

## City Council Meeting – Regular Meeting September 7, 2021

Mayor Jeremy Menning called the meeting to order at 7:00pm at Hartford City Hall with the following city council members present: Mark Monahan, Mark Brenneman, Arden Jones, LaVonne Randall, Travis Kuehl, and Mark O'Hara. Also present were City Administrator Teresa Sidel, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Engineers David Doxtad & Michael Redenbaugh and 12 people from the public.

### BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jones, second by Brenneman to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Jones, second by O'Hara to approve the regular meeting minutes from Aug 17, 2021 – all voted yes, motion carried. A motion was made by Brenneman, second by Monahan to approve the 2022 budget meeting minutes from Aug 30, 2021 – all voted yes, motion carried. A motion was made by Jones, second by O'Hara to approve the joint meeting minutes from Aug 31, 2021 – Monahan and Brenneman abstained, with all others voting yes, motion carried.

**PUBLIC COMMENTS:** None

### VISITORS:

- Gavin Gerlach was present to seek approval from the city council to move forward with plans to revitalize Century Park. Gavin is working on his Eagle Scout Project and is hoping that the city will allow him to take on this project to possibly add an ADA sidewalk to the park, stain/paint the gazebo and bench and clean up the grounds. The consensus of the council was in support of this project as long as it is coordinated with the public works superintendent and Gavin was asked to come back with plans and cost estimates at a future date.
- Amy Sebert, pool manager, presented to the Council an end-of-year pool report. Amy noted that attendance was up this year due to the warm weather, along with the sale of pool passes and pool parties. She thanked Barb Thaler again for her help with drills for our lifeguards and thanked EMBE for providing 2 sessions of swimming lessons again this year. She did note that with the increase in pool use, scheduling lifeguards and daycares is becoming a challenge but all-in-all things went well this year. Amy also thanked city staff and council for their support this season.

### ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **Special Event Application – Buffalo Ridge Brewery:** Buffalo Ridge Brewery has submitted a special event application to hold a Ponies & Pints Mustang Cruise-In on September 16, 2021, from 5pm to 9pm. They plan to have indoor music and a food truck. They are asking the city to close 1<sup>st</sup> Street from Main Avenue east to the alley and to allow the use of alcohol within this area and the sidewalks adjacent to the brewery. A motion was made by Kuehl, second by Jones to approve the application as presented – all voted yes, motion carried.
- **Special Event Application – Downtown Hartford Inc.:** Downtown Hartford Inc has submitted a special event application for their annual Wine Walk. Participating businesses will offer wine samples and a games, music and wine garden are planned. The event will be held on October 9<sup>th</sup> from 6pm to 9pm and they are asking for Main Avenue to be closed from Menth Avenue to 2<sup>nd</sup> Street and for 1<sup>st</sup> Street to be closed from Main Avenue east to the alley. They are also asking for the use of alcohol within the closure area and adjacent sidewalks. A motion was made by Jones, second by Kuehl to approve the application as presented – additional discussion was held regarding an alternative date and the process for this. An amended motion was made by Jones, second by Kuehl, to approve the application as submitted and allow the City Administrator to approve an alternative date if the event cannot be held on October 9<sup>th</sup> – all voted yes, motion carried.
- **Special Event Application – West Central High School:** Amy Lupkes with the West Central High School Student Council has submitted a special event application to the city to hold the homecoming parade upon city streets. The parade will be held September 24, 2021, from 2pm to 3pm. An amended parade route was presented to the council for review. A motion was made by Jones, second by Brenneman to approve the application as submitted – all voted yes, motion carried.
- **2nd Reading of Ordinance #713 Amend Zoning Regulations:** Currently the City's regulations prohibits the placement of fences or accessory buildings within a drainage easement or drainageway. As a result, these regulations restrict property owners use of their own land, creates unmaintained areas behind fences, and creates a liability for the City for private drainage issues. The Planning & Zoning Board is recommending approval of Ordinance #713, which would amend the City's zoning regulations to allow fences within all easements but states that the fence cannot impede the intended use of the easement. However, accessory buildings would still be prohibited within drainageways or on drainage easements. In addition, verbiage has been added to state that any fence or accessory building issues that arise between neighbors becomes a civil issue between property owners. A motion was made by Brenneman, second by O'Hara to approve 2nd reading of Ordinance #713 to amend the zoning regulations on fences & accessory buildings – Monahan abstained, Randall voted no, and all others voted yes – motion carried.

