

City Council Meeting – Regular Meeting April 6, 2021

Mayor Jeremy Menning called the meeting to order at 7:00pm with the following city council members present: Mark Monahan, Arden Jones, Mark Brenneman, LaVonne Randall, Travis Kuehl and Mark O’Hara. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Amy Farr, City Engineer Michael Redenbaugh & Rachel Kloos, City Attorney Tom Frieberg, and nine people from the public.

BUSINESS ITEMS:

- **Approve Agenda:** A motion was made by Jones, second by Randall to approve the agenda as set - all voted yes, motion carried.
- **Approval of the Minutes:** A motion was made by Randall, second by Brenneman to approve the meeting minutes from March 16, 2021 – all voted yes, motion carried

PUBLIC COMMENTS: Gail Blocker, who resides in Hartford, was present to visit with the Council about upgrading the tennis courts located in the city park. With the popularity of pickleball and master tennis, Blocker feels this would be a great addition to the recreational opportunities in the City. Both games are similar to tennis but are slower paced and played on smaller courts making it a great activity for seniors and younger kids. It was the consensus of the Council that the this would be a great addition to the City park and to discuss further at a future meeting.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Public Hearing to Rezone Lots 3 – 5 (Ex E 20’ of Lot 5) and S ½ of Vacated Alley, Block 6 of South Addition from Residential to Light Industrial:** Jim Baartman, on behalf of Kevin Nothdurft, has applied to rezone the property located at the NE corner of Western Ave and South St from residential to light industrial. Other properties in the immediate area are zoned heavy industrial to the south, community commercial to the north and residential to the east. Land across the street to the west is undeveloped at this time. Farther south on Western Ave, the entire corridor between Interstate 90 and Mickelson Rd is zoned community commercial. Baartman would like to purchase this parcel and erect a truck shop for his personal use. A truck shop is a permitted use in light industrial zones whereas in community commercial, a conditional use permit would need to be obtained. The rezone has been before the Planning & Zoning Board, who voted unanimously to recommend approval to the Council. Discussion was held on the differences between the light industrial and community commercial zoning – what uses are permitted, setbacks requirements, etc. Some of the Council expressed concern with zoning it light industrial now and if the property were sold in the future, someone else could bring in a more intense use and the City would have no recourse. With community commercial being a more friendly buffer to residential areas and with the other community commercial zoned properties along the Western Ave corridor, some felt community commercial zoning would be a better fit. A motion was made by Brenneman, second by Randall to deny the rezoning of Lots 3 – 5 (Ex E 20’ of Lot 5) and S ½ of Vacated Alley, Block 6 of South Addition from residential to light industrial – Jones voted no with all others voting yes, motion carried.
- **Public Hearing to Review/Award Bids for Farm Lease:** The City has advertised for bids to lease Tract 1 & 2 of Hartford Hills Addn. Two bids were received. A motion was made by Monahan, second by Kuehl to award the bid to Ryan Beyenhof at \$265/acre and to authorize the Mayor to sign the farm lease – all voted yes, motion carried.

REPORTS:

- **Sheriff’s Department Report:** Deputy Kardas was not present. His report for the month of March was provide. There were 258 calls for service for the month, which is an increase of 23 calls over last month.
- **Chamber & Economic Development Report:** Amy Farr was present to provide her report. Chamber activities include working on upcoming events, ribbon cuttings, newsletter, and social media postings. She also is working with committees on ways to better serve their missions. Farr is scheduled to attend the Mid-America Chamber Executives conference in May. For the HADF, she continues to meet with prospective landowners for purchase opportunities, Envision 2025 invoicing & retention, and lining up speakers for upcoming HADF meetings. Farr plans to attend both the GOED and SMGA conferences being held in April.
- **Engineer Report:** Michael Redenbaugh & Rachel Kloos were present to report the following:
 - The review of the city’s design standards is underway.
 - Work continues on the rate study as more information on the wastewater feasibility study becomes available.
 - The CIP will be reviewed in June.
 - Four plat reviews have been done.
 - Work has begun on the transfer of the city’s GIS maps to ISG’s GIS Department.
 - ISG continues to meet weekly with City staff.
 - ISG provided an update on the progress of the Wastewater Feasibility Study.

