

**MOBRIDGE CITY COUNCIL
REGULAR MEETING
MARCH 19, 2012**

Pursuant to due call and notice thereof, a Regular Meeting of the Common Council of the City of Mobridge, South Dakota was held in City Hall in said City on Monday, March 19, 2012 at 6:30 PM. Mayor Kyle Jensen, Finance Officer Heather Beck, City Administrator Steve Gasser and City Attorney Rick Cain and the following council persons were present: Cox, Cerney, Dietterle, O'Connell, Yellow Boy and Godkin.

ADOPT AGENDA:

The agenda was adopted on a motion by Cox, second by Yellow Boy and carried with the following additions: update on library and airport fuel truck.

MINUTES:

On a motion by O'Connell, second by Godkin and carried to approve the minutes from the March 5, 2012 regular meeting.

DEPARTMENT HEAD REPORTS:

- Zoning
 - **BUILDING PERMITS** – The following building permits were approved by the Zoning Officer & approved by Council on a motion by O'Connell, second by Cox and carried: Keith Reiss, 607 5th Ave E, repair bathroom floors and walls; Nathan Bleyle, 219 14th St E, interior remodel, add a bedroom over garage space, enclose 2 garage doors, egress windows and add 2 new windows; and Dave Kramer, 315 2nd Ave E, demolition of house.
- Brad Milliken, Water/Wastewater Superintendent & Fire Chief
 - **STAIRWAY AT SEWER PLANT** – Moved by O'Connell, second by Godkin and carried, to approve repairing the stairway and install a landing at the sewer plant in the amount of \$2550 from Mobridge Manufacturing.
 - **FIRE SIREN** – Milliken reported that the members of the fire department requested that the siren blew again for emergencies. Police Chief Nehls stated that he was not in favor of it blowing again due to the calls from the public to dispatch during an emergency. The Mayor directed them to get together to have further discussion, gather more facts and bring it back to the council.
 - **TRAVEL** – Moved by Dietterle, second by O'Connell and carried, to approve travel to Aberdeen on April 11 & 12, 2012 for a SDML Safety Conference.

UNFINISHED BUSINESS

- **2ND READING OF ORDINANCE NO. 912** – Moved by Godkin, second by Yellow Boy and carried, to approve the 2nd reading of Ordinance No. 912, an ordinance granting to Montana Dakota Utilities Co., a division of MDU Resources Group, Inc., a corporation, its successors and assigns, the franchise and right to construct, maintain and operate within and upon, in and under the streets, alleys and public grounds of the City of Mobridge.

ORDINANCE NO. 912

AN ORDINANCE GRANTING TO MONTANA DAKOTA UTILITIES CO., A DIVISION OF MDU RESOURCES GROUP, INC., A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE FRANCHISE AND RIGHT TO CONSTRUCT, MAINTAIN AND OPERATE WITHIN AND UPON, IN AND UNDER THE STREETS, ALLEYS AND PUBLIC GROUNDS OF THE CITY OF MOBRIDGE. A GAS DISTRIBUTION SYSTEM FOR TRANSMITTING AND DISTRIBUTING NATURAL OR MANUFACTURED GAS, OR A MIXTURE OF BOTH, FOR PUBLIC AND PRIVATE USE.

BE IT ORDAINED BY

SECTION I. For convenience, herein, and said municipal corporation is designated and referred to as "Municipality" and Montana Dakota Utilities Co. is designated and referred to as "Grantee." Any reference to either includes their respective successors and assigns.

SECTION II. There is hereby granted to Montana Dakota Utilities Co, a Division of MDU Resources Group, Inc., a corporation, its successors and assigns, subject to the limitations herein stated, the right and

franchise to occupy and use the streets, alleys and public grounds of the municipality as now, or hereafter constituted for the purpose of constructing, maintaining in, and operating within upon, in and under the same, a gas distribution systems for transmitting and distributing natural or manufactured gas, or a mixture of both, for public and private use.

