

City Council Meeting – Regular Meeting June 1, 2020

Mayor Jeremy Menning called the meeting to order at 7:00pm with the following city council members present: Mark Monahan, Arden Jones, Mark Brenneman, Travis Kuehl, and Scott Nelson. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Gabe Steinmeyer, City Engineer Mitch Mergen and approximately eleven 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 Nelson, second by Brenneman to approve the meeting minutes from May 19, 2020 – all voted yes, motion carried.

PUBLIC COMMENTS: Bud Jensen, who resides at 105 N Kingsbury Ave, was present to ask the council to possibly enact an ordinance that would put regulations in place for draining water onto neighboring properties. He discussed the issues he's been experiencing and his reasons for wanting the regulations. Mayor Menning suggested that he and Councilman Monahan set a time and to visit Mr. Jensen at his property and then go from there.

VISITORS:

- Rickie Kunzweiler, on behalf of Downtown Hartford, was present to discuss the downtown lighting project. For 2020 the council budgeted \$10,000 for new ornamental lighting for downtown. Last year lighting was installed on the first block between 1st & 2nd St. The second phase was going to be lighting on the block between 1st & Menth St. Instead of doing lighting on this block at this time, DHI is requesting to use \$5,000 of the budgeted funds for banners, arms & flower baskets arms for the 10 light already installed. Discussion was held on who would be responsible for watering the flowers. It was the consensus of the council that the city should handle the watering. A motion was made by Jones, second by Nelson to approve the reassigning of up to \$5,000 of budgeted funds to purchase banners, arms & flower baskets for existing downtown ornamental light poles – all voted yes, motion carried.
- Eric Willadsen, engineer for Sam Assam with Turtle Creek Highlands Addition, was present to address the council. The Construction Agreement Turtle Creek Highlands has with the City states that when constructing the streets, the top lift of asphalt will be installed one construction season after the first lift. The developer recently completed the first lift and is now asking for an amendment to the construction agreement to be able to apply the top lift right away. Willadsen provided information on how Sioux Falls handles this and what he feels best practices are. These regulations are part of the City's design standards. City Engineer Mergen & Public Works Supt Wagner will put together a list of pros/cons and advantages/disadvantages to the way the City's current practice is and present that information at a future meeting.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Public Hearing – Special Event Permit for Buffalo Ridge Brewing:** Chris Tuschen, with Buffalo Ridge Brewing, was present to request a special event permit allowing the use of the sidewalk to the west and south of their building for additional seating during business hours to allow space for social distancing. They are requesting Thurs thru Sat weekly during the months of June thru Oct and for the use of alcoholic beverages in this area. Discussion was held on making sure there was enough room for people to be able to get through on the sidewalk. Code Enforcer Voth requested that BRB abide by social distancing standards or the permit be revoked. A motion was made by Jones to approve the application leaving the section of sidewalk next to the street open on Main Ave & 1st St sides and to abide by social distancing standards. Jones amended his motion removing the statement that they need to abide by social distancing standards. Brenneman second. Further discussion was held on allowing for a clear zone for ADA compliance. Jones amended his motion to approve the application with the condition to have a 5ft clear zone for ADA compliance, Brenneman second. In regard to social distancing, Brenneman stated that since the City has no regulations in place to regulate this, that it should not be made a condition of the special event permit. All voted yes, motion carried.
- **Review/Approve Plat for Tract 1 & Tract 2 of Hartford Hills Addition:** The City has received a plat for a property that is outside of city limits but in the City's platting jurisdiction. Planning & Zoning has approved the plat and is recommending approval to the council. A motion was made by Monahan, second by Nelson to approve the plat for Tract 1 & Tract 2 of Hartford Hills Addition – all voted yes, motion carried.
- **Review/Approve Annexation Petition & Resolution 2020-7:** The City has received an annexation petition that has been signed by over 75% of the landowners of the territory sought to be annexed. Resolution 2020-7 would

approve the petition and annexation. A motion was made by Monahan, second by Brenneman to approve the annexation petition and Resolution 2020-7 – all voted yes, motion carried.

