

## City Council Meeting – Regular Meeting May 5, 2015

Mayor Paul Zimmer called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Scott Nelson, Mark Monahan, Scott Yount, Bill Campbell and Doyle Johnson. Gail Olson-Duck arrived at 7:30 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 Engineer Mitch Mergen.

**Approve Agenda:** A motion was made by Nelson, second by Yount to approve the agenda as set - all voted yes, motion carried.

**Approve Minutes of Apr 21, 2015 Regular Meeting:** A motion was made by Johnson, second by Monahan to approve the April 21, 2015 regular meeting minutes – Campbell abstained with all others voting yes, motion carried.

Old Business:

**Review/Approval LWCF Grant Agreement:** The LWCF Grant Agreement was provided to the council for their review. This grant, for the new wading pool project, will pay 50% of the cost of the project up to \$40,000. A motion was made by Monahan, second by Yount to approve the LWCF Grant Agreement – all voted yes, motion carried.

**Review of Emergency Operations Plan:** The Emergency Operations Plan was provided to the council for their review. This plan gives the city a general guideline to follow in the event of an emergency or disaster. A motion was made by Monahan, second by Nelson to approve the Emergency Operations Plan – all voted yes, motion carried.

**Presentation of Plaques to Outgoing Council:** Mayor Zimmer presented appreciation plaques to outgoing council members Bill Campbell & Scott Yount. Recognition was also given to outgoing council member Gail Olson-Duck who was not present at this time to receive her plaque.

**Presentation of Plaque to Outgoing Mayor:** Council President Mark Monahan presented outgoing Mayor Paul Zimmer with an appreciation plaque for his six years of service as Mayor.

**Oath of Office for Newly Elected Council Members:** Bill Haugen, Mark Monahan and Brad Bjergaard took their oaths of office and were sworn in as council members for two-year terms. Bill Campbell took his oath of office and was sworn in as mayor for a two-year term.

**Adjourn as Old Council:** A motion was made by Johnson, second by Yount to adjourn as the old council at 7:15 p.m. – all voted yes, motion carried.

**New Council:** Mayor Bill Campbell called the new council to order at 7:16 p.m. with city council members Mark Monahan, Brad Bjergaard, Doyle Johnson, Bill Haugen and Scott Nelson present.

**Deputy Report:** Deputy Terrones was present to give his report. He noted areas where speeding was occurring. He also has issued a number of warnings for parking violations. Different locations for placement of the speed trailer were discussed. There have been incidences of animals running at large.

**Fire Department Report:** Chief Bryon Shumaker was not present.

### **Visitors:**

Tony Randall was present to address the council. He resides at 500 Shamrock Dr. His property abuts city owned land on the west and north. He is requesting to put in a 15'x30' garden on city property, either to the west or north. A motion was made by Nelson to allow Mr. Randall to put in a 15'x30' garden on city property located to the west of his lot for the 2015 growing season only. No second to the motion was received. Motion failed.

Troy Larson, Bike/Rec Trail Committee Chairman, was present to address the council. On behalf of the Bike/Rec Trail Committee he wanted to thank Mayor Zimmer for his leadership and dedication. Larson indicated that Mayor Zimmer was a driving force in getting the bike/rec trail system to what it is today. He also thanked committee liaison Mark Monahan, city staff and all the volunteers – it has been a total team effort.

**Ordinances, Resolutions & Hearings:**

**7:15 Alley Vacate Hearing for Resolution 2015-2:** Al Ahlquist has submitted a petition to vacate the 15' alley that runs north & south abutting Lots 1-8, subdivision of Block 13 of Oaks 4<sup>th</sup> Addition. The petition has been signed by all abutting property owners. A motion was made by Monahan, second by Johnson to approve Resolution 2015-2 to vacate 15' alley right-of-way abutting Lot 1,2,3,4,5,6,7 & 8 subdivision of Block 13 of Oaks 4<sup>th</sup> Addition to the City of Hartford – all voted yes, motion carried.

