

## City Council Meeting – Regular Meeting October 4, 2022

Mayor Arden Jones called the meeting to order at 7:00pm with the following city council members present: Cindy Matson, Mark Brenneman, Travis Kuehl, Jake Jass, and Mark O'Hara. Chris Woslager was 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 Engineer Michael Redenbaugh, and 9 people from the public.

### BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Brenneman, second by Matson to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Matson, second by Kuehl to approve the regular meeting minutes from September 20, 2022 – all voted yes, motion carried.

**PUBLIC COMMENTS:** Hartford resident Benjamin Parker was present to give his thoughts on the creation of a future planning committee if the City decides to move forward with a new pool facility. He feels individuals that sit on other boards should not be appointed to this committee, allowing the opportunity to those individuals who don't serve other boards.

### VISITORS:

- Leah Johnson, President of the Jamboree Days Committee, was present to provide the Council a recap of the 2022 event. Planning meetings for the 2023 event are held the second Monday of each month starting Oct 10<sup>th</sup> 6:30pm at the Fire Station.
- Mark O'Hara with Hartford Area Community Foundation was present to present the City a check in the amount of \$3,000 to put towards the cost of putting in the new dog park. Girl Scout Alexia Larson, and her parents, were present as well. The park is near completion and a ribbon cutting is set for Oct 21<sup>st</sup> 4:30pm. Mayor Jones indicated that Pastor Seth LaBounty will be present to do a dog blessing.

### ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **2<sup>nd</sup> Reading of Ordinance #735 to Amend Zoning Regulations to Adopt Commercial Building Standards:** Currently the City does not have any building standards in place for commercial buildings. Implementing such standards would ensure that the City's commercial areas have a more cohesive look and be more aesthetically pleasing. As written, any new buildings in commercial and central business zoned areas would be subject to the new standards. The Planning & Zoning Board has reviewed Ordinance #735 and is recommending approval to the Council. A motion was made by Kuehl, second by Jass to approve 2<sup>nd</sup> reading of Ordinance #735 to amend zoning regulations to adopt commercial building standards – all voted yes, motion carried.
- **Review/Approve Purchase Agreement Between Senior Citizens Inc and City of Hartford:** City Attorney Frieberg has drafted a purchase agreement for the purchase of the Gage House by the City of Hartford from Senior Citizens Inc. The terms of the agreement are as follows: closing to be completed by Nov 1<sup>st</sup>; purchase price of 30k; closing fees and title insurance are split between the buyer and seller; all property taxes due before the closing date would be the responsibility of the seller; the buyer will pay the recording fee; and the seller would pay the transfer fee. There is also a provision in the agreement that states the City will lease the building back to the Senior Citizens. Frieberg will draft a lease agreement to be presented at the next meeting. It was also noted that the HADF has presented the City a check in the amount of 30k to put towards this purchase. A motion was made by Jass, second by Matson to approve the purchase agreement between Senior Citizens Inc and the City of Hartford – all voted yes, motion carried.
- **Review/Approve Billboard Lease Agreement between Transport Refrigeration of SD and City of Hartford:** A lease agreement for the west face of billboard #3 was presented. Transport Refrigeration of SD has agreed to the City's standard lease agreement – 3yr term starting Oct 1, 2022, rental rate of \$150/mo, and a security deposit of \$1,000. A motion was made by Kuehl, second by Jass to approve the billboard lease agreement between Transport Refrigeration of SD and the City of Hartford as presented – all voted yes, motion carried.

### REPORTS:

- **Sheriff's Department Report:** Deputy Kardas was present to provide his report for the month of Sept. There were 265 calls for service for the month. Coffee with a Cop will be held Oct 20<sup>th</sup> 7am at the Senior Ctr and again on Nov 15<sup>th</sup> 7am at Stomping Grounds. On Dec 20<sup>th</sup> Donuts & Deputies will be held 7am at City Hall.
- **Chamber & Economic Development Report:** CEDD Amy Farr provided her report. Chamber activities: continues promoting upcoming events on social media & website; ChiroSport and Stomping Grounds will host the next Membership Mixer Oct 25<sup>th</sup> at Stomping Grounds; there will be a ribbon cutting for Payroll Vault on Oct 19<sup>th</sup> and the City's dog park on Oct 21<sup>st</sup>; the Trunk or Treat Event will be Oct 29<sup>th</sup> from 3-5pm at the high school and middle school parking lots; the new My Community app will roll out Nov 1<sup>st</sup>; planning has started for the annual

meeting to be held Nov 29<sup>th</sup>. HADF activities: Farr continues to meet with developers, investors, & landowners; the Keloland Living segment by HACC & HADF will air Oct 24<sup>th</sup>; County Commission candidate Joe Kippley has been scheduled to speak at the Oct 5<sup>th</sup> HADF meeting and current County Commissioner Gerald Beninga at the Oct 12<sup>th</sup> meeting; Farr will be attending the Oct 18<sup>th</sup> County Commission meeting, along with a group of other individuals, to talk to the County about the WWTF regionalization.

