

**Bridgewater City Council Regular Meeting Minutes
August 6, 2012 7:00 pm**

The City Council of the City of Bridgewater met in the Council Room for their regular meeting on 08/06/12. The City Council meeting was called to order at 7:00 pm by Mayor Ronald H Pringle. Answering roll call was Bob Anderson, Phil Heiberger, Caron Neumann, and Mayor Pringle. Zach Guentner arrived at 7:08. Absent were George Guentner and Jerry Paweltzki. Others present: Finance Officer - Joan Julson, Maintenance – Todd Letcher, Vern Arens (Arens Engineering), Rick Reed (Golden West), William Stahl and Sandi Tschetter.

Due to the lack of a quorum, meeting started with the Maintenance Report by Todd Letcher.

- Tree branches hanging in the street or parking areas in need of trimming before winter snow removal.
- On south Main, the bush by the Historical sign needs trimming back
- Visu-Sewer will be here next week to do sewer lining. Questions were asked about what to do with the old lines that are no longer in use. Visu-Sewer doesn't want to be responsible for any used lines that could mistakenly not get hooked back up. Council decided to put dye in all the sinks, drains, toilets in all the businesses and buildings on Main to see which ones are used and which are the old unused/unusable ones.

Zach Guentner arrived at this time and we now have a quorum for the meeting.

The minutes of the July 9th regular meeting and the July 12th special meeting were sent to the council for reading prior to the meeting. Motion by Z. Guentner, second by Anderson to approve the minutes of the July 9th regular meeting with the correction of the Fred Haar payment to \$32.37 since some items were returned and also to approve the minutes for the July 12th special meeting. Motion carried.

The July Financial statement was sent out to the council for reviewing prior to the meeting. After discussion, a motion was made by Anderson, second by Heiberger to approve the July Financial Statement. Motion carried.

2nd reading of Supplemental Budget Ordinance A-88 was done. Motion by Heiberger, second by Z Guentner to approve Supplemental Budget Ordinance A-88. Roll Call - All present voted aye. Motion carried.

**CITY OF BRIDGEWATER
ORDINANCE NO. A-88
2012 SUPPLEMENTAL APPROPRIATIONS ORDINANCE**

Be it ordained by the City of Bridgewater that the following sum is supplementally appropriated to meet the obligations of the municipality.

Tax Supported Funds

| | | | |
|-----|--------------|-----------------------------|-------------|
| 101 | General Fund | | |
| | 45200 | Parks | |
| | | 41121 Summer Youth Director | \$310.00 |
| | | 41200 Payroll taxes | \$105.00 |
| | | 42300 Publishing | \$100.00 |
| | | 43400 Machinery & Equipment | \$7,000.00 |
| | | | <hr/> |
| | | Total Appropriations | \$7,515.00 |
| | | | <hr/> <hr/> |

Source of Funding

| | | |
|-----|---------------------------|-------------|
| 101 | General Fund | |
| | Undesignated Fund Balance | \$7,515.00 |
| | | <hr/> |
| | Total Means of Finance | \$7,515.00 |
| | | <hr/> <hr/> |

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|----------------|--------------------------|
| First Reading | <u>July 9, 2012</u> |
| Second Reading | <u>August 6, 2012</u> |
| Publication | <u>August 16, 2012</u> |
| Effective | <u>September 5, 2012</u> |

| | |
|------------------|----------------|
| Ronald H Pringle | August 6, 2012 |
| Mayor | Date |

ATTEST:

Joan M Julson - Finance Officer

(SEAL)

The bills for the month of July were reviewed. After discussion a motion was made by Z. Guentner, second by Neumann to approve the July bills. Motion carried.

Maintenance Report continued:

- Chip and seal went well this year. The condition of some of our streets and what should be done with them was discussed at length.
- William Stahl's, 511 N Cherry Ave, sewer line has been found to be hooked into the storm sewer. Discussed with Mr Stahl later in the meeting.

Rick Reed from Golden West was here to answer any questions on the renewal of the Cable Television Franchise Resolution 12-0806. After discussion, a motion was made by Heiberger, second by Z Guentner to approve Resolution 12-0806 Approving the Renewal of Cable Television Franchise. Roll Call - All present voted aye. Motion carried.

