

City Council Meeting – Regular Meeting June 1, 2021

Mayor Jeremy Menning called the meeting to order at 7:00pm at Hartford City Hall with the following city council members present: Mark Monahan, Mark Brenneman, Arden Jones, LaVonne Randall, Travis Kuehl, and Mark O’Hara. Also present were City Administrator Teresa Sidel, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Attorney Tom Frieberg, City Engineers David Doxtad & Michael Redenbaugh and 3 people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jones, second by Randall to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Jones, second by O’Hara to approve the meeting minutes from May 18, 2021 – Brenneman abstained, with all others voting yes, motion carried. A motion was made by Randall, second by Jones to approve the Joint Meeting minutes from May 26, 2021 – Kuehl abstained, with all others voting yes, motion carried.

PUBLIC COMMENTS: Councilman Jones noted that he was contacted by Chris and Callie Tuschen about the possibility of placing a bike rack by the Buffalo Ridge Brewing building. One idea was to place it on the adjacent sidewalk but concerns with this is that a bike rack on the sidewalk would block ADA accessibility. Wagner will meet with the Tuschens to see what other placement options would be available.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **2nd Reading of Ordinance #706 - Establishment of Park & Recreation Board:** Ordinance #706 will establish a park & recreation board that is strictly advisory to the council and will not have the authority to spend funds, enter contract, hire staff, etc. A motion was made by Brenneman, second by Jones to approve second reading of Ordinance #706 – Monahan voted no, with all others voting yes, motion carried.
- **2nd Reading of Ordinance #708 – Temporary Ordinance Regarding the Issuance of Local Medical Cannabis Establishment Permits and/or Licenses:** Ordinance #708 is a temporary ordinance regarding the issuance of local medical cannabis establishment permits and/or licenses. Currently, the sale/use of medical marijuana is set to begin on July 1, 2021, but the state has until October 29, 2021, to establish rules and regulations on the state side. It is the recommendation of the SDML and our city attorney that we pass this draft ordinance that allows the city time to work with the state for the adoption of zoning regulations and rules for cannabis establishments. This ordinance will also limit any claims that a medical marijuana applicant is grandfathered on when July 1, 2021. A motion was made by Jones, second by Randall to approve 2nd reading of Ordinance #708 – all voted yes, motion carried.

REPORTS:

- **Sheriff’s Department Report:** Deputy Damian Kardas was present to update the council on various activities addressed by the sheriff’s department during May. Kardas also mentioned that Coffee with the Cops started up again in May (after a break due to COVID) with 4 more events planned in the coming months.
- **Chamber & Economic Development Director Report:** Amy Farr’s report was provided. Chamber work includes: assisting with ribbon cutting events, organizing dunk tank & volunteers for Jamboree Days, organizing Hartford Block Party to be held in July, organizing Chamber golf tournament to be held in Aug, and continuing work on Hartford Living. HADF work includes: continues to meet with prospective landowners and business, continues work on Envision 2025 invoicing/retention and meeting with businesses, responding to RFIs from GOED and other businesses, working with the ownership of Project Elixir, completing a daycare survey, and onboarding for new Intern.
- **Engineer Report:** David Doxtad was present to report the following:
 - The review of the city’s design standards has been completed and is being discussed with staff.
 - The rate study will be looked at after completion of the wastewater feasibility study is complete.
 - Development work is ongoing: Western Meadows, Knapp’s Landing & Turtle Creek Highlands.
 - The City’s GIS is up and running.
 - ISG provided an update on the progress of the Wastewater Feasibility Study – a meeting is planned for June 28th with the council to review.
- **Stockwell Engineer Report:** Mitch Megan provided a progress report for the following projects:
 - 9th Street Improvements – Overseeding has been completed and care letters were sent to property owners. Punch list items are complete and final pay app is being reviewed. Warranty inspections will occur this fall.
 - Ruud & Opal Lane – Warranty inspection will occur this fall
 - Industrial Park Sanitary Sewer – Design is complete. Project on hold until notice from city.

- Mickelson Road Improvements - Warranty inspections were completed on May 6th. The contractors must have repair work done by June 15th. LOMR is in progress.

Discussion was held by the council regarding Stockwell's report. It was the consensus of the council that a progress report is not needed each meeting and updates on Stockwell's projects can be provided by city staff.

