

City Council Meeting – Regular Meeting May 7, 2019

Mayor Jeremy Menning called the meeting to order at 7:00pm at Hartford City Hall with the following city council members present: Mark Monahan, Arden Jones, Mark Brenneman, Travis Kuehl, Jessica Johnson and Scott Nelson. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Recreational Director Nate Velandar, City Attorney Larry Nelson and City Engineer Ross Kuchta.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Monahan, second by Jones to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** Regular meeting minutes from Apr 16, 2019 were reviewed. A motion was made by Monahan, second by Brenneman to approve the meeting minutes from Apr 16, 2019 – all voted yes, motion carried.

PUBLIC COMMENTS:

- Bryan Voth was present to voice his concerns about the condition of W 4th St. He has observed that property owners along the south side of this street tend to discharge their sump pumps to the rear of their properties rather than to the street since the condition of this street is so bad. This water then flows to the south to properties along W 3rd St, Kingsbury Ave and Oaks Ave. causing very wet conditions in these yards. Voth feels making improvements to this street is needed sooner rather than later. This section of street is currently listed as a future project on the City's Capital Improvements Plan.

ORDINANCES, RESOLUTIONS, APPLICATIONS AND HEARINGS:

- **7:05 Public Hearing for 1st Reading Ordinance #666 - Rezone a portion of Cresswood Addition from Natural Resource Conservation to Regional Commercial:** C&C Ventures is requesting to rezone a portion of their property that runs along Interstate 90 so they can begin advertising the land for sale for commercial use. Their approved preliminary plans have this area designated for commercial use. With residential lots abutting this property on the north, discussion was held about having a buffer area between the commercial development and the residential properties. The developer indicated that their future plans are to have multi-family housing as a buffer along this area. A motion was made by Monahan, second by Brenneman to approve 1st reading of Ordinance #666 – Rezone a portion of Cresswood Addition from Natural Resource Conservation to Regional Commercial – all voted yes, motion carried.
- **7:10 Public Hearing for 1st Reading Ordinance #667 - Rezone a portion of Western Meadows Addition from Residential to Light Industrial:** With a need for larger industrial lots, Western Meadows, LLC is requesting to rezone a portion of their property from residential to light industrial. This rezone would deviate from their preliminary plans, which has this area designated as residential and park land. Since this property is located adjacent to both Interstate 90 and their other light industrial lots, the developer feels this would be an ideal location for more industrial lots. In addition, the developer has agreed to incorporate park land in Phase 3 of their development. A motion was made by Monahan, second by Nelson to approve 1st reading of Ordinance #667 – Rezone a portion of Western Meadows Addition from Residential to Light Industrial – all voted yes, motion carried.
- **2nd Reading of Ordinance #665 – Proposed Changes to Zoning Ordinance #627:** Ordinance #665 changes the zoning regulation to incorporate Z-Lots in residential districts. Z-Lots would require a minimum lot width of 55' rather than 66' and the side yard setback has to be at least 5' rather than 7'. All structures on Z-Lots must be placed parallel to the angle portion of the lot and can only have a 25' driveway within the boulevard area with a maximum 6' flare. All other requirements remain the same as other single-family lots. A motion was made by Jones, second by Brenneman to approve 2nd reading of Ordinance #665 – Proposed Changes to Zoning Ordinance #627 – Monahan voted no with all others voting yes, motion carried.
- **Review/Approve Plat of Tract 1 of Lufco Addition:** Warren Luke has submitted a plat for approval. This property is outside city limits but within our platting jurisdiction with Minnehaha County. A motion was made by Monahan, second by Jones to approve the plat of Tract 1 of Lufco Addition – all voted yes, motion carried.
- **Special Event Permit Application – Hartford Downtown Market:** Callie Tuschen, on behalf of Hartford Downtown Market, submitted a special event permit application to hold a farmer's market and artisan vendor event from 5-8:30pm on the last Thursday of each month running May 30th through Oct 31st. They are requesting that 1st St. from Main Ave east to the alley behind Buffalo Ridge Brewery be closed from 4-9pm on these days to allow the event to be held on the street. A motion was made by Nelson, second by Johnson to approve the special event permit for the Hartford Downtown Market – all voted yes, motion carried.

VISITORS: Lisa Hellvig was present on behalf of the Hometown Christmas Committee to request that this committee be incorporated into a 501(c)(3) status. Currently, this committee is just a group of volunteers. Making this change would allow the following: funds from the city could now be paid directly to them rather than funneling them through the Chamber of Commerce, as a legal entity they could enter into contracts, and any donation received could be tax deductible for those people making the contribution. With the attorney and filing fees, it is estimated to cost \$500 to make this change. A motion was made by Nelson, second by Monahan to file the paperwork to apply for 501(c)(3) status for the Hometown Christmas Committee and for the City to pay any associated costs – all voted yes, motion carried. Hellvig also asked if the City would donate a family pool pass for a prize for the Chamber’s #Discover Hartford campaign. A motion was made by Monahan, second by Brenneman to donate a family pool pass to the Chamber for the #Discover Hartford campaign – all voted yes, motion carried.

