

## **City Council Meeting – Regular Meeting July 7, 2015**

Mayor Bill Campbell called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Mark Monahan, Ryan Bortnem, Brad Bjergaard, Doyle Johnson, Bill Haugen and Scott Nelson. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, City Attorney Larry Nelson and City Engineer Mitch Mergen.

**Approve Agenda:** A motion was made by Monahan, second by Nelson to add Bill Zortman to the Visitors section of the agenda – all voted yes, motion carried. A motion was made by Bortnem, second by Johnson to approve the agenda as set - all voted yes, motion carried.

**Approve Minutes of June 16, 2015 Regular Meeting:** A motion was made by Haugen, second by Johnson to approve the June 16, 2015 regular meeting minutes – Monahan abstained with all others voting yes, motion carried.

**Deputy Report:** Deputy Terrones was present to give his report. He noted areas where speeding was occurring. There have been issues of ding-dong ditch around town. Only one firework call was received over the 4<sup>th</sup> of July holiday weekend.

**Fire Department Report:** Bryon Schumacher was present to report on the Fire Dept. The Fire Dept made 25 calls in July with 13 being in city limits. The dept business meeting will be July 8<sup>th</sup>, the dept board meeting on July 29<sup>th</sup>, EMS training on July 20<sup>th</sup> and fire training on July 22<sup>nd</sup>. The department was involved in many Jamboree Day activities.

### **Ordinances, Resolutions & Hearings:**

**7:10 Hearing – Transfer of Retail On-Off Sale Malt Beverage License and Retail On Sale Liquor License from Hartford Fireside, LLC to Brian/Jennifer Reiner & Dave/Sarah Swanson:** The paperwork has been filed with the city to transfer the Retail On-Sale Liquor License and Retail On-Off Sale Malt Beverage Liquor License currently held by Hartford Fireside, LLC to Brian & Jennifer Reiner and Dave & Sarah Swanson. These licenses currently only cover the area of the building previously known as Midway Bar & Grill. This transfer paperwork will expand the legal address of the licensed premise to encompass the entire building – the former Midway Bar & Grill location and the Fireside Event Center location. A motion was made by Monahan, second by Johnson to transfer the Retail On-Sale Liquor License and Retail On-Off Sale Malt Beverage License from Hartford Fireside, LLC to Brian & Jennifer Reiner and Dave & Sarah Swanson and to adjust the legal premise of both licenses to include the entire property at Lot 5A Interstate Inns Third Addition – all vote yes, motion carried.

**Review/Approve Plat for Lots 9-12, Block 1 of Cresswood Addition:** Cresswood Developers has submitted a plat for Lots 9-12, Block 1 of Cresswood Addition. This plat has been reviewed by the city engineer. A mutual access easement must be shown to provide access to Lot 11 and 12 and an updated site plan must be provided to the city. A motion as made by Monahan, second by Nelson to approve the plat for Lots 9-12, Block 1 of Cresswood Addition contingent on a mutual access easement be shown on the plat and that an updated site plan be provide to the city – all voted yes, motion carried.

### **Visitors:**

**Paul Mantz, Sioux Valley Energy:** Mr. Mantz was present to introduce himself to the council. His roll at Sioux Valley Energy, which services the Hartford area, is in community relations. He is Hartford's point of contact for community service and economic development needs.

**Jim Johnson:** Jim Johnson was present to introduce himself to the council. Mr. Johnson is a builder who specializes in the building of energy efficient homes. He spoke to the council about the possibility of building energy efficient starter homes on the two Vandemark Ave lots. To utilize a program through HUD, Mr. Johnson inquired about the city discounting the price of the Vandemark Ave lots by 25%. He indicated that through this program, the city would recoup funds. Mr. Johnson was informed by the council that these two lots have been transferred to the HADC for marketing and selling. It is the consensus of the council that Mr. Johnson meets with the HADC and discusses his plans and the details of the program with them for their consideration.

