CodeRED alert system to begin, pool decisions moved to October, ordinances approved at Clark Council meeting

CITY OF CLARK
COUNCIL MEETING
SEPTEMBER 14, 2026

Call to order: The members of the Clark City Council met in regular session on September 14, 2026 at 7:00 p.m. in the City Hall Council Room.

Council Members Present: Andrew Zemlicka, Shane Hagstrom, Brandon Kottke, Jim Zeck, Derrick Dohmann and Todd Warkenthien.

Others Present: Mayor Kerry Kline, Finance Officer Rae Jean Flora, Deputy Finance Officer April Fitzgerald, Police Chief Jeremy Wellnitz, Public Works Superintendent Darin Altfillisch, Golf Clubhouse Manager Tammy Rusher, Larry Dreher, Luanne Warren, Larry Warren, Ryan Meginness, Kay Mahlen and Lacey Helkenn.

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

Motion # 105-2026
Amend Agenda

Motion by Warkenthien and seconded by Kottke to amend the agenda by taking off the executive session and switch item numbers six and seven around. All members voted yes. Motion carried.

Motion # 106-2026
Adopt Amended Agenda

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

All present stood and recited the Pledge of Allegiance.

Public Input

After the mayor inquired if anybody was there for public input and found nobody was present for public input, she moved on to the next item on the agenda.

Department Updates

Jeremy Wellnitz: *Due to the storm sirens no longer working remotely, he presented some options for the Council. If we want to replace the sirens we have now, it would cost between $72,000 and $82,000 or he found another option. It is called CodeRED, and it is a digital option that would only cost between $3,400 and $3,900 a year. This cost includes installation and setup. The council would like to give this option a try for a year and see how it goes. The CodeRED would send out text messages, phone calls and emails when there is inclement weather. It can also be used for a multitude of other things. We will also continue to have the siren on the courthouse, but that has to be set off manually, so Wellnitz and the council feel that this will get to more people faster and more reliably.*

Darin Altfillisch: *Chip sealing is done; the drainage behind South Idaho St. has been taken care of; and they are working to get things ready for winter.*

Tammy Rusher: *The clubhouse is wrapping things up and will probably be closing at the end of September.*

Larry Dreher: *He wants to know about the plans for the lack of water at the golf course. The Council discussed the possibility of dredging the pond and sinking another well. There are pros and cons to both options and will be looked at more closely after the spring thaw. It will help to know if we will have more moisture over the upcoming winter and spring.*

Rae Jean Flora: Her office is working on abatements, code enforcement, ACH audit and budget along with the offices day-to-day duties. The SDML Annual Conference is October 7-9 in Aberdeen. If any of the Council members, Mayor or employees want to attend, they need to let Flora know ASAP so she can get them signed up.

Motion # 107-2026
Approve Department Update

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

North Access to Reidburn's Property

After hearing from neighbors, in the area of the Jeff and Jarvis Reidburn property, behind 824 North Smith St., it was decided to table this decision to the October meeting and ask Jarvis Reidburn to attend and answer some more questions about how his proposal for this access would work.

CCAC Pool Update and Approval for Demolition of Current Pool

Warkenthien updated the council on the progress that the CCAC has made. They have a final plan, which comes in at $2.45 million, down from the original plan of $4.2 million. He asked that the Council table the decision on whether to allow them to begin demolition of the existing pool until the October meeting. By then, the soil borings will be back. The pool house will be left as is and should not be damaged by any of the work being done. They are shooting for a completion date of June 2028.

Motion # 108-2026
Surplus Items

Motion by Kottke and seconded by Zeck to surplus the following: old one-ton pickup, skid loader, push blades and 5,500 watt generator on the Purple Wave Auction Site. All members voted yes. Motion carried.

Motion # 109-2026
Pay to Wellnitz for Camera Installs

Motion by Zeck and seconded by Warkenthien to pay Wellnitz $25.00/hour for the camera installs that he did on his own time. All members voted yes. Motion carried.

Motion # 110-2026
Apply for Forestry Grant

Motion by Hagstrom and seconded by Zemlicka to approve Fitzgerald applying for the Resource Conservation and Forestry Grant to help with new trees, after ash tree removal, due to the ash borer infestation. All members voted yes. Motion carried.

Motion # 111-2026
Contingency Transfers

Motion by Kottke and seconded by Dohmann to approve the following contingency transfers: Elections ($400); Street Lighting ($10,000); Pool ($19,180); Parks ($5,200). All Members voted yes. Motion carried.

First Reading of Ordinance #598 – 2027 Budget

The first reading of Ordinance #598 – 2027 Budget was held.

Second Reading of Ordinance #597 – The Imposition of a Capital Improvement Sales Tax

A second reading of Ordinance #597 – Imposing a Municipal Tax for Capital Improvement Projects was held.

