

**City of Clark Council Meeting
January 3rd, 2024**

Call to order: The Clark City Council met in session on January 3rd, 2024 at 7:00 pm in the City Hall Council Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Dave Musser Jr, Dave Musser Sr, Gayle Wookey, Les McElhany, City Attorney Chad Fjelland, Police Chief Jeremy Wellnitz, Ronnie Clausen, and Tony Werdel.

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

Motion # 001-2024 **Adopt Agenda**
Motion by Zemlicka and seconded by Kottke to adopt the agenda. All members voting yes.
Motion carried.

All stood and recited the Pledge of Allegiance.

Gayle Wookey spoke on behalf of the Clark County Community Foundation regarding the construction of a restroom/storm shelter at the pool park. The council gave Gayle permission to proceed with further planning of the facility.

McElhany Properties

Les McElhany wants to build two 4-plexes on his property at the corner of Grant and S. Dakota St. He asked the council to consider adopting an ordinance for reduced taxation of new residential structures. Chad Fjelland will draw up an ordinance for the council to ponder at the next meeting.

Motion # 002-2024 **Pool Filter**
Motion by Hagstrom and seconded by Zemlicka to purchase a new pool filter for no more than \$64,000. All members voting yes. Motion carried.

Motion # 003-2024 **Approve Meeting Minutes**
Motion by Kottke and seconded by Hagstrom to approve the December meeting minutes. All members voting yes. Motion carried.

Motion # 004-2024 **Approve Financials**
Motion by Hagstrom and seconded by Dalton to approve the monthly financial statements. All members voting yes. Motion carried.

Motion # 005-2024 **Approve Claims**
Motion by Dalton and seconded by Kottke to approve the following claims. All members voting yes. Motion carried.

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DECEMBER CLAIMS

#	To	For	Amount
30798	Helms & Associates	engineering fees	\$ 79,516.72
30800	Ellwein Brothers	liquor	\$ 838.70
30801	USGA	membership	\$ 150.00
30802	Clark County Courier	golf course ads	\$ 32.25
3028	City of Clark	utilities	\$ 331.82
30803	Clark Rural Water	materials	\$ 11,890.90
30799	Northwestern Energy	utilities	\$ 737.52
30804	Cook's Wastepaper	garbage	\$ 7,884.85
30805	Woodring Plumbing	repairs	\$ 134.69
3031	SD Department of Revenue	sales tax	\$ 105.81
3032	SD Department of Revenue	sales tax	\$ 58.77
30806	JB's Auto Repair	squad repairs	\$ 2,820.80
30807	Black Hills Ammunition	ammo	\$ 669.00
30808	Jeff Peterson	lodging	\$ 270.00
30816	Northwestern Energy	utilities	\$ 3,669.78
30811	Jeremy Wellnitz	insurance payout	\$ 1,500.00
30828	Clark Fire Department	reimbursements	\$ 19,749.96
30827	WW Tire Service Inc.	repairs	\$ 196.60
30812	Zenith Properties	meal	\$ 1,371.00
30815	Forest Excavating	meter installation	\$ 5,429.25
30814	Halme Inc.	water project payment	\$ 437,457.84
30813	Core & Main	parts	\$ 310,179.28
30826	Oscars Machine Shop	supplies	\$ 10,022.18
30825	Sanford Clinic	testing	\$ 100.00
30824	212 Truck and Trailer	parts	\$ 130.27
3042	Quill	supplies	\$ 372.41
30823	Dakota Butcher	liquor	\$ 189.92
30822	AT&T	utilities	\$ 173.69
30821	Clark Building & Ranch	supplies	\$ 19.54
30820	Sturdevants	supplies	\$ 2,603.44
30819	Cardmember Services	credit card fees	\$ 1,210.65
3043	Amazon Capital Services	books & supplies	\$ 306.40
30818	Laser Technology	radar	\$ 1,492.65
30817	Clark County Courier	advertising	\$ 218.51
12/13/2023	City Council	payroll	\$ 2,873.00
Council Payroll			
3030	EFTPS	payroll taxes	\$ 514.56

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12/22/2023	Mayor	payroll	\$	226.92
Payroll	Finance Office	payroll	\$	2,377.81
	Govt Bldg	payroll	\$	85.73
	Police	payroll	\$	5,231.32
	Streets	payroll	\$	4,330.00
	Sewer	payroll	\$	1,401.05
	Water	payroll	\$	1,401.30
	Transit	payroll	\$	133.36
	Golf Club	payroll	\$	85.25
	Library	payroll	\$	581.75
30809	SD Retirement	City Employees Retirement	\$	3,823.50
30810	Child Support Payemnt Center	Child Support	\$	352.62
3038	EFTPS	Payroll Taxes	\$	3,569.18
12/29/23	Finance Office	payroll	\$	268.09
Payroll	Police	payroll	\$	2,032.22
Vacation	Streets	payroll	\$	1,316.62
Buy Out	Sewer	payroll	\$	686.83
	Water	payroll	\$	686.96
3044	EFTPS	Payroll Taxes	\$	1,095.03

JANUARY CLAIMS (01 24 CLMS)

SD Dept of Transportation	fuel	\$	543.55
Pitney Bowes	meter rental	\$	162.00
Principal Financial Group	insurance	\$	42.91
Wellmark BCBS	insurance	\$	7,151.94
Vision Service Plan	insurance	\$	426.50
SD Water & Wastewater Assoc.	dues	\$	10.00
SD Police Chiefs Assoc.	dues	\$	200.00
SD Assoc. of Code Enforcement	dues	\$	75.00
SD Municipal League	dues	\$	1,416.53
SD Government Finance Office	dues	\$	70.00
SD Human Resource Assoc.	dues	\$	50.00
Delta Dental	insurance	\$	1,379.90
A & B Business Solutions	copier	\$	65.55
Star Laundry	rugs	\$	237.84
Butler Machinery Company	repairs	\$	1,330.93
SD Dept of Health	specimen	\$	30.00
SDML Work Comp Fund	renewal	\$	11,400.00
Intoximeters	supplies	\$	325.00
Clark County Treasurer	Tango Tango	\$	325.00
Axon Enterprises	software	\$	2,653.21
Mack's Standard	fuel and repairs	\$	2,704.08
SPS Works	dog tags	\$	160.60

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Northwestern Energy	utilities	\$ 3,175.45
ITC	utilities	\$ 614.43
Clark Co Historical Society	subsidy	\$ 577.00
Forest Excavating	water meter installation	\$ 28,172.25
Halme, Inc.	water improvement project	\$ 368,536.28
Ken's Food Fair	concessions	\$ 131.35
Westside Implement	repairs	\$ 6,800.29
Dollar General	supplies	\$ 66.65

Motion # 006-2024 Clinic Exterior Lights

Motion by Kottke and seconded by Zemlicka to approve the quote from Efraimson Electric for new exterior light fixtures around the clinic. All members voting yes. Motion carried.

Housing Development Updates

Ronnie Clausen and Tony Werdel answered more questions from the council and from the public regarding their proposed housing development. Clausen and Werdel's architect will finish up the site plan in the next few weeks and have 1st District give their thoughts on the project.

Motion # 007-2024 Approve Operations Manual

Motion by Zemlicka and seconded by Dalton to approve the Operations Manual for 2024. All members voting yes. Motion carried.

Motion # 008-2024 Rescind Motion 002-2024

Motion by Zemlicka and seconded by Hagstrom to rescind Motion 002-2024 due to bid laws. All members voting yes. Motion carried.

Motion # 009-2024 Adjourn

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

Meeting adjourned at 8:15pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

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**City of Clark Council Meeting
February 5th, 2024**

Call to order: The Clark City Council met in session on February 5th, 2024 at 7:00pm in the City Hall Council Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Police Chief Jeremy Wellnitz, Public Works Superintendent Darin Altfillisch, Tony Werdel, Ronnie Clausen, Catie Noethlich, Luke Muller, City Attorney Chad Fjelland, Dave Musser, Kylie & Jason Steen, and Tammy Rusher.

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

Motion # 010-2024

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Public Input

Mayor Kline addressed concerns regarding the muddy roads on the north side of town. Halme Construction will be coming back to Clark to fix the issues.

Zoning Ordinance Discussion

Luke Muller visited with the council regarding the new zoning ordinance. A public hearing was scheduled for February 26th at 7:30PM.

Choose Clark County

Mayor Kline introduced Catie Noethlich, the new Choose Clark County Executive Director.

Housing Development Updates

Tony Werdel and Ronnie Clausen provided an updated site plan for the proposed housing development. First District will look it over and provide thoughts before the February 26th meeting.

Department Updates

Tammy Rusher has been finalizing tournaments for the 2024 golf season. A kickoff event for the golf season is tentatively scheduled for April 6th. Chief Wellnitz provided end of year stats from 2023. Altfillisch inquired about the Freese property, asked about stripping copper from the old water meters, and got input about a possible new park where the community garden used to be. Finance Officer Wellnitz hired Judy Wieker as a custodian. Wieker will be paid through the National Indian Council on Aging program.

Motion # 011-2024

Approve Department Updates

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

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Motion # 012-2024 **Resolution for Discretionary Formula**
 After much discussion, motion by Hagstrom and seconded by Nesheim to table the resolution until the March meeting. All members voting yes. Motion carried.

Motion # 013-2024 **Pool Filter**
 Motion by Nesheim and seconded by Dalton to authorize the purchase of a pool filter for no more than \$20,000. All members voting yes. Motion carried.

Motion # 014-2024 **Approve January Meeting Minutes**
 Motion by Hagstrom and seconded by Dohmann to approve the January meeting minutes. All members voting yes. Motion carried.

Motion # 015-2024 **Approve Financials**
 Motion Nesheim and seconded by Zemlicka to approve the monthly financial statements. All members voting yes. Motion carried.

Motion # 016-2024 **Approve Claims**
 Motion by Dalton and seconded by Hagstrom to approve the following claims. All members voting yes. Motion carried.

JANUARY CLAIMS (01 24 CLMS2)

#	To	For	Amount
30852	Tritech Software Systems	Zuercher annual fee	\$ 2,846.09
30853	South Dakota 811	locates	\$ 42.00
30854	Cooks Wastepaper & Recycling	dumpsters	\$ 261.25
30855	U Drive Technology	text tool	\$ 50.04
30856	Overdrive	SD Digital consortium	\$ 600.00
30857	Clark Community Oil	fuel	\$ 749.43
30858	Clark ACE Hardware	supplies	\$ 376.13
30859	Clark Rural Water System	materials	\$ 23,281.60
30860	Cooks Wastepaper & Recycling	January garbage	\$ 7,853.45
3050	City of Clark	utilities	\$ 285.75
30863	Northwestern Energy	utilities	\$ 675.89
30864	SD Dept of Transportation	fuel	\$ 486.35
30865	Clark Chamber of Commerce	dues	\$ 1,500.00
3054	SD Dept of Revenue	sales tax	\$ 19.73
3055	SD Dept of Revenue	sales tax	\$ 323.06
2383	SD Rural Development	loan	\$ 787.00
2386	SD Rural Development	loan	\$ 1,307.00
2387	SD Rural Development	loan	\$ 908.00
3056	US Bank Corporate Trust	loan	\$ 6,940.29
30866	Blackstrap, Inc.	sand and gravel	\$ 10,997.43

1/9/24 **Payroll**

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	Mayor	payroll	\$ 276.92
	Finance Office	payroll	\$ 2,425.00
	Govt Bldg	payroll	\$ 67.88
	Police	payroll	\$ 4,769.23
	Streets	payroll	\$ 5,213.82
	Sewer	payroll	\$ 1,648.04
	Water	payroll	\$ 1,648.39
	Transit	payroll	\$ 229.78
	Library	payroll	\$ 767.20
3049	EFTPS	Payroll Taxes	\$ 3,946.25
1/23/24	Payroll		
	Mayor	payroll	\$ 226.92
	Finance Office	payroll	\$ 2,411.60
	Govt Bldg	payroll	\$ 71.50
	Police	payroll	\$ 4,269.23
	Streets	payroll	\$ 4,601.90
	Sewer	payroll	\$ 1,454.14
	Water	payroll	\$ 1,454.37
	Transit	payroll	\$ 126.75
	Golf Club	payroll	\$ 174.75
	Library	payroll	\$ 682.50
30861	SD Retirement	Employee Retirement	\$ 4,083.58
30862	Child Support Pymt Center	Employee Child Support	\$ 352.62
3053	EFTPS	Payroll Taxes	\$ 3,509.69

FEBRUARY CLAIMS (02 24 CLMS)

A-I Computer Solutions	router	\$ 749.99
Star Laundry	rags and rugs	\$ 171.12
Creative Printing	supplies	\$ 171.71
First District Association	dues	\$ 1,545.00
Wellmark BCBS	insurance	\$ 7,151.94
Principal Financial Group	insurance	\$ 42.91
SD Dept of Health	specimen	\$ 60.00
SD Rural Development	loan	\$ 787.00
SD Rural Development	loan	\$ 1,307.00
SD Rural Development	loan	\$ 908.00
Clark Co Historical Society	subsidy	\$ 577.00
US Bank Corporate Trust	loan	\$ 25,016.47
Northwestern Energy	utilities	\$ 7,231.57
Pheasantland Industries	supplies	\$ 58.56

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A & B Business Solutions	copier	\$	65.55
Forest Excavating	services	\$	6,107.29
Dakota Pump & Control	repairs	\$	473.47
Delta Dental	insurance	\$	1,379.90
Vision Service Plan	insurance	\$	426.50
Burbach Aquatics, Inc.	fees	\$	5,731.71
Helms & Associates	fees	\$	41,857.74
WW Tire	repairs & tires	\$	1,651.00
Efraimson Electric	clinic lights	\$	2,566.39
AT&T Mobility	utilities	\$	173.70
Cardmember Services	credit card fees	\$	92.86
Sturdevants	supplies	\$	953.30
Readers Digest	subscription	\$	10.62
Better Homes & Gardens	subscription	\$	23.00
U Drive Technology	text tool	\$	50.00
Dakota Pump, Inc.	contract	\$	780.00
Westside Implement, Inc.	parts	\$	83.77
Clark Building Center & Ranch	ice melt	\$	783.51
Book Systems, Inc.	barcodes	\$	140.00
Clark ACE Hardware	supplies	\$	188.20
Clark County Courier	advertising	\$	95.76
Oscar's Machine Shop	repairs	\$	1,422.03

2/6/2024

Payroll

Mayor	payroll	\$	276.92
Finance Office	payroll	\$	2,478.60
Police	payroll	\$	4,583.20
Streets	payroll	\$	4,552.59
Sewer	payroll	\$	1,487.26
Water	payroll	\$	1,487.55
Transit	payroll	\$	356.90
Golf Course	payroll	\$	176.50
Library	payroll	\$	660.00
EFTPS	Payroll Taxes	\$	3,621.03

Motion # 017-2024

Approve Contractor Payment Application

Motion by Dohmann and seconded by Nesheim to approve the payment applications from Brent Forest for water meter installation. All members voting yes. Motion carried.

