

City Council Meeting – Regular Meeting November 5, 2013

Council President Mark Monahan called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Scott Nelson, Leah Johnson, Scott Yount, Doyle Johnson and Gail Olson-Duck. Mayor Zimmer arrived at 7:05 p.m. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, City Attorney Larry Nelson and City Engineers Mitch Mergen and Nick Borns.

Additions/Approve Agenda: A motion was made by Olson-Duck, second by Leah Johnson to approve the agenda as set - all voted yes, motion carried.

Approve Minutes of Oct 15, 2013 Regular Meeting: A motion was made by Olson-Duck, second by Leah Johnson to approve the Oct 15, 2013 regular meeting minutes with a correction to 7:05 Hearing for Resolution 2013-7 that the street right-of-way is to the west of Jon Maras' existing lot, not to the east – all voted yes, motion carried.

Approve Minutes of Oct 22, 2013 Special Meeting: A motion was made by Leah Johnson, second by Olson-Duck to approve the Oct 22, 2013 special meeting minutes – all voted yes, motion carried.

Deputy Report: Deputy Terrones was present to give his report. He noted that speeding is occurring on Railroad St. and Vandemark Ave. With the ending of the month of Oct he will be watching for expired license tags. He also noted parking issues that occurred on Halloween night on Par Tee Dr.

Ordinances, Resolutions & Hearings:

2nd Reading of Ordinance #599 – Storage Units within Commercial Districts: This ordinance change will allow storage units in Community Commercial and Regional Commercial Zones with a conditional use permit. Currently storage units are only allowed in either Light or Heavy Industrial Zones as a permitted use. This amendment to the city's regulation will allow plans for storage units to be reviewed and the placing of any conditions, if need be, on them. A motion was made by Monahan, second by Doyle Johnson to approve 2nd Reading of Ordinance #599 – Storage Units within Commercial Districts – all voted yes, motion carried.

1st Reading of Ordinance #600 – 2013 Supplemental Appropriation: This ordinance will provide additional appropriations to the city's 2013 budget. A motion was made by Nelson, second by Monahan to approve the 1st Reading of ordinance #600 – 2013 Supplemental Appropriation which will add \$97,000.00 to the general fund budget; \$1,500.00 to the 3rd penny tax fund budget; \$58,500.00 to the sports complex fund budget; \$305.33 to the pool improvement fund budget; \$41,000.00 to the water fund budget; \$1,000.00 to the customer deposit fund budget; and \$475,486.27 to the capital project fund budget – all voted yes, motion carried.

Resolution 2013-8 Transfer of Contingency Funds: The city council reviewed resolution 2013-8. This resolution would approve the transfer of funds from the city's contingency account to various general funds accounts. A motion was made Leah Johnson, second by Olson-Duck to approve resolution 2013-8 which will transfer \$70,275.00 from the city's contingency account to the accounts as follows: Finance Office - \$12,000.00; Government Buildings - \$12,220.00; Courts - \$1,000.00; Parks - \$16,000.00; Downtown Committee - \$500.00; and Planning & Zoning - \$28,555.00 – all voted, motion carried.

Special Events Permit – Hartford Hometown Christmas: Gary Sandholm was present on behalf of the Hartford Hometown Christmas Committee to request a special events permit for the Hartford Hometown Christmas event to be held Dec 1st. Activities to take place will be similar to last year's event with the addition of fireworks that will be lit off at the end of the night. The parade route has not changed. School buses will be used for transporting people between events rather than horse draw wagons that was done last year. Wagon ride will still be offered. A motion was made by Leah Johnson, second by Doyle Johnson to approve the special event permit and waive the \$25 fee for the Hartford Hometown Christmas event – all voted yes, motion carried.

Old Business:

City Land – Lot 1, Block 9 of Hartford City Proper: City Administrator Sidel updated the council on the lot that the city owns at 1st and Main. A purchase agreement on city owned Lot1, Block 9 of Hartford City Proper has not been secured at this time.

Dedication: Mayor Zimmer addressed the council regarding the possibility of dedicating a piece of property in the city after Michael J. Fizmaurice. Mr. Fizmaurice, a resident of Hartford, is a former US Army soldier and a recipient of the United States military's highest decoration, the Congressional Metal of Honor, for his actions in the Vietnam War. Discussion was held regarding naming a portion of the bike trail after Mr. Fizmaurice. Erecting signage when you drive into Hartford that recognizes Mr. Fizmaurice was also discussed. A motion was made by Monahan, second by Nelson to dedicate and name the portion of the bike trail known as the Hartford Heights Trail to Michael J. Fizmaurice Congressional Metal of Honor Trail and to add signage to the trail to indicate this – all voted yes, motion carried.

