

**Bridgewater City Council Regular Meeting Minutes**  
**November 7, 2016 7:00 pm**

The City Council of the City of Bridgewater met in the Council Room for their regular meeting on 11/07/2016. The meeting was called to order at 7:00 pm by Mayor Michael Damm. Answering roll call were Bob Anderson, Mayor Damm, Zach Guenther (arrived at 7:08), Tony Hofer, Travis Holthaus, Jerry Paweltzki, and Lacey Weber. Others present: Finance Officer-Joan Julson, Maintenance – Todd Letcher, Bar Manager – Ashley Sinkie, Sandi Tschetter, Jeff Pollman, Sherriff Norris, Pastor Joe Pallikkathayil, Vern Arens – Arens Engineering, and LeAnn Kerzman – Midwest Assistance Program.

The minutes of the October 3<sup>rd</sup> regular meeting were sent to the council for reading prior to the meeting. Motion by Weber, second by Holthaus to approve the October minutes. Motion carried.

The October Financial statement was sent out to the council for reviewing prior to the meeting. After discussion, a motion was made by Anderson, second by Holthaus to approve the October Financial Statement. Motion carried. 1<sup>st</sup> Reading of 2016 Supplemental Appropriation Ord A-100 was done.

The bills for the month of October were reviewed. After discussion, a motion was made by Weber, second by Anderson to approve the October bills. Motion carried.

Todd Letcher gave his Maintenance Report:

- Still pumping down at the lagoon for the winter
- Cleaning up dead trees at the city park
- Fixing fence out at the lagoon
- Scott Supply will be coming to pick up International leased tractor
- We will be getting a leased John Deere tractor for the winter usage. We'll stay with JD as they lease year round.

Public Input: Pastor Joe Pallikkathayil invited everyone to the Community Thanksgiving service at Zion Mennonite Church on Nov 22<sup>nd</sup> at 7 pm.

Streets & Alleys: Council talked about complaints about leaf burning on the streets and how hard it is on any chip and seal or asphalt that is on the street. Reminders will go up for no burning on the streets.

Water & Sewer: Vern Arens addressed the council with the bid opening for our water project. This opening would be done sometime in December hopefully the middle of the month at a special meeting.

LeAnn Kerzman with the Midwest Assistance Program did a water rate study. This was done to make sure we will be able to pay back our SRF loan with the new Water Project. Other items the council asked her to look into would be getting a rubble site opened up again.

Motion by Guenther, second by Hofer to approve Resolution 16-1107A. All present voted aye. Motion carried.

CITY OF BRIDGEWATER  
RESOLUTION 16-1107A

RESOLUTION ADDING A CERTIFICATION REGARDING RESTRICTIONS ON LOBBYING

WHEREAS, the City of Bridgewater desires to add the following Certification Regarding Restrictions On Lobbying;

NOW THEREFORE BE IT RESOLVED by the City as follows:

*City of Bridgewater*

*Certification Regarding Restrictions On Lobbying*

*The undersigned certifies, to the best of their knowledge and belief, that:*

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.*
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall*

complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, and contracts under grants, subgrants, loans, and cooperative agreements) which exceed \$100,000, and that all such subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

This resolution shall be effective upon publication.

Passed this 7<sup>th</sup> day of November, 2016.

Ayes: 6 Nays: 0 Absent 0

ATTEST:

Joan M Julson, Finance Officer  
(SEAL)

Michael Damm, Mayor

Motion by Paweltzki, second by Guenthner to suspend the reading aloud the rest of Resolutions 16-1107B-F. All present voted aye. Motion carried. Resolutions are on hand for those that would like to read them.

Motion by Guenthner, second by Hofer to approve Resolution 16-1107B. All present voted aye. Motion carried.

**CITY OF BRIDGEWATER  
RESOLUTION 16-1107B**

**RESOLUTION ADDING EQUAL EMPLOYMENT OPPORTUNITY POLICY**

**WHEREAS**, the City of Bridgewater desires to add the following Equal Employment Opportunity Policy;  
**NOW THEREFORE BE IT RESOLVED** by the City as follows:

*City of Bridgewater, South Dakota*

**EQUAL EMPLOYMENT OPPORTUNITY POLICY**

The Bridgewater City Council does hereby declare that it is the fundamental policy of the City of Bridgewater to provide equal opportunity to all of its employees and applicants for employment (skilled, unskilled, and professional) and to assure that there shall be no discrimination against any person on the basis of race, color, religion, creed, national origin, sex, age, physical or mental handicap, marital status or political beliefs unless related to a bona fide occupational requirement. To this end, the City of Bridgewater will take steps to equalize opportunity for employment at all levels of operation for those classes of people who have traditionally been denied equal opportunity-minority group members, women and the handicapped; and City of Bridgewater recognizes an obligation to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified applicant or employee unless the accommodation imposes an undue hardship.