**New Business:**

**Zoning and Use of 405 & 407 N Vandemark:** The HADC is currently marketing the lots at 405 & 407 N Vandemark for sale. The council had previously approved for these lots to be sold for single family dwellings only. Gary Sandholm, on behalf of the HADC, was present to address the council. Sandholm indicated that there is an interested party that would like to erect a daycare at this site. According to the City's zoning regulations, a daycare would be allowed by obtaining a conditional use permit. It is the consensus of the council to enforce the original decision to only allow single family dwellings on these lots.

**Review/Approve DOT Agreement for Transit Bus Maintenance & Repairs:** The DOT agreement for maintenance & repairs on the transit bus was provided to the council for their review. This grant agreement will cover 80% of any needed maintenance or repairs on the transit bus. A motion was made by Monahan, second by Bjergaard to approve the SD Department of Transportation Agreement that will cover maintenance/repairs to the transit bus – all voted yes, motion carried.

**Election of Council President:** Mayor Campbell accepted nominations for city council president. A motion was made by Nelson, second by Monahan to nominate Mark Monahan for council president. A motion was made by Haugen, second by Bjergaard to nominate Johnson council president. A motion was made by Monahan, second by Johnson to cease nominations – all voted yes, motion carried. Vote for Mark Monahan as follows: Monahan abstaining; Nelson voting yes; Johnson, Bjergaard & Haugen voting no. Vote for Doyle Johnson as follows: Johnson, Bjergaard & Hagen voting yes; Nelson & Monahan voting no. Doyle Johnson was elected city council president.

**Election of Council Vice President:** Mayor Campbell accepted nominations for city council vice-president. A motion was made by Monahan, second by Johnson to nominate Scott Nelson for council vice-president. A motion was made by Haugen, second by Johnson to nominate Brad Bjergaard council vice-president. A motion was made by Monahan, second by Nelson to nominate Bill Haugen council vice-president. A motion was made by Johnson, second by Bjergaard to cease nominations – all voted yes, motion carried. Vote for Scott Nelson as follows: Monahan & Nelson voting yes; Johnson, Bjergaard & Haugen voting no. Vote for Brad Bjergaard as follows: Johnson, Bjergaard & Hagen voting yes; Nelson & Monahan voting no. Vote for Bill Haugen as follows: Monahan & Nelson voting yes; Johnson, Bjergaard & Haugen voting no. Brad Bjergaard was elected city council vice-president.

**Mayor Appointments:** Mayor Campbell appointed Stockwell Engineers as the City Engineer. A motion was made by Monahan, second by Nelson to approve the Mayor's appointment for City Engineer – Haugen abstained with all others voting yes, motion carried. Mayor Campbell appointed the law firm of Frieberg, Nelson, and Ask as the City Attorney. A motion was made by Johnson, second by Bjergaard to approve the Mayor's appointment for City Attorney – all voted yes, motion carried. Mayor Campbell appointed The Minnehaha Messenger/Anderson Publications as the City's Official Newspaper. A motion was made by Johnson, second by Nelson to approve the Mayor's appointment of the City's Official Newspaper – all voted yes, motion carried. Mayor Campbell appointed Sanford Health-Hartford Clinic as the City's Health Care Facility. A motion was made by Johnson, second by Bjergaard to approve the Mayor's appointment of the City's Health Care Facility - all voted yes, motion carried. Mayor Campbell appointed Home Federal Bank, First National Bank, FIT, Reliabank, and US Bank as Official Depositories for the City of Hartford. A motion was made by Johnson, second by Haugen to approve the Mayor's appointment for the Official City Depositories - all voted yes, motion carried.