Motion # 112-2026 Approve Ordinance # 597-Imposition of CAP Tax

Motion by Hagstrom and seconded by Zemlicka to approve ordinance #597 to impose a municipal tax for capital improvement projects. All members voted yes. Motion carried.

ORDINANCE NO. 597

AN ORDINANCE OF THE CITY OF CLARK, SOUTH DAKOTA, IMPOSING A MUNICIPAL GROSS RECEIPTS TAX FOR CAPITAL IMPROVEMENT PROJECTS PURSUANT TO SDCL 10-52-19 THROUGH 10-52-25

WHEREAS, the City of Clark, South Dakota (the "City"), is a duly organized municipality authorized to exercise the powers granted to municipalities under the laws of the State of South Dakota; and,

WHEREAS, the 2026 South Dakota Legislature, by House Bill 1245 authorized a municipality to impose a gross receipts tax, in addition to any other tax imposed under SDCL chapter 10-52, to fund capital improvement projects, which authorization is codified at SDCL 10-52-19 through 10-52-25, inclusive; and,

WHEREAS, as a condition of imposing such tax, South Dakota law requires the City to appoint a capital improvement board to approve or reject this Ordinance before the question is submitted to the voters; and,

WHEREAS, the tax authorized by SDCL 10-52-19 may not exceed one percent and must conform in all respects to the state tax imposed under SDCL chapters 10-45 and 10-46, except as to the rate of tax; and,

WHEREAS, the City has determined that certain capital improvements are necessary for the health, safety, and welfare of its residents, including a municipal swimming pool, a municipal fire hall, and a municipal youth sports complex; and,

WHEREAS, the City desires to impose the tax, subject to approval by the City's capital improvement board and further approval by at least sixty percent of the voters voting on the question, to fund such improvements;

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

Section 1. Imposition of Tax.

Pursuant to SDCL 10-52-19, and in addition to any other tax imposed by the City under SDCL chapter 10-52, there is hereby imposed a municipal gross receipts tax at the rate of one percent (1%) upon the gross receipts of all persons within the jurisdiction of the City who are subject to the tax imposed under SDCL chapters 10-45 and 10-46. Except as to the rate of tax, the tax imposed by this Ordinance shall conform in all respects to the state tax imposed under SDCL chapters 10-45 and 10-46.

Section 2. Purpose.

Pursuant to SDCL 10-52-20, the purpose of the tax imposed by this Ordinance is to fund the following capital improvement projects of the City: (1) the acquisition, construction, equipping, repair, and renovation of a municipal swimming pool facility; (2) the acquisition, construction,

equipping, repair, and renovation of a municipal fire hall, and the acquisition, construction, equipping, repair, and renovation of a municipal youth sports complex, together with the acquisition or lease of real property, plant assets, and equipment related to the projects. The City may allocate the moneys generated among the foregoing projects as the governing body determines, consistent with the permitted expenditures set forth in Section 7.

Section 3. Minimum Amount to Be Generated.

Pursuant to SDCL 10-52-20, the minimum amount to be generated by the tax imposed under this Ordinance is One Million Two Hundred Thousand Dollars ($1,200,000.00).

Section 4. Approval by Capital Improvement Board.

Pursuant to SDCL 10-52-20, this Ordinance shall be submitted to the City's capital improvement board appointed under SDCL chapter 9-12. If the capital improvement board approves this Ordinance by a majority vote, the governing body shall submit the question of the imposition of the tax to the voters of the City as provided in Section 5.

Section 5. Submission to Voters; Conduct of Election.

Pursuant to SDCL 10-52-20 and 10-52-21, the question of whether to impose the tax described in this Ordinance shall be submitted to the voters of the City at the next regular or special municipal election. To the extent applicable, the administration and notification of the election shall adhere to SDCL §§ 6-8B-4 and 6-8B-5 governing a bond election. The tax may be imposed only if it is approved by at least sixty percent (60%) of the voters of the City voting on the question.

Section 6. Special Capital Outlay Fund.

Pursuant to SDCL 10-52-22, all moneys collected from the tax imposed by this Ordinance and distributed to the City shall be deposited into a special capital outlay fund of the City and shall be used only for the purposes permitted under Section 7.

Section 7. Permitted Expenditures.

Pursuant to SDCL 10-52-23, the governing body may expend moneys in the special capital outlay fund only for the following purposes: (1) the acquisition or lease, by the City, of real property, a plant asset, or equipment; or (2) the construction, repair, or renovation of real property owned solely by the City or jointly by the City with one or more political subdivisions of the State of South Dakota.

Section 8. Duration.

