

City Council Meeting – Regular Meeting July 2, 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 Mark Monahan. Doyle Johnson was absent with notice. 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 – 06/18/2013: A motion was made by Olson-Duck, second by Nelson to approve the June 18, 2013 regular meeting minutes – all voted yes, motion carried.

Approve Minutes of Previous Meetings – 06/26/2013: A motion was made by Yount, second by Olson-Duck to approve the June 26, 2013 special meeting minutes – all voted yes, motion carried.

Deputy Report: Deputy Terrones was present to give his report. He noted speeding on Hwy 38 and 2nd St. He mentioned that Jamboree Days went well. A reminder was given that fraudulent charges on debit cards continue to be an issue.

Ordinances, Resolutions & Hearings:

2nd Reading of Ordinance #588 – Rezone of W376’ of Lot 5 of Smith & Grover’s Addition from Natural Resource Conservation to Residential: Jon Maras is requesting the rezoning of this lot to erect multi-family residential housing. A motion was made by Monahan, second by Leah Johnson to approve 2nd reading of Ordinance #588 to rezone the W376’ of Lot 5 of Smith & Grover’s Addition from Natural Resource Conservation to Residential – all voted yes, motion carried.

2nd Reading of Ordinance #589 – Rezone of Lot 6, Block 8 of Drake’s Addition from Residential to Light Industrial: Alex Espinoza is requesting the rezoning of this lot to erect a storage building. A motion was made by Nelson to approve 2nd reading of Ordinance #589 to rezone Lot 6, Block 8 of Drake’s Addition from Residential to Light Industrial – no second was received, motion failed. A motion was made by Monahan, second by Olson-Duck to table this reading until the next council meeting to allow all council members the time to look at this property - Nelson voted no with all others voting 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. Discussion was held with comments from Gary Sandholm, Joan Franken of Costello Companies and Terry Hagen. A motion was made by Monahan, second by Leah Johnson to approve Resolution 2013-5 – Special Tax Classification for Commercial Residential Structures - all voted yes, motion carried.

Poker Run on July 20th – Fund Raiser for Hartford Area Fire & Rescue: Dan Mausbach was present to request the council’s approve to hold a Poker Run benefiting the Hartford Area Fire & Rescue on July 20, 2013. The vehicles in the run would include lawn mowers and 4-wheelers. Registration would be held between 11:30am and 12:30pm at Spikes Bar. A map was provided of the route which would run between 1:00pm and 5:00pm. A motion was made by Nelson, second by Leah Johnson to approve the request for a poker run on July 20th and to request additional law enforcement from Minnehaha County on the day of the run during the hours of 1:00pm and 5:00pm – all voted yes, motion carried.

Old Business:

Discussion of Diamond Trail/Western Avenue Street Project: Discussion was held regarding the first phase of the project which is the new section of Diamond Trail between Western Avenue and Ruud Lane.

In attendance for these discussions and input was Jeff Harms of Harms Oil, Lynnae Redenius of Tammen Auto and Tire, and Joan Franken of Costello Companies. A motion was made by Monahan, second by Nelson to move forward with the new section of Diamond Trail (between Western Ave & Ruud Lane) subject to the following conditions: 1.) Dedication of right-of-way for Diamond Trail (between Western Ave & Ruud Lane) from Harms Oil, Tammen Auto and Tire and Costello Companies; 2.) Costello Companies commitment to rezone the 26.8 acres to Light Industrial with the city's agreement to this rezone; 3.) Dedication of land for the placement of the new section of Diamond Trail and approaches east of Western Ave and that the existing Diamond Trail east of Western Ave will be vacated; 4.) Costello Companies commitment to have infrastructure on Blocks 4 through 9 completed within one year of Diamond Trail (between Western Ave & Ruud Lane) being completed; 5.) Harms Oil's commitment to build improvements to their existing facility of not less than \$500,000; 6.) For the city to provide, if necessary, short term access to Harms Oil property, under the direction of city engineers, until Diamond Trail (between Western Ave & Ruud Lane) is complete; 7.) Harms Oil, Tammen Tire and Auto and Costello Companies will execute a development agreement with the city which states all terms and conditions; 8.) In the event the project does not proceed, all land will revert back to the original owners – all voted yes, motion carried. A motion was made by Monahan, second by Nelson for Stockwell Engineers to proceed with the engineering and design phase of the Diamond Trail project between Western Ave & Ruud Lane – all voted yes, motion carried. A motion was made by Monahan, second by Leah Johnson for City Attorney Larry Nelson to draft the appropriate documents for Harms Oil, Tammen Auto and Tire and Costello Companies to execute the land dedication – all voted yes, motion carried. A motion was made by Monahan, second by Yount to table any further discussions on the Western Avenue project, the TIF District, and Diamond Trail construction east of Western Ave until a later date – all voted yes, motion carried.

