

City Council Meeting – Regular Meeting January 18, 2022

Mayor Jeremy Menning called the meeting to order at 7:00pm at Hartford City Hall with the following city council members present: Arden Jones, Mark Brenneman, LaVonne Randall and Mark O’Hara. Mark Monahan and Travis Kuehl were absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Attorney Tom Frieberg, City Engineers David Doxtad, Michael Redenbaugh and 16 people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jones, second by Randall to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Randall, second by Brenneman to approve the meeting minutes from January 4, 2022 – all voted yes, motion carried.
- **Approval of the Bills:** A motion was made by Jones, second by O’Hara to approve the bills submitted for payment – all voted yes, motion carried.

PUBLIC COMMENTS: None

VISITORS: Stephane Bents with Siouxland Libraries was present to give a report on the Hartford Branch of the Siouxland Libraries. The library saw a decrease in the number of visitors in 2020 & 2021 compared to 2019. This was largely due to the pandemic. This trend is expected to continue as the pandemic continues to be an issue. Bents also indicated that Siouxland Libraries is in the process of creating a strategic plan. They will be conducting surveys and holding meetings in an effort to get public feedback. They are hoping to have the plan done by May 2022.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Public Hearing & 1st Reading of Ordinance #723 – Amendment to Zoning Regulations for Accessory Structures:** Currently there is no minimum square footage in our regulations for accessory buildings, making all structures subject to the regulations. The Planning and Zoning Board reviewed these regulations and is recommending that smaller structures that are under 25 square feet and under 8 feet tall be exempt from permitting and from the regulations in Section B. The regulations in Section A, however, would apply. Ordinance #723 incorporates these changes. A motion was made by Jones, second by Randall to approve 1st reading of Ordinance #723 to Amend Zoning Regulations for Accessory Structures – all voted yes, motion carried.
- **7:10 Public Hearing & 1st Reading of Ordinance #724 – Rezone the N ½ of Lot 6 Block 7 of Western Meadows Addition:** Dakota Cannabliss is in the process of establishing a cannabis campus at Lot 6, Block 7 of Western Meadows Addition, which is currently zoned light industrial. They have submitted three cannabis applications to the City – 1 cultivation, 1 manufacturing and 1 dispensary. State law requires dispensaries to be in a separate facility from any cultivation and manufacturing and the City’s zoning regulations require dispensaries be located in a zoning district of community commercial or central business while cultivation and manufacturing be located in light industrial. To address both of these requirements, the applicant has platted the parcel into two lots – the cultivation/manufacturing facility would be located on the south half and the dispensary would be located on the north half. They are also applying for a zoning change on the north half from light industrial to community commercial. At the Dec 21st meeting, the council approved the cannabis cultivation and manufacturing applications. The dispensary application was tabled until the Planning & Zoning Board made their recommendation to the council on the rezone. The Planning & Zoning Board reviewed this rezone at their Jan 11th meeting and is recommending approval to the council. A motion was made by Jones, second by Brenneman to approve 1st reading of Ordinance #724 to Rezone the N ½ of Lot 6 Block 7 of Western Meadow Additions from light industrial to community commercial – all voted yes, motion carried.
- **7:15 Public Hearing – Special Alcoholic Beverage Application for Backdoor Garden, LLC:** Rickie Kunzweiler of Backdoor Garden is a current holder of a malt beverage/SD farm wine license. She is applying for a special malt beverage/SD farm wine license to serve at the Art Appreciation Wine Walk to be held Feb 20th at St. George Catholic Church. A motion was made by Randall, second by Jones to approve the special alcoholic beverage license application for Backdoor Garden, LLC – all voted yes, motion carried.
- **7:20 Public Hearing – Transfer of Liquor Licenses from Heart T Stop, Inc to Brown Jug, LLC:** The Heart T Stop has recently been sold. Currently there are three liquor licenses held by Heart T Stop, Inc at this locations: an off-sale package liquor license, an on/off sale malt beverage/SD farm wine license and an on/off sale wine license. The previous owner and new owner have submitted the paperwork to transfer these licenses from Heart T Stop, Inc. to Brown Jug, LLC. A motion was made by Randall, second by Brenneman to approve the transfer of the three liquor licenses from Heart T Stop, Inc to Brown Jug, LLC – all voted yes, motion carried.
- **Resolution 2022-1 Transfer of Sports Complex Funds to General Fund:** Back in 2010 the City established the Sports Complex Fund 409 to track expenses & revenues related to the Swenson Sports Complex. Now, with the newly establish Park Board, all expenses & revenues for the entire park system, including Swenson Sports Complex, will be filtered through the Park Board account in the general fund. Resolution 2022-1 will transfer the remaining balance of \$155,821.89 in the Sports Complex Fund 409 to the General Fund 101. A motion was made

by Jones, second by O'Hara to approve Resolution 2022-1 Transfer of Sports Complex Funds to General Fund – all voted yes, motion carried.