- **Resolution 2020-8 Discretionary Formula for Taxation on Certain Property within City Limits:** The City currently has regulation in place that grants real estate tax abatements for commercial, industrial and commercial residential properties that either build new or place an addition with a value over 30k. This year the SD Legislature modified these sections of codified law. Resolution 2020-8 would update the City's regulations with these changes. A motion was made by Nelson, second by Kuehl to approve Resolution 2020-8 – all voted yes, motion carried.
- **1st Reading of Ordinance #688 Revise Title 12 of Municipal Ordinance – Penalties:** Title 12 governs the penalties for a violation of municipal code. Wording has been added to state that penalties for violations of Title 7, which is traffic regulations, are punishable by a fine amount that has been established by the State. This will allow the Sheriff's Dept to issue traffic citations under the City's ordinance, therefore resulting in the City getting a portion of the fine. A motion was made by Kuehl, second by Brenneman to approve 1st Reading of Ordinance #688 Revise Title 12 of Municipal Ordinance – all voted yes, motion carried.

REPORTS:

- **Sheriff's Department Report:** Deputy Phil Ryan was not present. His report was provided. For the month of May there were 167 calls for service. Sidel stated that Deputy Ryan would like to discuss the current ordinance on golf carts. The current ordinance does not address the number of riders allowed on the cart which limits what the Sheriff's Dept can address when they see an unsafe situation. Sidel will put together some sample wording to present at the next council meeting.
- **Chamber & Economic Development Director Report:** Chamber & Economic Development Director Steinmeyer's report was provided to the council. Steinmeyer continues to meet Chamber members, working with committees on budgets and organizing ongoing projects and plan future events. For HADF he continues to work on established projects and also compiling information for potential new projects.
- **Engineer Report:** Mitch Mergen provide engineer updates:
 - Ruud/Opal Lane Intersection Improvements** – The bid opening on this project was May 27th. Three bids were received with Zacharias Construction, Inc. coming in the lowest at \$149,820.24. A motion was made by Jones, second by Kuehl to accept the bid from Zacharias Construction, Inc. in the amount of \$149,820.24 for the Ruud/Opal Lane project – all voted yes, motion carried.
 - 9th Street Improvements** – Project is tentatively scheduled to begin early July.
 - Industrial Park Sanitary Sewer Extension** – Engineers are assisting City staff in preparing a grant application. The application process will take the remainder of this year with funds being awarded at the beginning of 2021. Therefore, this project will not start until 2021.
 - Mickelson Road Improvements** – The LOMR application was submitted to FEMA for review and approval. Engineers are awaiting a response.
- **Public Works Report:** Public Works Superintendent Wagner's report was provided to the council.
 - Streets** – Mag water is scheduled for next week. Staff plans to work on alleys next week. Repair work on the maintainer should be done yet this week. Wagner is working on a plan to pick up the two newly purchased dump trucks in MN. Mosquitos have been sprayed. Staff will monitor and spray as needed throughout the summer. Street sweeping is scheduled for next week. Staff has started the process of cutting/spraying the drainage areas. SD DENR was out to inspect the dump site. A report will follow in the coming weeks.
 - Public Buildings:** The building along Main Ave has been tore down. All the paperwork on the demo has been filled out and approved.
 - Water** – Staff will start the meter change out process next week, taking a couple days a week to drive around town and catch people at home.
 - Sewer** – The last discharge went well. All reporting has been done. Samples will be taken next week.
 - Park** – Staff has been hand spraying as needed. The mower building is now complete.
 - Sports Complex:** Concrete work should be done this week. Next week staff will finish the dirt work and seed it.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided to the council. Items included a summary of revenues received in May along with an overview of the city's cash balances, revenues and expenses through Apr. The auditors are done gathering information. The audit report should follow in the next month or two. The June calendar of events was provided.
- **City Administrator Report:** City Administrator Sidel's report was provided to the council. Sidel did some checking on what documentation other cities require for pet licensing. All surround communities require a rabies certificate just as Hartford does. No changes will be made to our requirements at this time. There will be a county/school board election at City Hall this week and then our election on June 23rd. The Metropolitan Planning

Organization Long Range Transportation Plan and the State Transportation Improvement Plan are all being updated. Sidel is working with SECOG to update the City's future projects for these plans.

