage	\$ 7,125.20
28675	Dakota Pump Inc.	Maintanence at WTP	\$ 3,401.28
28676	Clark Chamber of Commerce	chamber bucks	\$ 650.00
28677	SD Supplemental Ret.	processing for vac pay	\$ 45.00
28678	Clark Comm. Oil Comp.	propane	\$ 410.81
28679	Moeller Sheet Metal	furnace check	\$ 139.90
28685	Northwestern Energy	utilities	\$ 471.13
28681	Norlan Froke	CPR Training	\$ 70.00
28682	Temple Displays	christmas décor	\$ 4,325.79
28683	Black Hills Ammunition	ammo	\$ 599.00
28684	Clark Building Center	supplies	\$ 47.98
28686	SD Retirement Systems	Retirement	\$ 3,667.08
28687	Child Support Payment Center	Child Support	\$ 352.62
28688	Guardian Fleet Safety	Squad equipment	\$ 6,000.00
28689	Dell Marketing	computer	\$ 2,347.02
2312	EFTPS	Council Payroll Taxes	\$ 567.32
2313	City of Clark	utilities	\$ 466.20
2314	EFTPS	Payroll Taxes	\$ 3,839.86
2316	A&B Business Solutions	copier maintenance	\$ 129.83
2321	Wellmark BCBS	health insurance	\$ 5,183.34
2324	SD Dept of Revenue	Nov Sales Tax	\$ 61.58
2325	SD Dept of Revenue	Nov GC Sales Tax	\$ 65.55
2326	EFTPS	Payroll Taxes	\$ 1,332.80

12/10/2020	Payroll Council	Payroll	\$ 3,708.00
12/15/2020	Mayor	payroll	\$ 321.58
	Payroll Finance Office	payroll	\$ 4,204.37
	Govt Bldg	payroll	\$ 66.39
	Police	payroll	\$ 4,307.29
	Streets	payroll	\$ 3,742.65
	Sewer	payroll	\$ 1,448.52
	Water	payroll	\$ 1,448.77
	Clubhouse	payroll	\$ 41.90
	Library	payroll	\$ 478.28
	Overtime included in the above: E. Brush \$26.81; T. Silkman \$31.50; A. Wellnitz \$30.00		
12/14/2020	SD Supp. Retirement System	payroll	\$ 3,655.08
12/28/2020	Mayor	payroll	\$ 221.58
	Payroll Finance Office	payroll	\$ 2,050.17
	Govt Bldg	payroll	\$ 105.61
	Police	payroll	\$ 3,895.46
	Streets	payroll	\$ 3,866.63
	Sanitation	payroll	\$ 233.94
	Sewer	payroll	\$ 1,448.53
	Water	payroll	\$ 1,448.76
	Clubhouse	payroll	\$ 54.47
	Library	payroll	\$ 434.80
	Overtime included in the above: E. Brush \$26.81; T. Silkman \$31.50		
12/31/2020	Finance Office	Payout & Bonus	\$ 927.58
	Vacation Police	Payout & Bonus	\$ 2,012.02
	Payout & Streets	Payout & Bonus	\$ 1,445.62
	Hazard Sewer	Payout & Bonus	\$ 1,081.11
	Bonus Water	Payout & Bonus	\$ 1,081.29

To:	For:	Amount:
Clark Chamber of Commerce	2021 Membership Fee	\$ 3,000.00
SDML Work Comp Fund	Insurance	\$ 11,205.00
Creative Printing	building permit supplies	\$ 131.93
SD Municipal League	membership dues	\$ 1,285.85
SD Assoc. of Code Enforcement	membership dues	\$ 40.00

SD Police Chief's Assoc.	membership dues	\$	96.59
SD Human Resource Assoc.	membership dues	\$	25.00
SD Municipal Street Maint Assoc	membership dues	\$	35.00
SD Government Finance OFC Assc	membership dues	\$	70.00
USGA	membership dues	\$	150.00
Sturdevants	supplies	\$	579.37
Star Laundry	rags and rugs	\$	174.43
Amazon Capital Services	books	\$	168.86
SD DENR	certification fees	\$	24.00
SD DENR	discharge fee	\$	50.00
Pitney Bowes	Meter rental	\$	162.00
Quill	supplies	\$	261.63
Heiman, Inc.	fire extinguisher maintenance	\$	408.50
Delta Dental	Insurance	\$	1,132.05
Principle Financial Group	insurance	\$	49.04
Vision Service Plan	insurance	\$	354.51
SD Rural Development	sewer loan #2	\$	1,307.00
SD Rural Development	water loan	\$	908.00
SD Rural Development	sewer loan #1	\$	787.00
Clark Co. Historical Society	subsity	\$	577.00
SD Dept of Health	water specimen	\$	30.00
Cardmember Services	credit card bill	\$	196.16
Northwestern Energy	utilities	\$	6,211.41
AT&T Mobility	utilities	\$	157.86
US Bank Corporate Trust	SRF Loan 1	\$	6,940.29
Mid-States Organized Crime	membership fees	\$	100.00
212 Truck & Trailer	parts	\$	70.25
WW Tire Service	repair	\$	50.00
ESEIND	panic buttons	\$	306.00
Butler Machinery Company	inspection	\$	645.00
Clark County Courier	advertising	\$	616.90
Mack's Standard	parts	\$	443.50
U Drive Technology	text tool	\$	50.00
Westside Implement	parts	\$	30.40
ITC	utilities	\$	630.08
Tritech Software Systems	Zuercher annual maint	\$	2,346.82
FuturePOS	cc fees	\$	55.67
Dacotah Bank	service charge	\$	33.15

**Motion # 009-2021**

**Adjourn**

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

Meeting adjourned at 7:31pm.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Council Meeting  
February 1<sup>st</sup>, 2021**

**Call to order:** The Clark City Council met in session on February 1<sup>st</sup>, 2021 at 7:00pm in the City Hall Community Room.

**Council Members Present:** Nick Dalton, Derrick Dohmann, Shane Hagstrom, Dennis Larson, and Andrew Zemlicka. Absent was Brandon Kottke.

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, City Attorney Chad Fjelland, Darin Altfillisch, Officers Nate Nickeson and Jeremy Wellnitz, Nickeson Family, Chris Bokinske, Dala Albright, Craig Spieker, Randy Angermeier, John Birnell, and Gavin Wigg.

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

**Motion # 010-2021**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

No public input.

**Department Updates**

Police Chief Jeremy Wellnitz presented Officer Nate Nickeson with the Lifesaving Award for his response to a medical emergency on July 24<sup>th</sup>, 2020. Darin Altfillisch discussed the option of utilizing the asphalt plant that will be set up south of town and asked for input regarding the street department's budget. Altfillisch also provided the council with Forest Excavating's updated estimate for the South Smith water project. The council discussed funding for this project and decided to revisit the issue next month after talking with First District. Altfillisch advised the council that the skating rink will remain closed this winter due to the warm weather. He also inquired about enforcing an ordinance that would prevent citizens from pushing snow into the streets after plowing and he discussed the possibility of changing rates and hours at the city dump.

**Motion # 011-2021**

**Dakota Style Field Addition**

Motion by Hagstrom and seconded by Dohmann to donate \$6000 to the Rotary Club to help construct an addition to the Dakota Style Field at Dickinson Park. All members voting yes.  
Motion carried.

**Motion # 012-2021**

**Approve Minutes**

Motion by Dohmann and seconded by Dalton to approve the January 4<sup>th</sup> meeting minutes. All members voting yes. Motion carried.

**Motion # 013-2021****Approve Financial Statements**

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

**Motion # 014-2020****Approve Claims**

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

<b>To</b>	<b>For</b>	<b>Amount</b>
SD Dept of Revenue	Dec Sales Tax	\$ 28.80
SD Dept of Revenue	Dec GC Sales Tax	\$ 58.48
Oscars Machine Shop	supplies	\$ 1,202.09
JB's Auto Repair	battery	\$ 206.00
Tony's Collision Center	alignment	\$ 70.00
Overdrive	SD Digital Cons mbship	\$ 600.00
Dekker Hardware	supplies	\$ 342.20
Clark Community Oil Co	gas	\$ 1,215.08
City of Clark	utilities	\$ 231.25
City of Clark	Alyssa Nelson Water Deposit	\$ 71.76
Alyssa Nelson	water deposit	\$ 28.24
Midwest Alarm Company	fire protection	\$ 270.99
EFTPS	Payroll Taxes	\$ 3,303.30
Cook's Wastepaper	dumpsters	\$ 115.57
Cook's Wastepaper	Jan Garbage	\$ 7,104.57
Wellmark BCBS	insurance	\$ 5,183.34
Northwestern Energy	utilities	\$ 352.89
A & B Business Solutions	copier	\$ 82.39
Dacotah Insurance	notary fees	\$ 50.00
Secretary of State Office	notary fees	\$ 30.00
South Dakota 811	fees	\$ 28.35
Cardmember Services	Jan bill	\$ 343.13
FuturePOS	service fees	\$ 240.30
Mayor	payroll	\$ 271.58
Finance Office	payroll	\$ 2,115.88
Govt Bldg	payroll	\$ 54.84
Police	payroll	\$ 3,934.04
Streets	payroll	\$ 3,958.05
Sewer	payroll	\$ 1,482.55
Water	payroll	\$ 1,482.80
Clubhouse	payroll	\$ 253.68

Library	payroll	\$	475.96
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Overtime included in the above: T. Silkman \$31.50; A. Wellnitz \$7.50

Mayor	payroll	\$	221.58
Finance Office	payroll	\$	2,115.51
Govt Bldg	payroll	\$	82.55
Police	payroll	\$	4,402.88
Streets	payroll	\$	3,824.15
Sewer	payroll	\$	1,476.33
Water	payroll	\$	1,476.59
Clubhouse	payroll	\$	26.25
Library	payroll	\$	440.40

Overtime included in the above: D. Altfillisch 46.35; E. Brush 41.63 & DT 37.00

Colonial Research Chem Corp	20 Gallon Drum	\$	694.71
A-I Computer Solutions	printer and setup	\$	1,706.49
Clark Rural Water System	materials	\$	14,113.40
Star Laundry	rags and rugs	\$	62.00
Helms and Associates	storm sewer study	\$	11,875.00
212 Truck & Trailer Repairs	fuel treatment	\$	492.62
Forest Excavating	supplies and services	\$	2,218.50
Creative Printing	supplies	\$	918.04
Principal Financial Group	insurance	\$	42.91
Amazon Capital Services	books	\$	132.95
Quill	supplies	\$	293.51
Vision Service Plan	insurance	\$	354.51
Delta Dental	insurance	\$	1,132.05
Sign Pro	decals	\$	135.00
SPS Works	dog tag links	\$	10.00
Elan City Inc	repairs	\$	695.00
J & J Heating	repairs	\$	466.15
First District Association	2021 Dues	\$	1,477.12
SD Rural Development	sewer loan #1	\$	787.00
SD Rural Development	sewer loan #2	\$	1,307.00
SD Rural Development	water loan	\$	908.00
Clark Co Historical Society	subsity	\$	577.00
US Bank Corporate Trust	SRF Loan	\$	25,016.47
Northwestern Energy	utilities	\$	6,510.02
AT&T	utilities	\$	126.08
SD Dept of Health	specimen	\$	30.00
Moeller Sheet Metal	furnace work	\$	269.85
Clark Co Courier	advertising	\$	108.02



Mack's Standard	gas	\$	186.50
Sturdevants	supplies	\$	239.33
WW Tire Service	tires	\$	3,046.80
ITC	utilities	\$	643.29
Dekker Hardware	supplies	\$	242.73
Dacotah Bank	service charge	\$	20.19

**Motion # 015-2021**

**Government Building Improvements**

Wellnitz advised the council that the cost to replace the doors in the Ulliot building was increasing significantly and asked the council to consider replacing two or more doors a year. Motion by Larson to replace all the doors in the Ulliot building. Motion failed due to no second. Wellnitz will get a quote to replace all the door and revisit the matter next month.

**Motion # 016-2021**

**Executive Session**

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

**Motion # 017-2021**

**Adjourn**

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

Meeting adjourned at 8:02pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Council Meeting  
March 1<sup>st</sup>, 2021**

**Call to order:** The Clark City Council met in session on March 1<sup>st</sup> at 7 pm in the City Hall Council Room.

**Council Members Present:** Derrick Dohmann, Shane Hagstrom, Brandon Kottke, and Andrew Zemlicka.

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, and Golf Course Manager Tammy Rusher.

Mayor Kline called the meeting to order at 7 pm.

**Motion # 018-2021**

**Adopt Agenda As Amended**

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

All stood and recited the Pledge of Allegiance.

No public input.

Brandon Kottke stood with Mayor Kline to take his oath of office as the newly appointed City Council member in Ward I.

**Mayor & Department Updates**

Mayor Kline spoke for Darin Altfillisch and informed the council that we will be pushing the South Smith Street water project off until next year to allow the city time to budget. A quote for a new clubhouse computer from A-I Computers was provided by Wellnitz. Wellnitz also provided an election update. Petitions were filed in Wards II and III. In Ward II, Shane Hagstrom and Derrick Dohmann filed a petition. In Ward III, Melissa Nesheim and Don Tesch will be running for a 2 year term; Andrew Zemlicka and Amy Woodland will be running for a 3 year term. A public forum for the election was also discussed as were possible sponsors and moderators.

