

## City Council Meeting – Regular Meeting December 4, 2018

Council President Mark Monahan called the meeting to order at 7:00pm at Hartford City Hall with the following city council members present: Travis Kuehl, Jessica Johnson and Scott Nelson. Mayor Jeremy Menning, Arden Jones and Mark Brenneman were absent with notice. 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 Johnson, second by Nelson to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** Regular meeting minutes from Nov 20, 2018 and special meeting minutes from Nov 23, 2018 were reviewed. A motion was made by Kuehl, second by Johnson to approve the meeting minutes from Nov 20, 2018 and Nov 23, 2018 – all voted yes, motion carried.

**PUBLIC COMMENTS:** - Terry Hagen thanked the council for their support of the Hometown Christmas event. Hagen said the event had a great turn out and that the committee did a wonderful job.

### ORDINANCES, RESOLUTIONS, APPLICATIONS AND HEARINGS:

- **7:05 Public Hearing – Proposed Zoning Amendments: 1<sup>st</sup> Reading of Ordinance #655, #656, #657 & #662:**
  - Ordinance #655 would change three definitions in the City’s zoning regulations. A motion was made by Kuehl, second by Nelson to approve 1<sup>st</sup> Reading of Ordinance #655 Amend Zoning Regulation #627 – Definitions – all voted yes, motion carried
  - Ordinance #656 would make changes to the City’s accessory building regulations. A motion was made by Kuehl, second by Johnson to table discussion of this item until the next council meeting – all voted yes, motion carried.
  - Ordinance #657 will add a new section to the City’s zoning regulations that details the procedure for Change of Use Permits. A motion was made by Kuehl, second by Nelson to approve 1<sup>st</sup> Reading of Ordinance #657 Amend Zoning Regulation #627 – Change of Use Permits – all voted yes, motion carried.
  - Ordinance #662 would make changes to the City’s off-street parking regulations. A motion was made by Kuehl, second by Nelson to approve 1<sup>st</sup> Reading of Ordinance #662 Amend Zoning Regulation #627 – Off-Street Parking Regulations. Further discussion was held regarding the proposed change that all new driveways must include a poured sidewalk. This change is being implemented for ADA compliance. Concerns were addressed about certain situations where, on existing properties, including a sidewalk on the property isn’t feasible. Vote was taken with all voting no – motion failed. It is the consensus of the council that the Planning & Zoning Board re-address this section of the ordinance to possibly allow for special circumstances.
- **1<sup>st</sup> Reading of Ordinance #663 – 2018 Supplemental Appropriation Ordinance:** This ordinance will provide additional appropriations to the city’s 2018 budget. A motion was made by Nelson, second by Johnson to approve the 1<sup>st</sup> Reading of ordinance #663 – 2018 Supplemental Appropriation which will add \$721,627.35 to the general fund 101 budget; \$22,283.15 to the sports complex fund 409 budget; \$1,252,000.00 to the capital improvement fund 505 budget; \$17,485.80 to the water fund 602 budget; and \$327,592.00 to the sewer fund 604 budget – all voted yes, motion carried.
- **2<sup>nd</sup> Reading of Ordinance #660 – Amend City’s Dynamic Braking Ordinance:** The City has received notice that the SD Dot will not replace our “No Dynamic Braking” signage unless our ordinance reflects the proper wording. Ordinance #660 will amend the current dynamic braking ordinance. A motion was made by Nelson, second by Kuehl approve 2<sup>nd</sup> Reading of Ordinance #660 – Amend City’s Dynamic Braking Ordinance – all voted yes, motion carried.
- **2<sup>nd</sup> Reading of Ordinance #661 – Amend City’s Alcohol Beverage Ordinance:** This ordinance will amend the City’s ordinance to match the State’s alcoholic beverage laws as it pertains to Hours of Sale and Age to Sell. A motion was made by Nelson, second by Johnson to approve 2<sup>nd</sup> Reading of Ordinance #661 – Amend City’s Alcohol Beverage Ordinance – all voted yes, motion carried.
- **Resolution 2018-8 - Contingency Fund Transfers:** 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 Kuehl, second by Nelson to approve Resolution 2018-8 to transfer \$46,800 from the city’s contingency account to the following accounts: Council \$500; Mayor \$450; Finance Office \$22,010; Police Administration \$11,340; Street \$5,300; Parks \$7,200 – all voted, motion carried.

