

**City of Clark Council Meeting  
January 3<sup>rd</sup>, 2024**

**Call to order:** The Clark City Council met in session on January 3<sup>rd</sup>, 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
<b>12/13/2023</b>	City Council	payroll	\$ 2,873.00
<b>Council Payroll</b>			
3030	EFTPS	payroll taxes	\$ 514.56

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<b>12/22/2023</b>	Mayor	payroll	\$	226.92
<b>Payroll</b>	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
<b>12/29/23</b>	Finance Office	payroll	\$	268.09
<b>Payroll</b>	Police	payroll	\$	2,032.22
<b>Vacation</b>	Streets	payroll	\$	1,316.62
<b>Buy Out</b>	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 1<sup>st</sup> 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.

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

\_\_\_\_\_  
Attest: Finance Officer Alaina Wellnitz  
(seal)

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

**City of Clark Council Meeting  
February 5<sup>th</sup>, 2024**

**Call to order:** The Clark City Council met in session on February 5<sup>th</sup>, 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 26<sup>th</sup> 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 26<sup>th</sup> 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 6<sup>th</sup>. 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	<b>Payroll</b>		
	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.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

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

**City of Clark Council Meeting  
March 4<sup>th</sup>, 2024**

**Call to order:** The Clark City Council met in session on March 4<sup>th</sup>, 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 5<sup>th</sup> 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 5<sup>th</sup> 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 5<sup>th</sup> 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 5<sup>th</sup> 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 2<sup>nd</sup> 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 6<sup>th</sup> with a kickoff event offering 10% off memberships. Alaina Wellnitz is pricing out new lights for the Ulliot 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 4<sup>th</sup> 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)

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



**City of Clark Board of Equalization Meeting  
March 18<sup>th</sup>, 2024**

**Call to order:** The Clark City Council met in session on March 18<sup>th</sup>, 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.

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Mayor Kerry Kline

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Attest: Finance Officer Alaina Wellnitz  
(seal)

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

**City of Clark Council Meeting  
March 18<sup>th</sup>, 2024**

**Call to order:** The Clark City Council met in session on March 18<sup>th</sup>, 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 22<sup>nd</sup> from 6PM to midnight and the Clark Gala on April 20<sup>th</sup> 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 10<sup>th</sup>. 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.

**Ulliot 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 8<sup>th</sup>, 2024**

**Call to order:** The Clark City Council met in session on April 8<sup>th</sup>, 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 6<sup>th</sup>. 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

**2024 City Council Meeting Minutes**

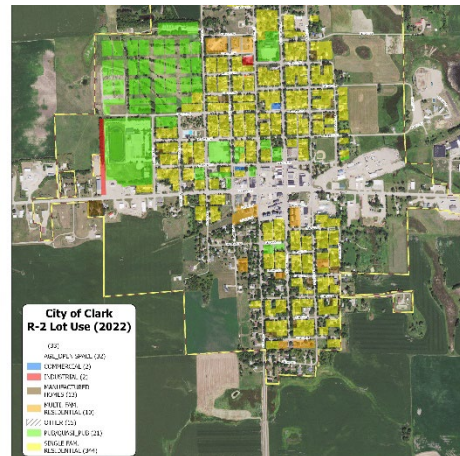
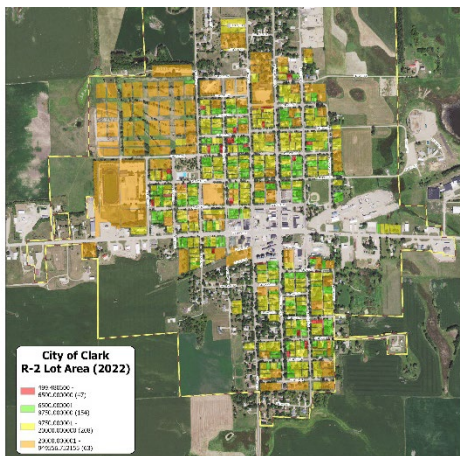
recommendations of the City Attorney. Though this section does incorporate the zoning map, discussion regarding the map and districts is found in the next section of this summary.

**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.



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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)

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**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
<b>Current Ch. #</b>	<b>Current Chapter Title</b>	<b>Proposed Ch. #</b>	<b>Page #</b>	<b>Proposed Chapter Title</b>	<b>Summary of Changes</b>
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

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**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.

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**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)**

<b>#</b>	<b>To</b>	<b>For</b>	<b>Amount</b>
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
<b>3/19/2024</b>	<b>Payroll</b>		
	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)

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

City of Clark Council Meeting  
May 6<sup>th</sup>, 2024

**Call to order:** The Clark City Council met in session on May 6<sup>th</sup>, 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 6<sup>th</sup>, 2024 at 7PM**

**Call to order:** The Clark City Board of Adjustment met in session on May 6<sup>th</sup>, 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 7<sup>th</sup> 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 3<sup>rd</sup> 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.

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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 3<sup>rd</sup>, 2024**

**Call to order:** The Clark City Council met in session on June 3<sup>rd</sup>, 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.

**2<sup>nd</sup> 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 6<sup>th</sup>, 2024  
2nd Reading: June 3<sup>rd</sup>, 2024  
Date Adopted: June 3<sup>rd</sup>, 2024  
Date Published: June 12th, 2024  
Effective Date : June 22<sup>nd</sup>, 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.

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 Board of Adjustment  
June 3<sup>rd</sup>, 2024**

**Call to order:** The Clark City Board of Adjustment met in session on June 3<sup>rd</sup>, 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.

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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.

**2<sup>nd</sup> 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 5<sup>th</sup> 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 1<sup>st</sup> 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	<b>PAYROLL</b>		
	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	<b>PAYROLL</b>		
	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.

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\_\_\_\_\_  
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 8<sup>th</sup> or 9<sup>th</sup>. 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 5<sup>th</sup> 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 6<sup>th</sup> Ave NE from 7:00am to 4:00pm for the Kolden auction on August 17<sup>th</sup>. 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

**2024 City Council Meeting Minutes**

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

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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 # 110-2024 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 \_\_\_\_\_.

**City of Clark Council Meeting  
September 9, 2024**

**Call to order:** The Clark City Council met in session on September 9, 2024 at 7:00 pm in the City Hall Council Room.

**Council Members Present:** Andrew Zemlicka, 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, Cassi Kottke, Tammy Rusher, Catie Noethlich, Carolynn Olson, Jeremy Wellnitz, Tony Werdel, and Sarah McHenry.

