

## **City Council Meeting – Regular Meeting May 6, 2014**

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, Gail Olson-Duck and Doyle Johnson. Leah Johnson was absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, City Attorney Larry Nelson along with City Engineers Mitch Mergen and Nick Borns.

**Approve Agenda:** A motion was made by Olson-Duck, second by Nelson to approve the agenda with the addition of John Hendricks to the Visitor section of the agenda - all voted yes, motion carried.

**Approve Minutes of Previous Meetings:** A motion was made by Johnson, second by Olson-Duck to approve the April 15, 2014 regular meeting minutes – Monahan abstained with all others voting yes, motion carried.

### **Visitors:**

John Hendricks was present to introduce himself to the council. He is a magistrate judge for Minnehaha and Lincoln Counties. There will be two circuit court judges that will be retiring this year. He is running for one of those positions and will be on the ballot for the primary election to be held on June 3<sup>rd</sup>.

Kandi Lewin, with the Swimming Pool Committee, was present to let the council know of the committee's plans to hold an open house and cookout at the pool on May 19<sup>th</sup>. They will be offering people the opportunity to purchase season passes, tour the pool and to find out more about the committee's plans for a new pool. The committee hopes to gain some new members through this event. In the event of rain the event will be held on May 20<sup>th</sup>.

### **Old Business:**

**Presentation of Plaques:** Mayor Zimmer shared with the council an appreciation plaque that will be awarded to outgoing council member Leah Johnson.

**Oath of Office for Newly Elected Council Members:** Bill Campbell, Doyle Johnson and Scott Nelson took their oaths of office and were sworn in as council members for two-year terms.

**Adjourn as Old Council:** A motion was made by Monahan, second by Olson-Duck to adjourn as the old council at 7:10 p.m. – all voted yes, motion carried.

**New Council:** Mayor Zimmer called the new council to order at 7:10 p.m. with city council members Scott Yount, Bill Campbell, Mark Monahan, Gail Olson-Duck, Doyle Johnson and Scott Nelson present.

### **Ordinances, Resolutions & Hearings:**

**Resolution 2014-3 Rental Lease Agreement for Lot 6, 7 & 8 in Block 4 of the Original Town of Hartford:** The City is in the process of purchasing three lots at the corner of 1<sup>st</sup> & Main from Dean Jaspers. As part of the agreement, the City has agreed to lease the property back to Mr. Jasper's until the end of 2014 with the stipulation that Mr. Jaspers is responsible for all liability and insurance on the property until the end of the year. A motion was made by Monahan, second by Yount to approve Resolution 2014-3 Rental Lease Agreement for Lot 6, 7 & 8 in Block 4 of the Original Town of Hartford with a change to paragraph 11 of the Lease that the property insurance amount required be \$28,100 – all voted yes, motion carried.

**1<sup>st</sup> Reading of Ordinance #607 – Height Restriction on Accessory Buildings:** 1<sup>st</sup> Reading of Ordinance #607 was provided to the council for their review. The City's current zoning ordinance does not clearly define a height restriction on accessory buildings. The Planning & Zoning board has reviewed this issue and the consensus of the board was to draft an ordinance to set a maximum height limit of 15 feet on any accessory building unless a conditional use permit it approved by the Planning & Zoning Board on an accessory building over 1,200 square feet. A motion was made by Johnson, second by Olson-Duck to approve 1<sup>st</sup> Reading of Ordinance #607 – Height Restriction on Accessory Buildings – all voted yes, motion carried.

**1<sup>st</sup> Reading of Ordinance #608-Amend Water/Sewer Rates:** 1<sup>st</sup> Reading of Ordinance #608 was provided to the council for their review. Discussion was held regarding the proposed changes to the water

and sewer rates which are as follows: Water Rates – Currently the first 1,000 gallons of usage is included in the minimum monthly charge. It is recommended that the city charge for this first 1,000 gallons. Sewer Rates – Currently the first 1,000 gallons is included in the minimum monthly charge. It is recommended that the city charge for this. It is also recommended that the annual increase in the sewer rates be increased by 1% to a total of 2%. This would then match the annual water rate increase of 2%. The final item on the sewer rates that was recommended is raising the usage rate to \$5.00 per 1,000 gallons. Gabe Laber, with Stockwell Engineers, gave a presentation which incorporates these changes along with projects listed in the Capital Improvement Plan and projects the water and sewer fund balances over the next five years. The council request that Stockwells prepare information regarding other possible changes to the base rate and usage charges. This will be presented at the next meeting. A motion was made by Monahan, second by Nelson to approve 1<sup>st</sup> Reading of Ordinance #608 – Amend Water/Sewer Rates – Campbell voted no with all others voting yes, motion carried.

