

City Council Meeting – Regular Meeting December 1, 2015

Council President Doyle Johnson called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Mark Monahan, Bill Haugen and Scott Nelson. Mayor Bill Campbell was absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, City Attorney Larry Nelson and City Engineer Mitch Mergen.

Approve Agenda: A motion was made by Haugen, second by Monahan to approve the agenda as set - all voted yes, motion carried.

Approve Minutes of Nov 17, 2015 Regular Meeting: A motion was made by Monahan, second by Nelson to approve the Nov 17, 2015 regular meeting minutes – all voted yes, motion carried.

Visitors: None

Deputy Report: Deputy Terrones was present to give his report. With the end of the month, license plates with green stickers are now expired. A reminder was given to be extra cautious as fraud and identify theft cases are on the rise. Between the last two snow events ten parking tickets were issued

Fire Department Report: Bryon Shumaker was present to report on the Fire Dept. The Fire Dept made 28 calls in Nov with 13 being in city limits. The dept business meeting will be Dec 9th, EMS training on Dec 21st and fire training on Dec 23rd. Shumaker asked residents to keep hydrants clear of snow.

Ordinances, Resolutions & Hearings:

7:05 Liquor License Renewal Hearing: A motion was made by Monahan, second by Nelson to approve liquor license renewals for 2016 for Heart T Stop, Inc., package off-sale liquor and retail on-off sale wine; American Legion, retail on-sale liquor; Dolgen Midwest, LLC, retail on-off sale wine; Sundermann Holdings, Inc., package off-sale liquor and retail on-sale liquor with Sunday sales; GL Management, LLC, retail on-sale liquor with Sunday sales; Emberz Restaurant & Lounge, LLC, retail on-sale liquor with Sunday sales; T&D Foods, Inc., retail on-sale liquor with Sunday sales; Mausbach Enterprises, LLC, retail on-sale restaurant liquor; Hartford Inns, LLC, retail on-off sale wine; Hartford Supermarket, Inc., retail on-off sale wine and package off-sale liquor; Harms Oil Company, package off-sale liquor – all voted yes, motion carried.

2nd Reading of Ordinance #626 – 2015 Supplemental Appropriation Ordinance: This ordinance will provide additional appropriations to the city's 2015 budget. A motion was made by Monahan, second by Nelson to approve the 2nd Reading of ordinance #626 – 2015 Supplemental Appropriation which will add \$34,000.00 to the general fund budget; \$52,627.15 to the capital improvement fund 503 budget; \$73,007.41 to the capital improvement fund 504 budget; \$6,200.00 to the water fund budget; \$18,000.00 to the sewer fund budget; and \$1,500.00 to the customer deposit fund budget – all voted yes, motion carried.

Old Business: None

New Business:

2016 Animal Control Contract: The city's contract with Sioux Falls Area Humane Society for animal control services is up for renewal. A motion was made by Monahan, second by Haugen to approve the contract with Sioux Falls Area Humane Society for animal control services for 2016 and to authorize Mayor Campbell to sign the contract – all voted yes, motion carried.

Discussion of Vacant Council Seats: With the recent resignation of Ryan Bortnem and Brad Bjergaard there are now two vacant council seats. Per codified law, if a vacancy exists the remaining members of the governing body shall appoint a replacement to serve until the next annual municipal election, or the vacancy may be filled by special election for the remainder of the unexpired term. However, the law also states that an ordinance must be in place allowing vacancies to be filled by special election. The city does not have such an ordinance in place at this time. A motion was made by Nelson, second by Monahan for City Administrator Sidel to draft an ordinance in accordance with SDCL 9-13-14.2 to allow vacancies on the governing board to be filled by special election – all voted yes, motion carried. At this time, no appointments were made for the two open seats.

Discuss Chamber & Economic Development Director Application Deadline & Interview Process: The application deadline for the Chamber & Economic Development Director position was Nov 30th. At

this time, 8 applications for the position have been received. A motion was made by Haugen, second by Johnson to enter into executive session per SDCL 1-25-2.1 for personnel matters at 7:17 p.m. – Monahan and Nelson voted no with Haugen and Johnson voting yes, motion failed. A motion was made by Monahan, second by Nelson to table discussion on the job applications until the next meeting so the Mayor can be part of the discussion and to extend the advertising deadline of the position to Dec 12th – all voted yes, motion carried.

Reports:

City Engineer Report: Mitch Mergen with Stockwell Engineers updated the council on projects they are working on. Stockwells is in the process of finalizing the water model. Final design drawings for the pool project are nearly complete. The water main project is complete and final punch list items are being addressed. Stockwells continues to work with the DOT to secure new design agreements for the Mike Franken trail. Stockwells is working with South Main Addition engineers to resolve drainage issues.