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

**Motion # 111-2024**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

**Public Input**

Nesheim spoke about complaints she had received about the dust issue on South Smith St. The mayor and some of the other council members have also been contacted about this issue. It was discussed that Halme Inc. is supposed to be doing this and they did not believe, until the construction meeting on Sept. 3rd, that they were. After that part of the contract was read to them they stated that they would do it more often. Helms and Associates is in contact with the State, since it is being used as a detour, about them putting some magnesium chloride down again, however since the State can only get full tanker loads of that and Smith St. would only use a quarter of that they don't want to bring in a full tanker. They are discussing different options to provide this service and hopefully we will be hearing back soon from them. Meanwhile, Altfillisch will be contacting the County to see how they handle this situation on their gravel roads.

Catie Noethlich spoke on behalf of Choose Clark County. She asked if the council had looked at the blueprint she gave them last month. They had, she then asked if they had any questions or comments for her, and they did not. She also brought up a possible cleanup day for the City and different options were discussed but nothing was decided. She will be talking with different organizations to see if they would be willing to help out with this.

**Department Updates**

Flora informed the council that she and Fitzgerald will be going to the South Dakota Municipal League conference in Sioux Falls on October 9<sup>th</sup> through the 11<sup>th</sup>. Tara Thomas will be in the office those days and Barb Latunski will be in the library. Fitzgerald is working on the South Dakota Statewide Lead Service Line Inventory Spreadsheet that the state is requiring.

**2024 City Council Meeting Minutes**

Wellnitz discussed abatements. Flora has started sending out abatement letters. Wellnitz asked that the council back the strict enforcement of this process, which would include the cleaning up of some properties, charging and fining the offending individuals if they did not clean up their property and the council agreed that they would. Wellnitz also informed the council about the Lie Low from the Popo night they are going to have for both children and adults on October 26<sup>th</sup>. He would like to look more into using the Purple Wave Auction site for selling the surplus vehicles that the city will be selling next year. He also discussed surplus Officer Nickeson's sidearm. Fjelland will be looking into the legalities of that and how the ownership transfer would go with the ATF.

Altfillisch discussed the wrapping up of the water project for this year, work at the sewer pond that they are doing because of some damage caused by wildlife and getting the scrap iron baled at the landfill. He and Flora also stated that the new filter for the pool is scheduled for delivery on Saturday, September 14<sup>th</sup>.

Rusher informed the council that the door at the clubhouse will be getting fixed soon. She also said that the last day the clubhouse would be open this year, except for special occasions, is September 28<sup>th</sup>.

**Motion # 112-2024**

**Approval of Department Updates**

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

**Pool Committee**

Cassi Kottke stated that the pool committee has 12 members, is now incorporated, has its own bank account and is filing for a 501C3. They have had their first donation. They have decided to work on this in phases & the first phase is the replacement of the pool itself. Their goal for 2025 would be that after the pool closes for the year, the demolition would start and hopefully there would be enough time to start the construction. She requested that Josh from Burbach Aquatics be present at the October meeting via Zoom, so he could explain the process and answer any questions the council has. Ms. Kottke also requested a commitment of \$200,000 from the city for the 2025 budget and the balance of the 2024 budget be donated to this cause. At this point, where the budget stands right now, Flora doesn't think that the \$200,000 is doable, Flora will try to come up with an amount by the November meeting and also, she has a call into the auditor, to try to figure out if it is even a possibility to give the balance of the 2024 budget to this group.

**Motion # 113-2024**

**Live Streaming**

Wellnitz discussed options for live streaming. The council discussed options at length and Kottke made a motion to purchase the Meeting Owl 3, to begin doing this at the January 2025 meeting on a trial basis. Nesheim seconded the motion. All members voting yes. Motion carried.

**Surplus Property**

It was decided to table this as Altfillisch wanted to add a mosquito sprayer to the list and Terry Schlagel's appraisal didn't have certain things on it, because the process started a long time ago and things had been added since he got the list.



**Advertising in Glacial Lakes Magazine**

After discussing the fees for doing this and being told by Ms. Kottke that the Chamber decided to quit advertising this way because it was expensive and they could advertise on Social Media for free, nobody made the motion to advertise with Glacial Lakes Magazine so the subject got dropped.

**Motion # 114-2024**

**Resolution #870 Fire Department Capitol Outlay**

Motion by Kottke and seconded by Dohmann to approve resolution # 870. All members voting yes. Motion carried.

**RESOLUTION # 870**

A RESOLUTION ESTABLISHING A CAPITAL OUTLAY FOR GENERAL FUND FIRE DEPARTMENT NEW BUILDING FUND.

WHEREAS, the City Council of the City of Clark, South Dakota, acknowledges that the Clark Fire Department has outgrown their current Fire Hall and agrees that there is a need for a new Fire Hall and;

WHEREAS, the City Council of the City of Clark, South Dakota, has determined that the Clark Fire Department needs assistance in achieving their goal of raising money to build a new Fire Hall, and;

WHEREAS, SDCL 9-21-14.1, authorizes the municipality to establish a Capital Outlay accumulation account for the purposes of setting aside money to be used in the construction of a new Fire Hall in the near future;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Clark, South Dakota that a Capital Outlay account be established and that the Finance Officer is hereby authorized and directed to budget and accumulate \$10,000 per annum beginning with the 2025 appropriations from the general fund for the purpose of setting asides funds for a construction of a new Fire Hall.

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

Passed and adopted this 9th day of September, 2024.

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Kerry Kline, Mayor

ATTEST:

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Rae Jean Flora, Finance Officer  
(SEAL)

**First Reading – Ordinance #588 2025 Budget**

The first reading was had for Ordinance #588 - 2025 Budget. Budget discussion and cuts followed the reading.

**Motion # 115-2024** **Approve Halme Payment**  
 Motion by Nesheim and seconded by Kottke to approve the payment application from Halme Construction. All members voting yes. Motion carried.

**Motion # 116-2024** **Approve Meeting Minutes**  
 Motion by Hagstrom and seconded by Nesheim to approve the August meeting minutes. All members voting yes. Motion carried.

**Motion # 117-2024** **Approve Financials**  
 Motion by Dohmann and seconded by Zemlicka to approve the August financial reports. All members voting yes. Motion carried.

**Motion # 118-2024** **Approve Claims**  
 Motion by Dalton and seconded by Kottke to approve the following claims. All members voting yes. Motion carried.