**Motion # 019-2021**

**Approve Minutes**

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

**Motion # 020-2021**

**Approve Financial Statements**

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

**Motion # 021-2021****Approve Claims**

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

**FEBRUARY 2021 CLAIMS**

<b>#</b>	<b>To</b>	<b>For</b>	<b>Amount</b>
28772	Clark Rotary	Donation	\$ 6,000.00
28766	Westside Implement	supplies	\$ 322.76
28765	Agwrx Cooperative	bulk oil	\$ 702.90
28767	Clark Community Oil	gas	\$ 766.45
28768	SD Golf Association	handicap dues	\$ 616.00
28769	Clark Rural Water System	materials	\$ 11,939.00
28770	Cook's Wastepaper	utilities	\$ 115.57
28771	Oscar's Machine Shop	supplies	\$ 32.42
2343	SD Dept of Revenue	sales tax	\$ 3.84
2344	SD Dept of Revenue	sales tax	\$ 28.66
2345	City of Clark	utilities	\$ 213.10
2346	EFTPS	Payroll Taxes	\$ 3,362.85
28773	South Dakota Sheriff's Assc	conference	\$ 115.00
28774	Absolute Exhibits	supplies	\$ 210.00
28779	Northwestern Energy	utilities	\$ 566.67
28775	Ken's Food Fair	supplies	\$ 59.10
28776	Cook's Wastepaper	Feb garbage	\$ 7,098.25
2348	A & B Business	copier	\$ 82.39
2352	EFTPS	Payroll Taxes	\$ 3,100.84
28777	Child Support Payment Center	child support	\$ 352.62
28778	SD Retirement Systems	retirement	\$ 3,443.44
28780	Greg Overby	repairs	\$ 223.65
2353	FuturePOS	fees	\$ 51.37
2354	Dacotah Bank	service fee	\$ 40.83
2/9/2021	Mayor	payroll	\$ 271.58
Payroll	Finance Office	payroll	\$ 2,192.52
	Govt Bldg	payroll	\$ 232.37
	Police	payroll	\$ 3,784.04
	Streets	payroll	\$ 4,135.54
	Sewer	payroll	\$ 1,619.95
	Water	payroll	\$ 1,620.22
	Clubhouse	payroll	\$ 51.33
	Library	payroll	\$ 440.40
	Overtime included in the above: D. Altfillisch \$347.63; E. Brush \$55.50; T. Silkman \$157.50		

2/23/2021	Mayor	payroll	\$	221.58
	Payroll	Finance Office	payroll	\$ 1,845.50
		Govt Bldg	payroll	\$ 67.27
		Police	payroll	\$ 3,734.04
		Streets	payroll	\$ 3,755.74
		Sewer	payroll	\$ 1,458.55
		Water	payroll	\$ 1,458.81
		Clubhouse	payroll	\$ 106.94
		Library	payroll	\$ 440.40
	Holiday included in the above: T. Silkman \$42.00			

### MARCH 2021 CLAIMS

To:	For:	Amount:
U Drive Technology	text tool	\$ 100.16
Star Laundry	rags and rugs	\$ 228.20
Ecolab Pest Elimination Serv	rodent program	\$ 94.76
Amazon Capital Services	books	\$ 115.84
Pitney Bowes- Postage	postage	\$ 1,020.99
A-I Computer Solutions	service	\$ 329.99
Quill	supplies	\$ 405.45
Principal Financial Group	insurance	\$ 42.91
RD Rural Development	loans	\$ 908.00
RD Rural Development	loans	\$ 1,307.00
RD Rural Development	loans	\$ 787.00
Clark Co Historical Society	subsidy	\$ 577.00
Vision Service Plan	insurance	\$ 354.51
Cardmember Service	services and supplies	\$ 522.77
212 Truck and Trailer	repairs	\$ 247.00
SD Dept of Health	specimen	\$ 30.00
Delta Dental	insurance	\$ 1,132.05
Northwestern Energy	utilities	\$ 6,096.24
Jackie Luttrell	insurance	\$ 4,252.39
Woodring Plumbing	water filter	\$ 238.78
Clark County Courier	advertising	\$ 115.27
Dekker Hardware	supplies	\$ 618.14
Mack's Standard	gas	\$ 125.00
ITC Telephone	utilities	\$ 633.27
ATT	utilities	\$ 126.08

**Motion # 022-2021**

**Summer Recreations Fees and Help**

Motion by Dohmann and seconded by Hagstrom to approve the new golf course rates as follows:  
Membership fees: Single - \$250, Couple - \$450, Family - \$500  
Non-Member cart fees: Electric - \$200, Gas - \$150. All other golf course rates will remain the same. The pool rates and employees were reviewed and ok-ed. All members voting yes. Motion carried.

**Motion # 023-2021**

**Dump Fees**

Motion by Dohmann and seconded by Zemlicka to approve the 2021 dump fees. All members voting yes. Motion carried.

**Motion # 024-2021**

**Resolution #855**

Motion by Zemlicka and seconded by Kottke to approve Resolution 855 Schedule of Rates. All members voting yes. Motion carried.

**RESOLUTION # 855**

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.....	\$110/hour
Motor grader/blade with operator .....	\$110/hour
Semi .....	\$110/hour
Dump truck with operator.....	\$80/hour
Skid loader with operator.....	\$85/hour
Operator only .....	\$50/hour
Mowing, rider .....	\$60/hour
Mowing, tractor & rotary.....	\$85/hour
Black dirt.....	\$45/yard
Fill dirt .....	\$20/yard
Gravel.....	\$5.50/yard
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 1<sup>st</sup> day of March, 2021.

\_\_\_\_\_  
Kerry Kline, Mayor

ATTEST:

\_\_\_\_\_  
Alaina Wellnitz, Finance Officer

**Motion # 025-2021** **Special Event Liquor License**

Motion by Dohmann and seconded by Zemlicka to approve a special event liquor license for the Pro Pheasant Banquet at the Clark American Legion on March 26<sup>th</sup>, 2021. All members voting yes. Motion carried.

**Motion # 026-2021** **Park Improvement**

Motion by Hagstrom and seconded by Kottke to approve paying for the \$6000 donation to the Rotary Club for improvements at Dickinson Park out of the Park Improvement Fund. All members voting yes. Motion carried.

**Motion # 027-2021** **Government Building Improvements**

Motion by Dohmann and seconded by Zemlicka to authorize a Government Building funds transfer to pay for three new doors in the Ulliot Building. All members voting yes. Motion carried.

**Motion # 028-2021** **Transient Merchant Permit**

Motion by Kottke and seconded by Hagstrom to approve the transient merchant permit for Midwest Distributing Inc. All members voting yes. Motion carried.

**March and April Meeting Dates**

The City Council will meet on March 15<sup>th</sup> at 7pm for the annual Board of Equalization Meeting. The date of the April meeting will be April 5<sup>th</sup>.

**Motion # 029-2021** **Adjourn**

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

Meeting adjourned at 8:07pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Local Board of Equalization Meeting  
March 15<sup>th</sup>, 2021**

**Call to order:** The Clark City Council and School Board President Bob Steffen met in session on March 15<sup>th</sup>, 2021 at 7pm in the City Hall Council Room as the Board of Equalization.

**Members Present:** Nick Dalton, Derrick Dohmann, Shane Hagstrom, Dennis Larson, Brandon Kottke, Andrew Zemlicka and School Board President Bob Steffens.

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, and City Attorney Chad Fjelland.

Mayor Kline called the meeting to order at 7pm.

Motion by Hagstrom and seconded by Dohmann 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. No appeals were filed. Motion by Bob Steffens and seconded by Andrew Zemlicka to approve the assessment. All members voting yes. Motion carried.

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

Meeting adjourned at 7:04pm.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.



**City of Clark Council Meeting**  
**March 15<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on March 15<sup>th</sup>, 2021 at 7pm in the City Hall Council Room.

**Council Members Present:** Nick Dalton, Derrick Dohmann, Shane Hagstrom, Dennis Larson, Brandon Kottke and Andrew Zemlicka.

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, Barb Pollock, Tara Thomas, and City Attorney Chad Fjelland.

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

**Motion # 030-2021**

**Adopt Agenda**

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

No public input.

**Dog Park**

Mayor Kline proposed the idea of turning the skating rink into a dog park and asked for input from the council. A fence could be installed around the skating rink property and, at some point, the warming house could be turned into a dog wash station. The council suggested getting input from the public via Facebook. Kline will bring an estimate to the next council meeting.

**Library Board**

Barb Pollock and Tara Thomas presented the council with options for a new computer system as well as a request for a new computer for Librarian Tara Thomas. The current library system is outdated and a new system is being requested starting in 2022. Pollock presented three quotes for a new library systems. The council will review these quotes over the next two weeks and the matter will be reviewed at the April meeting.

**Motion # 031-2021**

**Approve Minutes**

Motion by Larson and seconded by Dohmann to approve the March 1<sup>st</sup> meeting minutes. All members voting yes. Motion carried.

**Motion # 032-2021**

**Approve Claims**

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

## MARCH 2021 CLAIMS

#	To	For	Amount
28799	Sturdevant's Auto Parts	supplies	\$ 150.48
28808	Star Laundry	rags and rugs	\$ 83.67
28800	Clark Community Oil	gas	\$ 414.51
2356	City of Clark	utilities	\$ 159.70
2357	Wellmark BCBS	insurance	\$ 5,183.34
2358	EFTPS	Payroll Taxes	\$ 3,365.06
28802	Quill	supplies	\$ 76.99
28803	Cooks Wastepaper & Rec	dumpsters	\$ 115.57
2359	SD Dept of Revenue	Feb sales tax	\$ 8.65
2360	SD Dept of Revenus	Feb golf course sales tax	\$ 15.97
28804	Cooks Wastepaper & Rec	March garbage	\$ 7,083.94
28805	Clark Rural Water	materials	\$ 10,272.20
28807	Quill	supplies	\$ 66.99
28806	Northwestern Energy	utilities	\$ 401.78

### Motion # 033-2021

### Adjourn

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

Meeting adjourned at 7:34pm.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Council Meeting  
April 5<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on April 5<sup>th</sup>, 2021 at 7:00 pm in the City Hall Community Room.

**Council Members Present:** Nick Dalton, Derrick Dohmann (via phone), Shane Hagstrom, Dennis Larson, Brandon Kottke, and Andrew Zemlicka.

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, City Attorney Chad Fjelland, Chris Bokinskie, Kyle Gaikowski, Tammy Rusher, Michael Cook, Darin Altfillisch, and Police Chief Jeremy Wellnitz.

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

**Motion # 034-2021**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

**Public Input**

Ted Bethke asked the council for an extension on his abatement notice. Bethke was given until April 21<sup>st</sup> to clean up his property.

**Mayor & Department Updates**

Alaina Wellnitz advised the council that the Med Van service will be starting back up on April 12<sup>th</sup> with limited capacity to members of the public and with the stipulation that drivers and passengers wear a mask and follow CDC guidelines. Darin Altfillisch updated the council on the dump and prohibited items. Dump grounds will open on April 7<sup>th</sup>. Altfillisch also advised the council that the asphalt plant will not be going up south of town so street projects are currently on hold.

**Motion # 035-2021**

**Dump Fees**

Motion by Dalton and seconded by Larson to change to the fee for dumping leaves and grass from \$5 a load to \$2 at the city dump. All members voting yes. Motion carried.

**Motion # 036-2021**

**Dickinson Park**

Motion by Hagstrom and seconded by Kottke to have the City remove the horseshoe pits at Dickinson Park. All members voting yes. Motion carried.

**Motion # 037-2021**

**Solid Waste Collection Bids**

Motion by Hagstrom and seconded by Zemlicka to approve the bid from Cook's Wastepaper and Recycling. All members voting yes. Motion carried. Mike Cook from Cook's introduced himself to the council and went over fees and services provided by their company.

### **Water & Sewer Collection Bids**

A. Wellnitz informed the council that no bids were received for backhoe operator. Fjelland advised Wellnitz that she could contact Forest Excavating to work out a contract or advertise for bids again.

#### **Motion # 038-2021**

#### **Code Enforcement**

Motion by Dohmann and seconded by Larson to hire Joel Johnson with Code Enforcement Specialists and pay the \$1500 retainer for their services. All members voting yes. Motion carried.

#### **Motion #039-2021**

#### **Legion Baseball Donation**

Motion by Hagstrom and seconded by Dalton to donate \$4000 to the Clark Area Baseball & Softball Club. All members voting yes. Motion carried.

### **Youth Baseball Field Improvements**

Kyle Gaikowski spoke to the council about different proposed improvements to the Youth Baseball/Softball field. Gaikowski provided a list and an estimate and asked the council to consider making a donation to help with expenses. Wellnitz will go through the budget and the matter will be discussed at the May meeting.

### **Library Updates**

Wellnitz spoke on behalf of the library regarding their requested system update and new computer. Wellnitz and Librarian Tara Thomas will be applying for a grant that could pay for the Atrium System proposed at the last meeting. The main computer was looked at by A-I Computer Solutions in Watertown and they suggested an upgrade to Windows 10 before purchasing a new computer.

### **Golf Course**

Clubhouse Manager Tammy Rusher provided the council with a list of golf course events as well as a current list of 2021 golf course memberships. The outside bathrooms need to have the water turned on. Rusher has an individual lined up for youth golf lessons. Rusher advised that bar staff will not be allowing any long term bar tabs therefore bills must be paid at the end of the night. The golf course camera system was discussed. A Wellnitz discussed ages for groundskeepers and it was decided 16 and 17 year olds could be hired as long as they stayed off the streets with lawn mowers.

### **Dog Park**

Mayor Kline revisited the proposal of having a dog park at the ice rink. Rod Gruenwald and members of the council spoke against the idea of having it at the ice rink. Suggestions for other spots were brought up and ultimately the proposal of having a dog park at the ice rink was postponed indefinitely.

#### **Motion # 040-2021**

#### **Swimming Instructor Pay**

Motion by Zemlicka and seconded by Kottke to increase the pay for swimming instructors at the Clark Pool by 25 cents an hour. All members voting yes. Motion carried.

**Motion # 041-2021****Approve Meeting Minutes**

Motion by Larson and seconded by Dalton to approve the March 15<sup>th</sup> meeting minutes. All members voting yes. Motion carried.

