

## Hartford City Council Meeting – Regular Meeting June 6, 2023

Mayor Arden Jones called the meeting to order at 7:00pm with the following city council members present: Chris Woslager, Cindy Matson, Mark Brenneman, Travis Kuehl, Jake Jass, and Shaun Boen. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Attorney Tom Frieberg, City Engineers Michael Redenbaugh & Justin Heim, and 3 people from the public.

### BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Kuehl, second by Matson to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Matson, second by Jass to approve the meeting minutes from May 16, 2023 – Brenneman abstained with all others voting yes, motion carried.

**PUBLIC COMMENTS:** None

### ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **Special Event Permit – Buffalo Ridge Brewing Brews & Cruise Car Cruise-In:** Rick Warkenthien, on behalf of Buffalo Ridge Brewing, was present to request a special event permit to hold a Car Cruise-In event at the brewery from 5:30-9:00pm on the third Thursday of each month running June 15<sup>th</sup> thru Sept 21<sup>st</sup>. They are requesting the closure of 1<sup>st</sup> St from Main Ave to the alley to the east and the use of alcohol within this area and on the sidewalk around the brewery. A motion was made by Kuehl, second by Boen to approve the special event permit as presented – all voted yes, motion carried.
- **Special Event Permit – The South Bar Cornhole Tournament:** DeAnne Rechtenbaugh, on behalf of Justin Kjellsen of The South Bar, has submitted a special event application to hold a cornhole tournament from 10am on June 17, 2023 to 2am on June 18, 2023. They are requesting the closures of Main Ave from 1<sup>st</sup> St to Menth St and to allow the use of alcoholic beverages in this area. Last year they had outdoor live music as well. It is yet to be determined if they will have live music again this year. A motion was made by Jass, second by Brenneman to approve the special event permit for The South Bar cornhole tournament as applied for with the condition that if outdoor live music is held, that the music ceases outdoors at 12:30am on June 18, 2023 – all voted yes, motion carried.
- **Special Event Permit – South Main Ave Block Party:** Jennifer Bosch has applied for a special event permit to hold a block party for the South Main Ave neighborhood on Aug 5, 2023, from 8am to 10pm. They are requesting the closure of Main Ave from 403 S Main Ave to 512 S Main Ave. With the closure area requested, this would block the only access in and out of Calvin Dr. A motion was made by Woslager, second by Jass, to approve the special event permit for the South Main Ave Block Party allow the closing of Main Ave from 403 S Main Ave to 508 S Main Ave as to not block Calvin Dr – all voted yes, motion carried
- **Special Event Permit – Hartford Area Chamber of Commerce Block Party:** Amy Farr, on behalf of Hartford Area Chamber of Commerce, has submitted a special event application to hold Hartford Block Party event on July 19, 2023, from 3pm to 10pm. They are requesting the closures of Main Ave from 2<sup>nd</sup> St to Menth Ave and both 1<sup>st</sup> and 2<sup>nd</sup> St from the alley to the west of Main Ave to the alley to the east of Main Ave and to allow the use of alcoholic beverages in this area. A motion was made by Matson, second by Boen to approve the special event permit for Hartford Area Chamber of Commerce Block Party as applied for – all voted yes, motion carried.
- **Renewal of Malt Beverage License – Brown Jug, LLC:** Brown Jug, LLC has submitted the application and fee to renew their Retail Malt Beverage Licenses for 2023/2024. A motion was made by Matson, second by Woslager to approve the renewal of the 2023/2024 malt beverage license for Brown Jug, LLC – Jass abstained with all others voting yes, motion carried.
- **Resolution 2023-8 Transfer Funds from Mickelson Rd Project Fund to General Fund:** The Mickelson Rd project is now completed. There is a revenue surplus of \$64,993.52 in this fund. Resolution 2023-8 will transfer the balance in this fund to the general fund. A motion was made by Woslager, second by Boen to approve Resolution #2023-8 – all voted yes, motion carried.
- **Resolution 2023-9 Transfer Funds from Vandemark Ave Project Fund to General Fund:** The Vandemark Ave project is now completed. There is a revenue surplus of \$993.31 in this fund. Resolution 2023-9 will transfer the balance in this fund to the general fund. A motion was made by Jass, second by Matson to approve Resolution #2023-9 – all voted yes, motion carried.
- **Resolution 2023-10 Transfer Funds from 9<sup>th</sup> St Project Fund to General Fund:** The 9<sup>th</sup> St project is now completed. There is a revenue surplus of \$581,257.65 in this fund. Resolution 2023-10 will transfer the balance in this fund to the general fund. A motion was made by Matson, second by Jass to approve Resolution #2023-10 – all voted yes, motion carried.