**Discuss Draft of Proposed Noise Ordinance:** A draft of Ordinance #609 was provided to the council for their review. The city's current ordinance regulating noise is very broad and not clearly defined. This ordinance has been drafted to provide a clearer definition of specific noise violations. A motion was made by Monahan, second by Olson-Duck for City Administrator Sidel to proceed with drafting Ordinance #609 and incorporating the changes discussed to Item 10 under Section 3.053 - all voted yes, motion carried.

**Deputy Report:** Deputy Terrones was present to give his report. He noted speeding was occurring in the school zone and park zone. Vandalism in the park was discussed. Every year, when the weather warms up, vandalism continues to be an issue. Different options were discussed on how to deter vandalism. Wagner was asked to provide the council a figure of the cost associated with the vandalism that has occurred already this spring.

**New Business:**

**Dump Site Policy – Doug Stclair:** Doug Stclair, who resides outside of city limits, was recently issued a city fine for illegally dumping tree branches at the city grass/leaf/branch dumping station. Mr. Stclair came before the council to discuss the fine and the possibility of the city making a change to their policy in regards to who can use the dumping station. The council said they would consider his suggestions. As for the fine, it needs to be paid. If he wishes to contest it, the city will forward to our legal counsel.

**Election of Council President:** Mayor Zimmer accepted nominations for city council president. A motion was made by Nelson and Johnson to nominate Mark Monahan for council president with Campbell and Olson-Duck ceasing nominations – Monahan abstained with all others voting yes, motion carried. Mark Monahan was elected city council president.

**Election of Council Vice President:** Mayor Zimmer accepted nominations for city council vice-president. A motion was made by Campbell and Johnson to nominate Scott Nelson for council vice-president, Monahan and Yount to nominate Gail Olson-Duck for council vice-president with Monahan and Yount ceasing nominations – Vote for Scott Nelson as follows: Monahan and Olson-Duck voting no, Nelson, Yount, Campbell & Johnson voting yes. Vote for Gail Olson-Duck as follows: Monahan and Olson-Duck yes, Yount, Campbell & Johnson voting no with Nelson abstaining. Scott Nelson was elected city council vice-president.

**Mayor Appointments:** Mayor Zimmer 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 – all voted yes, motion carried. Mayor Zimmer appointed the law firm of Frieberg, Nelson, and Ask as the City Attorney. A motion was made by Monahan, second by Johnson to approve the Mayor's appointment for City Attorney – all voted yes, motion carried. Mayor Zimmer appointed Hartford Area News/Anderson Publications as the City's Official Newspaper. A motion was made by Nelson, second by Johnson to approve the Mayor's appointment of the City's Official Newspaper – all voted yes, motion carried. Mayor Zimmer appointed Sanford Health-Hartford Clinic as the City's Health Care Facility. A motion was made by Olson-Duck, second by Johnson to approve the Mayor's appointment of the City's Health Care Facility - all voted yes, motion carried. Mayor Zimmer 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 Yount to approve the Mayor's appointment for the Official City Depositories - all voted yes, motion carried.

**Mayor Committee Appointments:** Mayor Zimmer appointed Campbell as Primary and Yount as Alternate for the Sports Complex Committee. A motion was made by Johnson, second by Nelson to

approve the Mayor's appointment for Sports Complex Committee – all voted yes, motion carried. Mayor Zimmer appointed Monahan as Primary and Nelson as Alternate for the Bike/Rec Trail Committee. A motion was made by Campbell, second by Johnson to approve the Mayor's appointment for Bike/Rec Trail Committee – all voted yes, motion carried. Mayor Zimmer appointed Johnson as Primary and Campbell as Alternate for the Downtown Committee. A motion was made by Yount, second by Olson-Duck to approve the Mayor's appointment for Downtown Committee – all voted yes, motion carried. Mayor Zimmer appointed Yount as Primary and Monahan as Alternate for the Swimming Pool Committee. A motion was made by Nelson, second by Olson-Duck to approve the Mayor's appointment for Swimming Pool Committee – all voted yes, motion carried. Mayor Zimmer appointed Nelson as Primary and Olson-Duck as Alternate for the Chamber/HADC. A motion was made by Johnson, second by Campbell to approve the Mayor's appointment for the Chamber/HADC – all voted yes, motion carried. Mayor Zimmer appointed Olson-Duck as Primary for the Jamboree and Hometown Christmas Committees and Nelson as Alternate for the Jamboree Committee and Johnson as Alternate for the Hometown Christmas Committee. A motion was made by Campbell, second by Johnson to approve the Mayor's appointment for Jamboree and Hometown Christmas Committees – all voted yes, motion carried. Mayor Zimmer appointed Monahan as Primary and Olson-Duck as Alternate for the Community Building Committee, should planning resume. A motion was made by Nelson, second by Johnson to approve the Mayor's appointment for Community Building Committee – all voted yes, motion carried.

