

City Council Meeting – Regular Meeting July 16, 2013

Council President Mark Monahan called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Gail Olson-Duck, Scott Nelson, Leah Johnson, Scott Yount, and Doyle Johnson. Mayor Paul Zimmer was absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, and City Engineers Nick Borns and Mitch Mergan.

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

Approve Minutes of Previous Meeting: A motion was made by Olson-Duck, second by Yount to approve the July 2, 2013 regular meeting minutes – all voted yes, motion carried.

Approval of the Bills: A motion was made by Leah Johnson, second by Doyle Johnson to approve the bills submitted for payment – all voted yes, motion carried.

Ordinances, Resolutions & Hearings:

2nd Reading of Ordinance #589 – Rezone of Lot 6, Block 8 of Drake’s Addn from Residential to Light

Industrial: Alex Espinoza is requesting the rezoning of this lot to erect a storage building. Mr. Espinoza was unable to be at this meeting and has requested that the council table this item until the next council meeting on Aug 6th so he can be present to address any questions the council may have. A motion was made by Leah Johnson, second by Nelson to table the 2nd reading of Ordinance #589 to rezone Lot 6, Block 8 of Drake’s Addn from Residential to Light Industrial until Aug 6th – all voted yes, motion carried.

1st Reading of Ordinance #591 – Amendment to Property Maintenance Code: Currently, the City of Hartford does not have anything in city ordinance or in the property maintenance code that addresses the maintenance of right-of-way area along city streets and highways. Ordinance #591 will amend the Property Maintenance Code to include a section that makes the property owners that abut a right-of-way responsible for maintaining that right-of-way. A motion was made by Monahan, second by Leah Johnson to approve 1st reading of Ordinance #591 – Amendment to Property Maintenance Code – all voted yes, motion carried.

7:15 Hearing – Special Events Permit – Spikes Bar & Grill: Dave Mausbach was present to request the council’s approval to have a live band in the parking lot of Spikes Bar & Grill and surrounding businesses on Aug 2nd and into the morning of Aug 3rd. Discussion was held regarding the timeframe of the event. A motion was made by Nelson, second by Doyle Johnson to approve the special events permit for Spikes Bar & Grill with a modification to the time to 8pm on Aug 2nd to 2am on Aug 3rd and in addition that the parking lot area is to be blocked off with barricades – all voted yes, motion carried.

Old Business:

Amphitheater: Terry Hagen was present to give the council an update on the fundraising activities in regards to the amphitheater to be built in the city park. Terry has raised a total of \$27,000 to date and projects the cost to build the amphitheater will not exceed \$30,000. Terry has requested that the city cover any shortage up to \$3,000. A motion was made by Doyle Johnson, second by Leah Johnson to proceed with the amphitheater project contingent upon the city receiving donated funds of \$26,000 – all voted yes, motion carried. A motion was made by Monahan, second by Leah Johnson that placement of the amphitheater in the park is to be approved by Public Works Superintendent Wagner and that any volunteers working on the project must sign a waiver that will hold the city harmless in the event something should happen – all voted yes, motion carried.

New Business:

Drainage at 203 & 205 E 5th Street – Becker Apartments: Venice Becker has existing apartments and garages at 203 & 205 E 5th Street. He is proposing to erect another apartment building and garages on the lot to the east of the existing buildings. Discussion was held regarding the current drainage issues in the area and what the impact of adding another apartment building and garages might be. There are concerns that the change in Mr. Becker’s original building plans when he built the first set of apartments may have altered the drainage in this area. A motion was made by Monahan, second by Leah Johnson to have Stockwell Engineers look at the existing properties and

determine if it aligns with the original drainage plan when those buildings were erected and also request that the Planning & Zoning Board delay any hearing for a conditional use permit until Stockwell Engineers submits their findings to the council – all voted yes, motion carried.

Purchase Offer for Lot 1, Block 9 of Hartford City Proper: The city currently owns Lot 1, Block 9 of Hartford City Proper. Roger Munce owns the two lots to the north of this lot. Mr. Munce has submitted a written offer to the city to purchase the city's lot with plans to erect a new building that will occupy all three lots and offer commercial, retail or office space. Discussion was held regarding building options the city may have if the city was to own all three lots. A motion was made by Monahan, second by Leah Johnson for the city to counter offer Roger Munce \$20,000 for Lot 2 & 3, Block 9 of Hartford City Proper with a 50/50 split of all closing cost – Doyle Johnson voted no with all others voting yes, motion carried.

Visitors/Correspondence: Monahan shared two pieces of correspondence received. First was a thank you note from Central Valley Struttin' Gobblers for council's approval of the flag box and city staff's assistance with the install. Second was a thank you to the Bike & Rec Committee from Ryan Healy for the bike he won at the Jamboree Day raffle. Barb Thaler was present to inform the council about the recent safety drill that was conducted at the city pool.

Reports:

Park Rec End of Season Report: Jessi Moeller was present to give the council a report on this year Park Rec program. 122 registered for the program this year with an average daily attendance of 112. Things ran smoother with the new age group division implemented this year. Ideas we discussed to make next year's program even better.

Public Works Superintendent Report:

Streets – A culvert has been replaced on N. Vandemark and gravel has been added to most all gravel roads. Mag watering is complete. New stop signs have been installed on N. Vandemark and Oaks Ave. Micro-surfacing is scheduled for July. Mosquito spraying continues as needed.