Motion # 018-2024

Approve New Bank Account

Motion by Zemlicka and seconded by Dalton to approve the new Dacotah Bank account for construction project fees. Motion carried.

Motion # 019-2024

Adjourn

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

Meeting adjourned at 8:40PM.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
March 4th, 2024**

Call to order: The Clark City Council met in session on March 4th, 2024 at 6:00pm in the City Hall Community Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Carolyn Olsen, Luke Muller, Les McElhany, Tammy Rusher, Cassi Kottke, Angie Werdel, Malory McIntire, and Lacey Ortberg.

Mayor Kline called the meeting to order at 6:00pm.

Motion # 020-2024

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 Hearing for Zoning Ordinance #585

It was announced that the City Council will be acting as both the City Council and Planning Commission for Ordinance 585. Motion by Hagstrom and seconded by Zemlicka as Planning Commission Members to recommend approval of Ordinance 585.

Luke Muller, Senior Planner, First District Association of Local Governments, delivered a report and summary of the ordinance and process on behalf of staff and the subcommittee of the City Council/Planning Commission that met to review and update the Ordinance.

Planning Commissioner Hagstrom recommends rezoning certain houses from commercial and/or industrial to residential.

Planning Commissioner Kottke recommends changing Chapter 4.09 back to allow septic tanks when greater than 200' from a sanitary sewer line (instead of 400'); adding a setback of 1,000' for Cannabis Dispensaries from public parks; and moving public and private schools, churches and other religious institutions, uses operated by governmental institutions, and multiple-family dwellings (3 or more units) from "Permitted Uses" in the "R" Residential District to "Conditional Uses;" and to check for Scrivner's errors (specifically on the zoning map.)

The Joint Public Hearing of the City Council and Planning Commission was opened. Members of the public spoke regarding Kottke's suggested changes. Public Hearing was closed. Motion by Nesheim and seconded by Kottke acting as Planning Commission Members to recommend the following amendments to Ordinance 585:

- Changing Chapter 4.09 back to allow septic tanks when greater than 200' from a sanitary sewer line (instead of 400');
- Adding a setback of 1,000' for Cannabis Dispensaries from public parks;

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- Moving public and private schools, churches and other religious institutions, uses operated by governmental institutions, and multiple-family dwellings (3 or more units) from “Permitted Uses” in the “R” Residential District to “Conditional Uses;”
- To check for Scrivner’s errors (specifically on the zoning map);
- Rezoning the following properties from “C” General Commercial and / or “I” Industrial to “R” General Residential:

Record # 7814: Described as The North 450 Feet of the South 500 Feet of the West 153 Feet, and the West 75 Feet of the North 317 Feet of the South 500 Feet of the East 263.75’ of the West 416.75 Feet of the Southeast Quarter of Section 6, Township 116 North, Range 56 West of the 5th P.M., City of Clark, South Dakota.

Record #5787: Described as Outlot R, Less the South 33 Feet of Outlot R; and the West 10 Feet of the North 492 Feet of Outlot S, City of Clark, South Dakota.

Record #2224: Described as Lot 1, Less the West 50 Feet, in Grace Subdivision in the Southeast Quarter of Section 6, Township 116 North, Range 57 West of the 5th P.M., City of Clark, South Dakota.

Record #2225: Described as Lot 2, Grace Subdivision in the Southeast Quarter of Section 6, Township 116 North, Range 57 West of the 5th P.M., City of Clark, South Dakota; and The West 60 Feet of Lot 3, Grace Subdivision in the Southeast Quarter of Section 6, Township 116 North, Range 57 West of the 5th P.M., City of Clark, South Dakota.

Record #5217: Described as Lots 1-3, Block 6, Original Plat of The City of Clark, South Dakota. (Removed from CB Central Business Overlay District as well.)

Public Input

Catie Noethlich will be looking into grants for a park on the south side of town and inquired about the process for updating the park by the softball field.

Motion # 021-2024

Fast Pitch Softball

Motion by Nesheim and seconded by Hagstrom to add 10U Fast Pitch Softball to the city’s summer recreation lineup. All members voting yes. Motion carried.

Motion # 022-2024

Dickinson Park Well

Motion by Nesheim and seconded by Dalton to accept a bid from Kaiser Well Drilling in the amount of \$15,142.50. All members voting yes. Motion carried.

Motion # 023-2024

Approve Discretionary Resolution

Motion by Hagstrom and seconded by Dalton to approve a resolution establishing a discretionary formula for reduced taxation of certain residential and commercial structures. Role call vote: Hagstrom -aye, Kottke – nay, Zemlicka – nay, Nesheim – nay, Dohmann – nay, Dalton – aye. Motion failed.

Motion # 024-2024

Approve Discretionary Resolution

Motion by Nesheim to approve a resolution establishing a discretionary formula for reduced taxation of certain residential structures. No second from council. Motion failed.

Motion # 025-2024

Approve Discretionary Resolution

Motion by Dalton and seconded by Hagstrom to approve a resolution establishing a discretionary formula for reduced taxation of certain commercial structures. Role call vote: Hagstrom -aye, Kottke – nay, Zemlicka – nay, Nesheim – nay, Dohmann – nay, Dalton – aye. Motion failed.

Yexley Hotel

Baron Yexley asked the council to change the zoning of his trailer park on the east side of town so he can build a hotel. The council will address this during the 2nd reading of the new zoning ordinance.

Swimming Pool

The swimming pool will open once the new sand filter is installed. Sandblasting and repainting the pool was discussed.

Department Updates

Tammy Rusher said the golf course will open on April 6th with a kickoff event offering 10% off memberships. Alaina Wellnitz is pricing out new lights for the Ulliyot Building.

Motion # 026-2024

Approve Department Updates

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

Motion # 027-2024

Approve PPE

Motion by Kottke and seconded by Hagstrom to approve the application for payment from Forest Excavating for \$41,700.25. All members voting yes. Motion carried.

Motion # 028-2024

Approve Meeting Minutes

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

Motion # 029-2024

Approve Monthly Financials

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

Motion # 030-2024

Approve Claims

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

FEBRUARY CLAIMS (02 24 CLMS2)

#	To	For	Amount
	Recreation Supply Company	pool filter	\$ 6,649.00
3065	City of Clark	utilities	\$ 329.75
30895	Core & Main	supplies	\$ 191.44
30896	Ken's Food Fair	concessions	\$ 62.76

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30897	Cooks Wastepaper & Recycling	dumpsters	\$	123.00
30898	Cooks Wastepaper & Recycling	February garbage	\$	7,846.01
30899	Clark Rural Water	materials	\$	3,721.90
3067	ITC Telephone	utilities	\$	615.73
30900	Clark Community Oil	fuel	\$	960.51
3068	Amazon Capital Services	supplies	\$	91.97
3069	SD Dept of Revenue	sales tax	\$	42.49
3070	SD Dept of Revenue	sales tax	\$	25.46
30904	Northwestern Energy	utilities	\$	9,526.33
3079	FuturePOS	credit card fees	\$	90.57
3080	Dacotah Bank	service charge	\$	5.00

2/20/24 Payroll

Mayor	payroll	\$	226.92	
Finance Office	payroll	\$	2,411.60	
Police	payroll	\$	4,577.20	
Streets	payroll	\$	4,785.61	
Sewer	payroll	\$	1,620.30	
Water	payroll	\$	1,620.62	
Transit	payroll	\$	221.00	
Golf Club	payroll	\$	156.63	
Library	payroll	\$	660.00	
30901	SD Retirement	Employee Retirement	\$	4,039.38
30902	Child Support Pymt Center	Employee Child Support	\$	352.62
3073	EFTPS	Payroll Taxes	\$	3,784.90

MARCH CLAIMS (03 24 CLMS)

Menards	supplies	\$	402.90
Forest Excavating	services	\$	32,447.25
Core & Main	supplies	\$	173.44
Banyon Data Systems, Inc.	software	\$	2,495.00
Helms & Associates	services	\$	660.00
Wellmark BCBS	insurance	\$	7,151.94
Blackstrap Inc.	salt sand	\$	4,185.69
SD Rural Development	loan	\$	908.00
SD Rural Development	loan	\$	787.00
SD Rural Development	loan	\$	1,307.00
Clark Co Historical Society	subsidy	\$	577.00
JW Roll Off Service	dumpsters	\$	355.72
WW Tire Service Inc.	tires	\$	406.95
Ecolab Pest Elimination Service	pest removal	\$	102.34

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Principal Financial Group	insurance	\$	42.91
Star Laundry	rags and rugs	\$	232.46
Pitney Bowes	postage	\$	1,020.99
SD Dept of Transportation	fuel	\$	664.66
Dakota Butcher	liquor	\$	18.99
Butler Machinery Company	repairs	\$	2,357.46
Vision Service Plan	insurance	\$	426.50
Delta Dental	insurance	\$	1,379.90
Applied Concepts	PD radio	\$	3,530.00
A & B Business Solutions	copier	\$	75.38
Quill	supplies	\$	1,050.96
Jeff Peterson	lodging	\$	270.00
AT&T Mobility	utilities	\$	173.70
SD Dept of Health	specimen	\$	30.00
Cardmember Services	credit card	\$	1,161.27
Northwestern Energy	utilities	\$	395.19
Clark County Courier	advertising	\$	162.50
Sturdevants Auto Value	supplies	\$	170.10
U Drive Technology	text tool	\$	50.00
Mack's Standard	fuel	\$	705.50
Clark Building and Ranch	supplies	\$	11.97
Westside Implement	repairs	\$	286.76
JBs Auto Repair	repairs	\$	317.50
Milbank Winwater Works	supplies	\$	1,122.92
ITC Telephone	utilities	\$	616.03
Doug's Service and Marine	mower repairs	\$	1,369.56
Clark ACE Hardware	supplies	\$	438.62

3/5/2024

Payroll

Mayor	payroll	\$	276.92
Finance Office	payroll	\$	2,489.98
Police	payroll	\$	5,039.23
Streets	payroll	\$	4,624.58
Sewer	payroll	\$	1,509.27
Water	payroll	\$	1,509.55
Transit	payroll	\$	188.50
Golf Course	payroll	\$	199.38
Library	payroll	\$	686.25
EFTPS	Payroll Taxes	\$	3,547.59

Motion # 031-2024

Franchise Resolution #868

Motion by Nesheim and seconded by Zemlicka to approve resolution #868. Hagstrom abstained from vote due to conflict. All other members voting yes. Motion carried.

RESOLUTION NO. 868

Resolution acknowledging the assignment of Ordinance No. 523 from NorthWestern Corporation to NorthWestern Energy Public Service Corporation

WHEREAS, the City of Clark adopted Ordinance No. 523 dated 6/2/2014 (the “Franchise Ordinance”) authorizing Northwestern Corporation to operate a gas distribution system within the City of Clark; and

WHEREAS, as of January 1, 2024, NorthWestern Corporation’s South Dakota and Nebraska assets and related contractual obligations transferred to a new entity named NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy consistent with a corporate reorganization authorized by the South Dakota Public Utilities Commission (Docket No. GE22-002) and the Nebraska Public Service Commission (Docket No. NG-114); and

WHEREAS, other than the above-referenced transfer there is no change to the terms or conditions of the Franchise Ordinance or performance thereto;

NOW, THEREFORE, BE IT RESOLVED that the City of Clark hereby acknowledges and accepts the assignment of Ordinance 523 from NorthWestern Corporation to NorthWestern Energy Public Service Corporation d/b/a NorthWestern Energy.

Passed and approved this 4th day of March, 2024.

City of Clark

Kerry Kline, Mayor

ATTEST:

Alaina Wellnitz, Finance Officer

(SEAL)

Motion # 032-2024

Motion Kottke and seconded by Hagstrom to approve the 2023 Annual Report. All members voting yes. Motion carried.