Review Preliminary Plans for Western Oaks Estates (Lot 5 of Smith & Grover's Addition): Jon and Matt Maras were present to address the council regarding their preliminary plans for Western Oaks Estates. This development is between 5th & 6th St and Western & Oaks Ave. Neighboring property owners were also present to address the council with their concerns. The preliminary plans have been approved by the Planning & Zoning Board and also by the city engineers. A motion was made by Nelson to approve the preliminary plans for Western Oaks Estates. Monahan made a substitute motion to approve the preliminary plans for Western Oaks Estates with the modification that the private drive be widened to 33 feet, second by Yount. Discussion was held. Monahan amended his substitute motion by changing the width of the private drive to 36 feet – no second was made, motion failed. Monahan's original substitute motion is now on the table – all voted no, motion failed. The first motion by Nelson is now on the table to approve preliminary plans as submitted, second by Doyle Johnson – Monahan and Olson-Duck voted no with all others voting yes, motion carried.

Review Minnehaha Community Water Corporation Agreement: City Attorney Nelson addressed the council regarding an agreement between the City and Minnehaha Community Water Corporation. This agreement would be set in place to define the City's future growth area and give the City the first right to service this area to both existing customers and any new customer that may come into the future growth area. The agreement provides for reimbursement to Minnehaha Community Water Corporation for any customers lost as a result of the City now providing service to them. A motion was made by Doyle Johnson, second by Leah Johnson to approve the agreement between the City and Minnehaha Community Water Corporation and to authorize Mayor Zimmer to sign the agreement on behalf of the City – all voted yes, motion carried.

New Business:

Senior Citizen Center: Due to a limited budget, the Senior Citizen Center has requested that their sump pump discharge permit fee be waived. A motion was made by Monahan, second by Olson-Duck to waive the \$50 fee for the sump pump discharge permit for the Senior Citizen Center – all voted yes, motion carried.

Surplus Items: A list of surplus items was provided to the council. A motion was made by Monahan, second by Leah Johnson to surplus all items per the list provided and to properly dispose of any old electronics and donate any items of value.

Billboard lease Renewals: The billboard leases that are up for renewal were reviewed by the council. Those leases included the following: Hartford Steak Company, ABR Antique Mall, I90 Speedway and Big Cup, Inc. dba Hartford BP. A motion was made by Monahan, second by Leah Johnson to renew all said leases – all voted yes, motion carried.

Review County Resolution for Highway Maintenance: A copy of a resolution from Minnehaha County for Highway Maintenance was provided to the council for information purposes. This resolution will transfer any county highways that border a city on both sides to that city. This would require those cities to be responsible for all maintenance and repairs on these highways. This will affect Hartford as a portion of

Western Ave. from I90 to Menth St. will be transferred and 2nd St. between Hwy 38 and 464th Ave (Colton Rd.) will also be transferred.

Review Loan Options for Diamond Trail Project: Financing options for the Diamond Trail project from Home Federal Bank, Reliabank and US Bank were reviewed by the council. A motion was made by Monahan, second by Leah Johnson to go with Reliabank's option of a 10 yr sales tax revenue bond with a fixed interest rate of 3.15% – all voted yes, motion carried.

Public Roadway Ordinance Enforcement: Discussion was held regarding the enforcement of public roadway ordinances by law enforcement. Deputy Terrones was present to address the council and offer feedback. It is the consensus of the council that ordinances dealing with public roadways can be enforced by the deputy on duty without having a complaint form. Warning tickets will be issued. If not corrected within 72 hours a citation will be issued.

Procedures for Handling Complaints: The council discussed the current procedure for handling complaints which is for a complaint form to be completed and signed. This form is then turned in to City Hall for follow up by the Code Enforcement Officer or Sheriff's Deputy. It is the consensus of the council that if any council members have a complaint they want to report, they can call it in to City Hall and follow up with a signature at a later date.

Visitors/Correspondence: Mayor Zimmer mentioned an invitation received for the joint annual meeting of the Lincoln & Minnehaha County Economic Development Associations to be held at 6 pm on Nov 7th at the Holiday Inn City Centre in Sioux Falls.

Reports:

Chamber/HADC Director's Report: Gary Sandholm was present to address the council regarding the recent activities with both the Chamber and HADC. Groundbreaking for the West Diamond Trail project was on Oct 10th. Inter-Lakes Community Action Partnership is taking applications for the Mutual Self-Help Housing program. Information has been submitted to another prospective business. Preparations for Hometown Christmas are going well. Jamboree continues to meet once a month. The Bike/Rec Trail Committee is taking orders for engraved bricks to be placed along the trail at Turtle Creek Park. The next Chamber Mixer will be Nov 11th. A video promoting Hartford is in the final steps of production.

Fire Department Report: Kelly Boysen was present to report on the activities of the fire department. To date this year they have responded to 147 EMS calls and 60 fire calls with 51% of those calls being in city limits. Boysen also wanted to remind residents, with the impending snow season, to keep the fire hydrants near their homes clear of snow.

