

City Council Meeting – Regular Meeting September 18, 2012

Mayor Paul Zimmer, assisted by Corbin Ridding, called the meeting to order at 7:00 p.m. at Hartford City Hall with the following city council members present: Mike Swier, Gail Olson-Duck, Bill Barnett, Scott Nelson, Mark Monahan, and Leah Johnson. Also present were City Administrator Teresa Sidel, Public Works Superintendent Craig Wagner along with City Attorney Larry Nelson and City Engineers, Mitch Mergen and Nick Borns.

Approve Agenda: A motion was made by Johnson, second by Olson-Duck to add to the agenda mayoral appointments to the Jamboree Committee under New Business – all voted yes, motion carried. A motion was made by Olson-Duck, second by Johnson to approve the agenda with the addition – all voted yes, motion carried.

Approve Minutes of Previous Meetings: A motion was made by Olson-Duck, second by Monahan to approve the September 4, 2012 regular meeting minutes – all voted yes, motion carried.

Approve Bills Submitted for Payment: A motion was made by Johnson, second by Olson-Duck to approve the bills submitted for payment – all voted yes, motion carried.

Proclamation: The Mayor read a proclamation which made September 23-29, 2012 “Women of Today Week”. He reviewed the many volunteer services that this organization provides to the community and thanked the members for all their efforts. Congratulation to the Women of Today from the City of Hartford!

Ordinances, Resolutions & Hearings:

2nd Reading of Ordinance #580 – On-Street Parking Ordinance Amendment. This ordinance will amend the city’s on-street parking ordinance which includes a definition for commercial vehicles that mirrors the city’s zoning definition, adds an exception that will allow commercial vehicles that are performing a service to a property to park on city streets, and restricts commercial vehicles over 18,000 pounds “licensed weight” from parking on city streets. A motion was made by Monahan, second by Johnson to approve and adopt 2nd Reading of Ordinance #580 – On-Street Parking Ordinance Amendment – all voted yes, motion carried.

2nd Reading of Ordinance #581 – 2013 Appropriations. A motion was made by Johnson, second by Olson-Duck to approve and adopt 2nd Reading of Ordinance #581 – 2013 Appropriations – all voted yes, motion carried.

Old Business:

Kelly Point Partners – proposal for creek improvements: Cindy Monnin, representative for Kelly Point Partners, presented to the city council their proposal for doing creek work within the unnamed tributary of Skunk Creek which runs east and west throughout Hartford. Monnin gave the council a brief history of the city’s floodplain, explained why they have come before the city council with this project and then proceeded to explain the project they are proposing. Kelly Points Partners would like the city council to approve work for digging within the creek channel from the SRTS walking bridge to approximately 1000 feet downstream. They then would like to file a Letter of Map Revision (LOMR) with FEMA and if approved, the floodplain would change. If the LOMR changes the floodplain it would allow Kelly Point Partners to have sellable and buildable lots outside the current floodplain, it would allow two current residents of Hartford to file a Letter of Map Amendment (LOMA) with FEMA to remove their house from the floodplain and it would provide maintenance work within the creek bed to remove silt that has built up throughout the years. Cost estimate for this project would be \$34,013.00. Kelly Point Partners is requesting from the city permission to do this work within the creek bed and payment for the project if the LOMR is approved by FEMA. Discussion was held regarding this project and input was received by the City Administrator, Public Works Superintendent, City Engineer and City Attorney, along with input from Kelly Point Partners and their engineer, Sayre Associates. City Attorney, Larry Nelson, recommended to the council that an agreement be signed with all property owners before the project proceeds. A motion was made by Johnson, second by Nelson to approve the Kelly Point Partners creek proposal and use city funds for this project not to exceed \$34,013.00 contingent upon an agreement, drafted by the city attorney, stating: 1) Kelly Point Partners will secure the work and it will be their project- 2) The project will not

exceed \$34,013.00- 3) City engineers must approve the work and dollar amount- 4) Kelly Point Partners will take all the risks and liability for the work performed and will be responsible for filing the LOMR and seeking approval from FEMA- 5) Kelly Point Partners will take responsibility for the construction and design- 6) Kelly Point Partners, Ingalls and Wenk will sign hold harmless agreements with the City- 7) Kelly Point Partners must sign an indemnity agreement or have insurance- 8) Legislative audit must give their approval- 9) Kelly Point Partner's engineer must sign off on plans- 10) Release City of all liability/damages of property within floodplain – Johnson and Nelson voted yes, with all others voting no, motion failed. A motion was made by Monahan, second by Olson-Duck to table discussion – all voted yes, motion carried.

Water/Sewer Extension along Western Avenue to Hwy 130: A motion was made by Monahan, second by Johnson, to table discussion of Western Avenue water and sewer extension – Nelson voted no, with all others voting yes, motion carried.

New Business:

Mayoral Appointments to Jamboree Committee: Mayor appointed Johnson and Swier to the Jamboree Committee for the 2013 celebration. A motion was made by Olson-Duck, second by Barnett to approval the appointment of Johnson and Swier to the 2013 Jamboree Committee – all voted yes, motion carried.

