

City Council Meeting – Regular Meeting June 15, 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, Arden Jones, Travis Kuehl, and Mark O’Hara. LaVonne Randall was present via teleconference. Mark Brenneman was absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Engineers David Doxtad & Michael Redenbaugh and 12 people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jones, second by Kuehl to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Kuehl, second by Monahan to approve the meeting minutes from June 1, 2021 – all voted yes, motion carried.
- **Approval of the Bills:** A motion was made by Monahan, second by Jones to approve the bills submitted for payment – all voted yes, motion carried.

PUBLIC COMMENTS: None

VISITORS: Chris Tuschen, who was not present, has requested to place a bike rack upon the sidewalk in front of his business at 102 N Main Ave. Since the sidewalk is City property, he is looking for approval. Public Works Director Wagner has met with Tuschen and looked at the sidewalk area along Main Ave where they are proposing to locate the bike rack. Wagner indicated that the sidewalk would still be ADA compliant with the bike rack installed at this location. The bike rack, which would be removable, would hold 4 to 5 bikes. Tuschen would ensure all snow would be cleared around it in the winter months. A motion was made by Jones, second by O’Hara to allow the bike rack purchased by Tushen to be located on the city sidewalk at 102 N Main Ave – all voted yes, motion carried.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

7:05 Hearing & 1st Reading of Ordinance #709 – Rezone of N 120’ of lot 8 in Bock 7 of South Addition:

Dennis Bossman, who owns the property located at 101 S Main Ave, has applied to rezone the property from community commercial to residential. Bossman has a party that is interested in purchasing the property and converting the existing structure to a home. Bossman had a letter in support of the rezone from Imagination Station Daycare, which is located across the street to the north. Properties in that area are a mixture of commercial, residential, and natural resource conservation zoning. It was mentioned that Downtown Hartford Inc is working with the City Engineer to conduct a study of the downtown region and develop a guide for future growth. This downtown corridor study area encompasses Main Ave from 2nd St to South St and then from South St to Western Ave. Discussions have indicated that the goal is that the South St corridor would be the entrance to the downtown area, making commercial zoning a better fit than residential. Rick Cross, who also own property in the area, was present to express his opposition to the rezone. The rezone request went before the Planning and Zoning board on June 8th and that board recommended denial of the rezone stating that even though this is a transition area with both types of zoning, that commercial zoning is a better fit. No action was taken so Ordinance #709 fails 1st reading due to lack of a motion.

- **7:10 Hearing – Application for Malt Beverage License – Backdoor Garden:** Rickie Kunzweiler, owner of Backdoor Garden located at 800 S Western Ave, was present. She has applied for a Malt Beverage and SD Wine license. She sells gift baskets at her store and would like to incorporate wine in them. Also, they sometimes hold special events at the plaza she is located at, and she would like to be able to sell beer and wine at those. A motion was made by Kuehl, second by Jones to approve the Malt Beverage and SD Wine license for Backdoor Garden – all voted yes, motion carried.

REPORTS:

- **Fire Department Report:** Fire Chief Matt Horn was present to give a department update to the council. There was a total of 42 calls in May with 15 in city limits. Year to date, there have been a total of 168 calls. An update was given on the various trainings held during the month of June. Eight members recently attended State Fire School as well.
- **Chamber & Economic Development Director Report:** Amy Farr’s report was provided. Chamber work includes: several ribbon cuttings, Jamboree Days dunk tank event, Hartford Block Party to be held July 21st and the Chamber golf tournament to be held Aug 4th. Farr attended this month Coffee with the Cops which had a great turnout. HADF work includes: continuing to meet with prospective landowners and business, responding to RFIs from GOED and other businesses, completed daycare survey, ongoing Envision 2025 invoicing & retention efforts, and various meetings with different individuals/organizations.
- **Engineer Report:** David Doxtad was present to report the following:
 - The review of the city’s design standards is complete and will be presented to City staff.
 - The CIP is scheduled to be reviewed in June in preparation for the budget meeting in August.
 - Development work is ongoing: Western Meadows, Knapp’s Landing & Turtle Creek Highlands.
 - The City’s GIS is up and running and will be updated as needed.
 - ISG will hold a meeting with Council and staff on June 28th to discuss the Wastewater Feasibility Study and present different options.

- **Public Works Report:** Public Works Superintendent Wagner's report was provided.
Streets – Mag water was applied to gravel roads on June 15th. The contractor has been contacted about fixing Mickelson Rd near the box culvert area. Staff continues to work on drainage areas. Street sweeping continues. Ash trees in the park will be treated in the spring. Mosquito spraying continues as needed. Traffic counters that have been out on Western Ave/Mickelson Rd show an average of 6,283 cars per day.
Water – Staff continues to change out meters. There are now 637 meters on the new system. Reporting done until Oct.
Sewer – May reporting is done.
Park – Staff has been prepping park for Jamboree Days.
Pool – The pool is open and running well.
Sports Complex – The fencing along the west side is being completed.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided. Items included cash balances, sales tax revenue and committee fund balances as of May 31st, a recap of bills submitted for payment and the calendar of events. Wilber noted that the auditor arrived that morning and will be in the office for two days.
- **City Administrator Report:** City Administrator Sidel's report was provided. All summer help has been hired. No response has been received on the FEMA grant for the concession/restroom building at the Sports Complex or on the LWCF grant for the dog park. Sidel did receive confirmation earlier that day that the grant for the bike trail has been approved. More details will be provided at a future meeting. Reminder giving about the SDML Elected Officials Workshop in Pierre on July 14th. Sidel has started prepping for the 2022 budget meeting that will be held in Aug. Sidel continues to gather information on accepting proposals for our open liquor license. She hopes to have information for council review next month. Reminder given about the June 28th meeting with ISG to discuss the wastewater treatment facility options. Sidel, Wagner, and Doxtad attended a Zoom meeting about the reconstruction of I-90 Exit 387, which is scheduled as a 2025 project with the SD DOT.