**Motion # 042-2021****Approve Financial Statements**

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

**Motion # 043-2021****Approve Claims**

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

**MARCH 2021 CLAIMS**

#	To	For	Amount
28812	Northwestern Energy	Utilities	\$ 6,601.01
28809	Dell Marketing LP	computer exchange balance	\$ 16.78
2362	A & B Business Solutions	copier	\$ 82.39
2366	EFTPS	Payroll Taxes	\$ 3,522.84
28810	Child Support Payment Center	child support	\$ 352.62
28811	SD Retirement Systems	retirement	\$ 3,467.40
28813	Backroads Floral and Nursery	gift	\$ 73.47
2369	EFTPS	Payroll Taxes	\$ 3,514.63
3/23/2021	Mayor	payroll	\$ 221.58
Payroll	Finance Office	payroll	\$ 2,115.50
	Govt Bldg	payroll	\$ 39.75
	Police	payroll	\$ 4,394.29
	Streets	payroll	\$ 4,019.42
	Sewer	payroll	\$ 1,583.07
	Water	payroll	\$ 1,583.31
	Clubhouse	payroll	\$ 466.83
	Library	payroll	\$ 470.68
	Overtime included in the above: D. Altfillisch \$324.45; T. Silkman \$126.00; E. Brush \$83.25		
4/5/2021	Mayor	payroll	\$ 271.58
Payroll	Finance Office	payroll	\$ 2,192.50
	Govt Bldg	payroll	\$ 76.44
	Police	payroll	\$ 3,784.04
	Streets	payroll	\$ 3,882.05
	Sewer	payroll	\$ 1,507.31
	Water	payroll	\$ 1,507.57

Clubhouse	payroll	\$ 1,512.05
Library	payroll	\$ 478.20

Overtime included in the above: D. Altfillisch \$23.18, Holiday DT \$61.80;  
E. Brush \$27.75

## APRIL 2021 CLAIMS

To:	For:	Amount:
Forest Excavating	N Smith St	\$ 459.18
Amazon Capital Services	books	\$ 945.43
A-I Computer Solutions	Carbonite Pro Basic	\$ 319.99
Pitney Bowes	Utilities	\$ 162.00
Moeller Sheet Metal	bathroom fans	\$ 1,387.75
Principal Financial Group	insurance	\$ 42.91
Vision Service Plan	insurance	\$ 282.42
Delta Dental	insurance	\$ 798.15
SD Dept of Health	specimen	\$ 30.00
Share Corporation	chemicals	\$ 5,180.14
Cardmember Services	services and supplies	\$ 42.53
Zimco Supply Co.	chemicals	\$ 5,737.00
McLeods Printing	election supplies	\$ 60.03
Star Laundry	rugs	\$ 148.17
SD Rural Development	RD sewer loan	\$ 787.00
SD Rural Development	RD sewer #2	\$ 1,307.00
SD Rural Development	RD water loan	\$ 908.00
Clark Co Historical Society	subsidy	\$ 577.00
Quill	supplies	\$ 460.94
Banyon Data Systems	services	\$ 1,985.00
US Bank Corporate Trust	SRF loan	\$ 6,940.29
USA Blue Book	supplies	\$ 806.18
TrueNorth Steel	part	\$ 138.00
AT&T Mobility	cell phone	\$ 126.08
SD DENR	Loan 2012-206	\$ 1,253.67
Dekker Hardware	supplies	\$ 558.46
U Drive Technology	text tool	\$ 50.20
US Foods Inc	supplies	\$ 1,296.31
WW Tire Service	tire disposal	\$ 50.00
Westside Implement	pool part	\$ 155.75
ITC	utilities	\$ 638.15
Clark Co Courier	advertising	\$ 295.64
Oscar's Machine Shop	supplies	\$ 138.66
Ken's Food Fair	supplies	\$ 80.71
Clark Building Center	supplies	\$ 7.20

Agwrx Cooperative	fuel	\$	667.26
Sturdevant's Auto Parts	supplies	\$	613.48
Creative Printing	booklets and postage	\$	539.82
Todd Walker	groundskeeping	\$	<u>1,038.00</u>

**Motion # 044-2021**

**Executive Session**

Motion by Hagstrom and seconded by Zemlicka to enter executive session per SDCL 1-25-2-3 with regards to item 5B on the agenda. All members voting yes. Motion carried.

Executive session started at 8:30pm and declared out at 8:37pm.

**Motion # 045-2021**

**Adjourn**

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

Meeting adjourned at 8:37pm.

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 Election Board Meeting**  
**April 19, 2021**  
**5:00 PM**

**Call to order:** The Clark City Council met in session on April 19<sup>th</sup>, 2021 at 5pm in the Finance Office at City Hall.

**Council Members Present:** Nick Dalton, Derrick Dohmann, Dennis Larson, and Brandon Kottke.

**Others Present:** Deputy Finance Officer Rae Jean Flora.

Rae Jean Flora called the meeting to order at 5:00 pm.

**Motion # 046-2021**

**Canvas Election**

Motion by Dohmann and seconded by Larson to confirm the election results of Ward III, 2 year term: Donald R Tesch 10 votes; Melissa Nesheim 73 votes. Ward III, 3 year term: Amy Woodland 19 votes; Andrew Zemlicka 54 votes. All members voting yes. Motion carried.

**Motion # 047-2021**

**Adjourn**

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

Meeting adjourned at 5:10pm.

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Mayor Kerry Kline

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Attest: Deputy Finance Officer Rae Jean Flora  
(seal)

Published once at the approximate cost of \_\_\_\_\_.



**City of Clark Council Meeting  
May 3<sup>rd</sup>, 2021**

**Call to order:** The Clark City Council met in session on May 3<sup>rd</sup>, 2021 at 5:00 pm in the City Hall Council Room.

**Council Members Present:** Nick Dalton, Derrick Dohmann (via phone), Shane Hagstrom, Dennis Larson, Brandon Kottke and Andrew Zemlicka (via phone).

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, City Attorney Chad Fjelland, Police Chief Jeremy Wellnitz, Darin Altfillisch, Trevor Backous, Tammy Rusher, Melissa Nesheim, Tara Thomas.

Mayor Kline called the meeting to order at 5:00pm.

**Motion # 048-2021** **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.

**Motion # 049-2021** **Approve Minutes**  
Motion by Kottke and seconded by Hagstrom to approve the April meeting minutes. All members voting yes. Motion carried.

**Motion # 050-2021** **Approve Financial Statements**  
Motion by Dalton and seconded by Hagstrom to approve the April financial statements. All members voting yes. Motion carried.

**Motion # 051-2021** **Approve April Claims**  
Motion by Hagstrom and seconded by Kottke to approve the following April claims. All members voting yes. Motion carried.

#	To	For	Amount
28815	Code Enforcement Specialists	retainer	\$ 1,500.00
28846	Clark Area Baseball Club	Legion Baseball donation	\$ 4,000.00
28847	Cooks Wastepaper & Recycling	dumpsters	\$ 115.57
2371	Wellmark BCBS	insurance	\$ 5,206.02
28864	Porter Distributing Co.	liquor	\$ 329.00
28848	Woodring Plumbing	Dickinson Park repairs	\$ 368.37
28849	Clark Rural Water Systems	materials	\$ 13,404.20
28850	Pheasantland Industries	street signs	\$ 99.18
28851	Midwest Alarm Company	fire protection	\$ 270.99
28852	Clark Community Oil	gas	\$ 799.08
2372	Dacotah Bank	service charge	\$ 27.02

28866	Dakota Butcher	food	\$	122.08
28853	Watertown JO	softball fees	\$	450.00
28854	Watertown JO	tournament fees	\$	100.00
28855	Mack's Standard	gas	\$	152.00
28865	Northwestern Energy	utilities	\$	890.01
28856	Menards	supplies	\$	305.41
2373	SD Dept of Revenue	sales tax	\$	2.20
2374	SD Dept of Revenue	sales tax	\$	117.57
28857	Joan Furness	election pay	\$	140.00
28858	Barb Desnoyers	election pay	\$	140.00
28859	Brenda Jenkins	election pay	\$	140.00
28860	Cooks Wastepaper & Recycling	April Garbage	\$	7,098.25
2376	City of Clark	utilities	\$	154.25
2381	A & B Business Solutions	copier	\$	82.39
28867	Watertown JO	softball fees	\$	150.00
28868	AT & T	utilities	\$	126.11
2387	FuturePOS	fees	\$	486.22
4/19/21	Mayor	payroll	\$	221.58
Payroll	Finance Office	payroll	\$	2,125.50
	Govt Bldg	payroll	\$	103.96
	Police	payroll	\$	3,734.04
	Streets	payroll	\$	3,842.48
	Landfill	payroll	\$	366.60
	Sewer	payroll	\$	1,538.60
	Water	payroll	\$	1,538.85
	Clubhouse	payroll	\$	2,355.51
	Library	payroll	\$	495.45
	Overtime included in the above: D. Altfillisch \$208.58; E. Brush \$27.75;			
	T. Silkman \$31.50			

**Motion # 052-2021**

**Approve 2020 Annual Report**

Motion by Zemlicka and seconded by Larson to approve the 2020 Annual Report. All members voting yes. Motion carried.

**Motion # 053-2021**

**Appoint Brandon Kottke**

Motion by Hagstrom and seconded by Larson to appoint Brandon Kottke to serve as council to Ward I for one year. All members voting yes. Motion carried.

This concluded old business for the outgoing boards. Oaths of offices were given by Mayor Kerry Kline to the new board with Melissa Nesheim to council for Ward III, Andrew Zemlicka to council for Ward III, Derrick Dohmann to council for Ward II, Shane Hagstrom to council for Ward II, and Brandon Kottke to council for Ward I.

Mayor Kline thanked the outgoing board and welcomed the new board.

Mayor Kline called the 2021 city council to order at 5:11pm.

**Motion # 054-2021** **Nominate & Elect Council President**

Motion by Dohmann to nominate Zemlicka as Council President. All members voting yes.  
Motion carried. Motion by Zemlicka to nominate Dohmann as Council Vice President. All members voting yes. Motion carried.

**Motion # 055-2021** **Mayor Appointments**

Motion by Dalton and seconded by Nesheim to approve the Mayor’s Appointments as follows.  
All members voting yes. Motion carried.

**Year 2021**  
**Mayor Kerry Kline Appointments**

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

**Library Board (3 year term)**

- Patty Rosenau –2021
- Chris Jenkins – 2023
- Brenda Jenkins – 2023
- Dennis Larson – 2023
- Barb Pollock, President – 2023

**Park Board**

- Rae Jean Flora
- Deb Schlagel
- Alaina Wellnitz

**Clark Housing & Redevelopment Board**

(5 year term)

Sandy Altfillisch – 2022

Bill Krikac – 2023

Desi Lamb – 2024

Trevor Forrest – 2025

Terry Schlagel – 2026

Shannon Huber, Secretary – 2025

**IPMC Code Board of Appeals**

Shane Hagstrom

Nick Dalton

Derrick Dohmann

Melissa Nesheim

Andrew Zemlicka

Brandon Kottke, alternate

Bill Krikac, alternate

**Public Input**

Finance Officer Wellnitz spoke on behalf of the Clark Chamber of Commerce. The Chamber is asking for Potato Days insurance again. Wellnitz agreed the city will give \$600 to the Chamber for insurance as they have done in the past.

**Mayor & Department Updates**

Darin Altfillisch said the street department will be flushing hydrants next week. The pool will tentatively open the first weekend in June. Street projects for 2021 were discussed as well as possible 2022 projects. Altfillisch and Mayor Kline spoke with Chief Wellnitz about putting “No Trucks” signs on residential streets. Fjelland and Wellnitz will discuss this further.

Chief Wellnitz asked the council’s permission to attend the IACP conference in New Orleans this year. His trip would be paid for by the South Dakota Police Chief’s Association, of which Wellnitz is the current president. The council approved Wellnitz’s conference.

Tammy Rusher spoke to the council about the need for new carts at the golf course as well as getting an ATM machine for the clubhouse.

Finance Office Wellnitz and Librarian Tara Thomas spoke about the American Rescue Plan Stimulus Grant for libraries. Wellnitz and Thomas compiled a cost estimate and technology plan to apply for the grant and presented it to the council.

**Motion # 056-2021**

**Softball Field Donation**

Motion by Nesheim and seconded by Dalton to donate \$2500 for renovations at the softball field. All members voting yes. Motion carried.

**Motion # 057-2021**

**Condemned Property**

Motion by Hagstrom and seconded by Nesheim to approve acceptance of donation of S. 115' of Lot 11, Block 7, W.H. Lamb's Addition to the City of Clark, conditioned upon receipt and legal review of transfer documents. All members voting yes. Motion carried.

**Motion # 058-2021**

**Malt Beverage/SD Farm Wine License Renewal**

Motion by Hagstrom and seconded by Kottke to approve the renewal of malt beverage and SD farm wine licenses for Ken’s, Big C, and El Corral. All members voting yes. Motion carried.

**Motion # 059-2021****Approve May Claims**

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

**MAY 2021 CLAIMS (05 21 CLMS)**

<b>To:</b>	<b>For:</b>	<b>Amount:</b>
A-I Computer Solutions	library update	\$ 139.98
Pheasantland Industries	garments	\$ 58.93
South Dakota 811	fees	\$ 6.30
Tony's Collision Center	car wash fees	\$ 20.00
Wellmark BCBS	insurance	\$ 5,183.34
VGM Financial Services	club car rental	\$ 6,533.16
Zimco Supply Co.	chemicals	\$ 4,869.04
Star Laundry	rags and rugs	\$ 166.63
WW Tire Services	tires	\$ 41.40
Clark County Highway Dept	crack sealant	\$ 1,302.00
Amazon Capital Services	supplies and materials	\$ 185.99
Cardmember Services	supplies and materials	\$ 1,023.28
Vision Service Plan	insurance	\$ 330.48
Elite Drain and Sewer	main sewer line	\$ 251.50
Principal Financial Group	insurance	\$ 42.91
Delta Dental	insurance	\$ 1,020.75
Northwestern Energy	utilities	\$ 7,405.21
Creative Printing	pro shop	\$ 246.50
Ellwein Brothers Inc	alcohol	\$ 868.60
Johnson Brothers	alcohol	\$ 31.10
Menards	freezer and tables	\$ 462.70
Jeremy Wellnitz	meal reimbursement	\$ 106.00
Asphalt Paving & Materials Co	crushed asphalt	\$ 1,132.12
Beld Tree Service	tree removal	\$ 1,200.00
SD Dept of Health	specimen	\$ 30.00
Sanitation Products	sweeper repairs	\$ 1,421.84
State Flag Account	flags	\$ 160.01
SD Gov't Finance Officer Assc.	finance officer school	\$ 150.00
SD Rural Development	loan	\$ 787.00
SD Rural Development	loan	\$ 1,307.00
SD Rural Development	loan	\$ 908.00
US Bank Corporate Trust	loan	\$ 25,016.47
Clark Co. Historical Society	subsity	\$ 577.00
Republic National Dist. Co	liquor	\$ 616.45
SD Assoc of Rural Water	membership	\$ 565.00
Glacial Lakes Radiator	radiator	\$ 1,100.00

CapFirst Equipment Finance	street sweeper lease	\$	30,408.00
Ron's Saw Shop	chain saw supplies	\$	60.00
Joe Medanich	crack sealing	\$	10,423.49
Porter Distributing Co.	liquor	\$	158.20
Dollar General	supplies	\$	6.45
Clark Courier	advertising	\$	206.37
Mack's Standard	gas	\$	216.95
Todd Walker	groundskeeping	\$	950.00
U Drive Technology	text	\$	57.56
Westside Implement	supplies	\$	106.37
212 Truck and Trailer	parts	\$	429.20
Quill	supplies	\$	283.16
EFTPS	Payroll Taxes	\$	4,075.16
Electric Motors & Moore	parts	\$	231.50
ITC	utilites	\$	636.80
New Dimension LLC	mowing	\$	610.00
		\$	<b>114,125.90</b>

5/4/21 Payroll

Mayor	payroll	\$	271.58
Finance Office	payroll	\$	1,982.50
Govt Bldg	payroll	\$	82.55
Police	payroll	\$	4,418.50
Streets	payroll	\$	3,933.30
Landfill	payroll	\$	360.96
Sewer	payroll	\$	1,539.92
Water	payroll	\$	1,540.18
Transit	payroll	\$	111.65
Clubhouse	payroll	\$	2,932.59
Parks	payroll	\$	61.15
Library	payroll	\$	451.41

Overtime included in the above: D. Altfillisch 139.05;  
E. Brush 27.75; T. Silkman 31.50

The council discussed fireworks at the golf course for the 4<sup>th</sup> of July. Don Greenfield wants to have a fireworks stand again. The council will discuss this further at the June meeting.