- **Public Works Report:** Public Works Superintendent Wagner's report was provided to the council.
 - Streets – Staff has been working on gravel roads and alleys as well as drainage areas. Wagner received a quote from Bumblebee-Gibson, Inc. for this year's mag water. The quote came in only \$.01 higher than last year's price. A motion was made by Monahan, second by Jones to approve Bumblebee-Gibson's quote of \$1.47/gal for mag water – all voted yes, motion carried. Wagner received a quote from Highway Improvements, Inc. for this season's crack sealing and mastic projects. The price is that same as last years. A motion was made by Kuehl, second by Monahan to approve Highway Improvement's quote of \$.75/lf for crack sealing and \$1.25/lb for mastic – all voted yes, motion carried. Staff continue to do street sweeping as time allows. Wagner continues to work with SVE on the street lights. The City of Sioux Falls did accept ASTECH's bid for slurry seal. Once signed contracts are received a preconstruction meeting will be held.
 - Water – Staff continues to change out meters as time allows. There are just under 500 on the new system now. The quarterly stage 2 report has been submitted.
 - Sewer – All reporting is done until April. The new generator for the Mickelson Rd lift station has been ordered. Wagner, along with staff from ISG, are planning site visits to look at some different facilities.
 - Parks – The restrooms were opened up this past Thursday.
 - Pool – Staff is working on getting the pool ready for opening in May.
 - Sports Complex – The fields are now open for play. Soccer goals are scheduled to be put up next week, weather permitting.
 - Training – Staff continues to have safety training sessions twice a month. Brown is scheduled for more certification classes/exams next week. The Street Maintenance spring training has been cancelled. Wagner will be attending a Certified Operators Board meeting on Apr 20th in Pierre.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided to the Council. Items included a summary of revenues received in Mar along with an overview of the city's cash balances, revenues and expenses through Feb. The Apr calendar of events was also provided. Wilber has been reviewing the roll book received from the County and updating the street maintenance fee roll with any changes in preparation for the resolution that will be presented to the Council in Sept.
- **City Administrator Report:** City Administrator Sidel's report was provided to the Council. The pool manger, park rec program director, and dump site monitor positions have been hired. The other positions will remain open for a couple more weeks before we start interviewing. Staff continues to meet with ISG weekly to discuss general engineering projects and the WWTF feasibility study. The P&Z Board has started the process of reviewing the City's design standards and zoning regulations. They are awaiting input for ISG on the design standards and SECOG on the zoning regulations. Once the review is complete, any changes will come before the Council for approval. Ongoing code violations are being addressed at two different properties. The SDML District meetings were held via zoom this year. A legislative update was given at this meeting with the major topic affecting municipalities being the new medical marijuana law that goes into effect July 1st of this year. The SDML will be drafting some sample ordinances for municipalities use in regulating medical marijuana. There will be more information and discussion regarding these new laws in the coming weeks. As part of the American Rescue Plan, it is estimate that the City will receive approximately 570k. The specifics of how these funds can be used is not known at this time. More information will follow.

OLD BUSINESS:

- **Stockwell Engineer Report:** Mitch Megan provided a progress report for the following projects:
 - Wastewater Treatment Facility – Design agreements have been presented. No action will be taken until after the feasibility study is completed.
 - 9th Street Improvements – Construction is substantial complete with asphalt repairs and seeding yet to be done. Warranty inspection will occur in the fall. Pay application #4 for \$24,569.78 for work completed to date was presented to the Council.
 - Ruud/Opal Lane Intersection Improvements – Construction is complete. Warranty inspection to occur in the fall. Change Order #1 for \$6,874.54 was presented to the Council along with final pay application #3 for \$9,124.08.
 - Industrial Park Sanitary Sewer Extension: Design is complete. Contracts remain on hold until further notice from the City.
 - Mickelson Road Improvements: Construction is complete. Warranty inspections to occur in the spring. LOMR is in progress.
 - Action Taken: A motion was made by Monahan, second by Brenneman to approve payment of the 9th St pay app #4 for \$24,569.78, to approve Ruud/Opal Lane Change Order #1 for \$6,874.54 and to approve payment of the Ruud/Opal Lane final pay app for \$9,124.08 – all voted yes, motion carried.
- **Discussion of Dog Park:** Deanna & Alexa Larson and Rachel Lorang with Girl Scout Troop #50087 were present to discuss their dog park project with the Council. The girls have done a survey and the results indicate that a dog park would be a welcomed addition to the City. Mayor Menning indicated that he and Councilmember Jones along with some City staff toured the city looking at possible locations. The group suggested an area off of Railroad St to the east of the yard waste dumpsite. There is ample parking in this location, and it is right along the bike trail. Currently there are 4 frisbee golf holes in this location but they could easily be relocated so as not to impact the 9-hole course. Staff indicated that a rough estimate for fencing, signage and waste stations would 14k

to 16k. This is with no labor. Further discussion was held on the possibility of having water and electricity at the site. Wagner indicated that a small water line could be trenched in from the sewer plant. This line would have to be blown out and winterized each year. There was also discussion on different grant opportunities. A motion was made by Kuehl, second by Jones to approve the dog park location and to proceed with the project up to \$20,000. Further discussion was held on project cost and funding opportunities. Kuehl rescinded his motion. A motion was made by Jones, second by Randall to review project costs at the next meeting and to move forward with pursuing grant opportunities – all voted yes, motion carried.

- **Discussion of Park Board/Committee:** Information was provided on how other area communities have their park boards set up. As discussed at a prior meeting, the implementation of a park & rec board moves certain authorities, such as operations and spending for the City’s park/rec system, from the council to this board. However, when creating the ordinance that establishes this board, certain restrictions could be put in to limit some of these authorities if the Council chooses. It was the consensus of the Council to move forward with creating a board and having a draft ordinance presented at the next meeting.

NEW BUSINESS:

- **Chamber Budget Request:** Brian Grocott, President of HACC, was present to request their 2021 budget allocation. Last year HACC was given a total of 32k – 12k for operating expenses, 15k for the Jamboree carnival and 5k for the Halloween event. Since the Jamboree carnival never happened last year, they are proposing using the funds given for that for their operating expenses this year. The group has decided to no longer be involved in Jamboree Days so they will not be requesting funds for that. They will, however, be doing the Halloween event. For 2021, they are requesting release of \$5,000 for the Halloween event. A motion was made by Kuehl, second by Monahan to release \$5,000 to HACC for the 2021 Halloween event – Randall abstained with all others voting yes, motion carried.
- **Mayoral Appointment of Stacey Kutil – Planning & Zoning Board:** There is currently an open seat on the Planning & Zoning Board for the term expiring Dec 2022. Mayor Menning recommends the appointment of Stacey Kutil to this position. A motion was by Kuehl, second by Jones to approve Mayor Menning’s appointment of Stacey Kutil to the Planning and Zoning Board – all voted yes, motion carried.
- **Discussion on How to Fill Council Vacancies:** City Attorney Frieberg was present to discuss the vacancies on the board. Since there were no petitions filed for the 4 expiring terms, 4 vacancies were created. The elected official whose term has expired shall continue to act in the official capacity until the vacancy is filled by appointment. Prior to the first meeting in May, Frieberg will provide information on how the Council is to proceed with these appointments.

CORRESPONDENCE: None

EXECUTIVE SESSION: A motion was made Brenneman, second by Kuehl to enter executive session pursuant to SDCL 1-25-2(1) for personnel and SDCL 9-34-19 for economic development at 8:41pm – 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 Brenneman, second by Kuehl to exit executive session at 10:09pm – all voted yes, motion carried.

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