**Joan Franken, Costello Developers:** Joan Franken of Costello Developers was present to address the council regarding her opposition to the motion passed by the council at the June 16, 2015 council meeting to eliminate the Chamber & Economic Development Director position. Ms. Franken, who is also a

Hartford resident, feels that the elimination this position would be a huge detriment to the City of Hartford. She further explained that one of the reasons Costello Developers chose to develop in Hartford, both residential areas and most recently an industrial park, is because of the economic growth that was happening in the community which she feels this position had an instrumental part in.

**Gail Olson-Duck & Jack Duck:** Gail Olson-Duck, Hartford resident and former city council member, was present to address the council regarding her opposition to the elimination of the Chamber & Economic Development Director position. Olson-Duck brought up that at the April 21, 2015 council meeting the council did a review of the job duties of the Chamber & Economic Development Director position. With input from both the Chamber and HADC, changes were made and a new job description was approved. Now, less than two months after that meeting, the decision was made to eliminate the position. Mayor Campbell explained that the meeting in April was comprised of a different council. Jack Duck also spoke regarding his opposition to the decision to eliminate the position.

**Bill Zortman, HACC President:** Bill Zortman, Hartford resident and current President of the Hartford Area Chamber of Commerce, was present to address the council regarding his opposition to the elimination of the Chamber & Economic Development Director position. Mr. Zortman made reference to three groups – the City Council, the HADC, and the Chamber. His position is that we have to act together – and right now there is division. To compete with other communities we have to be united.

### **Old Business:**

#### **Discussion of Council Action to Eliminate the Chamber & Economic Development director Position –**

**Members of Growing Hartford:** After the decision made at the June 16, 2015 council meeting to eliminate the Chamber & Economic Development Director position, a group of concerned Hartford area residents and business owners formed a group called Growing Hartford. This group, who is opposed to the decision to eliminate the position, was present at the meeting to address the council with their concerns. Mayor Campbell indicated that 30 minutes would be allowed for members of the group to speak. Members who address the council were Lisa Hellvig, Jeremy Menning, Benjamin Parker, and Rick Freemark. The unified message the group made was that eliminating this position would be a huge mistake for the City of Hartford. Economic growth is needed to bring businesses and residents to a community. Without growth, the community will suffer, taxes will go up. Without a person in the director position, the point of contact in key conversations with potential businesses is gone. Hartford will be taken out of the running of many future opportunities. A motion was made by Nelson, second by Monahan to extend the time allowed for the group to speak by 5 minutes to hear from Justin Eich, HADC President – all voted yes, motion carried. Mr. Eich referenced three groups – the City, Chamber & HADC - fighting for power when in fact they should be all fighting for the same thing – what is best for the City of Hartford and the surrounding Hartford area. He polled the council on the years they've lived in Hartford and the number of HADC/Chamber meetings they've attended in the past. He asked the question, without the director position, if the city would be proactive or reactive when it came to economic development.

**Paperless Quote:** City Administrator Sidel provided information to the council regarding the estimated cost of implementing paperless council packets. To go paperless, tablets or iPads would have to be purchased for the council and city staff. All council packet information would be done in electronic format and stored in a shared file that all users could access. The pros and cons were discussed. A motion was made by Nelson, second by Haugen to table this discussion until the next council meeting – Nelson, Bortnem & Haugen voted yes with Bjergaard, Johnson & Monahan voting no. Mayor Campbell broke the tie voting yes – motion carried.