SECTION III. Grantee shall maintain an efficient distribution systems for furnishing natural or manufactured gas, or a mixture of both for public and private use at such reasonable rates as may be approved by the Public Utilities Commission of the state wherein said municipality is located and under such orders, rules or regulations as may be issued by any federal or state agency having jurisdiction thereof.

SECTION IV. This franchise shall not be exclusive and shall not be construed to prevent the Municipality from granting to any other party the right to use the streets, alleys, and public grounds of the Municipality for like purposes.

SECTION V. The Municipality reserves any right it may have, under its police power, or otherwise, to control or regulate the use of said streets, alleys, and public grounds by Grantee.

SECTION VI. Grantee shall indemnify and save and hold the Municipality harmless from any loss or damage due to the construction, installation, and maintenance of its distribution system, and its use of the streets, alleys, and public grounds of the Municipality.

SECTION VII. Grantee shall have the right to assign this franchise to any party, corporation, but all obligations hereunder shall be binding upon its successors and assigns.

SECTION VIII. Within thirty (30) days after Grantee is notified of passage and final approval of this Ordinance, Grantee shall file with the clerk or auditor of the Municipality its written acceptance of this franchise.

SECTION IX. The franchise shall continue and remain in full force and effect for a period of twenty (20) years from the date upon which this ordinance shall become effective as provided by law.

NEW BUSINESS

➤ **ADVERTISING FOR STREET MATERIALS**

Moved by Dietterle, second by Cerney and carried, to approve advertising for bids for street materials for 2012.

➤ **ADVERTISING FOR PROPANE**

Moved by Dietterle, second by O'Connell, and carried, to approve advertising for propane for a period of one year.

➤ **BOARD OF EQUILIZATION**

Mayor Jensen appointed Gene Cox to the Board of Equalization. Moved by Godkin, second by O'Connell and carried, to approve the appointment of Gene Cox to the Board of Equalization.

➤ **POOL EMPLOYEES HIRED**

Moved by Cox, second by Godkin, and carried, to hire the following employees for the 2012 pool season with the corresponding positions and hourly rates effective immediately:

Josie Fairchild	Pool Manager	\$11.00
Brittani Anderson	Lessons	\$9.00
Gabrielle Chase	Life Guard	\$8.15 with WSI \$8.30
Alexis Frey	Life Guard	\$8.00 with WSI \$8.15
Mitchell Heumiller	Life Guard	\$8.00
Kassidy Keller	Life Guard	\$8.15 with WSI \$8.30

Nicole Lipp	Life Guard	\$8.40 with WSI \$8.55
Keshia Milliken	Life Guard	\$8.15 with WSI \$8.30
Connor Stoick	Life Guard	\$8.00
Justin Yellow Horse	Life Guard	\$8.00
Jordan Feist	Swabbie	\$7.25
Lakeisha Gosch	Swabbie	\$7.25
Tyler Larsen	Swabbie	\$7.25
Mary Martin-Goldsmith	Swabbie	\$7.25
Brooklyn Muir	Swabbie	\$7.25
Anna Netzer	Swabbie	\$7.25
Natasha Sandland	Swabbie	\$7.40
Allie Sauer	Swabbie	\$7.25
Tiffany Stickney	Swabbie	\$7.25
Juliette Two Lance	Swabbie	\$7.25

➤ **RESOLUTION 12-09**

Moved by O’Connell, second by Godkin and carried, to approve Resolution 12-09 as follows:

RESOLUTION NO. 12-09

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the City of Mobridge (the “City”) has determined it is necessary to proceed with improvements to its Water System, including but not limited to the construction of a new water tower and renovations to an existing water tower (the “Project”);

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the “Board”) will be prepared; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project.

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$1,212,000 to the South Dakota Board of Water and Natural Resources for the Project.
2. The City of Mobridge is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.
3. The City of Mobridge is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.

➤ **RESOLUTION 12-10**

Moved by Cerney, second by Cox and carried to approve Resolution 12-10 as follows:

RESOLUTION NO. 12-10

RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE,
AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND
DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT
REQUESTS.