Approve Annual Report

Motion # 033-2024

Adjourn

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

Meeting adjourned at 8:22PM.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

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**City of Clark Board of Equalization Meeting
March 18th, 2024**

Call to order: The Clark City Council met in session on March 18th, 2024 at 7:00 pm in the City Hall Council Room as the Board of Equalization.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, Clark County Courier reporterCarolynn Olson, Leo & Jeanne Werdel, Ty Helkenn, and Chelsi Paulson.

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

All stood and recited the Pledge of Allegiance.

Parcel 5607: S 31' of Lots 8 & 9 and S 86.6' of Lot 10, Block 10, Browns and Wares Addition. Owners Leo & Jeanne Werdel, appealing 70.49% increase in property value. Motion by Hagstrom and seconded by Nesheim to appraise structure value at \$33,675 with no changes to land value. All members voting yes. Motion carried.

Parcel 5219: Lot 12, Block 6, Original Clark. Owner Chelsi Paulson, appealing structure value. Hagstrom provided insight from Jarvis Reidburn (not present).

Motion by Hagstrom and seconded by Dalton to appraise the structure value at \$60,000 with no changes to land value. All members voting yes. Motion carried.

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

Meeting adjourned at 7:14pm.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
March 18th, 2024**

Call to order: The Clark City Council met in session on March 18th, 2024 at 7:00 pm in the City Hall Council Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, and Clark County Courier reporter Carolynn Olson.

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

Motion # 034-2024 **Adopt Amended Agenda**
Motion by Kottke and seconded by Nesheim to adopt the amended agenda. All members voting yes. Motion carried.

There was no public input.

Motion # 035-2024 **Temporary Liquor Licenses**
Motion by Kottke and seconded by Nesheim to approve the temporary liquor licenses for the Pro Pheasants Banquet on March 22nd from 6PM to midnight and the Clark Gala on April 20th from 6PM to midnight. All members voting yes. Motion carried.

Motion # 036-2024 **City Dump Fees and Opening**
Motion by Kottke and seconded by Dalton to approve the 2024 Dump Fees and have the dump open on April 10th. All members voting yes. Motion carried.

Motion # 037-2024 **Postage Machine**
Motion by Nesheim and seconded by Hagstrom to approve the purchase of a new postage machine from Pitney Bowes for \$3,615.05. All members voting yes. Motion carried.

Uillyot Building Lights
Finance Officer Wellnitz presented the council with a bid from Eframson Electric to change the lights in the community room and the library to LED bulbs. Hagstrom will contact Tony's Electric and give them a chance to present a quote before the next meeting.

Motion # 038-2024 **Adjourn**
Motion by Nesheim and seconded by Kottke to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 7:29pm.

This institution is an equal opportunity provider and employer.

2024 City Council Meeting Minutes

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
April 8th, 2024**

Call to order: The Clark City Council met in session on April 8th, 2024, at 7:00pm 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, City Attorney Chad Fjelland, Darin Altfillisch, Tammy Rusher, Carolyn Olsen, Dennis Thompson, Kevin and Jill Zobel, and Terry Kaufman.

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

Motion # 039-2024

Adopt Agenda

Motion by Dohmann and seconded by Zemlicka to adopt the amended agenda, omitting item #5. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Public Input

Terry Kaufman asked the council why they voted down a resolution that would allow a tax break for newly constructed multi-family and/or residential homes. Both Nesheim and Kottke provided feedback they'd received from their constituents which drove them to vote against the resolution.

Motion # 040-2024

Solid Waste Collection Bids

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

Water and Sewer Repair Bids

No bids were received for water and sewer repairs.

Mayor & Department Updates

Darin Altfillisch spoke about repairs to the water tower that need to be made. Altfillisch will have TopKote do the chip sealing on the roads again. A new mosquito spray will be ordered. Restaurant liquor licenses were discussed. Fjelland will draw up a new ordinance and let the council ponder the idea until next month. The golf course opening day was extremely profitable, coming in at roughly \$54,000 on April 6th. The clubhouse will be open on the weekend from now until May. The council had a long discussion on the pool. They will decide if it should open at the May meeting.

Motion # 041-2024

Approve Department Updates

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

Zobel & Thompson

Kevin & Jill Zobel and Dennis Thompson aired their concerns about a possible hotel being built near their property. The homeowners have existing water issues and worry that a potential hotel will cause more issues.

Motion # 042-2024

Ulliot Building Lights

Motion by Kottke and seconded by Dalton to approve the quote from Eframson Electric to put new lights in the community room and the library. All members voting yes. Motion carried.

Berg Land

The council discussed different options to help with drainage issues on Steve Berg’s property.

Hensley/Nelson Meter

Steve & Bev Nelson and Samantha Hensley have health concerns regarding the new water meters. The council decided to require installation of a new analog meter put at the homeowner’s expense as well as monthly fee.

Motion # 043-2024

Ordinance #585 - Zoning

Motion by Dohmann and seconded by Nesheim to approve Ordinance # 585 with Scrivner’s errors changes and changes to page 76, primary and secondary yard fence setbacks. All members voting yes. Motion carried.

City of Clark
Zoning Ordinance Update – Executive Summary

INTRODUCTION

Since February of 2023 city staff and an appointed group of the City Council have met with staff from First District Association of Local Governments to update the Zoning Ordinance. Due to the numerous formatting changes and additions of figures it was determined early that the best manner of adoption is to repeal and replace the existing zoning ordinance. This document is intended to support the draft by summarizing substantive changes to the previous zoning ordinance and providing cross reference between the previous and proposed ordinance. The summary will be split into five (5) sections, based upon the “Articles” of the Zoning Ordinance, which are still the same.

ARTICLE I - GENERAL PROVISIONS

ARTICLE I - CROSS REFERENCES			
Current Chapter Number	Current Chapter Title	Proposed Chapter Number	Proposed Chapter Title
11.01	Title and Application	1.01	Title and Application
11.02	Ordinance Provisions	1.02	Ordinance Provisions
11.03	Official Zoning Map	1.03	Official Zoning Map

No “Chapters” were added to this Article. Text changes were made to bolster the link between this ordinance, state law, and the comprehensive land use plan. Minor change to Section 1.02.04 of the draft provided may be necessary to bolster the repeal of conflicting ordinances based on any

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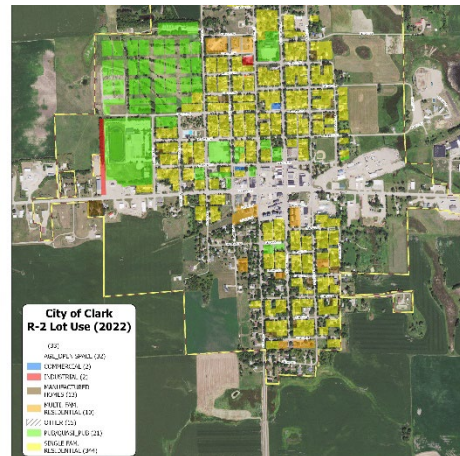
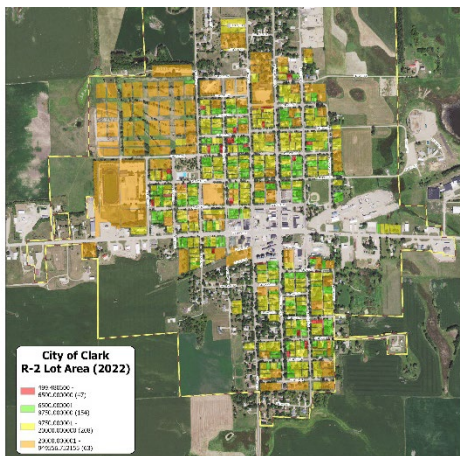
recommendations of the City Attorney. Though this section does incorporate the zoning map, discussion regarding the map and districts is found in the next section of this summary.

ARTICLE II - DISTRICT REGULATIONS

ARTICLE II - CROSS REFERENCES			
Current Chapter Number	Current Chapter Title	Proposed Chapter Number	Proposed Chapter Title
11.04	Application of District Regulations	2.01	Application of District Regulations
11.05	Non-Conforming Uses	2.02	Non-Conforming Uses
11.06	District Regulations	2.03	District Regulations
11.07	“A” - Agricultural District	2.04	“A” - Agricultural District
11.08	“R1” - Single Family Residential District	2.05	"R" - General Residential District
11.09	“R2” – General Residential District		
11.10	“R3” – Combined Residential District	2.08	"RM" - Manufactured Home Overlay District
11.11	“C1” - Central Commercial District	2.06	"C" - General Commercial District
11.12	“HC” – Highway Commercial District		
11.13	“I” – Industrial District	2.07	“I” – Industrial District
Similar to previous C-1 Central Commercial District		2.09	"CB" - Central Business Overlay District
New		2.10	"RR-I" - Railroad Industrial Redevelopment Overlay District
Incorporates recently adopted floodplain into zoning ordinance		2.99	"FP" - Floodplain Protection Overlay District

Methodology:

First District Association conducted a “Land Use Survey” of the City of Clark to determine land use of every lot/parcel in the City of Clark. That data was used to determine whether the use of the property was in conformance with the zoning district it is located and parcel data was used to determine whether those lots were in conformance with the lot area minimums of the zoning district the lot is located in (See Figures 1 and 2 below). The subcommittee determined it was important to maintain sound planning principles, but to allow property owners the flexibility to remain using their property in the manner it is currently used with as little interference as possible.



Changes:

FORMATTING – All zoning districts (except for the Ag District) include tables and figures to illustrate and explain lot area, lot width, lot coverage, and setbacks.

DISTRICTS – Very few properties were rezoned across use districts. The subcommittee recommended standardizing combining commercial districts into one district, and residential districts into one district as much as possible. Thus:

- Overlay Districts were created. Overlay Districts allow a community to create an additional standard or relax or remove a certain standard for portions of town with unique challenges or development characteristics. In addition to the Floodplain Protection District, the following were created:
 - HC and C1 District were combined, however in order to allow the continuation of “zero-setback” development in the downtown area the Central Business Overlay District was created.
 - R1, R2, R3 Districts were combined as well in an effort to decrease requests for variance to lot area and setbacks, and changing back and forth between R1 and R2 zoning. The RM District was necessary to allow manufactured home courts or manufactured homes in city limits through a rezoning process. Creation of the RM District is not a substantive change, it just allows the retention of other residential uses in the RM District now.
 - The RR-I District was developed to allow the continuation of uses and structures on (primarily) industrially zoned property which was originally platted as or adjacent to the railroad. As a result, numerous structures do not meet current industrial or commercial setbacks. This district will allow permits to be issued to expand or continue the use of structures on properties that have been similarly used for over 100 years.

USES – The use classification of Special Permitted Uses (SPU) was added. These uses constitute a “by-right” use (similar to permitted uses) that require certain conditions to be met before they can be exercised. Most SPU’s were added to allow the use of property in manners that have been allowed through variance or interpretation in the past under certain circumstances. Added SPU’s include:

Residential Districts:

- Detached accessory structure with sixteen (16) foot sidewalls
- Decreased side or rear yard setback
- Unenclosed deck in the required front yard
- Accessory structure with steel siding...
- Temporary occupancy of a recreational vehicle on a lot with an active building permit

Commercial and Industrial Overlay Districts:

- Decreased setbacks adjacent to residential district with adequate screening (RR-I District)
- Second story apartments (CB District)

(A draft of the proposed zoning map is included at the end of this summary.)

ARTICLE III - ADMINISTRATION

ARTICLE III - CROSS REFERENCES			
Current Chapter Number	Current Chapter Title	Proposed Chapter Number	Proposed Chapter Title

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11.14	General	3.01	General
11.15	Administrative Official	3.02	Administrative Official
11.16	Board of Adjustment	3.03	Board of Adjustment
11.17	Procedures for Applications	3.04	Procedures for Applications

This section was reviewed and amended with three goals in mind: 1) Conformance with state law and case law since 2009; 2) Consistency in procedures for all applicants and with current practices of staff and the Board; 3) Implement “plain-English” explanations of procedures where possible. Very little discretionary change was made. (In the following summary, the inspiration for the changes is referenced in parentheses.)

Summary of Changes

APPEALS – Changes were made to who has standing to appeal a decision of the administrative official and Board of Adjustment; and to clarify the process. (State law changes.)

PROCEDURES FOR APPLICATIONS – Changes were made to reflect the practices of current staff and the Board as allowed by state law. (Subcommittee recommendations.)

CONDITIONAL USES – Changes were made to the general conditions or criteria to give the Board and staff more direction on what information is being asked of applicants for conditional uses. Other changes were made to reflect case law and legislative changes since 2009. (First District recommendation.)

SPECIAL PERMITTED USES – Use classification and procedures were added. As previously discussed these uses are allowed without going before a Board for approval provided prescribed conditions are met. Most listed at this time are for relaxation of certain rules with neighbor consent. (State law.)

ZONING AMENDMENTS – Outlined who can ask for what types of amendments and outlined the process in a more readable manner. (First District recommendation (on format); State Law)

ARTICLE IV - SUPPLEMENTAL REGULATIONS

Significant time was spent reviewing current regulations, past practices and requests, while considering the likelihood of granting requests to relax certain rules if they came in. Numerous tables and figures were added to enhance readability and understanding for the practitioners and public alike. The below table includes cross references, page numbers, and a summary of changes.

