

City Council Meeting – Regular Meeting August 17, 2021

Mayor Jeremy Menning called the meeting to order at 7:00pm at Hartford City Hall with the following city council members present: Mark Monahan, Mark Brenneman, Arden Jones, LaVonne Randall, Travis Kuehl, and Mark O'Hara. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Engineers David Doxtad & Michael Redenbaugh and 8 people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jones, second by Randall to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Randall, second by Monahan to approve the special meeting minutes from Aug 2, 2021 – Brenneman abstained with all others voting yes, motion carried. A motion was made by Jones, second by O'Hara to approve the regular meeting minutes from Aug 3, 2021 – Monahan abstained with all other voting yes, motion carried.
- **Approval of the Bills:** A motion was made by Jones, second by Brenneman to approve the bills submitted for payment – all voted yes, motion carried.

PUBLIC COMMENTS: None

VISITORS: Ron Healy was present to visit with the council about constructing two multi-purpose fields at the Sports Complex. Currently, there is just under 205k in the Sports Complex account with the City. Healy is proposing these funds be used for this project, which would consist of fencing, ag lime for the fields, and minimal engineering costs. He indicated there would be volunteers to help with the labor. It was noted that the City has applied for a FEMA grant to construction a restroom/concession building at the Sports Complex and that the funds in the Sports Complex account have been earmarked for the City's portion of this project, should the grant be approved. The City has received no indication of when they will hear on the FEMA grant. It was suggested that this topic be revisited after the 2022 budget meeting, which is scheduled for Aug 30th. This will be an agenda item for the Sept 7th council meeting.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **Public Hearing & 1st Reading of Ordinance #713 Amend Zoning Regulations:** Currently the City's regulations prohibits the placement of fences or accessory buildings within a drainage easement or drainageway. As a result, these regulations restricts property owners use of their own land, creates unmaintained areas behind fences, and creates a liability for the City for private drainage issues. The Planning & Zoning Board is recommending approval of Ordinance #713, which would amend the City's zoning regulations to allow fences within all easements but states that the fence cannot impede the intended use of the easement. However, accessory buildings would still be prohibited within drainageways or on drainage easements. In addition, verbiage has been added to state that any fence or accessory building issues that arise between neighbors becomes a civil issue between property owners. A motion was made by Kuehl, second by Jones to approve 1st reading of Ordinance #713 to amend the zoning regulations on fences & accessory buildings – Monahan abstained, Randall voted no, and all others voted yes – motion carried.

REPORTS:

- **Fire Department Report:** Fire Chief Matt Horn was present to give a department update to the council. There was a total of 44 calls in July with 12 in city limits. Year to date calls for the department through July 31st are 248. Horn also provided an update on the various trainings held during the month of Aug.
- **Chamber & Economic Development Director Report:** Amy Farr's report was provided. Chamber work: continues planning and promoting upcoming events; continues work with each committee to add more members, events, and lunch & learns; had a great turnout for the annual Chamber Golf Tournament which was held Wed Aug 4th. HADF activities: working with ISG and task force on community development plan; continued efforts on RFI's and meeting with landowners/developers; Envision2025 meetings & retention efforts; continues work with SMGA. Farr has completed 3 years of a 4-year course to receive her certification with the Institute of Organization Management for Chambers of Commerce. She is requesting approval to attend this last year so she can get her certification. The training is Jan 5th-9th 2022 in Tucson AZ. Cost is estimated at \$3,245 for tuition, airfare, lodging and meals. Farr will be applying for some scholarship to help offset the cost – possible savings of around \$700. A motion was made by Monahan, second by Brenneman to approve Farr attending the IOM training in Tucson, AZ Jan 5th-9th 2022 – all voted yes, motion carried.
- **Engineer Report:** David Doxtad reported the following:
 - The review of the city's design standards is complete and proposed changes were approved by the Council.
 - Engineers have provided CIP cost estimates & breakdowns. Will continue to assist with CIP & budget as needed.