### **New Business:**

**Set Special Election Date on Referendum Petition:** A referendum petition pertaining to the June 16, 2015 council motion to eliminate the Chamber & Economic Development Director position has been filed with the City. Signatures have been verified and the 88 signatures need was obtained. It is the recommendation of Mayor Campbell to hold the election on Nov 3, 2015 and to move the city council meeting scheduled for that night to the following night, Nov 4, 2015. Different dates were discussed. A motion was made by Monahan, second by Nelson to set the date of the Special Referendum Election as Aug 25, 2015. Further discussion was held. A substitute motion was made by Haugen, second by Bortnem to set the date of the Special Referendum Election as Nov 3, 2015. Emily Berg, Robin Eich, and Councilmember Scott Nelson as Marketing Chair of the HACC spoke in support of the earlier date. A motion was made by Haugen, second by Bortnem to call the question – Haugen & Bortnem voted yes with Monahan, Nelson, Johnson & Bjergaard voting no, motion failed. Further discussion was held. Josh Mulder, Joan Franken, Bill Zortman, Jeremy Menning and Rick Freemark all in support of an earlier

election date, spoke to the council giving their opinions as to why they feel Aug 25<sup>th</sup> is a better choice for the election than Nov 3<sup>rd</sup>. A motion was made by Haugen, second by Johnson to call the question – all voted yes, motion carried. Vote was then taken on the substitute motion to set the election date as Nov 3, 2015 – Haugen voted yes with all others voting no, motion failed. Vote was then taken on the original motion to set the election date as Aug 25, 2015 – Haugen voted no with all others voting yes, motion carried.

**Discussion of Job Duties of Chamber & Economic Development Director Position:** Mayor Campbell addressed the council regarding the job duties pertaining to communications that were added to the Chamber & Economic Development Directors job description on Oct 21, 2014. It is his recommendation that some changes need to be made to some of these duties. He provided the council with a listing of his recommended changes. Robin Eich & James Gordon addressed the council with their concerns. A motion was made by Bjergaard, second by Monahan to table discussion of this item until the first meeting after the special referendum election. Further discussion was held. A motion was made by Monahan, second by Nelson to call the vote – Haugen voted no with all others voting yes, motion carried. Vote was taken on the original motion to table discussion of this item until the first meeting after the special referendum election – Haugen voted no with all others voting yes, motion carried.

**Removal of Outstanding Checks from City Books:** At the recommendation of the City's auditor, City Administrator Sidel provided the council a listing of unclaimed checks that need to be removed from the city's books. These checks are all less than \$50 and are dated 2011 or older. A motion was made by Johnson, second by Bjergaard to approve the removal of the unclaimed checks from the city's books per the listing provided – all voted yes, motion carried.

**Transit Budget:** With the help of grants and funding from the state, Hartford started its transit system in January 2015. It is estimated that the city will spend under the amount budgeted for this program for 2015. Since the next transit budget year runs from Oct 1, 2015 thru Sept 30, 2016 and due to grant deadlines, the decision needs to be made now as to whether or not the city will provide funding for this program in 2016. City Administrator Sidel provided the council with information regarding the budget. The first component is in regards to this year's budget. ICAP, who the city has contracted with to manage the program, is requesting a \$3,000 increase in their contract amount for 2015 to cover added expenses due to additional grant requirements and state monitoring. With this increase, the city is projecting that it would still be under budget for this program 2015. The second component is approving the 2015/2016 budget. Two budget options were provided. One option includes adding 1 trip to Humboldt 1 day a week. The other option leaves service as it currently is with 3 days in Hartford and 1 day in Sioux Falls. The budgeted amount is slightly less for the city by adding the Humboldt trip due to the increased fares and possible increase grant funding. Ellie Sturdevant was present to speak in support of adding the trip to Humboldt one day a week. A motion was made by Johnson, second by Bjergaard to approve the \$3,000 increase to the 2014/15 transit budget for increase in the management contract and to approve budget option #1 which includes adding 1 trip per week to Humboldt – all voted yes, motion carried.