ARTICLE IV - CROSS REFERENCES					
Current Ch. #	Current Chapter Title	Proposed Ch. #	Page #	Proposed Chapter Title	Summary of Changes
11.18	Visibility/Fences	4.01 & 4.02	78	4.01 Visibility at Intersections... & 4.02 Fences	Added figures to both Chapters. Added tables to explain setbacks. Split setbacks from right-of-way for fences (and other uses) to primary (addressed street) and secondary front yards.
11.19	Accessory Uses	4.03	81	Accessory Uses	Removed maximum size of detached garage, added figures.

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11.20	Signs and Outdoor Advertising	4.04	84	Signs and Outdoor Advertising	Took into account current signs in all districts; focus regulation on time, placement, and manner/size rather than content (Supreme Court)
11.21	Parking	4.05	89	Parking	Added figure for RV storage (little substantial change); allow use of camper on lot during construction; updated commercial parking table; added parking lot/space design standards
11.22	Access	4.06	92	Structures to Have Access	Permits may only be issued on lots adjacent to a right-of-way
11.23	Adult Uses	4.22	105	Adult Uses	Removed license requirement from zoning ord.
11.24	Yards	4.07	92	Yards	No changes - should be noted it is shown elsewhere that setbacks are measured from the sidewall of a structure, but no "overhang" (definition added) may be located less than five (5) feet from any property line.
11.25	Erection of More Than One Principle Structure on a Lot	4.08	93	Erection of More Than One Principle Structure on a Lot	No substantial change
11.27	Private Wastewater Treatment Systems (Septic Tanks)	4.09	93	Private Wastewater Treatment Systems (Septic Tanks)	No substantial change
11.28	Manufactured Home Provisions	4.11	93	Manufactured Home Provisions	No changes - should be noted than Modular Homes with less than the previous minimum size (1,000 sq ft. - "Tiny House") may be allowed by Conditional Use Permit
11.29	Flood Damage Prevention Regulations	2.99		Floodplain Protection Overlay District	Referenced Earlier
Current Ch. #	Current Chapter Title	Proposed Ch. #	Page #	Proposed Chapter Title	Summary of Changes
11.30	Utility Easements	4.13	100	Utility Easements	Clarified ability for utility providers to make improvements without permits in easements or right-of-way (4.13 and 4.18)
11.31	Moved in Buildings	4.14	100	Moved-In Buildings	No substantial change
11.32	Permanent Foundation Required for Dwellings	4.12	99	Permanent Foundation Required for Dwellings	No substantial change
Sec. 1132.01 (Ord. 575)	Harboring Chickens	4.26	110	Harboring Chickens	No changes
Sec. 1132.99 (Ord 568)	Cannabis Dispensaries	4.21	103	Cannabis Dispensaries	No changes intended (please review)
(Moved from: Article V - Definitions)		4.23	107	Bed and Breakfast (B & B's)	Moved conditions from definitions - no changes
(Moved from: Article V - Definitions)		4.24	108	Home Occupation	Moved conditions from definitions - no changes

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(Moved from: 11.09.04(4))	4.25	109	Private Storage Structures in Residential Districts	Limited to nonconforming lots of record and changed maximum size to area vs dimensions
	4.10	93	Exceptions to Height Regulations	Allow utilities and unoccupied portions of some structures to exceed height maximums - previously exempt in districts
	4.15	101	Moved Out Buildings	Similar requirements to moving in a building; adds req's for site prep after removal of structure
	4.16	101	Screening	Moves certain screening requirements to this section from zoning districts
	4.17	102	Refuse	Specifies garbage goes in garbage cans
	4.18	102	Exempt Structures	Lists certain uses and structures which do not require building or use permits
	4.19	102	Lighting Standards	Specifies on lights in parking lots
	4.20	102	Outside Storage and Displays	<i>Stuff</i> for sale generally needs to be inside

ARTICLE V - DEFINITIONS

Numerous definitions were added or amended (too numerous to summarize here.) Those definitions are intended to make the zoning ordinance more practicable and limit the number of times the administrative official and Board of Adjustment need to use discretion to define a word.

CONCLUSION

After 12 months of subcommittee meeting and drafting it is the intent to adopt this zoning ordinance in March (public hearing at a special meeting in February) so it may be effective on April 9, 2024.

Motion # 044-2024 **Approve Change Order**
 Motion by Nesheim and seconded by Kottke to approve the change order submitted by Forest Excavating. All members voting yes. Motion carried.

Motion # 045-2024 **Approve Application for Payment**
 Motion by Hagstrom and seconded by Zemlicka to approve the application for payment submitted by Forest Excavating. All members voting yes. Motion carried.

Motion # 046-2024 **Approve Meeting Minutes**
 Motion by Dohmann and seconded by Dalton to approve the March meeting minutes. All members voting yes. Motion carried.

Motion # 047-2024 **Approve Financials**
 Motion by Kottke and seconded by Nesheim to approve the monthly financial reports. All members voting yes. Motion carried.

Motion # 048-2024 **Approve Claims**

2024 City Council Meeting Minutes

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

MARCH CLAIMS (03 24 CLMS2)

#	To	For	Amount
30941	Clark Rural Water Systems	materials	\$ 14,872.20
30936	Cooks Wastepaper	March garbage	\$ 7,830.31
3081	City of Clark	utilities	\$ 278.50
30937	Cooks Wastepaper & Recycling	dumpsters	\$ 261.25
30938	Tara Thomas	mileage	\$ 42.13
30939	Darin Altfillisch	insurance reimbursement	\$ 1,500.00
30940	Clark Community Oil	fuel	\$ 367.55
3082	Amazon Capital Services	supplies	\$ 757.97
3083	Quill	supplies	\$ 54.95
30948	Northwestern Energy	utilities	\$ 508.96
3084	SD Dept of Revenue	sales tax	\$ 8.80
3085	SD Dept of Revenue	sales tax	\$ 40.88
30945	Prairie Lakes Wellness Center	training	\$ 2,050.00
30947	Midwest Alarm Company	alarms	\$ 283.25
30944	Derrick Dohmann	reimbursement	\$ 1,189.22
30946	SD Dept of Transportation	fuel	\$ 549.10
30950	Cardmember Services	credit card charges	\$ 3,791.03
30949	Sign Pro	golf cart stickers	\$ 195.00
3/19/2024	Payroll		
	Mayor	payroll	\$ 226.92
	Finance Office	payroll	\$ 2,411.62
	Police	payroll	\$ 4,533.20
	Streets	payroll	\$ 4,548.12
	Sewer	payroll	\$ 1,639.30
	Water	payroll	\$ 1,639.60
	Transit	payroll	\$ 256.75
	Golf Course	payroll	\$ 303.00
	Golf Club	payroll	\$ 296.25
	Library	payroll	\$ 720.00
30942	SD Retirement	Employee Retirement	\$ 3,984.60
30943	Child Support Pymt Center	Employee Child Support	\$ 352.62
3087	EFTPS	Payroll Taxes	\$ 3,780.07

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APRIL CLAIMS (04 24 CLMS)

A-I Computer Solutions	computer & software	\$	2,382.88
American Carpet Care Inc.	cleaning	\$	567.25
Pitney Bowes	supplies	\$	162.00
Menards	supplies	\$	311.22
Star Laundry	rags and rugs	\$	171.12
Colonial Research Chem Comp	chemical	\$	815.74
Clark County Auditor	tango tango	\$	4,144.28
Vision Service Plan	insurance	\$	426.50
Principal Financial Group	insurance	\$	42.91
Creative Printing	booklets & scorecards	\$	1,706.70
Wellmark BCBS	insurance	\$	7,151.94
Pheasantland Industries	envelopes	\$	109.29
Delta Dental	insurance	\$	1,379.90
Stryker Sales	AED	\$	138.53
A & B Business Solutions	copier	\$	75.38
LTD Commodities	décor	\$	53.33
SD Dept of Health	specimen	\$	30.00
Quill	supplies	\$	367.39
Northwestern Energy	utilities	\$	238.32
Prairie Lakes Wellness Center	training	\$	275.00
Interlakes Community Action	reimbursement	\$	145.00
Sturdevants	supplies	\$	403.01
Banyon Data Systems	software	\$	2,075.00
Chesterman Company	pop	\$	342.40
Oscar's Machine Shop	repairs	\$	216.68
U Drive Technology	text tool	\$	50.16
Clark County Courier	advertising	\$	383.06
Ken's Food Fair	concessions	\$	28.10
Clark Community Oil Company	fuel	\$	738.62
VGM Financial Services	golf cart rentals	\$	1,903.15
AT&T Mobility	utilities	\$	173.70
Mack's Standard	fuel	\$	579.45
Clark ACE Hardware	supplies	\$	500.77
Porter Distributing Co.	liquor	\$	350.85
Quill	supplies	\$	196.27

4/02/24 Payroll

Mayor	payroll	\$	276.92
Finance Office	payroll	\$	2,478.58
Police	payroll	\$	4,319.23
Streets	payroll	\$	4,729.16

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Sewer	payroll	\$	1,543.87
Water	payroll	\$	1,544.14
Transit	payroll	\$	61.75
Golf Club	payroll	\$	591.63
Library	payroll	\$	678.75
#3094			
EFTPS	Payroll Taxes	\$	3,531.61

Motion # 049-2024

Appoint Appraisers

Motion by Kottke and seconded by Hagstrom to appoint the following appraisers: Terry Schlagel, Corey Hallstrom, and Brad Janvrin, to previously surplusd property. All members voting yes. Motion carried.

Motion # 050-2024

Executive Session

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

Executive session began at 8:23pm and was declared out at 8:28pm.

Motion # 051-2024

Appoint Appraisers

Motion by Dalton and seconded by Dohmann to approve Jim Woodland’s pay at \$14/hour. All members voting yes. Motion carried.

Motion # 052-2024

Adjourn

Motion by Zemlicka and seconded by Dohmann. All members voting yes. 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)

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City of Clark Council Meeting
May 6th, 2024

Call to order: The Clark City Council met in session on May 6th, 2024 at 7:00 pm in the City Hall Council Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Darin Altfillisch,Carolynn Olson, Dave Musser Jr., and Lana & Don Greenfield.

Mayor Kline called the meeting to order at 7:36am.

Motion # 053-2024 **Adopt Agenda**
Motion by Zemlicka and seconded by Hagstrom to adopt the agenda. All members voting yes. Motion carried.

All stood and recited the Pledge of Allegiance.

Motion # 054-2024 **Approve Financials**
Motion by Dohmann and seconded by Kottke to approve the financial reports. All members voting yes. Motion carried.

Motion # 055-2024 **April Meeting Minutes**
Motion by Zemlicka and seconded by Hagstrom to approve the April meeting minutes. All members voting yes. Motion carried.

Motion # 056-2024 **April Claims**
Motion by Kottke and seconded by Dohmann to approve the following April claims. All members voting yes. Motion carried.

APRIL CLAIMS (04 24 CLMS2)

30988	IACP	conference dues	\$	500.00
3098	ITC Telephone	utilities	\$	612.50
30987	Clark Rural Water System	materials	\$	14,973.40
30978	Darin Altfillisch	reimbursement	\$	750.00
30986	Mia Holmstrom	mileage and payroll	\$	192.44
30985	Helms & Associates	engineering fees	\$	5,025.00
30992	Northwestern Energy	utilities	\$	7,674.01
30984	SD DANR	loan	\$	1,253.67
3100	City of Clark	utilities	\$	360.80
30983	Cooks Wastepaper & Recycling	garbage	\$	7,815.44
30982	Tara Thomas	mileage reimbursement	\$	119.34
30981	Midwest Alarm Company Inc.	clinic alarms	\$	283.25

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30980	Avera Occupational Medicine	drug testing	\$ 85.00
3101	SD Dept of Revenue	sales tax	\$ 55.82
3102	SD Dept of Revenue	sales tax	\$ 11.79
2392	SD Rural Development	loan	\$ 908.00
2394	SD Rural Development	loan	\$ 787.00
2396	SD Rural Development	loan	\$ 1,307.00
30979	Clark Co. Historical Society	subsidy	\$ 577.00
3103	US Bank Corporate Trust	loan	\$ 6,940.29
30989	Watertown JO	softball registration	\$ 175.00
30994	Watertown JO	softball registration	\$ 175.00
30995	Watertown JO	softball registration	\$ 175.00
30990	Core & Main	water improv project	\$ 25,370.18
30991	Forest Excavating	water improv project	\$ 41,700.25
3106	Amazon Capital Services	supplies	\$ 790.26
30993	SD Public Assurance Alliance	insurance	\$ 48,125.24
3112	FuturePos	credit card fees	\$ 864.33
4/15/2024	Payroll		
	Mayor	payroll	\$ 226.92
	Finance Office	payroll	\$ 2,456.63
	Police	payroll	\$ 5,139.23
	Streets	payroll	\$ 4,495.17
	Landfill	payroll	\$ 224.00
	Sewer	payroll	\$ 1,527.92
	Water	payroll	\$ 1,528.22
	Transit	payroll	\$ 269.75
	Golf Course	payroll	\$ 1,371.00
	Golf Club	payroll	\$ 1,824.51
	Library	payroll	\$ 711.75
3099	EFTPS	Payroll Taxes	\$ 4,263.15
4/29/2024	Payroll		
	Mayor	payroll	\$226.92
	Finance Office	payroll	\$2,411.60
	Police	payroll	\$4,511.20
	Streets	payroll	\$ 4,615.60
	Landfill	payroll	\$336.00
	Sewer	payroll	\$1,582.31
	Water	payroll	\$1,582.62
	Transit	payroll	\$269.75
	Golf Course	payroll	\$1,470.00
	Golf Club	payroll	\$ 1,716.14
	Library	payroll	\$715.50

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3110	EFTPS	Payroll Taxes	\$ 4,394.33
30996	Child Support Payment Center	Child Support	\$ 528.93
30997	SD Retirement System	Employee's Retirement	\$ 5,961.10

Oaths of Office

Mayor Kline gave oaths of office to Derrick Dohmann, Brandon Kottke, and Andrew Zemlicka.