**Motion # 060-2021**

**Adjourn**

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

Meeting adjourned at 5:56 pm.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

## City of Clark Council Meeting June 7<sup>th</sup>, 2021

**Call to order:** The Clark City Council met in session on June 7<sup>th</sup>, 2021 at 7pm in the City Hall Council Room.

**Council Members Present:** Nick Dalton (via phone), Derrick Dohmann, Andrew Zemlicka (via phone), Melissa Nesheim, and Brandon Kotte. Not present was Shane Hagstrom.

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, Chad Fjelland, Stewart Apland, Tammy Rusher, Jeremy Wellnitz, Don & Lana Greenfield, and Darin Altfillisch.

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

### **Motion # 061-2021**

### **Adopt Agenda**

Motion by Dohmann and seconded by Nesheim to adopt the agenda. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

All stood and recited the Pledge of Allegiance.

### **Public Input**

Stewart Apland from Clark County Riders addressed the council to see if anything was needed for the CCR Bike Run over the weekend.

### **Mayor & Department Updates**

Finance Officer Alaina Wellnitz advised the council that she and Deputy Finance Officer Rae Jean Flora would be attending Finance Officer School in Pierre that week. Also, 24 abatement letters were sent out to residents of Clark. Don Tesch wants to be hired to paint the hydrants but it was decided to have Pete Lipinski paint them as he is on payroll to do such projects. Altfillisch spoke about a dredging project south of town and advised the council that the City will need to have watering restrictions at the end of June and early July while the water tower gets painted. Wellnitz and Altfillisch will be working on a grant to help repair the pool. Wellnitz advised the council of the need to get new water meters installed. The next council meeting will be June 21<sup>st</sup> and the July meeting will be held on July 7<sup>th</sup>. Patrons and drivers of the Med Van wanted the mask requirement lifted. It was decided that masks will be worn if the passenger requests it and opening the Med Van to assisted living and nursing homes will be revisited in the fall. The library was awarded a grant in the amount of \$10,000. Clubhouse manager Tammy Rusher spoke about an increase in memberships and discussed leasing or buying new golf carts. A new golf course mower may need to be purchased next year. Wellnitz discussed the bill from Werdel Construction for concrete poured on the north side of the clubhouse. Werdel's crew drove rebar through the basement causing electrical issues. The council approved a partial payment to Werdel of \$8,088.07 to cover the cost of Sharp's bill of \$701.93.



**Motion # 062-2021****Approve Department Updates**

Motion by Kottke and seconded by Zemlicka to approve department updates. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

**Motion # 063-2021****Approve Meeting Minutes**

Motion by Dalton and seconded by Nesheim to approve the May meeting minutes. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

**Motion # 064-2021****Approve Financial Statements**

Motion by Dohmann and seconded by Zemlicka to approve financial statements. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

**Motion # 065-2021****Approve Claims**

Motion by Kottke and seconded by Dalton to approve the following claims. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

**MAY 2021 CLAIMS**

<b>#</b>	<b>To</b>	<b>For</b>	<b>Amount</b>
28911	Dekker Hardware	supplies	\$ 1,702.14
28912	Sturdevant's	supplies	\$ 815.61
28913	Ecolab	pest control	\$ 214.76
28914	Ken's Food Fair	food and supplies	\$ 254.18
28915	Francis L Dean & Assoc.	summer ball insurance	\$ 445.90
28916	Clark Chamber of Commerce	Potato Days insurance	\$ 600.00
28917	Clark Community Oil	gas	\$ 1,311.66
28918	Clark Area Baseball Club	softball field reno donation	\$ 2,500.00
28919	Rivard's Turf and Forage	fairway mix	\$ 313.72
28920	Evolution Powersports	oil change kit	\$ 50.04
28921	Clark Rural Water System	materials	\$ 12,461.00
2388	City of Clark	utilities	\$ 193.75
28935	Porter Distributing	liquor	\$ 240.00
28939	Ellwein Brothers, Inc.	liquor	\$ 401.70
28934	Southern Glazer's of SD	liquor	\$ 187.53
28922	Cook's Wastepaper & Recycling	May garbage	\$ 7,272.90
28923	Cook's Wastepaper & Recycling	dumpsters	\$ 1,614.30
28933	Northwestern Energy	utilities	\$ 1,296.91
28924	Milbank Winwater Works	supplies	\$ 571.71
28925	Allison Imberi	golf course tshirts	\$ 824.00
28932	Amazon Capital Services	books	\$ 523.55
2389	SD Dept of Revenue	sales tax	\$ 221.26

2390	SD Dept of Revenue	sales tax	\$ 2,724.71
2391	Wellmark BCBS	insurance	\$ 5,183.34
28926	US Foods	concessions and supplies	\$ 1,192.78
28927	Choose Clark County	subsity	\$ 25,000.00
2395	A&B Business Solutions	copier	\$ 82.39
28929	SD Retirement Systems	retirement	\$ 3,430.26
28930	Child Support Payment Center	child support	\$ 352.62
2393	EFTPS	taxes	\$ 4,285.45
28931	Chesterman Company	pop	\$ 668.81
28937	Johnson Brothers	liquor	\$ 663.71
28938	SD Municipal League	budget training	\$ 25.00
28939	Ellwein Brothers, Inc.	liquor	\$ 794.60
<del>28940</del>	<del>Southern Glazer's of SD</del>	<del>liquor (voided check)</del>	<del>\$ 207.00</del>
28941	Dakota Style	seeds	\$ 45.48
28942	SD Dept of Revenue	malt beverage licenses	\$ 450.00
	City Council	payroll	\$ 3,728.74
2400	EFTPS	Council payroll taxes	\$ 617.72
28949	Northwestern Energy	utilities	\$ 7,025.87
28943	US Foods	concessions and supplies	\$ 591.28
28944	Clark County Clerk of Courts	restitution overpayment	\$ 18.04
2401	EFTPS	payroll taxes	\$ 4,322.62
2405	Southern Glazer's of SD	liquor	\$ 207.00
28950	Northern State University	Library Insitute Housing	\$ 100.00
28951	Aramark	Library Institute Dining	\$ 101.00
28952	Boss Construction	clubhouse and clinic repairs	\$ 531.20
28953	Watertown JO	JO Classic for 12U	\$ 100.00
	Mayor	payroll	\$ 221.58
5/18/21	Finance Office	payroll	\$ 2,060.51
Payroll	Govt Bldg	payroll	\$ 100.90
	Police	payroll	\$ 3,734.04
	Streets	payroll	\$ 3,857.82
	Landfill	payroll	\$ 359.84
	Sewer	payroll	\$ 1,511.90
	Water	payroll	\$ 1,512.17
	Transit	payroll	\$ 78.46
	Clubhouse	payroll	\$ 4,074.17
	Parks	payroll	\$ 67.27
	Library	payroll	\$ 543.53
	Overtime included in the above: D. Altfilisch 139.05;		\$ 18,122.19
	E. Brush 27.75; T. Silkman 63.00		

## JUNE 2021 CLAIMS

<b>To:</b>	<b>For:</b>	<b>Amount:</b>
Colonial Research Chem Comp.	cleaner	\$ 913.06
Lake Area Door	repairs	\$ 315.82
Hawkins Inc.	pool supplies	\$ 328.84
Star Laundry	rags and rugs	\$ 311.96
Tyler Oneill	mileage	\$ 29.40
Ella Wellnitz	mileage	\$ 29.40
Dakota Butcher	liquor	\$ 32.45
Moeller Sheet Metal	repairs	\$ 564.85
Recreation Supply Co	pool supplies	\$ 1,385.55
Republic National Dist Co	liquor	\$ 239.19
Pitney Bowes	postage	\$ 1,020.99
Quill (ACH)	supplies	\$ 333.98
Principal Financial Group	insurance	\$ 42.91
Chesterman Company	pop	\$ 929.01
Vision Service Plan	insurance	\$ 449.16
Duininck Incorporated	cold mix	\$ 959.45
Southern Glazers of SD	liquor	\$ 375.95
US Foods Inc.	food	\$ 3,030.41
Clark Building Center	supplies	\$ 14.99
Cardmember Services	credit cards	\$ 1,269.18
Amazon Capital Services	concessions	\$ 447.91
Asphalt Paving and Materials	materials	\$ 727.26
Delta Dental	insurance	\$ 1,354.65
Kiefer Aquatics	swim suits	\$ 952.90
SD Dept of Health	specimen	\$ 30.00
Ellwein Brothers	liquor	\$ 808.80
Share Corporation	air fresheners	\$ 278.23
Dakota Pump Inc.	repairs	\$ 1,191.63
Johnson Brothers	liquor	\$ 55.20
Johnson Brothers	liquor	\$ 379.35
Porter Distributing	liquor	\$ 393.50
Republic National Dist Co	liquor	\$ 441.38
Midwest Turf and Irrigation	supplies	\$ 756.63
Midwest Playscapes Inc.	swings	\$ 536.00
Clark County Courier	advertising	\$ 414.68
AT&T	utilities	\$ 126.11
Oscar's Machine Shop	supplies	\$ 66.09
Harves Sport Shop	ball supplies	\$ 2,185.56
U Drive Technology	text tool	\$ 50.08

Mack's Standard	gas	\$	273.90
New Dimension LLC	mowing	\$	2,000.00
Todd Walker	golf course	\$	2,618.00
ITC	utilities	\$	625.49
Ken's Food Fair	supplies	\$	442.57
Agwrx Cooperative	gas	\$	312.00
Westside Implement	supplies	\$	225.28
Dekker Hardware	supplies	\$	1,240.45
Shannon Huber	VFW Registration Fees	\$	181.51
SD Rural Development	sewer 2 loan	\$	1,307.00
SD Rural Development	sewer 1 loan	\$	908.00
SD Rural Development	water loan	\$	787.00
Sturdevants	supplies	\$	410.60
Clark Co. Historical Society	subsidy	\$	577.00
FuturePOS	cc fees	\$	476.24
Creative Printing	office supplies	\$	423.44
Northern Con-Agg LLP	pea rock	\$	525.02
212 Truck and Trailer	tarp	\$	801.28
Northern Truck Equipment Corp	sander	\$	9,900.00

6/1/21 Payroll

Mayor	payroll	\$	221.58
Finance Office	payroll	\$	2,085.50
Govt Bldg	payroll	\$	165.11
Police	payroll	\$	3,734.04
Streets	payroll	\$	3,798.57
Landfill	payroll	\$	360.96
Sewer	payroll	\$	1,511.91
Water	payroll	\$	1,512.17
Transit	payroll	\$	84.49
Clubhouse	payroll	\$	4,010.95
Parks	payroll	\$	577.63
Library	payroll	\$	440.40

Overtime included in the above: D. Altfillisch 139.05; T. Silman 31.50

**Motion # 066-2021**

**Greenfield Fireworks**

Don Greenfield asked permission for fireworks sales inside city limits. Motion by Nesheim and seconded by Kottke to approve sales. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried. The fireworks display will be at the golf course. Prices for fireworks have gone up roughly 25%. Wellnitz will arrange with Lew's Fireworks to get a quote.

**Motion # 067-2021**

**CPI**

Motion by Zemlicka and seconded by Dalton to forfeit our 1.2% tax increase. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

**Motion # 068-2021**

**Notice of Medical Marijuana Hearing**

Motion by Dalton and seconded by Dohmann to set June 21<sup>st</sup>, 2021 as the date for a joint public hearing for the first reading of the medical marijuana ordinance. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

**Ordinance # 567**

First reading was had for Ordinance # 567 to amend Clark Municipal Code by adding Truck Routes.

Police Chief Jeremy Wellnitz also discussed an ordinance that’s in the works for 24 hour parking on Smith Street.

**Motion # 069-2021**

**Enter Executive Session**

Motion by Nesheim and seconded by Dohmann to enter executive session per SDCL 1-25-2.1 & 4. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

Executive session started at 8:13pm and declared out at 8:29pm.

**Motion # 070-2021**

**Adjourn**

Motion by Dohmann and seconded by Dalton to adjourn. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Dalton –aye, Zemlicka –aye. Motion carried.

Meeting adjourned at 8:30pm.

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  
June 21<sup>st</sup>, 2021**

**Call to order:** The Clark City Council met in session on June 21<sup>st</sup>, 2021 at 7:00pm in the City Hall Community Room.

**Council Members Present:** Nick Dalton, Derrick Dohmann, Shane Hagstrom, Andrew Zemlicka, Brandon Kottke and Melissa Nesheim (by phone).

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, Chad Fjelland, Bob Steffens, Jerry Hink, Jason Foster, Heath Heiman, and Richard Mills.

Mayor Kline called the meeting to order at 7pm.

**Motion # 071-2021**

**Adopt Amended Agenda**

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

All stood and recited the Pledge of Allegiance.

No public input.

**East Pasture Bailing Auction**

Jason Foster, Heath Heiman, Jerry Hink, and Richard Mills were present to bid on baling the East Pasture as was the advertised time and place. Foster won with the highest bid of \$3,000.

**Motion # 072-2021**

**East Pasture Lease Agreement**

Motion by Dalton and seconded by Hagstrom to accept highest bid from Jason Foster of \$3,000 to bale the East Pasture and authorize Mayor Kline to sign the lease agreement. All members voting yes. Motion carried.

**Greenhouse Drain Field**

Clark School Board President Bob Steffens asked the council for permission to put in a drain field for a new greenhouse at the high school. Council had no issue with it but Finance Officer Wellnitz will talk with First District about logistics.

**Motion # 073-2021**

**Water Restrictions**

Motion by Dohmann and seconded by Nesheim to implement water restrictions as follows: No watering between the hours of 11:00am and 5:00pm. Homeowners on the north side of Hwy 212 can water on even days; those south of Hwy 212 can water on odd days. All members voting yes. Motion carried.

#### **4<sup>th</sup> of July Fireworks**

Wellnitz advised the council of fire concerns of the 4<sup>th</sup> of July fireworks at the golf course. Dohmann and Wellnitz asked the council for input on discharging fireworks at the dump grounds. Council was in agreement that fireworks at the dump grounds was the best plan of action this year.

#### **Motion # 074-2021**

#### **Medical Marijuana Planning Commission**

Motion by Dohmann and seconded by Kottke to convene jointly as the Planning Commission and the City Council. All members voting yes. Motion carried.

#### **Motion # 075-2021**

#### **Recommended Approval of Temporary Ordinance**

Motion by Hagstrom and seconded by Dalton to recommend approval of temporary ordinance #566 so discussions can begin. All members voting yes. Motion carried.

Public hearing was opened with no comments from proponents or opponents on the temporary ordinance.

Public hearing was closed.

City Council had no discussion on the ordinance.

#### **Motion # 076-2021**

#### **Approval of Temporary Ordinance**

Motion by Hagstrom and seconded by Kottke to vote on resolution to recommend approval of the temporary ordinance. All members voting yes. Motion carried.

