

## **City Council Meeting – Regular Meeting August 18, 2015**

Council President Doyle Johnson 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, Bill Haugen and Scott Nelson. Mayor Bill Campbell was absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner and City Engineer Mitch Mergen.

**Approve Agenda:** A motion was made by Nelson, second by Bjergaard to approve the agenda as set - all voted yes, motion carried.

**Approve Minutes of August 4, 2015 Regular Meeting:** A motion was made by Nelson, second by Monahan to approve the Aug 4, 2015 regular meeting minutes – Councilman Haugen noted that he objected to the inclusion of non-actionable political information under the Visitor section of the Aug 4, 2015 minutes. Bortnem and Bjergaard abstained; Johnson, Monahan and Nelson voted yes; and Haugen voted yes with objection noted, motion carried.

**Approval of the Bills:** A motion was made by Bjergaard, second by Bortnem to approve the bills submitted for payment – all voted yes, motion carried.

**Visitors:** Tony Randall asked for clarification of who voted on approval of the Aug 4<sup>th</sup> minutes and which way they voted. Council President Johnson confirmed that himself, Nelson, Haugen and Monahan voted yes; Bortnem and Bjergaard abstained.

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

**2<sup>nd</sup> Reading of Ordinance #622 – Amend Off-Street Parking Ordinance for Commercial Vehicles:** Ordinance #622 was provided to the council for their review. This ordinance will amend the current Ordinance #611. Ordinance #611 prohibits, except for certain instances as noted in the ordinance, the parking of commercial vehicles on city streets or residential property leaving no place for commercial vehicles to be parked. Ordinance #611 conflicts with the City's zoning Ordinance #575 in regards to off-street parking of commercial vehicles. The zoning ordinance states that commercial vehicles can be parked within NRC or residential districts with a limit of 2 vehicles per resident, the vehicle must be owned or operated by the occupant of the dwelling, and it cannot be a solid waste collection vehicle, tractor and/or trailer truck, dump truck, cement-mixer truck, wrecker over 18,000 pounds, or similar vehicles or equipment. The proposed amendment to Ordinance #611 will add that there will be no parking of commercial vehicles on residential property unless it conforms to the city's zoning regulations for off-street parking. A motion was made by Haugen, second by Bjergaard to approve 2<sup>nd</sup> Reading of Ordinance #622 – Amend Off-Street Parking Ordinance for Commercial Vehicles – all voted yes, motion carried.

### **Old Business:**

**Review of Cost Estimates to Record/Broadcast City Council Meetings:** City Administrator Sidel has done some pricing of audio/video equipment that would be needed if the city should decide to record its council meetings. Sidel estimates that the cost to purchase the needed equipment would be \$400 to \$500. Sidel has confirmed with GovOffice, the host of the city's website, that we have the capability of uploading audio and video to the website, if need be. A motion was made by Monahan, second by Nelson for City Administrator Sidel to use her discretion to buy the needed audio/video equipment not to exceed \$800 – Haugen voted no with all others voting yes, motion carried.

**Becker Site Update and Review:** Mr. Becker, along with his engineer Perry Kolb, was present to address the council. They gave an update on the site work being completed at the 6-plex project located at 301 E 5<sup>th</sup> St. Mr. Becker's building permit expired on July 29, 2015. As a result of this, Mr. Becker is receiving a \$100 per day fine retroactive to July 29, 2015 until such time when city engineers signs off on the project as being completed. At this time Mr. Becker was requesting that the council reconsider their previous decision. He explained that due to the wet weather and scheduling problems, the site work portion of the project has been delayed. A motion was made by Nelson to grant Mr. Becker 50% forgiveness on the imposed fine if city engineers signed off on the project as being complete by Aug 31, 2015 and if this deadline is not met the original fine will be imposed. Motion failed due to lack of a second.

**Update on Purchase Agreement Between HADC & Jim Johnson:** City Administrator Sidel gave the council an update on the pending purchase agreement between the HADC and Jim Johnson. Mr. Johnson, along with Justin

Eich of the HADC and Mayor Campbell, have met and discussed the proposal to build 2 energy efficient homes on the lots located on Vandemark Ave. City Attorney Nelson is in the process of drafting the agreement.

**New Business:**

**Land Purchase Proposal – Hartford Farmers Elevator:** The Hartford Farmers Elevator has submitted an offer to the city to purchase the city owned lots located at the SE corner of 1<sup>st</sup> St & Main Ave. The offer was reviewed by the council. A motion was made by Monahan, second by Haugen to decline the purchase offer submitted by Hartford Farmers Elevator for lots 6, 7 & 8 of Block 4 of the Original Town of Hartford – all voted yes, motion carried.

