

City Council Meeting – Regular Meeting December 3, 2019

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, Travis Kuehl, Brittany Glanzer and Scott Nelson. Mark Monahan arrived at 7:07pm. 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.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jones, second by Brenneman to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Kuehl, second by Nelson to approve the meeting minutes from November 19, 2019 – all voted yes, motion carried.

PUBLIC COMMENTS: Councilman Nelson brought up the recent snow event and the ticketing of vehicles that followed once plowing started. City ordinance reads that if there is a forecast or actual accumulation of new snowfall or blowing snow of two inches or more, there shall be no parking on City streets until snow removal is complete. As a courtesy, the City does issue a snow alert to warn the public when plowing is scheduled to start. This alert runs on all three local tv stations – KELO, KSFY & KDLT – as well as the station’s websites. It is also published on the City’s website. Residents are urged to get all vehicle off the street once the alert has been issued.

APPLICATIONS, HEARINGS, RESOLUTIONS AND ORDINANCES:

- **Review/Approve Agreement with Hartford Township and 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 east side of the 20ft easement on 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. A motion was made by Kuehl, second by Jones to approve the agreement with the Hartford Township – all voted yes, motion carried. A motion was made by Nelson, second by Monahan to approve Resolution of Annexation 2019-17 – all voted yes, motion carried.
- **2nd 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. A motion was made by Jones, second by Brenneman to approve 2nd reading of Ordinance #680 Amend Zoning Regulation Allowing Artisan Distillery in Central Business & Community Commercial Districts – all voted yes, motion carried.
- **2nd 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 with the required 5ft width in residential areas along with clarifying the wording in regard to placement of the sidewalk. A motion was made by Jones, second by Nelson to approve 2nd reading of Ordinance #682 Amend Ordinance #430 – Sidewalks – all voted yes, motion carried.

REPORTS:

- **Sheriff’s Department Report:** Deputy Phil Ryan was present to give an update on recent activities within the city. For the month of November there were 273 calls for service. Traffic citations were discussed. Currently, if a traffic citation is issued, it is a state violation. Discussion was held on changing this to be a municipal ordinance violation. This change would allow the City to receive a portion of the fines. It was the consensus of the council to move forward with this change presenting a draft ordinance at a future meeting.
- **Engineer Report:** Mitch Mergen was present to provide engineer updates:
Mickelson Road Improvements – All punch list items are complete. The final pay app will be presented at the next meeting. Mergen asked for input from the council on the liquidated damages on the contract. Due to delays, mostly caused by the weather, damages of roughly \$6,000 could be assessed back to the contractor. With the

excessively wet year that we had, the contractor still managed to complete the job in a reasonable amount of time and come in lower than the bid amount. A motion was made by Jones, second by Monahan to waive the liquidated damages on the contract – all votes yes, motion carried.

Vandemark Roadway Improvements – All punch list items are complete. The final pay app will be presented at the next meeting.

Industrial Park Sanitary Sewer Extension – Work continues on obtaining the necessary easements for the project. Target bid date is Feb 2020.

9th Street Improvements – Construction documents are being prepared for bidding in Jan 2020.

Swenson Park Grading – The reseeded that was done in Aug was successful and the project is now complete. Final pay application #6 was presented to the council. A motion was made by Brenneman, second by Kuehl to approve final pay application #6 to RMS Drainage & Excavation in the amount of \$13,363.97 – all votes yes, motion carried.

- **Public Works Report:** Public Works Superintendent Craig Wagner’s report was provided to the council.

Highlights include:

Streets – Wagner is compiling information for the 2020 slurry seal project. Staff will be repairing a rear end seal on the ’06 Chevy next week. All other equipment is running well. With the first snow fall, sweeping is now done for the year. More speed limit signs have been ordered and will be installed, weather permitting. Cleanout of drainage areas is planned to be done yet this year.

Sewer – Staff had to fix the aerators at the lagoons last week. Samples have been taken in hopes of discharging in Dec. We’ve received our new discharge permit from DENR. DENR is implementing some new procedures to follow when discharging.

Parks – New countertops have been ordered. Staff will install them over the winter. The new scoreboard at Field A is scheduled to be installed in Dec.

Downtown – There is one new light still on backorder. It should arrive next week.