**Mayor Appointments to Planning & Zoning:** There are two positions open on the Planning and Zoning Board. Mayor Zimmer appointed John McMahon for the term May 2014 – Jan 2015. A motion was made by Nelson, second by Campbell to approve the Mayor's appointment of John McMahon to the Planning & Zoning Board – all voted yes, motion carried. Mayor Zimmer appointed Bill Haugen for the term May 2014 – Jan 2016. A motion was made by Johnson, second by Monahan to approve the Mayor's appointment of Bill Haugen to the Planning & Zoning Board – all voted yes, motion carried.

**Discuss Suggested Policy Changes by Insurance Company:** After the recent review by the city's insurance company, the insurance company is recommending the city adopt three new policies: Media Policy, Sidewalk Policy and Pre-Employment, Post Offer Physical. Each of these policies was discussed. It is the consensus of the council that City Administrator Sidel moves forward with drafting all three of these policies for the councils review.

**Discuss Offer to Purchase Lot 5 of Smith & Grover's Addition:** Jon Maras have approached the city regarding the land he owns between 5<sup>th</sup> & 6<sup>th</sup> and Western & Oaks. He has asked if the city would be interested in purchasing this land from him. Two different purchase offers were discussed with the council along with the possible uses the city would have for the land. A motion was made by Monahan, second by Yount to decline both purchase offers for this land – all voted yes, motion carried. Council also discussed multi-family use of this land. Any plans need to be presented to the city for review and approval.

**Reschedule City Council Meeting to Accommodate June 3<sup>rd</sup> Primary Election:** A motion was made by Monahan, second by Johnson to reschedule the June 3<sup>rd</sup> council meeting to June 4<sup>th</sup> so as not to interfere with the primary election on June 3<sup>rd</sup> – all voted yes, motion carried.

**Correspondence:** Mayor Zimmer shared with the council a letter received from DENR which recognized the City of Hartford, along with system's operation specialists Craig Wagner and Neil Hanisch, for Drinking Water Compliance.

#### **Reports:**

**Chamber/HADC Director's Report:** Gary Sandholm was present to address the council regarding the recent activities with both the Chamber and HADC. Three new information requests were received from GOED. Responses were made on all three. Global Horizons did a presentation at the last Chamber Mixer regarding customer service and the importance of have well connected and engages employees. Sandholm attended the GOED annual Conference. The Mutual Self Help Housing Project is moving forward and is still looking for a construction supervisor. Also needs another qualifying household. The Transit Committee continues to meet to discuss plans for a transit system in Hartford. Plans are underway to get businesses to team up with area students. Students would be helping them with web-based communications and marketing. Fireside Event Center held a ribbon cutting on May 2<sup>nd</sup>. The ribbon cutting for West Diamond Trail is May 8<sup>th</sup> at 5:30pm. City-wide clean up day was a huge success.

**Fire Department Report:** Fire Chief Bryon Shumaker welcomed new councilmember Bill Campbell aboard. The Fire Dept made 30 calls in Apr with 11 being in city limits. The dept business meeting will be

May 14<sup>th</sup> at 7pm – everyone is welcome to attend. EMS training will take place on May 18 and Fire training will take place on May 28<sup>th</sup>. The dept has added another truck to their fleet. The upcoming fundraiser pancake feed and gun raffle is on May 18<sup>th</sup> from 8am – 1pm. The Fire Dept has indicated that they would like to have a city council liaison. Mayor Zimmer appointed Mark Monahan as city council liaison to the Fire Dept and to attend meetings on a quarterly basis. A motion was made by Johnson, second by Olson-Duck to approve the Mayor’s appointment for the Liaison to the Fire Department - all voted yes, motion carried.

**City Engineer Report:** Nick Borns with Stockwell Engineers updated the city council on items they are working on. Micro surfacing contracts have been signed. Contractor has resumed work on W Diamond Trail with an expected project completion date of May 30<sup>th</sup>. In regards to W Diamond Trail, Stockwell’s recommends payment of Pay App #4 in the amount of \$144,966.90 to D&G Concrete Construction, Inc. A motion was made by Monahan, second by Yount to approve payment of Pay App #4 to D&G Concrete Construction, Inc. in the amount of \$144,966.90 – all voted yes, motion carried. The Notice to Proceed has been received from the DOT for Phase 3 & 4 of the bike trail. Survey work has started with an estimated completion date of the design for review by the DOT in early July. Survey work has started on the E Diamond Trail project. The Jarding Addition concept plan has been reviewed and comments provided to the city. Construction plans for the two softball fields at the Sports Complex are now complete. Copies were provided to the council for their review. The fencing work on the two fields at the Sports Complex is now ready to be bid. A motion was made by Johnson to advertise for bids with the bid to include the base bid, alternate #3 and alternate #4. Johnson rescinded his previous motion. Johnson then made a motion to place the bidding of this fencing work on the next agenda – second by Campbell – all voted yes, motion carried.