Pursuant to SDCL 10-52-24, and subject to the notification requirements of SDCL 10-52-9, this Ordinance, and any tax rate affected thereby, shall remain effective until the last day of a calendar quarter that is at least ninety (90) days after notification by the City to the Secretary of Revenue, and occurring on the earlier of: (1) sixty (60) months after the enactment of this Ordinance; or (2) June 30 or December 31 of the year in which the City collects the minimum amount specified in Section 3.

Section 9. Effective Date of Tax.

The tax imposed by this Ordinance shall not take effect unless and until (a) this Ordinance is approved by the City's capital improvement board; (b) the tax is approved by at least sixty percent (60%) of the voters voting on the question; and (c) the City has notified the Secretary of Revenue at least ninety (90) days before the effective date, as required by SDCL 10-52-9. Subject to the foregoing, the tax shall take effect on the January 1 or July 1 permitted under SDCL 10-52-9 next following voter approval and satisfaction of the notification requirement.

Section 10. Severability.

If any provision of this Ordinance is held invalid, such invalidity shall not affect the remaining provisions, which shall remain in full force and effect.

Section 11. Publication and Effective Date of Ordinance.

This Ordinance shall be published as required by law and shall take effect on the twentieth day after its publication; provided, however, that the imposition, effective date, and duration of the tax shall be governed by Sections 5, 8, and 9 of this Ordinance.

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Kerry Kline Mayor

ATTEST:

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Rae Jean Flora, City Finance Officer

First Reading: August 10, 2026
Second Reading: September 14, 2026
Date Adopted: September 14, 2026
Date Published: September 16, 2026
Effective Date: January 1, 2026

Motion # 113-2026 Approve Change Order no. 1 and Final for Micro-Surfacing Project

Motion by Kottke and seconded by Zeck to approve change order number one and final for the 2026 micro-surfacing project. All members voted yes. Motion carried.

Motion # 114-2026
Approve Payment to Astech Corp

Motion by Zeck and seconded by Warkenthien to approve pay request for the 2026 microsurfacing project, in the amount of $33,266.80. All members voted yes. Motion carried.

Motion # 115-2026
Approve August Meeting Minutes

Motion by Kottke and seconded by Hagstrom to approve the August Meeting minutes with the following changes: under the heading Discussion of Access to Jarvis & Jeff Reidburn Property, on page two of the minutes, in the second sentence it should state that Jarvis proposed, not Jeff. All members voted yes. Motion carried.

Motion # 116-2026
Approve Financial Statements

Motion by Zemlicka and seconded by Dohmann to approve August Financial Statements. All members voting yes. Motion carried

Motion # 117-2026
Approve Claims

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

AUGUST CLAIMS
#, To, For, Amount

32719, Darin Altfillisch, equipment, $1,580.00; 3708, A & B Business Solutions, copier contract, $695.80; 3709, A & B Business Solutions, copier contract, $546.09; 32720, Cook's Wastepaper & Recycling, utilities, $399.00; 32721, Menards, supplies, $50.24; 32722, Olson Consulting Service, code enforcement, $1,662.69; 32723, Thein Well, golf course well repairs, $3,137.76; 3710, Northwestern Energy, utilities, $2,509.52; 32726, Verizon Wireless, utilities, $30.02; 32727, S.D. Dept. of Transportation, supplies, $621.98; 3714, Northwestern Energy, utilities, $55.67; 3717, S.D. Dept. of Revenue, golf course sales taxes, $4,786.93; 3718, S.D. Dept. of Revenue, sales taxes, $801.11; 3720, Doll Distributing, liquor, $564.00; 3721, Doll Distributing, liquor, $612.60; 3722, Doll Distributing, liquor, $218.55; 3723, Doll Distributing, liquor, $875.80; 3724, Doll Distributing, liquor, $1,304.40; 3725, Johnsons Bros of S.D., liquor, $2,522.80; 3726, Northwestern Energy, utilities, $8,512.81; 3731, Elan Financial Services, credit card, $1,327.30; 32728, AT&T Mobility, utilities, $135.80; 32729, Georgia Golf Construction, Inc., plug machine at golf course, $8,900.00; 32730, Beacon Athletics, batting cage, $12,494.00; 3734, Dacotah Bank, service charges, $10.00; 3735, Future POS, shift4 monthly fees, $2,574.50; **8/17/26, PAYROLL:** Mayor, payroll, $230.77; Finance Office, payroll, $2,746.65; Govt Buildings, payroll, $85.94; Police, payroll, $4,814.10; Streets, payroll, $4,787.05; Dump, payroll, $360.00; Sewer, payroll, $1,618.46; Water, payroll, $1,618.75; Transit, payroll, $129.50; Pool, payroll, $3,116.76; Golf Course, payroll, $3,195.75; Golf Club, payroll, $4,431.89; Library, payroll, $1,048.00; 3712, EFTPS, payroll taxes, $5,759.42; 32724, S.D. Retirement, retirement, $4,253.44; 32725, Child Support Payment Center, child support, $461.54; 3713, AFLAC, AFLAC withholding, $404.28.