#### **Temporary Ordinance #566**

First Reading was had for Temporary Ordinance #566 regarding the issuance of local medical cannabis establishment permits and/or licenses.

#### **Motion # 077-2021**

#### **2<sup>nd</sup> Reading Set for Temporary Ordinance #566**

Motion by Kottke and seconded by Zemlicka to set the 2<sup>nd</sup> reading for temporary ordinance #566 for June 28, 2021 at 7pm. All members voting yes. Motion carried.

#### **Motion # 078-2021**

#### **Motion to Adjourn as Planning Commission**

Motion by Zemlicka and seconded by Dalton to adjourn as Planning Commission and resume acting solely as the City Council for regular business. All members voting yes. Motion carried.

#### **Motion # 079-2021**

#### **Approve Meeting Minutes**

Motion by Zemlicka and seconded by Hagstrom to approve the June 7<sup>th</sup> meeting minutes. All members voting yes. Motion carried.

**Motion # 080-2021**

**Adjourn**

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

Meeting adjourned at 7:19 pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.



**City of Clark Council Meeting  
June 28<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on June 28<sup>th</sup>, 2021 at 7:00pm 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, and Bill Krikac.

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

**Motion # 081-2021**

**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 pump in the well at the Golf Course was pulled and a new one was put in.

**Burn Ban & Fireworks**

The council discussed the need for a burn ban. It was decided to follow Clark County if a burn ban was put into effect. Fireworks are still allowed to be discharged.

**Motion # 082-2021**

**Temporary Ordinance #566**

Motion by Hagstrom and seconded by Kottke to approve Temporary Ordinance #566 as follows. All members voting yes. Motion carried.

**ORDINANCE NO. 566**

**A TEMPORARY ORDINANCE REGARDING THE ISSUANCE OF LOCAL MEDICAL CANNABIS ESTABLISHMENT PERMITS AND/OR LICENSES.**

WHEREAS, a local government may enact an ordinance not in conflict with SDCL Chapter 34-20G, governing the time, place, manner, and number of medical cannabis establishments in the locality. A local government may establish civil penalties for violation of an ordinance governing the time, place, and manner of a medical cannabis establishment that may operate in the locality. A local government may require a medical cannabis establishment to obtain a local license, zoning permit, or registration to operate, and may charge a reasonable fee for the local license, zoning permit, or registration.

WHEREAS, the Municipality of Clark, SD (“Municipality”), makes a preliminary finding that the

Municipality's current regulations and controls may not adequately address the unique needs and impacts of medical cannabis establishments as defined in SDCL 34-20G-1;

WHEREAS, medical cannabis state laws under SDCL 34-20G are effective July 1, 2021. The South Dakota Department of Health shall promulgate rules pursuant to chapter 1-26 not later than October 29, 2021, as defined by SDCL 34-20G-72. During the time between July 1, 2021 and potentially as late as October 29, 2021, local units of government will not yet know standards for medical cannabis and will not be able to adequately assess the local zoning and licensing requirements necessary to approve local permits and to better ensure applicants have a more predictable permitting process and avoid stranded investments.

WHEREAS, the Municipality makes a preliminary finding that the Municipality needs further study of the relationship of medical cannabis establishments to the City of Clark Comprehensive Plan and Zoning Ordinance. The public interest requires that the Municipality study, analyze, and evaluate the impacts of medical cannabis establishments and to fully explore the impacts of any proposed regulations regarding medical cannabis establishments;

WHEREAS, the Municipality makes a preliminary finding that it would be inappropriate for the Municipality to issue a local permit or license to a medical cannabis establishment prior to the South Dakota Department of Health's promulgation of regulations governing the same;

WHEREAS, the Municipality hereby exercises its authority under SDCL 11-4-3.1 and/or SDCL 9-19-13 to establish a temporary ordinance regarding the issuance of any local permits/licenses for medical cannabis establishments within the Municipality;

WHEREAS, a temporary ordinance will ensure that more comprehensive zoning ordinance and building permit changes, licensing permits, and any proposed amendments to the Municipality's Comprehensive Plan can be completely examined with adequate public input from citizens, business interests, and medical cannabis industry representatives;

WHEREAS, the Municipality finds that a temporary ordinance is reasonable to preserve the status quo and prevent significant investment pending the outcome of the above study and any proposed regulations emanating therefrom;

WHEREAS, the Municipality finds that the following ordinance is necessary to protect and immediately preserve the public health, safety, welfare, peace and support of the municipal government and its existing public institutions;

NOW, THEREFORE, BE IT ORDAINED BY THE City of Clark, South Dakota:

#### Section 1. Temporary Ordinance – Application for Local Permit/License

A medical cannabis establishment desiring to operate in the Municipality shall be required to apply for a permit and/or license from the Municipality. Applications for a local permit and/or license to operate a medical cannabis establishment, as defined by SDCL 34-20G-1, shall not be accepted until the South Dakota Department of Health has promulgated regulations as required by SDCL 30-20G-72. Any application received prior to such regulations being promulgated shall be denied.

Section 2. Immediate Effect.

This ordinance is necessary to protect and immediately preserve the public health, safety, welfare, peace, and support of the municipal government and its existing public institutions pursuant to SDCL 11-4-3.1 and SDCL 9-19-13.

Dated this 28<sup>th</sup> day of June, 2021.

CITY OF CLARK

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Kerry Kline, Mayor

ATTEST:

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Alaina Wellnitz, Finance Officer

1st Reading: June 21<sup>st</sup>, 2021  
2nd Reading: June 28<sup>th</sup>, 2021  
Date Adopted: June 28<sup>th</sup>, 2021  
Date Published: June 29<sup>th</sup>, 2021  
Effective Date: June 29<sup>th</sup>, 2021

**Motion # 083-2021**

**June 21<sup>st</sup> Meeting Minutes**

Motion by Dohmann and seconded by Dalton to approve the June 21<sup>st</sup> meeting minutes. All members voting yes. Motion carried.

**Motion # 084-2021**

**Adjourn**

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

Meeting adjourned at 7:09 pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Council Meeting  
July 7<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on July 7<sup>th</sup>, 2021 at 7:00 pm in the City Hall Council Room.

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

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, Chad Fjelland, Tammy Rusher, Robin Hartley.

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

**Motion # 085-2021**

**Adopt Agenda**

Motion by Hagstrom and seconded by Dohmann to adopt the agenda. Role call vote. Kottke – aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Motion carried.

All stood and recited the Pledge of Allegiance.

No public input.

**Motion # 086-2021**

**Mayor & Department Updates**

Alaina Wellnitz spoke on behalf of Police Chief Wellnitz regarding children driving golf carts around town. The ordinance will be posted in the paper to remind the community not to allow their children to drive golf carts. Alaina Wellnitz attended budget training and will be working on the 2022 budget. AED's at the golf course were discussed. A new mower is needed at the golf course. Mowers were quoted and it was decided to get more quotes before going ahead. Tammy Rusher presented lease amounts for the utility and golf carts. Roof work in the cart sheds need to be done. The water tower will be painted this week. Wellnitz discussed a grant for the pool and compared that to costs of a new pool. Motion by Nesheim and seconded by Hagstrom to approve department updates. . Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka – aye, Hagstrom –aye. Motion carried.

**Dredging Project**

Mayor Kline spoke on behalf of Darin Altfillisch regarding the dredging project east of town. Kottke advised the council that the landowners would need to get written approval from the USDA before dredging would start. The council agreed that the owners should pay for this project, not the city.

**Motion # 087-2021**

**Tournament Fireworks**

Motion by Hagstrom and seconded by Dohmann to allow the Clark Area Baseball Club to discharge a small fireworks show at the beginning of the baseball tournament in August. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Motion carried.

**Potato Days**

Robin Hartley asked the council for money for portable bathrooms at the pool park during Potato Days. She also requested dumpsters as well as money for advertising. The council agreed to pay the budgeted amount of \$1500 for advertising.

**Ordinance #567**

Chad Fjelland provided sample truck route ordinances to the council and discussed with them how they'd like to see the ordinance read. A draft ordinance will be provided to the council prior to the next meeting.

**Motion # 088-2021**

**Approve Meeting Minutes**

Motion by Dohmann and seconded by Zemlicka to approve the June 28<sup>th</sup> meeting minutes. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Motion carried.

**Motion # 089-2021**

**Approve Financial Statements**

Motion by Kottke and seconded by Nesheim to approve the financial statements. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Motion carried.

**Motion # 090-2021**

**Approve Claims**

Motion by Hagstrom and seconded by Dohmann to approve the following claims. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Motion carried.

**JUNE CLAIMS**

#	To	For	Amount
2409	EFTPS	Payroll Taxes	\$ 6,605.21
29027	Chesterman Company	pop	\$ 1,216.24
29004	Clark Rural Water System	materials	\$ 18,545.00
2410	City of Clark	utilities	\$ 2,865.60
29017	Woodring Plumbing	services	\$ 431.63
29012	Moeller Sheet Metal	services at golf course	\$ 1,309.28
2412	SD Dept of Revenue	sales tax	\$ 1,769.46
2413	SD Dept of Revenue	sales tax	\$ 98.76
29013	Rae Jean Flora	travel expenses	\$ 94.00
29001	Trevor Johnson	VFW Registration Fees	\$ 207.30
29002	Chris Bokinskie	VFW Registration Fees	\$ 207.30
29033	Star Laundry	rags and rugs	\$ 314.27
29005	Clausen Construction	gravel	\$ 449.80
29009	Dakota Pump	services	\$ 360.56
2411	Quill	supplies	\$ 345.73
29023	Amazon Capital Services	supplies	\$ 1,303.95
29032	Porter Distributing Co	liquor	\$ 769.50
29029	Ellwein Brothers Inc	liquor	\$ 2,187.50

29010	Dakota Style	seeds	\$	60.64
2416	Johnson Brothers	liquor	\$	31.10
29008	Creative Printing	golf course scorecards	\$	775.04
29007	Cook's Wastepaper	June garbage	\$	7,324.04
29006	Cook's Wastepaper	dumpsters	\$	990.36
29015	Wells Fargo Financial Services	mower lease	\$	15,550.00
29003	Chris Bokinskie	VFW Registration Fees	\$	207.30
29021	Northwestern Energy	utilities	\$	1,690.13
29016	Werdel Construction	cement	\$	8,088.07
29014	Sharp Electric	electrical work at clubhouse	\$	701.93
29019	Petty Cash	petty cash for GC tournament	\$	1,000.00
29011	Hawkins Inc.	pool chemicals	\$	4,278.83
29018	Tara Thomas	library institute mileage	\$	94.34
29020	Alaina Wellnitz	travel expenses	\$	94.00
29034	Ramkota Hotel	hotel rooms for FO school	\$	424.00
2421	A&B Business Solutions	copier	\$	167.33
29035	US Foods	concessions and supplies	\$	2,800.30
29022	Clark Community Oil Comp.	gas	\$	2,101.11
29024	SD Public Assurance Alliance	insurance	\$	42,127.04
29030	John Deere Financial	part	\$	44.31
29028	City of Clark	water deposit for Daniels	\$	100.00
29031	Northwestern Energy	utilities	\$	7,103.34
25025	Cardmember Services	community card fees	\$	1,625.91
29026	Cardmember Services	business card fees	\$	427.79
2425	EFTPS	Payroll Taxes	\$	5,942.61
29039	Child Support Payment Center	Child Support Pymt	\$	528.93
29040	SD Retirement Systems	Retirement	\$	5,238.98
2428	Johnson Brothers	liquor	\$	31.10
29041	AT&T	utilities	\$	126.11
29042	Clark Chamber of Commerce	Clark Bucks	\$	100.00
2432	Dacotah Bank	service charge/stop payment	\$	85.34
29043	City of Clark	water deposit for Dahl	\$	100.00
6/15/21	Mayor	payroll	\$	221.58
Payroll	Finance Office	payroll	\$	2,529.40
	Govt Bldg	payroll	\$	67.27
	Police	payroll	\$	4,663.05
	Streets	payroll	\$	4,326.08
	Landfill	payroll	\$	360.96
	Sewer	payroll	\$	1,593.27
	Water	payroll	\$	1,593.55
	Transit	payroll	\$	36.21
	Summer Rec-Teeners	payroll	\$	500.00

Swimming Pool	payroll	\$	4,628.75
Clubhouse	payroll	\$	6,634.23
Parks	payroll	\$	2,374.12
Library	payroll	\$	723.77

Overtime included in the above: D. Altfillisch \$139.05, Double Time 61.80;  
E. Brush \$111.00; T. Silkman \$63.00; A. Wellnitz \$82.50, Double Time 40.00

6/29/21	Mayor	payroll	\$	221.58
Payroll	Finance Office	payroll	\$	2,005.51
	Govt Bldg	payroll	\$	70.32
	Police	payroll	\$	3,734.04
	Streets	payroll	\$	4,092.67
	Landfill	payroll	\$	359.84
	Sewer	payroll	\$	1,503.02
	Water	payroll	\$	1,503.27
	Transit	payroll	\$	51.30
	Swimming Pool	payroll	\$	4,799.31
	Clubhouse	payroll	\$	5,961.85
	Parks	payroll	\$	2,773.87
	Library	payroll	\$	456.92

Overtime included in the above: D. Altfillisch \$115.88; E. Brush \$27.75;  
T. Silkman \$63.00

## JULY 2021 CLAIMS

To:	For:	Amount:
Republic National Distributing	liquor	\$ 466.06
Johnson Brothers	liquor	\$ 245.32
Code Enforcement Specialists	code enforcement fees	\$ 316.25
Pitney Bowes	meter rental	\$ 162.00
Wellmark Blue Cross Blue Shield	insurance	\$ 5,183.34
Principal Financial Group	insurance	\$ 42.91
Republic National Distributing	liquor	\$ 212.57
Heiman Inc	fire extinguisher inspection	\$ 45.00
Prairie Lakes Wellness Cnt	lifeguard training	\$ 1,134.74
Delta Dental	insurance	\$ 1,020.75
Quill	supplies	\$ 401.87
Republic National Distributing	liquor	\$ 212.57
Southern Glazers	liquor	\$ 375.75
Tony's Collision Center	windshield for squad	\$ 771.47
Allison Imberi	shirts	\$ 250.00
SD Dept of Health	specimen	\$ 45.00

WW Tire Service Inc.	flat repair	\$	40.99
Kiefer Aquatics	shirts	\$	107.25
Moeller Sheet Metal	AC Check	\$	294.80
Book Systems, Inc.	Atrium System	\$	3,360.00
A-I Computer Solutions	repairs and computers	\$	3,379.98
Banyon Data Systems	direct payment module	\$	1,190.00
TrueNorth Steel	bridge plank	\$	1,000.08
Hawkins Inc	pool supplies	\$	10.00
Amazon Capital Services	supplies	\$	2,176.70
Butler Machinery Company	generator inspection	\$	1,262.30
Republic National Distributing	liquor	\$	343.76
Star Laundry	rags and rugs	\$	100.36
Johnson Brothers	liquor	\$	361.50
Ellwein Brothers	liquor	\$	410.95
Northwestern Energy	utilities	\$	94.60
Quill	supplies	\$	53.97
Vision Service Plan	insurance	\$	337.51
SD Rural Development	Sewer 2 loan	\$	1,307.00
SD Rural Development	Sewer 1 loan	\$	787.00
SD Rural Development	Water loan	\$	908.00
Clark Co. Historical Society	subsity	\$	577.00
US Bank Corporate Trust	SRF Loan	\$	6,940.29
FuturePOS	credit card fees	\$	761.89
Justice Fire & Safety	semi-annual inspection	\$	321.43
U Drive Technology	text tool	\$	58.56
Porter Distributing Co.	liquor	\$	372.50
Republic National Distributing	liquor	\$	656.26
Milbank Winwater Works	supplies	\$	3,404.00
New Dimension, LLC	mowing	\$	2,095.00
ITC Telephone	utilities	\$	707.59
Clark Co Courier	advertising	\$	496.55
Mack's Standard	gas and service	\$	360.50
Dekker Hardware	supplies	\$	1,063.42
Westside Implement	repairs and supplies	\$	496.59
Agwrx Cooperative	gas	\$	1,522.18
Dollar General	supplies	\$	122.65
Ken's Food Fair	supplies and concessions	\$	868.07
Oscar's Machine Shop	repairs	\$	227.98
Electric Motors and Moore	repairs	\$	88.00
Northern Con Agg LLP	pea rock	\$	1,422.37
Todd Walker	services and chemicals	\$	2,475.00
Cook's Wastepaper & Recycling	dumpsters	\$	1,238.29



**Motion # 091-2021**

**Adjourn**

Motion by Nesheim and seconded by Zemlicka to adjourn. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Motion carried.

