

City Council Meeting – Regular Meeting August 19, 2014

Mayor Paul Zimmer called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Mark Monahan, Scott Yount, Scott Nelson, Bill Campbell, Doyle Johnson and Gail Olson-Duck. 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 Johnson, second by Nelson to add the item of Temporary Campground for Bike Week to the agenda – all voted yes, motion carried. A motion was made by Olson-Duck, second by Johnson to approve the agenda with said changes - all voted yes, motion carried.

Approve Minutes of Aug 5, 2014 Regular Meeting: A motion was made by Johnson, second by Yount to approve the Aug 5, 2014 regular meeting minutes with the change under New Business – Renewal of Chamber Billboard Rental: the sentence that reads “A *subsequent* motion was made by Campbell” should be changed to “A *substitute* motion was made by Campbell” – all voted yes, motion carried.

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

Visitors: None

Ordinances, Resolutions & Hearings:

2nd Reading of Ordinance #614 – Rezone Lot 18, Block 2 of Ginsbach Addition from Residential to

Community Commercial: Dennis Bossman has submitted a rezone application to change the zoning of Lot 18, Block 2 of Ginsbach Addition from Residential to Community Commercial. Mr. Bossman has indicated that he has had this property for sale for several years with few offers. He is requesting the rezone to pursue possible resale of this property for commercial development. Rebecca & Paul Westhoff were present to address the council regarding their opposition to this rezone. They feel that the rezoning of this property to community commercial would decrease the property value of their home and others in the neighborhood. Brandon Martens, a realtor with Hegg Realty, was also present on behalf of the Westhoff’s to also speak of the negative impact this rezone would have on Westhoff’s property. Terry Hagen, who is in favor of the rezone, was also present to address the council. Mr. Hagen stated that Mr. Bossman has had this lot on the market for 24 year and has not been able to sell it. Brad Bjergaard, who is a member of the Planning & Zoning board, was also present to address the council. He indicated he supports this rezone as he voted in favor of it when it came before their board. A motion was made by Monahan, second by Olson-Duck for the denial of 2nd reading of Ordinance #614 – Rezone of Lot 18, Block 2 of Ginsbach Addition from Residential to Community Commercial – Olson-Duck, Yount and Monahan voted yes in favor of denial with Campbell, Johnson and Nelson voting no against denial. Mayor Zimmer voted yes in favor of denial to break the tie – motion carried for the denial of Ordinance #614 .

2nd Reading of Ordinance #616 – Prohibited Parking Amendment: Ordinance #616 was presented to the council for their review. This ordinance incorporates a 20ft no parking zone at intersections and/or the use of yellow marking paint to distinguish no parking areas. A motion was made by Johnson, second by Monahan to approve 2nd reading of Ordinance #616 – Prohibited Parking Amendment – all voted yes, motion carried.

2nd Reading of Ordinance #617 – Speed Restrictions: The State is requiring all cities to comply with the changing of their regulatory signs to reflective by 2015. The City has entered into an agreement with the State where the State will change out the regulatory signs at no cost and the City will be responsible for the maintenance of the signs. As part of the program the City needs to update its ordinance to reflect all current speed limits throughout town. Ordinance #617 provides for this update. A motion was made by Monahan, second by Olson-Duck to approve 2nd reading of Ordinance #617 – Speed Restrictions – all voted yes, motion carried.

Resolution 2014-5 – Approval of LWCF Grant Application Submission – Review Project Costs: The Pool Committee has received approval from the council to apply for the LWCF Grant. The cost estimate of the project was reviewed. Upon review, it was determined that no engineer costs have been included in the cost estimate. One of the requirements of the grant is that this project must be engineered. City Engineer Mitch Mergen has done a

brief overview of the plan and feels that the cost estimate may be understated. A motion was made by Johnson, second by Nelson to table the enacting of Resolution 2014-5 – Approval of LWCF Grant Application Submission until the next meeting to allow city engineers time to review the plans and draft a cost estimate of the pool project and for City Administrator Sidel to complete a grant application for both the pool and sports complex projects – Olson-Duck voted no, with all others voting yes, motion carried.

