

## City Council Meeting – Regular Meeting April 5, 2022

Council President Travis Kuehl called the meeting to order at 7:00pm with the following city council members present: Mark Monahan, Mark Brenneman, Cindy Matson, and Mark O’Hara. LaVonne Randall was present via teleconference. Mayor Arden Jones was 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 25 people from the public.

### BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Randall, second by Matson to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Monahan, second by O’Hara to approve the meeting minutes from March 15, 2022 – all voted yes, motion carried.

**PUBLIC COMMENTS:** Hartford resident Dave Obenauer addressed the council recommending the appointment of Benjamin Parker to the Ward 2 council seat that will become vacant in May.

### ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Hearing & 1<sup>st</sup> Reading of Ordinance #731 – Amend Zoning Regulations:** Over the past several weeks, the Planning & Zoning Board has been discussing an amendment to the City’s zoning regulations that would allow for the separation and sale of individual mini-warehouses (storage units). After further discussions, it was decided to allow this option on all commercial buildings, not just storage units. Ordinance #731 incorporates this change to the City’s zoning regulations. Hartford residents Benjamin Parker & Sandy Dean addressed the Council with questions/concerns. A motion was made by Brenneman, second by Matson to approve 1<sup>st</sup> reading of Ordinance #731 to amend the zoning regulations to allow for the separation of buildings along a common wall within commercial and industrial districts – Monahan voted no with all others voting yes, motion carried.
- **7:10 Hearing & 1<sup>st</sup> Reading of Ordinance #732 – Rezone of Tract 2 of Maple Pass Addition:** At the Mar 15<sup>th</sup> council meeting the Council approved the annexation of approx. 24 acres along Hwy 38 to the east of Hartford. This land is currently zoned agricultural. The developer is requesting the north 686’, which is being platted at Tract 2 of Maple Pass Addition, be rezoned to residential to allow for the construction of multifamily housing. The Planning & Zoning Board has reviewed this rezone and recommends approval to the Council. A motion was made by Randall, second by Brenneman to approve the rezone of to be platted Tract 2 of Maple Pass Addition from agricultural to residential – all voted yes, motion carried.
- **Resolution 2022-5 Creating Hartford Tax Increment Financing District Number 1:** The City has received an application from Talon Development, on behalf of Maple Pass LLC, for a creation of a Tax Increment Finance District (TIF) for economic development to allow for affordable housing and commercial development. The proposed area of the TIF is Tract 1, 2 & 3 of Maple Pass Addition. The TIF would fund the expense for the road/utilities to the development, not the improvements within the development. The TIF loan would be held by the developer. The Planning & Zoning Board has reviewed this application and recommends approval of this TIF District. Resolution 2022-5 creating Hartford Tax Increment Financing District Number 1 was presented. A motion was made by Randall, second by Brenneman to approve Resolution 2022-5 as presented – Monahan voted no with all others voting yes, motion carried.

### REPORTS:

- **Sheriff’s Department Report:** Deputy Kardas was present to provide his report for the month of Mar, which had 199 calls for service for the month. The crosswalk patrol program at West Central School kicked off last week. Middle school students are volunteering their time to patrol crosswalks at two intersections: 2<sup>nd</sup> St/Vandemark Ave and 2<sup>nd</sup> St/Feyder Ave. Pizza with a Cop will be on Apr 19<sup>th</sup> 4:30-7:30pm. All are invited to attend and join in on the conversation.
- **Chamber & Economic Development Report:** Amy Farr was present to provide her report. Chamber activities: the March mixer was held at AmericInn; the next mixer will be at Ace Hardware on Apr 26<sup>th</sup>; work continues work on spring newsletter and direct mailers; preparing for #DiscoverHartford week which runs May 2<sup>nd</sup>-7<sup>th</sup>; hosting an Easter coloring contest for kids. HADF activities: held a tour of Vanilla Bean Kings on Apr 6<sup>th</sup>; conducted press releases/interviews for three new businesses - Dairy Queen, Get N Go and Hometown Budz; continues to work with ISG on community meeting to be held Apr 6<sup>th</sup> for the city-wide development plan.
- **Engineer Report:** David Doxtad reported the following:
  - Conducted plat reviews for Knapp’s Landing, Western Meadows, and Maple Pass Additions along with plan reviews for Dairy Queen and Get N Go.
  - Vance Peterson has a contractor in place to fix the drainage issue. Work is scheduled to start in May.
  - The bid date for the water tower painting project is Apr 14<sup>th</sup> at 10am.
  - The second community event on the city-wide development plan is set for 6:30pm Apr 6<sup>th</sup> at West Central Becker Center.