Mayor Kline called to order the 2024 City Council.

Motion # 057-2024 **Elect President**

Motion by Kottke and seconded by Hagstrom to nominate Andrew Zemlicka as Council President. All members voting yes. Motion carried.

Motion # 058-2024 **Elect Vice President**

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

Public Input

Lana and Don Greenfield asked the council for permission to sell fireworks next to the can bank on Hwy 212. The council will officially approve it at the June meeting.

Motion # 059-2024 **Approve Halme & Forest Payment**

Motion by Dohmann and seconded by Zemlicka to approve the payment applications from Halme Construction and Forest Excavating. All members voting yes. Motion carried.

Hay Land Auction

Jason Foster and Dave Musser Jr. were present to bid on baling the city owned hay land which consists of 30 acres, commonly referred to as the “East Pasture”, and 20 acres by the retention pond. Bidding started at \$3000. Foster won with the highest bid at \$4750.

Motion # 060-2024 **Hay Land Agreement**

Motion by Dohmann and seconded by Kottke to approve the bid from Jason Foster for \$4750 to bale the “East Pasture” and the retention pond and to authorize Mayor Kline to sign the lease agreement. All members voting yes. Motion carried.

Department Updates

Altfillisch discussed renting a payloader from RDO Equipment in Aberdeen for a few days and having a representative from RDO speak to the council. Wellnitz asked the council about paying for registration fees for a new 12U baseball travel team. The council decided not to help fund the team due to its selective player registration.

Motion # 061-2024 **Approve Department Updates**

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

Pool

After much discussion, the council agreed that with equipment delays and lack of adequate staffing, the pool would not be able to open this summer. Options for improvements over the summer were discussed.

First Reading – Restaurant Liquor Ordinance

A first reading was had for a new restaurant liquor license ordinance.

Motion # 062-2024

Approve May Claims

Motion by Dohmann and seconded by Zemlicka to approve the May claims. All members voting yes. Motion carried.

MAY CLAIMS (05 24 CLMS)

Forest Excavating	curbstop	\$	1,591.84
Doug's Service & Marine	repairs	\$	2,511.59
South Dakota 811	locates	\$	21.00
LG Everist, Inc.	sand	\$	403.52
SD Rural Development	loan	\$	908.00
SD Rural Development	loan	\$	787.00
SD Rural Development	loan	\$	1,307.00
Clark Co. Historical Society	subsidy	\$	577.00
US Bank Corporate Trust	loan	\$	25,016.47
Dakota Butcher	liquor	\$	212.92
Republic National Dist. Co.	liquor	\$	888.28
US Foods	concessions & supplies	\$	3,807.38
Chesterman Company	pop	\$	794.90
Porter Distributing	liquor	\$	551.95
Southern Glazers of SD	hardware	\$	545.23
Ellwein Brothers, Inc.	liquor	\$	862.05
Rivards Turf & Forage	fertilizer	\$	934.77
Jim Holbeck	Wolfgram lodging	\$	170.00
Axon Enterprise, Inc.	hardware	\$	37.20
Star Laundry	rags and rugs	\$	340.24
SD Dept of Transportation	fuel	\$	514.83
Cardmember Services	credit card charges	\$	155.60
SD Dept of Health	specimen	\$	30.00
Vision Service Plan	rags and rugs	\$	426.50
Delta Dental	insurance	\$	1,379.90
Quill	supplies	\$	103.71
A & B Business Solutions	copier	\$	75.38
Weismantel Rental	equipment	\$	275.00
Milbank Winwater Works	parts	\$	244.47
Johnson Lawn & Tree Service	tree removal	\$	12,100.00
Butler Machinery Company	parts	\$	42.52
Northwestern Energy	utilities	\$	134.02
Hawkins Inc.	chemical	\$	1,365.00
Dakota Style	concessions	\$	94.08
AT&T Mobility	utilities	\$	173.66

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Jeana Hurlbut	reimbursement	\$	30.00
Pitney Bowes	postage machine	\$	3,615.05
SD Assoc of Rural Water System	dues	\$	590.00
WW Tire Service	tire balance	\$	331.20
Sturdevants	supplies	\$	893.71
U Drive Technology	text tool	\$	104.20
Macks Standard	fuel	\$	553.85
Agwrx Cooperative	fuel	\$	1,179.00
New Dimension LLC	lawn work	\$	1,800.00
Oscars Machine Shop	repairs	\$	3,029.39
Kens Food Fair	concessions	\$	255.36
Clark County Courier	advertising	\$	286.04
Westside Implement	repairs	\$	777.77
Karl Chevrolet, Inc.	vehicle	\$	51,771.20
Window Pros	cleaning	\$	160.00
Dakota Mailing	installation	\$	298.60
JW Roll Off Service	roll offs	\$	333.72
Cooks Wastepaper	dumpsters	\$	261.25
VGM Financials	golf cart rentals	\$	1,903.15
Tree Top Products	garbage cans	\$	2,547.09
Clark Ace Hardware	supplies	\$	2,257.57

Motion # 063-2024

Malt Beverage License Renewal

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

Motion # 064-2023

Adjourn

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

The meeting adjourned at 8:24pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Board of Adjustment Meeting
May 6th, 2024 at 7PM**

Call to order: The Clark City Board of Adjustment met in session on May 6th, 2024 at 7:00 pm in the City Hall Council Room.

Board of Adjustment Members Present: Andrew Zemlicka, Shane Hagstrom, Nick Dalton (via phone), Brandon Kottke, Derrick Dohmann, and Melissa Nesheim (via phone at 7:30pm).

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Darin Altfillisch, Jamey Gloe, Paloma & Carlos Solano, Andie Solano,Carolynn Olson, and Dave Musser Jr.

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

Gloe Variance

Jamey Gloe applied for a variance to use the following property: East 87' of the West 227' of Outlot 4 of Conklins Addition (204 7th Ave NE) in the following manner: build a garage closer than the front yard setback of 25 feet. All required notices have been published and mailed. No opposition was heard. Board finds applicant meets requirements of Clark City Code.

Motion by Hagstrom and seconded by Dohmann to approve the variance and allow Gloe to build his garage 17 feet from the property line. Roll call vote: Dohmann- aye, Hagstrom- aye, Zemlicka- aye, Kottke- aye, Dalton- aye. Motion carried.

Solano Variance

Carlos and Paloma Salano applied for a variance to use the following property: W 82.5' of Lots 6 & 7 Block 15, Second Railway Addition (104 3rd Ave NW) in the following manner: build a garage closer than the rear yard setback of 25 feet. All required notices have been published and mailed. Andie Solano spoke on behalf of Carlos and Paloma Solano. Hagstrom voiced opposition to building so close to the alley. Board finds applicant meets requirements of Clark City Code.

Motion by Kottke and seconded by Dohmann to approve the variance and allow the Solanos to build their garage 16 feet from the property line. Roll call vote: Dohmann- aye, Hagstrom- nay, Zemlicka- aye, Kottke- aye, Dalton- aye. Nesheim- aye. Motion carried.

Meeting adjourned at 7:36pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

2024 City Council Meeting Minutes

Attest: Finance Officer Alaina Wellnitz
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
June 3rd, 2024**

Call to order: The Clark City Council met in session on June 3rd, 2024 at 7:03 pm in the City Hall Council Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Darin Altfillisch, Police Chief Jeremy Wellnitz, Shane Glover, Dennis Thompson, Baron Yexley, Ryan Wilford, Catie Noethlich, Dennis Larson, Cassi Kottke, and Kevin & Jill Zobel.

Motion # 065-2024

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.

There was no public input.

John Deere

Shane Glover from RDO Equipment in Aberdeen spoke to the council about new payloader options.

Public Hearing for Rezoning Ordinance #587

The City Council convened as the Planning Commission regarding Ordinance #587, an ordinance amending Ordinance #585. Baron Yexley and Ryan Wilford requested Yexley's property to be rezoned so they can build a hotel. Kevin and Jill Zobel had concerns about more water being drained onto their property. Motion by Hagstrom and seconded by Nesheim as Planning Commission Members to recommend approval of Ordinance # 587.

First Reading – Ordinance #587

A first reading was held for Ordinance #587 – Rezoning Manufactured Home Overlay District to Commercial District.

Motion # 066-2024

Approve Plats

Motion by Dohmann and seconded by Kottke to approve YWH Plats. All members voting yes. Motion carried.

Dennis Thompson

Dennis Thompson aired his concerns about flooding around his property. Kevin Zobel is also having water issues on his property. Finance Officer Wellnitz was given permission from Jason McHenry to allow Thompson to pump water out to McHenry's land to help alleviate some of the

issues. City Attorney Chad Fjelland advised all parties this is a civil issue and there’s nothing to city can do to assist them with this matter.

Tax Deferral Resolution

Mayor Kline asked the council to reconsider passing the tax deferral resolution. Fjelland will provide more information to the council.

Choose Clark County Updates

Catie Noethlich provided updates for Choose Clark County and ask for feedback regarding future plans within the City.

Abatements

Mayor Kline, Finance Officer Wellnitz, and Police Chief Wellnitz discussed this season’s abated properties. Fjelland provided legal advice on properties that need to be demolished.

Department Updates

Tammy Rusher updated the council about sales and events at the golf course. She also advised the council that more golf cart spaces are needed. Finance Officer Flora will be attending Finance Officer School in Spearfish.

Motion # 067-2024

Approve Department Updates

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

Motion # 068-2024

Greenfield Fireworks

Motion by Nesheim and seconded by Hagstrom to approve the Greenfields’ request to sell fireworks across from Gas Plus. All members voting yes. Motion carried.

2nd Reading for Ordinance # 586

A second reading was help for Ordinance #586 – Restaurant Liquor Licenses.

Motion # 069-2024

Approve Ordinance #586

Motion by Kottke and seconded by Dalton to approve Ordinance # 586. All members voting yes. Motion carried.

ORDINANCE NO. 586

AN ORDINANCE OF THE CITY OF CLARK, SOUTH DAKOTA, AMENDING THE CLARK MUNICIPAL CODE, BY ESTABLISHING PROCEDURE FOR THE ISSUANCE AND REGULATION OF ON-SALE LICENSES FOR FULL- SERVICE RESTAURANTS IN THE CITY OF CLARK, SOUTH DAKOTA.

BE IT ORDAINED by the City of Clark, South Dakota, the Chapter 5.02 Alcoholic Beverages, is hereby amended through the enactment of the following provisions:

FULL SERVICE ON-SALE RESTAURANT LICENSES

A. Definition of Terms:

Terms used in this Ordinance mean:

1. "Bar," any permanently installed counter within the restaurant area from which alcoholic beverages are regularly served to customers by a person who is tending bar or drawing or mixing alcoholic beverages.
2. "Full service restaurant," any restaurant at which a waiter or waitress delivers food and drink offered from a printed food menu to patrons at table, booths, or the bar. Any restaurant that only serves fry food orders or food stuff such as sandwiches, hamburgers, or salads is not a full services restaurant;
3. "Restaurant," any area in a building maintained, advertised, and held out to the public as a place where individually priced meals are prepared and served primarily for consumption in such area where at least sixty percent of the gross revenue of the restaurant is derived from the sale of food and nonalcoholic beverages. The restaurant shall have a dining room or rooms, a kitchen, and the number and kinds of employees necessary for preparing, cooking, and serving of meals.
4. "Licensee," pursuant to SDCL 35-4-19.1, shall specifically include any operating agreement holder.

B. License Application Requirements

Documentation: An application for a full-service restaurant on-sale license shall provide sufficient documentation to the municipality with an application form provided by the municipality to prove that the primary source of revenue from the operation of the restaurant will be derived from the sale of prepared food and nonalcoholic beverages and not from the sale of alcoholic beverages. The supporting documentation concerning the primary source of revenue submitted pursuant to this section is confidential.

C. Annual Reports

The full-service restaurant on-sale licensee shall submit an annual report and supporting documentation to the City on forms provided by the City that includes an oath verifying the validity of information provided in the report. The report and the supporting documentation submitted pursuant to this section are confidential. The report shall contain the annual gross revenues of the licensee for the following two categories:

1. Food and non-alcoholic beverage gross revenue;
2. Total gross revenues.

D. License Renewals

When renewing a full-service restaurant on-sale license, the City shall condition the license renewal upon receiving documentation that at least sixty percent of gross revenue from the

preceding twelve months operation of the full-service restaurant is derived from the sale of food and nonalcoholic beverages.

E. Only Retail, On-Sale Service Permitted

A full-service restaurant on-sale license may only serve alcoholic beverages for on-premises consumption in the bar and dining room area of the restaurant.