**Grass/Tree Branch Dump Site:** City Administrator Sidel provided the council a yearly breakdown of what the grass/tree branch dump site has cost the city since its inception in 2009. Costs have over tripled since the site was first started. It is the option of Deputy Terrones and city staff that some of the dumping is from people living outside of city limits. Signage has been placed at the site regarding illegal dumping but it appears it is still happening. Different control options, such as fencing and/or staffing of the site, were discussed. All of these options would hopefully deter illegal dumping but they would also cost money to implement. It is the consensus of the council at this time to have both day and night sheriff deputy's monitor the site more and to issue fines to all violators in the amount of \$200 per violation.

**Correspondence:** None

#### **Reports:**

**Chamber/HADC Director's Report:** Gary Sandholm was present to address the council regarding the recent activities with both the Chamber and HADC. An update was provided on different business recruitments. Jamboree Days went well. The Chamber has brought Matt Sebert on board for about 6 weeks to assist Chamber member with logos, advertising materials and related marketing functions. Matt will be majoring in Advertising with a minor in Marketing at SDSU. HADC is looking into ways to market Hartford with a big focus on spec buildings.

**City Engineer Report:** Mitch Mergen with Stockwell Engineers updated the city council on projects they are working on. Plans for the Mike Franken Trail project are still under review of the DOT. The contractor on the water main extension projects plans to start work in late Aug or early Sept. The contractor has completed water main & sanitary service work on the South Main Addition project with storm sewer being constructed later this summer. Reviews of the Becker site are ongoing. Survey work on the pool project has started and they will begin conceptual design work over the next several weeks. A proposal for services to conduct a floodway analysis of the creek that runs through Hartford was provided to the council for their review. Discussion was held regarding the importance of having such an analysis done. Joan Franken spoke in support of designating a floodway. A motion was made by Johnson, second by Bortnem to approve the agreement with Stockwell Engineers to conduct a floodway analysis of the creek that runs through Hartford at a cost of \$16,200 – all voted yes, motion carried.

**Public Works Superintendent Report:**

**Streets** – Mag water is scheduled for Thurs this week. Micro surfacing and crack sealing have been delayed due to the weather. Staff has been busy cleaning up branches and clearing branches from the drop off site. Staff has done some asphalt patching and plans on doing more throughout the summer. Mosquito spraying was done last week with more spraying to be done as needed.

**Water** – Samples results were good so staff was able to discharge pond 3. The next discharge will be in the fall or winter. Wagner will be sending quarterly reports to DENR. South Main Addition has the water main installed and their test results came back good.

**Park and Pool** – Staff has been cleaning up branches in the park as a result of storms. The repairs to the Welcome sign along Hwy 38 are done.

**Public Buildings** – Staff repaired a leak at City Hall.

**Finance Officer Report:** Wilber provided a highlight of revenues that were received during June along with the general fund revenues and expenses to date thru May. The second session of swimming lessons will start July 20<sup>th</sup>. The auditors were in the office June 23<sup>rd</sup> – 25<sup>th</sup>. The 2014 audit report will follow in a couple months. The calendar of events was provided to the council.

**City Administrator Report:** Sidel provided the council information from a meeting she attended regarding the Dakota Access Pipeline. This item will be place on the next agenda for further discussion. Sidel extended a “Thank You” to the WC Kare Program and the Park Rec kids for helping clean up sticks in the park after the June 21<sup>st</sup> storm. The annexation of the property at 801 S Western is moving forward. It will come before the P&Z Board on July 14<sup>th</sup>. City staff and engineers met with the Assam group to review the concept plan for their development. The developer has plans to start construction in the spring of 2016. Sidel reminded the council to look at their calendars as the date for the 2016 budget meeting will be set at the next council meeting.

After opening up the lifeguard position for hiring again, Sidel received and interviewed two candidates. She is recommending that the city hire both of the applicants, Danielle Johnston & Morgan Edwards, for the position. A motion was made by Johnson, second by Bortnem to hire Danielle Johnston & Morgan Edwards for the position of lifeguard at the rate of \$8.75/hr – all voted yes, motion carried.

**Adjournment:** A motion was made by Johnson, second by Bjergaard to adjourn at 10:15pm – 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