**Mayor & City Council Expenditure Policy:** Councilman Monahan address the council regarding the recent remodel of the Mayor’s office at city hall. This remodel, which was paid for out of the general fund, cost \$1,156.14 for all supplies & labor. Monahan feels that a policy needs to be put into place regarding spending of city funds by elected officials. Further input was received from other council members. A motion was made by Monahan, second by Nelson for City Administrator Sidel to draft a policy stating that elected officials cannot spend money out of the general fund without city council approval – Monahan and Nelson voted yes with Bjergaard, Bortnem, Haugen and Johnson voting no – motion failed.

**Discussion of Mayor Correspondence:** Councilman Monahan addressed the council regarding a recent letter from Mayor Campbell that was sent to some residents in Hartford. Monahan’s position is that the statement from Mayor Campbell’s letter that reads “Recently the City Council voted to eliminate the position of Chamber & Economic Development Director (EDD) from the City payroll” is not an accurate statement. The entire council did not vote to eliminate the position. The vote was split, 3 yes votes and 3 no votes, with the Mayor breaking the tie voting to eliminate. Monahan reiterated that the Mayor does not represent the entire city council. Councilman Haugen stated that Mayor Campbell’s statement was correct in light of the collective definition of the mayor and council as provided under the municipal code of the South Dakota Codified Law. Haugen also stated that this item is not city business and this is not the time to discuss. Councilman Nelson stated that to him this is an ethical matter and that the Mayor needs to respect the position of the entire council and their individual votes.

**James Uttecht Proclamation:** A group of West Central School District fans, parents and teachers have requested that, in conjunction with the dedication and renaming of the football field to Coach Jim Uttecht Field, that Aug 28, 2015 be proclaimed Coach Jim Uttecht Day in the City of Hartford. On behalf of Mayor Campbell, Council President Johnson read the Proclamation proclaiming August 28, 2015 as Coach Jim Uttecht Day.

**Correspondence:** Councilman Johnson shared a card the city received from Gary and Loretta Sandholm thanking the city for remembering them during the recent passing of Loretta’s mother.

**Reports:**

**City Engineer Report:** Mitch Mergen with Stockwell Engineers updated the city council on projects they are working on. Stockwells has attended pool committee meetings to present design plans. Stockwells has been providing city staff information needed for the 2015 budget along with updating the current CIP. Work on the water main extension project is scheduled to start late Aug or early Sept. The contractor has completed the curb, gutter and gravel installation on the South Main Addition project. Asphalt paving is expected this fall. Environmental clearances are still pending on the plans for the Mike Franken Trail. Stockwells presented the council a change order on the micro surfacing project. The original scope of this project came in under budget. City staff decided to add more streets to the project. This change order is the additional cost to do those streets. Including the change order, the project is still under the budgeted amount. A motion was made by Bjergaard, second by Bortnem to approve changer order #1 in the amount of \$32,128.06 from Missouri Petroleum Products Company, LLC – all voted yes, motion carried. Stockwells presented pay application #4 on the East Diamond Trail project to the council. This is the final pay app. All punch list items have been completed and Stockwells recommends payment of this final pay app to the contractor. A motion was made by Haugen, second by Bjergaard to approve the payment of pay application #4 in the amount of \$21,210.88 to Zacharias Construction, Inc. – all voted yes, motion carried.

**Public Works Superintendent Report:**

**Streets** – Staff has finished up street patching for the summer. Crack sealing is done. Staff is planning on painting the crosswalks and striping the streets next week. In the coming weeks staff will be working on curb and sidewalk repairs. Tree trimming continues. Mosquito spraying continues as needed.

**Water** -- Staff has finished up adding all water meters to the GPS system. In the coming weeks staff will be working on water valves, flushing and servicing hydrants, flushing manholes & cleaning storm sewer inlets.

**Park and Pool** -- The ag-lime and dirt piles at the Sports Complex have been cleaned up. The contractor is planning on finishing the crack sealing of the Turtle Creek bike trail and sand sealing of the Mike Fitzmaurice bike trail next week.

**Public Buildings** -- Staff has been working on gathering information for the 2016 budget.

Wagner extended a Thank You to the Modern Woodsmen for their donation of \$500 to go towards trees for the park.

**Finance Officer Report:** The finance officer report was presented to the council. The report included a summary of cash balances and sales tax figures through July 31, 2015. Also included was a summary of funds available for each city committee and a highlight of bills to be paid. Wilber reminded the council of the upcoming budget meeting set for Aug 26 at 7pm. The calendar of events was also provided to the council.

**City Administrator Report:** The annexation paperwork for the property at 801 S Western Ave has been sent to the county. Once the annexation becomes effective on Aug 19<sup>th</sup>, the city can move forward with rezoning the property to a city zoning classification. Sidel met with the, city staff, city engineers and members of the pool committee to review design options for the new wading pool. The project is expected to bid this fall with construction to begin in the spring with the hope of having the project completed by early July. Sidel informed the council that since the East Diamond Trail project is now complete; the old section of East Diamond Trail will need to be vacated. Sidel will proceed with this in the coming weeks.

**Adjournment:** A motion was made by Haugen, second by Bjergaard, to adjourn at 8:11 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.

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Karen Wilber, Finance Officer