Meeting adjourned at 8:33pm.

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 19<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on July 19<sup>th</sup>, 2021 at 12:00pm in the City Hall Finance Office.

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

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

Mayor Kline called the meeting to order at noon.

**Motion # 092-2021**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

No public input.

**Motion # 093-2021**

**Lawn Mower**

Motion by Hagstrom and seconded by Kottke to purchase a Bush Hog mower from Westside Implement to replace the John Deere mower that burned up earlier in the summer. All members voting yes. Motion carried.

**Motion # 094-2021**

**Adjourn**

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

Meeting adjourned at 12:34pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Council Meeting  
August 2<sup>nd</sup>, 2021**

**Call to order:** The Clark City Council met in session on August 2<sup>nd</sup>, 2021 at 7:00 pm in the City Hall Community Room.

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

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, Police Chief Jeremy Wellnitz, Tammy Rusher, Darin Altfillisch, Donna and Sarah Weisbrod, Ken Passow, Janice Hallstrom, Adam and Allison Imberi, Don and Lisa Tesch, and Marie Ritter.

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

**Motion # 095-2021**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

**Public Input**

Lisa Tesch spoke about the need for handicap signs down Commercial Street.

**Chicken Discussion**

Adam Imberi received a notice to abate regarding his chickens and asked the council to change the zoning ordinances to allow chickens in city limits. Members of the public discussed both sides. The council agreed zoning should be changed but it will be up to the zoning officers and Chief Wellnitz if the Imberis are allowed to keep the chickens until the zoning ordinance can be rewritten.

**Mayor & Department Updates**

Darin Altfillisch advised the council that the water tower has been finished and water restrictions should be lifted in the next week or so. Plans are to start chip sealing around August 19<sup>th</sup>. Donna Weisbrod and Marie Ritter spoke about different street maintenance concerns around their homes. Finance Officer Alaina Wellnitz will look into using the American Rescue Plan Act funds for the South Smith water project. The council and Wellnitz discussed using the golf course grounds crew for regular maintenance on their equipment and use the street department employees for the more in depth repairs if possible. An AED will be budgeted for the pool and the clubhouse next year. The SDML Annual Conference will be held October 5-8<sup>th</sup> in Spearfish. Ulliyot Building will need new lights in the library and community room.

**Motion # 096-2021**

**Approve Department Updates**

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

**2<sup>nd</sup> Reading of Ordinance #567**

City Attorney Chad Fjelland provided the council with his final draft of Ordinance #567. Suggestions were made by council members and Chief Wellnitz. These additions were noted and a second reading of Ordinance #567 ensued.

**Motion # 097-2021**

**Ordinance #567**

Motion by Kottke and seconded by Hagstrom to adopt truck route Ordinance #567. All members voting yes. Motion carried.

**ORDINANCE 567**

AN ORDINANCE AMENDING CLARK MUNICIPAL CODE BY ADDING “TITLE 7 – CHAPTER 7.16 – TRUCK ROUTES” THERETO

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

**SECTION 1. PURPOSE**

The purpose of this ordinance is to assist in the control of traffic and prevent damage to the streets in the City of Clark, by establishing designated truck routes.

**SECTION 2. DEFINITIONS**

The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

When used in the Ordinance “motor vehicle” shall be defined as:

Every machine propelled by any power other than muscular used upon the street or highway for transportation of property.

When used in this Ordinance “trailer” shall be defined as:

A vehicle of the trailer type, without a power unit of its own, designed and used in conjunction with a motor vehicle for the transportation of property.

When used in this Ordinance the work “truck” shall be defined as:

Any vehicle whose length exceeds twenty-two (22) feet; and,  
All vehicles whose gross weight is more than 20,000 (twenty thousand) pounds.

When used in this Ordinance “owner” shall be defined as:

A person or entity who holds the legal title to a motor vehicle or if such vehicle or trailer is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or if a mortgagor of such motor vehicle or trailer is

entitled to possession, then such conditional vendee, lessee or mortgagor shall be deemed the owner.

When used in this Ordinance “truck route” shall be defined as:

Any street or highway designated as truck routes by the City of Clark.

When used in this Ordinance “street” shall be defined as:

All streets within the city, which are not designated as truck routes.

### **SECTION 3. OPERATION OF TRUCKS**

Unless otherwise permitted by this Ordinance, a truck may not operate on a city street or highway other than a designated truck route.

### **SECTION 4. OWNER’S RESPONSIBILITY**

In addition to the driver, the owner of any truck being operated with such owner’s permission and consent is liable for any violation of this ordinance.

### **SECTION 5. TRUCK ROUTE**

The following streets and highways within the City of Clark are designated as truck routes.

US Highway 212

Smith Street

North Cloud Street

South Cloud Street to its intersection with Clausen Avenue

Clausen Avenue

Kansas Street, from its intersection with North Cloud Street to Community Oil

### **SECTION 6. EXCEPTIONS TO USE OF TRUCK ROUTES**

This ordinance shall not apply to:

Delivery trucks delivering goods directly from place to place and garbage trucks in the collection of refuse. The deviation from the nearest truck route shall be by the shortest route legally possible to accomplish the local business.

The operation of emergency vehicles, including but not limited to law enforcement, ambulances, fire department, and tow trucks. Such emergency vehicles may include utility vehicles engaged in the performance of emergency duties.

The operation of trucks owned or operated by the City of Clark, State of South Dakota, Clark County, public utilities, and any contractor or material men while engaged in the repair, maintenance or construction of the city street, city street improvement.

The operation of trucks removing agricultural commodities grown within or adjacent to the City of Clark.

Additionally, the Street Superintendent shall be authorized to grant Street Use Permits as circumstances may warrant. The Street Superintendent may condition approval of the permit upon the attachment of any protective provision, including the posting of a bond or surety to protect against any damage to city streets.

Trucks whose weight is in compliance with SDCL 32-22-16.1 may operate on truck routes within the city.

**SECTION 8. PENALTIES**

Any person violating any of the provisions of the title shall upon conviction thereof, be punished by a fine of not to exceed Five Hundred (\$500.00) Dollars, or imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment.

Adopted this 2<sup>nd</sup> day of August, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Finance Officer

1st Reading: June 7<sup>th</sup>, 2021  
2nd Reading: August 2<sup>nd</sup>, 2021  
Date Adopted: August 2<sup>nd</sup>, 2021  
Date Published: August 11<sup>th</sup>, 2021  
Effective Date: August 31<sup>st</sup>, 2021

**Medical Marijuana**

Fjelland updated the council about the new rules that will be adopted soon regarding medical marijuana. Tentatively, the rules will become effective around October 4<sup>th</sup>. Fjelland is working

towards making ordinance and zoning changes and expects the need for extra meetings to get the changes passed by October.

**Water Fees**

Finance Officer Alaina Wellnitz discussed the need for water fees to be increased. The council decided to increase late fees to \$25, water disconnect and water reconnect fees to \$30 each, and water deposit fees to \$150. Water base rate fee increases were also discussed but tabled until Wellnitz can compile rate fees of surrounding municipalities.

**Motion # 098-2021**

**Approve July Meeting Minutes**

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

**Motion # 099-2021**

**Approve August Financials**

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

**Motion # 100-2021**

**Approve Claims**

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

**JULY CLAIMS**

#	To	For	Amount
29082	Clark Golf Course	Calcutta petty cash	\$ 7,000.00
29083	Hawkins Inc	pool supplies	\$ 3,133.46
29087	Lew's Fireworks	4th of July fireworks	\$ 4,000.00
2437	EFTPS	Payroll Taxes	\$ 6,411.22
29088	Sturdevants	supplies	\$ 545.71
2438	City of Clark	Utlities	\$ 3,484.55
29089	Cook's Wastepaper	July garbage	\$ 7,338.78
29090	Clark Rural Water System	materials	\$ 24,751.40
29091	Midwest Alarm Company	quarterly fire test	\$ 275.49
29092	Moeller Sheet Metal	water plant repair	\$ 89.95
29093	SD DANR	drinking water fees	\$ 600.00
29094	Colonial Research Chem Comp	algaeicide	\$ 3,246.47
29101	Ellwein Brothers	liquor	\$ 1,704.85
29099	Star Laundry	rags and rugs	\$ 141.91
2439	Republic National Dist Co.	liquor	\$ 232.25
2440	Quill	supplies	\$ 210.29
29098	Amazon Capital Services	supplies	\$ 220.89
2442	Johnson Brothers	liquor	\$ 58.50
29104	Northwestern Energy	utlities	\$ 2,180.96
29095	Clark Community Oil	gas	\$ 2,392.76
2443	Wellmark BCBS	insurance	\$ 5,183.34

2444	SD Dept of Revenue	June sales tax	\$	779.00
2445	SD Dept of Revenue	June Golf Sales Tax	\$	2,870.33
29103	Southern Glazers of SD	liquor	\$	294.26
29102	Porter Distributing Co.	liquor	\$	217.00
29097	Duininck Inc.	crushed asphalt	\$	4,465.11
29100	US Foods	concessions and supplies	\$	3,631.62
29096	Westside Implement	lawn mower	\$	7,000.00
29105	Clark Golf Course	Lions Tournament petty cash	\$	600.00
29106	Cardmember Services	credit card charges	\$	446.02
29107	Cardmember Services	credit card charges	\$	290.09

## AUGUST 2021 CLAIMS

To:	For:	Amount:
Hawkins	Pool supplies	\$ 261.26
Johnson Brothers	liquor	\$ 266.16
Asphalt Paving & Materials Co	patching N Smith St.	\$ 16,837.52
Principal Financial Group	insurance	\$ 42.91
Vision Service Plan	insurance	\$ 385.57
Quill	supplies	\$ 333.99
Moeller Sheet Metal	AC repairs	\$ 92.95
Northern Co Agg	pea rock	\$ 369.04
Republic National Dist Co	liquor	\$ 394.29
South Dakota 811	locate fees	\$ 93.45
IMEG	ponds	\$ 837.50
A & B Business Solutions	copier	\$ 90.63
Erin Heiman	softball coach fees	\$ 500.00
Jessica Michalski	softball coach fees	\$ 500.00
Chesterman Co.	pop	\$ 493.00
Delta Dental of SD	insurance	\$ 1,132.05
SD Dept of Health	specimens	\$ 135.00
Dynamic DJ	DJ for Potato Days	\$ 400.00
Porter Distributing Co.	liquor	\$ 712.50
Amazon Capital Services	supplies	\$ 175.46
AT&T Mobility	utilities	\$ 126.08
Northwestern Energy	utilities	\$ 8,439.46
Precision Lawn Care	weed control	\$ 6,272.75
SD Rural Development	sewer #2 loan	\$ 787.00
SD Rural Development	sewer #1 loan	\$ 1,307.00
SD Rural Development	water loan	\$ 908.00
Clark Co Historical Society	subsidy	\$ 577.00
US Bank Corporate Trust	SRF Loan #2	\$ 25,016.47
Evolution Powersports	battery	\$ 105.44



Star Laundry	rags and rugs	\$	84.97
USA Blue Book	traffic cones	\$	739.04
US Foods Inc	concessions and supplies	\$	1,065.77
Milbank Winwater	meter supplies	\$	2,264.00
Clark County Courier	advertising	\$	236.44
Republic National Dist Co	liquor	\$	248.40
New Dimensions, LLC	mowing	\$	2,000.00
U Drive Technology	text tool	\$	54.48
Todd Walker	greenskeeping	\$	1,080.00
Tony's Electric	clubhouse work	\$	1,260.49
Johnson Brothers	liquor	\$	411.52
Johnson Brothers	liquor	\$	704.90
Ellwein Brothers, Inc.	liquor	\$	1,442.15
Southern Glazers	liquor	\$	281.40

**Motion # 101-2021**

**Approve Claims**

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

Meeting adjourned at 8:17 pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Council Meeting  
August 4<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on August 4<sup>th</sup>, 2021 at 12:00 pm in the City Hall Finance Office.

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

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

Mayor Kline called the meeting to order at 12:00pm.

**Motion # 102-2021** **Adopt Agenda**  
Motion by Nesheim and seconded by Hagstrom to adopt the agenda. All members voting yes.  
Motion carried.

All stood and recited the Pledge of Allegiance.  
No public input.

**Motion # 103-2021** **Temporary Liquor License**  
Motion by Kottke and seconded by Melissa to approve the temporary liquor license for the Fire Department Street Dance from 4:00pm on August 7<sup>th</sup> to 2:00am on August 8<sup>th</sup>. All members voting yes. Motion carried.

**Motion # 104-2021** **Adjourn**  
Motion by Dalton and seconded by Hagstrom to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 12:03 pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

**City of Clark Council Meeting  
August 20<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on August 20<sup>th</sup>, 2021 at 4:00 pm in the City Hall Council Room.

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

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Bill Krikac, and City Attorney Chad Fjelland.

Mayor Kline called the meeting to order at 4:00 pm.