- **Engineer Report:** Michael Redenbaugh reported the following:
  - Finalized site plans for Black Tie Components.
  - The 6<sup>th</sup> St/Mundt Ave project is moving along well. Asphalt paving is expected to start next week in Phase 2. Watermain installation is done in Phase 3 and testing is being conducted. Once passing test results are in, work will begin on connecting residents to the new water main and then connecting the new water main to the existing mains under Eastern Ave, Mary Ln, & Vandemark Ave. At the last meeting, the Council approved the installation of storm sewer along the south side of Jeanne Cir. Adding this storm sewer will help capture nuisance runoff from Hwy 38, routing it underground to reduce flooding potential in this area. Since that meeting, Engineers have met with staff and have come up with a more cost-effective solution of installing the storm sewer in the north boulevard area of Jeanne Cir. This option aligns more closely with the original plans and reduced the amount of disturbance for the residents of Jeanne Cir. Homeowners with trees in this boulevard area have been contacted, as these trees will have to be removed. They have all agreed. Change Order #4 in the amount of \$23,126.40 for the installation of the storm sewer in the north boulevard area of Jeanne Cir was presented. A motion was made by Kuehl, second by O'Hare to approve changer order #4 for \$23,126.40 – all voted yes, motion carried.
  - Work has started on the water tower painting project. The contractor is estimating that work will be completed by mid-October. Painting of the City's new logo on the tower will be done in the spring.
  - Design work on the WRRF is ongoing. The City has received two proposals for the Construction Manager for the project. A review committee, consisting of staff, engineers, and council members, will review the proposals on Oct 7<sup>th</sup>. Mayor Jones appointed council members Kuehl & Jass to this committee.
  - The bike trail project between Main Ave & Feyder Ave is on hold until the necessary easements are obtained from adjacent property owners. This house is currently for sale. Once sold, the City will approach the new owners about the easements. If the house hasn't sold by mid-December, the City may want to start looking at what the options are for moving forward with the project.
  - Engineers continue to work in conjunction with SECOG to provide the revised storm shelter design and costs to FEMA. The deadline to submit these updates is Oct 15<sup>th</sup> and engineers are anticipating a 3-to-4 month review process by FEMA.
  - Preliminary designs on the Hwy 38 water main extension project have been provided for staff review. Engineers plan to bid the project early next year.
  - The final report for the Western Ave traffic study has been provided to Council and staff. Results align with a 3-lane roadway with a shared center turn lane. Preliminary design work has begun based on the findings in the report. Construction of this project is slated to start in 2025 in conjunction with the DOT Interchange project.
- **Public Works Report:** Public Works Superintendent Wagner provided his report.
  - Streets – A second application of mag water is being applied to gravel roads this week.
  - Water – All reporting is done until Jan. Work on the water tower painting project is moving along well.
  - Sewer – The next reports are due the end of Oct.
  - WRRF – Staff visited one of the City of Mitchell's lift stations and also toured Dakota Pump's facility.
  - Western Ave Sewer Extension – The contractor continues to work on remaining punch list items.
  - Park – The tennis court fencing is down. Staff plans on removing the concrete yet this fall.
  - Dog Park – The concrete for the ADA parking pad was poured on Tues. Staff plans on pouring the sidewalk on Thurs. Trees will be planted this weekend and signage has been ordered. Everything will be wrapped up by the Oct 21<sup>st</sup> ribbon cutting.
  - Tree Branch Site – A deadline of Oct 16<sup>th</sup> has been given to the individual taking care of the disposal of branches from our drop-off site. Whatever isn't removed by this date, staff will haul off. Per FEMA requirements, all storm damage cleanup & repairs need to be completed by Oct 21<sup>st</sup>.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided. Items included a summary of revenues received in Sept along with an overview of the city's cash balances, revenues and expenses through Aug. The Oct calendar of events was also provided. Wilber has sent both the budget ordinance and street maintenance fee resolution that were previously approved by the Council on to the County Auditor for processing.
- **City Administrator Report:** City Administrator Sidel provided her report. The bike trail project remains on hold for now. Easements are needed from a neighboring property owner. If easements are not granted by the end of the year, the City may need to look at other options. Both the 6<sup>th</sup>/Mundt St and water tower painting projects are going well. Preliminary designs have been submitted to staff for review on the Hwy 38 water main extension