**RESOLUTION 12-0806
RESOLUTION OF THE CITY OF BRIDGEWATER, SOUTH DAKOTA
APPROVING RENEWAL OF CABLE TELEVISION FRANCHISE**

WHEREAS, the City of Bridgewater (the "City") originally passed and adopted City Ordinance No. 65-95, which was adopted November 6, 1995, and published on November 30, 1995 (the "Franchise"), which Franchise granted unto Satellite Cable Services, Inc. a South Dakota corporation ("Satellite"), its successors and assigns, the right to erect, own, operate and maintain a community antenna television system in Bridgewater, South Dakota;

WHEREAS, pursuant to Resolution No. 00-0918, which was passed, adopted and approved on September 18, 2000, the Franchise was transferred to Mediacom Minnesota, LLC, a Delaware limited liability company ("Mediacom");

WHEREAS, pursuant to Resolution No. 06-1204A, which was passed, adopted and approved on December 4, 2006, and is attached hereto as Exhibit A and incorporated herein by this reference (the "Transfer Resolution"), the Franchise was transferred to Golden West Cablevision, Inc., a South Dakota corporation ("Franchisee");

WHEREAS, the Franchise is set to expire March 15, 2013;

WHEREAS, Franchisee has requested the City's approval, authorization and consent to renew the Franchise and to allow Franchisee to continue to operate as the Grantee, as defined, under the terms, provisions and conditions of the Franchise;

WHEREAS, the City desires to renew the Franchise with Franchisee, the duly authorized holder of the Franchise, pursuant to the terms, provisions and conditions of this Resolution;

NOW THEREFORE, BE IT RESOLVED BY THE CITY AS FOLLOWS:

SECTION 1. *The City hereby approves, authorizes and consents to the renewal of the Franchise, under the same terms, provisions and conditions, for a duration of fifteen (15) years from and after the effective date hereof.*

SECTION 2. *The City confirms that (a) the Franchise was properly granted and transferred to Franchisee by the Transfer Resolution, (b) the Franchise remains in full force and effect, (c) the Franchise supersedes all other agreements between the parties, (d) the Franchise represents the entire understanding of the parties and Franchisee has no obligations to the City other than those specifically stated in the*

Franchise, and (e) Franchisee is materially in compliance with the terms, provisions and conditions of the Franchise and there exists no fact or circumstances known to the City with constitutes or which, with the passage of time or the giving of notice or both, would constitute a material default or breach under the Franchise or would allow the City to cancel or terminate the rights thereunder.

SECTION 3. This Resolution shall be deemed effective upon the date of enactment.

SECTION 4. This Resolution shall have the force of a continuing agreement with the Franchisee, and the City shall not amend or otherwise alter this Resolution or the Franchise without the express written consent of Franchisee.

PASSED, ADOPTED AND APPROVED this 6th day of August 2012.

By: Ronald H Pringle
Mayor

Attest:

Joan M Julson
Finance Officer

I, the undersigned, being the duly appointed, qualified and acting Clerk of the City of Bridgewater, hereby certify that the foregoing Resolution No.12-0806 is a true, correct and accurate copy as duly and lawfully passed and adopted by the governing body of the City on the 6th day of August, 2012.

Joan M Julson
Finance Officer

William Stahl visited with the council about his sewer line that is hooked into the storm sewer line. Council addressed this situation and since we have taken over all the private lines they feel that we have no choice but to fix this line. Motion by Z Guentner, second by Anderson to fix the sewer line at 511 N Cherry Ave and go south to a sanitary sewer line for hook-up. Motion carried.

Government Buildings/Municipal Liquor Store: The exhaust fan at the liquor store isn't working well. Todd will be getting bids for fixing/repairing/replacing. The final bar totals for Richard Stevens were gone over.

Contracted Law Enforcement: no monthly report was received. .

Code Enforcement: Getting another dumpster for clean-up was discussed. Another rolloff dumpster will be on the west side of the firehall as before starting the 27th of August. It will be there until full and same rules apply as before. Dog complaints were received and addressed.

