

Avon City Council Meeting

March 5, 2025

Mayor Kevin Tjeerdsma called the meeting to order at 7:00 p.m. at Avon Meeting Room with Alderperson Voigt, Berndt, Muller, Thury present. Also, present Finance Officer Tina Gramkow, Shop supervisor Joe Paulsen. Police Officer Edwin Young, Dennis Powers, Rick Read, Stacy Paulsen, Reese Powers, Hunter Antrobus, Dominic Antrobus, Nick Antrobus, Bridgette Muller, Charles Ramirez & Cameron Ramirez

All present recited the Pledge of Allegiance.

Moved by Berndt second by Muller to approve the agenda with addition Nuisance Property update, Time Cards, Old Police Vehicle, Pool Stairs, Computer Update. Motion carried

Moved by Muller second by Thury to approve the minutes of February 5th. Motion carried

Moved by Thury second by Muller to approve the claims. Motion carried.

A-1 GAS AND GO	280.00	Feb fuel bill
AMBILL ASSOCIATES	140.00	Amb billing
APPEARA	46.38	Feb bill
AVON CHAMBER OF COMMERCE	100.00	Yearly dues
CITY OF AVON	131.76	Feb city bill
CABELAS CAPITAL ONE	1402.84	Feb bill
CAHOY SERVICE	2251.00	Pickup repair
AVON FARMERS COOP	404.01	Fuel/supplies
GOLDEN WEST TELECOMMUNICATIONS	185.33	Feb bill
HYDRAULIC WORLD	138.56	Repairs
JOE PAULSEN	17.94	Meals
DAN KNOLL	11.14	Meal
MYERS SANITATION	6149.50	Feb Garbage
TYNDALL NAPA AUTO PARTS	69.72	Feb bill
NORTHWESTERN ENERGY	2408.21	Feb bill
PECHOUS PUBLICATIONS LLC	308.14	Online subscription
AGAP LLC DBA	312.93	Lib outside light
SD DEPT. OF HEALTH	15.00	Feb bill
USDA-RURAL DEVELOPMENT	1403.00	Loan Payment
SCHMIDT'S SERVICE	438.75	Jan Propane
SOUTH DAKOTA DEPT. OF REVENUE	423.56	Feb Sales tax
SD RURAL WATER	150.00	Sludge Judging
TYNDALL ACE HARDWARE	186.60	Feb bill
VERIZON WIRELESS	311.87	Feb bill

January payroll: Mayor/council, \$500.00; Finance Office \$3454.13; Police \$4052.75; Street Department \$2208.41; Library \$1683.66; Water Department \$2126.89; Sewer Department \$2126.89; SDRS, \$2002.60; Health Pool of SD, \$5463.45; AFLAC, \$262.58; Beam Dental/Vision, \$319.77; IRS, \$2968.35

Motion by Muller second by Berndt to approve the receipts. Motion carried.

Water sales-\$11844.22; Sewer sales-\$5303.42; Garbage receipts-\$7055.81; Ambulance-\$2857.00; Property Tax-\$2620.39; Sales Tax-\$16997.99; 5% Motor Vehicle-\$934.12; Dog tags-\$340; Building Permit-\$10.00; MV Commercial-\$692.28; Interest-\$10517.14; Bank Franchise-\$2688.31; other-\$30.00

Committee Reports

Library financial report

Streets none

Recreation April 6th Baseball/Softball sign up

Dump none

Stacy Paulsen voiced concern on dogs at large. Told to complete complaint form and turn into Police Officer.

Reese Powers gave information on Chamber events. Farmers Markets & Ivory in the Park

Finance Officer reported 1 door hanger with shut off and 6 late notices sent.

Police Report given

Shop Report given

Motion by Berndt second by Muller to approve Resolution 2025-002 Garbage Resolution. Motion carried.

RESOLUTION 2025-002

A RESOLUTION AMENDING ORDINANCE FOR 333

FOR CLARIFICATION OF GARBAGE SERVICES

WHEREAS, it is necessary to amend Ordinance No 333 for garbage clarification

BE IT ORDAINED BY THE CITY OF AVON, BON HOMME COUNTY, SOUTH DAKOTA

Any residential property within the city limits and is hooked up to the **city water and sewer** is required to have and pay the municipal garbage collection service. This includes residential property where a person could/does reside. Shed's without living quarters and used for storage being built within city limits can opt for municipal garbage collection service at the going garbage rates

If a residential property is hooked up to only water and use septic that property has the option to be included in the municipal garbage collection service at the going garbage rates.

Commercial/Business property within the city limits must have some form of garbage collection service. The business/commercial property is responsible for payment to provider. The city may require documentation stating who your provider is.