**AUGUST CLAIMS (08 24 CLMS2)**

31241	Clark Community Oil Co.	Maintenance	\$	422.00
31242	Clark Co. Historical Society	Subsidy Pymt	\$	577.00
31243	Cook's Wastepaper & Recycling	Utilities	\$	123.00
31244	Cook's Wastepaper & Recycling	Garbage Collection	\$	8,230.64
31245	U Drive Technology	Texting Tool	\$	235.44
31246	Clark Rural Water	Supplies	\$	22,586.40
31247	VGM Financial Services	Rentals	\$	1,903.15
3178	City of Clark	Utilities	\$	1,043.95
31249	JW Roll Off Service	Roll Off Service	\$	697.36
31250	ITC Telephone	Utilities	\$	695.65
31251	Clark Chamber of Commerce	Subsidy Pymt	\$	3,000.00
31252	Choose Clark County	Subsidy Pymt	\$	20,000.00
31253	Book Systems Inc	Professional Fees	\$	1,210.00
31254	Northwestern Energy	Utilities	\$	2,256.67
31255	Cook's Wastepaper & Recycling	Utilities	\$	138.25
31256	Sanitation Products	Parts	\$	1,302.72
31257	Helms & Associates	Engineering Fees	\$	38,870.22
3179	Republic National Distributing	Liquor	\$	1,520.64
31258	Northwestern Energy	Utilities	\$	53.36
31261	Halme Inc.	Water Improvements	\$	575,627.48
3183	SD Dept of Revenue	Sales Tax	\$	129.81
3184	SD Dept of Revenue	Golf Course Sales Tax	\$	3,572.50
3185	Amazon Capital Services	Supplies	\$	21.94

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3187	Vision Service Plan	Insurance	\$ 467.64
3188	City of Clark	Utilities	\$ 115.20
31262	Cardmember Service	Credit Card	\$ 334.85
3189	Quill	Supplies	\$ 257.00
31263	Star Laundry	Maintenance	\$ 358.98
31264	Office Peeps	Supplies	\$ 14.82
31265	Northwestern Energy	Utilities	\$ 6,148.89
3190	A & B Business Solutions	Copier	\$ 75.38
31266	Northwestern Energy	Utilities	\$ 885.54
31267	AT&T	Utilities	\$ 174.44
31268	Northwestern Energy	Utilities	\$ 89.02
31269	Halme Inc.	Water Improvements	\$ 549,240.54
3192	Dacotah Bank	Service Charge	\$ 20.00
3193	ITC Telephone	Utilities	\$ 695.65
3194	FuturePOS	Credit Card Fees	\$ 1,631.55
31270	Rod Cotton	Refund on Golf Membership	\$ 325.00

**8/20/2024 PAYROLL**

	Mayor	Payroll	\$ 226.92
	Finance Office	Payroll	\$ 2,518.13
	Police	Payroll	\$ 4,621.19
	Streets	Payroll	\$ 4,575.24
	Landfill	Payroll	\$ 336.00
	Sewer	Payroll	\$ 1,390.35
	Water	Payroll	\$ 1,390.66
	Transit	Payroll	\$ 289.25
	Golf Course	Payroll	\$ 2,320.00
	Golf Club	Payroll	\$ 4,387.77
	Library	Payroll	\$ 927.75
3180	EFTPS	Payroll Taxes	\$ 4,882.21
31260	Child Support Payment Center	Child Support	\$ 352.62
31259	SD Retirement	Employees Retirement	\$ 4,156.30

**SEPTEMBER CLAIMS (09 24 CLMS)**

Star Laundry	Maintenance	\$ 306.80
Chesterman Company	Concessions	\$ 1,198.45
Dakota Pump & Control Inc	Lift Station Maintenance	\$ 3,759.19
Topkote Inc.	Chip Sealing	\$ 46,305.28
Porter Distributing Co.	Liquor	\$ 670.30
SD Library Association	Conference Fees	\$ 215.00
Wellmark Blue Cross Blue Shield	Insurance	\$ 8,854.77

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Delta Dental	Insurance	\$	1,507.90
Menards	Supplies	\$	213.45
Clark Rural Water	Meter Pit	\$	947.15
SD Dept of Health	Water Testing	\$	45.00
Principle Financial Group	Insurance	\$	42.91
SD Dept of Transportation	Supplies	\$	193.09
Clark Building Center & Ranch	Maintenance	\$	1,671.11
Pheasantland Industries	Signs	\$	280.51
Ron's Saw Shop	Supplies	\$	29.00
Helms & Associates	Engineering Fees	\$	42,031.84
Dakota Butcher	Supplies	\$	190.17
Milbank Winwater Works	Supplies	\$	241.44
New Dimension, LLC	Mowing/Trimming	\$	2,000.00
Bierschbach Equipment & Supply	Water Plant Maintenance	\$	1,184.90
Clark County Courier	Advertising	\$	237.38
A-I Computer Solutions	Tech Support	\$	89.99
Sturdevants Auto Value	Supplies	\$	106.41
Johnson Lawn & Tree Service	Tree Removal	\$	3,000.00
Karl Emergency Vehicles	Emergency Lights	\$	995.64
Mack's Standard	Supplies & Repairs	\$	407.00
Maxwell Food Equipment	Equipment	\$	4,758.49
Clark Ace Hardware	Supplies	\$	1,236.97
US Foods	Supplies & Concessions	\$	7,669.07
Kissner Paving	Paving	\$	3,571.44
Johnson Brothers of SD	Liquor	\$	2,258.36
Ken's Food Fair	Supplies	\$	779.82
Midwest Alarm Company	Fire Alarm Monitoring	\$	94.01
Westside Implement	Maintenance	\$	3.34
Econo Signs	Signs	\$	161.90
Oscar's Machine Shop	Mower Parts	\$	66.40
Republic National Distributing	Liquor	\$	641.07
VGM Financial Services	Golf Carts & Club Car Leasing	\$	1,903.15
Ellwein Brothers, Inc.	Liquor	\$	3,002.70
Agwrx	Gas	\$	1,299.30
Clark Co. Historical Society	Subsidy	\$	577.00
Clark Community Oil	Supplies	\$	813.84
SD Rural Development	Sewer Loan 1	\$	787.00
SD Rural Development	Sewer Loan 2	\$	1,307.00
SD Rural Development	Water Loan	\$	908.00
City of Clark	Utilities	\$	826.75
Cook's Wastepaper & Recycling	Golf Clubhouse Utilities	\$	321.94
EcoLab Pest Elimination Service	Pest Control	\$	109.50
JW Roll Off Service	Utilities	\$	350.44

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Quill	Cleaning & Office Supplies	\$	371.13
VanDiest Supply Company	Mosquito Spray	\$	2,782.95
U Drive Technology	Texting Service	\$	164.44

**9/3/24 PAYROLL**

Mayor	Payroll	\$	276.92
Finance Office	Payroll	\$	2,560.85
Police	Payroll	\$	4,319.23
Streets	Payroll	\$	5,220.16
Landfill	Payroll	\$	448.00
Sewer	Payroll	\$	1,563.33
Water	Payroll	\$	1,563.66
Transit	Payroll	\$	390.00
Golf Course	Payroll	\$	2,373.50
Golf Club	Payroll	\$	3,223.64
Library	Payroll	\$	778.50
EFTPS	Payroll Taxes	\$	4,728.67

**Motion # 119-2024**

**Executive Session**

Motion by Nesheim and seconded by Dohmann to enter into executive session for personnel and contractual issues, per SDCL 1-25-2.1 & 4 at 8:32 p.m. All members voting yes. Motion carried.

