

# Clark City Council approves Resolution #879, Ordinance #595, move meeting to February 4

## CITY OF CLARK COUNCIL MEETING JANUARY 5, 2026

**Call to order:** The Clark City Council met in regular session on January 5, 2026, at 7:00 p.m. in the City Hall Council Room.

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

**Others Present:** Mayor Kerry Kline, Finance Officer Rae Jean Flora, Deputy Finance Officer April Fitzgerald, Police Chief Jeremy Wellnitz (via Zoom) and Golf Club Manager Tammy Rusher.

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

### **Motion # 001-2026**

#### **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**

As there was nobody present for public input, this item was passed over.

#### **Department Updates**

**Rusher said she got the till at the Golf Club set up for the new credit card fees and the additional penny sales tax. She would like to see the cable turned back on now. They have some events coming up, and she thinks people will want to watch some ball games during those. She brought up fees for the 2026 season; that will be added to the February agenda.**

**Flora informed the Council that the finance office has been working on end-of-the-year things; she has been working on getting the new website set up. Petitions will be able to be taken out beginning February 2, and Dennis Olson would like to know if we want to continue with him for code enforcement and if they are okay with the \$2,500 retainer like last year. The Council does want to continue, as he has had so much success.**

### **Motion # 002-2026**

#### **Approve Department Updates**

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

### **Motion # 003-2026 Approve Attorney Engagement Letter**

Motion by Kottke and seconded by Hagstrom to approve the engagement letter to contract with Sara Frankenstein of Gunderson, Palmer, Nelson and Ashmore LLP to help with the Burbach contract issues, with the mayor and finance officer being the signatories. All members voting yes. Motion carried.

### **Motion # 004-2026 Approve Resolution #879 – Use of S.D. FIT**

Motion by Hagstrom and Seconded by Zemlicka to approve Resolution #879, as shown below. All members voting yes. Motion carried.

#### **RESOLUTION NUMBER 879**

A RESOLUTION AUTHORIZING THE APPROVAL OF AND PARTICIPATION IN A JOINT POWERS AGREEMENT AND DECLARATION OF TRUST FOR THE SOUTH DAKOTA PUBLIC FUNDS INVESTMENT TRUST (FIT), AUTHORIZING INVESTMENTS THROUGH THE FIXED RATE ACCOUNT OF THE TRUST AND AUTHORIZING THE TRUST TO DESIGNATE AND NAME DEPOSITORIES.

**WHEREAS,** South Dakota Law

Chapters 1-24 permits political subdivisions to make efficient use of their powers by enabling them to provide joint services with other Public Agencies and to cooperate in other ways of mutual advantage and to exercise and enjoy jointly any powers, privileges or authority exercised or capable of being exercised by one Public Agency of this state for the joint or cooperative action; and

**WHEREAS,** the Participants are political subdivisions being duly organized and existing under and by virtue of the laws and constitution of the State of South Dakota and have approved the Joint Powers Agreement and Declaration of Trust and thereby have established the South Dakota Public Funds Investment Trust (FIT) as of November 1, 1991; and

**WHEREAS,** this Governing Body desires to adopt and enter into the Joint Powers Agreement and Declaration of Trust and it is in the best interest of this Governing Body to participate in the South Dakota Public Funds Investment Trust (FIT) for the purpose of joint investment of moneys with other Public Agencies to enhance investment earnings to each; and

**WHEREAS,** this Governing Body deems it to be advisable for this Public Agency to make use, from time to time, of the Fixed Rate Account Available to Participants of the Trust;

### **NOW, THEREFORE, BE IT RESOLVED;**

**Section 1.** The joint Powers Agreement and Declaration of Trust is approved and adopted. This Public Agency shall join with the other public agencies in accordance with the Joint Powers Agreement and Declaration of Trust as amended, (the 'Declaration of Trust') which are on file with the recording officer. The authorized officials of this Public Agency are directed and authorized to take such actions and execute any and all such documents as may be deemed necessary and appropriate to effect the entry of this Public Agency into the Declaration of Trust and adoption thereof by this Public Agency and to carry out the intent and purpose of this resolution.

