

City Council Meeting – Regular Meeting, June 6, 2018

Mayor Jeremy Menning called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Mark Monahan, Arden Jones, Mark Brenneman, Travis Kuehl, Ryan Horn and Scott Nelson. Also present were City Administrator Teresa Sidel, Public Works Superintendent Craig Wagner, Chamber and Economic Development Director Jesse Fonkert, City Attorney Larry Nelson and City Engineer Ross Kuchta.

BUSINESS ITEMS:

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

Approval of the Minutes:

Regular Meeting Minutes from May 15, 2018 were reviewed by the council. A motion was made by Monahan, second by Brenneman to approve the May 15, 2018 regular meeting minutes – all voted yes, motion carried. The minutes from the May 30, 2018 special meeting were reviewed. A motion was made by Monahan, second by Kuehl to approve the May 30, 2018 special meeting minutes – all voted yes, motion carried.

ORDINANCES, RESOLUTIONS, APPLICATIONS AND HEARINGS:

- **Special Event Application for Hartford Jamboree Days:** The Jamboree Committee has submitted an application for a special event permit and use of alcoholic beverages in a public area. Activities and entertainment is planned from Thursday, June 14th to Sunday, June 17th, with a kick-off concert by West Central High School Band on Sunday, June 10th at the amphitheater. A full schedule of the event was provided to the council for their review. A motion was made by Nelson, second by Monahan to approve the special event application and waive the application fee – all voted yes, motion carried.
- **7:05 Public Hearing for 1st Reading of Ordinance #654:** Brad Glazier has submitted an application on behalf of Lorri Lanpher to change the zoning at 303 W 3rd Street (Lot 1&2 of Gabbert's Addition), which is at the corner of W 3rd and Western Avenue, from Residential to Community Commercial. He has indicated that they would like to eventually erect storage units on these lots, which is a commercial use. At this time, they are only asking for the property to be rezoned from its current use of residential to a commercial use of community commercial. Brad Glazier addressed the council and responded to questions. Kay Reed addressed the council as an opponent of the rezone. Ms. Reed asked about the address and sighted concerns with drainage and mowing. Tony Randall, Chairman of the Hartford Planning and Zoning Board, was asked to address the council. Randall noted that the Planning and Zoning Board held a long discussion at this at their meeting on May 29th and the vote was split, with 3 in favor of the rezone and 3 against the rezone. He also noted that he voted against the rezone because the transitioning from commercial to residential was less of a percentage per block as you move north from Menth Street. Terry Hagen noted that the county owned this property for several years and had a maintenance shop on it, then it was sold around 1995 and was zoned residential but nothing was erected on these two lots. A motion was made by Monahan, second by Nelson to deny 1st reading of rezone Ordinance #654 – all voted yes, motion carried. This ordinance will have a second reading on June 19th.
- **7:10 Public Hearing – Special Malt Beverage License:** The Hartford Jamboree Committee has submitted an application to sell malt beverages during the 2018 Jamboree Event. They will be selling Friday night during the car show and burnout, Saturday in the park and at the street dance and Sunday at the tractor pull. This year the committee is doing all the beer sales for the event with the exception of the American Legion and South Bar, who will be selling on their own premises during the street dance. A motion was made by Kuehl, second by Nelson to approve the special malt beverage application as submitted by the Hartford Jamboree Committee and waive the application fee – all voted yes, motion carried.
- **7:15 Public Hearing – Special Event Application for The Goat Bar & Grill:** Jeff and Dawn Schoenfelder with the Goat Bar & Grill has submitted a special event application to hold a Lawn Mower Poker Run on June 30th from 1pm to 5pm. This is a planned fundraiser for the Hartford Area Fire and Rescue Department. Discuss was held regarding security, liability and past issues. Deputy Albers commented on issues at other towns as well during similar events. A motion was made by Kuehl, second by Monahan to deny the special event application submitted by The Goat Bar and Grill for a lawn mower poker run on June 30, 2018 – all voted yes, motion carried.
- **7:20 Public Hearing – Special Event Application for The Goat Bar & Grill:** Jeff and Dawn Schoenfelder with the Goat Bar & Grill also submitted a special event application to hold a Backyard Bash, which will include a live band and games in their rear yard on July 21st from 7pm to 1am on July 22nd. The event and all alcohol sales will be upon their property but a special permit is need in order to allow the live band to be exempt from the city's noise ordinance. A motion was made by Kuehl, second by Monahan to

approve the special event application submitted by The Goat Bar and Grill for a Backyard Bash on July 21, 2018 from 7pm to 1am – all voted yes, motion carried.