REPORTS:

- **Sheriff's Department Report:** Deputy Phil Ryan was present to give an update on recent activities within the city. For the month of Apr there were 293 calls for service, 64 more than the previous month. Traffic enforcement throughout the city was discussed. Deputy Ryan informed the council and staff that if anyone is interested in riding along with him, that is available.
- **Recreational Director Report:** Director Nate Velander presented the proposed Application for a Sporting Event Permit Form to the council for their review. This would be the form that would be required to request use of city property to hold a sporting event. A motion was made by Kuehl, second by Jones to approve the Application for a Sporting Event Permit as presented – all voted yes, motion carried
- **Engineer Report:** Ross Kuchta was present to provide engineer updates: Industrial Park Sanitary Sewer Extension – Easements for properties along the sewer route have been prepared. Coordinating with City staff regarding funding. Lot A Deed Restriction – Paperwork submitted to the Corp for review. Final approval is anticipated towards the end of May. Waste Water Treatment Facility – Discussion with landowners continues. Mickelson Road Improvements – All sections of the box culver are now set. Another extension request from the contractor due to recent flooding is being reviewed. Vandemark Roadway Improvements – The contractor has started the underground work. Pay application #1 for 25% of the mobilization costs has been submitted for payment. A motion was made by Monahan, second by Brenneman to approve pay application #1 for the Vandemark Ave Street Improvement project in the amount of \$12,313.40 to Soukup Construction – all voted yes, motion carried. Kuchta presented a proposal for engineering services for adding the portion of 9th St between Vandemark Ave and Hwy 38 to the Vandemark Ave Street Improvement project. Discussion was held on several issues including: additional cost to add this scope of work to the project, the timing of additional work to be added to the project, if property owners are in favor of the project, and proceeding with the resolution of necessity and the process to do that. A motion was made by Kuehl, second by Johnson to approve the proposal of \$84,500 for engineering services related to adding the portion of 9th St between Vandemark Ave and Hwy 38 to the Vandemark Ave Street Improvement project – Nelson voted no with all others voting yes, motion carried. Swenson Park Sports Complex Grading – spring seeding and restoration work will begin in the coming weeks.
- **Public Works Report:** Public Works Superintendent Craig Wagner’s report was provided to the council. Highlights include:
 - **Streets** – The sander has been washed and stored. Slurry Seal pre-construction meeting planned for June. Staff still looking for replacement truck. Depending on condition of gravel roads, mag water is scheduled for late May/early June. Roads are being swept as time and weather allows. Staff will begin patching roads next week once asphalt plants open. The planting of all boulevard and park trees should be done by next week. Wagner will be applying for a mosquito control grant again this year.
 - Wagner provided 3 quotes for asphalt crack sealing. The quotes ranged from \$.75 to \$1.50 per linear foot. A motion was made by Monahan, second by Nelson to approve the quote for asphalt crack sealing from Highway Improvement, Inc. at \$.75/LF not to exceed \$20,000 – all voted yes, motion carried.
 - Wagner provided 3 quotes for asphalt mastic repair for the payment on Western Ave. The quotes ranged from \$1.25 to \$3.25 per pound. A motion was made by Nelson, second by Monahan to approve the quote for asphalt repair from Highway Improvement, Inc. at \$1.25/LB not to exceed \$6,250 – all voted yes, motion carried.

Park – Staff continues with cleanup/mowing in the parks as weather permits. In regard to the naming of the creek in Turtle Creek Park, there will be a telecasted meeting on May 8th at 1:30pm on the DOT Board of Commissions website. A future meeting on this topic will take place in Hartford.

Pool – Cleaning and shingle work continues at the pool, getting it ready for opening on May 23rd.

Sewer – Flows continue to be up. The dialer at the Sagehorn station has been upgraded with the other two to be upgraded yet this spring. We continue to discharge and samples are within limits.

Water – There are two homes along the Vandemark Ave that were serviced by Rural Water that will now be put on the city’s system.

Bike Trails – The signage on the trails has been installed.

- Wagner provided 2 quotes for seal coating of the bike trails. The quotes ranged from \$1.00 to \$1.15 per square yard. A motion was made by Monahan, second by Brenneman to approve the quote for seal coating the bike trails from Highway Improvement, Inc. at \$1.00/SY – all voted yes, motion carried.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided to the council. Items included a summary of revenues received in Apr along with a review of the city's cash balances, revenues and expenses through Mar. The 2018 Water Quality Report is done and has been submitted to DENR. It is also available for viewing on the City's website. The auditors will be in the office on May 7th performing the city's annual audit. The May calendar of events was also provided.
- **City Administrator Report:** City Administrator Sidel's report was provided to the council. An update on the hiring of summer staff was provided. The P&Z board has done their review of the 2018 International Building Codes. This will come before the council for approval at the May 21st meeting. Staff continues to work with city & county attorneys on establishing the joint zoning jurisdiction. At recommendation of the Auditors, Sidel will be revising the capitalization policy for council approval. Currently, the city capitalizes any asset purchased that is \$500 or greater. The auditors feel this threshold is too low. They suggested increasing to \$5,000. This policy will come before the council at the May 21st meeting.

