

City Council Meeting – Regular Meeting September 20, 2022

Council President Travis Kuehl called the meeting to order at 7:00pm with the following city council members present: Chris Woslager, Cindy Matson, Mark Brenneman, and Mark O’Hara. Mayor Arden Jones and Jake Jass were absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Attorney Tom Frieberg, City Engineers Michael Redenbaugh & Justin Heim, and 8 people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Matson, second by Woslager to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Brenneman, second by Matson to approve the regular meeting minutes from September 6, 2022 – all voted yes, motion carried.
- **Approval of the Bills:** A motion was made by Brenneman, second by O’Hara to approve the bills submitted for payment – all voted yes, motion carried.

PUBLIC COMMENTS: None.

VISITORS: Tom Holms, candidate for Minnehaha County Commission, was present to introduce himself to the Council.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **Special Event Permit – DHI Withes & Warlock Wine Walk:** Downtown Hartford, Inc. has applied for a special event permit to hold their annual Witches & Warlock Wine Walk event. The event will be held Oct 15th from 4pm-10pm. They are requesting the closure of Main Ave from 2nd St to Menth Ave and 1st St from Main Ave east to the alley and for the use of alcohol within this area. They also are requesting to hang decorations from the decorative street lighting in the downtown area and to allow for the use of a firepit during the event. A motion was made by Matson, second by Brenneman to approve the special event permit for the DHI annual wine walk as applied for – all voted yes, motion carried.
- **7:05 Public Hearing on Resolution 2022-11 Vacation of a Portion of N Ruud Lane:** In 2007 the City approved the preliminary plans for the Western Meadows Development. Their original plans provided two access points to the development at Western Ave/Opal Lane and Mickelson Road/Ruud Lane. Since the approval of their plan, the City constructed Diamond Trail, which also provides an access point to the development at Western Ave. In 2020 the developers of Western Meadows came before the Council requesting several changes to their preliminary plans, one being to eliminate the access at Mickelson Road/Ruud Lane since a second access point to the development was created when Diamond Trail was put in. The Council approved this request on July 21, 2020. The developers have now submitted the formal paperwork to vacate Ruud Lane right-of-way north of Opal Lane with the condition, per City Engineers, that the City retain drainage and utility easements on the property. At their Sept 13th meeting, the Planning & Zoning Board reviewed the vacation request and is recommending approval on the condition that drainage and utility easements be retained by the City. A motion was made by Brenneman, second by Matson to approve Resolution 2022-11 vacating a portion of Ruud Lane north of Opal Lane with the condition that drainage and utility easements be retained on the property – all voted yes, motion carried.
- **7:10 Public Hearing and 1st Reading of Ordinance #735 to Amend Zoning Regulations to Adopt Commercial Building Standards:** Currently the City does not have any building standards in place for commercial buildings. Implementing such standards would ensure that the City’s commercial areas have a more cohesive look and be more aesthetically pleasing. As written, any new buildings in commercial and central business zoned areas would be subject to the new standards. The Planning & Zoning Board has reviewed Ordinance #735 and is recommending approval to the Council. A motion was made by Matson, second by O’Hara to approve 1st reading of Ordinance #735 to amend zoning regulations to adopt commercial building standards – all voted yes, motion carried.
- **2nd Reading of Ordinance #734 – 2023 Budget Ordinance:** Ordinance #734 outlines and sets the 2023 budget that was voted on by the Council at the August 30, 2022 special budget meeting. A motion was made by O’Hara, second by Woslager to approve 2nd reading of Ordinance #734 - 2023 Appropriations – all voted yes, motion carried.
- **Resolution 2022-9 & 2022-10 Street Maintenance Fee for 2023:** At the Sept 6th meeting, Resolution 2022-9 was presented. This resolution would authorize the assessment of an annual street maintenance fee at a rate of \$1 per front footage to every parcel with a minimum assessment of \$65. At the direction of the Council, Resolution 2022-10, which would increase the rate to \$1.50 per front footage with a minimum assessment of \$97.50, was presented. Increasing the rate/minimum would generate an approx. 75k in additional revenue for the City to put

towards maintaining our streets. A motion was made by Matson, second by Brenneman to approve Resolution 2022-10 Street Maintenance Fee for 2023 – all voted yes, motion carried.