Building Permit: Motion by Heiberger, second by Z Guentner to approve the building permit for Steven Svancara. Motion carried. Planning and Zoning Committee will be meeting on thursday the 16th of August.

Water & Sewer/Sewer Project: Vern Arens – Arens Engineering discussed the project and Change Order #1. The change order was for adding an additional manhole removal and replacement at 6th & Main and also for adjustment of concrete pavement replacement since larger holes had to be made for the deeper manholes. Motion by Z Guentner, second by Heiberger to approve Change Order #1. Roll Call - All present voted aye. Motion carried. Visu-Sewer will be here on the 14th – 16th of August to do the lining of the sewer line. Council continued discussion on the dyeing of the active lines. We asked Vern to talk with Visu-Sewer about the cost of doing the dyeing since it wasn't in the project costs and to remind them that we did allow them the 30 day extension for a very reasonable fee. Visu-Sewer will be sending a disc of the sewer line when it was jetted. The unevenness of the asphalt patch from 7th thru 8th street was discussed. Vern will also look into it again. Council discussed with Vern about getting some of the older trench concrete areas fixed on Main Ave from 2nd to 4th St. Also discussed with Vern the repairing of some of these streets and correcting the grade of them later this year or next. He'll talk to some contractors for these small projects. He plans on coming to the September meeting.

1st Reading of the Budget was done.

Motion by Heiberger, second by Z Guentner to adjourn. Motion carried. Time 8:43 pm. Next meeting is September 10th .

Ronald H Pringle - Mayor

Joan M Julson – Finance Officer

July bills to be paid in August:

Salaries (Gross): Joan M. Julson-includes 4¾ hr OT, 2027.36; Todd Letcher-includes ½ hr OT, 2359.39; Matthew Anderson, 679.71; Natasha Letcher, 240.00; Ambulance Payroll, 2401.00; EFTPS-July payroll taxes, 1537.17; SDRS-Employee payment & city match of retirement, 526.42.

Supplies: Barco Municipal Products—"Daycare Children Present" signs (2), 172.82; C&B Operations/Fred Haar Company—restocking fee on returned items, 6.67; Campbell's—animal control supply, 87.49; Freeman Lumber Co—painting supply for firehall, 117.80; Julson, Joan—printer ink, 36.97; Menards—various supply for firehall, streets, animal control, summer rec, 163.57; Meyer Motor LLC—mostly tanker batteries, 439.41; Potter's Tire & Service—gas, diesel, 368.22; Schwans Market—FO supply, 4.59; Sturdevants—pkup door handle, 8.23.

Repair & Maintenance: Bender's Sewer & Drain—pump out septic tank @ 220 S Oak Ave, 209.50; Ensz Htg & AC—serviced bar AC, 84.18; Road Guy Construction Inc—chip and seal, 38370.05; Steamway Cleaning—firehall carpet cleaning, 255.25.

Beer and Liquor: (paid in July) Beal Distributing, Inc., 1852.45; Dakota Beverage, 833.60; Republic National Distributing Co, 928.46.

Miscellaneous: A&B Business Inc-Copier Maintenance contract, 38.80; Addy Disposal-dumpsters, 40.00; Bridgewater Development Corp—monthly donation, 100.00; Bridgewater Tribune—July publishing, 137.56; Nordwald Rentals—Sept rent (Payable 9/1/12), 350.00; McCook County—Contracted Law Enforcement monthly payment, 2015.00; Petty Cash—postage, 30.38; PRI Asphalt Technologies—asphalt oil testing, 260.00; R&S Sanitation—rolloff dumpster for city clean-up, 376.58; SD Dept of Revenue—water testing, 13.00; SD One Call-12 faxed locates, 13.32; SD State Treasurer—July garbage, etc. sales tax, 226.80; Stevens, Richard—liquor payback, 16336.49.

Utilities (Paid in July): Addy Disposal, 3515.00; Golden West, 230.11; Hanson Rural Water, 5399.80; Xcel Energy, 1570.15.

Insurance: AFLAC-reimbursed by employees, 273.24; Health Pool of SD, 2926.82.

Professional: Fink Law Office PC- July statement, 560.61.

Published once at the approximate cost of \$118.52.