All applicants for employment with the City of Bridgewater will be recruited from the available labor market evaluated on each person's individual qualifications and abilities. All employees shall be afforded equal employment opportunity during their term of employment, and are guaranteed protection against retaliation for exercising any legal or administrative procedures to secure right to equal employment or testifying on behalf of someone else doing so.

All administrators and supervisors are responsible for and shall be committed to achieving and promoting equal employment opportunity with the City of Bridgewater.

Adoption of this document reaffirms the City of Bridgewater's policy of non-discrimination in employment, including but not limited to the following:

*recruitment, selection, placement, testing, training, promotion, transfer, discipline, demotion, layoff, and termination.*

This resolution shall be effective upon publication.

Passed this 7<sup>th</sup> day of November, 2016.

Ayes: 6 Nays: 0 Absent 0

ATTEST:

Joan M Julson, Finance Officer  
(SEAL)

Michael Damm, Mayor

Motion by Weber, second by Anderson to approve Resolution 16-1107C. All present voted aye. Motion carried.

**CITY OF BRIDGEWATER  
RESOLUTION 16-1107C**

**RESOLUTION ADDING EXCESSIVE FORCE POLICY**

**WHEREAS**, the City of Bridgewater desires to add the following Excessive Force Policy;  
**NOW THEREFORE BE IT RESOLVED** by the City as follows:

**City of Bridgewater, South Dakota**

**Excessive Force Policy**

*It is the policy of the City of Bridgewater to prohibit the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; furthermore*

*The City of Bridgewater will enforce all applicable state and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.*

*This resolution shall be effective upon publication.*

*Passed this 7<sup>th</sup> day of November, 2016.*

*Ayes: 6                      Nays: 0                      Absent 0*

**ATTEST:**

*Joan M Julson, Finance Officer  
(SEAL)*

*Michael Damm, Mayor*

*Motion by Anderson, second by Guenthner to approve Resolution 16-1107D. All present voted aye. Motion carried.*

**CITY OF BRIDGEWATER  
RESOLUTION 16-1107D**

**RESOLUTION ADDING A RELOCATION, DISPLACEMENT AND ACQUISITION PLAN.**

**WHEREAS**, the City of Bridgewater desires to add the following relocation, displacement and acquisition plan;  
**NOW THEREFORE BE IT RESOLVED** by the City as follows:

**CITY OF BRIDGEWATER, SOUTH DAKOTA  
RELOCATION, DISPLACEMENT, AND ACQUISITION PLAN**

*The City of Bridgewater will replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606 (b)(1).*

*All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the (City/County) will make public and submit to the GOED the following information in writing:*

- 1. A description of the proposed assisted activity;*
- 2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;*
- 3. A time schedule for the commencement and completion of the demolition or conversion;*
- 4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;*
- 5. The source of funding and a time schedule for the provision of replacement dwelling units; and*
- 6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of initial occupancy.*

*The City will provide relocation assistance, as described in 570.606 (b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.*

*Consistent with the goals and objectives of activities assisted under the Act, the City will take the following steps to minimize the displacement of persons from their homes:*

*It is anticipated that no residential dwellings will be affected by the activities resulting from this project.  
This resolution shall be effective upon publication.*

*Passed this 7<sup>th</sup> day of November, 2016.*

*Ayes: 6                      Nays: 0                      Absent 0*

**ATTEST:**

*Joan M Julson, Finance Officer  
(SEAL)*

*Michael Damm, Mayor*

*Motion by Guenther, second by Hofer to approve Resolution 16-1107E. All present voted aye. Motion carried.*

**CITY OF BRIDGEWATER  
RESOLUTION 16-1107E**

**RESOLUTION ASSURING FAIR HOUSING.**

**WHEREAS**, *the City of Bridgewater desires to assure fair housing;*

**NOW THEREFORE BE IT RESOLVED** *by the City as follows:*

*CITY OF BRIDGEWATER, SOUTH DAKOTA*

*Resolution Assuring Fair Housing*

*Whereas, it is the Bridgewater City Council's firm belief that discrimination in housing not only threatens the rights and privileges of the citizens of Bridgewater but also menaces the institutions and foundations of free and democratic society; and*

*Whereas, this body desires to give meaning to the guarantees of equal rights contained in the Constitution and laws of this State and the United States and to encourage and bring about mutual self-respect and understanding among all citizens and groups in the City of Bridgewater; and,*