**Section 2.** This Public Agency is hereby authorized to invest its available moneys from time to time and to withdraw such moneys from time to time in accordance with the provisions of the Declaration of the Trust and the Fixed Rate Account of the Trust.

Payment for any investments made within the Fixed Rate Account is authorized and shall be made from the Public Agency's specified Trust Account. Interest and principal payments shall be credited to the Public Agency's designated Trust Account. Such Fixed Rate Account investments shall be held by the Trust Custodian as custodian for the account of the Public Agency.

The following officers and officials of the Public Agency and their respective successors in office which are hereby designated as "Authorized Officials" with full power and authority to effectuate the investment and withdrawal of moneys with this Public Agency from time to time in accordance with Joint Powers Agreement and Declaration of Trust

Name: Rae Jean Flora  
Title: Finance Officer

Name: April Fitzgerald  
Title: Deputy Finance Officer

The Trust shall be advised of any changes in Authorized Officials in accordance with procedures established by the Trust.

**Section 3.** The Trustees of the South Dakota Public Funds Investment Trust (FIT) are hereby designated as having official custody of this Public Agency's moneys which are invested in accordance with the Joint Powers Agreement and Declaration of Trust and any moneys invested in accordance with the Trust's Fixed Rate Account.

**Section 4.** The Trust is authorized to designate and name depositories, to execute and file documents and to take such actions as may be necessary to purchase and make payment, sell, secure, or take payment of principal and interest. Certificates of Deposit must be purchased only from financial Institutions designated by the Trust which are approved depositories as prescribed by South Dakota Law.

**Section 5.** Authorization is hereby given for members and officials of this Public Agency to serve as Trustees of the South Dakota Public Funds Investment Trust (FIT) from time to time if selected as such pursuant to the provisions of the Declaration of Trust.

**Section 6.** Unless otherwise expressly defined herein, words that are capitalized in the Resolution shall have meanings defined in the Joint Powers Agreement and Declaration of Trust.

Dated this 5th day of January, 2026

Kerry Kline, Mayor  
City of Clark, South Dakota

Attest:

Rae Jean, Flora City Finance Officer

#### **CERTIFICATION**

State of South Dakota )  
) SS:  
County of Clark )

I, the undersigned of the City of Clark (name of Public Agency) State of South Dakota, do hereby certify that the attached is a true and complete copy of the portion of the records of the Governing Body of the named Public Agency and the same is true and complete copy of the portion of the records of the Governing Body of the named Public Agency and the same is true and complete copy of the action taken by the Governing Body of the Public Agency with respect to said matter at the meeting held in the date indicated in the attachment, which proceedings remain in full force and effect and have not been amended or rescinded in any way.

I further certify that the individuals named herein were on the date thereof and lawfully possessed of their respective offices as indicated therein, that no vacancy existed except as may be stated in said proceedings and that no controversy or litigation is pending, prayed or threatened involving the incorporation, organization, existence or boundaries of the Public Agency or the right of the individuals named herein as officers to their respective positions.

WITNESS my hand hereto affixed this \_\_\_\_ day of \_\_\_\_\_, 2026.

By,

Signature \_\_\_\_\_  
Typed Name-Title Kerry Kline, Mayor

### **Second Reading of Ordinance #595 - Elections**

A second reading was held for Ordinance #595 – Elections.

### **Motion # 005-2026**

#### **Approve Ordinance #595 - Elections**

Motion by Nesheim and seconded by Kottke to approve Ordinance #595 - Elections. All members voting yes. Motion carried.

#### **ORDINANCE #595**

AN ORDINANCE ESTABLISHING THE ANNUAL ELECTION DATE FOR THE CITY OF CLARK, SOUTH DAKOTA BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARK, SOUTH DAKOTA:

That pursuant to changes enacted under SDCL 9-13-1, effective January 1, 2026, the annual municipal election is hereby set in the City of Clark, South Dakota, on the first Tuesday after the first Monday in June.

The City Finance Officer is hereby directed to give notice of said municipal election by causing notices to be published according to state law and to take all other steps necessary to conduct the City of Clark municipal election in accordance with state law.

CITY OF CLARK

Kerry Kline  
Mayor

ATTEST:

Rae Jean Flora, City Finance Officer  
(SEAL)

### **Motion # 006-2026**

#### **Approve Operations Manual**

Motion by Kottke and seconded by Dalton to approve the City's Operations Manual. All members voting yes. Motion carried.