F. Smoking Prohibited

No licensee that has a full-service restaurant on-sale license may allow smoking on the licensed premises.

G. Full-Service Restaurant License Fees

1. As required by State law, the license fee charged for a full-service restaurant on-sale license shall be at or above the current fair market value for such license as determined herein. However, any fair market value so established shall be a minimum of one dollar for each person residing with the City as measured by the last preceding decennial federal census.

2. The license fee shall initially be established by Resolution within ninety days of the initial adoption of this Ordinance. Subsequent changes in the license fee shall not be made for a period of ten years from the effective date of this Ordinance unless a population growth reported by the Federal decennial census requires an increase in the fee.

3. Fair market value for the full-service restaurant licenses shall be established as follows:

a. Upon adoption of this ordinance, any person who purchased an on-sale license issued pursuant to SDCL 35-4-2 (4) or (6) within the last five years, shall report the amount originally paid for the on-sale license to the City of Clark Finance Department on forms provided by the City. Any form submitted pursuant to this provision shall be signed under oath and shall include the documents establishing the amount originally paid for the on-sale license. If the transaction for the purchase of the on-sale license included real or personal property on the date of the original sale shall be deducted from the total transaction price to determine the amount paid by the licensee for the on-sale license. The burden of establishing the amount paid for the license shall be on the licensee. Any licensee contesting the fair market value of the real personal property may appeal the valuation adopted by the City to the Circuit Court.

b. For purposes of this section, the term, "Current Fair Market Value" means the documented price of the on-sale license most recently sold through an arm's length transaction, less the value of any real or personal property included within the transaction.

H. Registry of Full-Service Restaurant On-Sale Licensees

The City shall maintain a registry of each full-service on-sale restaurant license that is being offered for sale and the City shall furnish a copy of the registry to anyone who requests a new full-

service restaurant on-sale license. The existing full-service restaurant on-sale licensee is responsible for registering with the City that the full- service on-sale license is for sale.

I. Restrictions on Issuance of new Full-Service Restaurant On-Sale Licenses

The City may only issue a new license pursuant to this ordinance if no on-sale license is on the registry or a person desiring to purchase an on-sale license listed on the registry provides documentation showing that the person is unable to purchase the on-sale license at the price established in section G of this ordinance and on terms satisfactory to both the potential buyer and seller. The price of any on-sale license registered as "for sale" with the City shall be sold at the current fair market price set by the City pursuant to a Resolution adopted in accordance with section G (2) of this Ordinance.

J. Operating Agreements

The provisions of §§ 35-4-110 to 35-4-120, inclusive, apply to the City of Clark as it enters into operating agreements pursuant to § 35-4-19. Each operating agreement holder is a license holder for the purposes of §§ 35-4-110 to 35-4-120, inclusive, and when applying these provisions.

Adopted this _____ day of _____, 2024.

Mayor

ATTEST:

Finance Officer

1st Reading: May 6th, 2024
2nd Reading: June 3rd, 2024
Date Adopted: June 3rd, 2024
Date Published: June 12th, 2024
Effective Date : June 22nd, 2024

Motion # 070-2024

CPI

Motion by Zemlicka and seconded by Dohmann to take the 3% CPI in increase. All members voting yes. Motion carried.

Motion # 071-2024

Halme Payment Request

Motion by Hagstrom and seconded by Nesheim to approve the payment request from Halme Construction. All members voting yes. Motion carried.

Motion # 072-2024

Halme Change Order

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Motion by Zemlicka and seconded by Nesheim to approve the change order from Halme Construction. All members voting yes. Motion carried.

Motion # 073-2024 **Approve Minutes**
 Motion by Zemlicka and seconded by Kottke to approve the May meeting minutes. All members voting yes. Motion carried.

Motion # 074-2024 **Approve Financials**
 Motion by Hagstrom and seconded by Dohmann to approve the June financial reports. All members voting yes. Motion carried.

Motion # 075-2024 **Approve Claims**
 Motion by Nesheim and seconded by Dalton to approve the following claims. All members voting yes. Motion carried.

MAY CLAIMS (05 24 CLMS2)

3114	Quill	supplies	\$ 771.79
31053	Northwestern Energy	utilities	\$ 1,139.12
3116	ITC	utilities	\$ 733.75
3117	Johnson Brothers	liquor	\$ 1,337.83
3118	City of Clark	utilities	\$ 370.10
31044	Clark Rural Water System	materials	\$ 16,555.80
31045	Clark Community Oil Company	fuel	\$ 876.19
31046	Veseris	mosquito sprayer	\$ 15,750.00
31047	Cook's Wastepaper & Recycling	May garbage	\$ 8,100.75
31050	SD Dept of Revenue	liquor licenses	\$ 600.00
31048	Core & Main	reprint check	\$ 173.44
31049	LTD Commodities	reprint check	\$ 53.33
3120	SD Dept of Revenue	sales tax	\$ 183.61
3121	SD Dept of Revenue	sales tax	\$ 4,047.35
31052	Nate Nickeson	reimbursement	\$ 354.52
31056	Cardmember Services	credit card charges	\$ 274.72
31057	Dacotah Insurance	baseball insurance	\$ 614.50
31058	Dave Severson	VFW Tournament	\$ 200.00
3130	Wellmark BCBS	insurance	\$ 7,151.94
3131	Principal Financial Group	insurance	\$ 42.91
3132	FuturePOS	credit card fees	\$ 980.38
3133	Dacotah Bank	finance charges	\$ 70.00
5/13/2024	PAYROLL		
	Mayor	Payroll	\$ 276.92
	Finance Office	Payroll	\$ 2,421.44
	Police	Payroll	\$ 4,319.23

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	Streets	Payroll	\$	4,985.21
	Landfill	Payroll	\$	448.00
	Sewer	Payroll	\$	1,866.50
	Water	Payroll	\$	1,866.86
	Transit	Payroll	\$	276.25
	Golf Course	Payroll	\$	2,415.50
	Golf Club	Payroll	\$	2,780.90
	Library	Payroll	\$	831.00
3115	EFTPS	Payroll Taxes	\$	4,855.46
 5/28/2024 PAYROLL				
	Mayor	Payroll		\$226.92
	Finance Office	Payroll		\$2,394.54
	Police	Payroll		\$4,269.23
	Streets	Payroll		\$4,641.00
	Landfill	Payroll		\$448.00
	Sewer	Payroll	\$	1,644.03
	Water	Payroll		\$1,644.37
	Transit	Payroll		\$217.75
	Golf Course	Payroll		\$2,422.50
	Golf Club	Payroll		\$3,367.27
	Library	Payroll		\$742.50
3128	EFTPS	Payroll Taxes	\$	4,770.98
31054	Child Support Enforcement	Child Support	\$	352.62
31055	SD Retirement Systems	Employees Retirement	\$	4,082.56

JUNE CLAIMS (06 24 CLMS)

Star Laundry	rag and rugs	\$	615.96
Ecolab Pest Elimination Services	pest control	\$	102.34
JB Auto Repair	squad repairs	\$	167.50
Zimco Suplly Co.	course chemical	\$	3,168.00
Justice Fire & Safety	inspection	\$	486.00
Republic National Dist Co	liquor	\$	398.93
Chesterman Company	pop	\$	730.45
Wellmark	insurance	\$	7,151.94
Creative Printing	supplies	\$	1,370.01
SD Dept of health	specimen	\$	30.00
Axon Enterprise, Inc.	fees	\$	7,189.82
Moeller Sheet Metal	inspection	\$	299.85
Porter Distributing Co.	liquor	\$	499.00

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Vision Service Plan	insurance	\$	426.50
Principal Financial Group	insurance	\$	42.91
Duininck Incorporated	hot mix	\$	1,825.20
SD Dept of Transportation	fuel	\$	435.41
Forest Excavating	services	\$	16,291.98
Delta Dental	insurance	\$	1,379.90
Pitney Bowes	postage	\$	1,041.52
Northwestern Energy	utilities	\$	7,719.78
A & B Business Solutions	copier	\$	75.38
Dakota Butcher	concessions	\$	78.94
My Turn Playsystems	wood chips	\$	3,660.00
US Food Inc	concessions	\$	10,257.12
AT&T Mobility	utilities	\$	173.66
Core & Main	supplies	\$	9,867.04
Southern Glazers of SD	liquor	\$	525.20
SD Rural Development	loan	\$	787.00
SD Rural Development	loan	\$	1,307.00
SD Rural Development	loan	\$	908.00
Clark County Courier	advertising	\$	358.29
Dakota Style	seeds	\$	107.52
Ellwein Brothers, Inc.	liquor	\$	1,504.80
Fjelland Law Office	fees	\$	2,165.00
Mack Standard	fuel	\$	798.70
Sturdevants Auto Value	supplies	\$	338.67
New Dimensions, LLC	mowing	\$	2,000.00
Amazon Capital Services	supplies	\$	745.75
Johnson Brothers	liquor	\$	1,010.09

Motion # 076-2024 **Approve Resignation**
 Motion by Kottke and seconded by Hagstrom to approve the resignation of Finance Officer Alaina Wellnitz and approve the posting of her position. All members voting yes. Motion carried.

Motion # 077-2024 **Executive Session**
 Motion by Zemlicka and seconded by Nesheim to enter executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4. All members voting yes. Motion carried.

Motion # 078-2024 **Adjourn**
 Motion by Dohmann and seconded by Nesheim to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 9:19pm.

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2024 City Council Meeting Minutes

Mayor Kerry Kline

Attest: Finance Officer Alaina Wellnitz
(seal)

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**City of Clark Board of Adjustment
June 3rd, 2024**

Call to order: The Clark City Board of Adjustment met in session on June 3rd, 2024 at 7:00 pm in the City Hall Council Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Alaina Wellnitz, City Attorney Chad Fjelland, Darin Altfillisch, Police Chief Jeremy Wellnitz, Dennis Thompson, Baron Yexley, Ryan Wilford, Catie Noethlich, Dennis Larson, Cassi Kottke, and Kevin & Jill Zobel. Clinton Schieckoff appeared via phone.

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

Schieckoff Conditional Use

Clinton Schieckoff applied for a conditional use to use the following property: N 60' of W 175' of OI 51 (1025 North Commercial Street) in the following manner: procure and establish a "tiny home." All required notices have been published and mailed. Schieckoff appeared via telephone to answer questions. No one spoke against the applicant. Board finds applicant meets requirements of Clark City Code.

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

Meeting adjourned at 7:03pm.

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 24, 2024**

Call to order: The Clark City Council met in special session on June 24, 2024 at 12:00 pm in the City Hall Community Room.

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

Others Present: Mayor Kerry Kline, Deputy Finance Officer Rae Jean Flora, Gary Holdal

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

Motion # 079-2024

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Public Input

Hagstrom had complaints brought to him about the new seeding that is happening in the construction area. This will be discussed at the next construction meeting. Nesheim got some input from parents that they would like to see more T-ball coaches. Nesheim also has been approached by Shannon Huber and told that they are looking for some land to possibly build a kids softball/baseball complex. They will keep the council informed, going forward. Gary Holdal visited with the council to find out if there were any zoning rules regarding above ground swimming pools. Hagstrom stated that there aren't any.

Motion# 080-2024

Burbach Aquatics Service Agreement

Motion by Nesheim and seconded by Kottke to initiate and perform phase 1, step 2 of the Burbach Aquatics Service Agreement. All members voting yes. Motion carried.

Motion # 081-2024

Lew's Fireworks Bid

Motion by Dohmann and seconded by Hagstrom to approve the bid from Lew's Fireworks, Inc. All members voting yes. Motion carried.

Motion # 082-2024

Enter Executive Session

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

Executive session started at 12:10 pm and was declared out at 12:37 pm.

Motion # 083-2024

Acting Deputy Finance Officer Wage

Motion by Nesheim and seconded by Kottke to pay Tara Thomas \$15.00 an hour while she is subbing in the finance office. All members voting yes. Motion carried.

Motion # 084-2024 **Approve Hiring and Salary of New Finance Officer**
Motion by Dohmann and seconded by Hagstrom to approve the hiring of Rae Jean Flora as the new Finance Officer at the starting salary of \$52,000 annually. She will start this position immediately. All members voting yes. Motion carried.

Motion # 085-2024 **Authorize Bank Account Signatories**
Motion by Kottke and seconded by Hagstrom to authorize Mayor Kerry Kline, Finance Officer Rae Jean Flora and Council President Andrew Zemlicka to be signatories on all the City’s bank accounts. All members voting yes. Motion carried.

Motion # 086-2024 **Adjourn**
Motion by Hagstrom and seconded by Kottke to adjourn. All members voting yes. Motion carried.

Meeting adjourned at 12:39 pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Rae Jean Flora
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
July 1, 2024**

Call to order: The Clark City Council met in session on July 1, 2024 at 7:00 pm in the City Hall Council Room.

Council Members Present: Brandon Kottke, Derrick Dohmann, Nick Dalton, Melissa Nesheim with Andrew Zemlicka being present via telephone. Shane Hagstrom joined the meeting at 7:12 pm.

Others Present: Mayor Kerry Kline, Finance Officer Rae Jean Flora, City Attorney Chad Fjelland, Darin Altfillisch, April Fitzgerald, Kylie Steen, Cassi Kottke, Greg Marx, Brad Janvrin and Ryan Wilford.