project. The dog park is near completion. A ribbon cutting is scheduled for Oct 21<sup>st</sup>. The traffic study of Western Ave is now complete. On Oct 7<sup>th</sup> the selection committee will review the proposals received for the WRRF Construction Manager. Stockwell Engineers will be addressing remaining punch list items on the Western Ave Sewer project in hopes of getting this projected finished up soon. The City's new logo was unveiled at the Downtown Market on Sept 29<sup>th</sup>. Sidel is obtaining quotes from two different printers for logo items needed such as vehicle decals, wall decal, door decal, signage, letterhead, business cards, etc. Sidel also indicated that if the Council wants new logo apparel, catalogs are available. Matson ask that Sidel provide a list of 2 to 3 apparel options to choose from. Sidel will compile and provide at a future meeting. Information is being gathered to submit a claim to FEMA for storm damage from the May 12<sup>th</sup> Derecho.

#### **NEW BUSINESS:**

- **Hartford's Hometown Christmas Request to Release their 2022 Budget Allocation:** Sherri Goebel, on behalf of Hartford's Hometown Christmas, was present to request release of their 2022 budget appropriation. A motion was made by Jass, second by Matson to approve payment of \$10,000 to Hartford's Hometown Christmas for their 2022 appropriation – all voted yes, motion carried.
- **Review/Approve Optimist Club Request to Place Flags in Boulevard Areas:** Optimist Club Member Sherri Goebel was present to visit with the Council about the Avenue of Flags program. For a fee of \$50 per year, a homeowner or business owner can sign up to have a 3'x5' American flag w/ holder placed in front of their home or business on Memorial Day, Flag Day, Independence Day, Labor Day, and Veterans Day. The Optimist Club, along with the help of the American Legion, will run the program requiring no assistance from City staff. Since the flags will not be lit, they will be put up and taken down in the same day. The Optimist Club is looking for a group that could use this program as a fundraiser. Since the flags/holders will be placed in the boulevard areas, they are seeking approval from the Council. A motion was made by Kuehl, second by Matson to approve the placement of flags/holders in the boulevard areas for the Avenue of Flags program – all voted yes, motion carried.
- **Review/Approve Acknowledgement & Guaranty of Sanitary Sewer Allocation for Turtle Creek Highlands:** To provide sanitary sewer service to the Maple Pass Addition, the development will need to hook into the lift station located at Mickelson Rd. In order to do this, they will need to secure an easement from Turtle Creek Highland so that they can cross their property. Part of this easement agreement is an Acknowledgement & Guaranty of Sanitary Sewer Allocation to be signed by the City. The acknowledgement provides Turtle Creek Highlands assurances that the additional waste from the Maple Pass Addition will not cause their sewer allocation for the lift station to be compromised. Also, if it were to be compromised, the City would bear the cost of any additional improvements needed. ISG has conducted a sewer capacity analysis of the Mickelson Rd lift station. Currently the lift station is at 5% capacity. With future development factored in, ISG anticipates the lift station to be just under 28% capacity. With this information, staff believes there will be no sewer capacity issues with the Mickelson Rd lift station and is recommending approval of this acknowledgement. It was also noted that once the new WRRF is operational in 2025, this lift station will no longer be needed as everything will be pumped to the new facility. A motion was made by Jass, second by Matson to approve the Acknowledgement & Guaranty of Sanitary Sewer Allocation for Turtle Creek Highlands – all voted yes, motion carried.
- **Review/Approve Part-Time Snow Removal Job Description and Allow Advertising:** The current job description for the part-time snow removal position was provided to the Council for their review. Discussion was held about the current pay range. A motion was made by Matson, second by Kuehl to approve the job description and begin advertising for the part-time snow removal position – all voted yes, motion carried.
- **Mayoral Appointments of City Attorney & City Engineer for 2023:** Mayor Jones recommended the appointment of Frieberg, Nelson & Ask, LLP as City Attorney for 2023. A motion was made by Kuehl, second by Brenneman to approve the appointment of Frieberg, Nelson & Ask, LLP as City Attorney for 2023 – all voted yes, motion carried. Mayor Jones recommended the appointment of ISG as City Engineers for 2023. A motion was made by Jass, second by O'Hara to approve the appointment of ISG as City Engineers for 2023 – all voted yes, motion carried.

**EXECUTIVE SESSION:** A motion was made O'Hara, second by Matson to enter executive session pursuant to SDCL 9-34-19 for economic development and SDCL 1-25-2(3) for legal 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.

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Karen Wilber, Finance Officer

**EXECUTIVE SESSION:** A motion was made by Brenneman, second by Matson to exit executive session at 8:50pm – all voted yes, motion carried.

**ADJOURNMENT:** A motion was made by O’Hara, second by Jass to adjourn at 8:51pm – 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.

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Teresa Sidel, City Administrator