### **Motion # 007-2026**

#### **Approve December Meeting Minutes**

Motion by Hagstrom and seconded by Kottke to approve the December 2025 meeting minutes. All members voting yes. Motion carried.

### **Motion # 008-2026**

#### **Approve Financial Statements**

Motion by Nesheim and seconded by Zemlicka to approve the December 2025 financial statements. All members voting yes. Motion carried.

### **Motion # 009-2026**

#### **Approve Claims**

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

#### **DECEMBER CLAIMS**

##### **#, To, For, Amount**

3498, City of Clark, utilities, \$477.73; 3502, Delta Dental of S.D., insurance, \$1,472.35; 32224, Westside Implement, parts, \$149.00; 32225, Clark Building Center & Ranch, repairs, \$132.19; 32226, Oscar's Machine Shop, repairs, \$702.54; 32227, Cook's Wastepaper & Recycling, utilities, \$381.85; 32228, Creative Printing, supplies, \$602.75; 32229, Axon Enterprise, annual fees, \$2,653.21; 32230, Cook's Wastepaper & Recycling, December garbage service, \$8,658.69; 32231, U Drive Technology, texting service, \$58.80; 3500, ITC, utilities, \$809.10; 32232, Jim Zeck, Christ-

mas party catering, \$1,275.00; 32233, Stan Houston Equipment Co., equipment rental, \$190.00; 3501, Quill, supplies, \$240.23; 32234, Star Laundry, laundry service, \$243.10; 32235, Sharp Automotive, repairs, \$135.91; 32236, Helms & Associates, engineering fees, \$560.60; 32237, Westside Implement, equipment, \$132.95; 32238, TW6, LLC, lodging, \$200.00; 32239, Clark Community Oil, supplies, \$1,856.37; 32240, S.D. Golf Association, membership, \$186.00; 3503, S.D. Dept. of Revenue, sales taxes, \$70.25; 3504, S.D. Dept. of Revenue, golf club sales taxes, \$91.38; 32241, Jim Holm, golf course land rental, \$200.00; 32242, Clark Rural Water, materials, \$13,315.00; 32243, Creative Printing, supplies-billing letterhead, \$1,134.33; 32244, 212 Truck & Trailer Repairs, supplies, \$244.26; 32245, Gunderson, Palmer, Nelson, Ashmore, LLC, pool legal fees, \$3,500.00; 32246, Westside Implement, machinery-snow bucket, \$2,350.00; 32247, Blackstrap, Inc., supplies-sand and gravel, \$3,752.60; 3506, Northwestern Energy, utilities, \$555.23; 3507, Amazon Capital Services, supplies, \$184.58; 32248, S.D. Dept. of Transportation, fuel, \$434.85; 3513, Northwestern Energy, utilities, \$12.19; 32251, Forest Excavating, repairs, \$2,157.79; 32252, USA Blue Book, supplies, \$71.92; 32253, Clark County Treasurer, licenses, \$40.70; 3515, A & B Business Solutions, copier, \$86.69; 32254, AT&T Mobile, utilities, \$220.26; 32255, JW Roll Off Service, roll off container removal/dumping, \$437.00; 32256, Helms & Associates, construction drawings, \$1,240.00; 32257, Thein Well, well work at golf course, \$22,894.55; 32258, Blackstrap, Inc., sand/gravel, \$4,015.05; 32259, 212 Truck & Trailer Repairs, repairs, \$112.00; 32260, Jeremy Wellnitz, insurance reimbursement, \$577.18; 32261, April Fitzgerald, insurance reimbursement, \$1,803.28; 32262, Butler Machinery, repairs, \$563.00; 32263, Eastside Equipment, mower for golf club, \$15,000.00; 32264, Sturdevant's Auto Value, parts, \$696.23; 32265, Clark Ace Hardware, parts and supplies, \$510.91; 32266, Star Laundry, laundry/rug service, \$263.52; 32267, U.S. Foods, groceries, \$651.47; 32268, J & J Heating, repairs, \$90.00; 32269, Clark Fire Department, 2025 expenses, \$21,540.87; 32270, Clark Area Community Foundation, 2025 donations, \$1,223.07; 32271, Trittech Software Systems, police zuercher annual fees, \$3,287.25;