- The City had budget to repaint the water tower this year. This work has not been done so it will be included in the 2022 budget. Engineers are recommending hiring a 3rd party to inspect the tower immediately following painting and, in a year or two.
- Engineers have met with the DOT to get preliminary design information on the Western Ave interchange project scheduled for 2025. Engineers will start looking at concepts, options, and cost estimate to reconstruct Western Ave from the interchange to Mickelson Rd.
- Development work is ongoing: Western Meadows, Knapp's Landing & Turtle Creek Highlands.
- The Wastewater Feasibility Study is complete, and a final report has been provided. Meetings continue to be held with surrounding communities.
- Work continues on the community development plan, compiling summaries to show the feedback received from the community engagement meetings.
- A proposal in the amount of \$32,974 to prepare the Preliminary Engineering Report and Facility Plan for the new wastewater treatment facility was presented to the Council. The proposal also includes the NPDES permitting. This report is required by the State and will allow the City to apply for future funding for the facility. A motion was made by Kuehl, second by Randall to approve the proposal as presented – Monahan voted no with all others voting yes, motion carried.
- **Public Works Report:** Public Works Superintendent Wagner's report was provided.
 - Streets – Asphalt patching work will continue into the fall. Staff changed some sign locations to better designate school zone. Weekly street sweeping continues. The street painting needed after the slurry seal project on Mickelson Rd and the downtown area is now complete. Letters are being sent to homeowners regarding trimming boulevard trees. Mosquito spraying continues as needed. With school starting, the speed trailer has been placed on 2nd St by the schools.
 - Water – Meter change outs may be delays until more are received. They are currently on backorder with no timeline given. There are approximately 480 left to change out. Quarterly report is done with the next report due in Oct.
 - Sewer – DANR inspected the lagoons, lift stations and documents on Monday, which went well. Staff still needs to spray weeds around the ponds. The Mickelson Rd lift station generator is scheduled to be delivered Aug 25th.
 - Park – When time allows, staff will reassemble the recently refurbished playground equipment for Turtle Creek Park.
 - Public Buildings – Staff has finished painting the exterior of City Hall.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided. Items included cash balances, sales tax revenue and committee fund balances as of July 31st, a recap of bills submitted for payment and the calendar of events. It was noted that the pool closed for the season on Aug 15th. Wilber has completed the updates to the street maintenance fee roll, which will come before the council for approval in Sept. Reminder was given about the SDML annual conference. The registration deadline is Sept 24th.
- **City Administrator Report:** City Administrator Sidel's report was provided. Sidel reminded the council of the upcoming budget meeting on Aug 30th and the joint planning & zoning/city council meeting on Aug 31st. In the coming weeks Sidel will do a review of this year's budget and put together the supplement appropriation ordinance. There are no new updates on the outstanding grant applications. In Sept a new fees/finances ordinance will be presented to the council. Also, the council will have to have discussions on the ARP funding. We are currently advertising for the liquor license RFP. The deadline to submit is Oct 12, 2021. Sidel has drafted letters to get insurance quotes from 4 different agencies – one being SDPPA, who the City is currently with, along with two local insurance agents and one agent from Sioux Falls. A motion was made by Kuehl, second by Brenneman to approve Sidel getting insurance quotes from 4 different agencies – all voted yes, motion carried. A recap report of this year's summer park rec program was provided by program director Laura Johnson. They had a great season with 105 kids register and expenses came in under budget.

NEW BUSINESS:

- **Review/Approve Final Changer Order & Pay Request for 9th Street Project:** With the completion of the 9th Street project, Stockwell Engineers has reviewed the final paperwork and is recommending approval.
 - Change Order #1 is a deduction of \$27,736.19 for quantity modifications and an invoice that City paid for extra density testing done. A motion was made by Monahan, second by Kuehl to approve changer order #1 as presented – all voted yes, motion carried.
 - Final Pay application #5 for \$41,908.03 was presented. A motion was made by Monahan, second by Brenneman to approve pay application #5 to Zacharias Construction, Inc. in the amount of \$41,908.03 – all votes yes, motion carried.
- **Unclaimed Property:** Under the direction of our Auditor, the City addresses any uncashed checks over 180 days old. Letters are sent to the payees and checks are reissued if need be. If no response is received and the check is under \$50, the City can adjust these checks off the books. The City had 4 outstanding check and 3 have been resolved leaving one check unclaimed. A motion was made by Randall, second by Jones to remove unclaimed check #2974 in the amount of \$43.15 from the City's books – all voted yes, motion carried.

- **Park Board Discussion Regarding Roll of Current Committees:** With the implementation of the Park & Recreation board, there has been discussion as to what, if anything, will happen to the Hartford Area Sports & Rec Committee and the Bike/Rec Trail Committee. The Park & Recreation board has been established as an advisory board to the council. They will now vet all capital improvement projects involving the park system and bring them to the council, rather than each committee coming to the council. HASR has indicated that their group will stay intact. They feel they fill a need that the new Park & Recreation board won't in regard to fund raising, donations, etc. It is the consensus of the council to leave the decisions up to each committee as to if they want to stay intact or not.
- **Review/Approve Intergovernmental Agreement with Lennox:** Currently the City employs a part time building inspector and a part time code enforcer who's working hours are nights and weekends. In an effort to have these positions available during the day, the City is considering hiring a full-time position who would be both the building inspector and code enforcer and share this position with another community. The City of Lennox has shown interest. As proposed, the City of Hartford would be the employer of record and carry all insurance on the employee and process their payroll. The employee would have set hours for each community and the City of Lennox would be billed for their share of the payroll costs. Sidel attend the City of Lennox's last council meeting and reports that they are ready to move forward. A motion was made by Kuehl, second by O'Hara to approve the Intergovernmental Agreement with Lennox as presented. Further discussion was held on finding a qualified individual to do both job duties. Some thought combining the two might not be the best fit. Brenneman called the vote. Monahan and Randall voted no with all others voting yes – motion carried.
- **Cannabis Update – Approve Joint Meeting w/ P&Z Board on Aug 31, 2021:** At the Aug 10th Planning & Zoning meeting the board discussed regulations that need to be put in place for the new Cannabis law. Sidel has since met with City Attorney Frieberg to review what was discussed. Frieberg will be drafting a zoning cannabis ordinance as well as an ordinance to set the licensing/fee requirements. These ordinances will be presented at the Aug 31st joint meeting. A motion was made by Kuehl, second by Randall to approve the joint Planning & Zoning/City Council board meeting on Aug 31, 2021 – all voted yes, motion carried.

CORRESPONDENCE: None

EXECUTIVE SESSION: A motion was made Kuehl, second by O'Hara to enter executive session pursuant to SDCL 1-25-2(1) for personnel and SDCL 1-25-2(3) for legal at 8:47pm – 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 Brenneman, second by O'Hara to exit executive session at 8:52pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Brenneman, second by Monahan to adjourn at 8:53pm – 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