WHEREAS, the City of Mobridge (the "City") has determined it is necessary to proceed with improvements to its Storm Sewer System, including but not limited to the construction of a new storm sewer (the "Project");

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (the "Board") will be prepared; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the Application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Project.

NOW THEREFORE BE IT RESOLVED by the City as follows:

1. The City hereby approves the submission of an Application for financial assistance in an amount not to exceed \$764,000 to the South Dakota Board of Water and Natural Resources for the Project.
 2. The City of Mobridge is hereby authorized to execute the Application and submit it to the South Dakota Board of Water and Natural Resources, and to execute and deliver such other documents and perform all acts necessary to effectuate the Application for financial assistance.
 3. The City of Mobridge is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Project.
- **STORM SEWER LOAN PAYMENT TRANSFER** - Moved by Cox, second by Dietterle, and carried, to approve the transfer of \$42,146.31 from the General Fund to the Storm Sewer Fund for the final loan payment.
 - **CONTRACT CLEANING** – Moved by Godkin, second by O’Connell and carried, to approve advertising for a contract cleaning service for city hall.
 - **PUBLIC HEARING DATE** – Moved by O’Connell, second by Dietterle and carried, to set the public hearing date for April 2, 2012 at 6:45 PM for a temporary liquor/malt beverage license for the Mobridge Rodeo Association.

DISCUSSION AND INFORMATION

- **FINANCIAL REPORT** – Beck presented the Council a financial report.

PAYMENT OF BILLS:

Moved by Yellow Boy, second by O’Connell and carried, to approve the following bills for payment:
Administration: Salaries – 2041.23; Aberdeen Finance Corp, garnishment – 200.00; Best Business Products-TX, copier lease – 42.34; CNA Surety, insurance – 1132.00; Great Western Bank, payroll taxes – 10,018.54; Mobr Tribune, publishing – 228.98; SD State Treasurer, sales tax – 1106.39; SDRS Supplemental Retirement, retirement – 44.00; Total Administrative Services Corp, flex – 678.81; US Post Office, supplies – 110.60; West River Telecommunications, utilities – 126.26; City Administrator: Salaries – 1876.96; A&B Business, supplies – 47.96; Best Business Products-TX, copier lease – 42.34; US Post Office, supplies – 6.05; West River Telecommunications, utilities – 71.77; Government Buildings: Salaries – 565.95; Duckwall-Alco, supplies – 45.15; Gienger’s Sales, supplies – 57.00; MDU, utilities – 291.91; Old City Hall: MDU, utilities – 547.74; West River Telecommunications,