Visitors: Paul Hawks was present to introduce herself to the city council and staff. Ms. Hawks announced that she will be running for District 9 Representative this coming election. As a former teacher for the West Central School District, education will be one of her main issues to address at the legislature. The council thanked her for coming to talk and wished her well on her campaign.

Correspondence: A letter was distributed at the beginning of the city council meeting from The Meadows Development Company.

Reports:

Public Works Superintendent Report:

Streets – Wagner reported that chip sealing is being completed on scheduled streets. Once done, the city will sweep the streets and re-paint stripes. Streets will also be sweep one more time before winter. The city is working on trimming trees. Signage throughout town must be changed to comply with MUTCD regulations by 2015 – the city has received information about a grant to help with the cost of this expense so Wagner will look further into the conditions and stipulations of this grant. There is a programming issue with the new NW siren motherboard functioning properly, this problem is being addressed. As soon as all bills have been received by the city for the new siren, we will apply for a 50/50 grant through emergency services to assist in the new siren cost.

Water & Sewer – The city is repairing a leak in the water tank jetter. Wagner and Hanisch attended the SDWWA conference this last week for continuing education.

Park and Pool – The city is getting the ice rink ready for this winter in the park. Tree stumps have been removed and ground has been re-seeded. Wagner is working with the SDDOT for placement of benches along the Hartford Heights Multi-purpose trail. Wagner is also planning to meet with Sioux Valley Electric to discuss the ball diamond light.

Public Buildings – Fire extinguishers have been ordered for the new shop building.

City Engineer Report: Nick Borns with Stockwell Engineers updated the city council on several project they are working on: 1) Bid Opening for the sports complex grading plan is scheduled for September 20, 2012. After opening, bids will be reviewed by the engineer to ensure that they comply with all regulations, the city council will discuss financing of this project at their October 2nd meeting and bids can be awarded or rejected at the city council meeting on October 16th. 2) Stockwell's report included an update on the Kelly Point proposal that was discussed by the council earlier in the meeting. 3) The city engineers are continuing to work with the council, planning and zoning and the Meadows Group regarding a proposed new residential development. 4) Mergen is working with SECOG to review and develop new sub-division design standards for the city. 5) Beth Luze is working on updating the city's GIS maps, which is almost

completed.

Finance Officer Report: Former City Finance Officer, Deb Macdonald provided a report to the city for their review. The report included an update on cash and sales tax revenue, committee fund balances to date, highlighted invoices from the bill reports and listed a calendar of upcoming events.

City Administrator Report: Sidel reported that the city received final reimbursement for round 2 of the SRTS grant. This completes round 2 and the city will continue to move forward with the round 4 SRTS project grant. The city's new ADA hearing system was installed in the city council room on Monday, September 17th – this new system will make the city compliant with ADA regulations. Sidel noted that the Planning and Zoning Board is still review PUDs and PDs and plan to have a recommendation to the city council by their October 2nd council meeting. A copy of the August code enforcement/building inspection report was given to the council for their review. Sidel will apply additional land sale funds received towards debt on our 2003 Lease Purchase Loan.

City Council Reports:

Ward 1: Johnson noted that the next Swimming Pool Committee Meeting will be held at the Pizza Ranch on September 25, 2012 at 6:30 pm and the first meeting for the 2013 Jamboree Committee is scheduled for October 1, 2012 at city hall. Johnson appreciates the sheriff's patrol around the school in the morning and she sends "Good Luck" to the West Central Football Team and Paul Hawks. Barnett reported that all is going well with his ward.

Ward 2: Monahan noted that the next meeting of the Bike/Rec Trail Committee is scheduled for October 9, 2012 at 6:30pm at Ten Pin Alley. Monahan also thanked everyone that made donations to the Bike/Rec Trail and wanted to express an extra "thank you" to Lois Kaiser for allowing the bike/rec committee to place a bench along her property and for her offer to purchase the bench and also pay for the extra expense of painting the bench a purple. Monahan also wished Ms. Hawks well on her upcoming legislative run and asked her to continue to attend city council meetings and stay involved with local government. Swier reported that the next Sports Complex Committee will be held on October 10, 2012 and he is looking forward to the opening of the sports complex bids.

Ward 3: Olson-Duck, as the council liaison for the Drive to Revive Downtown, was contacted in regards to improving a building along Main Street. She was also contacted in regards to the city adding a walk inlet along the west side of the park to allow for better access to the sidewalk system. The council asked Wagner to look into this issue. Nelson was glad that the ADA Hearing System has been installed and is working well. He reported that the next HADC meeting is scheduled for September 24, 2012 at 5:30pm at the Pizza Ranch and that an organizational meeting for the new Hartford Chamber is scheduled for September 25, 2012 at 6:30pm at the Pizza Ranch.

Mayor's Report: Mayor Zimmer said that he would be attending the organizational meeting for the new Chamber and asked that each councilperson would convey to him if they plan to attend or not so we do not have a council quorum present at that meeting. Zimmer also noted that contrary to rumors, he is not interested in serving publicly outside of Hartford. The next meeting for the Minnehaha Mayors will be held in Dell Rapids and they plan to invite any city council members that wish to attend.

Adjourn: A motion was made by Monahan, second by Johnson to adjourn at 8:47 p.m. – 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