*Whereas, under the federal fair housing, (Title VIII of the Civil Rights Act of 1968), it is illegal to deny housing to any person because of race, color, religion, sex or national origin; and,*

*Therefore, be it resolved the City of Bridgewater, South Dakota, makes a firm commitment to do all within its power to eliminate prejudice, intolerance, disorder and discrimination in housing.*

*Therefore, be it also resolved that the Fair Housing and Equal Opportunity logo will be displayed at the Bridgewater city office and on all official correspondence.*

*Therefore, be it also resolved that the following procedures will be used to accomplish the purpose of the aforementioned resolution:*

- 1. The Bridgewater City Council shall inform all City employees of the City's commitment to equal housing.*
- 2. The Bridgewater City Council shall direct all employees to forward immediately to the Mayor any reports they receive of housing discrimination.*
- 3. The Mayor shall forward such complaints to the South Dakota Division of Human Rights within 10 days of receipt to said complaint.*

*This resolution shall be effective upon publication.*

*Passed this 7<sup>th</sup> day of November, 2016.*

*Ayes: 6                      Nays: 0                      Absent 0*

**ATTEST:**

*Joan M Julson, Finance Officer  
(SEAL)*

*Michael Damm, Mayor*

*Motion by Paweltzki, second by Anderson to approve Resolution 16-1107F. All present voted aye. Motion carried.*

**CITY OF BRIDGEWATER  
RESOLUTION 16-1107F**

**RESOLUTION APPROVING CODE OF CONDUCT POLICY**

**WHEREAS**, *the City of Bridgewater desires to add the following Code of Conduct Policy;*

**NOW THEREFORE BE IT RESOLVED** *by the City as follows:*

***City of Bridgewater, South Dakota  
Code of Conduct Policy***

**PURPOSE**

The purpose of this Code of Conduct is to ensure the efficient, fair, and professional administration of federal grant funds in compliance with all applicable federal and state standards, regulations, and laws.

#### **APPLICATION**

This Code of Conduct applies to all officers, employees, or agents of the City of Bridgewater engaged in the award or administration of contracts supported by federal grant funds.

#### **REQUIREMENTS**

No officer, employee, or agent of the City of Bridgewater shall participate in the selection, award, or administration of a contract supported by federal grant funds, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when:

- a. The employee, officer, or agent;
- b. Any member of his/her immediate family;
- c. His/her partner; or
- d. An organization which employs, or is about to employ any of the above has a financial or other interest in the firm selected for award.

The City of Bridgewater officers, employees, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or subcontractors.

#### **REMEDIES**

To the extent permitted by federal, state or local laws or regulations, violation of these standards may cause penalties, sanctions, or other disciplinary actions to be taken against the City of Bridgewater officers, employees, or agents, or the contractors, potential contractors, subcontractors, or their agents.

#### **EFFECTIVE DATE**

This resolution shall be effective upon publication.

Passed this 7<sup>th</sup> day of November, 2016.

Ayes: 6                      Nays: 0                      Absent 0

ATTEST:

Joan M Julson, Finance Officer  
(SEAL)

Michael Damm, Mayor

Health & Landfill: Council discussed changes to the garbage ordinances. First reading with changes will be at the December meeting.

Gov't Bldg/Municipal Liquor Store: Mark Sinkie was added as a part-time bar employee. Paweltzki brought up that he feels we should add air conditioning to the Legion Hall. It would hopefully be used more if it was air-conditioned. It was also brought up that if we add air conditioning we should also add a handicap ramp of some kind. Guenthner checked into the best cost to add the air would be about \$3500 for two 5 Ton units. Motion by Paweltzki, second by Anderson to buy two 5 Ton units up to \$3500 for air-conditioning to the Legion Hall. Motion by Holthaus and second by Weber asked that the original motion be amended to include making it handicap assessable. Motion carried. Restated motion: Motion by Paweltzki, seconded by Anderson to install air conditioning at the Legion Hall with the amendment to making it handicap assessable. Guenthner abstained voting. All the rest voted aye. Motion carried.

Ambulance: We are in dire need of EMT's again.

Law Enforcement: Council noted September & October reports. Sheriff Norris was here to answer any questions.

Fire: Finance Officer has been looking into a FEMA grant for some money for a firetruck.

Code Enforcement: discussed dog issues, & the weekly advertising papers that are tossed in the yard. The complaint about the generator running day & night at the home where there is no electricity, was discussed. Jeff Pollman was here to address this situation again. Council gave Anderson permission to move & burn the back section of the Bridgewater Lumber Yard building on city property across the railroad tracks.