**Motion # 105-2021**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

**Motion # 106-2021**

**Easement**

Motion by Hagstrom and seconded by Nesheim to approve an easement at 311 N. Commercial St. This easement grants the property owner permission to maintain the structures that sit on the city right of way. All members voting yes. Motion carried.

**Med Van**

Finance Officer Wellnitz told the council a decision will need to be made regarding the med van service. After discussion, Wellnitz agreed to advertise for a drivers and budget for the med van service to be utilized by nursing homes and assisted living in 2022.

**Ordinance #568**

City Attorney Chad Fjelland held a short planning sessions to allow for council input about the newest medical marijuana laws and what should be included in the new city ordinance regarding the matter. A first reading on the ordinance will be held on September 1<sup>st</sup> at 7:00pm with a 2<sup>nd</sup> reading on September 7<sup>th</sup> at 8:30am.

**Motion # 107-2021**

**Adjourn**

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

Meeting adjourned at 4:26 pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

Published once at the approximate cost of \_\_\_\_\_.

## City of Clark Council Meeting September 1<sup>st</sup>, 2021

**Call to order:** The Clark City Council met in session on September 1<sup>st</sup>, 2021 at 7:00pm in the City Hall Community Room.

**Council Members Present:** Nick Dalton, Derrick Dohmann, Shane Hagstrom, Melissa Nesheim, Brandon Kottke, and Andrew Zemlicka (via phone).

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Police Chief Jeremy Wellnitz, Darin Altfillisch, Tammy Rusher, Bill Krikac, and Kylie Steen.

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

### **Motion # 108-2021**

### **Adopt Agenda**

Motion by Dalton and seconded by Dohmann to adopt the agenda. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

All stood and recited the Pledge of Allegiance.

### **Public Input**

Tammy Rusher spoke on behalf of the Clark Chamber asking for council’s permission to shut down Commercial Street from Ken’s to Backroad’s Floral for Octoberfest on Oct. 2<sup>nd</sup>. Council approved that request along with the request for the Chamber to use the Golf Course’s liquor license that day. Kylie Steen asked about having a beer garden during Potato Days next year. The request will be revisited next summer.

### **Mayor & Department Updates**

Altfillisch spoke about a leak in the pool’s recirculation pipes. He will look into the cost of a fiberglass shell along with new pipes and concrete. The Oster property water issues were discussed and a new box culvert on the Weisbrod property will need to be installed. Helms and Associates met with Mayor Kline and Finance Officer Wellnitz regarding new DANR funds available to complete the recommendations listed in Helms’ engineering report from 2020. Wellnitz will give the go ahead for First District to apply for Clark to get on the State Water Plan and that plan will be discussed this fall.

### **Water Rates**

Wellnitz provided a spreadsheet listing water rates in other 2<sup>nd</sup> class municipalities. The topic of raising water rates will be discussed further this fall.

### **Motion # 109-2021**

### **Med Van Policies**

Motion by Kottke and seconded by Dalton to adopt the revisions to the Med Van Policies and Procedures. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

### **Motion # 110-2021**

### **Dacotah Bank Policy**

Motion by Hagstrom and seconded by Nesheim to allow Alaina Wellnitz and Kerry Kline to sign for loan papers on behalf of the City of Clark. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

**City Land**

Mayor Kline wishes to sell a few lots that are owned by the City. Lots 2254 and 5609 were discussed, along with a few other smaller pieces of land. Attorney Fjelland will look into the process.

**Motion # 111-2021**

**Contingency Transfer**

Motion by Zemlicka and seconded by Dohmann to approve the following contingency transfers: Elections \$465, Legal \$670. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

**Ordinance #572**

After brief discussion, a first reading was had for Ordinance # 572 regarding the 2022 Budget Appropriations.

**Ordinance #570**

First Reading was had for Ordinance # 570 to increase the water deposit fee from \$100 to \$150.

**Ordinance #571**

First Reading was had for Ordinance # 571 to increase the utility bill late fees from \$10 to \$25 and to increase the reconnection fee and disconnection fee from \$25 each to \$30 each.

**Motion # 112-2021**

**Approve Claims**

Motion by Kottke and seconded by Dalton to approve the following claims. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

**AUGUST CLAIMS**

#	To	For	Amount
29142	Westside Implement	parts and repairs	\$ 1,318.95
29143	Ken's Food Fair	food and supplies	\$ 1,056.28
29144	Macks Standard	gas	\$ 511.02
29146	Dekker Hardware	supplies	\$ 683.26
29177	Star Laundry	rags and rugs	\$ 155.41
2465	ITC Telephone	utilities	\$ 675.57
29153	Sturdevant's Auto Parts	part	\$ 49.06
29151	Core & Main	hydrant nut	\$ 350.88
29150	Clark Rural Water System	materials	\$ 16,982.60
29149	Hawkins Inc	chemicals	\$ 323.68
29148	SD Golf Association	GHIN invoice	\$ 506.00
29147	Clark Building Center & Ranch	tool	\$ 19.99
29152	Clark Community Oil Comp.	gas	\$ 811.23
29176	Porter Distributing Co.	liquor	\$ 935.10
29154	Cooks Wastepaper & Recycling	dumpsters	\$ 2,200.69
29155	Book Systems, Inc	barcode labels (grant)	\$ 645.00
2766	EFTPS	Payroll Taxes	\$ 5,511.01
29159	Clark Chamber of Commerce	potato days/spudnicks donation	\$ 1,500.00

29160	Port53 Technologies	Cisco Umbrella software	\$	287.79
2468	Johnson Brothers	liquor	\$	219.79
2469	Johnson Brothers	liquor	\$	62.20
2470	Quill	supplies	\$	321.55
2471	City of Clark	utilities	\$	3,092.10
29162	Dollar General	supplies	\$	75.50
29174	Chesterman Company	pop	\$	699.41
29173	Ellwein Brother	liquor	\$	1,691.65
29163	Northern Con Agg	pea rock	\$	369.04
29165	Topkote Inc	chip seal	\$	57,960.00
29175	Southern Glazers of SD	liquor	\$	181.34
29166	Northwestern Energy	utilities	\$	2,403.68
29161	Cooks Wastepaper & Recycling	August Garbage	\$	7,338.78
29178	US Foods Inc.	concessions and supplies	\$	2,620.61
29164	City of Clark	Vicky Holmes water deposit	\$	100.00
2475	SD Dept of Revenue	sales tax	\$	243.39
2476	SD Dept of Revenue	sales tax	\$	2,673.08
2477	A & B Business Solutions	copier	\$	90.63
29170	SD Retirement Systems	Employee Retirement	\$	3,490.08
29171	Child Support Payment Center	Child Support Pymt	\$	352.62
2482	EFTPS	Payroll Taxes	\$	4,732.92
29172	Treetop Products Inc	picnic tables	\$	2,628.38
29180	City of Clark	Lauri Rahm deposit	\$	100.00
29181	City of Clark	Lindsey Carpentier deposit	\$	100.00
29182	Amazon Capital Services	Golf supplies	\$	153.76
2487	Pitney Bowes	supplies and service	\$	662.64
8/10/21	Mayor	payroll	\$	271.58
Payroll	Finance Office	payroll	\$	2,180.00
	Govt Bldg	payroll	\$	146.76
	Police	payroll	\$	3,784.04
	Streets	payroll	\$	4,372.84
	Landfill	payroll	\$	360.68
	Sewer	payroll	\$	1,575.49
	Water	payroll	\$	1,575.76
	Transit	payroll	\$	168.98
	Swimming Pool	payroll	\$	4,957.16
	Clubhouse	payroll	\$	4,963.71
	Parks	payroll	\$	298.33
	Library	payroll	\$	509.21
	Overtime included in the above: D. Altfillisch \$231.75;			
	E. Brush \$111.00; T. Silkman \$126.00			

8/24/21	Mayor	payroll	\$	221.58
Payroll	Finance Office	payroll	\$	2,055.51
	Govt Bldg	payroll	\$	113.13
	Police	payroll	\$	3,734.04
	Streets	payroll	\$	4,114.46
	Landfill	payroll	\$	360.96
	Sewer	payroll	\$	1,494.12
	Water	payroll	\$	1,494.38
	Transit	payroll	\$	24.14
	Swimming Pool	payroll	\$	1,505.06
	Clubhouse	payroll	\$	4,805.14
	Parks	payroll	\$	267.65
	Library	payroll	\$	629.40
	Overtime included in the above: D. Altfillisch \$92.70; E. Brush \$111.00			
	T. Silkman \$31.50			

## SEPTEMBER 2021 CLAIMS

<b>To:</b>	<b>For:</b>	<b>Amount:</b>
Republic National Dist Co.	liquor	\$ 565.41
Ecolab	rodent control	\$ 214.76
Republic National Dist Co.	liquor	\$ 135.55
Moeller Sheet Metal	dehumidifier for water plant	\$ 4,975.30
WW Tire Service	flat repair	\$ 45.99
Wellmark BCBS	insurance	\$ 5,183.34
IMEG	inspection	\$ 837.50
Mueller Co	maintenance	\$ 1,029.00
Pitney Bowes	postage	\$ 1,520.99
SD Rural Development	water loan	\$ 908.00
SD Rural Development	sewer loan 2	\$ 1,307.00
SD Rural Development	sewer loan	\$ 787.00
Clark Co Historical Society	subsidy	\$ 577.00
Republic National Dist Co.	liquor	\$ 321.78
Duininck Incorporated	materials	\$ 751.64
Vision Service Plan	insurance	\$ 385.57
Principal Financial Group	insurance	\$ 42.91
Johnson Lawn and Tree Service	tree removal	\$ 200.00
Delta Dental	insurance	\$ 1,132.05
Hawkins	chemicals	\$ 80.00
Johnson Brothers	liquor	\$ 204.63
SD Dept of Health	specimen	\$ 90.00
Amazon Capital Services	books	\$ 196.79
Quill	supplies	\$ 492.74



Northwestern Energy	utilities	\$	7,952.34
Maguire Iron	water tower paint and repairs	\$	55,477.50
Clark Insurance Agency	FD insurance	\$	5,519.00
Cardmember Services	card purchases	\$	447.17
Star Laundry	rags and rugs	\$	114.69
Southern Glazers	liquor	\$	200.64
Porter Distributing	liquor	\$	246.00
Republic National Dist Co.	liquor	\$	260.75
Dakota Pump	repairs	\$	6,678.01
Clark County Courier	advertising	\$	264.73
New Dimensions, LLC	mowing and stump removal	\$	2,135.00
Quill	supplies	\$	71.22
Dollar General	supplies	\$	59.10
ITC	utilities	\$	666.76
Mack's Standard	fuel	\$	336.04
U Drive Technology	text tool	\$	109.76
Dekker Hardware	supplies	\$	687.83
Westside Implement Inc	golf course mower	\$	106.27
SD Dept of Public Safety	LE Certification Card	\$	10.00

**Motion # 113-2021**

**Approve Financial Statements**

Motion by Hagstrom and seconded by Nesheim to approve the September financial statements. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

**Motion # 114-2021**

**Approve Meeting Minutes**

Motion by Dohmann and seconded by Dalton to approve the August meeting minutes. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

**Motion # 115-2021**

**City of Clark Planning Commission**

Motion by Hagstrom and seconded by Kottke to convene a joint public hearing of the City of Clark Planning Commission and the Clark City Council. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

**Motion # 116-2021**

**Approval of Ordinance # 568**

Motion by Nesheim and seconded by Dohmann for the Planning Commission to recommend approval of Ordinance #568. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried. There was no public input nor any proponents or opponents of the ordinance.

**Motion # 117-2021**

**Adjourn Public Hearing**

Motion by Dohmann and seconded by Dalton to adjourn the public hearing of the City of Clark Planning Commission and the Clark City Council. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

**Ordinance #568**

First Reading was had for Ordinance #568: An ordinance to amend article II, “District Regulations” and “Permitted Uses” [HC – Highway Commercial District]; Article IV, “Supplemental Regulations”; and Article V, Definitions, Adopted by Ordinance 400, as amended, of the zoning ordinance of the City of Clark. A date for a second reading was set for September 7<sup>th</sup>, 2021 at 8:30AM.

**Ordinance #569**

First Reading was had for Ordinance #569: An ordinance adding Chapter 8:10 to the revised ordinances of the City of Clark, creating licensing provisions for cannabis establishments. A date for a second reading was set for September 7<sup>th</sup>, 2021 at 8:30AM.

**Motion # 118-2021**

**Executive Session**

Motion by Hagstrom and seconded by Dohmann to enter executive session for personnel and contractual issues, SDCL 1-25-2.1 & 4. Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

Executive session began at 8:25 pm and declared out at 8:57 pm.

**Motion # 119-2021**

**Adjourn**

Motion by Dohmann and seconded by Nesheim to adjourn. . Role call vote. Kottke –aye, Nesheim –aye, Dohmann –aye, Zemlicka –aye, Hagstrom –aye. Dalton – aye. Motion carried.

Meeting adjourned at 8:57pm.

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  
September 7<sup>th</sup>, 2021**

**Call to order:** The Clark City Council met in session on September 7, 2021 at 8:30 am in the City Hall Finance Officer.

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

**Others Present:** Mayor Kerry Kline, Finance Officer Alaina Wellnitz, and Chad Fjelland.

Mayor Kline called the meeting to order at 8:31 am.

**Motion # 120-2021**

**Adopt Agenda**

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

**2<sup>nd</sup> Reading of Ordinance 568**

A second reading was had for Ordinance # 568.

**Motion # 121-2021**

**Adoption of Ordinance 568**

Motion by Kottke and seconded by Zemlicka to adopt Ordinance # 568. All members voting yes.  
Motion carried.

ORDINANCE NO. 568

AN ORDINANCE ENTITLED, AN ORDINANCE TO AMEND ARTICLE II, “DISTRICT REGULATIONS” AND “PERMITTED USES” [HC – HIGHWAY COMMERCIAL DISTRICT]; ARTICLE IV, “SUPPLEMENTAL REGULATIONS”; AND ARTICLE V, DEFINITIONS, ADOPTED BY ORDINANCE 400, AS AMENDED, OF THE ZONING ORDINANCE OF THE CITY OF CLARK.

