

Hartford City Council Meeting – Regular Meeting July 16, 2024

Mayor Arden Jones called the meeting to order at 7:00pm with the following city council members present: Cindy Matson, Shaun Boen, Ryan Horn, Lisa Berens, and Jake Jass. Travis Kuehl was absent with notice Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Economic Development Director Amy Farr, Chamber Director Wynne Hindt, City Engineer Michael Redenbaugh and Justin Heim, and 2 people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Matson, second by Jass to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Horn, second by Berens to approve the meeting minutes from July 2, 2024 - all voted yes, motion carried.
- **Approval of the Bills:** A motion was made by Matson, second by Horn to approve the bills submitted for payment – all voted yes, motion carried.

PUBLIC COMMENTS: Councilman Horn thanked ISG and Rice Lake for conducting the tour earlier this evening of the City’s new water resource recovery facility.

VISITORS: Leah Johnson, President of Hartford Jamboree Days, was present to provide the Council a recap of the 2024 event. Despite the rainy weather on Saturday, the event was well attended on all days, with attendance figures up from the previous year. Planning of the 2025 event will start in Oct. Mayor Jones indicated that he and a few Councilmembers would be interested in attending some of the planning meetings.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Public Hearing on Zoning Amendments:**
 - **1st Reading of Ordinance #753 – Zoning Regulations for Shouses:** Currently the City does not have any specific regulations in place for shouses so they would be allowed if they followed our current regulations for residential structures. After review by the Planning & Zoning board, it was decided that additional regulations be put in place. Ordinance #753 would allow shouses in a residential district as a conditional use, which would require review and approval by the Planning & Zoning Board. The ordinance also set minimum building requirements for this type of structure. Lot requirements, such as lot area, setbacks, and height, of our current regulations for residential district would still need to be followed. A motion was made by Jass, second by Horn to approve 1st reading of Ordinance #753 Zoning Regulations for Shouses – all voted yes, motion carried.
 - **1st Reading of Ordinance #754 – Zoning Regulations for Tiny Homes:** Currently the City does not have any specific regulations in place for tiny homes so they would be allowed if they followed our current regulations for residential structures. After review by the Planning & Zoning board, it was decided that additional regulations be put in place. Ordinance #754 would allow tiny homes in a residential district only as a pocket neighborhood and only as a conditional use, which would require review and approval by the Planning & Zoning Board. The ordinance also set minimum building requirements, lot requirements, setback requirements, and also provides regulations for pocket neighborhoods. A motion was made by Boen, second by Jass to approve 1st reading of Ordinance #754 Zoning Regulations for Tiny Homes – all voted yes, motion carried.
- **2nd Reading or Ordinance #752 – Amend City Firework Ordinance:** In 2018, the City Council passed an Ordinance #650 to allow the sale of fireworks within the city. Prior to this date, the use of fireworks was permitted, but not the sale of fireworks. Ordinance #650 which outlines the regulations of both fireworks sales and use. As written, the period of sales is from June 26th to July 5th. The intent was to mirror the state law, which allows sales from June 27th to July 5th. Ordinance #752 will change the start date of sales from June 26th to June 27th. A motion was made by Horn, second by Boen to approve 2nd reading of Ordinance #752 to amend City Firework Ordinance – all voted yes, motion carried.

REPORTS:

- **Fire Department Report:** Chief Bryon Schumaker was present to provide the HAFR’s monthly report. For the month of June there was a total of 36 calls, of which 22 were within city limits. An update on the various trainings held during the month was also provided. Schumaker noted that the 4th of July went well with only one call, which was out in the county. One new member has joined the department. The new fire truck will be ready in early 2025.