Visitors – Jeff Thurn: Jeff Thurn, who lives at 604 Cressman Trail, approached the council in regards to the placement of his fence. Mr. Thurn received a placement permit for his fence in May of 2016, which indicated that the fence would be placed in the backyard just inside the property line. Due to issues with rocks and gate width, the north side and east side of his fence were actually placed outside of his property and onto the neighboring property, which was owned by Cresswood Developers. Thurn noted that he received verbal permission from Laurie Cressman for the fence placement on their property and stated that he also received permission from the City Administrator Sidel to place the fence. Sidel stated that she did give permission in the fall of 2017 for Thurn's fence to stay as placed since the City now owned the property – this decision was overruled by the City Council and Thurn was directed to move his fence. Thurn is now asking the city council to allow him to purchase the property from the city in lieu of moving the fence. Thurn presented an offer to the city for \$825.00 to purchase the land where the fence is sitting. Discussion was held. A motion was made by Nelson, second by Jones to place on a future agenda the consideration to surplus the land where the fence is sitting on city property. Additional discussion was held – Nelson moved to call the vote. Nelson and Jones voted yes, with Monahan, Brennehan, Kuehl and Horn voting no, motion failed. Mr. Thurn was directed to move the fence by the Mayor.

REPORTS:

Sheriff Department Report: Minnehaha Sheriff Deputy Tyrone Albers gave the council an update on service calls within the Hartford area. Calls consisted of traffic violations, theft, burglary and drug charges. The city had a night with several burglaries and vandalisms but all the suspects were apprehended and are being dealt with by the authorities. All residents are reminded to lock their homes and vehicles at all times.

City Engineer Report: Ross Kuchta with Stockwell Engineers gave the council an update on various projects within the city. Stockwells are still investigating potential alignments for a future truck sewer line and treatment plant location. Bid opening for the Vandemark Sewer Extension is set for Friday, June 8th at 2pm. Stockwells expect the contractor for the Mike Franken Trail to finish the project within the next few weeks. Kuchta also gave the council an update on various force account work.

- Swenson Park Sports Complex Grading – Phase 2: Bids for the Swenson Grading were opened on May 11th with RMS Drainage & Excavation as the low bidder. Low bid for the Gross Base Bid (Grading project) was \$509,783.11 – their bid for Alternate #1 (Hauling and placing dirt at the South Street lots) was \$34,354.56. A motion was made by Brennehan, second by Jones to award the Base Bid of \$509,783.11 to RMS Drainage & Excavation – all voted yes, motion carried. Discussion was held regarding the alternate bid for moving the excess dirt to the city's South Street lots. A motion was made by Nelson, second by Jones, to award Alternate Bid #1 for \$34,354.56 to RMS Drainage & Excavation for hauling the excess dirt from the sports complex grading project to the city lots along South Street – Brennehan and Kuehl voted no, with all others voting yes, motion carried.
- Mickelson Road Project – Kuchta gave the council an update on progress of the Mickelson Road Project. Work is progressing accordingly and the project is on schedule. Kuchta presented an agreement to allow Geotek Engineering and Testing Services to perform earthwork tests, concrete tests and asphalt tests for this project. A motion was made by Kuehl, second by Horn to approve the agreement as presented from Geotek Engineering and Testing Services for the amount not to exceed \$14,543.00 – all voted yes, motion carried. Kuchta also presented pay application #1 from Soukup Construction for work already performed. A motion was made by Monahan, second by Jones to approve pay application #1 to Soukup Construction, Inc for \$129,661.73 – all voted yes, motion carried. Other discussion revolved around construction traffic on residential streets.

Public Works Report: Public Works Superintendent, Craig Wagner, provide the council a brief update on various projects and items that are happening within the city.

- Streets – Mag water on the gravel roads is planned for next week. Repairs to the steering gear are needed on the Gater. Information is being gathered on the emerald ash borer infestation that is in South Dakota. The city has begun spraying for mosquitos. Water – The city plans to finish the water main at the sports complex the next week or two.
- Sewer – The capacity in the lagoons is good. There were some aeration diffusers that were not working and caused some odor but that has been corrected.
- Park – The city is busy preparing the parks for the upcoming Jamboree celebration. The city won the bid on some used playground equipment and will coordinate with the seller to pick up.
- Sports Complex – The water service will be completed this week. Electrical work is also planned for this week and hopefully will be completed before Jamboree Days.