- **Resolution 2023-11 Adopt Minnehaha County Sheriff Department Bond Schedule:** The City contracts with Minnehaha County Sheriff Department for police services. The City receives the revenue from any tickets issued by the Sheriff's Department. The current bond schedule used reflects the City's fine amounts only. When payment to the City is processed, court costs of \$72.50 are deducted from these fines, reducing the amount the City receives. Resolution 2023-11 would update the bond amount to be the amount of the fine plus the court costs of \$72.50, allowing the City to then receive the full fine amount. A motion was made by Brenneman, second by Jass to approve Resolution 2023-11 updating the Minnehaha County Sheriff Department Bond Schedule – all voted yes, motion carried.
- **2<sup>nd</sup> Reading of Ordinance #742 Rural Service District for Parcel #16009:** With the annexation of parcel #16009, Ordinance #742 was presented. If passed, parcel #16009 will be put into a Rural Service District. A Rural Service District is an area within a municipal boundary that is rural in nature and undeveloped. This land would be taxed at the county rate, rather than the city's rate, but all taxes paid will be remitted to the city. A motion was made by Matson, second by Brenneman to approve 2<sup>nd</sup> Reading of Ordinance #742 Rural Service District for Parcel #16009 – all voted yes, motion carried.
- **1<sup>st</sup> Reading of Ordinance #743 Amend Municipal Ordinance Section 7.0403 – Ticketing & Towing:** Currently, the City's ordinance allows law enforcement to ticket and tow any vehicle or equipment that is illegally parked or causes a hazard. As written, the ordinance states that the vehicle will be stored in a place designated by the council and shall be returned to the owner upon payment. Currently, the sheriff's department works directly with the towing companies, not involving the council. Ordinance #743 will update the verbiage to clarify this along with adding that all charges for towing and storing the vehicle, along with any fines and penalties must be paid before the vehicle is released. A motion was made by Brenneman, second by Woslager to approve 1<sup>st</sup> Reading of Ordinance #743 amending Section 7.0103 Ticketing & Towing – all voted yes, motion carried.
- **1<sup>st</sup> Reading of Ordinance #744 Amend Municipal Ordinance Section 7.0406 – Prohibited Parking:** Our current zoning regulations do not allow parking on grass or non-hard surfaces within a residential zoned lot. Any violation of the City's zoning ordinance is a fine of \$200/day per violation. Ordinance #744 would add parking on a non-hard surface in a residential or manufactured housing zone a municipal violation. This would allow the City to follow our current ticketing procedure that are used for other parking violations. It was noted that this violation could remain in the zoning regulations as well. Discussion was held on the differences in enforcement through the zoning regulations vs. enforcement through the municipal ordinance. A motion was made by Brenneman, second by Kuehl to table this item until the next meeting – all voted yes, motion carried.