Executive session ended at 9:33 p.m.

**Motion # 120-2024**

**Adjourn**

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

The meeting adjourned at 9:33 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 \_\_\_\_\_.

**City of Clark Board of Adjustment Meeting  
October 7, 2024 at 7PM**

**Call to order:** The Clark City Board of Adjustment met in session on October 7, 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 Rae Jean Flora, City Attorney Chad Fjelland, Deputy Finance Officer April Fitzgerald, Darin Altfillisch,Carolynn Olson, Tara Thomas, Cassi Kottke, Tammy Rusher, Baron Yexley, Ryan Wilfahrt, Kyle Gaikowski and via Zoom Joshua Layer.

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

**Moving Mobile Homes**

Baron Yexley, representing YWH, LLC is requesting a building permit for the following property: OLS W & X Clark Less S175' of E215' of OL X of Plat Entitled V.W & X in N1/2 of NW1/4 of 7-16-57 (529 1<sup>st</sup> Ave East) in the following manner: move two (2) mobile homes to a different section of his lot, and because that lot is not adjacent to a public street the Board of Adjustments is required to make that decision. All required notices have been published and mailed. No opposition was heard. Board finds that because applicant does not meet the two (2) acre minimum required and the trailers are more than the ten (10) year old minimum age, they need to do some further inquiring on this matter, therefore the building permit is tabled until the next meeting on October 21, 2024 at 5:00pm.

Motion by Nesheim and seconded by Hagstrom to adjourn the meeting of the Board of Adjustments. All members voting yes. Motion carried.

Meeting adjourned at 7:20pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

---

Attest: Finance Officer Rae Jean Flora  
(seal)

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

**City of Clark Council Meeting  
October 7, 2024**

**Call to order:** The Clark City Council met in session on October 7, 2024 at 7:21 pm in the City Hall Council Room.

**Council Members Present:** Andrew Zemlicka, 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, Cassi Kottke, Tammy Rusher, Jeremy Wellnitz, Tara Thomas, Baron Yexley, Ryan Wilfahrt, Kyle Gaikowski and by Zoom Joshua Layer

Mayor Kline called the meeting to order at 7:21pm.

**Motion # 121-2024**

**Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

**Public Input**

There was no public input.

**Department Updates**

Altfillisch invited Kyle Gaikoski to speak on options for trading off the City skid steer next year. The Council was very interested in the options. After some discussion they asked Gaikowski to get them something official in writing and they would make a decision after seeing that.

Wellnitz discussed the new one ton street pickup that the dealership sent the City that was supposed to be a dually but wasn't. Wellnitz has discussed this with the dealership and was told that the City should receive the correct pickup in four to five months. There will be an up fee for that 2025 dually pickup. Also the flat bed that they had ordered for the one ton will not fit the pickup they have now.

Rusher requested the new fee schedule for 2025 for the Golf Course and Clubhouse because she is getting people booking into next year and wanting to buy Christmas gifts from there for next year. The Mayor and Dohmann, the councilperson in charge of the Clubhouse, will meet with her and they will bring the proposed fees to the Council at next month's meeting.

Flora said they are learning the new zoning manual with all of these zoning issues that are coming up.

**Motion # 122-2024**

**Approval of Department Updates**

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

**Motion # 123-2024**

**Pool Committee**

Cassi Kottke introduced Josh Layer from Burbach Aquatics, who was present via Zoom. Layer explained to the Council the design that the committee had chosen, answered numerous questions and explained the next steps in the process. Fundraising has begun. Motion was made by Councilman Kottke and seconded by Zemlicka to approve the design concept of version 7 at \$4.2 million to go forward with capital concept.

**Motion # 124-2024**

**Next Step for Pool Renovations**

Hagstrom made a motion to approve Step 5 in the Pool renovation process to show support for the fundraising and then Step 6 for support of a referendum when they are ready for that step. Councilman Kottke seconded the motion. All members voting yes. Motion carried.

**Motion # 125-2024**

**American Legion Special Event License**

Nesheim made a motion to approve the American Legion Special Event Liquor License application for the Lions Gun Raffle to be held on Saturday, October 12 from 4:00pm to 12:00am. Dohmann seconded the motion. All members voting yes. Motion carried.

**Motion # 126-2024**

**Retail Liquor License Applications**

Hagstrom made a motion to approve the Retail On-Sale Liquor Licenses for the Clark Municipal Golf Course, The Sportsman's Bar & Grill, The Look Out Bar & Grill, Clark Lanes, the Off-Sale Liquor License for Dakota Butcher, the On/Off Sale Wine and Cider License for Ken's Food Fair and the Big C On/Off Sale Wine & Cider license. Dalton Seconded the motion. All members voting yes. Motion carried.

**Motion # 127-2024**

**Tax Assessment to County Auditor**

Hagstrom made a motion to file a tax assessment with the County Auditor for repairs to a water line that the property owner, was aware of but refused to fix. The property owner made no attempt to pay the City for the cost it incurred for fixing said repairs. Nesheim seconded the motion. All members voting yes. Motion carried.

**Motion # 128-2024**

**Surplus Property**

Motion by Kottke and seconded by Nesheim to advertise the seven surplus items. All members voted yes. Motion carried.

**Motion # 129-2024**

**Resolution #871 to Replace Official Zoning Map**

Motion by Hagstrom and seconded by Dohmann to approve resolution # 871. All members voting yes. Motion carried.

**RESOLUTION # 871**

A RESOLUTION TO REPLACE THE OFFICIAL ZONING MAP WITH NO ZONING CHANGES



2024 City Council Meeting Minutes

WHEREAS, the City Council of the City of Clark, South Dakota, has determined that the official zoning map, adopted with Ordinance #585, April 8, 2024 has been amended.

THEREFORE the City of Clark Official Zoning Map shall be replaced with an updated zoning map including only those lawfully adopted amendments. Further, this action is not intended to amend any zoning district boundaries.

Dated this 7<sup>th</sup> day of October, 2024.

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Kerry Kline, Mayor

ATTEST:

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Rae Jean Flora, Finance Officer  
(SEAL)

Passed & Adopted: October 7, 2024

Published: October 9, 2024

Effective: October 9, 2024

**Motion # 130-2024**

**Wellmark Insurance Rates for 2025**

Motion by Kottke and seconded by Dalton to approve the new Wellmark Insurance rates for 2025. All members voting yes. Motion carried.

**2<sup>nd</sup> Reading of Ordinance # 588**

A second reading was held for Ordinance # 588-2025 Budget.

**Motion # 131-2024**

**Approve Ordinance # 588**

Motion made by Kottke and seconded by Dohmann to approve Ordinance #588. All members voting yes. Motion carried.

**2024 City Council Meeting Minutes**

**Ordinance # 588  
2025 Appropriations Ordinance**

**Part One:**

Be it ordained by the City of Clark that the following sums are appropriated to meet the obligations of the municipality.