**12/3/2025 PAYROLL** Council, payroll, \$2,295.00; 3497, EFTPS, payroll taxes, \$426.16; **12/9/2025 PAYROLL** Mayor, payroll, \$280.77; Finance Office, payroll, \$2,605.39; Govt Buildings, payroll, \$37.13; Police, payroll, \$4,485.77; Streets, payroll, \$5,301.81; Sewer, payroll, \$1,493.35; Water, payroll, \$1,493.65; Transit, payroll, \$367.88; Golf Course, payroll, \$248.63; Library, payroll, \$693.00; 3499, EFTPS, payroll taxes, \$3,467.71; **12/23/25 PAYROLL** Mayor, payroll, \$230.77; Finance Office, payroll, \$2,577.60; Govt Buildings, payroll, \$64.13; Police, payroll, \$4,857.66; Streets, payroll, \$5,105.93; Sewer, payroll, \$1,521.14; Water, payroll, \$1,521.46; Transit, payroll, \$401.63; Golf Club, payroll, \$482.75; Library, payroll, \$708.75; 3511, EFTPS, payroll taxes, \$3,800.05; 32250, S.D. Retirement, retirement, \$4,219.60; 32249, Child Support Payment Center, child support, \$352.62; 3512, AFLAC, employee contributions, \$152.70; **12/31/25 PAY-**

**ROLL** vacation pay out, Finance Office, payroll, \$1,010.00; Police, payroll, \$2,217.89; Streets, payroll, \$1,443.29; Sewer, payroll, \$453.29; Water, payroll, \$453.42.

#### **JANUARY CLAIMS**

S.D. Association of Code Enforcement, membership, \$75.00; S.D. Government Finance Officers Assoc., membership, \$100.00; S.D. Human Resources Association, membership, \$25.00; S.D. Municipal Attorneys Association, membership, \$50.00; S.D. Police Chiefs Association, membership, \$200.00; Wellmark Blue Cross Blue Shield, insurance, \$8,418.10; Northwestern Energy, utilities, \$8,412.23; Creative Printing, supplies, \$297.54; Principal Financial Group, insurance, \$46.62; Vision Service Plan, insurance, \$451.50; SPS Works, pet tags, \$116.83; Delta Dental of S.D., insurance, \$1,519.45; Elan Financial Services, credit card, \$1,998.69; S.D. Dept. of Health, water testing, \$40.00; Eastside Equipment, remainder of mower pymt, \$5,625.18; Mack's Standard, fuel, \$349.11; U Drive Technology, text messaging service, \$50.04; Clark Co. Historical Society, subsidy, \$577.00; Amazon Capital Services, supplies, \$128.79; Quill, supplies, \$165.74; S.D. Rural Development, sewer loan, \$787.00; S.D. Rural Development, water loan, \$908.00; S.D. Rural Development, sewer loan 2, \$1,307.00; USGA, membership dues, \$175.00; City of Clark, utilities, \$1,152.10; Creative Rewards, supplies, \$22.50; **1/6/2026 PAYROLL** Mayor, Payroll, \$280.77; Finance Office, Payroll, \$2,689.40; Govt Buildings, Payroll, \$64.13; Police, Payroll, \$5,290.76; Streets, Payroll, \$4,954.26; Sewer, Payroll, \$1,538.52; Water, Payroll, \$1,538.83; Transit, Payroll, \$333.00; Golf Club, Payroll, \$90.00; Library, Payroll, \$902.50; EFTPS, Payroll Taxes, \$3,694.98.

#### **Moving February Meeting**

Discussion was held on moving the February meeting from February 2 to the February 4, due to the first Monday being on the first business day of the month. February 2 doesn't give enough time for bills to come in. It was decided that since there is also a school concert on February 2, the meeting will be moved to February 4.

### **Motion # 010-2026**

#### **Adjourn**

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

Meeting adjourned at 7:53 p.m.

This institution is an equal opportunity provider and employer.

Mayor Kerry Kline

Attest: Finance Officer  
Rae Jean Flora  
(seal)

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