## **REPORTS:**

- **Sheriff's Department Report:** Deputy Kardas was present to provide his report for the month of May. There were 295 calls for service for the month. Kardas indicated that the number of calls are trending higher, getting back to pre-covid numbers. That, along with the change of seasons to nicer weather, leads to more activity.
- **Chamber & Economic Development Report:** CEDD Amy Farr provided her report. The Events Committee continues to plan for this year's Hartford Block Party and the annual golf tournament. Two new members joined in May. The next Mixer will be June 15<sup>th</sup> at Ace Hardware. Farr continues efforts with economic development. Newly hired intern Jordan Christensen started June 5<sup>th</sup>. The new Community Guide will be out in late June. Farr participated in the HBA bus tour of Sioux Falls, Harrisburg & Tea.
- **Engineer Report:** Michael Redenbaugh reported the following:
  - The first two lifts of asphalt have been installed on Maple Ave.
  - The contractor has just a few punch list items left to address on the 6<sup>th</sup> St/Mundt Ave project. A seed care flier has been provided to residents. Engineers will continue to monitor seed growth.
  - Engineers continue to wait for approval from FEMA on the bike trail. Borings have been done and the report is expected in late June. Once received, Engineers will begin designing the retaining walls. The completion deadline for the project is Dec 31, 2023.
  - Engineers continue to work on construction plans for the Western Ave Improvement Project, which is being done in conjunction with the SD DOT's bridge replacement project at Exit 387. Engineers plan on presenting concept designs at the next meeting.
  - Designs for the WRRF is wrapping up. Engineers will be providing an updated cost estimate at the next meeting. If accepted, bidding is expected in July and construction to start in August. Interviews for the CMAR were done May 23<sup>rd</sup>. It is the recommendation of the interview committee that the CMAR be awarded to Rice Lake Construction. A motion was made by Boen, second by Matson to award Rice Lake Construction the CMAR for the WRRF project – all voted yes, motion carried.
- **Public Works Report:** Public Works Superintendent Wagner provided his report.
  - Streets** – Mag water is planned within the next few weeks. The traffic counter has been out on Western Ave collecting data. Slurry seal is scheduled for the first week in August. Sioux Valley Energy will be setting the poles for the new billboard welcome sign at I-90 and Hwy 38. Tree planting is done for the year. Staff will continue to water, trim, and remove trees throughout the summer. Wagner provided an update on Western Ave north of Hwy 38. Due to the heat, the road is breaking up. This section of Western Ave is a County road. The

County has closed the southbound lane. The Sports Complex is still accessible. Wagner will update as the County makes decisions on what they are going to do.

Water – Next reporting due July 10<sup>th</sup>.

Sewer – Next reporting due June 28<sup>th</sup>. Enzymes are being added to the ponds as needed.

Parks – The concrete at the tennis court has been removed. The new slide for the playground is in and will be installed. There was damage to the floor in the women’s restroom at the park due to a fire set in a garbage can. Wagner is putting together cost estimates for the repairs needed.

Sports Complex: Materials for the new maintenance building have been ordered. Staff will be getting the site ready for the new building in the coming weeks.

Public Buildings – Except for the HVAC, all renovations at the Gage House are now complete.

Jamboree Days – Per council motion, City staff and equipment will be utilized for this year’s event. Wagner indicated that the committee has asked if the beer trailer can be stored in the shop overnight throughout the weekend. It was the consensus of the Council to allow this.

- **Finance Officer Report:** City Finance Officer Wilber’s report was provided. Items included a summary of revenues received in May along with an overview of the city’s cash balances, revenues and expenses through Apr. The June calendar of events was provided as well. Wilber provided information on the SDML Elected Officials Workshop to be held July 26<sup>th</sup> in Pierre. Anyone interested in attending should contact City Hall.
- **City Administrator Report:** City Administrator Sidel provided her report. All summer positions have been filled. The City received a \$2,500 grant from Hartford Area Community Foundation to update the stone at the Veterans Memorial. Legion members will be trying to secure additional funds to cover the entire cost of the project. Work continues on the new website with a final layout expected in June/July. The new welcome billboard at Hwy 38/I-90 is scheduled to be set this week. Sidel attended the June 6<sup>th</sup> County Commission Meeting. At this meeting an ordinance was passed that establishes some pipeline regulations. Part of these regulations included a setback of ¾ of a mile from municipal boundaries. This will impact the SCS pipeline as their current proposed route is less than ¾ of a mile from Hartford western boundary. There was also a 330ft setback from all dwellings/buildings incorporated into the regulations as well. In preparation of the 2024 budget, Sidel has sent out all funding request paperwork to outside entities. Sidel attended a meeting on the States’ Statewide Transportation Improvement Program. The State is updating this plan and reviewed all current plans for improvements through 2031. Projects that will affect Hartford include a turning lane on Hwy 38 between Hartford Heights and Colton Rd, Exit 387 bridge reconstruction, and improvements to I-90. The State is doing a corridor study of Hwy 38 from Humboldt to Marion Rd. There will be a public input meeting on this study on June 8<sup>th</sup> at West Central High School. There was a public input meeting held on May 31<sup>st</sup> on Lincoln & Minnehaha Count Pre-Disaster Mitigation Plan. Next steps include a final draft of the plan. Safety Benefits Insurance recently conducted a work comp audit on the City, of which no negative findings were received. Sidel is part of the steering committee for a new project called Dakota Mainstem, which is a proposed water pipeline that will bring water from the Missouri River to the east side of the state. The Council will be participating in this year’s Jamboree Days parade.