	<u>Governmental</u>	<u>Special Revenue</u>	<u>Debt Service</u>
	<u>General Fund</u>	<u>Library Fund</u>	<u>TIF District No. 1</u>
<b>410 General Government</b>			
411 Council	\$ 31,384		
411.5 Contingency	\$ 74,465		
412 Mayor	\$ 12,660		
413 Elections	\$ -		
414.1 Legal Services	\$ 3,700		
414.2 Finance Office	\$ 137,795		
419 Government Bldgs	\$ 48,630		
Total General Government	\$ 308,634		
<b>420 Public Safety</b>			
421 Police	\$ 238,350		
422 Fire Department	\$ 39,700		
429 Sirens	\$ 500		
Total Public Safety	\$ 278,550		
<b>430 Public Works</b>			
431 Highway & Streets	\$ 457,660		
431.6 Street Lighting	\$ 45,000		
432.1 Sanitation	\$ 109,666		
439 Transit	\$ 15,556		
Total Public Works	\$ 627,882		
<b>441 Health and Welfare</b>			
441 Health - Medical Building	\$ 16,056		
441.3 West Nile	\$ 4,000		
Total Health & Welfare	\$ 20,056		
<b>450 Culture &amp; Recreation</b>			
451.2 Swimming Pool	\$ 104,150		
451.25 Golf Course/Clubhouse	\$ 364,470		
451.11 Summer Recreation	\$ 16,825		
452 Parks	\$ 62,253		
455 Library	\$ 31,725		
Total Culture & Recreation	\$ 579,423	\$ 1,000	
<b>465 Economic Development</b>			
465.3 Promoting the City	\$ 29,500		
<b>470 Debt Service</b>			\$ -

**2024 City Council Meeting Minutes**

<b>499 Liquor</b>	\$ 1,400		
<b>Total Appropriations</b>	<u>\$ 1,845,445</u>	<u>\$ 1,000</u>	<u>\$ -</u>

**REVENUES**

**Part Two:**

	<u>Governmental</u>	<u>Special Revenue</u>	<u>Debt Service</u>
<b>Revenue</b>	<b>General Fund</b>	<b>Library Fund</b>	
310 Taxes	\$ 1,145,910		\$ -
320 Licenses & Permits	\$ 3,150		
330 Intergovernmental Revenue	\$ 122,735	\$ 500	
340 Charges for Goods & Srvs	\$ 315,550	\$ 350	
350 Fines & Forfeits	\$ 300	\$ 150	
360 Miscellaneous Revenue	\$ 59,100		
370 Operating Revenue	\$ 14,700		
380 Liquor	\$ 131,500		
390 Other Sources	\$ 16,000		
Use of Restricted Cash	\$ 36,500		
Use of Cash on Hand	\$ -		
<b>Total Means of Finance</b>	<u>\$ 1,845,445</u>	<u>\$ 1,000</u>	<u>\$ -</u>

**PROPRIETARY FUNDS**

	<u>Water Fund</u>	<u>Sewer Fund</u>
Estimated Beginning Retained Earnings	\$ 85,000	\$ 210,132
Estimated Revenue	\$ 824,600	\$ 318,350
Restricted Funds	\$ -	\$ 27,132
Transfer In from General Fund	\$ -	\$ -
<b>Total Available</b>	<u>\$ 909,600</u>	<u>\$ 555,614</u>
Less Appropriations	\$ 824,600	\$ 318,350
<b>Estimated Surplus</b>	<u>\$ 85,000</u>	<u>\$ 237,264</u>

County Auditor: General Fund \$464,862

CITY OF CLARK

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

Attest:

\_\_\_\_\_  
Rae Jean Flora, Finance Officer

(seal)

First Reading: September 9, 2024

Second Reading: October 7, 2024

Adopted: October 7, 2024

2024 City Council Meeting Minutes

Published: October 16, 2024
Effective Date: January 1st, 2025

First Reading of Ordinance #589

The first reading of ordinance #589-2025 Salaries was held.

Motion # 132-2024 Approve Halme Pay Request
Motion by Nesheim and seconded by Dalton to approve the payment application from Halme Construction. All members voting yes. Motion carried.

Motion # 133-2024 Approve September Meeting Minutes
Motion by Dohmann and seconded by Kottke to approve the September meeting minutes. All members voting yes. Motion carried.

Motion # 134-2024 Approve Financial Statements
Motion by Zemlicka seconded by Kottke to approve the September financial statements. All members voting yes. Motion carried.

Motion # 135-2024 Approve Claims
Motion by Dalton seconded by Nesheim to approve the following claims. All members voting yes. Motion carried.

SEPTEMBER CLAIMS (09 24CLMS2)

Table with 4 columns: ID, Vendor Name, Description, and Amount. Lists various claims such as SD Municipal League Annual Conference (\$250.00), Southern Glazers Liquor (\$869.46), and others.

**2024 City Council Meeting Minutes**

**9/17/2024 PAYROLL**

Mayor	Payroll	\$	226.92
Finance Office	Payroll	\$	2,560.50
Police	Payroll	\$	5,017.15
Streets	Payroll	\$	4,540.17
Landfill	Payroll	\$	448.00
Sewer	Payroll	\$	1,461.15
Water	Payroll	\$	1,461.43
Transit	Payroll	\$	39.00
Golf Course	Payroll	\$	2,746.00
Golf Club	Payroll	\$	2,954.01
Library	Payroll	\$	708.00
3199E	EFTPS	Payroll Taxes	\$ 4,786.70
31321	Child Support Payment Center	Child Support	\$ 352.62
31322	SD Retirement	Employees Retirement	\$ 4,134.70

**OCTOBER CLAIMS (10 24 CLMS)**

Wellmark Blue Cross Blue Shield	Insurance	\$	8,854.77
Rivard's Turf & Forage	Grass	\$	640.38
Principal Life Insurance Company	Insurance	\$	42.91
A-I Computer Solutions	Software Upgrade	\$	65.00
SD Dept of Health	Water Testing	\$	211.00
Vision Service Plan	Insurance	\$	467.64
Ellwein Brothers	Liquor	\$	656.80
Porter Distributing	Liquor	\$	844.90
Chesterman Company	Pop	\$	122.15
Delta Dental	Insurance	\$	1,507.90
Duininck Incorporated	Cold Mix	\$	1,942.20
A & B Business Solutions	Copier Contract	\$	82.02
Blackstrap, Inc.	Salt Sand	\$	4,870.40
Dakota Butcher	Supplies	\$	284.65
Clark County Courier	Advertising	\$	192.10
Clark Flower & Gift Shop	Supplies	\$	64.00
New Dimension LLC	Mowing	\$	3,415.00
Northwestern Energy	Utilities	\$	71.09
Core & Main	Supplies	\$	380.33
Mack's Standard	Supplies & Repairs	\$	717.15