Old Business:

Discussion of Chickens/Livestock within the City: Currently, in order to have any livestock within city limits, a special permit issued with City Council approval is required. A motion was made by Monahan, second by Olson-Duck to draft an ordinance banning all livestock within city limits and only allowing common household pets as stated in the current ordinance. A substitute motion was made by Johnson to ban pot-belly pigs and ferrets as common household pets – no second was received on the motion, motion failed. Vote was taken on the first motion – all voted yes, motion carried.

New Business:

End of Season Pool Report: Amy Sebert was present to report on the pool season. There were five returning life guards and four new lifeguards this season. Attendance at the pool this year was lower due to the cooler temps and rainy days. 265 season passes were sold and 24 pool parties were booked throughout the season. Barb Thaler held a training session for pool staff before the season began and also conducted several drills throughout the summer. Three sessions of swimming lessons were held throughout the summer.

Review of Rescue Procedure for Pool Personnel: The current rescue procedure for pool personnel was discussed. Discussion was held regarding a rescue vs. recovery and if the current procedure needed to be amended to incorporate what pool personnel should do in a recovery situation. It is the consensus of the council that a section be added to the current policy that addresses the steps that need to be followed in a recovery situation. Sidel will make the amendments to the current policy and present at the next meeting.

Discussion of Downtown Committee Dissolution and Transfer of Funds within the General Fund: Mayor Zimmer addressed the council in regards to the Downtown Committee. Currently, this committee has no members and is not meeting at this time. It is the suggestion of the Mayor that a portion of the funds in the committee account be transferred within the General Fund to put towards projects that need to be done yet this year. A motion was made by Monahan, second by Johnson to transfer \$9,000 from the Downtown Committee Fund to the General Fund – all voted yes, motion carried.

Mayor Appointment to Emergency Planning Committee: Mayor Zimmer recommended the appointment of Councilmember Mark Monahan to the Emergency Planning Committee. A motion was made by Nelson, second by Olson-Duck to approve the Mayor's appointment of Mark Monahan to the Emergency Planning Committee – Monahan abstained with all others voting yes, motion carried.

Temporary Campground for Bike Week: Gary Sandholm was present to address the council. Next summer will be 75th anniversary of the annual Sturgis Bike Rally. There are estimates that more than 200,000 bikers will be in attendance over the week of the rally. Sandholm feels that Hartford is in a great location to take advantage of the possibility of generating extra revenue for the city by hosting a campground during bike week. Sandholm is looking for direction from the council as to whether this is something they think he should research further. After further discussion by the council it is the consensus of the council that Sandholm visit with private landowners about the idea. They feel the city isn't in a position to take on this project but would be interested in a supporting role if a private landowner chose to move forward with this idea and not at the expense of the city.

Correspondence: None

Reports:

City Engineer Report: Mitch Mergen, with Stockwell Engineers, updated the city council on projects they are working on. Work has started on the fencing project at the Sports Complex. All punch list items on the West Diamond Trail project have been completed. The final pay app from D&G Concrete Construction, Inc. was provided to the council. A motion was made by Monahan, second by Yount to approve the payment of the final pay application on the West Diamond Trail project to D&G Concrete Construction, Inc. in the amount of \$7,724.43 – all

voted yes, motion carried. Design work on Phase 3 & 4 of the bike trail will start once all legal documents regarding the easement granted by West Central School have been executed. Stockwells has performed inspections on Phase 3 of Kelly Point Development. The top lift of asphalt is expected to be placed in the coming weeks. Stockwells has assisted city staff with updates to the CIP and 2015 budget planning in regards to future projects. Two different design option for East Diamond Trail were presented to the council. One option would involve the purchasing of land from a neighboring property owner. A motion was made by Monahan, second by Nelson to table this item until the next meeting to allow the neighboring property owner time to present a purchase price for the land in question to the city – all voted yes, motion carried.