Water – Staff has been working with contractors on water and sewer installations. Random sump pump inspections will be done as time allows. Manhole inspections continue. Staff will start exercising fire hydrants and valves over the next few weeks.

Park and Pool – The new slide has been installed. The ADA shelter at Turtle Creek Park has been built. Silt fencing at the sports complex is being removed. Barbed wire fencing along the bike trail is being removed. Wagner discussed installing a culvert on Carlson's property. Currently, they have to drive farm equipment across the bike trail to gain access to their field. A motion was made by Monahan, second by Doyle Johnson to approve the installation of a culvert along the township road that abuts Carlson's property – all voted yes, motion carried. Wagner will be contacting Sioux Valley regarding improvements to the ball field lights. Wagner has looked into new mowers and feels the 72" Hustler rear discharge mower would be the best option. A motion was made by Nelson, second by Olson-Duck to approve the purchase of the 72" Hustler rear discharge mower from Gillespie's at a price of \$10,999 – all voted yes, motion carried. Monahan recognized Wagner and his staff for the great job they are doing this summer.

Public Buildings: Painting of the exterior of City Hall will start in the new few weeks.

City Engineer Report: Nick Borns with Stockwell Engineers updated the city council on projects they are working on. Preliminary surveying for the Diamond Trail extension has started. Inspections continue on phase 3 of Kelly Point Development. Review and recommendations will be made regarding the drainage at the 5th Street Apartment property. Stockwell and city staff is meeting with the Hartford Elevator to review plans for the new feed mill. A preliminary draft of the CIP will be provided to city staff at the end of July. Base Flood Elevation plans will be submitted to FEMA this week. FEMA will provide comments within 90 days. An inspection report for the Mickelson Rd bridge is expecting in the coming weeks. The Sports Complex grading project is complete and a final pay request has been provided to the city. A motion was made by Monahan, second by Doyle Johnson to approve payment of the final pay app to Soukup Construction in the amount of \$75,214.40 – all voted yes, motion carried. Discussion was held regarding testing that needs to be completed when developers build new road throughout the city. For the city to ensure that these tests are being conducted as needed, it was decided that the subdivision regulations need to be updated to include a clause regarding this testing. The city will hire the testing company and the cost of such testing will be the responsibility of the developer. The council asked that Sidel update the

subdivision regulations and present to the council at the next meeting. An agreement for engineer services in regards to the Diamond Trail extension was presented to the council. A motion was made by Monahan, second by Leah Johnson to approve the agreement between the City of Hartford and Stockwell Engineers for engineer services for the Diamond Trail extension – all voted yes, motion carried.

Finance Officer Report: The finance officer report was presented to the council. The report included a summary of cash balances and sales tax figures through June 30, 2013. Also included was a summary of funds available for each city committee. A highlight of bills to be paid was provided. Wilber noted the upcoming Pet Clinic to be held on Aug 3 at the Hartford Vet Clinic. The city will be present to provide city pet licenses. Upcoming events and meetings were also provided to the council.

City Administrator Report: Sidel noted that the installation of the crossing signals on Hwy 38 and 2nd street will be completed by the end of July. The speed trail is scheduled to arrive by the end of the month. Sidel has received confirmation that the city was successful in its grant application for phase 3 and 4 of the bike/rec trail. Sidel estimates that survey work and wetland mitigation will start yet this year with the actual construction of the trail to begin in the spring of 2014. The Larson land swap is now complete. In regards to the Mennenga land purchase, Sidel indicated that the issue with the outstanding mortgage on the land has been resolved and a certified satisfaction to confirm the lien on this property has been satisfied will be in place shortly. Once this is received, City Attorney Nelson will draft the deed for this land. Once signature is obtained and the deed is filed the land purchase will be complete. The 2014 budget process will begin in the following weeks with the budget meeting to follow in mid to late August. Sidel noted that currently the city does not have a policy in place regarding the use of life jackets in the city pool beside that they are not allowed to be worn when using the pool slide. It is the recommendation of both the city's insurance company and Sidel that life jackets are not allowed at all in the city pools. A motion was made by Monahan, second by Leah Johnson that based on the recommendations of the insurance company and City Administrator Sidel that life jackets are banned in city pools – all voted yes, motion carried.

City Council Reports

Ward 1: Leah Johnson noted that the next Swimming Pool Committee meeting is July 23rd. Johnson, along with Olson-Duck will be attending the 2013 Elected Officials Workshop in Pierre on July 24th. Yount reported that he has received positive comments from residents in regards to the work done and the stop signs installed on N. Vandemark. He also noted that the next Sport Complex Committee meeting is Aug 14th.

Ward 2: Doyle Johnson commented on the success of the Park Rec program and activity at the pool. All has been good in his ward. Monahan noted that he attended the July 10th Sports Complex Committee meeting and a recap of Jamboree Days was discussed. The Bike/Rec Committee did not meet in July. The next meeting will be Aug 13th. Monahan thanked Sidel for all her work on the successful grant application for the next phases of the bike trail. Monahan also thanked city office staff Sidel, Wilber and Kuchta for all of their hard work.

Ward 3: Olson-Duck reported that she will be attending the Chamber Mixer on July 18th. She also noted recent activities taking place in the city park. Nelson thanked Jessi Moeller for the great job she did with the Park Rec program. He attended a Chamber marketing meeting earlier today and noted that the video project promoting Hartford is nearly complete. He invited all to the Chamber Mixer to be held July 18th starting at 5pm in the city park.

Adjournment: A motion was made by Doyle Johnson, second by Leah Johnson, to adjourn at 9:25 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