- **2nd Reading of Ordinance #714 – Amend Zoning Regulations for Cannabis Regulation:** The City Council reviewed ordinance #714 for cannabis establishments. This ordinance would establish the zoning regulation for all cannabis establishments. It states that dispensaries are a permitted use in all commercial zones and central business zone and cultivation, manufacturing, and testing facilities are a permitted use in light and heavy industrial zones. No cannabis establishments can be located in NRC or Residential zones. A motion was made by Monahan, second by Randall to approved 2nd Reading of Ordinance #714– all voted yes, motion carried.
- **2nd Reading of Ordinance #715 – Set Licensing Provisions for Cannabis Regulation:** The City Council reviewed ordinance #715 that would set the licensing regulations for cannabis dispensaries. It lays out the required regulations for the licensing of cannabis facilities. The ordinance would set the license cost at \$10,000, with \$5,000 reimbursable if the applicant fails to obtain a license from the state – this rate is the same for annual renewals. It also sets a limit to 3 dispensaries in the city. BJ Olson addressed the council with his opinion on the number of licenses and encouraged the council to change the number allowed from 3 to 1. He believes there will be a lot of dispensaries and is concerned that the market will get saturated, causing dispensaries to fail. He also doesn't think that added stores will increase tax revenue. A motion was made by Monahan, second by Brenneman to approve ordinance #715 – all voted yes, motion carried.
- **1st Reading of Ordinance #716 – 2022 Appropriations:** Ordinance #716 outlines and sets the 2022 budget for the city that was voted on by the Council at the August 30, 2021, special budget meeting. A motion was made by Monahan, second by Brenneman to approve 1st reading of Ordinance #716 2022 Appropriations – all voted yes, motion carried.
- **Resolution 2021-9 Annual Street Maintenance Fee:** Resolution 2021-9 will authorize the assessment of an annual street maintenance fee at a rate of \$1 per front footage with a minimum assessment of \$65. An exhibit was provided of all parcels and their assessed amounts. A motion was made by Monahan, second by Brenneman to approve Resolution 2021-9 Annual Street Maintenance Fee Assessment – all voted yes, motion carried

#### **REPORTS:**

- **Sheriff's Department Report:** Deputy Kardas was present to update the council on various activities address by the sheriff's department during August. There were 217 calls for service for the month, which is a decrease of 99 calls over last month. Kardas provided a general breakdown of these calls, along with dates of upcoming community policing events.
- **Chamber & Economic Development Director Report:** Amy Farr's report was provided. Chamber work: continues planning and promoting upcoming events; continues work with each committee to add more members, events, and lunch & learns; and is working on the annual banquet. HADF activities: continued efforts on RFI's and meeting with landowners/developers; Envision2025 meetings & retention efforts – next meeting September 9th; continues work to line up HADF speakers and has a tour lined up with Cemcast for Sept 22<sup>nd</sup>; working on groundbreaking opportunities; continues work with ISG and SMGA on community wide projects. Farr noted that the HACC and HADF are launching a Market Drip Campaign to showcase Hartford.
- **Engineer Report:** David Doxtad reported the following:
  - CIP updates were provided to the city for budget purposes but a complete written reports will follow. A rate study will also be revisited upon a decision form the council on the future WWTF.
  - The water tower repainting is now budgeted and planned for 2022. ISG will work on bidding the project next spring.
  - ISG is working on preliminary design work for the Western Avenue Interchange project. A public meeting with the DOT and HR Green is scheduled for September 14<sup>th</sup>.
  - Development work is ongoing: Western Meadows, Knapp's Landing & Turtle Creek Highlands. Vance Peterson has not completed his drainage repairs so ISG will follow up on that project.
  - The Wastewater Feasibility Study is complete, and a final report has been provided. Meetings continue to be held with surrounding communities.
  - Work continues on the community development plan, compiling summaries to show the feedback received from the community engagement meetings. Next meetings are planned for Sept. 22<sup>nd</sup>.
  - A proposal in the amount of \$196,000 to provide Engineering Services for the 6<sup>th</sup> Street/Mundt Ave reconstruction project was provided to the council for their review. Design work for this project was budgeted in 2021, with construction being planned for 2022. A motion was made by Kuehl, second by O'Hara to approve the proposal for engineer design of Mundt Ave/6<sup>th</sup> Street project – all voted yes, motion carried.
- **Public Works Report:** Public Works Superintendent Wagner's report was provided.
  - Streets** – Routine street sweeping continues. The street painting needed after the slurry seal project on Mickelson Rd and the downtown area is now complete. Letters are being sent to homeowners regarding trimming boulevard trees. Mosquito spraying continues as needed. The speed trailer is out.
  - Water** – Meter change outs continue after the arrival of 80 endpoint. There is approximately 480 left to change within the city. Quarterly report is done with the next report due in Oct.

