

Hartford City Council Meeting – Regular Meeting August 6, 2024 rescheduled to August 7, 2024

Mayor Arden Jones called the meeting to order at 7:00pm with the following city council members present: Cindy Matson, Shaun Boen, Ryan Horn, Travis Kuehl, Lisa Berens, and Jake Jass. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Economic Development Director Amy Farr, City Attorney Austin Felts, City Engineer Justin Heim, and 8 people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jass, second by Boen to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Matson, second by Berens to approve the meeting minutes from July 16, 2024 - all voted yes, motion carried.

PUBLIC COMMENTS: None

VISITORS: Summer Rec Program Director Laura Johnson was present to give a review of this year's program. The program, which was held July 8th through August 2nd with 103 kids registered, came in under budget and was a great success again this year. Johnson thanked her staff, Kathy O'Hara and Emma & Andrew Rajewich, who did an awesome job, and the City for funding this program for the youth of Hartford.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Public Hearing on Zoning Amendments:**
 - **2nd Reading of Ordinance #753 – Zoning Regulations for Shouses:** Currently the City does not have any specific regulations in place for shouses so they would be allowed if they followed our current regulations for residential structures. After review by the Planning & Zoning board, it was decided that additional regulations be put in place. Ordinance #753 would allow shouses in a residential district as a conditional use, which would require review and approval by the Planning & Zoning Board. The ordinance also set minimum building requirements for this type of structure. Lot requirements, such as lot area, setbacks, and height, of our current regulations for residential district would still need to be followed. A motion was made by Matson, second by Horn to approve 2nd reading of Ordinance #753 Zoning Regulations for Shouses – all voted yes, motion carried.
 - **2nd Reading of Ordinance #754 – Zoning Regulations for Tiny Homes:** Currently the City does not have any specific regulations in place for tiny homes so they would be allowed if they followed our current regulations for residential structures. After review by the Planning & Zoning board, it was decided that additional regulations be put in place. Ordinance #754 would allow tiny homes in a residential district only as a pocket neighborhood and only as a conditional use, which would require review and approval by the Planning & Zoning Board. The ordinance also set minimum building requirements, lot requirements, setback requirements, and also provides regulations for pocket neighborhoods. A motion was made by Jass, second by Horn to approve 2nd reading of Ordinance #754 Zoning Regulations for Tiny Homes – all voted yes, motion carried.
- **1st Reading of Ordinance #755 – Amend Chapter 4.03 Transient Merchants, Peddlers:** At the last meeting the Council discussed Peddler Licenses. Currently, the City has regulations in place that allows for peddlers, if they obtain a license from the City. The license fee is \$50 and allows for up to 5 people on the license and is good for 30 days. The decision was made to increase the license fee to \$25 per person per day with a 30-day limit. Ordinance #755, which incorporates this change, was presented. Discussion was held on what days/hours peddlers be allowed and what the fine would be if in violation of the regulations. As currently written, peddlers would be allowed Monday through Saturday between the hours of 9am and 8pm. There is no specific fine spelled out in this section of the ordinance so it would follow Chapter 12.01 of the ordinance which states if there isn't a specific fine stated, an offense would be punishable by a fine not to exceed \$200. A motion was made by Boen, second by Horn to approve 1st reading of Ordinance #755 Amending Chapter 4.03 Transient Merchants, Peddlers as presented – all voted yes, motion carried.
- **Resolution 2024-9 Updated General Assessment Policy:** Annually the City's General Assessment Policy is reviewed. Currently, any assessments for water improvement, sanitary sewer improvement or new streets/sidewalks is the actual cost of the improvement per lineal foot. For existing streets/sidewalks, the assessment is the actual cost of the improvement not to exceed \$225 per lineal foot. Engineers have provided a current cost estimate of \$390 per lineal foot on street construction. At the July 16th meeting, discussion was held on changing the amount for existing street assessments from \$225 per lineal foot to \$250 per lineal foot. Resolution 2024-9 which incorporates this increase, was presented. A motion was made by Kuehl, second by Boen to table this item until the next meeting – all voted yes, motion carried.