- The bid opening for the 6<sup>th</sup>/Mundt St Project was Mar 10<sup>th</sup>. Four bids were received. Zacharias Construction was low bid on the base bid and Hulstein Excavating was low bid on the add alternate to make a water connection under Hwy 38 providing a loop in that area. The base bid came in just slightly higher than the engineers estimate while the add alternate bid was 26% over the engineers estimate. Doxtad explained that this is primarily due to the pricing of steel casing pipe which is needed to take the water line under Hwy 38. Discuss was held on whether to do the add alternate at this time or do as a separate project down the road. A motion was made by Brenneman, second by Monahan to award the base bid to Zacharias Construction – Randall voted no with all others voting yes, motion carried.
- Financing options for the 6<sup>th</sup>/Mundt St Project were provided. Based on the bid awarded, plus engineering services, the total project is \$1,869,412 Staff is suggesting using \$954,412 from reserves plus \$265,000 that had previously been earmarked for this project, leaving a remaining balance to be financed of \$650,000. Rates and loan fees from each of the three banks in town were provided. A motion was made by Monahan, second by Matson to proceed with a 5yr loan from US Bank – Randall voted no, O’Hara abstained, and all others voted yes, motion carried.
- A proposal for the design of the WWTF was presented. This proposal would cover design work, plan documents, surveying, permitting, bid administration and as-build documents. Construction administration is not included. A motion was made by Brenneman, second by O’Hara to approve the proposal from ISG in the amount of \$1,267,500 for the WWTF design – Monahan voted no with all others voting yes, motion carried.
- **Public Works Report:** Public Works Superintendent Wagner’s report was provided.
  - Streets – Staff has started street sweeping for the season and will continue as time and weather allows. Gravel roads are scheduled for blading next week. The new style street light head has been installed and works properly. Heads for the remaining lights have been ordered. Wagner is awaiting a response from SD DOT on possibly cost sharing this project. Traffic counter and speed trailer have been out in the downtown area. Wagner received a quote from Highway Improvements, Inc. for this season’s crack sealing and mastic projects. The price is up slightly from the last few years. A motion was made by O’Hara, second by Randall to approve Highway Improvement’s quote of \$.80/lf for crack sealing and \$1.30/lb for mastic – all voted yes, motion carried.
  - Water – Staff has completed all meter change outs so all customers are now on the new system. As a result, the old reader system is no longer needed. Rather than declaring the old system surplus and getting rid of it, Wagner would like to keep it to be able to borrow it out to other cities if they should ever have a need. A motion was made by Brenneman, second by Monahan to hold on to the old reader system to loan out to other communities as needed – all voted yes, motion carried.
  - Sewer – All reporting is done until late April. Staff will take another sample when the lagoons open up.
  - Western Ave Sewer Extension – Work on this project is going well. With delivery of the casting for the manholes, this work will be starting soon. Once the asphalt plants open up for the season, they will finish work along Oaks Ave.
  - Park – Staff has started tree trimming/cleanup in the park. The two new flag poles for Century Park are scheduled to be installed next week.
  - Pool – The new doors at the pool have been installed and painted.
  - Bike Trail – Staff has started clearing brush/trees along the new trail path between Feyder Ave & Main Ave. There is some cracking on some of the existing trail system. Highway Improvements is recommending sealing/mastic repairs of these areas. Approx. cost is 2k, which will be paid out of the park maintenance budget.
  - Sports Complex – American Fence is still working on the fencing at the two new fields. Wagner will reach out to them on timeline for completion. The Jamboree Committee has purchased 6 aluminum bleachers for their event, with the City being able to use them the rest of the year.
  - Weather Siren – Electrical work will be finished up on the new weather siren next week.
  - Training – Brown participated in an online wastewater class this week with plans to take the exam in May.
- **Finance Officer Report:** City Finance Officer Wilber’s report was provided to the Council. Items included a summary of revenues received in Mar along with an overview of the city’s cash balances, revenues and expenses through Feb. The Apr calendar of events was also provided.
- **City Administrator Report:** City Administrator Sidel’s report was provided. City staff and engineers visited the area of the new bike trail and discussed possible layout options. ISG is going to do some survey and topographic work to determine best placement of the trail. Next is moving forward with design work. A motion was made by Matson, second by O’Hara to have ISG submit a proposal for the design of the bike trail – all voted yes, motion carried. In regard to the Mickelson Rd project, the FEMA LOMA was approved Mar 23<sup>rd</sup> so this project is now complete. Work on Western Ave Sewer Project is moving along well. Plans are for the project to be completed in a couple months, well ahead of the July 29<sup>th</sup> deadline. The Planning & Zoning board will be reviewing the TIF development plan at their next meeting on Apr 12<sup>th</sup>. Sidel has started interviewing for summer positions. The SMGA Grow Smarter Conf is in Harrisburg Apr 11<sup>th</sup>-13<sup>th</sup>. Anyone interested in attending can register through SMGA’s website. Sidel continues to gather information regarding personnel manual updates for use of city property. This will be on a future agenda. Sidel has met with 3 marketing companies about rebranding. Once all proposals are received, they will be presented for council review.