**2024 City Council Meeting Minutes**

Elite Drain & Sewer	Repairs	\$	280.00
Star Laundry	Maintenance	\$	276.63
Johnson Brothers	Liquor	\$	377.09
U Drive Technology	Professional Fees	\$	66.40
Amazon Capital Services	Books/Supplies	\$	208.50
ITC Telephone	Utilities	\$	897.77
Agwrx	Fuel	\$	445.55
Banyon Data Systems	Software Support	\$	1,910.00
Clark Ace Hardware	Repairs & Maintenance	\$	373.36
Clark Community Oil Co.	Supplies	\$	814.91
Clark Building Center	Supplies	\$	27.95
Ken's Food Fair	Concessions/Liquor	\$	415.96
Oscar's Machine Shop	Repairs & Maintenance	\$	1,014.03
Quill	Supplies	\$	288.69
Southern Glazers of SD	Liquor	\$	9.71
Stirdevant's Auto Value	Supplies	\$	59.59
US Foods	Concessions/Supplies	\$	4,787.57
Westside Implement	Repairs & Maintenance	\$	323.45
Jeremy Wellnitz	Insurance Reimbursement	\$	2,873.48
JW Roll Off Service	Roll Off Services	\$	727.72
Midwest Alarm Company	Fire Alarm Monitoring/Testing	\$	283.25
Cook's Wastepaper	Utilities	\$	321.94
Helms & Associates	Engineering Fees	\$	37,710.76
Halme, Inc.	Water Improvements	\$	488,748.00

**10/1/24 PAYROLL**

Mayor	Payroll	\$	276.92
Finance Office	Payroll	\$	2,642.63
Police	Payroll	\$	4,539.21
Streets	Payroll	\$	4,670.37
Landfill	Payroll	\$	448.00
Sewer	Payroll	\$	1,493.54
Water	Payroll	\$	1,493.84
Transit	Payroll	\$	182.00
Golf Course	Payroll	\$	2,248.50
Golf Club	Payroll	\$	2,852.26
Library	Payroll	\$	940.50
EFTPS	Payroll Taxes	\$	4,534.24

**Motion # 136-2024**

**Approve Contingency Transfer**

Motion by Nesheim and seconded by Zemlicka to approve the following contingency transfer: Street lighting (\$7,000, rates have gone up); Health (\$4,900, due to repairs at clinic); Golf Course (\$13,800, due to higher sales). All members voting yes. Motion carried.

**Motion # 137-2024**

**Executive Session**

Motion by Kottke and seconded by Zemlicka to enter into executive session for contractual issues, per SDCL 1-25-2.4 at 8:56 p.m. All members voting yes. Motion carried.

Executive session ended at 9:09 p.m.

**Motion # 138-2024**

**Pickrel House**

Motion by Nesheim and seconded by Dohmann to accept the transfer of the John and Michele Pickrel house at 110 4<sup>th</sup> Ave NW to the City for no consideration. All members voting yes. Motion carried.

**Motion # 139-2024**

**Adjourn**

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

The meeting was adjourned at 9:10 p.m.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Rae Jean Flora  
(seal)

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

2024 City Council Meeting Minutes

City of Clark Board of Adjustment Meeting  
October 21, 2024  
5:00p.m.

**Call to order:** The Board of Adjustment met in session on October 21, 2024, at 5:01 pm in the City Hall Council Room.

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

**Others Present:** Mayor Kerry Kline, Deputy Finance Officer April Fitzgerald, Chance Walford, Baron Yexley, Ryan Wilfahrt, Merlyn Ritter, Marie Ritter, Dennis Thompson, and Bobbi Horton.

Mayor Kline called the meeting to order at 5:01pm.

**Motion # 140-2024 Adopt Agenda**

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

All stood and recited the Pledge of Allegiance.

**Motion # 141-2024**

**Baron Yexley/YWH, LLC building permit**

Baron Yexley representing YWH, LLC discussed the building permit needed for moving mobile homes to a lot that is not adjacent to a public street. Mobile homes #2 and #4 will be moved south and all mobile homes will be in a straight line on their current property. It was discussed that work was started prior to this meeting and Yexley noted it was due to some miscommunication. Hagstrom asked for feedback or concerns from attending neighbors and they reported no concerns. Motion by Hagstrom and seconded by Nesheim to approve the building permit. All members voting yes. Motion carried.

**Motion # 142-2024**

**Airstay, LLC variance**

Ryan Wilfahrt and Baron Yexley representing Airstay, LLC for a variance to have setbacks closer than the allowed zoning setbacks on the west and south side of the property. The current setbacks for the proposed motel are 15' and 21' on the west side and 25' on the south side. Bobbi Horton, the resident on the west side of the proposed motel has no concerns about this and would prefer this to the thought of having the parking lot next to her if they had to flip the building due to current setbacks. Dennis Thompson inquired about drainage and Wilfahrt responded that the parking lot of the motel is graded to allow for drainage of the property toward Highway 212. They also will plan for a fence around the property per our city ordinance. Roll call vote: Hagstrom yea, Zemlicka yea, Kline yea, Dalton yea, Nesheim yea, Kottke nay. Motion carried.

The Board of Adjustment meeting adjourned at 5:21pm.



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Mayor Kerry Kline

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Attest: Deputy Finance Officer April Fitzgerald  
(seal)

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

**City Council Meeting**  
October 21, 2024  
5:21p.m.

**Call to order:** The Clark City Council met in session on October 21, 2024 at 5:21 pm in the City Hall Council Room.

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

**Others Present:** Mayor Kerry Kline, Deputy Finance Officer April Fitzgerald  
Mayor Kline called the meeting to order at 5:21pm.

**Motion # 143-2024**

**Adopt Agenda**

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

**Public Input**

Shane Hagstrom mentioned some street lights behind Garden Grove and possible updates in the future.

**Motion # 144-2024**

**Selling Surplus**

**property**

Motion by Nesheim and seconded by Kottke to sell surplus property on Purple Wave website.  
All members voting yes. Motion carried.

**Motion # 145-2024**

**Adjourn**

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

The meeting was adjourned at 5:33 p.m.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Deputy Finance Officer April Fitzgerald

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

**City of Clark Council Meeting  
November 4, 2024**

**Call to order:** The Clark City Council met in session on November 4, 2024, at 7:00pm in the City Hall Council Room.

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

**Others Present:** Mayor Kerry Kline, Finance Officer Rae Jean Flora, City Attorney Chad Fjelland, Deputy Finance Officer April Fitzgerald, Catie Noethlich and Carolyn Olsen.

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

**Motion # 146-2024**

**Amend Agenda**

Motion by Zemlicka and seconded by Kottke to amend the agenda, adding in Forest Excavating Change Order and Final Billing. All members voting yes. Motion carried.