- **Public Works Report:** Public Works Superintendent Wagner's report was provided.
 - Streets – Gravel roads are being prepped for mag water, which should be applied within the next couple of weeks. Street sweeping continues as time and weather conditions allow. Sioux Valley Energy has indicated that the city will be responsible for taking down the old downtown lights and removal of concrete, then SVE will install the new lights. Wagner also discussed standards for streetlight layouts used by SVE – they typically space lights 200' to 250' apart, working around obstacles. It was noted that the city's design standards do require a development to provide a photometric layout but there are no guidelines for spacing – ISG will look into this some more with their review of our design standards. The traffic counter and speed trailer are out.
 - Water – Staff continues to change out meters. They are just over the ½ way mark.
 - Sewer – April reporting is done. A rep from SF Landfill inspected bar screen waste. They indicated they will take the waste, but it may need to be thickened. Testing is being done so staff will know how to proceed in the future.
 - Park – Wagner noted that additional information was provided to the GFP for our bike/rec trail grant application and dog park grant application. Wagner also noted that Mike with The Family Farm gave the city a quote for shrubs along the south side of the yard waste site. Smith recommends planting contoneaster shrubs for screening. This shrub is trimmable and non-flowering. For a 5' spacing, the city will need approximately 105 shrubs at a cost of \$22.50 per shrub. It was the consensus of the council to have Wagner complete a layout for placement, along with cost estimates, so the council can discuss again at budget time.
 - Pool – The pool is now open and running well.
 - Sports Complex – Temporary fencing is scheduled to be installed on the west side this coming week.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided to the council. Items included a summary of revenues received in May, along with an overview of the city's cash balances, revenues and expenses through April. Wilber's report also provided an update on pet licensing. A calendar of events for June was provided.
- **City Administrator Report:** City Administrator Sidel's report was provided. The city is still looking for 1 park rec assistant for the July program. A kick-off meeting with ISG to discuss the city-wide community plan is scheduled for June 10th at 6:30. Even though no response has been received yet from FEMA on the grant for the concession/restroom building at the Sports Complex, the city will resume discussion on the Western Sewer Project at the next council meeting. Information was provided to the council for the upcoming SDML elected officials' workshop. Sidel reminded the council of the special WWTF meeting scheduled for June 28th at 7pm.

OLD BUSINESS:

- **Review 12th St Petition, Cost Estimates, & Funding:** Don Sieverding, of Knapp's Landing, has circulated a petition for street improvements to 12th St, from Western Ave east to the intersection of Duck Trl & Kelley Jo Dr. The petition has been signed by over 55% of adjoining landowners and now is being presented to the council for review. The council first discussed the city's current assessment policy and if the \$100 per linear foot should apply to new roadways or just to rebuilding existing roadways. The assessment cost was also discussed, considering the rise of actual construction cost. Don & Stacey Sieverding were present for the discussion and noted that they plan to complete the portion of the 12th street that is within their development next spring. More discussion was held regarding access, future development, and cost verses benefit. No action was taken on the petition and it was the consensus of the council that this item be added to a future agenda and possibly discuss at budget time for a 2022 project.
- **Review On-Street Parking Regulations:** Due to citizen complaints, ordinance #622, which addresses on-street parking of commercial vehicles, was reviewed. Parking of commercial vehicles upon city streets is prohibited but there is an exception to allow commercial vehicles to park on city streets if they are under 50 feet and under 18,000 pounds. Information on commercial parking from surrounding cities was provided to the council for review. Discuss was held by the council and it was the consensus for the city administrator to draft an amendment to reduce the length exception in our current ordinance to 22 feet for single units and 40 feet for combination units and to reduce the pounds to 10,000 pounds gross vehicle weight. It was also the consensus to change the verbiage from "and" to "or". A draft ordinance will be drafted and presented to the council for discussion at their next regular meeting.

NEW BUSINESS:

- **Consideration to reimburse fence relocation at 513 Cloverleaf Ave:** Last September, Lana Snyder came into city hall with an application for a fence permit. The permit was reviewed, checked for easements, and then approved. Unfortunately, when city hall reviewed for easements on the property, only the utility easement on the west side of their lot was identified but there is also a drainage & sump pump easement there as well. The homeowner was given a copy of the permit, which has all the regulations on the back, but they were unaware of the drainage easement on their property. The homeowner proceeded to erect the fence within the drainage easement. The city became aware of this issue last month and a letter was sent out noting that the fence is in a drainage easement and needed to be removed or they would need to secure a variance from the Board of Adjustments. The homeowner applied for a variance, which was denied by the Board but the Board did recommend that the city pay the cost of re-locating the fence for the homeowner since this situation was caused by

a mistake at the city. Discuss was held by the council. Jason Snyder was present and requested to keep the fence as placed. David Doxtad, with ISG, noted that from an engineering standpoint, that this house is at the crest of the hill and there should not be any drainage issues cause by this fence placed as-is. More discussion was held regarding the width of drainage easements, use of easements, liability, and our current fence regulations. It was the consensus of the council to discuss the city's current fence regulations further, after more information is gathered for the council. A motion was made by Kuehl, second by Monahan to table this agenda item – Jones and Brenneman voted no, with all others voting yes – motion carried.

CORRESPONDENCE: None

EXECUTIVE SESSION: A motion was made Brenneman, second by Kuehl 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. A motion was made by Kuehl, second by Monahan to exit executive session at 9:20pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Jones, second by Randall to adjourn at 9:21pm – 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