- **Payloader Purchase** – The council was provided a summary of quotes for a new payloader. Discussion was held regarding equipment features, trade in values and buy back options. Austin Morken and with Titan Machinery and Wade Planting with Butler both addressed the council with information regarding guarantee buy back options or lease options. A motion was made by Kuehl, second by Nelson to table this item until the next agenda – all voted yes, motion carried.

Finance Officer Report: City Administrator Sidel gave the council an update on the city’s financials. A list of May revenues was presents, along with the revenue and expenses for April and year-to-date. The park recreation program stated this week and will run through the end of June. The pool has open and has been busy with the warm weather. There are 2 sessions of swimming lessons being offered through EmBE this year – one in June and one in July. Auditors were at the city May 30th and 31st to conduct field work – the final audit will be completed within the next few weeks. The council was also given some information regarding the upcoming SDML elected officials workshop. A calendar of events was provided.

City Administrator Report: City Administrator Sidel gave the council an update on the progress of the Library relocation – agreements are being finalized and will be presented to the council at their next meeting. Bryan Voth has begun his duties as the new code enforcer. Progress continues on right-of-way acquisition on N Vandemark Avenue. The council was also updated on discussion held by staff regarding a possible drainage proposal in North Community Second Addition

OLD BUSINESS:

Review Draft Job Description for Recreational Director and Consider Advertising for the position: A motion was made by Kuehl, second by Horn to table this agenda item until the council’s June 19th meeting – all voted yes, motion carried.

Oath of Office: Scott Nelson, Ryan Horn and Mark Brenneman took their oaths of office and were sworn in as council members for two-year terms.

NEW BUSINESS:

Election of Council President: Mayor Menning accepted nominations for city council president. A motion was made by Nelson, second by Kuehl to nominate Mark Monahan for council president. A motion was made by Horn, second by Kuehl to cease nominations and cast a unanimous ballot for Mark Monahan as City Council President – Monahan abstained with all others voting yes, motion carried.

Election of Council Vice President: Mayor Menning accepted nominations for city council vice-president. A motion was made by Monahan, second by Jones to nominate Scott Nelson for council vice-president. A motion was made by Horn, second by Kuehl to cease nominations and cast a unanimous ballot for Scott Nelson as City Council Vice President – Nelson abstained with all others voting yes, motion carried.

Review Proposed Grading Permit: The city’s new sub-division regulations require grading permits. A proposed grading permit was presented to the P&Z Board for their review and they recommend approval to the city council. Discussion was held regarding requirements, project size and fee amount. A motion was made by Kuehl, second by Horn to approve the proposed grading permit as presented – all voted yes, motion carried.

Review Proposed Construction Permit: Our new sub-division regulations also require construction permits. Construction permits would be required if a developer is proposing to connect in the city’s infrastructure such as our water mains, sewer mains or streets. A proposed construction permit was presented to the P&Z Board as well for their review and they recommend approval to the city council. Discuss was held regarding the verbiage of the permit. A motion was made by Monahan, second by Kuehl to approve the construction permit as presented with additional verbiage to indicate that failing to secure a grading permit when required will be a violation of the city’s sub-division regulation and a fine will be imposed – all voted yes, motion carried

Additional Item: Mayor Menning asked the council to agree upon an interview date for finance officer candidates. It was the consensus of the council to conduct interviews on Wednesday, June 13th.

Executive Session: A motion was made by Monahan, second by Kuehl to enter into executive session pursuant to SDCL 1-25-2 (1) for personnel and SDCL 1-25-2 (3) for legal at 10:23 pm – all voted yes, motion carried. A motion was made by Horn, second by Monahan to exit executive session at 10:20pm – all voted yes, motion carried.

Adjournment:

A motion was made by Horn, second by Monahan to adjourn at 10:54 p.m. – all voted yes, motion carried.

Minutes recorded by City Administrator/Interim Finance Officer, Teresa Sidel.

I, the undersigned, Teresa Sidel, City Administrator/Interim 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.

Teresa Sidel, City Administrator/Interim Finance Officer