

City Council Meeting – Regular Meeting February 15, 2022, rescheduled to February 17, 2022

Council President Arden Jones called the meeting to order at 7:00pm with the following city council members present: Travis Kuehl and Mark O’Hara. LaVonne Randall was present via teleconference. Mark Brenneman and Mark Monahan 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 Amy Farr, City Attorney Tom Frieberg, City Engineers David Doxtad & Michael Redenbaugh and 2 people from the public.

Council President Jones acknowledged the resignation of Mayor Menning and thank him for his nearly six years of service as Hartford’s Mayor. Jones also indicated that, as Council President, he will be acting Mayor until such a time when a new Mayor is appointed to finish out the term of Mayor Menning.

BUSINESS ITEMS:

- **Approve Agenda:** Council President Jones requested that the street maintenance fee abatement under the New Business section be removed from the agenda. A motion was made by O’Hara, second by Kuehl to approve the agenda with the adjustment of the deletion of the street maintenance fee abatement - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by O’Hara, second by Randall to approve the meeting minutes from January 18, 2022 – all voted yes, motion carried.
- **Approval of the Bills:** A motion was made by Kuehl, second by O’Hara to approve the bills submitted for payment – all voted yes, motion carried.

PUBLIC COMMENTS: None

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **2nd Reading of Ordinance #723 – Amendment to Zoning Regulations for Accessory Structures:** Currently there is no minimum square footage in our regulations for accessory buildings, making all structures subject to the regulations. The Planning and Zoning Board reviewed these regulations and is recommending that smaller structures that are under 25 square feet and under 8 feet tall be exempt from permitting and from the regulations in Section B. The regulations in Section A, however, would apply. Ordinance #723 incorporates these changes. A motion was made by Randall, second by O’Hara to approve 2nd reading of Ordinance #723 to Amend Zoning Regulations for Accessory Structures – all voted yes, motion carried.
- **2nd Reading of Ordinance #724 – Rezone the N ½ of Lot 6 Block 7 of Western Meadows Addition:** Dakota Cannabliss is in the process of establishing a cannabis campus at Lot 6, Block 7 of Western Meadows Addition, which is currently zoned light industrial. They have submitted three cannabis applications to the City – 1 cultivation, 1 manufacturing and 1 dispensary. State law requires dispensaries to be in a separate facility from any cultivation and manufacturing. The City’s zoning regulations require dispensaries be located in a zoning district of community commercial or central business while cultivation and manufacturing be located in light industrial. To address both of these requirements, the applicant has platted the parcel into two lots – the cultivation and manufacturing facility would be located on the south half and the dispensary would be located on the north half. They have also applied for a zoning change on the north half from light industrial to community commercial. A motion was made by Kuehl, second by Randall to approve 2nd reading of Ordinance #724 to Rezone the N ½ of Lot 6 Block 7 of Western Meadow Additions from light industrial to community commercial – all voted yes, motion carried.
- **1st Reading of Ordinance #725, #726, #727, #728, #729 & #730 – 2021 International Building Codes:** Currently the City follows the 2018 International Building Codes (IBC). The draft ordinances presented will allow the City to adopt the 2021 IBC. These codes have been reviewed by Building Inspector Paul Clark and the Planning & Zoning Board, who is recommending adoption of the new codes. The following action was taken:
 - A motion was made by O’Hara, second by Kuehl to approve 1st reading of Ordinance #725 2021 International Building Code – all voted yes, motion carried.
 - A motion was made by Randall, second by O’Hara to approve 1st reading of Ordinance #726 2021 International Existing Building Code – all voted yes, motion carried.
 - A motion was made by Kuehl, second by O’Hara to approve 1st reading of Ordinance #727 2021 International Property Maintenance Code – all voted yes, motion carried.
 - A motion was made by Kuehl, second by Randall to approve 1st reading of Ordinance #728 2021 International Swimming Pool & Spa Code – all voted yes, motion carried.
 - A motion was made by Kuehl, second by O’Hara to approve 1st reading of Ordinance #729 2021 International Residential Building Code – all voted yes, motion carried.
 - A motion was made by O’Hara, second by Kuehl to approve 1st reading of Ordinance #730 Adoption of Building Codes, Electrical Code, Mechanical Code, Fuel/Gas Code and Fire Code – all voted yes, motion carried.

REPORTS:

- **Fire Department Report:** HAFR Secretary John Hanssen was present to give a department update to the council. There was a total of 32 calls in Jan with 17 in city limits. Hanssen also provided an update on the various trainings held during the month.

