

**Bridgewater City Council Regular Meeting Minutes**  
**October 5, 2015 7:00 pm**

The City Council of the City of Bridgewater met in the Council Room for their regular meeting on 10/05/15. The meeting was called to order at 7:00 pm by Mayor Michael Damm. Answering roll call were Bob Anderson, Mayor Damm, Phil Heiberger, Travis Holthaus, Jerry Paweltzki, and Lacey Weber. Absent: Zach Guenther. Others present: Finance Officer-Joan Julson, Maintenance-Todd Letcher, Attorney Mike Fink, Sandi Tschetter, RaDel Frye, Ken Haugen, and Sheriff Mark Norris.

At this time Mayor Damm read a statement he had prepared concerning a sign at the ball park that was put up by Jerry Paweltzki. After this statement by Mayor Damm, Phil Heiberger stated that he resigned and left the meeting. After council discussion, council continued with the meeting.

The minutes of the Sept 8<sup>th</sup> regular meeting were sent to the council for reading prior to the meeting. Motion by Weber, second by Holthaus to approve the minutes of the September 8<sup>th</sup> regular meeting. Motion carried.

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

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

Maintenance Report by Letcher:

- Mainly been working on streets

Streets & Alleys: Breakdown of the chip seal is as follows: Chip Seal approx.15 blocks (about 6 blocks of double coat)-\$31,334.75; Fog Seal-\$3,109.84.

Weber brought to the council, a quote from a company she found on-line for rubber speed bumps. For 4(four) 6' heavy duty rubber speed bumps thru Traffic Safety Store the cost for these were around \$688 including shipping. The company did also recommend signs saying "Speed Bumps Ahead" to warn people. Motion by Weber, seconded by Paweltzki to order 4 of the 6' rubber speed bumps and a couple of signs from the Traffic Safety Store. Motion carried.

A proposed plan for 2016 street work was gone over. Council would like to see that the streets that need to be worked on, do not get any chip and seal until these roads are repaired. The area coming off of Hwy 262 onto 4<sup>th</sup> St by Jerry Weber Sr needs to be dug up/out & repaired. They are hoping that CMC Excavation could get it dug out this fall, so that it will get packed well and sit before any type of top coating is applied. 4<sup>th</sup> street between Poplar & Walnut Ave was also discussed. The drainage on this section is very poor and something that needs to be addressed since there is no gutter on either side of the street. Figures will try to be put together to see the cost of redoing these two blocks. Street committee will get together to look over other areas also.

**Code Enforcement:** A question was asked if this new change was per dog. Attorney stated that it wasn't – it's per incident of barking. Holthaus questioned whether the change was really necessary since it seems like the original ordinance was never really used. Attorney Fink explained the ordinance in further detail. 2<sup>nd</sup> reading of Ordinance 2015-1 amending Ordinance 5.0207 – Disturbance of Peace by Animals was done. Motion by Weber to approve, second by Anderson. Roll Call Vote: Anderson – aye; Holthaus – nay; Paweltzki – aye; Weber – aye. Motion carried.

**CITY OF BRIDGEWATER**  
**ORDINANCE NO.2015-1**

*AN ORDINANCE REVISING BRIDGEWATER MUNICIPAL ORDINANCES, SECTION 5.0207 - "DISTURBANCE OF PEACE BY ANIMALS".*

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

*That Ordinance 5.0207 DISTURBANCE OF PEACE BY ANIMALS shall be amended to read as follows:*

***"5.0207 DISTURBANCE OF PEACE BY ANIMALS. The owner of an animal shall not allow such animal to disturb the peace and quiet of the neighborhood, also construed to mean the City, through barking or any other manner possible. Upon complaint, such owner will be notified by a law enforcement officer and said owner shall abate such nuisance. If convicted upon failure to abate such nuisance, said owner shall be fined a sum of ~~twenty five (25) dollars~~ of **thirty (30) dollars**. If a second **or subsequent** violation occurs within a twelve (12) month period, said owner shall be fined a sum of ~~fifty (50) dollars~~. If a third violation occurs within a twelve (12) month period, said owner shall be fined a sum of one hundred (100) dollars shall be Summoned to appear in court, and upon conviction, the penalty shall be established by the Presiding Judge (with such penalty falling within the maximum penalty established for a Class 2 Misdemeanor). Moreover, in the event of a conviction for second or subsequent offense, which offense involves the same dog or cat, the License issued for such animal (pursuant to Ordinances 5.0211 and 5.0212) is **revoked as of the day Judgment is pronounced by the Sentencing Judge, and no further license shall be issued for such animal unless such a license is first approved by the City Council at its sole discretion and upon such terms and conditions as the Council may set.** In the event of such a revocation, the subject dog or cat must be removed from the city limits within 24 hours and may not be returned unless a License is issued as set forth in this section. A violation of this provision (failure to remove a dog or cat following revocation of its License) is a misdemeanor and each day a dog or cat is retained within the City limits, may be charged as a separate violation.***

