

2020 City of Clark Meeting Minutes

January 6, 2020 Board of Adjustments

January 6, 2020

February 3, 2020

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

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

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

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

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

Brekke Variance Application

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

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

Meeting adjourned at 7:15 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

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

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

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

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

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

Motion # 001-2020

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

No public input.

Department Updates

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

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

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

Motion # 002-2020

Big C On/Off Sale Wine & Cider License

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

Zemlicka arrived at meeting.

Motion # 003-2020

Resolution # 850 Farm Land Lease

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

RESOLUTION # 850

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

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

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

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

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

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

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

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

John Pollock, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell, City Finance Officer

Motion # 004-2020

Approve Minutes

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

Motion # 005-2020

Approve Financial Statements

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

Motion # 006-2020

Approve Claims

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

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

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

Motion # 007-2020

Approve Operations Manual

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

Motion # 008-2020

Adjourn

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

Meeting adjourned at 7:36 pm.

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Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

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**City of Clark Council Meeting
February, 3, 2020**

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

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

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

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

Motion # 009-2020

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Choose Clark County

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

Department Updates

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

Motion # 010-2020

Approve Minutes

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

Motion # 011-2020

Approve Financials

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

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Motion # 12-2020

Approve Claims

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

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

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

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

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

Motion # 013-2020

Resolution #851 Schedule of Fines

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

RESOLUTION #851

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

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

SCHEDULE OF FINES FOR MUNICIPAL CODE VIOLATIONS

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

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

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

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

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

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

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

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

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

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

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

Passed and Adopted this third day of February, 2020.

John Pollock, Mayor
City of Clark, South Dakota

ATTEST:

Jackie Luttrell
City Finance Officer
(S E A L)

Motion # 014-2020

Server Access Contract

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

District Meeting is March 17 in Roslyn.

Motion # 015-2020

Adjourn

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

Meeting adjourned at 8:16 pm.

This institution is an equal opportunity provider and employer.

Mayor John Pollock

Attest: Finance Officer Jackie Luttrell
(seal)

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