- **Chamber & Economic Development Report:** Amy Farr was present to provide her report. Chamber activities: invites for the annual banquet on Mar 4th have been mailed; continues to plan breakfasts/luncheons/mixers; work on spring newsletter and several direct mailers; posts to social media/website as needed; mixer held on Feb 17th at HBC had good attendance. HADF activities: continued efforts on RFI's; Envision2025 investor annual meeting set for Apr 7th; continues to set meetings with developers/landowners; continues to work with ISG and Tack Force on community development plan; working with a broker to market land parcels; attended SMGA annual meeting on Feb 16th; groundbreaking ceremony for Hometown Budz set for Feb 25th. Farr is requesting to attend two events in Pierre later this month: Dakota Resource Network – Leading Your Organization on Feb 22nd/23rd and Business Day at the Legislature on Feb 24th. Both events are free but there will be lodging expense. A motion was made by O'Hara, second by Kuehl to approve Farr's attendance at the Dakota Resource Network and SD Legislature events Feb 22nd thru 24th – all voted yes, motion carried.
- **Engineer Report:** David Doxtad reported the following:
 - Development work is ongoing: Western Meadows, Knapp's Landing & Turtle Creek Highlands.
 - Engineers continue to update the community development plan based on input received. Another community engagement meeting is being planned.
 - Design plans for the 6th St/Mundt Ave project are complete and the project is ready to bid. A base bid estimate of just over 1.8M was provided. Engineers also provided a cost estimate of 157k to add alternate #1 to the base bid. This alternate is to construct a watermain under Hwy 38 along Vandemark Ave to loop the system. Discussion was held on means of financing the project. It was indicated that there are some funds set aside in the general, water & sewer reserves but a loan or bond would still have to be secured. There was also discussion on whether or not abutting property owners should be assessed. In the past, when an entirely new street is put in, it has been the City's policy to assess abutting property owners. This project is different in that the reason the street is being removed & replaced is to make the needed repairs to the sewer infrastructure. The street itself, should this utility work not have to be done, would not need replacing at this time. As a result, the abutting property owners would not be gaining a substantial improvement to justify the assessment against them. A motion was made by Kuehl, second by O'Hara to move forward with the 6th/Mundt St bid letting and not assess any abutting property owners for this project – all voted yes, motion carried.
- **Public Works Report:** Public Works Superintendent Wagner's report was provided.

Streets – The street lights along Hwy 38 were turned over from the DOT to the City but are not covered under the City's street light maintenance agreement with SVE. When repairs are needed on these lights, the City has to hire a third party, which can be costly and timely. Wagner has been in discussion with the DOT and SVE, proposing that SVE take over the maintenance of these lights. To do this, SVE is requesting that the light heads be changed to the type of heads they carry and service. Once these changes are made, SVE will add these poles to our maintenance agreement and any future maintenance or repairs will be done by them. The DOT has approved these changes. The cost to the City to replace the light heads on 17 poles and to have one extra light on hand is estimated at 10k. A motion was made by Kuehl, second by Randall to approve changing out the light heads on the lights along Hwy 38 – all voted yes, motion carried. Wagner continues to look for a truck. With the high demand for used vehicles, nothing stays on the market very long. Wagner is seeking permission to be able to purchase a vehicle right away when he find it. Pricing was also discussed. The council approved 30k at budget time for this purchase. A motion was made by Kuehl, second by O'Hara to approve up to a 10% increase over the budgeted amount for a public works staff vehicle and for Wagner to purchase without needing prior Council approval – all voted yes, motion carried. The City of Sioux Falls has awarded this year's slurry seal project to ASCO. Wagner indicated that Hartford's share came in below the budgeted amount. A motion was made by O'Hara, second by Jones to approve the Sioux Falls slurry seal bid with ASCO - all voted yes, motion carried.

Water – There are around 25 meters left to change out. The goal is to be done with all of them by the next bill cycle.

Sewer – All reporting is done until late March. Staff awaits the result of the last sample taken to see if they can discharge again this winter.

Western Ave Sewer Extension – A preconstruction meeting was held. The contractor is planning on starting the week of Feb 14th.

Pool – Needed maintenance and repairs are being done at the pool in preparation for the new season.

Sports Complex – Bryan Rock has finished delivering the additional aglime needed. Staff is spreading it out as time allows. American Fence continues to work on the fencing.

Weather Siren – The new siren has been mounted. Once the frost is out of the ground, power will be installed.

Public Buildings – Staff assisted in moving furniture for the new carpet install at City Hall.

Inventory – Staff has completed the year-end inventory.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided. Items included cash balances, sales tax revenue and committee fund balances as of Jan 31st, a recap of bills submitted for payment, and the Feb/Mar calendar of events. The deadline to file nominating petitions is 5pm Feb 25th. This year's audit is scheduled for May 5th/6th. Forms to appeal property valuations will be available at City Hall on Feb 24th and are due back no later than 5pm Mar 17th. Wilber has lined up the following individuals to sit on the election board: Summer DeJong as the election superintendent, Gail Blocker and Darla Lawver as election deputies and Orié Rentschler as the alternate. A motion was made by Jones, second by Kuehl to approve the election board appointments - all voted yes, motion carried.