Public Works Superintendent Report:

Streets – Highway Improvements has started crack sealing and expected to finish this week. Staff will continue to work on street patching and concrete work. Crosswalks and center lines will be painted this week. Action Electric is scheduled to remove the light poles along Hwy 38 and install the temporary lighting. Culvert work has taken place on Western Ave and Jennifer Dr. Wagner continues to work with Ulteig Engineering on the sign replacement project. Work continues with the City of Sioux Falls on trapping & counting mosquitoes to provide information to the State.

Water – The clay sewer pipes have been inspected and look good. Wagner is completing the application for Surface Water Discharge Permit for submission to DENR. Samples will be collected over the next few weeks. Staff is working to clean out and lower water main valves before winter.

Park and Pool – Winterizing of the pool will be done as time allows. Once the fencing contractor is done at the Sports Complex city staff will begin their portion of the work along with the help of volunteers.

Public Buildings – Wagner plans to start on the shop addition in the coming weeks.

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, 2014. Also included was a summary of funds available for each city committee and a highlight of bills to be paid. Wilber reminded the council that the budget meeting is scheduled for Aug 27th at 6pm. The calendar of events was also provided to the council.

City Administrator Report: Sidel reported that the city now has ownership of parcel #23672 & 23673. Sidel is working with the city attorney and the previous property owners in regards to the trailers still on the property. The West Central School Board has agreed to give the city a permanent easement for the re-routing of the bike trail. Once all documents have been reviewed and executed, work on the trail will proceed. Superintendent Jeff Danielson has indicated that due to the conditions of the soccer fields at the Sports Complex, they have elected not to use the fields this year. Barb Thaler, recent winner of the Power of Hope Award, has decided to donate a lifeguard chair to the city with the funds that were awarded to her.

Committee Reports by Liaison:

Mark Monahan – Bike/Rec & Fire Department: Monahan thanked the West Central School Board for their decision to grant the city a permanent easement for the re-routing of the bike trail. Monahan also extended a thank you to the Bike & Rec Trail Committee for the good job they've done.

Scott Yount – Swimming Pool: The Pool Committee is working on information for the LWCF grant application. The next meeting is Aug 25th 7pm Pizza Ranch.

Bill Campbell – Sports Complex: The Sports Complex Committee met on Aug 13th. The committee volunteers are ready to help on the fencing project once city staff is ready to start the work. The committee has also been working on prepping for the upcoming budget meeting.

Gail Olson-Duck – Jamboree Days & Hometown Christmas: Nothing to report.

Doyle Johnson – Downtown: Nothing to report.

Scott Nelson – HADC & Chamber: Nelson has attended weekly meetings for both the Chamber & HADC. The Chamber is having a membership drive. Nelson thanked all members who worked the Chamber/HADC booth at the Turner County Fair. Nelson also extended a thank you to Barb Thaler for the lifeguard chair.

Mayor's Report: Mayor Zimmer thanked the West Central School Board for their cooperation in working with the City and the Bike & Rec Trail Committee. He also extended a thank you to Todd Lowe for the recent emergency training session he conducted for the council and city staff.

A motion was made by Olson-Duck, second by Monahan to enter into executive session at 9:12 p.m. – all voted yes, motion carried.

A motion was made by Monahan, second by Johnson to exit executive session at 9:21 p.m. – all voted yes, motion carried.

A motion was made by Monahan, second by Olson-Duck to grant Craig Wagner the use of 10 days sick leave from Oct 13, 2014 to Oct 24, 2014 in order to accompany Doni Rolfson during her upcoming surgery – all voted yes, motion carried.

Adjournment: A motion was made by Monahan, second by Olson-Duck, to adjourn at 9:22 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