

Bridgewater City Council Regular Meeting Minutes
April 10, 2014 7:00 pm

The City Council of the City of Bridgewater met in the Council Room for their regular meeting on 04/10/14. The meeting was called to order at 7:00 pm by Acting Mayor George Guenther. Answering roll call were Bob Anderson, George Guenther, Zach Guenther, Caron Neumann, and Jerry Paweltzki. Absent: Phil Heiberger. Others present: Finance Officer - Joan Julson, Maintenance – Todd Letcher, Attorney Mike Fink, and Vern Arens (Arens Engineering).

The minutes of the March regular meeting were sent to the council for reading prior to the meeting. Motion by Neumann, second by Anderson to approve the minutes of the March 10th regular meeting. Motion carried.

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

The bills for the month of March were reviewed. A motion was made by Paweltzki, second by Anderson to approve the March bills. Motion carried.

Maintenance Report by Todd Letcher:

- Reported that he would be attending a class on mosquito sprayers in Sioux Falls instead of the wastewater class in Pierre. EPA is changing the mosquito sprayer specifications.
- Pumping down at the lagoon.
- Street pot hole filling as soon as he can get asphalt
- Drain at alley by Schwans Market caved in. Motion by Z Guenther, second by Paweltzki to have CMC fix this drain if under \$1000. Motion carried.
- Some of the alleys in the business area need some extra gravel.
- Sidewalk & steps going into the basement on south side of BQM are giving away and caving in. The dirt is also falling away under the sidewalk. Due to the emergency situation, a letter will be sent to BQM to fix within 2 weeks.

At 7:15 Acting Mayor G Guenther opened up the Public Hearing for the Lucky Horseshoe temporary 2 day beer/liquor license for an Adult Prom at the Legion Hall. No one came to express any concerns or objections, so a motion was made by Neumann, second by Z Guenther to grant the 2 day temporary beer/license to the Lucky Horseshoe for their Adult Prom on the 3rd of May at the Legion Hall. All present voted aye. Motion carried.

Streets & Alleys: After discussion 2nd Reading was done for Ordinance #2014-2 - Revision on Ordinance 3.0111 Impounding. Motion by Anderson second by Paweltzki to adopt Ordinance #2014-2 - Revision on Ordinance 3.0111 Impounding. Roll Call Vote – all present voted aye. Motion carried.

CITY OF BRIDGEWATER
ORDINANCE # 2014-2

AN ORDINANCE REVISING BRIDGEWATER MUNICIPAL ORDINANCES, CHAPTER 3.0111 IMPOUNDING.

BE IT ORDAINED BY THE CITY OF BRIDGEWATER, MCCOOK COUNTY, SOUTH DAKOTA:

That Ordinance 3.0111 IMPOUNDING shall be amended to read as follows:

3.0111 IMPOUNDING. The City Council shall be authorized to remove or have removed any vehicle left at any place within the city which reasonably appears to be in violation of this chapter, or is lost, stolen or unclaimed. In the event the council authorizes such removal, such vehicle shall be towed/removed by any commercial towing service given such authorization by the City Council and impounded by such service until lawfully claimed or until disposed of by the towing service. ~~A daily storage charge as established by the City Council shall be assessed each vehicle until such vehicle is claimed.~~ The owner of the vehicle shall be responsible for all towing costs, in addition to a towing charge in an amount set by the City Council. The City shall not be liable for any damages to property or persons occurring as a result of towing or storage.

Dated this 10th day of April, 2014.

First Reading: March 10, 2014
Second Reading and Adoption: April 10, 2014
Ayes: 5 Nays: 0 Absent: 1
Publication: April 17, 2014
Effective Date: May 7, 2014

George A Guenther, Acting Mayor
City of Bridgewater

ATTEST:

Joan M Julson - Finance Officer
(SEAL)

Discussion was held on Ordinance #2014-3 - Revision on Ordinance 7.0301 Parking in Streets During Snow Removal, but 2nd reading and motion to adopt will be done at May meeting due to the various changes.

2nd Reading was done on Ordinance #2014-4 - Revision on Ordinance 7.0302 Towing Vehicles. Motion by Z Guenther second by Anderson to adopt Ordinance #2014-4 - Revision on Ordinance 7.0302 Towing Vehicles. Roll Call Vote – all present voted aye. Motion carried.

CITY OF BRIDGEWATER
ORDINANCE # 2014-4

AN ORDINANCE REVISING BRIDGEWATER MUNICIPAL ORDINANCES, CHAPTER 7.0302 – TOWING VEHICLES.