- **City Administrator Report:** City Administrator Sidel's report was provided. The bike trail grant is currently being reviewed by the Federal Hwy Authority (FHA). Since the trail will be placed next to the creek, the FHA is requiring a statement from us stating that the floodplain will not be impacted. Engineers have provided the necessary correspondence. A preconstruction meeting was held on Feb 9th with the contractor of the Western Ave Sewer Project. Work is expected to start this week, with a completion deadline of July 29th. By consensus of the council, the City has obligated its share of ARPA funds to the WWTF project, with the State to match these funds one to one. The SRF application for the WWTF has been updated with this information and sent to the State. In conjunction with their strategic planning, Sidel attended a focus group meeting at the Library on Feb 8th. Once their plan is complete, Siouxland Libraries will share their findings with the Council. Sidel is planning to attend a floodplain management class in Sioux Falls in Mar. Carpet was installed in several offices at City Hall over the weekend. An annexation petition has been received on a parcel of land east of town along Hwy 38. This annexation will first go before the Planning & Zoning Board before coming to the Council. A productive leadership meeting was held with SMGA.

OLD BUSINESS:

- **Discussion of Engineering Services for future WWTF:** No discussion was held.

NEW BUSINESS:

- **Set 2022 Equalization Meeting Date:** A motion was made by O'Hara, second by Randall to set the Equalization Meeting for Tues Mar 22nd at 7pm – all voted yes, motion carried.
- **Review/Approve Seasonal Job Descriptions and New Pay Scale:** The eight seasonal job descriptions were provided. During the 2022 budget meeting it was noted that in an effort to secure seasonal help, wages may need to be increased. These wage increases were incorporated into the budget for 2022 and the wages have been updated on the job description presented as well. A motion was made by O'Hara, second by Jones to approve all seasonal job descriptions and new pay scales – all voted yes, motion carried.
- **Update on Park & Recreation Board:** The Park & Recreation Board will hold its first meeting Feb 28th 6:30pm at City Hall. This will be an organizational meeting to elect officers, set meeting dates, gather contact information, discuss duties, and answer any questions the board members may have. This board consists of 5 voting members, which have been appointed by Mayor Menning, and 2 non-voting members, one City staff and one Councilperson, which will be appointed at a later date.
- **Discuss Staff Vehicle for Building Inspector/Code Enforcer:** The City recently hired a new building inspector/code enforcer that is a shared position with the City of Lennox. This position will split their time between both communities, which will involve traveling back and forth to Lennox. The City of Lennox has indicated that they will reimburse the City for mileage associated with driving to, from, or within Lennox. Currently the City has one staff vehicle. Discuss was held as to whether a second vehicle is warranted. It was noted that with the purchase of an additional vehicle, the City would incur additional costs such as auto insurance, additional fuel costs, etc. It was the consensus of the Council that Sidel reach out to the City of Lennox to see what portion of those costs they'd be willing to help with and bring that information back to the Council to discuss further.
- **Request Sioux Falls Landfill Passes for 2022:** In the past, the City has offered residents free landfill passes in lieu of the HADF doing a citywide cleanup day. The HADF has decided to forego a cleanup day again this year so if the City wants to proceed with landfill passes, there is an application process with the City of Sioux Falls. A motion was made by O'Hara, second by Randall to approve Sidel moving forward with the application for the City of Sioux Falls landfill passes – all voted yes, motion carried.
- **Approve Tax Abatement for Parcel #92233, #23759 & #23513:** The HADF recently received a property tax statement on Parcel #92233. The HADF is exempt from property tax. To correct this and remove these taxes, the attached tax abatement request needs to be approved by the governing board. State law allows property tax abatements for qualifying disabled seniors & veterans. The Minnehaha County Auditor has received abatement requests from disabled veterans on two parcels, #23759 & #23513, located within Hartford city limits. These abatements need to be approved by the governing board. A motion was made by Randall, second by O'Hara to approve the property tax abatement requests submitted on Parcel #92233, #23759 & #23513 – all voted yes, motion carried.

EXECUTIVE SESSION: A motion was made O'Hara, second by Jones to enter executive session pursuant to SDCL 1-25-2(1) for personnel at 7:58pm – 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 O'Hara, second by Jones to exit executive session at 8:32pm – all voted yes, motion carried.

A motion was made by Kuehl, second by O'Hara to give the following pay increases for 2022: Paul Clarke 6%; Jennifer Stangeland 6%; Craig Wagner 6%; Karen Wilber 6%; Amy Farr 6%; Rhonda Kuchta 6%; Neil Hanisch 5%; Jesse O'Kane 6%; Terry Hagen 6%; Alan Brown 8%; and Teresa Sidel 5% - all voted yes, motion carried.

ADJOURNMENT: . A motion was made by O'Hara, second by Kuehl to adjourn at 8:35pm – 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