

## **City Council Meeting – Regular Meeting July 17, 2012**

President Mark Monahan called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Mike Swier, Gail Olson-Duck, Bill Barnett, and Scott Nelson. Mayor Zimmer was absent with notice and Leah Johnson arrived at 7:21 p.m. Also present were City Administrator, Teresa Sidel, Finance Officer, Deb Macdonald, Public Works Superintendent, Craig Wagner along with City Attorney, Larry Nelson, and City Engineers, Mitch Mergen and Nick Borns.

**Additions to Agenda:** President Monahan requested the addition of Executive Session to the agenda. A motion was made by Olson-Duck, second by Barnett to add Executive Session regarding contract issues to the agenda following approval of the agenda - all voted yes, motion carried. With no further additions, a motion was made by Olson-Duck, second by Barnett to approve the agenda including the addition - all voted yes, motion carried.

**Executive Session:** A motion was made by Olson-Duck, second by Nelson to enter into executive session, pursuant to SDCL 1-25-2, at 7:02 p.m. - all voted yes, motion carried. A motion was made by Olson-Duck, second by Barnett to exit executive session at 7:29 p.m. - all voted yes, motion carried.

**Approve Minutes of Previous Meetings:** A motion was made by Johnson, second by Olson-Duck to approve the June 19, 2012 regular meeting minutes – Swier abstained with all others voting yes, motion carried. A motion was made by Olson-Duck, second by Johnson to approve the July 3, 2012 regular meeting minutes – Barnett and Monahan abstained with all others voting yes, motion carried. A motion was made by Swier, second by Nelson to approve the July 10, 2012 special meeting minutes with the noted correction – all voted yes, motion carried.

**Approve Bills Submitted for Payment:** A motion was made by Johnson, second by Olson-Duck to approve the bills submitted for payment – all voted yes, motion carried.

### **Ordinances and Hearings:**

#### **7:05 pm Subdivision Variance Hearing – Central States Manufacturing – 2010 N. Western Avenue.**

A subdivision variance request was submitted to allow Central States Manufacturing to use rural water and a septic system until such time as city water/sewer services become available. The Planning and Zoning Board has reviewed this request and recommends approval. A motion was made by Johnson, second by Olson-Duck to approve the variance request of Central States Manufacturing wherein it will be allowed to use rural water and a septic system until municipal water/sewer services are extended to the property - all voted yes, motion carried.

#### **7:10 pm Special Events Permit and Application for Use of Alcoholic Beverages in a Public Area - Bosco's Bar & Grill – 116 W. Highway 38.**

Bosco's Bar & Grill submitted an Application for Use of Alcoholic Beverages in a Public Area and Application for a Special Events Permit including a route map. This permit would allow Bosco's to conduct a lawn mower poker run, as a fundraiser for the Hartford Area Fire & Rescue, on July 28, 2012 from 11:00 a.m. to 6:00 p.m. In addition, this permit would allow the consumption of alcohol in public areas. A motion was made by Johnson, second by Nelson to approve Bosco's application for a special events permit for a lawn mower poker run on July 28, 2012 from 11:00 a.m. to 6:00 p.m. contingent upon the Minnehaha County Sheriff's Department monitoring this event - all voted yes, motion carried

#### **1<sup>st</sup> Reading of Ordinance #578 – Sale and Consumption of Alcoholic Beverages on Abutting**

**Sidewalks.** A motion was made by Olson-Duck, second by Johnson to table 1<sup>st</sup> reading of Ordinance #578 – Sale and Consumption of Alcoholic Beverages on Abutting Sidewalks until May of 2013. A motion was made by Olson-Duck, second by Johnson to rescind the previous motion – all voted yes, motion carried. A motion was made by Swier, second by Johnson to table 1<sup>st</sup> reading of Ordinance #578 – Sale and Consumption of Alcoholic Beverages on Abutting Sidewalks indefinitely - all voted yes, motion carried.

#### **2<sup>nd</sup> Reading of Ordinance #579 – Amendment to Central Business District Zoning.**

This ordinance is necessary to allow, by conditional use permit only, a residence in the lower basement level of a building in the Central Business District. A motion was made by Johnson, second by Olson-Duck to approve and to

adopt second reading of Ordinance #579 – Amendment to Central Business District Zoning – all voted yes, motion carried.

**Old Business:**

**ADA Hearing Impaired System for Council Room.** Sidel presented information received from Mid States Audio regarding an ADA hearing impaired system for the council room. This system includes two overhead microphones and four wireless receiving devices. A motion was made by Johnson, second by Olson-Duck to authorize the city to purchase the ADA hearing impaired system at a cost of \$2,105 along with ear bud covers for an additional \$12 – Swier voted no with all others voting yes, motion carried.

**Discussion of Commercial Vehicle Ordinance.** Zoning Ordinance #575 addresses off-street parking and sets restrictions on what commercial vehicles can be parked on private property or “off-street”. Ordinance #449 pertains to “street” parking and does not address commercial vehicles that do not require a CDL license. Discussion was held on whether or not to allow commercial vehicles that do not require a CDL to park along the city street. A motion was made by Nelson, second by Johnson to table this matter until the next meeting to give the City Administrator time to contact other municipalities and draft a document for council review - all voted yes, motion carried.

**New Business:**

**Retirement of Debt.** The city received a check in the amount of \$86,506.87 from the HADC for the land sale to Central States Manufacturing. A copy of the current debt schedule was presented and discussion was held on applying land sale proceeds to current debt. A motion was made by Johnson, second by Olson-Duck to payoff the 2011 Sales Tax Bond loan using proceeds from the Central States Manufacturing land sale and to apply the balance of land sale proceeds to the 2003 FNB Lease Purchase loan - all voted yes, motion carried.