SEPTEMBER CLAIMS

Wellmark Blue Cross Blue Shield, insurance, $8,418.10; Clark Building Center & Ranch Supply, fencing material at golf course, $149.00; Creative Printing, billing letterhead, $1,334.33; Eastside Equipment, parts, $30.48; Elite Pest Solutions, pest control, $400.00; Hawkins, pool chemicals, $242.16; Porter Distributing, alcohol, $961.95; Star Laundry, laundry service, $338.59; Westside Implement, parts, $33.97; WW Tire Service Inc., abatement cleanup, $383.15; Zimco, golf course supplies, $1,152.64; Pitney Bowes, postage, $1,041.99; Principal Financial Group, insurance, $46.62; VSP Vision, insurance, $394.22; Southern Glazers, liquor, $232.21; Delta Dental, insurance, $1,383.45; A&B Business Solutions, copier service agreement, $169.92; Johnson Brothers of S.D., liquor, $686.98; Northwestern Energy, utilities, $2,473.19; Dakota Pump & Control, annual inspection & repairs, $1,919.65; Musser Fencing & Construction, fencing at golf course, $3,082.63; New Dimenstion, LLC, mowing/trimming, $2,500.00; S.D. Dept. of Health, water testing, $140.00; Tony's Electric, electric work at water plant, $1,428.00; Werdel Construction, valley drain by pool, $4,650.00; Chesterman Company, concessions, $1,302.60; Midwest Turf & Irrigation, utility tool, $67.15; Clark County Courier, advertising, $275.47; Dakota Butcher, liquor & concessions, $344.47; Mack's Standard, gas, $428.70; Oscar's Machine Shop, repairs, $218.88; Sturdevant's Auto Value, parts, $932.02; Clark Co. Historical Society, subsidy, $577.00; S.D. Rural Development, sewer loan 1, $787.00; S.D. Rural Development, sewer loan 2, $1,307.00; S.D. Rural Development, water loan, $908.00; Amazon Capital Services, supplies & books, $1,261.27; City of Clark, utilities, $1,814.65; ITC, utilities, $1,665.68; Quill, supplies, $207.12; A-I Computer Solutions, online protection, $20.00; Clark Ace Hardware, supplies, $873.55; Ken's Food Fair, concessions & supplies, $322.43; Creative Rewards, plaque, $28.55; U Drive Technology, texting service, $50.00; U.S. Foods, Inc., concessions & supplies, $11,501.74; VGM Ginancial Services, golf cart lease, $1,903.15; Clark Community Oil, fuel & propane, $271.61; Doug's Service & Marine, Inc., mower repairs, $3,000.00; AgWrx, fuel, $1,337.88; Benders Sewer & Drain, clean sewer mains, $12,680.00; Butler Machinery, repairs on clinic generator, $2,681.96; Cook's Wastepaper & Recycling, september garbage service, $8,866.26; Dacotah Bank, supplies & conference registration, $448.15; Olson Consulting Service, code enforcement, $1,633.18; S.D. Dept. of Transportation, advertising, $16.00; Northwestern Energy, utilities, $153.67; Midwest Coating Company, chip sealing, $55,930.82; Clark Rural Water, materials, $20,110.00; JW Roll Off Service, rolloff service, $428.60; Northern Con-Agg, materials, $475.61; **9/1/2026:** Mayor, payroll, $280.77; Finance Office, payroll, $2,738.61; Govt Buildings, payroll, $48.13; Police, payroll, $4,630.77; Streets, payroll, $5,070.18; Dump, payroll, $480.00; Sewer, payroll, $1,586.83; Water, payroll, $1,587.13; Transit, payroll, $247.25; Golf Course, payroll, $3,369.50; Golf Club, payroll, $3,223.50; Library, payroll, $754.88; EFTPS, payroll taxes, $5,032.55; **9/15/2026:** Mayor, payroll, $230.77; Finance Office, payroll, $2,671.60; Govt Buildings, payroll, $85.94; Police, payroll, $4,767.43; Streets, payroll, $4,853.38; Dump, payroll, $480.00; Sewer, payroll, $1,633.10; Water, payroll, $1,633.42; Transit, payroll, $441.00; Golf Course, payroll, $2,964.50; Golf Club, payroll, $3,147.76; Library, payroll, $759.00; EFTPS, payroll taxes, $5,075.02.

Motion # 118-2026
Adjourn

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

Meeting adjourned at 9:22 p.m.

Next Meeting Date

Next Meeting Date is October 5, 2026 at 7:00 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)

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9-23-26