Public Works Superintendent Report:

Streets – Work continues on the gravel roads around town. Staff is getting equipment ready for winter. The hauling of salt sand will start soon. The Hometown Christmas banner will be installed this week with the rest of the Christmas decorations going up before Thanksgiving. Trimming on boulevard trees will continue through the fall. Snow removal help is still needed. A motion was made by Leah Johnson, second by Olson-Duck to advertise for the part-time snow removal position for an additional two week – all voted yes, motion carried.

Water – Quarterly reports have been completed. Staff will be working on the aeration system. Water samples on the new water main have passed and the line is ready to be put into service.

Park and Pool – All bathrooms have been winterized. Leaves will be picked up in the coming weeks. Park hour signs have been installed in both parks. Staff will be installing the detention pond at the sports complex in the coming weeks. A park bench for the bike trail was donated by Marti and Teresa Sidel.

Public Building – The stucco work on City Hall is scheduled to be finished this week, weather permitting. Wagner is pricing a new furnace for the maintenance shop.

City Engineer Report: Nick Borns with Stockwell Engineers updated the city council on projects they are working on. Phase 1, which included the utility work and installation of gravel base, of the West Diamond

Trail project is nearly completed. Surfacing of the street will take place next spring. Stockwells recommends payment to D&G Concrete Construction, Inc for this phase of work. A motion was made by Doyle Johnson, second by Monahan to issue payment to D&G Concrete Construction, Inc. for Payment Application 1 in the amount of \$113,905.70 – all voted yes, motion carried. In regards to the base flood elevation survey, Stockwells is working on revisions to the preliminary plans based on comments received back from FEMA's initial review. Once the revisions are completed, final plans will be submitted to FEMA for their approval. The overseeding at the sport complex site has been completed by the contractor.

Finance Officer Report: Wilber provided a highlight of revenues that were received during Oct along with the all revenues and expenses to date thru Sept. A breakdown of engineering costs incurred to date was provided to the council. The council was provided a list of upcoming events through the month of Nov.

City Administrator Report: Reimbursement has been received from the DOT for the speed trailer. All payments for the crossing signals have been paid to the contractor. The SRTS Grant is now complete. The ADA corrections to the Hwy 38 bike trail are complete and Stockwells has done a final inspection. Discussions are still being held with the DOT regarding the proposed design of phase 3 & 4 of the bike trail. Once all decision have been made and finalized, the DOT will issue a Notice to Proceed and preliminary work on this project can start. Advertising for bids on the lease farm land has been done with the bid opening set for Dec 2nd. Stockwells is re-platting Lot 1, Block 1 and Lot 1, Block 2 of Maras Addition. Once this is done, these lots will be offered for sale to adjoining property owners. Drainage issues at the sport complex site with the neighboring landowner are being addressed.

Committee Reports by Liaison:

Mark Monahan – Bike/Rec & Community Bldg: The next Bike/Rec meeting is on Nov 12th 6:30pm at Spikes Bar & Grill. Monahan presented the council with information regarding two parcels of land that have been looked at by the Community Building Committee as possible building sites. The pros and cons of each site was discussed with the council. Monahan congratulated the West Central Girls Soccer Team for winning the state tournament.

Scott Yount – Sports Complex: The Sports Complex Committee was awarded the Legends Grant in the amount of \$2,000. These funds will be used towards soccer goals and nets. The committee will continue to pursue other grants. The next meeting is Nov 13th 7pm at City Hall.

Leah Johnson – Jamboree Days, Swimming Pool & Community Bldg: The Chamber and Jamboree Committee met on Oct 30th to discuss sponsorships. The Jamboree Committee met on Nov 4th. The budget has been set and entertainment booked. The next meeting is Dec 2nd 6pm at City Hall. The Swimming Pool Committee met on Oct 22nd. The committee participated in the Women of Today Craft Fair and they are also planning a fund raiser during the Hometown Christmas event. The next meeting is Nov 18th 7:30pm at Pizza Ranch.

Gail Olson-Duck – Jamboree Days & Hometown Christmas: Olson-Duck attended the Nov 4th Jamboree meeting and indicated plans are coming along nicely. Hometown Christmas planning is also going well with the next meetings being Nov 14th and 25th 7pm at Midway Bar & Grill.

Doyle Johnson – Downtown & Hometown Christmas: The Nov Downtown meeting was cancelled.

Scott Nelson – HADC & Chamber: The Chamber Mixer is Nov 11th 6pm at Midway Bar & Grill. Chamber membership drive continues. The HADC board meets every Fri morning.

Mayor's Report: The Mayor reported that the next Mayor's Meeting will be Nov 20th in Sioux Falls and to let him know if there is anything anyone wishes for him to address. Mayor Zimmer extended a thank you to the Bike/Rec Trail Committee for their approval of the naming of the section of bike trail along Hwy 38. Mayor Zimmer also thanked Bryan Brinkman and Melissa Needles of Scheels for their donation of two bikes to the Hometown Christmas Committee.

Adjournment: A motion was made by Monahan, second by Leah Johnson to adjourn at 10:45 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