BE IT ORDAINED BY THE CITY OF BRIDGEWATER, MCCOOK COUNTY, SOUTH DAKOTA:

That Ordinance 7.0302 – TOWING VEHICLES shall be amended to read as follows:
7.0302 – TOWING VEHICLES. Any law enforcement official shall be authorized to remove and tow away, or have removed and towed away ~~by any commercial towing service~~ by such commercial towing service as identified by the City Council by resolution, any vehicle illegally parked in any place where such vehicle creates or constitutes a traffic hazard, blocks the use of a fire hydrant, or obstructs or may obstruct the movement of any emergency vehicle, or in any way is in violation with the provisions of this Title. Vehicles towed away for illegal parking shall be stored by such commercial towing service or in ~~a~~ another place designated by the City Council and shall be restored to the owner or operator of such vehicle upon payment of all costs of towing and storage fees, in addition to a towing charge in an amount set by the City Council by resolution. Any such vehicle shall remain impounded until lawfully claimed (and payment of all fees and costs made) or until lawfully disposed of by the commercial towing service. The City shall not be liable for any damages to property or persons occurring as a result of towing or storage. ~~a fee of twenty five dollars (\$25.00) plus towing charges, within twenty four (24) hours after the time such car was removed, plus five dollars (\$5.00) for each additional twenty four (24) hours or fraction thereof.~~
(SDCL 32-30-13,14)

Dated this 10th day of April, 2014.

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Ayes: 5 Nays: 0 Absent: 1
Publication: April 17, 2014
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George A Guenther, Acting Mayor
City of Bridgewater

ATTEST:

Joan M Julson - Finance Officer
(SEAL)

2nd Reading was done on Ordinance #2014-5 - Revision on Ordinance 7.0303 Abandoned Vehicles. Motion Paweltzki second by Z Guenthner to adopt Ordinance #2014-5 - Revision on Ordinance 7.0303 Abandoned Vehicles. Roll Call Vote – all present voted aye. Motion carried.

CITY OF BRIDGEWATER

ORDINANCE # 2014-5

AN ORDINANCE REVISING BRIDGEWATER MUNICIPAL ORDINANCES, CHAPTER 7.0303 – ABANDONED VEHICLES.

BE IT ORDAINED BY THE CITY OF BRIDGEWATER, MCCOOK COUNTY, SOUTH DAKOTA:

That Ordinance 7.0303 – ABANDONED VEHICLES shall be amended to read as follows:
7.0303 – ABANDONED VEHICLES. The abandonment of a motor vehicle or other vehicle or any part thereof on any street in the City shall be subject to action and penalties as provided for in this Title. The abandonment of a motor vehicle or other vehicle or any part thereof on private or public property, other than a street, in view of the general public, anywhere in the City shall be prohibited except on property of the owner of such abandoned vehicle. A motor vehicle or other vehicle or any part thereof so abandoned on private property may be authorized for removal by or upon the order of the City Council after a waiting period of ten (10) days or more has expired. Such vehicles shall be impounded pursuant to Section 7.0302. The provisions of this Section may be waived for commercial or business enterprises insofar as off-street parking is concerned. (SDCL 32-30-12.1)

Dated this 10th day of April, 2014.

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Ayes: 5 Nays: 0 Absent: 1

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George A Guenthner, Acting Mayor
City of Bridgewater

ATTEST:

Joan M Julson - Finance Officer

(SEAL)

2nd Reading was done on Ordinance #2014-6 - Revision on Ordinance 7.0304 Towing Costs. Motion Z Guenthner second by Neumann to adopt Ordinance #2014-6 - Revision on Ordinance 7.0304 Towing Costs. Roll Call Vote – all present voted aye. Motion carried.

CITY OF BRIDGEWATER

ORDINANCE # 2014-6

AN ORDINANCE REVISING BRIDGEWATER MUNICIPAL ORDINANCES, CHAPTER 7.0304 – TOWING COSTS.

BE IT ORDAINED BY THE CITY OF BRIDGEWATER, MCCOOK COUNTY, SOUTH DAKOTA:

That Ordinance 7.0304 – TOWING COSTS shall be amended to read as follows:
7.0304 – TOWING COSTS. When a an abandoned vehicle is removed from either public or private property, as authorized by order of the City Council, the owner of the vehicle shall be responsible for all towing costs ~~in addition to the~~ and fees as provided for in Section 7.0302 ~~7.0503 hereof~~. In addition, the City shall not be liable for any damages to property or persons incurred as a result of such towing or storage.

Dated this 10th day of April, 2014.

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Joan M Julson - Finance Officer
(SEAL)

Attorney Fink also discussed with the council a towing contract for a Commercial Entity. Tabled until May meeting.

Water & Sewer: Council noted a letter from Hanson Rural Water stating their need to increase water rates by \$.20 per thousand gallons of water due to rising operating costs and B-Y Water raising the cost of the water they purchase.

Council discussed with Vern Arens of Arens Engineering about getting some cost estimates for replacing the water main & street surface on Main Ave. He thought he would be back at the July meeting with this information. This information is needed to get onto the State Water Plan to be eligible for any funding.

Ambulance: 2nd Reading was done on Ordinance #2014-1 Revision of Ordinance 1.06 Ambulance Service was done. Motion Z Guenther second by Anderson to adopt Ordinance #2014-1 - Revision on Ordinance 1.06 Ambulance Service. Roll Call Vote – all present voted aye. Motion carried.

CITY OF BRIDGEWATER

ORDINANCE # 2014-1

AN ORDINANCE REVISING BRIDGEWATER MUNICIPAL ORDINANCES, CHAPTER 1.06 AMBULANCE SERVICE.