First reading: September 8, 2015  
Second reading and Adoption: October 5, 2015  
Ayes: 3 Nays: 1 Absent: 1  
Publication: October 15, 2015  
Effective Date: November 4, 2015

Michael Damm - Mayor  
City of Bridgewater

(SEAL)

ATTEST:

Joan M. Julson, Finance Officer

Water & Sewer: Discussed the Main Street water line project and whether we should still pursue it. Letcher stated that the line is original and is an old cast line. He's afraid that during winter time it will break and then we will have bigger problems. Finance Officer instructed to proceed with finding out what funding we can get.

Health & Landfill: Trees at the dump will be getting burned when it snows.

Government Buildings/Municipal Liquor Store: Motion by Paweltzki, second by Holthaus to renew the 2016 Municipal On & Off Sale Liquor Licenses. Motion carried. RaDel Frye told the council that the floor in the women's bathroom in the bar did not pass the last inspection – tiles missing. They talked about putting in the same type of floors as are in the firehall bathrooms and kitchen. Committee will look into it. RaDel Frye also told the council that he would like to have a dart tournament on Dec 12<sup>th</sup> at the Legion Hall and will need a temp beer license. Public Hearing will be at Nov meeting.

Ambulance: Finance Officer was asked to look into what other towns are paying their EMT's & drivers and report at the next meeting.

Law Enforcement: Monthly report for September was received. Sheriff Norris was here to answer any questions. Motion by Anderson, second by Weber to sign the Law Enforcement Services Agreement with McCook County. Motion Carried.

Code Enforcement con't: Attorney Fink went over a list of various nuisance properties that he and Letcher compiled at the request of the council. These areas may have buildings that need to be removed/repared and/or just general clean-up. Addresses included in this list are: 301 N Main, 440 E 4<sup>th</sup> St, 431 N Poplar Ave, 550 E 4<sup>th</sup> St, 750 E 1<sup>st</sup> St, 323 S Ash Ave, 101 S Oak Ave, 141 N Oak Ave, 820 E 4<sup>th</sup> St, 550 N Cherry Ave, 651 E 6<sup>th</sup> St, 509 E SD Hwy 262, 850 N Poplar, 721 N Poplar, 551 E 2<sup>nd</sup> St, 551 SD Hwy 262, 701 E SD Hwy 262, 730 SD Hwy 262, 300 S Ash Ave, 100 S Oak Ave, 120 S Oak Ave, 900 E Iowa, 220 S Oak Ave, 231 S Oak Ave, 110 S Walnut Ave, and several different vacant lots along Ash Ave, along Hwy 262, and 1<sup>st</sup> St. Mayor Damm has talked with other towns and they have hired an outside code enforcement officer to help with clean-up issues. He's wondering if this is something we should be looking into. After a lot of discussion about the pros and cons of bringing in someone to do this and working together to clean up the different areas, a motion was made by Weber, second by Holthaus to send 30 day for general clean-up or 90 day letters for building issues to the property owners to abate the nuisance concerning their particular property. Motion carried. Council also noted that they wanted it stated in the letter inviting them to come to the November meeting if they have questions or concerns.

Planning & Zoning: Motion by Weber, second by Holthaus to approve building permit for Ryan Eldeen. Motion carried.

Main street security cameras were discussed. Paweltzki will ask if they could come out and give a presentation on these cameras.

We had several recommendations from Safety Benefits from the loss control survey. In going over those recommendations the following additions, amendments, or corrections are being made to some of the city policies.

A citizen complaint form that was drawn up by the finance officer was gone over. Motion by Paweltzki, second by Weber to approve the citizen complaint form. Motion carried.

Motion by Anderson, second by Weber to approve Resolution 15-1005 amending the Personnel Manual. Roll Call Vote: all present voted aye. Motion carried.