- **Finance Officer Report:** City Finance Officer Wilber’s report was provided to the council. Items included a summary of revenues received in November along with an overview of the city’s cash balances, revenues and expenses through October. The December calendar of events was provided.
- **City Administrator Report:** City Administrator Sidel’s report was provided to the council. The 2nd reading of Ord 682 for the 2019 budget supplement has been postponed until the next meeting to ensure nothing unexpected arises that will put us over budget. The CIP has been reviewed by staff and engineers. Updates are being made and it will be presented at the first meeting in Jan. Q&A letters have been sent to all property owners within our proposed joint zoning jurisdiction area. The information has been posted on the City’s website as well. The next public input meeting on joint jurisdiction is scheduled for Jan 28th. The Ruud Lane drainage issue is being addressed. A berm has been built with seeding to be completed in the spring. The lock box ordinance will be effective Dec 6th. Sidel will meet with the Fire Chief Shumaker and Building Inspector Clarke to discuss an implementation procedure

OLD BUSINESS:

- **Discuss Park Recreation Department:** At the Nov 5th council meeting, Mayor Menning address the council about possibly implementing a park board. The thought is that this board would work with the community and other sporting associations/groups to come up with ideas/plans that would expand and grow the sports & rec programs in Hartford. This board would be the link between these groups/individuals and the city council, bringing ideas forward for consideration. There are two ways to set this up – by ordinance (board) or as a committee. A sample ordinance and sample committee by-laws were provided to the council. Both scenarios propose the Mayor appoint 5 people, each serving 3-year terms. Also appoint one council member and one staff member, who would serve 1-year terms, for a total of 7 members. There would be elected officers of chairperson and vice-chairperson. The elected chairperson would appoint the secretary. The board/committee would meet once a month. The only difference is if set up by ordinance, the members cannot be paid. If set up as a committee, members could be paid. After further discussion, it was the consensus of the council to visit this topic again at the Jan 7th meeting and prior to that meeting, to send a letter to all other sporting organizations, groups and committees explaining what the City is proposing to implement and invite them to attend the meeting and be part of the discussion.

NEW BUSINESS:

- **Review/Approve 2020 Minnehaha County Sheriff Dept Police Service Agreement:** A motion was made by Monahan, second by Nelson, to approve the 2020 agreement with the Minnehaha County Sheriff Dept for police services – all voted yes, motion carried.

- **Review/Approve 2020 SF Area Humane Society Animal Control Contract:** A motion was made by Nelson, second by Kuehl, to approve the 2020 contract with the SF Area Humane Society for animal control services – all voted yes, motion carried.
- **Review/Approve 2019 Audit Engagement Letter:** A motion was made by Kuehl, second by Monahan, to approve the engagement letter and allow Quam, Berglin & Post, PC to perform the City’s 2019 audit – all voted yes, motion carried.
- **Discuss Vandemark Ave Street Project – Confirm Payment Plan Options, Term & Interest Rate:** When doing a special assessment, there are two different payment plan options that the city can set. Payment Plan #1 would allow the Minnehaha County Treasurer to collect the payment from the property owner at the time payment is collect for real estate taxes on the property. Payment Plan #2 would allow all payments to come directly to the City. With this option, the City would have to send all notices to the property owners and track all payments, interest & penalties. Staff is proposing Payment Plan #1, forwarding any unpaid assessment to the County on Oct 1, 2020 with the first payment due in 2021. It is also proposed, per the assessment roll provided to the council, that the terms be set at 10% for 10 years. These are the terms used on past street assessments. A motion was made by Monahan, second by Brenneman to set the Vandemark Ave street assessment terms as propose: payment plan #1 with an interest rate of 10% and a term of 10 years – all voted yes, motion carried.
- **Discuss Site Plan Reviews of Driveways:** When removing a portion of a curb for a new driveway, the City requests that the curb be cut and repoured rather than being ground down. At the time a building permit is obtained, a document is provided that states these requirements however there is nothing in the City’s ordinance or design standards that addresses this. City staff will work with engineers to update this section of our regulations to present at the next meeting.

CORRESPONDENCE: None.

EXECUTIVE SESSION: A motion was made Monahan, second by Kuehl to enter executive session pursuant to SDCL 1-25-2 (3) for legal at 9:05pm – 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 Brenneman, second by Kuehl to exit executive session at 9:13pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Monahan, second by Jones to adjourn at 9:14pm – 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