New Business:

Proposed Stop Sign – Intersection of N Vandemark & Par Tee Drive: Concerned property owners along N Vandemark Ave. have indicated that they would like to see additional stop signs being placed at the intersection of N Vandemark and Par Tee Drive in an attempt to try to slow down the traffic on N Vandemark. A motion was made by Leah Johnson, second by Olson Duck to install two additional stop signs on N Vandemark Ave at the intersection of Par Tee Drive – all voted yes, motion carried.

Proposed Stop Sign – Intersection of Oaks Ave & 5th Street: Discussion was held regarding the traffic on Oaks Ave. From Hwy 38, there is not a stop sign until several blocks later at 2nd St. Residents in the area are concerned with speeding on Oaks Ave and have requested additional stop signs. A motion was made by Leah Johnson, second by Olson-Duck to install two new stop signs on Oaks Ave, one at Oak Ave & 5th St northbound and one at Oak Ave & 5th St southbound – all voted yes, motion carried.

Discussion on Maintenance of Right-of-Ways: 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. A copy of the City of Sioux Falls ordinance provided to the council for review. Their ordinance includes 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 Leah Johnson, second by Olson-Duck to have Sidel draft a revised ordinance to include the updated maintenance code regarding the maintenance of right-of-ways – all voted yes, motion carried.

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 mentioned that Goldenwest has committed \$2,500 to the amphitheater project being headed up by Terry Hagen. Jamboree Days was a success with car show entries up from a year ago. SECOG will be completing a site feasibility study for industrial and business locations in Minnehaha and Lincoln Counties. Ad sales for the new phone book are wrapping up. The Hartford promotional videos are in production. A ribbon cutting was held for McCook Therapy on June 27th. The Chamber Mixer is July 18th at 5:30pm in the City Park.

Public Works Superintendent Report:

Streets – Crack sealing is done and micro-surfacing will start in July. Work on the gravel roads has started with mag water scheduled to be done the second week in July. Spraying for mosquitoes has started and will continue throughout the summer and fall as needed. An inspection will be done on the bridge on Mickelson Road. Once results of the inspection are known, it will be decided if any action needs to be taken.

Water – Staff has been working with contractors on water/sewer installations. Sump pump inspections will be made as time allows. Manhole inspections will continue over the next few weeks.

Park and Pool – The new slide at the pool is in. Wagner met with Sioux Valley Electric to review the ball diamond lights. The flag disposal box has been installed at Century Park. Work has started on the ADA shelter at Turtle Creek Park.

City Engineer Report: Nick Borns with Stockwell Engineers updated the city council on projects they are working on. They will be moving forward with survey work on the West Diamond Trail project. Kelley Point Developers have made revisions to their plans and these are being reviewed with comments to be provided to city staff. Stockwells will be providing inspection services throughout their construction. Repairs to the Hwy 38 Bike Trail are expected to take place this summer. Mitch Mergan with Stockwell Engineers reviewed the Capital Improvement Plan Proposal with the council. A motion was made by Monahan, second by Nelson to accept the agreement for professional services in regards to the Capital Improvement Plan – all voted yes, motion carried.

Finance Officer Report: Wilber provided a highlight of revenues that were received during June along with the all revenues and expenses to date thru May. A reminder was given on when fireworks can be discharged in city limits. The second session of swimming lessons will begin on July 8th. Lessons will be held Monday through Thursday for two weeks. The council was also provided a list of upcoming events for the month of July.

City Administrator Report: A pre-construction meeting was held on June 5th regarding installation of the crossing signals at the intersection of Hwy 38 and 2nd St. Sidel noted that the speed trailer is to be shipped on July 22nd. Sidel will travel to Pierre on July 10th to appear before the grant selection committee in regards to Phase 3 & 4 of the bike trail. Mari Larson has signed the deed for the land swap with the city. Sidel will file the deed with the county and the land swap will be final. In regards to the Mennenga land purchase, Sidel has been working with the mortgage company to secure a certified satisfaction to confirm the lien on this property has been satisfied. 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. Sidel thanked AARP and Hartford Senior Center for the new American and SD State flags that were donated to the city.

City Council Reports:

Ward 1: Leah Johnson noted that the Swimming Pool Committees next meeting is July 23rd and they will be electing officers. Yount reported that the next Sports Complex meeting is July 10th.

Ward 2: Monahan thanked everyone involved with the West Diamond Trail project, including the HADC, property owners, council, engineers and city staff, for their patience and commitment to the City of Hartford's future.

Ward 3: Olson-Duck noted that she will be attending the upcoming Chamber Mixer on July 18th. Her ward has been quiet. Nelson thanked the council along with Wagner and his staff for helping to make the flag disposal box project a great success. He extended an invitation to Stockwell Engineers to join the Hartford Area Chamber at the next mixer to be held on July 18th.

Mayor's Report: The Mayor thanked the Jamboree Committee for all their hard work in planning another successful event. He also thanked AARP for the two new flags that were donated to the city.

Adjournment: A motion was made by Monahan, second by Olson-Duck to adjourn at 9:24 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