

City Council Meeting – Regular Meeting November 19, 2019

Council President Arden Jones called the meeting to order at 7:00pm at Hartford City Hall with the following city council members present: Mark Monahan, Mark Brenneman, Travis Kuehl, and Scott Nelson. Mayor Jeremy Menning and Brittany Glanzer 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 Jesse Fonkert, City Attorney Larry Nelson and City Engineer Mitch Mergen.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Kuehl, second by Nelson to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Kuehl, second by Brenneman to approve the meeting minutes from November 5, 2019 – all voted yes, motion carried.
- **Approval of the Bills:** A motion was made by Monahan, second by Kuehl to approve the bills submitted for payment – all voted yes, motion carried.

PUBLIC COMMENTS: None.

VISITORS: Don Sieverding was present to get input from the council on when improvements to 12th Street are anticipated to happen. Sieverding is currently developing land, which is located to the east of 12th Street. He has had interest in lots in his development and the question has arose as to when the City will complete 12th Street. This project is currently on the City's CIP, but no proposed start date has been assigned. The council will be reviewing the CIP at a future meeting where they will be discussing this project along with other future projects. More information on an anticipated date for the 12th Street project will be available after this meeting.

ORDINANCES, RESOLUTIONS, APPLICATIONS AND HEARINGS:

- **7:05 Public Hearing – Liquor License Renewals:** A motion was made by Monahan, second by Nelson, to approve all liquor licenses as presented – all voted yes, motion carried.
- **7:10 Public Hearing on Annexation Petition from the Hartford Township:**
 - **Review & Approve Agreement with Hartford Township/Review & Approve Annexation Resolution 2019-17:** Hartford Township owns a parcel of land along Western Ave that is not in city limits. The City recently requested an easement from the Township for the new sewer project along Western Ave. The Township will agree to the easement if they are allowed to hook on to the new sewer line, once completed. Since they are not in city limits, they would be required to annex into the city in order to receive any city utility services. They have agreed to the annexation. An agreement was presented to the council that spells out the terms of this arrangement - that the City agrees to install the sewer service line to the Township property and allows them to hook on to this line, waiving the initial hookup fee and that the Township agrees to annex this parcel into the city and to sign the easements needed for the sewer project. Further discussion was held about the installation of the service line on the Township property. The agreement is not clear as to where the City would bring the line to. A motion was made by Kuehl, second by Nelson to table both the agreement and annexation resolution until the next meeting to allow time to get clarification on the details of the sewer line installation on the Township property – all voted yes, motion carried.
- **Review & Approve Resolution 2019-15 General Assessment Policy:** Resolution 2019-15 updates the City's general assessment policy by clarifying the assessment rate for different improvements and adding a section that states the payment due date to the City before an assessment would be sent on to the County. A motion was made by Kuehl, second by Brenneman to approve Resolution 2019-15 General Assessment Policy – Monahan voted no with all others voting yes, motion carried.
- **Review & Approve Resolution 2019-16 Transfer of Contingency Funds:** This resolution would approve the transfer of funds from the city's contingency account to other accounts in the general fund. A motion was made Monahan, second by Brenneman to approve Resolution 2019-16 to transfer \$44,733 from the city's contingency account to the following accounts: Finance Office \$33,740; Police Administration \$1,893; Street \$9,100 – all voted, motion carried.
- **1st Reading of Ordinance #680 – Amend Zoning Regulations Allowing Artisan Distillery in Central Business & Community Commercial Districts:** With the recent approval to transfer the city owned lot at Menth St & Main Ave to the HADF, the HADF is now marketing this lot sale with a possible use being an artisan distillery. Currently the City's zoning regulations only allow for distilleries in Heavy Industrial District. This ordinance would change the regulations allowing artisan distilleries by conditional use in central business and community commercial districts. Councilman Kuehl requested that our building codes be looked at to ensure they allow for this type of use and to also have a discussion with the fire chief to ensure there are no concerns from a fire protection standpoint. Sidel will address these items before the ordinance is presented for 2nd reading. A motion was made by Kuehl, second by Brenneman to approve 1st reading of Ordinance #680 Amend Zoning Regulation Allowing Artisan Distillery in Central Business & Community Commercial Districts – all voted yes, motion carried.

- **1st Reading of Ordinance #681 – 2019 Supplemental Appropriation:** This ordinance will provide additional appropriations to the city’s 2019 budget. A motion was made by Nelson, second by Brenneman to approve the 1st reading of Ordinance #681 2019 Supplemental Appropriation which will add \$146,225 to the general fund 101 budget; \$1,125,000 to the capital improvement fund 505 budget; \$1,572,728 to the capital improvement fund 506 budget; \$2,256 to the water fund 602 budget; and \$77,846.23 to the sewer fund 604 budget – all voted yes, motion carried.
- **1st Reading of Ordinance #682 – Amend Ordinance #430 – Sidewalks:** In 2018 the City adopted new design standards, which were drafted by city engineers and reviewed by both the planning & zoning board and council. These standards require a minimum sidewalk width of 5ft in residential areas. The City’s municipal ordinance still references the 4ft minimum width. This ordinance would update the sidewalk section of the municipal ordinance, so it agrees with the design standards. A motion was made by Kuehl, second by Brenneman to approve 1st reading of Ordinance #682 Amend Ordinance #430 – Sidewalks. Further discussion was held regarding some of the wording of Ordinance #682. Sidel will make the appropriate wording changes prior to 2nd reading. Kuehl called the vote. Monahan voted no with all others voting yes, motion carried.