## REPORTS:

- **Sheriff's Department Report:** Deputy Tyrone Albers was present to give the council an update on recent activities within the city. For the month of November there were 196 calls for service and 14 traffic stops. He cautioned residents who have packages delivered to their home to be aware that package thefts are on the rise this time of year. Fraud reports are also up.
- **Engineer Report:** Mitch Mergen was present to provide engineer updates: Waste Water Treatment Facility – Discussions with landowners on possible routes for the gravity sewer are ongoing. Vandemark Ave Sewer Extension – The contractor is working on final punch list items. The second pay application was submitted for payment of work completed to date. A motion was made by Nelson, second by Johnson to approve pay application #2 to Duininick, Inc. for \$59,022.98 – all voted yes, motion carried. Vandemark Roadway Improvements – Engineers will be reviewing design plans with City staff in the coming weeks. Mickelson Road Improvements – The contractor is working on punch list items for Phase 1 & 2. Grading continues on the remainder of the roadway. The seventh pay application was submitted for payment of work completed to date. A motion was made by Nelson, second by Kuehl to approve pay application #7 to Soukup Construction for \$160,185.54 – all voted yes, motion carried.
- **Public Works Report:** Public Works Superintendent, Craig Wagner's report was provided to the council for their review. Highlights include:  
Streets – All sweeping is done for the year. The old payloader has been prepared for the auction, which will run Dec 7<sup>th</sup> thru 12<sup>th</sup>. The City will be purchasing a new skid steer next year. It is the consensus of the council that rather than taking bids for it, Wagner will get some quotes for council review.  
Water – Staff will be flushing the new main off Oaks Ave and taking samples.  
Sewer – Staff was able to start discharging this week.  
Sports Complex – Staff has hauled rock and riprap from the Sports Complex site. They will haul dirt as time allows.
- **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 a review of the city's cash balances, revenues and expenses through October. The December calendar of events was also provided.
- **City Administrator Report:** City Administrator Sidel's report was provided to the council. Highlights included the following: An agreement between Kelly Point Partners and the City for the relocation of land within the restrictive deed area has been drafted and is currently being reviewed by the parties involved. Interviews for the Recreational Director position are planned for the second week of Dec. The HASR Procedure Committee met and City Attorney Nelson is now in the process of drafting an agreement for committee review. The Planning & Zoning Board will continue with the process of obtaining joint jurisdiction with Minnehaha County.

## OLD BUSINESS:

- **Authorize Mayor Menning to sign Deed to Transfer South St Lots to HADF:** The warranty deed that would transfer the six City owned lots on South St to the HADF was reviewed. A motion was made by Nelson to table this item until the next council meeting – motion failed due to lack of a second. Further discussion was held with input given by Jesse Fonkert, Chamber & Economic Development Director. A motion was made by Kuehl, second by Nelson to authorize Mayor Menning to sign the warranty deed to transfer the six South St lots to the HADF – all voted yes, motion carried.

## NEW BUSINESS:

- **Review/Approve Petition Received for N Vandemark Street Improvements:** Justin Eich circulated a petition to the landowners along N Vandemark Ave. The petition, which was signed by 59% of the lineal property owners, was a request for street improvements to N Vandemark Ave. A motion was made by Kuehl, second by Johnson to approve the petition received for N Vandemark Ave street improvements – all voted yes, motion carried.
- **Review/Approve 2018 Audit Contract:** The contract from Quam, Berglin & Post, PC for completing the City's 2018 audit was reviewed. A motion was made by Nelson, second by Johnson, to approve Quam, Berglin and Post, PC to perform the City's 2018 audit – all voted yes, motion carried.
- **Review/Approve 2019 Minnehaha County Sheriff Dept Contract:** The 2019 contract for services of the Minnehaha County Sheriff Dept on nights and weekends was reviewed. A motion was made by Kuehl, second by Nelson, to approve the 2019 Minnehaha County Sheriff Dept Contract – all voted yes, motion carried.

**CORRESPONDENCE:** Council President Monahan shared a thank you note from the Hartford Haunted Halloween Committee thanking the Mayor and Council for their support of the event. Nelson will draft a thank you note to the Hometown Christmas Committee.

**EXECUTIVE SESSION:** A motion was made Nelson, second by Kuehl to enter executive session pursuant to SDCL 1-25-2 (1) for personnel and SDCL 1-25-2 (3) for legal at 8:06pm – all voted yes, motion carried. A motion was made by Kuehl, second by Nelson to exit executive session at 9:29pm – all voted yes, motion carried.

**ADJOURNMENT:** A motion was made by Nelson, second by Johnson to adjourn at 9:30pm – 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