REPORTS:

- **Fire Department Report:** HAFR Chief Matt Horn was not present. The department report was provided. There was a total of 42 calls in Aug with 17 in city limits. An update was given on the various trainings held during the month of Sept. Public Safety Day was held on Aug 27th and was a huge success with an estimated 300-500 in attendance. It was also noted that the department now has Advanced Life Support (ALS) service.
- **Chamber & Economic Development Report:** CEDD Amy Farr provided her report. Chamber activities: continues promoting upcoming events on social media & website; Cowboy Way Church and the Hartford Women of Today will host the next Membership Mixer Sept 27th at Cowboy Way Church; there will be a ribbon cutting for Unity Road Sept 23rd; the Trunk or Treat Event will be Oct 29th; the new My Community app will roll out Nov 1st; welcome bags continue to be assembled as needed. HADF activities: a groundbreaking was held for Black Tie Components on Sept 19th; good progress is being made at both the Dairy Queen and Maple Pass construction sites; the Keloland Living segment by HACC & HADF will air Oct 24th; the “Fuel the Growth” Conference in Rapid City Farr attended last week was very good.
- **Engineer Report:** Michael Redenbaugh reported the following:
 - Reviewed site plans for Black Tie Components and also had discussions with staff and legal about the SCS pipeline.
 - The 6th St/Mundt Ave project is moving along. There is seeding work yet to do in Phase 1. All utility work has been completed in Phase 2. Curb and gutter work is expected to start this week in this area. Watermain installation is underway in Phase 3. Once complete, paving of the roadway will be done. When the project plans were drawn, storm sewer along Jeanne Circle was including to capture nuisance runoff from Hwy 38, routing it underground to reduce flooding potential in this area. Now that the work in this area has started, it has been determined that due to a conflict with the location of a watermain that was not known at the time the project was designed, the storm sewer on Jeanne Circle cannot be installed on the north side as drawn. Engineers have reviewed the project and have provided three different options:
 - Option 1 – do not install storm sewer along Jeanne Circle and restore the roadway that was removed. This would be a deduct to the project of approx. 30k.
 - Option 2 – install storm sewer along the south side of Jeanne Circle, only removing and replacing roadway as required to install the storm sewer. This would be an increase to the project of approx. 25k.
 - Option 3 – install storm sewer along the south side of Jeanne Circle, removing and replacing entire roadway. This would be an increase to the project of approx. 40k.

Residents Julie Pierson and Viola Ishmael, who reside on Jeanne Circle, were present to speak to the issues they’ve had with water in the area. Both are in favor of adding the storm sewer to help alleviate some of these issues. Discussion was held on the pros/cons of removing and replacing the entire roadway vs only doing what is needed to get the storm sewer installed. There was also discussion on the possibility of additional cost due to the soil conditions underneath the existing roadway. Unfortunately, this will not be known until work commences. A motion was made by Brenneman, second by Woslager to proceed with Option 2 for the storm sewer work on Jeanne Circle – all voted yes, motion carried. Pay app #3 from Zacharias Construction, Inc. for work completed to date on the 6th/Mundt St project was presented. A motion was made by Matson, second by O’Hara to approve payment of pay app #3 in the amount of \$399,205.71 to Zacharias Construction, Inc. – all voted yes, motion carried.

 - Work has started on the water tower painting project. The contractor is estimating that work will be completed by mid-October.
 - Design work on the WRRF is ongoing. The City is currently accepting proposals for a Construction Manager for the project. The deadline to submit a proposal is Sept 30th. All the information is available on the city’s website.
 - The bike trail project between Main Ave & Feyder Ave is on hold until the necessary easements are obtained from adjacent property owners. This house is currently for sale. Once sold, the City will approach the new owners about the easements.
 - Engineers are working in conjunction with SECOG to provide the revised storm shelter design and costs to FEMA. The deadline to submit these updates is Oct 15th.
 - Design work on the Hwy 38 water main extension project is ongoing. Engineers plan to have preliminary designs for staff review this week. The plan is to bid the project later this fall for construction next year.

