

City Council Meeting – Regular Meeting June 4, 2013

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, Leah Johnson, Scott Yount, Gail Olson-Duck and Doyle Johnson. Mark Monahan arrived at 7:08 p.m. 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 Leah Johnson to approve the agenda as set - all voted yes, motion carried.

Approve Minutes of Previous Meetings: A motion was made by Doyle Johnson, second by Yount to approve the May 21, 2013 regular meeting minutes – all voted yes, motion carried.

Deputy Report: Deputy Terrones was present to give his report. He noted speeding on Hwy 38 and Western Ave. He also made note of stop sign violations at 2nd St and Main Ave. A reminder was given that all golf carts require a city license to be operated on public roadways.

Ordinances, Resolutions & Hearings:

7:05 Hearing – Special Event Permit – Jamboree Committee: Leah Johnson addressed the council on behalf of the Jamboree Committee. The committee is requesting a special event permit for use of alcoholic beverage in public areas in conjunction with events to be held during the 2013 Jamboree Days. The events will run from June 13th through June 16th which includes a car show, parade, activities in the park, a carnival, a 5K run and a street dance. In addition, Johnson requested that the Special Event Permit fee be waived as it has in past years. A motion was made by Nelson, second by Doyle Johnson to approve the Special Event Permit for the 2013 Jamboree Days event along with waiving of the application fee – Monahan abstained with all others voting yes, motion carried.

7:07 Hearing – Special Event Permit – Hartford Area Fire & Rescue: Gail Olson-Duck addressed the council on behalf of the Hartford Area Fire & Rescue. They are requesting a special malt beverage retailer's license to sell malt beverages during the 2013 Jamboree Days street dance. They will be located at 1st St. and Main Avenue on June 15, 2013 between the hours of 5pm to 2am of June 16, 2013. A motion was made by Leah Johnson, second by Yount to approve the Special Malt Beverage Retailer's License for the Hartford Area Fire & Rescue – all voted yes, motion carried.

7:10 Hearing – Malt Beverage License Renewals: A listing of all the malt beverage license renewals was provided to the council. A motion was made by Monahan, second by Leah Johnson to approve all the Malt Beverage License Renewals as presented – all voted yes, motion carried.

7:15 Hearing – Resolution 2013-4 Land Exchange with Private Owner: This resolution will allow the city to exchange city owned land along South Main Ave with land owned by Mari Larson along South Main Ave. Once the resolution is passed, the paperwork for the deed exchange can be filed with the county and the exchange will be complete. A motion was made by Leah Johnson, second by Olson-Duck to approve Resolution 2013-4 Land Exchange with Private Owner – all voted yes, motion carried.

Ordinance #587 – Fines & Fees: The animal fines section of this ordinance was amended to include an increased fee if not paid within a 72 hour timeframe of receiving the citation. A motion was made by Monahan, second by Olson-Duck to approve 1st reading of Ordinal #587 – Fines & Fees – all voted yes, motion carried.

Resolution 2013-5 – Special Tax Classification for Commercial Residential Structures: This resolution would allow for commercial residential structures, such as apartment buildings, to receive the same tax abatement that industrial and commercial properties receive under Resolution 921A. This abatement is in place as an incentive provided by the city to encourage industrial and commercial growth. By offering this abatement to commercial residential structures there would be a greater incentive for builders to build apartment buildings in Hartford. A motion was made by Monahan, second by Nelson to table this

discussion until more information can be provided to the council regarding the tax values of the current apartment buildings within the city and the impact this resolution may have on tax revenues – all voted yes, motion carried.

Old Business:

North Vandemark Street Options and Cost Estimates: Nick with Stockwell Engineers presented the council with a cost estimate for street repairs on a section of North Vandemark Ave. Their proposal included replacing the current base material with a new 12 inch base followed by a 4 inch asphalt mat at a width of 28 feet. It is the opinion of Stockwells that this will provide a better road but it is only a temporary fix. The root of the problem is the drainage in this area and until that is addressed problems with the road are likely. A motion was made by Monahan, second by Yount to have Stockwell Engineers prepare a cost estimate to correct the drainage issues along this road before moving forward with repairs to the road – all voted yes, motion carried.

Transfer of Land/Eligibilities to HADC: Larry Nelson was present to address the council regarding Lot 3 of Swenson Addition that has 2 building eligibilities on it. It is Larry's opinion that the city transfers the land, along with the 2 building eligibilities, to the HADC. The HADC can then market eligibilities to potential buyers. The HADC would transfer any proceeds from the sale back to the city. A motion was made by Monahan, second by Leah Johnson to transfer Lot 3 of Swenson Addition along with the 2 building eligibilities to the HADC – all voted yes, motion carried.