BE IT ORDAINED by the City Council of the City of Clark, South Dakota: that ARTICLE II “DISTRICT REGULATIONS,” adopted by Ordinance 400 on August 21, 2000, as amended, of the Zoning Ordinance of the City of Clark be amended by adding the following Section in bold and underline font:

Section 11.06.01      Generally:

**All uses and structures not specifically listed as a permitted use, special permitted use, or as a conditional use in a particular zoning district shall be prohibited in said district**

BE IT FURTHER ORDAINED by the City Council of the City of Clark, South Dakota: that Section 11.12.02, “Permitted Uses” [HC – Highway Commercial District], adopted by Ordinance

400 on August 21, 2000, as amended, of the Zoning Ordinance of the City of Clark be amended by adding language in bold and underline font:

**8. Cannabis Dispensary (subject to Section 11.3299).**

BE IT FURTHER ORDAINED by the City Council of the City of Clark, South Dakota: that Article IV, "SUPPLEMENTAL REGULATIONS" adopted by Ordinance 400 on August 21, 2000, as amended, of the Zoning Ordinance of the City of Clark be amended by adding the following Section in bold and underline font:

**Section 11.3299 CANNABIS DISPENSARIES.**

**1. Maximum Number of Cannabis Dispensaries.**

- a. **In the development and execution of these regulations, it is recognized that there are some uses which because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having a potential deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area.**
- b. **The City of Clark shall allow up to one cannabis dispensary provided the time, place, and manner of said dispensary complies with this ordinance.**

**2. Required Separation Distances**

- a. **A cannabis dispensary shall be located not less than 1,000 feet from a public or private school existing before the date of the cannabis dispensary application;**
- b. **Reserved.**
- c. **Reserved.**

**3. Other Locational Requirements**

- a. **Permanent or temporary dispensaries are prohibited in all other zoning districts and not eligible for a home occupation use.**
- b. **It shall be unlawful to operate a dispensary in a building which contains a residence or a mixed-use building with commercial and residential uses.**

- 4. Controlled Access - No cannabis establishment shall share premises with or permit access directly from another medical cannabis establishment, business that sells alcohol or tobacco, or, if allowed by law, other cannabis establishment.**
- 5. Hours of operation:**
  - a. Cannabis dispensaries are allowed to be open between the hours of 8 a.m. and 8 p.m., Monday through Saturday.**
- 6. Documentation of State Licensure.**
  - a. No cannabis dispensary shall acquire, possess, store, deliver transfer, transport, supply or dispense cannabis, cannabis products, or paraphernalia without providing documentation of licensure from the State of South Dakota.**
- 7. The zoning official is authorized to issue permits (building/use) for cannabis dispensaries subject to following:**
  - a. Submission of a site plan containing the following:**
    - i. Any information required for applicable building permit,**
    - ii. Ingress and egress plan**
    - iii. Parking plan**
    - iv. Lighting plan (including security lighting)**
    - v. Screening/security fencing plan,**
    - vi. Refuse plan;**
    - vii. Hours of Operation;**
    - viii. Any other information as lawfully may be required by the Zoning official to determine compliance with this ordinance**
  - b. Documentation of ability to meet setback/separation requirements.**
  - c. Documentation of State Licensure.**
- 8. All Cannabis Establishments are required to be constructed in conformance with the 2021 Edition of the International Building Code and International Fire Code.**

BE IT FURTHER ORDAINED by the City Council of the City of Clark, South Dakota: that Article V, "DEFINITIONS" adopted by Ordinance 400, as amended, of the Zoning Ordinance of the City of Clark, be amended by adding the following Definitions in bold and underline font:

**Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. (hemp) and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.**

**Cannabis Cultivation Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.**

**Cannabis Dispensary: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.**

**Cannabis Establishment: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.**

**Cannabis Product Manufacturing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.**

**Cannabis Products: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures.**

**Cannabis Testing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.**

Adopted this 7th day of September, 2021.

s/ Kerry Kline

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Mayor

ATTEST:

s/ Alaina Wellnitz

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Finance Officer

This ordinance shall become effective twenty days after publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum is timely initiated prior thereto.

1st Reading:	<u>Sept. 1, 2021</u>
2nd Reading:	<u>Sept. 7, 2021</u>
Date Adopted:	<u>Sept. 7, 2021</u>
Date Published:	<u>Sept. 8, 2021</u>
Effective Date:	<u>Sept. 28, 2021</u>

**2<sup>nd</sup> Reading of Ordinance 569**

A second reading was had for Ordinance #569.

**Motion # 122-2021**

**Adoption of Ordinance 569**

Motion by Hagstrom and seconded by Dohmann to adopt Ordinance #569. All members voting yes. Motion carried.

**ORDINANCE #569**

**AN ORDINANCE ADDING CHAPTER 8.10 TO THE REVISED ORDINANCES OF THE CITY OF CLARK, CREATING LICENSING PROVISIONS FOR CANNABIS ESTABLISHMENTS**

**BE IT ORDAINED** by the City Council of the City of Clark, South Dakota, that Chapter 8 of the Revised Ordinances of the City of Clark is hereby amended by adding a new Chapter 8.10 as follows:

**8.10.02: PURPOSE AND INTENT**

The City Council of the City of Clark enacts the following licensing ordinances in order to ensure that cannabis establishments within the municipal boundaries of the City operate in a manner which complies with state laws and regulations, protects the health, safety, and welfare of the general public, prevents potential conflicts and issues arising from ownership and employees, recognizes certain safety and security considerations, and minimizes risk of unauthorized use or access of cannabis by the general public.

**8.10.04: DEFINITIONS**

Unless an alternative definition is explicitly stated in this section, this chapter utilizes the definitions for cannabis-related terms which are defined by SDCL 34-20G-1.

**Cannabis (or Marijuana):** all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

**Cannabis Cultivation Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

**Cannabis Dispensary:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

**Cannabis Establishment:** cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

**Cannabis Product Manufacturing Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

**Cannabis Products:** any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures

**Cannabis Testing Facility:** in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

**Department:** the South Dakota Department of Health

#### **8.10.06: LICENSE REQUIRED**

- (a) No cannabis establishment may be located or operate in the city without the appropriate valid and current cannabis establishment license issued by the city pursuant to this article. A violation of this provision is subject to the general penalty provision in city code. Each day of the violation constitutes a separate offense.
- (b) No cannabis establishment may be located or operate in the city without the appropriate valid and current cannabis establishment registration certificate issued by the Department pursuant to rules promulgated under SDCL 34-20G. A violation of this provision is subject to the



general penalty provision of city code. Each day of the violation constitutes a separate offense.

#### **8.10.08: LICENSE APPLICATION**

- (a) An application for a cannabis establishment license must be made on a form provided by the city. No other application form will be considered.
- (b) The applicant must submit the following:
  - 1. Application fee of \$5,000.00. The City will reimburse \$2,500.00 for applicants who fail to obtain a registration certificate from the South Dakota Department of Health.
  - 2. An application that will include, but is not limited to, the following:
    - i. The legal name of the prospective cannabis establishment;
    - ii. The physical address of the prospective cannabis establishment that meets the zoning requirements in Title 11, as well as any location requirements pursuant SDCL 34-20G and the administrative rules promulgated thereunder.
    - iii. The name, address, and birth date of each principal officer, owner, and board member of the proposed cannabis establishment.
    - iv. A sworn statement that no principal officer, owner, or board member has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction.
    - v. Any additional information requested by the city.

#### **8.10.10: ISSUANCE OF LICENSE**

- (a) The city will issue a license unless:
  - 1. The applicant has made a false statement on the application or submits false records or documentation; or
  - 2. Any owner, principal officer, or board member of the applicant is under the age of twenty-one (21) years; or
  - 3. Any owner, principal officer, or board member of the applicant has been convicted of a violent felony offense in the previous ten (10) years in any jurisdiction;
  - 4. The proposed location does not meet the applicable zoning requirements under Title 11;

5. The proposed location does not meet all location requirements under SDCL 34-20G and the administrative rules promulgated thereunder;
  6. The license is to be used for a business prohibited by state or local law, statute, rule, ordinance, or regulation; or
  7. Any owner, principal officer, or board member of the applicant has had a cannabis establishment license revoked by the city or a registration certificate revoked by the state; or
  8. An applicant, or an owner, principal officer, or board member thereof, is overdue in payment to the city of taxes, fees, fines, or penalties assessed against or imposed upon the applicant in relation to any cannabis establishment; or
  9. The applicant will not be operating the business for which the license would be issued.
- (b) In the case of an application for a cannabis dispensary license, the city will reject the application if the limit on the number of cannabis dispensaries has been reached.
- (c) The license must be posted in a conspicuous place at or near the entrance to the cannabis establishment so that it may be easily read at any time.

#### **8.10.12: CITY NEUTRALITY AS TO APPLICANTS**

- (a) Upon request from the Department as to the City's preference of applicants, the City will neither support nor oppose any registration certificate application under consideration by the Department. Likewise, if inquiry is made by the Department, the City will abstain from endorsing any application as beneficial to the community.

#### **8.10.14: NUMBER OF CANNABIS DISPENSARIES**

- (a) No more than one cannabis dispensary shall be allowed to operate in the City at any time.

#### **8.10.16: EXPIRATION OF LICENSE AND RENEWAL**

- (a) Each license expires one year from the date of issuance and may be renewed only by making application as provided in Section 8.10.08. Application for renewal must be submitted at least thirty (30) days before the expiration date. The license holder must continue to meet the license requirements to be eligible for a renewal.
- (b) The renewal fee is \$5,000.00. The City will reimburse \$2,500.00 for applicants who fail to obtain a renewal of their registration certificate from the Department.

- (c) Failure to renew a license in accordance with this section may result in additional fees. Upon expiration of the license, the city may order closure of the cannabis establishment.
- (d) If a license holder has not operated an establishment for which it holds a license in the preceding twelve (12) months, the license will not be renewed.

#### **8.10.18: SUSPENSION**

- (a) A license may be suspended if the license holder or an employee or agent of the license holder:
  - 1. Violates or is otherwise not in compliance with any section of this article.
  - 2. Consumes or smokes or allows any person to consume or smoke cannabis on the premises of the cannabis establishment.
  - 3. Knowingly dispenses or provides cannabis or cannabis products to an individual or business to whom it is unlawful to provide cannabis or cannabis products.
- (b) A license may be suspended if the license holder has its Department-issued registration certificate suspended, revoked, or not renewed by the Department or if the registration certificate is expired.
- (c) A license may be suspended if the license holder creates or allows to be created a public nuisance at the cannabis establishment.

#### **8.10.20: REVOCATION**

- (a) A license may be revoked if the license is suspended under Section 8.10.18 and the cause for the suspension is not remedied.
- (b) A license may be revoked if the license is subject to suspension under Section 8.10.18 because of a violation outlined in that section and the license has been previously suspended in the preceding 24 months.
- (c) A license is subject to revocation if a license holder or employee of a license holder:
  - 1. Gave false or misleading information in the material submitted during the application process;
  - 2. Knowingly allowed possession, use, or sale of non-cannabis controlled substances on the premises;

3. Operated the cannabis establishment or the business of the cannabis establishment for which a license is required under this article while the license was suspended;
4. Repeated violations of any section of this ordinance.
5. Operated a function of a cannabis establishment for which the license holder was not licensed (e.g., a licensed cannabis cultivation facility conducting cannabis testing functions without a cannabis testing establishment license);
6. A license holder, or an owner, principal officer, or board member thereof, is delinquent in payment to the city, county, or state for any taxes or fees related to the cannabis establishment;
7. A license holder, or an owner, principal officers, or board member thereof, has been convicted of, or continues to employ an employee who has been convicted of, a disqualifying felony offense as defined by SDCL 34-20G; or
8. The license holder has its Department-issued registration certificate suspended, revoked, or not renewed or the registration certificate is expired.
9. The license holder allows a public nuisance to continue after notice from the City.

#### **8.10.22. SUSPENSION AND REVOCATION PROCESS**

- (a) The license holder will receive a notice of intent to suspend or notice of intent to revoke informing the license holder of the violation and the city's intention to suspend or revoke the license. The notice will be hand delivered to the license holder or an employee or agent of the license holder or sent by certified mail, return receipt requested to the physical address of the cannabis establishment.
- (b) If the license holder disputes the suspension or revocation, the license holder has ten (10) days from the postmark date on the notice or the date the notice was hand delivered to request a hearing before a hearing panel, which will consist of the Mayor, Finance Officer, and Liquor Officer.
- (c) A suspension will be for thirty (30) days and begins ten (10) days after the postmark date on the notice or the date the notice is hand delivered unless the license holder exercises its rights to process and appeal, in which case the suspension takes effect upon the final determination of suspension.
- (d) A revocation will be for one (1) year and begins ten (10) days after the postmark date on the

notice or the date the notice is hand delivered unless the license holder appeals the revocation, in which case the revocation takes effect upon the final determination of revocation.

- (e) The license holder who has had the license revoked may not be issued any cannabis establishment license for one year from the date the revocation became effective.

#### **8.10.24: APPEAL**

An applicant or license holder who has been denied a license or renewal of a license or who has had a license suspended or revoked under this article may appeal to the City Council by submitting a written appeal within ten (10) days of the postmark on the notice of denial, nonrenewal, suspension, or revocation. The written appeal must be submitted to City Hall, 120 N, Commercial St., Clark, SD 57225. The appeal will be considered by the City Council at a regularly scheduled meeting within one month of the receipt of the appeal.

#### **8.10.26: LICENSES NOT TRANSFERRABLE**

No cannabis establishment license holder may transfer the license to any other person or entity either with or without consideration, nor may a license holder operate a cannabis establishment at any place other than the address designated in the application.

#### **8.10.28: HOURS OF OPERATION FOR DISPENSARIES**

Cannabis dispensaries may be open from 8 a.m. to 8 p.m., Monday through Saturday.

#### **8.10.30: LIABILITY FOR VIOLATIONS**

Notwithstanding anything to the contrary, for the purposes of this article, an act by an employee or agent of a cannabis establishment that constitutes grounds for suspension or revocation will be imputed to the cannabis establishment license holder for purposes of finding a violation of this article, or for purposes of license denial, suspension, or revocation, only if an officer, director or general partner or a person who managed, supervised or controlled the operation of the cannabis establishment, knowingly allowed such act to occur on the premises.

#### **8.10.99: PENALTIES**

Any person who operates or causes to be operated a cannabis establishment without a valid license or in violation of this article is subject to a suit for injunction as well as prosecution for ordinance violations. Such violations are punishable by a maximum fine of five hundred dollars (\$500.00). Each day a cannabis establishment so operates is a separate offense or violation.

**Severability.** The provisions of this ordinance are severable. If any provision of this ordinance or the application thereof to any person or circumstance is held to be invalid, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application.

Adopted this 7th day of September, 2021.

s/ Kerry Kline

\_\_\_\_\_  
Mayor

ATTEST:

s/ Alaina Wellnitz

\_\_\_\_\_  
Finance Officer

This ordinance shall become effective twenty days after publication of this notice in the official newspaper, thereby repealing all ordinances or parts thereof in conflict herewith unless a referendum is timely initiated prior thereto.

1st Reading:	<u>Sept. 1, 2021</u>
2nd Reading:	<u>Sept. 7, 2021</u>
Date Adopted:	<u>Sept. 7, 2021</u>
Date Published:	<u>Sept. 8, 2021</u>
Effective Date:	<u>Sept. 28, 2021</u>

**Motion # 123-2021**

**Adjourn**

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

Meeting adjourned at 8:36am.

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 \_\_\_\_\_.