- The traffic study along Western Ave is now complete. Engineers are working on the report to be presented at the Oct 4th meeting. Results from the traffic study align with a 3-lane roadway with a shared center turn lane design for the project.
- **Public Works Report:** Public Works Superintendent Wagner provided his report.
 - Streets – Staff is monitoring gravel roads to see if a second application of mag water is needed yet this fall. Wagner final found a used ¾ ton Chevy pickup to purchase this past week.
 - Water – All reporting is done until Oct. Work on the water tower painting project has started.
 - Sewer – The next reports are due the end of Oct.
 - Western Ave Sewer Extension – Wagner continues to work with Engineers and the contractor on remaining punch list items.
 - Pool – The pool has been winterized and closed up for the year.
 - Dog Park – Some concrete was poured last week, and staff plans on finishing up the rest of the concrete work this week. The plan is to be open to the public late Sept or early Oct.
 - Sports Complex – Staff has painted the soccer and flag football fields.
 - Public Buildings – Wagner toured the Gage House with plumbing, electrical, and structural inspectors this past week. Reports will be presented at tonight’s meeting.
- **Finance Officer Report:** City Finance Officer Wilber provided her report. Items included cash balances, sales tax revenue and DHI committee fund balance as of Aug 31st, a recap of bills submitted for payment, and the Sept/Oct calendar of events.
- **City Administrator Report:** City Administrator Sidel provided her report. The bike trail project remains on hold for now. Easements are needed from a neighboring property owner. The 6th/Mundt St project is going well. Work has started on the water tower painting project. Design work is ongoing for the Hwy 38 water main extension project. With punch list items now done, the Ruud Lane/Opal Ave project is now complete. There are still some items to be addressed on the 9th Street project. Sidel will be meeting with the contractor to address these. Sidel had another meeting with FEMA representatives to start the submittal process to get reimbursed for expenses related to the May 12th Derecho. Results from the recent ISO audit are expected in 2 to 3 months. This audit looks at a lot of different factors that will determine the city’s homeowner’s insurance rating. DSU will be conducting a cybersecurity analysis of the city’s IT system in March 2023. In conjunction with creating an emergency plan for the City, Sidel is working with the Minnehaha County Sheriff’s Office to schedule a time to come in and do an assessment of our buildings and training with staff on what to do if there was an emergency situation. Sidel attended a Regionalization meeting earlier today. The communities that are interested in regionalization are planning on going to a Minnehaha County Commission meeting as a collective group to ask the County for financial help with the cost of running their lines to Hartford’s new plant. They are also going to look at possible grants through the State. Newly hired Public Works Assistant Jim Olson started this week.

OLD BUSINESS:

- **Discuss Purchase of Gage House:** At the last council meeting there was discussion on the possible purchase of the Gage House. Council requested that the City secure electrical, plumbing, and structural inspections before moving forward. Those inspections have been done and the reports were provided for Council review. While the upstairs and basement are not usable in their current condition, the main floor is in good shape. No major issues were noted on either the electrical or plumbing inspections. All in all, for the age of the building, it is in good structural condition. There were a couple items listed on the structural inspection that would most likely need to be addressed. Discussion was held on what responsibilities, in regard to the building, would fall to the City vs the Senior Center if the City were to purchase the building. Sidel explained that these details would be spelled out in a lease agreement that the City would have with the Senior Center. A motion was made by Brenneman, second by Matson to have the City Attorney draft a purchase agreement for review at a future meeting – all voted yes, motion carried.

NEW BUSINESS:

- **Discuss Offer to Purchase Lot 26B, Block 4 of Western Meadows Addition:** The current owner of Lot 26B, Block 4 of Western Meadows Addition has approached the City about purchasing this lot from him. This lot, along with the lot directly west of it, were purchased with the intent of building a twin home. Due to elevation issues, building a twin homes was not feasible. The owner then decided to split the lot into 2 lots and build single family homes on each. He currently is building a home on the west lot but does not want to move forward with building a home on the east lot. He thought this lot could be a good location for a “pocket park” since there is no parks in this area of town. Based on the proximity of the lot to the industrial area and the Coffee Cup Truck Stop, staff does not feel this is the best location for a park. No action was taken by the Council.

EXECUTIVE SESSION: A motion was made O’Hara, second by Matson to enter executive session pursuant to SDCL 1-25-2(3) for legal at 8:16pm – 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 O’Hara, second by Matson to exit executive session at 8:32pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by O’Hara, second by Matson to adjourn at 8:33pm – 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