Council discussed garbage rates. They will stay the same in 2017.

Motion by Hofer, second by Paweltzki to approve building permits for Stan Story & CHS Farmers Alliance. Motion carried.

Motion by Hofer, second by Anderson to renew the towing contract with Meyer Motor. Motion carried.

Motion by Holthaus, second by Hofer to sign the Insurance Liability Deductible Endorsement. Motion carried.

Motion by Holthaus, second by Hofer to go into Executive Session for Employee Reviews & Negotiations (SDCL 1-25-2.4). Motion carried. Time 9:08 pm Mayor declared Executive Session over 9:23 pm.

Council asked that Bar Manager attend the monthly meetings with a bar report.

Employee Reviews will be tabled to the December meeting.

Motion by Holthaus, second by Anderson to adjourn. Motion carried. Time 9:35 pm.

Next regular meeting is December 5, 2016.

Michael Damm – Mayor

Joan M Julson – Finance Officer

**Claims:**

Payroll by Dept.: Ambulance 3644.70; Council 5325.00; Finance Office 523.38; Fire 15.90; Landfill/Dump 75.53; Liquor 3264.87; Parks 632.03; Sewer 800.98; Streets 1087.17; Water 709.56; EFTPS-October payroll taxes, 2734.21; SD Retirement System-employee & city match, 559.24.

Supplies: Bob's Candy Service–cigarettes, food & paper products for the bar, 2910.44; C&B Operations LLC–JD mower parts, 17.37; Chesterman Company–Coke products for bar, 202.05; Country Pride–Sparky's fuel oil, propane & gauge, 253.49; Donlan's Food Land-bar supply, 33.63; Heritage Pharmacy–amb epi-pens & other amb supply, 1282.35; Julson, Jim–bar supply & mileage, 108.43; Kaylor Locker–bar chislic, 238.00; M/S Pump-N-Stuff–gas, 87.33; McLeod's Printing & Office Supply–1000 laser checks, 149.80; Menard's–mostly bar items & shop/parks supply, 61.06; Office Depot–mostly ink & paper, 192.85; Potter Tire & Service–gas, diesel & supply, 584.18; Sievers Sales & Service–sickle guard, 11.50; Sinkie, Ashley–bar supply, 153.56; TrueNorth Steel–24" culvert for abandoned 3<sup>rd</sup> St, 591.67; Walt's Homestyle Foods Inc–bar pizzas, etc, 636.50.

Repair & Maintenance: Anderson Trucking-9 hrs work on pushing out abandoned 3<sup>rd</sup> St by HWY 262, 1350.00; Floor Tec-firehall & bar carpet cleaning, 682.28; Meyer Motor LLC-amb windshield repair, 55.00.

Beer and Liquor: (paid in October) Beal Distributing, Inc., 777.33; Dakota Beverage, 589.40; Johnson Brothers Famous Brands, 1699.64; Republic National Dist, 933.62.

Miscellaneous: A&B Business Inc–Maintenance contract, 56.81; A-OX Welding Supply-shop welder cylinder yearly lease, 49.45; Addy Disposal-dumpsters, 40.00; Addy Disposal-bar dumpsters, 60.00; Bridgewater Development Corp–monthly donation, 100.00; Bridgewater Tribune–October publishing, 146.50; Damm, Michael-mileage to Municipal League Conference in Rapid City, 259.56; Holiday Inn- Annual Conference room in Rapid City with \$32.70 reimbursed by Mayor Damm, 374.70; McCook County–Contracted Law Enforcement monthly payment, 2112.50; McCook County Register of Deeds- deed copies, 3.00; Med-Star Paramedic Amb-ALS intercept fee, 250.00; Nordwald Rentals–November rent (Payable 12/1/16), 350.00; Petty Cash–bar supply & postage, 36.76; SD Dept of Revenue–water testing, 15.00; SD One Call-13 faxed locates, 14.56; SD State Treasurer–October garbage,etc. sales tax (We received a 1.5% allowance for timely payments - \$3.54), 232.54; SD State Treasurer–October bar sales tax (We received a 1.5% allowance for timely payments - \$16.01), 1051.12; Shape, Duel-Halloween at Sparky's, 400.00.

Utilities (Paid in October): Addy Disposal, 3763.50; Golden West, 441.74; Hanson Rural Water, 4573.20; Xcel Energy, 2592.79.

Insurance: AFLAC-reimbursed by employees, 273.24; Health Pool of SD, 3096.14.

Professional: Fink Law Office, PC–October statement, 157.52; SECOG-admin assistance for Main Street Water Project, 5000.00.

Published once at the approximate cost of \$ 218.88.