**Public Works Superintendent Report:**

**Streets** – Planning to blade gravel roads once rain is received. The sweeper is currently down. The part is now in and repairs are being made. Boulevard trees are being planted. Micro surfacing is planned for the end of July. Wagner is still looking for a used pickup.

**Water** – Samples will be taken from the ponds this week. All quarterly reports have been filed with DENR.

**Park and Pool** – Planning on filling the pool by the end of the week. The following week the chemicals will get added and start up the heater. Touch up painting around the pool area is being done.

**Public Buildings** – Clean-up of the exterior of the Wasson property is complete. The building on the recently purchased lot on Main Ave was discussed. It is the consensus of the council that this building be tore down. Staff will proceed with this.

**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 2013 audit report has been approved by the Department of Legislative Audit. Copies of the report were provided to the council. A motion was made by Olson-Duck, second by Monahan to approve the 2013 audit report – all voted yes, motion carried. The SD Municipal League Finance Officer School is June 11<sup>th</sup> – 13<sup>th</sup> in Oacoma, SD with a registration fee of \$75. A motion was made by Monahan, second by Johnson to allow Karen Wilber to attend Finance Officer School in Oacoma on June 11<sup>th</sup> – 13<sup>th</sup> – all voted yes, motion carried. The calendar of events was provided to the council.

**City Administrator Report:** The County has taken possession of both Wasson properties. The process to transfer these properties the city will take 30-60 days. The closings for the 3 city owned lots along E. 6<sup>th</sup> St. is tentatively set for late June or early July. Costello’s has started the process to rezone their industrial lots. Once this is complete, infrastructure improvements will follow. Venice Becker has received approval from the Planning & Zoning Board to erect a 6-plex with attached garages at 301 E 5<sup>th</sup> St. He had previously been approved for a 4-plex with several detached garages. The County Planning & Zoning Board approved the conditional use application for the Hartford Farmers Elevator to erect bulk fuel storage in the Brower Addition. An updated contact list was provided to the council. The SD Municipal League Human Resource School is June 10<sup>th</sup> – 11<sup>th</sup> in Oacoma, SD with a registration fee of \$50. A motion was made by Monahan, second by Olson-Duck to allow Teresa Sidel to attend Human Resource School in Oacoma on June 10<sup>th</sup> – 11<sup>th</sup> – all voted yes, motion carried. The 1<sup>st</sup> annual SD City Managers Association Conference is in Pierre on May 15<sup>th</sup> – 16<sup>th</sup>. There is no registration fee for this conference. A motion was made by Monahan, second by Olson-Duck to allow Teresa Sidel to attend the SD City Managers Association Conference in Pierre on May 15<sup>th</sup> – 16<sup>th</sup> – all voted yes, motion carried.

**Committee Reports by Liaison:**

**Mark Monahan – Bike/Rec & Community Bldg:** Monahan provided a concept plan for a potential community building for future reference if/when the committee should start to meet again. There was no Bike/Rec meeting in Apr. The next meeting is May 13<sup>th</sup> 6:30pm at Spikes. A motion was made by Monahan, second by Nelson to name Phase 3 & 4 of the bike trail after Mike Franken with the dedication at a date of Joan Franken’s choosing – all voted yes, motion carried.

**Scott Yount – Sports Complex:** The next Sports Complex meeting is May 14<sup>th</sup> 7pm at Midway.

**Gail Olson-Duck – Jamboree Days & Hometown Christmas:** Jamboree Committee met on May 5<sup>th</sup>. They will start meeting twice per month. Vendors continue to sign up and a number of events are being planned throughout the weekend. The Hometown Christmas Committee is not meeting at this time.

**Doyle Johnson – Downtown & Hometown Christmas:** Downtown Committee met on May 6<sup>th</sup>. SD Horizons is helping the committee with a planning study of the downtown area.

**Scott Nelson – HADC & Chamber:** The Chamber is hosting a Branding Workshop on May 13<sup>th</sup> to be held at the Central Valley Golf Course at 6:30pm. An invitation is extended to all Hartford area citizens to attend a home budgeting class on May 15<sup>th</sup> to be held at Pizza Ranch at 6pm. A big thanks was extended to all who participated in the city-wide clean-up day. Congratulation to Fireside Event Center on their recent ribbon cutting. This event was held by the joint cooperation of the Hartford Area Chamber and the SF Chamber.

**Mayor’s Report:** The Mayor congratulated all city appointments and the approval of those appointments. He also welcomed Bill Campbell to the city council.

**Adjournment:** A motion was made by Olson-Duck, second by Johnson to adjourn at 9:59pm – 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