OLD BUSINESS:

- **Review of City's On-Street Parking Regulations:** Currently our ordinance does not allow for on-street parking of commercial vehicles. However, there are a few exceptions to this with one of those exceptions being if the commercial vehicle is under 50 ft in length and under 18,000 lbs. A vehicle must meet both of these criteria in order for there to be a violation. With the complaints that have been received about larger commercial trailer and trucks parking in front of residential homes, draft Ordinance #710 was presented which will make the regulations more restrictive. This ordinance lowers the maximum length to 22 ft, or 40 ft for both truck & trailer, and the maximum weight to 10,000 lbs. It also changes the wording from "and" to "or", therefore only having to meet one of the criteria to be a violation. Further discussion was held on non-commercial vehicles such as campers, boats, and trailers and also enforcement efforts. Most feel that there needs to be a change in the ordinance but were not sure if the changes presented are it. Mayor Menning tasked Councilman Monahan with bring a revised draft back to the Council for consideration at a future meeting.
- **Review 12th Street Petition:** 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. Don & Stacey Sieverding were present. Discussion was held on the benefits to doing the project. The property owner of the land to the north has indicated that he plans to develop his land once 12th Street and the Western Ave sewer projects are done. However, no timeline was giving. Don Sieverding indicated that he will be moving forward with installing the portion of 12th Street the falls within his development. Having that second access point in to and out of the development will aid in the marketing of future lots within the development. Discussion was held on doing the project in two phases. Phase #1 being the utilities. Since the City is already in the planning stages of the Western Ave sanitary sewer project, which will encompass a portion of 12th Street, it was discussed that the remaining sewer portion of 12th Street and the entire water portion of 12th Street be added to this project. Phase #2 would be the construction of the street. As for the petition, the assessment rate of \$100 is for improvements to an existing street but this project would be an entirely new street. A motion was made by Kuehl, second by Monahan to deny the 12th Street petition as presented – all voted yes, motion carried.
- **Review Industrial Sewer Project along Western Ave:** This project has been on hold waiting for result on grant funding. The grant was not approved. However, the City has been approved for a 1.3M SRF loan. Based on engineers estimates, the 1.3M should cover the initial scope of the project. If the underground utility work on 12th Street were added, that would increase the costs by approximately 180k. Stockwell Engineering has the design contract on this project. They have provided a proposal in the amount of \$31,940 for the design work of adding water & sewer services along 12th Street. A motion was made by Jones, second by Kuehl to approve the contract amendment for Stockwell Engineers in the amount of \$31,940 – all voted yes, motion carried.

NEW BUSINESS:

- **Review/Approve Tax Abatement for Parcel #23759:** State law allows property tax abatements for qualifying disabled seniors & veterans. The Minnehaha County Auditor has received an abatement request from a disabled veteran on a parcel of land that is located within Hartford city limits. This request needs to be approved by the governing board. A motion was made by Monahan, second by Jones to approve the property tax abatement request submitted on Parcel #23759 – all voted yes, motion carried.

- **Review Current Assessment Policy:** Our current assessment policy states that the assessment rate for any street or sidewalk improvement shall be the actual cost of the improvement up to \$100 per lineal foot – not differentiating between an existing street vs a new street. Proposed changes to this policy would be to add wording that improvements to existing roadways shall be actual cost up to \$200 per lineal and improvements to new streets shall be the actual cost of the improvement per lineal foot. Due to fluctuation in construction cost over time, there is also verbiage added that this policy will be reviewed on an annual basis. The consensus of the Council was to move forward with these revisions. Sidel will present an updated resolution at the next meeting.
- **Discuss Creation of Park & Recreation Board:** Ordinance #706, which establishes a park & recreation board, will be effective on July 1st. Discussion was held on how to establish the membership of this board. The consensus of the Council is that each councilmember submit 2 or 3 names of people they would like to serve on this board. This could include people outside of city limits as well. It was suggested that meetings be held with the Bike/Rec Trail committee and Hartford Area Sports and Rec to get their input as well. As for budgeting, the thought is that funds would be allocated to the park & rec board’s budget. This board would then consider any requests from the outside groups (i.e. Bike/Rec Trail or HASR) for recommendation to the council.
- **Review Regulations for Placement of Fences/Accessory Buildings in Drainage Easements/Drainageways:** Currently the City’s regulations prohibits the placement of fences or accessory buildings within a drainage easement or drainageway. As a result, these regulations restricts property owners use of their own land, creates unmaintained areas behind fences, and creates a liability for the City for private drainage issues. After review by City Engineers and staff, the recommendation is to allow fences/accessory buildings within all easements but state that the fence/accessory building cannot impede the intended use of the easement. If it does, the fence/accessory building can be removed at the owner’s expense. The consensus of the Council was to move forward with these changes, which would go before the Planning & Zoning Board since these regulations are part of the City’s zoning ordinance.

CORRESPONDENCE: Councilman Kuehl acknowledged an email received from HASR. He indicated that he has not responded and inquired if anyone had. Mayor Menning indicated that he has met with a member of the group and discussed the establishment of the new Park & Rec Board and how that board will interact with their group.

EXECUTIVE SESSION: A motion was made Kuehl, second by O’Hara to enter executive session pursuant to SDCL 1-25-2(1) for personnel and SDCL 9-34-19 for economic development at 9:12pm – 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 Jones, second by Monahan to exit executive session at 9:43pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Monahan, second by O’Hara to adjourn at 9:44pm – 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