Dated 03/05/2025

Kevin Tjeerdsma – Mayor

Tina Gramkow – Finance Office

First Reading: 03/05/2025

(SEAL)

Pass and approved: 03/05/2025

Published:

Motion by Voigt second by Muller to give Post Prom \$1000.00 donation. Motion carried

Motion by Thury second by Muller to allow the school to tie into Strom drain by parking lot. Motion carried

Colonial Life to follow up with Finance Officer for staff presentation.

Motion by Berndt second by Thury to approve Finance Officer Gramkow to attend HR School and Finance Office School June 10 thru June 13 in Pierre. Motion carried

Finance Office to obtain bids/quotes to install door in office.

Spring clean up was discussed date to be determined March 20th meeting. Piles need to be separated and placed street side.

Motion by Thury second by Berndt to declare items surplus and put on auction, advertise for bids & put on marketplace. Motion carried.

Motion Thury second by Berndt to approve Resolution 2025-003 Cable Franchise Agreement Renewal. Motion carried

RESOLUTION 2025-003
RESOLUTION OF THE CITY OF AVON
APPROVING THE CHANGE OF OWNERSHIP
AND CONTROL AND ASGMENT OF LEASE
(Cable Franchise Agreement Renewal)

WHEREAS, the City of Avon (the "Franchise Authority") originally passed and adopted City Ordinance No 244, which became effective on April 2, 1995 (the "Franchise"), which Franchise granted unto Village Cable, Inc ("Village"), its successors and assigns, the right to erect, own, operate and maintain a community antenna television system in Avon, South Dakota;

WHEREAS, pursuant to the City Resolution which was passed October 9, 2001, the Franchise was assigned to Alden Enterprise, Inc. ("Alden"), its successors and assigns, as part of an asset purchase agreement, wherein Village sold substantially all its assets to Alden, whose corporate name was legally changed to Satellite Cabel Services, Inc., ("Satellite") on September 12, 2001;

WHEREAS, pursuant to the City Resolution which was passed on December 1, 2023, the Franchise was assigned to Golden West Telecommunications Cooperative, Inc. ("Franchisee"), as part of an assets purchase agreement, wherein Satellite sold substantially all its assets to Franchisee;

WHEREAS, the term of the Franchise is fifteen years from its effective date, April 5, 1995, and pursuant to Section XVIII of the Franchise, the parties have continued to operate under the terms, provisions and conditions thereof;

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

WHEREAS, the Franchise Authority 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 FRANCHISED AUTHORITY AS FOLLOWS:

SECTION 1. In accordance with Section XVIII of the Franchise, the Franchise Authority hereby approves, authorizes and consents to renewal of the Franchise, under the same term's provisions and conditions, for a term of fifteen years from and after the effective date hereof.

Section 2. The Franchise Authority confirms that (a) the Franchise was properly granted and transferred to Franchisee, (b) the Franchise remains in full force and effect, pursuant to Section XVIII of the Franchise, (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 Franchise Authority other than those specifically stated in the Franchise, and € Franchisee is materially in compliance with the terms, provisions and conditions of the Franchise and there exists no fact or circumstance known to the Franchise Authority to cancel or terminate the rights thereunder.

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

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

PASSED, ADOPTED AND APPROVED this ____5th__ day of __March__, 2025.

Kevin Tjeerdsma – Mayor

Attest:

Tina Gramkow – Finance Office

Motion by Muller second by Thury to approve first reading of Ordinance No 358 Establishing a Park and Recreation Board

Motion by Berndt second by Voigt to review all time cards at council meetings. Motion carried.

Old Police Vehicle needs to be moved on regular basis

Avon has been awarded a Grant form Transportation Commission for a safe route to school sidewalk.

7:13 Rick Read left meeting

8:20 Hunter Antrobus, Dominic Antrobus, Nick Antrobus & Bridgette Muller left meeting.

8:31 Motion Muller second by Thury to go into Executive Session Motion carried

Joe Paulsen, Stacy Paulsen, Edwin Young, Reese Powers, Dennis Powers, Charles Ramirez & Cameron Ramirez left meeting.

9:04 Out of Executive Session

Motion by Thury second by Brad to increase rates for summer activities and set max pay for coaches as follows:

Family Pool Pass \$100.00

Single Pool Pass \$50.00

Daily Pool Pass \$5.00

Water Aerobics' \$5.00 per session

Baseball Fee/Softball Fee/Swim Team/Swim Lessons \$40.00 per activity

Baseball/Softball/Swim Team Coaches max wage \$1000.00 per team

Special/Equalization Meeting Thursday March 20, 2025

Next regular meeting Monday, April 7, 2025

9:10 Motion by Berndt second by Muller to Adjourn

Dated February 5, 2025

Attest _____

Kevin Tjeerdsma, Mayor

Attest _____

Tina Gramkow, Finance Officer