OLD BUSINESS:

- **Review Proposed Changes to Employee Manual:** When the employee manual was last drafted/adopted, there were only hourly positions. Since the City now has both hourly and salary positions, suggested updates would clarify wording between hourly and salary in certain sections of the manual. Discussion was held on flex time, vacation/sick leave, timesheets, standard work hours, etc. It was decided that Sidel, Wilber & Steinmeyer will meet and discuss these items and bring some thoughts back to the council.
- **COVID-19 Review:** The following items were discussed in regard to COVID-19:
 - **Pool:** After pushing advertising for the lifeguard and assistant manger positions over the last two weeks, we now have enough staff to open without any reduction of hours. One additional lifeguard position will be added per shift to clean and monitor social distancing. Staff is suggesting the capacity be reduced to 50%, which is 95 patrons. This will further aid pool staff in promoting social distancing. Further discussion was held on how admissions would be handled - if we would take cash, annual passes, or both; if we should restrict who can attend or have it on a first come/first serve basis. Bobbi Wingent and Gabby Hoing were present to give their feedback. Staff is proposing opening on Monday June 8th to allow this week to get staff hired and all paperwork done. A motion was made by Monahan, second by Brenneman to open the pool and conduct business as normal at 50% capacity – all voted yes, motion carried.
 - **Park Rec Program:** Sidel has visited with Laura Johnson and they have come up with a plan for the park rec program. They are proposing it run July 6th – 31st. In the past, we have not limited the number of kids. Due to COVID-19, they are suggesting each age group be limited to 30 kids each. During the program, those groups of 30 would then be broken down to three groups of ten. Pre-registration at City Hall would be required, accepting only the first 30 registration for each age group. No daycares would be allowed this year. A motion was made by Monahan, second by Nelson to move forward with the park rec program as presents – all voted yes, motion carried
 - **Park Shelters:** In an effort to promote social distancing and follow CDC guidelines, the City had suspended all park shelter reservations. With reservation requests expected in the coming summer months, staff is asking for direction. A motion was made by Monahan, second by Jones to open park shelter reservations again – all voted yes, motion carried.

NEW BUSINESS:

- **Planning & Zoning Appointment – Steve Nolte:** Due to the term of Matt Cain expiring on Dec 31, 2019, there has been an open position on the Planning & Zoning Board. Mayor Menning recommends that appointment of Steve Nolte. A motion was made by Kuehl, second by Brenneman to approve the appointment of Steve Nolte to the Planning & Zoning Board – all voted yes, motion carried.
- **Review Tax Abatement Request on Parcel #68839:** State law allows property tax abatements for qualifying disabled seniors & veterans. The Minnehaha County Auditor has received an abatement request from a disabled senior on a parcel of land that is located within Hartford city limits. This request needs to be approved by the governing board. A motion was made by Monahan, second by Brenneman to approve the property tax abatement request submitted on Parcel #68839 – all voted yes, motion carried.

CORRESPONDENCE: None.

EXECUTIVE SESSION: A motion was made Monahan, second by Kuehl to enter executive session pursuant to SDCL 1-25-2 (1) for personnel, SDCL 1-25-2 (3) for legal, and SDCL 9-34-19 for economic development at 9:00pm – 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 Nelson, second by Kuehl to exit executive session at 10:01pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Jones, second by Monahan to adjourn at 10:02pm – 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