**Hometown Christmas Committee – Joe Hellvig.** On behalf of Hartford’s Hometown Christmas Committee, Joe Hellvig gave an update on the upcoming celebration and anticipated expenses. Hellvig asked the council to consider allocation of funds for the event. A motion was made by Swier, second by Nelson to approve allocating up to \$1,500 for various expenses associated with Hartford’s Hometown Christmas celebration – all voted yes, motion carried.

**Reports:**

**Swimming Pool Report:** Pool Manager, Amy Sebert updated the council on pool attendance, pool parties, pool rescues, and reported that 202 season passes have been sold. Barb Thaler executed a rescue drill on July 12<sup>th</sup> and will perform additional drills. The second session of swimming lessons began on July 16<sup>th</sup>. Positive feedback has been received regarding two sessions of swimming lessons offered again this summer. Sebert noted that the fire department has scheduled its pool party for July 25<sup>th</sup> and asked for permission to close the pool to the public that evening. A motion was made by Johnson, second by Nelson to allow closing the swimming pool on July 25, 2012 from 6:30 p.m. to 8:30 p.m. to accommodate the fire department pool party, to authorize waiving the pool party fee, and to require a minimum of 1-week public notice of the closure – all voted yes, motion carried. Discussion was held on child labor laws and July 4<sup>th</sup> pool hours.

**Public Works Superintendent Report:**

**Streets** – The city has been patching asphalt streets and will be doing curb and sidewalk work. Wagner noted that mag water has been applied and requested street signs have been erected. The new weather siren is up and Sioux Valley will complete installation next week.

**Water & Sewer** – The city has been repairing valve boxes and inspecting manholes. Wagner reported that Infratech repaired some manhole bottoms last week. After the pond A aeration system is fixed, the city will begin draining down pond B. The quarterly DMR reports have been submitted to the DENR.

**Park and Pool** – Wagner noted that the city has been spot mowing the park and other areas as needed and weeds at the sports complex will be mowed. The city has been and will continue to water trees and flower beds. Wagner anticipates that several new trees will not survive the hot weather. The pitching area backstop has been installed. Regarding bike trails, Wagner reported that fog seal for the Turtle Creek

path has been ordered and the contractor will return to complete the Highway 38 trail in the next few weeks. The pool dolphin cleaner has been repaired. Discussion was held regarding softball field maintenance.

**Training** – The SD Water and Wastewater Association Conference will be held in Rapid City in September. This conference provides useful information for water and wastewater distribution and in the past, both Wagner and Neil Hanisch have attended. Wagner advised that he needs training hours in order to keep his certification current. When available, the agenda will be provided for council review.

**City Engineer Report:** On behalf of Stockwell Engineers, Mergen and Borns gave the following report. 1) The city engineers met with the Sports Complex Committee to review the final concept drawing with a few minor changes recommended. The final grading plan and updated cost estimates for Phase 1 will be presented prior to advertising for bid. 2) Mergen will be reviewing Central States Manufacturing's construction plans and will be providing comments. 3) Stockwell's GIS Specialist has started compiling and entering data into the city's GIS system. Once complete, the database will be updated on a more routine basis. 4) Mergen and Toby Brown with SECOG have met to create Engineering Design Standards for the city. A draft will be presented in the next several weeks. 5) An agreement for engineering services on the SRTS-Round 4 project has been submitted to the DOT for approval. The earliest a notice to proceed can be issued is October.

**Finance Officer Report:** A list of upcoming events and copies of the Bill Report, Revenue Report, and Expenditure Report were provided to the council. Macdonald gave a comparison of 2011 and 2012 cash on hand and sales tax revenues and an update of committee funds available.

**City Administrator Report:** Sidel noted that Kelly Point Partners intend to approach the council in August regarding their proposed drainage way plan. The city attorney and city staff met with Scott Buss to discuss MCWC service areas. A proposed agreement will be submitted at the August 7<sup>th</sup> meeting. Sidel reported that she and Wagner met with representatives of Minnehaha County. At that time, the city was notified of a possible change that may occur regarding maintenance of county roads that border city limits.

**City Council Reports:**

**Ward 1:** Johnson noted that the next Swimming Pool Committee Meeting will be July 24<sup>th</sup>. Barnett recently attended a Special Meeting, a Sports Complex Meeting, and a Chamber Task Force Meeting. He reported that several homes in his neighborhood have sold.

**Ward 2:** Monahan reported that the Bike/Rec Trail Committee has received inquiries regarding the Highway 38 Bike/Rec Trail. These issues will be corrected by the State. The Committee would like to place poles at the entrances to the Highway 38 Bike/Rec Trail to obstruct vehicles from driving on the trail. Swier noted that the Sports Complex Committee will meet on August 8<sup>th</sup> and at that time, three drawings will be held.

**Ward 3:** Olson-Duck noted a great deal of activity at the park and around her neighborhood. Nelson attended the Chamber Task Force meeting and noted that a sports complex media kit is being discussed. Nelson commended the city crew for a job well done with mag watering.

**Any Other Business:** Discussion was held on promoting the City of Hartford.

**Adjourn:** A motion was made by Swier, second by Olson-Duck to adjourn at 9:09 p.m. – all voted yes, motion carried.

Minutes recorded by Finance Officer, Deb Macdonald.

I, the undersigned, Debra L. Macdonald, 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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Debra L. Macdonald, Finance Officer