Sewer – DANR conducted an inspection on our lagoons – waiting for a final report. DMR are due Sept. 28<sup>th</sup>. The Mickelson Road generator has arrived and will be connected within the week. A tour of Harrisburg’s Aeromod mechanical plant is planned for Sept. 8<sup>th</sup>.

Park – Staff is working on setting the recently refurbished playground equipment for Turtle Creek Park.

- **Finance Officer Report:** City Finance Officer Wilber’s report was not present but provided a report for the council. Items included a summary of revenues received in August along with an overview of the city’s cash balances, revenues and expenses through July. A reminder about the upcoming SDML Annual Conference that will be held Oct 5<sup>th</sup> – 8<sup>th</sup> in Spearfish. A calendar of upcoming events was also provided.
- **City Administrator Report:** City Administrator Sidel’s report was provided. There are no new updates on the outstanding grant applications except SECOG has had some correspondence with FEMA regarding our storm shelter application. The Mickelson Road CLOMR is almost complete – public notices are being advertised regarding the new map revisions. Barb Thaler conducted an AED/CPR class with all the office staff. The SD DOT is holding a public meeting on Sept. 14<sup>th</sup> at the fire station from 5:30-6:30 regarding the Exit 387 project. A list of upcoming agenda items was also provided to the council.

### **NEW BUSINESS:**

- **Approve release of 2021 Hometown Christmas budget funds:** A motion was made by Jones, second by Monahan to the approve payment of \$10,000 to Hartford’s Hometown Christmas for their 2021 appropriation – all voted yes, motion carried.
- **Review/Approve Agreement with SECOG for Redistricting Voting Wards:** Since the new census will be out in September, the city should take a look at redistricting our voting wards in order to keep the voting population as even as possible. SECOG does this service for its members. They are offering 4 hours of service free of charge to complete this project. A motion was made by Jones, second by Monahan to approve the agreement with SECOG for Redistricting Services – all voted yes, motion carried.
- **Mayoral Appointments – City Attorney and City Engineer:** Mayor Menning appointed Frieberg, Nelson & Ask as the City Attorney until September 2022. A motion was made by Jones, second by Kuehl to approve Mayor Menning’s appointment of Frieberg, Nelson & Ask as the City Attorney until September 2022 – all voted yes, motion carried. Mayor Menning appointed ISG Inc. as the City Engineer until September 2022. A motion was made by Brenneman, second by O’Hara to approve Mayor Menning’s appointment of ISG Inc. as the City Engineer until September 2022 – all voted yes, motion carried
- **Discuss Field Improvement at the Swenson Sports Complex:** Ron Healy was present to visit with the council about constructing two multi-purpose fields at the Sports Complex. Mr. Healy is asking the city to bid the fencing and ag-lime for the 2 east fields. He would like to see this completed yet this year. A motion was made by Monahan, second by Kuehl to have city staff work on getting specifications together for bidding the fencing and ag-lime for the 2 east fields and allow ISG to assist – all voted yes, motion carried.
- **Discuss possible Surcharge for Meter Readings:** The city is currently moving from radio read meters to cellular read meters. The city is getting charged a reading fee of \$1.00 per meter for every new meter that has been changed to cellular system. To help off-set this cost to the city, staff is suggesting the city look at adding a \$1.00 surcharge to each water bill. Consensus of the council was to present an ordinance draft for their review at the next council meeting.
- **Approve Advertisement for Full-time Building Inspector/Code Enforcer:** Hartford and Lennox have signed a joint agreement to hire a full-time building inspector/code enforcer that would split their time between both cities- allowing for daytime hours and 20 hours per week at each community. A motion was made by Brenneman, second by O’Hara to approve advertising for the position – Randall and Monahan voted no, with all others voting yes, motion carried.

**EXECUTIVE SESSION:** A motion was made Monahan, second by Brenneman to enter executive session pursuant to SDCL 1-25-2(1) for personnel at 8:40pm – all voted yes, motion carried. A motion was made by Monahan, second by Brenneman to exit executive session at 8:48pm – all voted yes, motion carried.

**ADJOURNMENT:** A motion was made by Monahan, second by Brenneman to adjourn at 8:49pm – 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