Public Works Superintendent Report:

Streets – Snow removal for the last two snow events went well. Staff will be completing repairs to the dump truck and maintainer this week. Staff continues to haul salt sand. Wagner indicated that since there is money left in the street budget for this year, he would like to purchase a plow for the F250 Ford Truck. A plow would be useful in clearing snow from the Mickelson Bridge, allies and other quick cleanup jobs. It was the consensus of the council that Wagner purchases a plow.

Water – Levels are now ok at the lagoons so staff will be discharging this month.

Park and Pool – The skateboard park is now closed. The pump for the pool has been serviced and is ready for next year's season.

Finance Officer Report: Wilber provided a highlight of revenues that were received during Nov along with the general fund revenues and expenses to date thru Oct. A YouTube account for the city has been established and Wilber is in the process of posting the Nov 17th meeting. Information was provided to the council on the 2016 Rib Dinner & Municipal Government Day at the Legislature. The deadline to register for this event is Jan 19th. The calendar of events was also provided.

City Administrator Report: Sidel gave the council an update on the recent HADC & HACC activities and meetings. The closing on the sale of the Vandemark lots happened on Nov 27th. City Attorney Nelson is working on the agreements for the sale of the land on Main Ave to the Hartford Farmers Elevator. In regards to the water main project, city engineers have been in contact with Minnehaha County to ensure that all necessary paperwork and permits are in place. The process for employee evaluations was discussed with the council. It was decided to do them as they were done last year, in executive session before the second meeting in December.

Correspondence:

The following is a transcript of what was said at this point of the meeting:

(Councilman Johnson) If you guys don't mind I'd like to go back to correspondence. After the last meeting I did receive several emails. If you guys don't mind I would like to share one of the emails that I received if nobody objects. This is from a prominent business person here in Hartford:

Good Afternoon.

After the enlightening council meeting of the other night and the last several months, I would ask that you now also resign from the Hartford City Council. It is obvious that your words and actions only reflect what others are prompting you to do and say. Our ward and our city is in need of a representative who is also a leader, not a follower, like yourself. I would like to think that you cannot be more retarded than your son but it certainly doesn't seem that way. I feel sorry for your wife having to take care of two retards rather than just one. Your voting record over the past several months has been proven to be that of someone who is self-serving and also who has been told how to behave in every situation. All I can say in this matter is that I hope for the sake of the city that you choke on a turkey bone so we can have a true leadership in this town. If I see you at Hometown Christmas don't even bother to say hi or hello. In fact don't come to Hometown Christmas at all it would be a disgrace to the hard work that this committee has done to have you even in attendance. If you are there I hope someone throws an ice ball at your head for all the good you do for the city. The time has come for you to bow out Doyle. Our city cannot continue to thrive under your leadership, or lack thereof. I look forward to hearing that you have submitted your resignation.

I have received several and if this is what Growing Hartford is about – shame on you guys.

(Mark Brenneman) Is that signed by Growing Hartford?

(Councilman Johnson) This person is a member of Growing Hartford – yes.

End of transcript.

A motion was made by Monahan, second by Nelson to enter into executive session at 7:48 p.m. – all voted yes, motion carried.

A motion was made by Monahan, second by Nelson to exit executive session at 7:51 p.m. – all voted yes, motion carried.

Monahan made a motion to resolve, second by Haugen, that on behalf of the Hartford City Council a formal apology goes out to Doyle Johnson for the email he received from a citizen and that moving forward the Hartford City Council does not condone any spiteful or hateful emails or correspondence with any city council person pertaining to his or her stance on an issue or their position on the city council – all voted yes, motion carried.

Lisa Hellvig addressed the city council and stated that the email to Councilman Johnson was not from the Growing Hartford organization and they also do not condone such behavior and she offered an apology to Johnson on behalf of Growing Hartford.

Johnson noted that he has a conflict on Dec 15th and will not be able to attend the regularly scheduled city council meeting which will produce a lack of quorum. Discussion was held regarding changing the meeting date. A motion was made by Monahan, second by Nelson to move the second city council meeting in Dec from Tuesday, Dec 15th to Monday, Dec 14th starting with an executive session for personnel at 6:00 p.m. – all voted yes, motion carried.

Adjournment: A motion was made by Monahan, second by Haugen to adjourn at 8:04 p.m. – all voted yes, motion carried.

Minutes recorded by Finance Officer, Karen Wilber.

I, the undersigned, Karen Wilber, Finance Officer in and for the City of Hartford, South Dakota, do hereby certify that the above and foregoing is a true and correct copy of the minutes which is on file at the Municipal Finance Office.

Karen Wilber, Finance Officer