## **OLD BUSINESS:**

- **Review/Approve Park & Recreation Board Recommendation for Dog Park:** The Park & Recreation Board is recommending to the Council that the City move forward with the dog park project. This project, which had been previously estimated at \$56,820, was added to the 2022 budget during the budget meeting last Aug. At the Mar 15<sup>th</sup> council meeting the Council requested current figures be put together for this project. This has been completed and an updated estimate in the amount of \$63,756.50 has been provided. When the Bike Rec Trail Committee disbanded, they donated \$3,834.09 to the City to put towards this project. Troy & Deana Larson have donated \$3,000 for this project. Sidel is also in the process of applying for grants from First Dakota Bank, Harford Community Foundation and Sioux Valley Operation Round to put toward this project. Staff is confident that if the decision is made to proceed, we can fund the project within budget. Hartford residents Kenneth Bruns, Ruth Beckler, and Carrie Nothdurft were present to address the council with questions and/or comments. Park & Recreation Board President Troy Larson was also present to thank the Council for supporting this project. The proposed location of the dog park was discussed. A motion was made by Brenneman, second by Monahan to move forward with the dog park project as presented – Randall voted no with all others voting yes, motion carried.
- **Review/Approve DHI Request for the Interim Closing of 1<sup>st</sup> Street from Main Ave east to Alley:** DHI obtained the services of ISG to complete a master plan for downtown Hartford. This plan is now complete. One aspect of the plan is the closure of 1<sup>st</sup> St from Main Ave east to the alley. As proposed, this area would become a downtown park and event area to create a welcoming space for people to gather downtown. Before moving forward with a permanent closure, the plan suggests an interim closure. At the Mar 15<sup>th</sup> council meeting the Council requested current traffic numbers for this area before taking any action. Wagner provided traffic data from 4 different locations in the downtown area. That data indicates that 300+ vehicles travel the downtown area daily. Wagner feels that the best way to approach is to allow an interim closure of the street and monitor the same 4 areas to see if the counts increase because of the closure, giving an idea of how traffic will be impacted if closed permanently. A motion was made by Randall, second by Brenneman to close 1<sup>st</sup> St from Main Ave east to the alley on an interim basis – Monahan voted no with all others voting yes, motion carried. Hartford resident Benjamin Parker addressed the Council not in favor of the closure due to the negative impact on businesses in the area. WC School District Superintendent Daniel Hoey was also present. Hoey is in support of doing the research to make an informed decision on whether to permanently close this section of street. A motion was made by Randall, second by Matson to amended her original motion adding that the interim closure be for a two-week period to collect traffic data – Monahan voted no with all others voting yes, motion carried.

## **NEW BUSINESS:**

- **Review/Approve Park & Recreation Board Recommendation for Dug Outs for new Fields at Swenson Park:** At their Mar 28<sup>th</sup> meeting the Park & Recreation Board discussed field improvements at Swenson Park. With the fencing and a glime nearly done on the two new ball fields, there are still items needed to complete the fields. These items include bases, fence caps/ties, dugouts, and benches. The board has approx. 16k left in budget for this year. The board will reach out to HASR about funding the bases, which are estimated at approx. \$700. The fence caps/ties, which are approx. \$3,000, could be postponed until next year's budget. As for the dug outs, 4 would be needed at an approx. cost of \$10,000 with an additional \$6,000 needed for benches. It is the recommendation of the board to proceed with the dug out structures only and address the bleachers in next year's budget. In the interim, the City's bleachers could be used. City staff would construct the new dug outs. A motion was made by Randall, second by Brenneman to approve budget funds up to \$10,000 for the construction of 4 dug outs at Swenson Park – all voted yes, motion carried.
- **Update on Summit Carbon Solutions LLC Application to PUC for Carbon Dioxide Pipeline – Discuss Application for Party Status:** Sidel provided an updated on a PUC public meeting held in Sioux Falls on Mar 23<sup>rd</sup> on a proposed carbon dioxide pipeline that will run through Minnehaha County and border Hartford's city limits on the west. The concern is that this pipeline may impact the city's future growth to the west as well as the safety of Hartford's residents. To remain informed and to be able to be involved in the application process, the City can apply for party status with the PUC. A motion was made by Monahan, second by Brenneman to apply for party status. Hartford resident Dave Obenauer was present in support of applying for party status. Joy Hohn and Linda Nichols are landowners along the pipeline's proposed route. They were present to voice their concerns about this project. They thanked the Council for taking an active approach to be involved in the application process. Kuehl called the vote – all voted yes, motion carried.
- **Discuss Land Swap Proposal Submitted by Ryan Ovenden:** Ryan Ovenden, who owns property just south of Turtle Creek along Main Ave, has reached out to the City about a possible land swap along the creek. The City owns property to the north of Ovenden that encompasses all of the creek area between Feyder Ave and Main Ave except for a portion of the creek that is on the northwest corner of Ovenden's property. Ovenden is proposing a swap of this area, which is on the north side of the creek, for land further east along the south side of the creek. It is the consensus of the Council that Ovenden submit a proposal for consideration and for this item to be added to the next agenda.

**ADJOURNMENT:** A motion was made by O'Hara, second by Monahan to adjourn at 9:10pm – 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