- **Economic Development Report:** EDD Amy Farr provided her report. The groundbreaking for the N Oaks Industrial Park held on July 11th was very well attended and positive press was received. Farr will be attending the MAEDC Conference in Sioux Falls on Wed, Thurs & Fri this week. HADF's intern has been working on social media, blogs, and updating information on the website. The Budget Committee continues to work on the 2025 budget. The Construction Committee continues to work on the development of the N Oaks Industrial Park. The new community has gone to print. Farr continues to meet with businesses looking to locate in Hartford. The HADF will be submitting on an RFI that was received from GOED.
- **Chamber Director Report:** Chamber Director Wynne Hindt provided her report. The next meeting for the Ambassador Committee is Aug 6th and the Events Committee is Aug 15th. The Hartford Block Party is Wed evening this week and the Golf Classic is Aug 6th. Hindt continues to work on the Discover Hartford app. Hindt is scheduling connection meetings with council members, legacy member and board members. The by-laws and policy procedures have been revised and will be sent to the attorney for review and recommendations. Business member spotlights will be incorporated into the weekly Chamber Connection and posted to social media.
- **Engineer Report:** Michael Redenbaugh reported the following:
 - Engineers continue to work with Staff on the revised design standards and subdivision regulations based on comments for the Planning & Zoning board. Plans are to present them to the P&Z Board at their July 30th meeting.
 - ISG will be meeting with contractors on the 6th/Mundt project to conduct a walkthrough and address any remaining punchlist items.
 - Engineers are working through the comments received from DNAR's review of the plans for the Hwy 38 Water Main Extension project. As a result of DNAR's change of staff midway through the review of this project, approval has taken longer than anticipated.
 - **Approve Bid Letting of Hwy 38 Water Main Extension Project:** In an effort to bid this project in mid-August and hopefully completed yet this year, Engineers are requesting to let the project for bid, contingent on the approval from DNAR. This will allow the City to start running the required advertising for the bid letting. A motion was made by Horn, second by Matson to approve the bid letting of the Hwy 38 Water Main Extension project, contingent on approval from DNAR – all voted yes, motion carried.
 - At the WRRF site, all structural concrete of the Aeromod tanks has been completed. Once the concrete has cured, the walkways along the top of the structure will be installed. Work on the gravity main west of Mickelson Rd will resume later this year. This will require Mickelson Rd to be closed. A 3-week notice will be provided for the closure.
 - **Review/Approve Pay Request #9 for WRRF:** Pay app #9 from Rice Lake Construction Group for work completed through June on the WRRF was presented. A motion was made by Jass, second by Horn to approve payment of pay app #9 in the amount of \$367,962 to Rice Lake Construction Group – all voted yes, motion carried.
- **Public Works Report:** Public Works Superintendent Wagner provided his report.

Streets – Staff continues to work on gravel roads and sweep streets as time allows. Mag water will be applied this Thurs. The slurry seal project is scheduled for July 25th. The traffic counters are out along N. Vandemark Ave. Staff will leave them out for another week and then compile the data for review. The contractor of the WC School project will be patching the damaged areas of the streets around their project. Due to the increase in the mosquito population, spraying has been increased to twice a week. The ash trees in the park have been treated.

Water – The 2nd quarter report has been submitted. Next reporting is due Oct 10th.

Sewer – All lift station pumps are working well. Staff continues to do maintenance on the bar screen. The May DMR reports are completed and have been sent. The next report is due July 28th. The lagoons are being discharged at this time.

Parks – The contractor will be starting the concrete for the pickleball courts next week. Once cured for 28 days, JANCO will apply the surfacing.

Bike Trail – Councilman Boen commented on the amount of gravel on the trail along Hwy 38. Wanger will have staff run the broom on it.