REPORTS:

- **Sheriff's Department Report:** Deputy Kardas was present to provide his report. For the month of July there were 234 calls for service, which is an increase of 28 calls from the prior month.
- **Economic Development Report:** EDD Amy Farr provided her report. Work continues on the N Oaks Industrial Park development. There has been interest in the lots with one closing to happen in the next couple of weeks. The covenants for the park are being reviewed by the attorney. Farr continues to work with DNAR on wetland areas of the industrial park. HADF intern Jordan Christensen's last day was today. Jordan did an excellent job while she was here. The Finance Committee has submitted their budget request for 2025 to the City. The Construction Committee continues to meet with engineers and the contractor doing the N Oaks project. The new community guide has been mailed. Farr continues to meet with parties looking to locate in Hartford. Farr participated in the pre-budget tour held on July 31st. The HADF is currently accepting applications for 4 open board positions. One resignation was received, and three terms will be ending in Dec. Applications are due Oct 1st.
- **Chamber Director Report:** Chamber Director Wynne Hindt was not present. Her report was provided. The Ambassador Committee has started planning Gratitude Day to be held in October. The committee also continues with pop in visits with other chamber members. The Events Committee is reviewing recently held events - the Block Party and Golf Classic - to evaluate successes or things to do better. There will be a direct mailer going out promoting upcoming fall events. The Career Fair will be Sept 5th. WC juniors and seniors will be invited to attend. A strategic planning session is scheduled for Sept 19th/20th. Marketing sessions have been held focusing on promoting the "Live Lively" tag line. Hindt attended a Chamber Director Peer session in Chamberlain as well as a Zoom call put on by the SD Retailers Assoc regarding IM28.
- **Engineer Report:** Justin Heim reported the following:
 - Engineers continue to work with Staff on the revised design standards and subdivision regulations based on comments for the Planning & Zoning board. Further discussions will be held with the P&Z Board at their Aug 13th meeting.
 - Have completed 4 plan reviews and provided comments.
 - There are still remaining punchlist items on the 6th/Mundt project. It is the consensus of the Council that this project need to get wrapped up. The remaining punchlist items will be reviewed and corrected by City staff with final payment to the contractor being adjusted accordingly.
 - As Engineers wait for final approval form DNAR on the Hwy 38 Water Main Extension project, they continue to advertise for bid with the bid opening scheduled for Aug 28th. As scheduled, construction will start this fall with completion in the spring of 2025.
 - At the WRRF site, now that all structural concrete of the Aeromod tanks has been completed, the installation of the walkways along the top of the structure and the process piping has begun. In preparation for the construction of the floor slab at the operations building, mechanical and electrical conduits have been installed as work continues on the installation of risers and utility stubs. Work on the gravity main west of Mickelson Rd is scheduled for Sept 23rd – Oct 14th. This work will result in the closing of Mickelson Rd at Hwy 38. Signage will be posted well ahead of the closure to notify residents.
 - **Review/Approve Pay Request #10 for WRRF:** Pay app #10 from Rice Lake Construction Group for work completed through July on the WRRF was presented. A motion was made by Horn, second by Boen to approve payment of pay app #10 in the amount of \$916,676 to Rice Lake Construction Group – all voted yes, motion carried.
 - Discussion was held on the West Central School project.
- **Public Works Report:** Public Works Superintendent Wagner provided his report.

Streets – Slurry seal, mag water, and crack sealing have been done. Staff will work on patching this summer and fall. Wagner continues to stay in contact with SVE regarding lighting on Hwy 38 at the Colton Rd. Mosquito spraying continues twice a week. Staff removed a damaged boulevard tree in preparation for the new one. There is one more tree that is in a pot for now as the location to be planted is under construction.

Water – The 2nd quarter report has been submitted. Next reporting is due Oct 10th.