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

Motion # 087-2024

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

Greg Marx visited with the council on different options for a possible baseball/softball complex.
Melissa Nesheim gave an update on the meeting the Pool Committee had.

Motion # 088-2024

Potato Days

Motion by Zemlicka and seconded by Dohmann to allow open containers for the street dance on Potato Days within a four-block radius of the bars. Roll call vote: Zemlicka: yes, Kottke: yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members present voting yes, motion carried.

Elsen Easement

The Elsen's weren't present to ask about the sewer easement, so the council did not make a decision on that.

Department Updates

Altfillisch discussed the water construction project and where that is at right now. He has not had a chance to look into any other payload options. Flora discussed how the office would be open while she was out on vacation. The librarian, Tara Thomas, will be filling in in the office while she is on vacation. Thomas will have a substitute in the library during that time.

Motion # 089-2024

Approve Department Updates

Motion by Kottke and seconded by Zemlicka to approve the department updates. Roll call vote: Zemlicka: yes, Kottke: yes, Hagstrom: Yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members voting yes motion carried.

2nd Reading of Ordinance # 587

A second reading was held for Ordinance #587 – Rezoning Ordinance.

Motion # 090-2024

Approve Ordinance #587

Motion by Nesheim and seconded by Kottke to approve Ordinance #587. Roll call vote: Zemlicka: yes, Kottke: yes, Hagstrom: Yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members voting yes motion carried.

ORDINANCE NUMBER 587

AN ORDINANCE ENTITLED, AN ORDINANCE AMENDING ORDINANCE NUMBER 585, AN ORDINANCE ESTABLISHING ZONING REGULATIONS AND THE OFFICIAL ZONING MAP FOR THE CITY OF CLARK, SOUTH DAKOTA.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA: that Section 1.03.01, the Official Zoning Map adopted by Ordinance Number 585, be amended to classify the following property:

All of Outlot W and the North 12.65 Feet of the East 172.38 Feet of Outlot X in the North Half of the Northwest Quarter (N½NW¼) of Section Seven (7), Township One Hundred Sixteen (116) North, Range Fifty-Seven (57) West of the 5th P.M., Clark County, South Dakota;

also shown as Yexley Worster Holdings, LLC First Addition to the Town of Clark, in the County of Clark, South Dakota;

From “RM” Manufactured Home Overlay District to “C” Commercial.

Passed and adopted this 1st day of July, 2024.

Mayor

ATTEST:

Finance Officer

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

Motion # 091-2024

Approve Minutes

Motion by Dohmann and seconded by Dalton to approve the June meeting minutes. Roll call vote: Zemlicka: yes, Kottke: yes, Hagstrom: Yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members voting yes motion carried.

Motion # 092-2024

Approve Financials

Motion by Zemlicka and seconded by Kottke to approve the June financial reports. Roll call vote: Zemlicka: yes, Kottke: yes, Hagstrom: Yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members voting yes motion carried.

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Motion # 093-2024

Approve Claims

Motion by Dohmann and seconded by Dalton to approve the following claims. Roll call vote: Zemlicka: yes, Kottke: yes, Hagstrom: Yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members voting yes motion carried.

JUNE CLAIMS (06 24 CLMS2)

31088	Watertown JO	tournament fees	\$ 125.00
31090	Jay Huber	tournament fees	\$ 414.60
31091	Clark Rural Water System	materials	\$ 16,795.00
31089	Clark Golf Course	petty cash	\$ 500.00
31092	VGM Financial Services	golf cart rental	\$ 1,903.15
31093	Clark Community Oil Company	fuel	\$ 3,097.35
31094	JBs Auto Repair	repairs	\$ 930.90
31095	Cook's Wastepaper & Recycling	dumpsters	\$ 261.25
31096	Kissner Paving	patch	\$ 3,855.16
31097	Eastside Equipment	parts	\$ 955.00
31098	Clark ACE Hardware	supplies	\$ 770.04
3137	ITC	utilities	\$ 614.35
31100	Derrick Dohmann	reimbursement	\$ 1,083.20
31101	Ken's Food Fair	concessions	\$ 595.15
3138	SD Dept of Revenue	sales tax	\$ 208.88
3139	SD Dept of Revenue	sales tax	\$ 2,929.28
31102	Rae Jean Flora	reimbursement	\$ 443.12
31106	Westside Implement, Inc.	service and parts	\$ 715.56
31105	Oscar's Machine Shop	service and parts	\$ 2,022.98
31104	Johnson Brothers	liquor	\$ 1,886.03
31103	Clark County Courier	ads	\$ 31.25
3140	City of Clark	utilities	\$ 543.62
31108	Northwestern Energy	utilities	\$ 1,370.48
31107	Clark Co. Historical Society	subsidy	\$ 577.00
3144	Quill	supplies	\$ 171.22
3145	Amazon Capital Services	books	\$ 228.40
31110	Partyrite, LLC	supplies	\$ 172.53
31111	Northwestern Energy	utilities	\$ 12.00
31112	Northwestern Energy	utilities	\$ 40.59
31113	Malory McIntire	tournament fees	\$ 207.31
31109	Cook's Wastepaper & Recycling	Garbage	\$ 8,165.27
31114	Stryker Sales, LLC	equipment	\$ 322.30
31115	Clark Golf Course	Food	\$ 105.14
31116	Duininck Incorporated	Cold Mix	\$ 2,205.00
31117	Cardmember Services	Credit Card	\$ 148.66
31120	Dorene Foster	Golf Club DJ	\$ 150.00
31121	SD Human Resources Assoc.	HR School Fees	\$ 100.00

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31122	SD Gvoerment Finance Ofc Assoc.	FO School Fees	\$ 200.00
3151	Dacotah Bank	Service Charges	\$ 30.00
3152	Future POS	CC Processing Fees	\$ 1,311.91
6/11/2024	PAYROLL		
	Mayor	Payroll	\$ 276.92
	Finance Office	Payroll	\$ 2,592.35
	Police	Payroll	\$ 4,469.23
	Streets	Payroll	\$ 4,824.62
	Landfill	Payroll	\$ 420.00
	Sewer	Payroll	\$ 1,629.23
	Water	Payroll	\$ 1,629.55
	Transit	Payroll	\$ 243.75
	Summer Rec	Payroll	\$ 750.00
	Golf Course	Payroll	\$ 2,718.00
	Golf Club	Payroll	\$ 4,970.76
	Library	Payroll	\$ 667.50
3135	EFTPS	Payroll Taxes	\$5,367.87
6/11/2024	Council	Payroll	\$2,957.50
3136	EFTPS	Payroll Taxes	\$527.50
6/25/2024	PAYROLL		
	Mayor	Payroll	\$226.92
	Finance Office	Payroll	\$1,881.25
	Police	Payroll	\$4,621.19
	Streets	Payroll	\$4,764.22
	Landfill	Payroll	\$ 336.00
	Sewer	Payroll	\$ 1,711.85
	Water	Payroll	\$ 1,712.19
	Transit	Payroll	\$ 139.75
	Summer Rec	Payroll	\$ 750.00
	Golf Course	Payroll	\$ 2,868.50
	Golf Club	Payroll	\$ 4,928.26
	Library	Payroll	\$ 719.25
3149	EFTPS	Payroll Taxes	\$ 5,427.54
31118	Child Support Payment Center	Child Support	\$ 352.62
31119	SD Retirement	Employees Retirement	\$ 4,066.60

JULY CLAIMS (07 24 CLMS)

Rivards Turf & Forage	fairway mix	\$	494.03
Porter Distributing Co.	liquor	\$	1,032.25
Republic National Dist Co	liquor	\$	1,820.33
Chesterman Company	pop	\$	1,233.55
U Drive Technology	text tool	\$	58.32
Agwrx Cooperative	fuel	\$	735.95
Sanford Health Occupation	drug test	\$	35.00
212 Truck & Trailer Repairs	parts	\$	29.13
Share Corporation	chemical	\$	494.16
Sign Pro	stickers	\$	30.00
Southern Glazers of SD	liquor	\$	1,198.16
Dakota Style	seeds	\$	80.64
Ellwein Brothers Inc.	liquor	\$	1,705.40
SD Dept of Transportation	fuel	\$	116.35
Wayne Heilman	repairs	\$	397.00
SD Rural Development	loan	\$	787.00
SD Rural Development	loan	\$	1,307.00
SD Rural Development	loan	\$	908.00
US Bank Corporate Trust	SRF loan	\$	6,940.29
Clark Co Historical Society	subsidy	\$	577.00
Wellmark BCBS	insurance	\$	7,151.94
Delta Dental of SD	Dental Insurance	\$	1,379.90
Vision Service Plan	Vision Insurance	\$	426.50
Republic National Dist Co	liquor	\$	398.93
Avera Occupational Medicine	Drug Collection	\$	120.00
Ella Wellnitz	T Ball Coach	\$	500.00
Sara Thonvold	T Ball Coach	\$	500.00
Dakota Butcher	liquor	\$	149.93
A&B Business Solutions	Copier	\$	75.38
Northwestern Energy	Utilities	\$	7,001.65
Butler Machinery Company	Inspect Generator	\$	1,237.00
Demco	Library Supplies	\$	175.08
SD DANR-Fiscal Office	Drinking Water Program	\$	500.00
Star Laundry	Star Laundry	\$	264.17
New Dimention	Trimming/Mowing	\$	2,000.00
Helms & Associates	Engineering Fees	\$	39,086.34
Helms & Associates	Engineering Fees	\$	1,650.00
Helms & Associates	Engineering Fees	\$	4,762.00
Johnson Brothers	Liquor	\$	1,049.57
US Foods	Concessions & Supplies	\$	10,666.01
SD Dept of Health	Coliform Testing	\$	30.00

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Forest Excavating	Water Meter Installs	\$	7,172.50
Halme, Inc	Water Project	\$	45,518.07
Core & Main	Water Meters	\$	6,131.04
Mack's Standard	Fuel & Repairs	\$	931.30
Commercial Kitchen Services, LLC	Equipment Service Call	\$	460.38
Efraimson Electric	Lighting	\$	5,525.47
Oscar's Machine Shop, LLC	Repairs & Maintenance	\$	121.86
Clark Ace Hardware	Supplies	\$	663.22
Clark County Courier	Advertising	\$	343.21

Motion # 094-2024

Executive Session

Motion by Kottke and seconded by Dohmann to enter executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4. Roll call vote: Zemlicka: yes, Kottke: yes, Hagstrom: Yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members voting yes motion carried.

Executive session began at 7:21 pm and was declared out at 7:30 pm.

Motion # 095-2024

Approve Hiring Deputy Finance Officer

Motion by Hagstrom and seconded by Kottke to hire April Fitzgerald as the Deputy Finance Officer at the rate of \$20.00 per hour. Roll call vote: Zemlicka: yes, Kottke: yes, Hagstrom: Yes, Dalton: Yes, Dohmann: Yes, Nesheim: Yes. With all members voting yes motion carried.

Motion # 096-2023

Adjourn

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

The meeting adjourned at 7:35pm.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Rae Jean Flora
(seal)

Published once at the approximate cost of _____.

**City of Clark Council Meeting
August 5, 2024**

Call to order: The Clark City Council met in session on August 5, 2024 at 7:04 pm in the City Hall Community Room.

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

Others Present: Mayor Kerry Kline, Finance Officer Rae Jean Flora, City Attorney Chad Fjelland, Deputy Finance Officer April Fitzgerald, Darin Altfillisch,Carolynn Olson, Nate Nickeson, Joe Herr, Toby Royer, Catie Noethlich, Kevin Zobel, Jill Zobel, Heath Heiman, Erin Heiman, Hannah Heiman, Terry Kaufman, Cassi Kottke, and Wade DeSart.

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

Motion # 097-2024

Adopt Agenda

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

All stood and recited the Pledge of Allegiance.

Girls State Governor

Hanna Heiman spoke to the Council, Mayor and other meeting attendees about her experience at Girls State and how she was elected governor. Mayor Kline presented her with a small gift of congratulations for her achievement.

Butler CAT Representative

Toby Royer presented some options for replacement of the Cat payloader that the City currently owns. These are numbers that will be looked at and considered when the 2025 budget is established.

Public Input

Cassi Kottke gave an update on the success of Potato Days. Shane Hagstrom discussed the Fire Department holding a family day down at Dickinson Park.

7:18pm Andrew Zemlicka joined the meeting.

Department Updates

Wade DeSart from Helms Engineering and Altfillisch discussed the water project currently going on in the south part of town. DeSart said that they have 11 blocks left & are planning on a possible finish date of mid-September, with paving and reseeding to begin in 2025 for those areas. Altfillisch also discussed the upcoming chip sealing that will take place Thursday or Friday, August 8th or 9th. Drainage concerns were also discussed. Flora discussed just a few of the goings on in the office this past month. Training and a lot of learning is happening in the office right now, budget season is upon us, so please bring your budget wish list to the office soon and there are a number of zoning questions and abatements happening right now.

Motion # 098-2024

Approval of Department Updates

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

Live Streaming

Kevin Zobel presented some reasons why it would be a good thing for the council to start live streaming the council meetings. The Council wants some numbers put together on the cost and will discuss it at the next meeting.

Choose Clark County Funding Request and Update

Catie Noethlich presented a letter to the council for consideration of funding Choose Clark County for next years budget of \$30,000. She discussed different projects she has been working on in the county and goals and ideas she has developed for Clark. This funding request will be considered when budgeting is worked on.