utilities – 34.95; Police Department: Salaries – 20,540.80; Beadle Sales, vehicle maintenance – 207.65; Best Business Products-TX, copier lease – 48.00; Cardmember Services, other services/supplies – 34.75; Country Junction, uniforms – 40.00; Fleet Services, gasoline/drug enforcement – 1391.47; Gienger’s Sales, supplies – 57.00; Larry Jensen Motors, vehicle maintenance – 143.80; Lind’s Hardware, supplies – 68.54; MDU, utilities – 583.83; SD Peace Officers Assoc, dues – 25.00; US Post Office, supplies – 90.00; West River Telecommunications, utilities – 475.29; Fire Department: Mobridge Fire Department, training supplies – 1708.80; Gas N Goodies, gasoline – 91.79; M&T Fire Safety, supplies – 190.81; MDU, utilities – 547.73; Runnings, supplies – 19.99; Valley Motors, truck maintenance – 60.00; West River Telecommunications, utilities – 65.40; Other Protection: MDU, utilities – 21.69; Advertising: Mobridge Chamber of Commerce, other services – 8000.00; Street Department: Salaries – 4575.91; Border States, supplies – 220.68; Brown Traffic Products, supplies – 384.00; Cam Wal Electric, utilities – 145.82; Dwight Baumann, supplies – 80.00; GTC Auto Parts, supplies – 154.68; MDU, repairs/utilities/street lights – 5540.56; Sanitation Products, repairs – 1141.68; West River Telecommunications, utilities – 75.86; Airport: Salaries – 1153.60; AmeriPride, supplies – 40.81; Cam Wal Electric, utilities – 134.08; MDU, utilities – 216.10; West River Telecommunications, utilities – 101.08; Pool: Office Depot, supplies – 104.99; West River Telecommunications, utilities – 15.66; Park Department: MDU, utilities – 175.14; Library: Salaries – 2470.45; Lind’s Hardware, supplies – 51.62; MDU, utilities – 80.80; Mobr Tribune, supplies – 24.14; Showcases, supplies – 576.67; West River Telecommunications, utilities – 65.25; Auditorium: Salaries – 1189.19; Gas N Goodies, gasoline – 20.01; Lind’s Hardware, supplies – 270.40; MDU, utilities/other improvements – 2019.81; Office Depot, supplies – 104.99; West River Telecommunications, utilities – 73.98; National Guard Armory: USDA-Rural Development, loan payment – 2925.00; Zoning: Deputy Finance Officer, supplies – 71.25; Storm Sewer Project: First National Bank, loan payment – 42,146.31; 24/7 Sobriety Fund: Salaries – 424.41; Kasey Roesler, refund – 49.00; 3B: Mobridge Chamber of Commerce, other services – 9048.97; Water Department: Salaries – 6370.59; Best Business Products-TX, copier lease – 21.16; Cardmember Services, supplies – 18.54; Dakota Supply Group, supplies/repairs – 2592.06; Dwight Baumann Plumbing, repairs – 51.70; Evergreen Supplies, repairs – 976.82; Fastenal, repairs – 12.43; Ferguson Waterworks, supplies/repairs – 869.80; Graham Tires, vehicle maintenance – 303.70; Greggs Drilling, repairs – 834.18; K&K Auto, vehicle maintenance – 4.00; Larry Jensen Motors, vehicle maintenance – 59.93; Lind’s Hardware, supplies – 69.42; MDU, electricity/utilities – 2150.35; North Central Steel Systems, repairs – 127.00; Office Depot, supplies – 30.93; Pete Lien & Sons, chemical – 3232.60; Runnings, supplies – 388.04; SD One Call, prof services – 3.68; USDA-Rural Development, loan payment – 2373.00; West River Telecommunications, utilities – 142.56; Sewer Department: Salaries – 3886.07; Best Business Products-TX, copier lease – 21.16; Border States, repairs – 221.80; Cardmember Services, supplies – 18.54; Dakota Supply Group, supplies/repairs – 3121.09; Deputy Finance Officer, postage – 22.10; Evergreen Supplies, repairs – 298.93; Ferguson Waterworks, repairs – 911.75; Gas N Goodies, gasoline – 55.51; Graham Tires, vehicle maintenance – 303.70; K&K Auto, vehicle maintenance – 4.00; Larry Jensen Motors, vehicle maintenance – 59.94; Lind’s Hardware, supplies – 19.45; MDU, electricity – 2423.65; Merkels, supplies – 19.98; Mobridge Gas Co, propane – 1633.48; MVTL Laboratories, water samples – 124.00; North Central Steel Systems, repairs – 127.00; Office Depot, supplies – 30.92; Runnings, supplies – 111.09; SD One Call, prof services – 3.67; West River Telecommunications, utilities – 141.95; Cemetery: Legacy Mark, prof services – 389.52

LIBRARY UPDATE – Cerney updated the council on the library construction. Due to the Community Development Block Grant language being left out of the bid specs by the engineering firm, the project must be rebid. This will set back the project approximately 2-4 weeks.

AIRPORT FUEL TRUCK – O’Connell stated that Federal Surplus Property had a 6,000 gallon fuel truck for sale for \$8,900. The airport’s current fuel truck is in bad shape and needs to be replaced. The Mayor suggested that a couple people go look at the truck and drive it before the next council meeting.

There being no further business to come before the council, this meeting adjourned at 7:04 PM on a motion by Dietterle, second by O’Connell and carried.

Heather Beck, Finance Officer

Kyle Jensen, Mayor

Published once at the total approximate cost of \$