Sewer – All lift station pumps are working well. Staff continues to do maintenance on the bar screen. The June DMR reports are completed and have been sent. The next report is due Aug 28th. Discharging at the lagoons is done for now.

Parks – The concrete for the pickleball courts is done. The fencing has been ordered. JANCO will apply the surfacing once the concrete has cured.

Sports Complex – The footings for the new restroom/concession building are done. Work on the frost walls is expected to start this week.

Training – Wagner has requested the he and Hanisch attend this year's SD Water and Wastewater Annual Conference, which will be held Sept 11th – 13th in Deadwood. A motion was made by Kuehl, second by Jass to approve Wagner and Hanisch attending the SDWWA conference Sept 11th – 13th – all voted yes, motion carried. Wagner will leave Sept 10th to attend the Operator Certification Board meeting as he is a board member.

- **Finance Officer Report:** City Finance Officer Wilber provided her report. Items included a summary of revenues received in July along with an overview of the city's general fund revenues and expenses through June. Wilber noted that the SDML annual conference will be held in Sioux Falls this year running Oct 8th – 11th. Anyone interested in attending should contact her and she will get them registered. The August calendar of events was provided.
- **City Administrator Report:** City Administrator Sidel provided her report. The City was approved for the REED loan for the Western Ave Improvement project. On the 12th/Oaks project road work continues, sewer work is close to complete, and the work on the water has started. The Dakota Mainstream board has approved a dues structure of their members. The yearly dues will be a base amount of \$3,000 plus \$.25 per person per service line as reported by DANR. The cost to Hartford, if we continue to be a member, would be \$3,849 in 2025 and approximately \$1,283 this year as they will prorate. Nathan Sanderson, executive director of the SD Retailers Assoc, will be present at the next meeting to discuss IM28 and the consequences to municipalities if this measure passes. Councilmember Boen suggested also inviting someone pro-IM28 to talk as well. Sidel is in the process of getting a quote on AV upgrades for the council room. Once received, the information will be presented to the Council. Wastewater regionalization discussions are ongoing.

OLD BUSINESS:

- **Review Invoice from Hartford Township:** Hartford Township has submitted an invoice to the City for the cost of gravel that was placed along 261st St earlier this year. The city limits border this township road on the north side. The City was not contacted by the Township about cost sharing this expense prior to the work being done. At the last meeting the decision was made to hold off paying this invoice until staff has a discussion with the Township about the City's upcoming water project that will involve crossing E 2nd St, which is a township road. Wagner attended the township meeting on Aug 6th. The Township would like to discuss this further with the Council and plans to attend the next council meeting on Aug 20th. A motion was made by Jass, second by Berens to table this item until the next council meeting – all voted yes, motion carried.
- **Discuss Safety Concerns at Vandemark Ave/Par Tee Dr Intersection:** At the July 2nd meeting several concerned citizens that live in the neighborhoods by the intersection of Vandemark Ave & Par Tee Dr were present to address their safety concerns with at this intersection. Currently, there are stop signs from each direction on Par Tee Dr but the traffic on Vandemark Ave does not stop. Residents have witnessed speeding along this roadway as well as an increase in traffic in general. At the direction of the Council at that meeting, current traffic data was collected during the time frame of July 9th to July 30th. The traffic reports were presented for review. As at the July 2nd meeting, there were residents present again to voice their concerns. Vandemark Ave is an arterial road within the city, and it is also in the middle of a neighborhood area, making this a rather unique situation. The school bus stops near this intersection, requiring children to cross Vandemark Ave. Discussion was held on the pros/cons of implementing an all-way stop at this intersection as well as crosswalks. Patrolling in this area was also discussed. A motion was made by Boen, second by Jass to add stop signs on Vandemark Ave in each direction at this intersections, making in an all-way stop and also adding two crosswalks crossing Vandemark Ave on the north side of the intersection and the south side of the intersection – all voted yes, motion carried. Wagner indicated that in addition to the new stop signs, staff will also install Stop Ahead signs in both directions on Vandemark Ave and flags all new signage. Councilman Kuehl requested that the traffic counters remain out in this area to continue to gather data in an effort to see if the additional stop signs are resolving the speeding problems.
- **Reschedule 2025 Budget Meeting:** At the July 2nd meeting the Council set the 2025 budget meeting for Wed Aug 28th at 6pm. Due to a staff conflict with this date, the date of Mon Aug 26th was discussed. A motion was made by Horn, second by Boen to change the 2025 budget meeting from Wed Aug 28th at 6pm to Mon Aug 26th at 6pm – all voted yes, motion carried.