**City Of Bridgewater**

**Resolution 15-1005**

**RESOLUTION OF THE CITY OF BRIDGEWATER TO AMEND  
ARTICLE 2 – GENERAL POLICIES IN THE PERSONNEL MANUAL**

**WHEREAS**, the City of Bridgewater does desire to add a telephone phone policy to the Personnel Manual for its employees;

**NOW THEREFORE BE IT RESOLVED**, that the City of Bridgewater shall be authorized to amend Articles 2 – General Policies in the City of Bridgewater Personnel Manual as follows:

**2.11 Telephone Policy: While personal phone calls are not prohibited, their frequency, duration, and volume should not interfere with on-going work nor distract fellow employees. Excessive personal calls during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are therefore asked to make personal calls on non-work time**

**where possible and to ensure that friends and family members are aware of the City's policy. Flexibility will be provided in circumstances demanding immediate attention. Employees are not permitted to make person long-distance telephone calls using the city's telephones, except in emergencies. Employees may place personal long-distance calls if they use their personal cell phone.**

- 1. Personal Cellular Phones: While at work employees are expected to exercise the same discretion in using personal cellular phones as is expected for the use of City phones. The City will not be liable for the loss of personal cellular phones brought into the workplace.**
- 2. Safety Issues for Cellular Phone Use: Employees must follow SD State Law regarding cell phone use including that of texting while operating City owned vehicles and equipment. Safety must come before all other concerns. Employees who are charged with traffic violations resulting from the use of their phone while driving will be solely responsible for all liabilities that result from such actions.**

**PASSED AND APPROVED** this 5th day of October 2015, by the City Council of the City of Bridgewater, South Dakota by the following vote:

Ayes: 4

Nays: 0

Absent: 1

City of Bridgewater  
By: Michael Damm  
Its Mayor

ATTEST:

Joan M Julson

City Finance Officer

Motion by Holthaus, second by Weber to update the holdharmless section of the Legion Hall rental agreement. Motion carried.

A draft for a media policy was also discussed. Finance Officer will present media policy at the November meeting.

First reading of Supplemental Budget Ordinance #A-98 was done.

Finance Officer will be attending Election workshop in Sioux Falls, on November 20<sup>th</sup>.

Motion by Weber, second by Holthaus to adjourn. Motion carried. Time 9:42 pm. Next regular meeting is November 9, 2015.

Michael Damm – Mayor

Joan M Julson – Finance Officer

**Claims:**

Payroll by Dept.: Ambulance 3348.42; Finance Office 664.54; Landfill/Dump 174.39; Liquor 149.85; Mosquito 92.64; Parks 619.61; Sewer 594.27; Streets 1654.79; Water 609.71; EFTPS-September payroll taxes, 2029.54; SD Retirement System-employee & city match, 546.96; SD Unemployment Ins Div-3<sup>rd</sup> Q Unemployment, 13.75.

Supplies: Best Buy–Finance Office computer & Seagate back-up, 539.98; Colonial Research-red safety fire hydrant paint, 98.20; Jebro–oil for chip and seal, 19028.59; M/S Pump-N-Stuff–gas, 76.70; Menards–shop light bulbs, 49.98; Potter Tire & Service–gas, diesel & supply, 243.80; Sturdevants Auto Parts–shop supply, 10.52.

Repair & Maintenance: CMC Excavation Inc – dig up & repair storm sewer south of DCC and dig up leaking curb stop by 520 N Walnut, 1285.72; McCook Co Highway–labor & equip for chip & sealing streets, 15416.00; Tessier's Inc.–8/31 & 9/9 installed head pressure control valve on walk-in cooler compressor and 9/15 & 9/17 ordered and replaced blower wheel on furnace, 1805.19.

Beer and Liquor: (paid in Sept) Beal Distributing, Inc., 1559.45; Dakota Beverage, 823.40; Johnson Brothers Famous Brands, 569.21; Republic National Dist, 562.11.

Miscellaneous: A&B Business Inc–Maintenance contract, 51.64; Addy Disposal-dumpsters, 40.00; Bridgewater Development Corp–monthly donation, 100.00; Bridgewater Tribune–September publishing, 195.31; First National Bank in SF-2 SRF sewer loan payments, 8834.09; Intuit Quickbooks-Annual payroll renewal, 519.00; Jaeger, Anthony-mileage, 71.40; Nordwald Rentals–Nov rent (Payable 11/1/15), 350.00; McCook County–Contracted Law Enforcement monthly payment, 2015.00; Petty Cash-postage, 14.20; SD Dept of Revenue-water testing, 196.00; SD One Call-4 faxed locates for August, 4.48; SD State Treasurer–September garbage, etc. sales tax (includes a 1.5% allowance for timely payments - \$3.82), 250.81; SD Municipal League-Annual Conference Registration for Mayor Damm, 115.00.

Utilities (Paid in September): Addy Disposal, 3802.50; Golden West, 250.59; Hanson Rural Water, 4443.50; Xcel Energy, 1723.52.

Insurance: AFLAC-reimbursed by employees, 382.18; Health Pool of SD, 3202.36.

Professional: Arens Engineering-1/2 corner radius and curb & gutter staking at 7<sup>th</sup> & Main, 281.00; Fink Law Office, PC-September statement, 606.25.

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