## **NEW BUSINESS:**

- **Request Release of 2023 Budget Funds for Downtown Hartford, Inc:** Michelle Edgecomb-Schilling was present on behalf of DHI. DHI is requesting the release of \$2,550 from their City funds for the purchase of 6 potted trees for placement in the downtown area. The trees would be in self-watering pots that will have flowers around the base. The pots do have reservoirs what will have to be filled as needed. After the season is over, DHI would give the trees back to the City for planting where needed. The current balance in the DHI City account is approx. 36k. A motion was made by Brenneman, second by Matson to approve the purchase of 6 potted trees for the downtown area in the amount of \$2,550 from DHI’s City funds – all voted yes, motion carried.
- **Industrial Sewer Project – Siteworks, Inc:** The Industrial Sewer Project along Western Ave is now complete.
  - **Review/Approve Changer Order #2:** Change order #2 in the amount of \$6,749.17 to adjust quantities to reflect as-built field conditions was presented. A motion was made by Brenneman, second by Jass to approve change order #2 for \$6,749.17 – all voted yes, motion carried.
  - **Review/Approve Pay Application #5:** Final Pay app #5 from Site Works, Inc. in the amount of \$100,512.76 was presented. A motion was made by Kuehl, second by Matson to approve payment of pay app #5 in the amount of \$100,512.76 to Site Works, Inc. – all voted yes, motion carried.
- **Park & Recreation Board Purchase Recommendations:** The Park and Recreation Board’s 2023 budget included \$2,500 for hoses, carts & sprinkler heads and \$28,000 for 4 shade structures. After looking at the costs of hoses, carts, and sprinkler heads, it has been determined that the budgeted amount of \$2,500 would not cover the purchases. The board would like to utilize \$6,000 from the funds budgeted for shade structures to make up the difference. A motion was made by Woslager, second by Matson to approve the purchase of hoses, carts and sprinkler heads up to \$8,500 – all voted yes, motion carried.
- **Reschedule July 4<sup>th</sup> City Council Meeting:** A motion was made by Boen, seconded by Jass to reschedule the July 4<sup>th</sup> council meeting to July 5<sup>th</sup> – all voted yes, motion carried.

**EXECUTIVE SESSION:** A motion was made by Kuehl, second by Matson to enter executive session pursuant to SDCL 1-25-2(1) for personnel, and SDCL 9-34-19 for economic development at 8:30pm – 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.

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Karen Wilber, Finance Officer

**EXECUTIVE SESSION:** A motion was made by Brenneman, second by Jass to exit executive session at 9:55pm – all voted yes, motion carried.

A motion was made by Matson, second by Woslager to allow Craig Wagner to utilize his sick leave for a non-family Member in order to address family issues at the discretion of the City Administrator over the next 30 days – all voted yes, motion carried.

**ADJOURNMENT:** . A motion was made by Kuehl, second by Matson to adjourn at 9:56pm – 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.

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Teresa Sidel, City Administrator