OLD BUSINESS:

- **Oaths of Office:** The following oaths of office were taken:
 - Jeremy Menning – 2yr term Mayor
 - Travis Kuehl – 2yr term Councilmember Ward 1
 - Jessica Johnson – 1yr term Councilmember Ward 2
 - Mark Monahan – 2yr term Councilmember Ward 2
 - Arden Jones – 2yr term Councilmember Ward 3

NEW BUSINESS:

- **Election of Council President:** Mayor Menning accepted nominations for council president. Nelson nominated Mark Monahan. Kuehl nominated Arden Jones. A motion was made by Kuehl, second by Monahan to cease nominations – all voted yes, motion carried. Vote was taken for the election of Mark Monahan as council president – with Jones, Brenneman, Kuehl and Johnson voting no, Nelson voting yes, and Monahan abstaining – motion failed. Vote was taken for the election of Arden Jones as council president – Nelson voting no with all others voting yes, motion carried.
- **Election of Council Vice President:** Mayor Menning accepted nominations for council Vice President. Nelson nominated Travis Kuehl. A motion was made by Monahan, second by Jones to cease nominations and cast a unanimous ballot for Travis Kuehl as council Vice President – all voted yes, motion carried.
- **Mayoral Appointments – Official Newspaper, Official Health Care Facility, Official Depositories:** Mayor Menning appointed the Official Newspaper as the Minnehaha Messenger, the Official Health Care Facility as Sanford Clinic of Hartford, and the Official Depositories as Great Western Bank, Reliabank, US Bank and First National Bank of Sioux Falls. A motion was made by Kuehl, second by Jones, to approve the Mayor's appointments of Official Newspaper, Official Health Care Facility and Official Depositories – all voted yes, motion carried.
- **Jamboree Event Update and Request for Release of 2019 Funds:** Leah Johnson, on behalf of the Jamboree Committee, was present to provide the council an update on this summer's event. She noted a couple new items added this year: a kickball tournament that Rec Director Velander is heading up and a trivia/craft beer event by Buffalo Ridge Brewery. A full event schedule will be provided to the council at the May 21st meeting. With the event being just over a month away, Johnson requested payment of the committee's 2019 appropriation. A motion was made by Kuehl, second by Johnson to release the 2019 appropriation in the amount of \$25,000 to the Hartford Jamboree Days Committee – all voted yes, motion carried.
- **Discussion of Speed Limit & Stop Signs throughout the City:** Upon canvassing the town, Wagner and Deputy Ryan can up with a list of suggested street sign and speed limit revisions. They feel the suggested changes are for the betterment of traffic flow and/or resident safety. They asked the council to take some time and drive around and review the suggested changes. This topic will be discussed again at a future meeting.
- **Review Billboard Lease Agreement for West Face of Billboard #1:** Ralph Tuschen has completed the agreement to rent the west face of billboard #1. He intends on advertising his taxidermy and storage rental businesses. A motion was made by Nelson, second by Kuehl to approve the advertising lease with Ralph Tuschen for the west face of billboard #1 contingent on Tuschen proving a sample of the vinyl to the City for approval – all voted yes, motion carried. Further discussion was held on adding verbiage to future leases that establishes a

timeline as to when the vinyl needs to be installed on the billboard being rented. Sidel will work with the City Attorney to add this verbiage to the lease agreements.

- **Review 2018 Annual Report:** A copy of the 2018 Annual Report that was compiled by the city's audit firm Quam, Berglin & Post, PC was provided to the council for their review. A motion was made by Monahan, second by Jones to approve the 2018 Annual Report – all voted yes, motion carried.

CORRESPONDENCE:

- **Thank You from WC Business Class:** Chamber and Economic Develop Director Fonkert gave a tour of the community to the West Central Business Class, providing them insight as to what it takes to make and grow a community.
- **Secretary Award for Drinking Water Excellence:** Congratulations to the City's Public Works staff Craig Wagner, Neil Hanisch and Jesse O'Kane! These three, who are all certified Operations Specialists, have demonstrated excellence in water system management and maintenance. Because of their hard work the City has met the requirements of the Safe Drinking Water Act and has been awarded this recognition for the 14th consecutive year.

EXECUTIVE SESSION: A motion was made Kuehl, second by Jones to enter executive session pursuant to SDCL 1-25-2 (1) for personnel and SDCL 1-25-2 (3) for legal at 9:05pm – 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 Monahan, second by Nelson to exit executive session at 9:27pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Jones, second by Monahan to adjourn at 9:28pm – 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