**Mayor Appointments to Planning & Zoning:** There are two positions open on the Planning and Zoning Board. Mayor Campbell appointed Travis Kuehl for the term May 2015 – Jan 2017. A motion was made by Haugen, second by Monahan to approve the Mayor's appointment of Travis Kuehl to the Planning & Zoning Board – all voted yes, motion carried. Mayor Campbell appointed Matt Cain for the term May 2015 – Jan 2016. A motion was made by Johnson, second by Bjergaard to approve the Mayor's appointment of Matt Cain to the Planning & Zoning Board – all voted yes, motion carried.

**Correspondence:** City Administrator Sidel shared with the council a DENR award that the city received for the operation and maintenance of the wastewater treatment facility. Congratulations to Public Works employees Craig Wagner, Neil Hanisch and Jesse O’Kane.

**Reports:**

**Chamber/HADC Director’s Report:** Gary Sandholm was present to address the council regarding the recent activities with both the Chamber and HADC. Nearly 70 people attended the forum regarding the WC School boundary issue. Information was provided to GEOD on one new business prospect. Sandholm has had meetings with several new business prospects, providing them requested information. Marketing of the lots on Vandemark has started. A sign and brochures has been placed at the lots. Sandholm attended three different conferences in Apr and also a Sioux Falls Chamber event.

**Presentation of Plaque to Outgoing Council:** Council Member Mark Monahan presented outgoing council member Gail Olson-Duck a plaque for her six years of service as council member.

**City Engineer Report:** Mitch Mergen with Stockwell Engineers updated the city council on projects they are working on. A June bid date is expected for the Mike Franken Trail project. The streets have been paved in the East Diamond Trail project. The project should be completed in the next couple of weeks. Agreements have been executed for the micro surfacing project. Missouri Petroleum Products Company will be performing the work this summer. The water main extension project will bid on May 7<sup>th</sup>. Reviews of the Becker site are ongoing.

**Public Works Superintendent Report:**

**Streets** – Staff has been trimming & removing boulevard trees as needed. All of the new boulevard trees have been planted. Crack sealing is scheduled for mid-May with the bike trail also being done. Wagner is planning on applying mag water near the end of the month. Wagner will be submitting an application again this year for the mosquito control grant. The mosquito fogger has been calibrated and is ready to go. Staff has been making repairs on the solar powered crossing lights.

**Water** – Ammonia levels are still too high to discharge. Staff will continue to take samples. Sump pump inspections are nearly complete.

**Park and Pool** – The pool should be ready to fill by the end of the week. Staff has been trimming trees in the park and will be removing a couple dead trees in the coming weeks.

**Public Buildings** – Maintenance has been performed on building locks.

**Finance Officer Report:** Wilber provided a highlight of revenues that were received during Apr along with the general fund revenues and expenses to date thru Mar. The 2014 Annual Drinking Water Quality Report has been completed and submitted to DENR. A copy is posted on the city website and also available for review at city hall. The calendar of events was provided to the council.

**City Administrator Report:** City-wide cleanup day was May 2<sup>nd</sup>. Turnout was high. Sidel has been in contact with the SF Landfill to obtain information regarding landfill passes. This information will be presented to the council at a later date. There was a bid opening on May 5<sup>th</sup> for the storm sewer in the South Main Addition. Ten bids were received. The results will be provided to the council at the May 19<sup>th</sup> meeting. Sidel has been in contact with Tuscon Motors regarding the lease of the city lot at 1<sup>st</sup> & Main. He would prefer to stay on a month to month lease as it currently is. The AmericInn held a grand opening and ribbon cutting on May 6<sup>th</sup>.

**Hire Recommendation – Lifeguard:** One of the applications that was previously offered a lifeguard position has accepted another position creating a vacancy. From the remaining applications, Sidel made the recommendation to the council to hire Sydney Holloway. A motion was made by Johnson, second by Nelson to hire Sydney Holloway for the position of lifeguard at the rate of \$8.75 per hour – all voted yes, motion carried.