REPORTS:

- **Fire Department Report:** Fire Chief Matt Horn was present to give a department update to the council. Horn provided a recap of 2021. There was a total of 394 calls for the year, a 3% decrease from last year. Of those calls, 141 were in Hartford city limits, with the majority of those being EMS calls. Horn noted some accomplishments by the department over the last year including the installation of several Knox Boxes, receipt of grant dollars for new radios, receipt of a donated SCBA fill station, and several community events/demonstrations held throughout the year. New officers for 2022 are Chief Matt Horn, 1st Asst Fire Adam Erickson, 1st Asst Rescue Connor Vortherms, 2nd Asst Fire Brice Zwak, 2nd Asst Rescue Camille Crouch, Treasurer James Buss, Secretary John Hanssen, Members at Large Todd Lowe & Jason Roberts. Horn requested HAFR's 2022 budget appropriation of for operating expense. A motion was made by Jones, second by Randall to approve the payment of \$28,000 to Harford Area Fire & Rescue, Inc for their 2022 operating appropriation – all voted yes, motion carried.
- **Chamber & Economic Development Report:** Amy Farr was present to provide her report. Chamber activities: working with individual committees for upcoming events; continues planning for annual banquet to be held Mar 4th; the next membership mixer is on Jan 25th at Central States; working on spring newsletter along with several direct mailers; updates to social media as needed; working with interns from both Tri-Valley and WC Schools. HADF activities: continued efforts on RFI's; continue work on Envision2025 invoicing & retention efforts; continues to meet with landowners & developers; continues to work with ISG on community development plan; attended a Dakota Business Network new ED cohort session in Miller, SD on Jan 11th.
- **Engineer Report:** David Doxtad reported the following:
 - Development work is ongoing: Western Meadows, Knapp's Landing & Turtle Creek Highlands.
 - Reviews/approved several new plats for the City.
 - Design plans for the 6th St/Mundt Ave project are nearing completion. New sidewalks are being planned at 3 locations to ensure a continuous walkway along Mundt Ave from Hwy 38 to 4th St.
 - The facility plan for the WWTF has been submitted to DANR. The City will know the amount of funding received by April 1st. A proposal for design services for the new plant was provided to the council. A motion was made by Randall to postpone this item until the next council meeting. Motion failed for lack of a second. A motion was made by Brenneman, second by Jones to table this item until the next council meeting – all voted yes, motion carried. Mayor Menning asked the council to let him know if they'd be interested in getting a proposal from the other engineering firm the City had previously been working with on the WWTF.
 - The community development plan is coming along nicely. An open house planned for the beginning of February.
 - Fence construction is underway at the two new fields at the Sports Complex. Engineers will stake the bases when ready.
- **Public Works Report:** Public Works Superintendent Wagner's report was provided.
 - Streets – The bid opening for the 2022 slurry seal project is Feb 3rd. Staff has been servicing equipment as time allows. A new field drag has been purchased. A February delivery date is planned for the plow. Wanger continues to look for a pickup. Wanger is working with SVE & SD DOT on the maintenance of the street lights along Hwy 38. More information will be provided once a plan is in place.
 - Water – There are less than 250 meters left to change out. The goal is to be done by spring.
 - Sewer – All reporting is done. The last discharge went well. Sample will be taken later this month to see if we can discharge again this winter.
 - Sports Complex – Bryan Rock is delivering the additional aglime needed. Staff is spreading it out as time allows. American Fence continues to work on the ball field fencing.
 - Weather Siren – The new siren has been mounted to the pole with plans to set it next week. Once set, the electrician will finish their work. Depending on the frost level, getting power to it may have to wait until spring.
 - Inventory – Staff has started the process of updating the year-end inventory sheets.
 - Training – Neil Hanisch has recertified his pesticide license. Jesse O'Kane will do his in the coming weeks.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided. Items included cash balances, sales tax revenue and committee fund balances as of Dec 31st, a recap of bills submitted for payment, and the Jan/Feb calendar of events. Nominating petitions for the upcoming city elections may be circulated starting Jan 28th through the filing deadline of 5pm Feb 25th.
- **City Administrator Report:** City Administrator Sidel's report was provided. The bike trail grant is currently being reviewed by the Federal Hwy Authority. Once received, work can begin. The switch between the City's old and new insurance carriers will happen effective April 1st. Kyle Christensen, the City's new building inspector/code enforcer, will start Jan 31st. Building Inspector Paul Clarke has agreed to stay on and help through the transition. New carpet for 4 offices at City Hall is scheduled for Feb 12th. City Hall will be closed a few hours on the 11th and 14th to allow for moving furniture. Notices will be posted. Sidel is getting quotes for some banners that will display a contact number to place on open billboards. The P&Z Board is in the process of reviewing the City's building codes, updating from the 2018 codes to the 2021 codes. The ordinance to make

these changes will come before the council in Feb. An organizational meeting is being set for the first week in Feb for the newly created Park & Rec Board. Sidel provided a report showing the 2021 contract hours provided by the Minnehaha County Sheriff's Office. This past year the city contracted for 5,208 hours and received 5,424 – an excess of 215 hours, which is great for the City. Midco Communications is planning to start their fiber install in April and estimate that they will be finished up by Aug. Engineers have finished up the updates to the City's Capital Improvement Plan.

NEW BUSINESS:

- **Tax Increment Financing (TIF) Presentation:** City Attorney Tom Freiberg gave an overview on what tax increment financing (TIF) is and how a TIF district is created. A TIF is a tool to help local government improve and further develop areas of their communities, providing a way to finance infrastructure improvements in a defined area, using future taxes generated on the increased value of the TIF area to pay for the infrastructure costs. The process of creating a TIF district and adoption of the project plan would involve both the Planning & Zoning Board and the City Council.

EXECUTIVE SESSION: A motion was made Brenneman, second by Jones to enter executive session pursuant to SDCL 1-25-2 (1) for personnel and SDCL9-34-19 for economic development at 8:19pm – 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

EXECUTIVE SESSION: A motion was made by Jones, second by O'Hara to exit executive session at 8:44pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by O'Hara, second by Randall to adjourn at 8:45pm – all voted yes, motion carried.

Minutes recorded by City Administrator Teresa Sidel.

I, the undersigned, Teresa Sidel, City Administrator 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.

Teresa Sidel, City Administrator