BE IT ORDAINED BY THE CITY OF BRIDGEWATER, MCCOOK COUNTY, SOUTH DAKOTA, THAT CHAPTER 1.06 BE AMENDED AS FOLLOWS:

CHAPTER 1.06 – AMBULANCE SERVICE

1.0602. Bylaws. The Ambulance Service shall have the power to formulate and adopt bylaws for its government not inconsistent with the Provisions of this chapter and the Provisions of the Personnel Manual for the City. These bylaws and any subsequent revision shall be submitted to the City Council for prior approval.

1.0607. Members Shall Receive Compensation. The members of the Ambulance Service shall receive compensation from the City for services rendered to the City as licensed ambulance attendants as provided by ~~the city ordinances~~ resolution from time to time.

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(SEAL)

Law Enforcement: Report for March was noted.

Parks & Recreation: 4th of July was discussed. Finance Officer informed council that she would not be here to run the 4th of July bean bag tournament & kids money find this year. Council instructed finance officer to put in an ad to see if someone would volunteer to do the bean bag tournament & kids money find this year.

Code Enforcement: Council discussed with Attorney Fink Senate Bill 75 (vicious dog ordinance 5.0206B) that will become effective in July.

A complaint letter was received on a home that needs yard clean-up. After discussion about this home and another home, a motion by Anderson second by Z Guentner to have Attorney Fink investigate these complaints and if it's a nuisance, give demand to clean-up within 2 weeks. Motion carried.

The official canvass of the April 8th election results was done. The results of the election for Councilperson Ward III were as follows: Lacey Weber – 26 votes and Kenneth E Haugen – 3 votes. Motion by Z Guentner, second by Neumann to approve the results of the official canvas. All present voted aye. Motion carried. Oaths of Office will be taken at the May meeting.

Motion by Z Guentner, second by Anderson to sign the agreement with McCook County for the "SAM" speed detection trailer. Motion carried.

G Guentner and Paweltzki volunteered to represent the city at the Consolidated Board of Equalization meeting on April 15th in Salem.

Motion by Z Guentner, second by Neumann to adjourn. Motion carried. Time 8:23 pm. Next meeting is May 5, 2014.

George A Guentner – Acting Mayor

Joan M Julson – Finance Officer

Claims:

Payroll by Dept.: Ambulance 3212.06; Finance Office 648.07; Fire 26.50; Liquor 146.85; Parks 253.60; Sewer 760.42; Streets 982.21; Water 1320.61; EFTPS-March payroll taxes 1874.57; SD Retirement System-employee & city match, 529.56.

Supplies: Butler Machinery Co–supply, 50.07; Campbell Supply–Maintainer paint & shop supply, 271.38; Farmer's Alliance–3/28 shop propane, 647.50; Fensel's Electrical Supply–shop supply, 28.18; M/S Pump-N-Stuff–gas, 184.13; Matheson-amb oxygen, 59.40; Menards–shop & firehall cleaning supplies, 33.82; Potter's Tire & Service–gas and diesel, 285.85; Schwans Market–supply, 3.59; SF Auto Glass–sign polycarbonate, 50.00; Sturdevants–shop supply, 64.34; Zabel Steel–Sq tubing, 25.91.

Repairs & Maintenance: Anderson Trucking–teardown, remove & burn house & trees @ 951 E 1st St, 3250.00.

Beer and Liquor: (paid in March) Beal Distributing, Inc., 1879.40; Dakota Beverage, 1341.10; Johnson Brothers Famous Brands, 485.65; Republic National Distributing Co, 422.26.

Miscellaneous: A&B Business Inc–Maintenance contract, 42.69; Addy Disposal-dumpsters, 40.00; Banyon Data Susters-2014 WINFUND support, 795.00; Bridgewater Development Corp–monthly donation, 100.00; Bridgewater Tribune–March publishing, 323.98; First National Bank in SF-SRF Sewer Loans #2 & #3, 8834.09; Hofer, Evelyn J–election official, 125.00; Hofer, Irene–overpay on 11/2/13 amb trip, 43.04; Nordwald Rentals–May rent (Payable 5/1/14), 350.00; McCook County–Contracted Law Enforcement monthly payment, 2015.00; Petty Cash–postage, 10.32; SF Area Humane Society–animal follow-up call, 99.10; SD Assoc of Towns & Townships–2014 Annual dues, 263.00; SD Dept of Revenue–water testing, 13.00; SD State Treasurer–March garbage, etc. sales tax (includes a 1.5% credit allowance (\$3.19) for timely payments), 209.18; SD Unemployment Ins Div–1st Q payment, 43.04; VanWoert, Elaine–election official, 125.00; Vondra, Sherril–election official, 125.00.

Utilities (Paid in March): Addy Disposal, 3373.50; Golden West, 250.45; Hanson Rural Water, 4020.60; Stern Oil-Legion Hall propane, 495.00; Xcel Energy, 1869.80.

Insurance: AFLAC-reimbursed by employees, 273.24; CNA Surety-Public Officials Bond, 567.50; Health Pool of SD, 3076.94.

Professional: Fink Law Office PC-March statement, 332.95.

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