**Petition for Annexation:** At the request of the Planning & Zoning Board, Sidel has approached the property owner of 801 S Western Ave regarding a voluntary annexation of his property into the city. Currently his property, which is not in city limits, is surrounded by the city on all sides. In order to promote conductive growth, annexation of this property is desired. The property owner is willing to voluntary annex into the city if the city will provide him access to water/sewer service at no cost to him. Currently, the sewer service line runs along his property line. However, the water service line would have to come from either Opal Lane, Diamond Trail or from the other side of Western Ave which would require a line to be bore under Western Ave. It was the recommendation of city staff to bring the line under

Western Ave. An estimate was provided by the city engineer. A substantially lower quote has also been received from a contractor. The contractor, along with the public works department staff, would perform the work. A motion was made by Haugen, second by Bjergaard to authorize City Administrator Sidel to negotiate an offer with the property owner that upon his agreement to the voluntary annexation of his land into the city that the city would waive the water & sewer hookup fees of \$1,000 and bring the water & sewer lines to his property line at no cost to him and that he would then bare the cost of connecting his building to the service lines. Further discussion was held regarding what has been done in the past regarding individuals hooking up to city services. There was also discussion on voluntary annexation vs. forced annexations. A substitute motion was made by Johnson, second by Nelson for City Administrator Sidel to negotiation an offer full hookup to city services at a cost not to exceed \$7,000 contingent on the voluntary annexation of property into the city and to sign an annexation petition to be approved by the city council. Further discussion was held regarding project costs and who should be responsible for what portion. A motion was made by Monahan, second by Johnson to call the vote – Haugen voted no with all other voting yes, motion carried. Vote taken on the substitute motion was Monahan and Bjergaard voting no; Nelson and Johnson voting yes; and Haugen abstaining – motion failed. Vote taken on the original motion was Bjergaard voting no; Nelson, Monahan and Johnson voting yes; and Haugan abstained – motion failed. A motion was made by Monahan, second by Nelson to authorize City Administrator Sidel to negotiate an offer that if property is voluntarily annexed into the city that city will in turn pay all cost to bring water & sewer services to the building under the condition that the property owner sign a development agreement with the city laying out all the terms and that the property owner will grant all needed construction easements – all vote yes, motion carried.

**Committee Reports by Liaison:**

**Mark Monahan – Bike/Rec, Fire Department & Emergency Planning:** Nothing to report.

**Doyle Johnson – Jamboree Days:** Jamboree Committee met on Apr 30<sup>th</sup>. Planning is moving along with emphasis on advertising the event. The next meeting is May 11<sup>th</sup> 6pm City Hall.

**Scott Nelson – HADC & Chamber:** The Chamber has done a video promoting Hartford. This will be a marketing tool for Chamber/HADC and for placement on the Chamber and City websites. For the month of May, the Volunteer of the Month is Leah Johnson and the Business of the Month is Home Federal Bank. Nelson extended a thank you to former Mayor Zimmer and Council Members Scott Yount and Gail Olson-Duck for their service to the city.

**Bill Campbell – Sports Complex:** Nothing to report.

Mayor Campbell informed the council that at this time the committee liaisons would be discontinued. Each liaison could finish up with one more meeting in the next 30 days. He urged all to keep involved with the committees and attend meetings on their own.

**Mayor's Report:** The Mayor thanked former Mayor Paul Zimmer and Council Members Gail Olson-Duck and Scott Yount for their dedicated service to the City of Hartford. He also congratulated Wagner & his staff on the award from DENR.

A motion was made by Monahan, second by Nelson to enter into executive session per SDCL 1-25-2 at 9:07 p.m. – Haugen voted no with all others voting yes, motion carried.

A motion was made by Monahan, second by Johnson to exit executive session at 9:19 p.m. – all voted yes, motion carried.

**Adjournment:** A motion was made by Johnson, second by Monahan to adjourn at 9:20pm – 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