**Motion # 147-2024**

**Adopt Amended Agenda**

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

All stood and recited the Pledge of Allegiance.

**Public Input**

There was no public input.

**Motion # 148-2024**

**Mayor & Department Updates**

Mayor Kline spoke on the new fence at the Golf Course and that her, Councilperson Dohmann and manager Rusher decided to leave the fees the same as last year.

Finance Officer Flora talked about the office planning the Christmas party, decorating for Rooster Rush, the fact that there were a number of new accounts set up this month and fielding all the questions about the dump. She also informed the council that Public Works Superintendent Altfillisch has decided to reduce the hours at the dump to Saturdays only from noon to 4:00pm, as long as the weather cooperates.

**Motion # 149-2024**

**Approve Department Updates**

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

**Surplus Skid Loader**

This agenda item was tabled until the council can discuss this further with Altfillisch.

**Westside Implement Skid Loader Options**

This agenda item was also tabled until the council visits with Altfillisch and they could get more clarification on some of the options.

**Choose Clark County Report**

Noethlich gave a report on some of the many things she is working on. She is working with the SD School of Mines on a wind turbine blade recycling business; she gave a project proposal on updates to main street; she discussed the town forum to be held in conjunction with the Chamber meeting on November 14<sup>th</sup> from 5:30pm to 7:30pm at the Golf Course; then a discussion was held about where Choose Clark County gets their funding.

**Motion # 150-2024**

**Approve Resolution #872**

Motion by Nesheim and seconded by Hagstrom to approve Resolution #872 the Pool Capital Outlay. All members voting yes. Motion carried.

**RESOLUTION # 872**

A RESOLUTION ESTABLISHING A CAPITAL OUTLAY FOR GENERAL FUND POOL DEPARTMENT FOR NEW POOL FUND.

WHEREAS, the City Council of the City of Clark, South Dakota, acknowledges that the Horace Bennett Swimming Pool has outlived its lifespan and agrees that there is a need for a new swimming pool, facilities and equipment and;

WHEREAS, the City Council of the City of Clark, South Dakota, has determined that the Clark Community Aquatic Center needs assistance in achieving their goal of raising money to build a new swimming facility, and;

WHEREAS, SDCL 9-21-14.1, authorizes the municipality to establish a Capital Outlay accumulation account for the purposes of setting aside money to be used in the construction of a new swimming facility in the near future;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Clark, South Dakota that a Capital Outlay account be established and that the Finance Officer is hereby authorized and directed to budget and accumulate \$10,000 per annum beginning with the 2025 appropriations from the general fund for the purpose of setting asides funds for a construction of a new Swimming Facility.

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

Passed and adopted this 4th day of November, 2024.

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Kerry Kline, Mayor

ATTEST:

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Rae Jean Flora, Finance Officer  
(SEAL)

**Motion # 151-2024**

**Approve Resolution #873**

Motion by Hagstrom and seconded by Zemlicka to approve resolution #873 for the Clark County Pre-Disaster Mitigation Plan. All members voting yes. Motion carried.

**RESOLUTION # 873**

**A Resolution Adopting the Clark County Pre-Disaster Mitigation Plan 2024-2029**

WHEREAS, Clark County received assistance in the preparation of the Clark County Pre-Disaster Mitigation Plan 2024-2029 from representatives of the City of Clark and received funding from the South Dakota Office of Emergency Management/FEMA; and

WHEREAS, several public planning meetings were held between January of 2023 and June of 2024 regarding the development and review of the Clark County Pre-Disaster Mitigation Plan 2024-2029; and

WHEREAS, the Clark County Pre-Disaster Mitigation Plan 2024-2029 contains several potential future projects to mitigate hazard damage in the City of Clark; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has rendered its approval of the Clark County Pre-Disaster Mitigation Plan on October 18<sup>th</sup>, 2024; and

WHEREAS, a duly-noticed public hearing was held by the Clark County Pre-Disaster Mitigation Team on June 5, 2024 to solicit public comment on the Clark County Pre-Disaster Mitigation Plan 2024-2029; and

Whereas, a duly-noticed public meeting was held by the Clark City Council on November 4<sup>th</sup>, 2024 to formally approve and adopt the final Clark County Pre-Disaster Mitigation Plan 2024-2029.

NOW THEREFORE BE IT RESOLVED that the Clark City Council adopts the Clark County Pre-Disaster Mitigation Plan 2024-2029.

Passed and adopted this 4th day of November, 2024.

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

ATTEST:

\_\_\_\_\_  
Rae Jean Flora, Finance Officer  
(SEAL)

**Motion # 152-2024**

**Approve Ordinance #589**

Motion by Nesheim and seconded by Hagstrom to approve Ordinance #589. All members voting yes. Motion carried.

**Ordinance # 589 2025 Employee Salaries**

An Ordinance Fixing the Salaries and Compensation of the Appointed, Other Municipal Officials, and Regular Employees for the City of Clark, South Dakota.

Section # 1: That the salaries and compensation of the appointed officers, other municipal officials, and regular employees of the City of Clark, South Dakota from and after **January 1, 2025** shall be as follows:

Mayor	\$	6,000.00	salary
City Council Members	\$	85.00	meeting
	\$	43.00	call-in meeting
	\$	10.00	short meeting
 <u>Finance Office</u>			
Finance Officer: Rae Jean Flora	\$	25.25	hour
Deputy Finance Officer: April Fitzgerald	\$	20.25	hour
Finance Office Substitute	\$	15.75	hour
 <u>Police Department</u>			
Police Chief: Jeremy Wellnitz	\$	62,830.00	salary
Deputy: Nate Nickeson	\$	52,500.00	salary
Part Time Deputy	\$	20.50	hour
 <u>City Maintenance Department</u>			
Superintendent: Darin Altfillisch	\$	34.00	hour
Maintenance Crewman: Tyler Silkman	\$	24.75	hour

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Maintenance Crewman: Jimmie Mora	\$	20.75	hour
<u>Golf Course</u>			
Greenskeeper	\$	18.50	hour
Greenskeeper Assistants	\$	14.00/15.50/15.50	hour
Clubhouse Manager	\$	19.50	hour
Clubhouse Kitchen Manager	\$	17.50	hour
Clubhouse Workers	\$	12.00	hour
<u>Library</u>			
Librarian: Tara Thomas	\$	15.75	hour
Librarian Substitute	\$	12.50	hour
<u>Sanitation Department</u>			
Landfill Attendant	\$	14.50	hour
<u>Pool</u>			
Manager	\$	16.00	hour
Co-Manager(s)	\$	14.00	hour
Lifeguards	\$	12.00	hour

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

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

City Janitor	\$	13.50	hour
Med Van Drivers	\$	13.50	hour
Skating Rink Attendant	\$	11.50	hour
Summer Rec Coaches	\$	1,000.00	team

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

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

\_\_\_\_\_  
Attest: Finance Officer Rae Jean Flora  
(seal)

First Reading: October 7<sup>th</sup>, 2024  
 Second Reading & Adopted: November 4<sup>th</sup>, 2024  
 Published: November 6<sup>th</sup>, 2024  
 Effective Date: January 1<sup>st</sup>, 2025

2024 City Council Meeting Minutes

**First Reading of Ordinance #590**

A first reading was held for Ordinance #590 – Budget Supplement.