Sports Complex – Besides some cleanup work, the installation of the water lines and hydrants is now complete. Staff is planning to dig the footings for the new restroom/concession building next week.
- **Finance Officer Report:** City Finance Officer Wilber provided her report. Items included cash balances, sales tax revenue and DHI committee fund balance as of June 30th, a recap of bills submitted for payment, and the July/Aug calendar of events.
- **City Administrator Report:** City Administrator Sidel provided her report. The REED loan application for Western Ave Improvement project has been submitted. We will know by Aug 6th if we are approved. Utility work has started on the 12th/Oaks project. Sidel continues to attend Dakota Mainstream meetings as needed. SECOG will be assisting the City in codifying our city ordinance into one document. There is no fee for this as it

is a service included with our membership. A citizen complaint has been received the intersection of 2nd St & Main Ave. There is a 4-way stop at this intersection, which often gets ignored. This citizen is wondering if there is anything more the city can do at this intersection. Sidel gave a reminder that the next council meeting has been moved to Wed Aug 7th. Due to a conflict, Aug 28th will no longer work for Sidel for the budget meeting. Alternate dates were discussed, and the consensus was to move it to Aug 26th. Sidel will put this meeting date change on the next agenda. The Minnehaha County Highway Dept has reached out about some chip sealing work they want to do on Western Ave from Hwy 38 to Central States. Since the city borders a portion of this stretch, they are reaching out about the cost. Last summer the County had to do some emergency repair work to this same stretch. Due to the urgency of the matter, the County didn't reach out to the City and just made the needed repairs and paid all the costs. Now they are asking if the City would pay for all of the chip sealing project. The consensus of the Council was to place this item on the next agenda for further discussion.

OLD BUSINESS: None

NEW BUSINESS:

- **Review Invoice from Hartford Township:** Hartford Township has submitted an invoice to the City for the cost of gravel that was placed along 261st St earlier this year. The city limits border this township road on the north side. The City was not contacted by the Township about cost sharing this expense prior to the work being. After discussion by the Council, no action was taken. Staff will reach out to the Township about the City's upcoming water project that will involving crossing E 2nd St, which is a township road. Based on the outcome of this conversation, payment of this invoice may be considered at a later date.
- **Discuss Implementing a "Do Not Knock" Policy for Peddlers:** Currently, the City has regulations in place that allows for peddlers, if they obtain a license from the City. The license fee is \$50 and allows for up to 5 people be on the license and is good for 30 days. Discussion was held on possibly banning peddlers all together or implementing a "Do Not Knock" policy. Administratively, keeping a "Do Not Knock" listing up to date would be challenging for staff. Discussion was also held on allowing peddlers but increasing the license fee. Staff provided information on what a few neighboring communities charge and Hartford is definitely on the low end. A motion was made by Boen, second by Berens to increase the peddler license fee to \$25 per person per day with a 30-day limit – all voted yes, motion carried. This will require an ordinance change, which will be presented at the next meeting.
- **Annual Review of General Assessment Policy:** The City's current General Assessment Policy, which was last updated in July 2023, was reviewed by the Council to ensure that it incorporates sound practices and current cost estimates. This policy sets how the City will collect assessments for any street, water, or sewer projects. The current policy states that street improvements, including sidewalks, on any existing street can be assessed against the adjoining property owner at an amount up to \$225 per linear foot. Improvements to new streets, water mains, or sewer mains can be assessed on an actual cost basis. Engineers estimate that the average cost of a new residential street is \$390 per linear foot. This average would be higher if it is a collector or arterial road as they are designed to higher standards to withstand heavier trucks. A motion was made by Jass, second by Matson to increase the assessment amount for improvements to an existing street from \$225 per linear foot to \$250 per linear foot – Boen voted no with all others voting yes, motion carried. This policy is set by Resolution, which will be presented at the next meeting for approval.
- **Review/Approve Tax Abatement for Parcel #59670:** 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 Horn, second by Boen to approve the property tax abatement request submitted on Parcel #59670 – all voted yes, motion carried.

EXECUTIVE SESSION: A motion was made by Horn, second by Boen to enter executive session pursuant to SDCL 1-25-2(1) for personnel 8:33pm – 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 Boen, second by Jass to exit executive session at 9:00pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Matson, second by Boen to adjourn at 9:01pm – 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