Motion # 099-2024

Community Oil Watering Smith Street

Brandon Kottke presented a letter from Troy Grensberg that he would like payment for him watering South Smith Street after the construction to keep the dust down. Since he was not asked to do this and the construction company was also doing it, Zemlicka made a motion to pay Community Oil with the stipulation that in the future they only bill us after they have asked and been given permission to do something like this, by the city council. This motion was seconded by Kottke. All Members voting yes. Motion carried.

Motion # 100-2024

Resolution #869 Supporting Opposition for IM-28

Motion by Zemlicka and seconded by Dohmann to approve resolution #869. All members voting yes. Motion carried.

RESOLUTION NO. 869

Resolution in support of IM28 Opposition

WHEREAS Initiated Measure 28 was certified for the November 2024 General Election Ballot by the South Dakota Secretary of State;

WHEREAS Initiated Measure 28, if passed, would remove state, municipal and tribal taxes on all items sold for human consumption except alcohol and prepared food;

WHEREAS “human consumption” is undefined in South Dakota Codified Law or the South Dakota Constitution. Black’s Law Dictionary defines “consumption” as “the act of destroying a thing by using it; the use of a thing in a way that exhausts it.”;

WHEREAS South Dakota Codified Law 34-45-1(7) defines tobacco products as “any item made of tobacco intended for human consumption, including cigarettes, cigars, pipe tobacco, and smokeless tobacco, and vapor products as defined in § 34-46-20.”;

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WHEREAS South Dakota Codified Law 10-52-2 allows incorporated municipalities to impose a tax on the sale, use, storage and consumption of items that conform in all respects to the state tax on such items up to two percent;

WHEREAS Initiated Measure 28 is in direct conflict with existing state law and the Attorney General’s explanation of the measure states legislative or judicial clarification would be needed if the measure passes;

WHEREAS The City of Clark levies a two-percent sales tax and collected \$638,068.34 in the 2023 fiscal year and \$448,072.88 year-to-date in the 2024 fiscal year;

WHEREAS The City of Clark estimates annual lost revenue of \$79,759.00 unless Initiated Measure 28 is rejected by voters in South Dakota;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Clark, that Initiated Measure 28 would negatively impact our community and its residents.

Passed and approved this 5th Day of August, 2024.

City of Clark

Kerry Kline, Mayor

Attest:

Rae Jean Flora, Finance Officer

(Seal)

Temporary Road Closure

Kottke had a request for a temporary road closure for the 200 block of 6th Ave NE from 7:00am to 4:00pm for the Kolden auction on August 17th. He visited with the surrounding neighbors, that it would affect and they were ok with it. Altfilisch was also alright with it so the council decided to allow this temporary closure.

Surplus Items

Surplus items were discussed. These were items that have already been discussed. The council is still waiting on a valuation before they act on it. This will be tabled until the September meeting.

Discretionary Formula

A discussion was held with Fjelland explaining the discretionary formula to the council more in depth. It was decided that they would table any voting until the September council meeting.

Motion # 101-2024

Authorize Reserved Funds Transfer

Nesheim made a motion to authorize a reserved funds transfer for the new police vehicle in the amount of \$51,771.20. Dalton seconded it. All members voting yes. Motion carried.

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Motion # 102-2024 **Authorize Reserved Funds Transfer for Well**

Hagstrom made a motion to authorize a reserved funds transfer for the new well that was installed at Dickinson Park in the amount of \$15452.10. Kottke seconded it. All members voting yes. Motion carried.

Motion # 103-2024 **Approve Meeting Minutes**

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

Motion # 104-2024 **Approve Financials**

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

Motion # 105-2024 **Approve Claims**

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

JULY CLAIMS (07 24 CLMS2)

31161	Petty Cash	Calcutta Tournament	\$	7,000.00
3153	ITC Telephone	Utilities	\$	905.67
31162	Clark Building Center & Ranch	Supplies	\$	209.85
31163	Westside Implement	Supplies & Maintenance	\$	992.33
31164	Ellwein Brothers, Inc.	Liquor	\$	1,069.30
31165	Agwrx Cooperative-Clark	Supplies	\$	609.00
31166	AT&T Mobility	Utilities	\$	173.66
3154	City of Clark	Utilities	\$	794.00
31167	Sturdevant's Auto Value Clark	Supplies	\$	158.42
31168	SD Golf Association	Membership Fees	\$	872.00
31169	Cook's Wastepaper & Recycling	Garbage	\$	8,222.15
31170	Megan Marx	Golf Club Shirts	\$	1,435.82
31171	Karl Chevrolet, Inc.	Road Dept. Vehicles	\$	88,656.80
31172	Clark County Treasurer	License for Police Vehicle	\$	26.70
31173	Lew's Fireworks	Fireworks	\$	5,000.00
3156	Pitney Bowes	Postage	\$	1,020.99
31174	SD DANR-Fiscal Office	Drinking Water Program	\$	100.00
31175	JW Roll Off Service	Rolloffs	\$	781.40
31176	Ken's Food Fair	Concessions	\$	748.25
31177	SD 811	One Calls	\$	87.15
31178	Hood & Duct Cleaning	Repairs & Maintenance	\$	650.00
31179	Doug's Service & Marine Inc.	Mower Maintenance	\$	114.48
31180	Northwestern Energy	Utilities	\$	926.35
31181	Cook's Wastepaper & Recycling	Garbage Service	\$	261.25
31182	Clark Rural Water	Materials	\$	16,091.20
31183	Jeff's Vacuum Center	Repairs & Maintenance	\$	95.43

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31184	VGM Financial Services	Golf Cart Rental	\$	1,903.15
3159	Amazon	Supplies	\$	378.55
3160	Principal Financial Group	Insurance	\$	42.91
31185	Northwestern Energy	Utilities	\$	787.78
3162	Republic National Distributing	Liquor	\$	929.63
3163	Republic National Distributing	Liquor	\$	890.70
31186	Port53 Technologies	Computer Security	\$	321.12
31187	Nate Nickeson	Meals for Training	\$	20.00
31188	Clark Community Oil Co.	Fuel	\$	1,105.72
3164	SD Dept of Revenue	Sales Tax	\$	111.03
3165	SD Dept of Revenue	Golf Course Sales Tax	\$	3,527.59
31191	Cardmember Services	Credit Card	\$	1,762.86
3171	Quill	Supplies	\$	589.75
31192	Jeff Peterson	Lodging	\$	200.00
31193	Dorene Foster	Golf Club DJ	\$	150.00
31194	Petty Cash	Tournament Money	\$	700.00
3175	Future POS	CC Processing Fees	\$	1,615.67
3176	Dacotah Bank	Service Charges	\$	10.00

7/9/2024 PAYROLL

Mayor	Payroll	\$	276.92
Finance Office	Payroll	\$	1,349.18
Police	Payroll	\$	4,469.23
Streets	Payroll	\$	4,965.16
Landfill	Payroll	\$	448.00
Sewer	Payroll	\$	1,936.86
Water	Payroll	\$	1,937.18
Transit	Payroll	\$	305.50
Summer Rec	Payroll	\$	750.00
Golf Course	Payroll	\$	2,780.50
Golf Club	Payroll	\$	3,977.88
Library	Payroll	\$	667.50
3155	EFTPS	Payroll Taxes	\$5,088.39

7/22/2024 PAYROLL

Mayor	Payroll	\$226.92
Finance Office	Payroll	\$1,655.00
Police	Payroll	\$5,391.19
Streets	Payroll	\$5,088.30
Landfill	Payroll	\$ 448.00
Sewer	Payroll	\$ 1,834.30

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Water	Payroll	\$ 1,834.65
Transit	Payroll	\$ 152.75
Summer Rec	Payroll	\$ 750.00
Golf Course	Payroll	\$ 3,460.00
Golf Club	Payroll	\$ 6,237.26
Library	Payroll	\$ 637.50
3168 EFTPS	Payroll Taxes	\$ 6,101.62
31189 Child Support Payment Center	Child Support	\$ 352.62
31190 SD Retirement	Employees Retirement	\$ 4,007.96

AUGUST CLAIMS (08 24 CLMS)

Amy Nelson	Coaching	\$ 500.00
Angie Werdel	Coaching	\$ 500.00
Chris Bokinskie	Coaching	\$ 500.00
Dave Severson	Coaching	\$ 500.00
Jack Helkenn	Coaching	\$ 500.00
Janet Gehrke	Coaching	\$ 500.00
SD Rural Development	Loan	\$ 787.00
SD Rural Development	Loan	\$ 1,307.00
SD Rural Development	Loan	\$ 908.00
Sean McGraw	Coaching	\$ 500.00
Shane Hagstrom	Coaching	\$ 500.00
Shelby Guerdet	Coaching	\$ 500.00
Stephanie Arthur	Coaching	\$ 500.00
Stephanie Hagstrom	Coaching	\$ 500.00
Tiffany Pickrel	Coaching	\$ 500.00
Troy Mudgett	Coaching	\$ 500.00
US Bank Corporate Trust	SRF Loan	\$ 25,016.47
Chesterman Company	Soda for Concessions	\$ 1,162.95
Star Laundry	Rags & Rugs	\$ 512.81
Pitney Bowes	Postage Machine	\$ 493.08
Wellmark	Insurance	\$ 7,151.94
Midwest Alarm Co	Fire Alarm Testing	\$ 189.24
Principal Financial Group	Insurance	\$ 36.78
VSP Insurance Co	Insurance	\$ 426.50
Delta Dental	Insurance	\$ 1,379.90
A-I Computer Solutions	Supplies	\$ 434.97
Northern Con-Agg, LLP	Supplies	\$ 2,075.22
SD Dept of Transportation	Supplies	\$ 454.53
A&B Business	Copier	\$ 83.03
SD Dept of Health	Water Testing	\$ 30.00

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Clark County Weed Board	Spraying	\$	369.00
Duininck Incorporated	Materials	\$	5,246.29
Northwestern Energy	Utilities	\$	7,173.29
Dakota Butcher	Supplies	\$	386.36
Southern Glazers of SD	Liquor	\$	349.77
Republic National Distributing	Liquor	\$	835.75
Ellwein Brothers, Inc.	Liquor	\$	2,179.05
Porter Distributing Co.	Liquor	\$	1,101.15
Johnson Brothers Famous Brands	Liquor	\$	1,894.19
Heiman, Inc.	Fire Extinguisher Inspection	\$	49.00
AT&T Mobility	Utilities	\$	174.44
Quill	Supplies	\$	90.36
New Dimension, LLC	Mowing	\$	2,000.00
Pitney Bowes	Service Agreement	\$	135.75
US Foods	Concessions & Supplies	\$	13,159.69
Westside Implement	Repairs & Maintenance	\$	538.15
212 Truck & Trailer Repairs, LLC	Parts	\$	19.53
Agwrx Cooperative	Supplies & Maintenance	\$	846.42
Kaiser Well Drilling, Inc.	Dickinson Park Well	\$	15,452.10
Mack's Standard	Supplies & Maintenance	\$	997.40
Clark Ace Hardware	Supplies	\$	1,091.84
Sturdevant's Auto Value Clark	Supplies	\$	101.31
Karl Emergency Vehicles	Equipment	\$	995.64
Clark Building Center	Supplies	\$	41.97
Clark County Courier	Advertising	\$	202.10
Oscar's Machine Shop	Repairs	\$	54.80
Elite Drain & Sewer Cleaning	Repairs at Softball Park	\$	160.00
Ken's Food Fair	Concessions & Supplies	\$	853.89
Clark Community Oil	Fuel & Supplies	\$	1,534.18

8/6/24 PAYROLL

Mayor	Payroll	\$	276.92
Finance Office	Payroll	\$	2,777.25
Police	Payroll	\$	4,319.23
Streets	Payroll	\$	5,367.26
Landfill	Payroll	\$	336.00
Sewer	Payroll	\$	1,819.30
Water	Payroll	\$	1,819.69
Transit	Payroll	\$	276.25
Golf Course	Payroll	\$	3,225.00
Golf Club	Payroll	\$	5,294.52
Library	Payroll	\$	708.00

2024 City Council Meeting Minutes

EFTPS Payroll Taxes \$ 5,591.87

Motion # 106-2024 Approve Halme Payment

Motion by Dohmann and seconded by Hagstrom to approve the two payment applications from Halme Construction. All members voting yes. Motion carried.

Motion # 107-2024 Approve Forest Payment

Motion by Hagstrom and seconded by Kottke to approve the payment application from Forest Excavating. All members voting yes. Motion carried.

Motion # 108-2024 Approve Auditing Quote

Motion by Nesheim and seconded by Dohmann to approve the auditing quote from William Neale & Co., P.C. All members voting yes. Motion carried.

Motion # 109-2024 Authorize Bank Account Signatories

Motion by Hagstrom and seconded by Kottke to authorize Mayor Kerry Kline, Finance Officer Rae Jean Flora, Deputy Finance Officer April Fitzgerald and Council President Andrew Zemlicka to be signatories on all the City’s bank accounts. All members voting yes. Motion carried.

Executive Session

No executive session was held.

Set September Meeting Date

The next meeting will be held on Monday, September 9, 2024, at 7:00 p.m., due to the Labor day holiday.

Motion # 110-2023 Adjourn

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

The meeting adjourned at 8:52 p.m.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer Rae Jean Flora
(seal)

Published once at the approximate cost of _____.