Agreement to Transfer Farm land to HADC: Thad Stofferahn is interested in leasing the city's farm land located in the Swenson Addition. Larry Nelson informed the council that the best way to approach this would be to lease the land to the HADC and then have the HADC sublease the land to Thad Stofferahn with all lease payments going to the city. A motion was made by Monahan, second by Yount for the city to lease 20 acres of farm land described as the east ½ of Lot 2 of Swenson Addition to the City of Hartford, Minnehaha County, South Dakota, currently containing approximately 20 tillable acres to the HADC from June 4, 2013 to March 1, 2014 at the cost of \$1 per SDCL 9-54-1 – all voted yes, motion carried. A motion was made by Monahan, second by Leah Johnson that in the event that the HADC subleases the land, the terms and conditions in the sublease are to reflect the terms and conditions in the City's Farm Lease Agreement – all voted yes, motion carried.

New Street Options – West of Diamond Trail: Stockwell Engineers presented the council cost estimates for the street project that includes improvements to Western Ave and relocating the current section of Diamond Trail to the south and also extending Diamond Trail to the west to connect with Ruud Lane. This project will provide better access and traffic flow to land owned by Costello Companies with the hope of increasing commercial development. Discussion was held regarding the possibility of establishing a TIF District to fund this project. A motion was made by Nelson, second by Doyle Johnson to table this discussion until Costello Companies provides the city a firm commitment that they are committed to this project and for city staff to provide the council more information regarding establish a TIF District or other payment options – all voted yes, motion carried.

New Business:

Rental Agreement for Billboard #3: Big Cup, Inc. would like to lease a west facing billboard from the city. They are requesting that instead of the city illuminating the billboard from dusk until midnight, they would like the lease to state dusk until dawn since the establishment they are going to advertise on the billboard is open 24 hours. A motion was made by Monahan, second by Leah Johnson to approve the three year billboard lease to Big Cup, Inc. at a rate of \$350 per month with the change in illumination time to dusk until dawn – all voted yes, motion carried.

Central Valley Struttin Gobblers Flag Disposal Box: Scott Nelson addressed the council on behalf of Central Valley Struttin Gobblers. He presented information to the council in regards to the placement of a flag disposal box in Century Square Park. Having this box would offer residents a way to dispose of old flags. The American Legion has committed to handling the disposal of all flags dropped in the box. A motion was made by Monahan, second by Leah Johnson to allow Central Valley Struttin Gobblers' flag

disposal box to be installed in Century Square Park in a location at Craig Wagner's discretion until further action by a future council – Nelson abstained with all others voting yes – motion carried.

Correspondence: Mayor Zimmer made note that on June 28th at 10am Governor Daugaard will be holding a meeting in Brandon to make an economic development announcement.

Visitors: Clint Watkins and Darrin Wilde were present to address the council regarding the procedure that is in place for issuing code violations. It was explained to them that these violations are done on a complaint basis. Once a complaint is filed it is given to the city code enforcer to follow up on. Discussion was then held on the ordinance that addresses off street parking. It was explained that current zoning ordinance states that all vehicles must be parked on a surface of either concrete or asphalt.

Reports:

Chamber/HADC Director's Report: Gary Sandholm was present to address the council regarding the recent activities with both the Chamber and HADC. Gary recognized Terry Hagen for receiving the Sioux Valley Energy Touchstone Power & Hope Award. Since the release of the Housing Needs Study, there has been discussions regarding housing within the city and implementing recommendations from the study. Buyers Choice Auto had their ribbon cutting on June 1st. Planning for Jamboree Days continues with all information and registration forms being placed on the HADC and Chamber websites. An ad has been placed in the Shopping News promoting Jamboree Days with local businesses sponsoring the ad. Gary attended both the Drive to Revive Downtown and Bike & Rec Trail meetings in May.

Fire Department Report: Kelly Boysen with the Hartford Area Fire Department was present to report on the recent activities of the fire department. Barb Thaler held training for swimming pool staff with one lifeguard receiving her CPR certification. The department will be selling malt beverages at the Jamboree Day street dance on June 15th.

Public Works Superintendent Report:

Streets – Chip sealing will start next week, weather permitting. Painting of strips, crosswalks and parking lanes to start next week also. Some street sweeping will be done next week in preparation of Jamboree Days. Spraying for mosquitoes will start in the new few weeks.

Water – Flows have increased at the sewer ponds. Staff has started to move water around at the lagoons and they will be checking the water quality in the next few weeks to see if water can be discharged. Manhole inspections will be done as time allows.

Park and Pool – Painting of the new pool deck will happen in the next few weeks. Some trees were taking down in the park and a few more will be removed before Jamboree Days. Wagner met with Troy Larson on Monday to go over placement of the brick path.