**Motion # 153-2024**

**Halme Pay Request**

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

**Motion # 154-2024**

**Forest Excavating Change Order**

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

**Motion # 155-2024**

**Forest Excavating Pay Request**

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

**Motion # 156-2024**

**Approve Minutes**

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

**Motion # 157-2024**

**Approve Claims**

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

**OCTOBER CLAIMS (10 24CLMS2)**

31368	Glenda McNutt	Chairs	\$	400.00
31369	South Dakota 811	Message Fees	\$	79.80
31370	Rae Jean Flora	Travel for Conference	\$	248.53
31371	April Fitzgerald	Travel for Conference	\$	260.26
3215	Republic National Distributing	Liquor	\$	742.10
3216	Amazon Capital Services	Supplies	\$	128.88
31372	Cook's Wastepaper & Recycling	Garbage Collections	\$	8,222.15
31373	City of Clark	Apply Deposit to bill	\$	99.93
31374	Linda Dropps	Water Deposit Refund	\$	50.07
31375	WW Tire Service	Repairs	\$	31.00
31376	Northwestern Energy	Utilities	\$	1,859.58
31377	Clark Rural Water	Materials	\$	19,780.40
31378	SD DANR	Consolidated Loan Pymt	\$	1,253.67
3218	City of Clark	Utilities	\$	631.70
3219	SD Dept of Revenue	Sales Tax	\$	146.45
3220	SD Dept of Revenue	Golf Course Sales Tax	\$	2,224.30
2413	SD Rural Development	Sewer Loan	\$	787.00
2414	SD Rural Development	Water Loan	\$	908.00
2415	SD Rural Development	Sewer 2 Loan	\$	1,307.00

**2024 City Council Meeting Minutes**

3225	US Bank Corporate Trust	SRF Loan Payment	\$	6,940.29
3234	A & B Business Solutions	Copier Contract	\$	106.66
31379	Northwestern Energy	Utilities	\$	24.34
31380	Cardmember Service	Credit Card	\$	1,748.98
31381	Clark Co. Historical Society	Subsidy	\$	577.00
31382	Northwestern Energy	Utilities	\$	6,394.31
31383	U Drive Technology	Texting Service	\$	73.84
3236	Republic National Distributing	Liquor	\$	506.77
31386	Northwestern Energy	Utilities	\$	77.28
3238	Dacotah Bank	Service Fees	\$	5.00
3239	FuturePOS	Credit Card Fees	\$	625.90
3240	ITC	Utilities	\$	895.57

**10/15/2024 PAYROLL**

Mayor	Payroll	\$	226.92
Finance Office	Payroll	\$	3,079.55
Police	Payroll	\$	4,503.62
Streets	Payroll	\$	4,458.68
Landfill	Payroll	\$	448.00
Sewer	Payroll	\$	1,462.00
Water	Payroll	\$	1,462.27
Transit	Payroll	\$	195.00
Golf Course	Payroll	\$	300.00
Golf Club	Payroll	\$	484.76
Library	Payroll	\$	621.75

3214	EFTPS	Payroll Taxes	\$	3,661.07
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**10/29/2024 PAYROLL**

Mayor	Payroll	\$	226.92
Finance Office	Payroll	\$	2,467.50
Police	Payroll	\$	5,081.35
Streets	Payroll	\$	4,513.91
Landfill	Payroll	\$	448.00
Sewer	Payroll	\$	1,333.67
Water	Payroll	\$	1,333.92
Transit	Payroll	\$	100.75
Golf Course	Payroll	\$	720.00
Golf Club	Payroll	\$	235.88
Library	Payroll	\$	735.00

3235	EFTPS	Payroll Taxes	\$	3,825.92
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**2024 City Council Meeting Minutes**

31384	Child Support Payment Center	Child Support	\$	528.93
31385	SD Retirement Systems	Employee Retirement	\$	5,994.30

**NOVEMBER CLAIMS (11 24 CLMS)**

Core & Main	Supplies	\$	2,331.06
Wellmark Blue Cross and Blue Shield	Insurance	\$	8,854.77
SD Rural Development	Sewer 1 Loan	\$	787.00
SD Rural Development	Water Loan	\$	908.00
SD Rural Development	Sewer 2 Loan	\$	1,307.00
Delta Dental of SD	Insurance	\$	1,507.90
Vision Service Plan	Insurance	\$	467.64
		\$	
Principal Financial Group	Insurance		42.91
US Bank Corp	SRF Loan 2	\$	25,016.47
Clark Co. Historical Society	Subsidy	\$	577.00
Moeller Sheet Metal	Annual Furnace Check	\$	249.88
Pitney Bowes	Postage	\$	1,220.99
Quill	Supplies	\$	148.98
		\$	
SD Dept of Health	Water Testing		30.00
First District Association	Professional Fees	\$	2,500.00
Dakota Butcher	Liquor & Concessions	\$	319.77
		\$	
Kibble Equipment	Sewer Maintenance		43.68
Halme, Inc.	Sewer Repairs	\$	7,782.95
AT & T	Utilities	\$	276.46
Pitney Bowes	Postage Meter	\$	135.75
Mack Landscaping	Sprinkler Maintenance	\$	430.00
Sturdevant's	Supplies	\$	581.29
Clark Ace Hardware	Supplies	\$	358.98
		\$	
U Drive Technology	Texting Service		58.96
Helms & Associates	Engineering Fees	\$	38,649.37
Northwestern Energy	Sewer Lift Station Electricity	\$	2,223.43
Amazon Capital Services	Surveillance Parts	\$	123.47
New DimenSion, LLC	Mowing	\$	2,500.00
Clark County Courier	Advertising	\$	443.30
Musser Fencing & Construction	Fencing	\$	3,418.34
Mack's Standard	Fuel	\$	506.70
JW Rolloff	Rolloff Service	\$	714.96
ITC	Utilities	\$	803.59

2024 City Council Meeting Minutes

**Motion # 158-2024**

**Executive Session**

Motion by Nesheim and seconded by Zemlicka to enter executive session for contractual issues, per SDCL 1-25-2.1 & 4. All members voting yes. Motion carried. Entered executive session at 7:54pm and ended executive session at 8:17pm.

**Motion # 159-2024**

**Adjourn**

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

Meeting adjourned at 8:18pm.

This institution is an equal opportunity provider and employer.

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Mayor Kerry Kline

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Attest: Finance Officer Rae Jean Flora  
(seal)

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