NEW BUSINESS:

- **2025 County Chip Sealing Proposal:** The Minnehaha County Highway Dept has reached out about some chip sealing work they want to do in 2025 on Western Ave from SD Hwy 38 to Hwy 130. Since a portion of this stretch is the City's responsibility, as the city borders both sides of the road, the County are reaching out about the cost of the project. Last summer the County had to do some emergency repair work to this same stretch. Due to the urgency of the matter, the County scheduled the work and made the needed repairs and paid all the costs. Now they are asking if the City would pay for all of the chip sealing project, estimated at \$56,733.50. This amount would still be less than what the city's portion of the emergency repair work would have been had we been asked to pay it. If approved, the City could budget for this cost when setting the 2025 budget later this month. A motion was made by Matson, second by Kuehl to approve paying for the county's chip sealing project in 2025 on Western Ave from SD Hwy 38 to Hwy 130 estimated at \$56,733.50 – all voted yes, motion carried.

- **Review/Approve Pay Application #2 to Alliance Construction for \$172,899.14:** Pay application #2 from Alliance Construction was presented for work completed through July on the 12th St/Oaks Ave project. A motion was made by Kuehl, second by Jass to approve pay application #2 in the amount of \$172,899.14 to Alliance Construction – all voted yes, motion carried.
- **Review/Approve Billboard Lease for East Face of Billboard #4 (south half):** Buffalo Ridge Brewery currently leases the south half of the east face of billboard #4. Their current 3-year lease is up for renewal, and they would like to renew it for another 3-year term. The only change in the terms and conditions of the lease is that rent is now \$150/mo. rather than \$130/mo. This new rate was set by the council to be effective on any new leases starting in 2024. A motion was made by Kuehl, second by Boen to approve the billboard leases for Buffalo Ridge Brewery as presented – all voted yes, motion carried.
- **Review/Approve Billboard Lease for East Face of Billboard #4 (north half):** Pizza Ranch currently leases the north half of the east face of billboard #4. Their current 3-year lease is up for renewal, and they would like to renew it for another 3-year term. The only change in the terms and conditions of the lease is that rent is now \$150/mo. rather than \$130/mo. This new rate was set by the council to be effective on any new leases starting in 2024. A motion was made by Kuehl, second by Boen to approve the billboard leases for Pizza Ranch as presented – all voted yes, motion carried.
- **Pre-Budget City Tour Update:** In preparation for the budget meeting later this month, members of the Council, Park Board, and Planning & Zoning Board, along with staff, took a tour of the city’s facilities on July 31st to discuss current and future needs. A summary of the tour was provided for those who were unable to attend.
- **Mayoral Proclamation – Professional Engineers Day:** City Engineer ISG is active in the SD Engineering Society. In an effort to recognize the importance of engineering and the positive benefits engineering can provide a community, the National Society of Profession Engineers has declared August 7, 2024 as Professional Engineers Day. In support of these values, Mayor Jones issued a Proclamation proclaiming August 7, 2024 as Professional Engineers Day in Hartford.

EXECUTIVE SESSION: A motion was made by Horn, second by Boen to enter executive session pursuant to SDCL 1-25-2(1) for personnel 9:09pm – 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 Horn, second by Matson to exit executive session at 9:22pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Boen, second by Horn to adjourn at 9:22pm – 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