Jamboree Days – Wagner asked the council if the city marquee sign could be used to advertise during Jamboree Days and promote the different sponsors. A motion was made by Nelson, second by Doyle Johnson to use the marquee exclusively for promoting the car show and sponsors from 5pm to 10pm on June 14, 2013 – Nelson, Yount and Doyle Johnson voted yes with Monahan, Olson-Duck and Leah Johnson voting no – Mayor Zimmer with the tie breaking vote of no - motion failed. A motion was made by Monahan, second by Leah Johnson to advertise Jamboree Days events and sponsors on the city marquee from June 12, 2013 through June 16, 2013, alternating on the display with other posted events – all voted yes, motion carried.

City Engineer Report: Nick Borns with Stockwell Engineers updated the city council on projects they are working on. The Sports Complex grading project is complete and a final inspection with the contractor was held. A punch list of outstanding items was sent to the contractor. Change Order #2 on the Sports Complex project was presented to the council. In regards to the seeding portion of the project, a cover crop was used to cover the seed rather than mulch resulting in a credit change order of \$900.60. A motion was made by Monahan, second by Nelson to approve Change Order #2 of the Sports Complex grading project in the amount of negative \$900.60 – all voted yes, motion carried. Stockwells is obtaining a second opinion on the wetland limits as it pertains to phase 3 and 4 of the bike trail project. Stockwells has providing the DOT information and their recommendations on the repairs needed along the Highway 38

bike trail to be ADA compliant. The DOT will discuss these issues with the contractor and make repairs as necessary.

Finance Officer Report: Karen provided a highlight of revenues that were received during May along with the all revenues and expenses to date thru April. The Park Rec program will begin June 17th and run through July 12th. The first session of swimming lessons began on June 3rd. Lessons will be held Monday through Thursday for two weeks. The council was also provided a list of upcoming events for the month of June.

City Administrator Report: Teresa continues to gather information for the grant for Phase 3 and 4 of the bike trail. A representative from SECOG will assist her in the application process with the deadline being June 15th and notice of approval anticipated in July. Kevin Mennenga will be supplying the city with a mortgage release on the property the city is purchasing from him. Once this is received, the city can continue with closing on the land.

City Council Reports:

Ward 1: Leah Johnson noted that the Swimming Pool Committee is having a booth during Jamboree Days on Friday evening selling walking tacos. On Saturday they are sponsoring a dunk tank. The next Jamboree meeting is June 10th. She also informed the council of the street closures that would be needed during Jamboree Days. A motion was made by Leah Johnson, second by Doyle Johnson to close Main Ave from ½ block north of 2nd St to Menth St on June 14th for the car show – all voted yes, motion carried. A motion was made by Leah Johnson, second by Olson-Duck to close 2nd St from Kelley Ave to Vandemark Ave on June 15th for Jamboree parade and events – all voted yes, motion carried. Councilman Yount reported that the next Sports Complex meeting is June 12th.

Ward 2: Monahan congratulated Terry Hagen and Troy Nelson on being nominated for the Sioux Valley Energy Touchstone Power & Hope Award and to Terry for winning the award. He thanked Wagner and his staff on how good the parks look and for the mowing done along the bike trail system. The next Bike & Rec Trail meeting is June 11th. Monahan noted that he mistakenly voted no on approval of the Kelly Point Phase 3 project – he meant to vote yes. Doyle Johnson noted that the next Drive to Revive Downtown meeting is June 5th.

Ward 3: Olson-Duck noted upcoming Chamber meetings on June 6th and 13th and upcoming HADC meetings on June 7th and 14th. Nelson congratulated Terry Hagen on the award won from Sioux Valley Energy at their annual meeting. He also noted that Chamber members helped serve at the annual meeting, which had a great turnout. Buyer's Choice Auto Sales had their ribbon cutting on June 1st. Radio and television ads promoting Jamboree Days are now running.

Mayor's Report: The Mayor recognized and thanked Lynnae Redenius for her involvement in the community.

A motion was made by Olson-Duck, second by Doyle Johnson to enter into executive session at 9:45 p.m. – all voted yes, motion carried.

A motion was made by Leah Johnson, second by Nelson to exit executive session at 9:58 p.m. – all voted yes, motion carried.

Mark Monahan requested to add information to his council report. Monahan noted that he attended the Special Planning and Zoning Meeting on June 3, 2013. A setback variance application was reviewed by the Planning and Zoning Board at their special meeting and Monahan reviewed with the council the events of that meeting. Monahan noted that he would like to address the city's zoning regulations for variance at a future council meeting.

Adjournment: A motion was made by Doyle Johnson, second by Leah Johnson to adjourn at 10:20 p.m. – 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