REPORTS:

- **Chamber & Economic Development Director Report:** Director Jesse Fonkert’s report, recapping activities for both the Chamber and HADF, was provided to the council. Highlights: two new members joined the Chamber in Oct, work continues on #DiscoverHartford videos/stories, the fall Chamber newsletter was sent out, ongoing communication with business leads, work continues on capital campaign with NCDS hired to do feasibility analysis, visited area manufactures and attended various meetings/events. Steve Griesert with Community Partners Research, Inc. was present to give the council a brief overview of the housing study update that was recently completed. Fonkert extended a thank you to both SDHDA and SECOG for their help in funding this study update. Fonkert also thanked Mr. Griesert for all his work on the study.
- **Engineer Report:** Mitch Mergen was present to provide engineer updates. Mickelson Road Improvements – The contractor continues to work on punch list items. Vandemark Roadway Improvements – The contractor continues to work on punch list items. 9th Street Improvements – Construction documents are being prepared for bidding in Jan 2020. CIP Updates – Updates are being made to the CIP. Once complete, it will be presented to the council for their review. Wastewater Treatment Facility – Discussions are still ongoing with landowners on potential sites/routes for the facility. A reimbursement request in the amount of \$7,921.99 from Kelly Point Partners was presented. When they developed phase 3 of their project, they installed a 12” water main along Mickelson Rd from Clover Leaf Ave to Shamrock Dr. They are now requesting reimbursement for the upsizing that was done from an 8” main to a 12” main. Engineers have reviewed the request and are recommending payment. A motion was made by Monahan, second by Nelson to approve payment in the amount of \$7,921.99 to Kelly Point Partners for the upsizing done on the water main along Mickelson Rd – all voted yes, motion carried.
- **Public Works Report:** Public Works Superintendent Wagner’s report was provided to the council. Highlights include:
 - Streets – Wagner is compiling information for the 2020 slurry seal project. Staff replaced the heater core on the ’95 dump truck. Snow equipment is serviced and ready to go. The ’14 Ford replacement truck should be rigged and ready to go into service next week. Wagner will be putting specs together for a dump truck so it will be ready to bid in January. Street sweeping continues. Wagner is obtaining quotes for cleaning out drainage areas.
 - Water – Staff continues to install the new meters for this year. The abandon hydrant/valve by the old tower has been removed.
 - Sewer – Staff rebuilt the pump at the main lift station. Samples will be taken this week. Hoping to discharge one more time this fall.
 - Parks – The new tree has been planted at Century Square Park.
 - Downtown – Seven of the new lights have been installed. Two more will be put up next week. One is on backordered.
- **Finance Officer Report:** City Finance Officer Wilber’s report was provided to the council. Items included cash balances, sales tax revenue and committee fund balances as of October 31st, a recap of bills submitted for payment and the calendar of events.
- **City Administrator Report:** City Administrator Sidel’s report was provided to the council. Sidel provided a copy of the Vandemark Ave assessment roll. Letters will be sent to all property owners next week to inform them of the assessment hearing scheduled for Dec 17th. All invoices regarding the two code violation cases have been received and a final account for each case has been sent to our attorney. These costs will be levied against the properties involved. Sidel attended a LRTP meeting on Nov 7th. The City has hire one person for snow removal but is still accepting applications in hopes of hiring an individual with a CDL that can operate larger equipment.

OLD BUSINESS:

- **Approve Warranty Deed for Lot 6 of Railway Addition:** On Oct 1st the council approved transferring Lot 6 of Railway Addition to the HADF for marketing. A Warranty Deed to transfer this lot to the HADF was provided. A motion was made by Nelson, second by Kuehl to approve and authorize Mayor Menning to sign the warranty deed transferring Lot 6 of Railway Addn to the HADF – Monahan voted no with all others voting yes, motion carried.

- **Discuss Park Recreation Board:** Mayor Menning has requested to table this item until the next meeting so he can be present. A motion was made by Brenneman, second by Kuehl to table this item until the next meeting – all voted yes, motion carried.

NEW BUSINESS:

- **Discuss Feedback on Joint Jurisdiction Public Meeting:** In an effort to get as much correct information out as possible to those impacted by possible joint jurisdiction, the Planning & Zoning board has suggested that a letter be sent to all property owners within the joint jurisdiction area. This letter would recap questions or concerns that were brought up by property owners at the Oct 29th public input meeting. The council provided feedback on questions that were asked at their tables or any other information that they think is important to include in the letter. Sidel will draft a letter to be mailed with a copy posted on the city’s website. It was the consensus of the council that the City moves forward with another public input meeting in January 2020.

CORRESPONDENCE: None.

EXECUTIVE SESSION: A motion was made Kuehl, second by Monahan to enter executive session pursuant to SDCL 1-25-2 (1) for personnel at 8:56pm – 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: Monahan exited the meeting at 10:05pm. A motion was made by Nelson, second by Kuehl to exit executive session at 10:07pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Nelson, second by Kuehl to adjourn at 10:08pm – 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