

City Council Meeting – Regular Meeting May 4, 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 Engineers David Doxtad & Michael Redenbaugh, City Attorney Tom Frieberg, and ten 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 Kuehl, second by O’Hara to approve the meeting minutes from April 20, 2021 – all voted yes, motion carried.

PUBLIC COMMENTS: None

OLD BUSINESS:

- **Revision to Special Event Permit – Hartford Downtown Market:** Callie Tuschen, on behalf of the Downtown Hartford, Inc., was present to request the use of the City’s picnic tables on the days of the downtown market event. Last year they were allowed to use them free of charge and are requesting this again this year. A motion was made by Brenneman, second by O’Hara to allow Hartford Downtown, Inc to use the City’s picnic tables for the downtown market event and to waive the fee – all voted yes, motion carried.
- **Review/Approve ISG Proposal for Community Development Plan:** David Doxtad, with ISG, presented a proposal to create a Community Development Plan. The components of the plan would include housing, quality of place, and commercial/industrial development. A taskforce would be assembled, and community engagement would be promoted. The purpose of the plan is to guide the community’s growth strategy for the next 5 to 10 year. Councilman Kuehl indicated that HADF’s Envision 2025 initiative would contribute to the cost of the plan as the commercial/industrial development portion would aid them in achieving their vision as well. A motion was made by Jones, second by Randall to approve the proposal for \$62,500 for a Community Development Plan – Monahan voted no with all others voting yes, motion carried.
- **City Council Appointments for Ward 1, Ward 2, & Ward 3:** Since no petition were filed earlier this year for the 4 open council seats, these positions are now vacant and need to be filled by appointment.
 - Mayor Menning recommended the appointment of Travis Kuehl for that 1yr term for Ward 1. A motion was made by Jones, second by Brenneman to approve the appointment of Travis Kuehl for Ward 1 – Kuehl abstained with all other voting yes, motion carried.
 - Mayor Menning recommended the appointment of Mark O’Hara for that 1yr term for Ward 2. A motion was made by Brenneman, second by Monahan to approve the appointment of Mark O’Hara for Ward 2 – O’Hara abstained with all other voting yes, motion carried.
 - Mayor Menning recommended the appointment of Mark Monahan for that 1yr term for Ward 2. A motion was made by Kuehl, second by Jones to approve the appointment of Mark Monahan for Ward 2 – Monahan abstained with all other voting yes, motion carried.
 - Mayor Menning recommended the appointment of Arden Jones for that 1yr term for Ward 3. A motion was made by Monahan, second by Brenneman to approve the appointment of Arden Jones for Ward 3 – Jones abstained with all other voting yes, motion carried.
- **Oaths of Office:** The following oaths of office were taken:
 - Travis Kuehl – 1yr term Councilmember Ward 1
 - Mark O’Hara – 1yr term Councilmember Ward 2
 - Mark Monahan – 1yr term Councilmember Ward 2
 - Arden Jones – 1yr term Councilmember Ward 3
 - Jeremy Menning – 2yr term Mayor

ADJOURN AS OLD COUNCIL: A motion was made by Monahan, second by Jones to adjourn as the old council at 7:25pm – all voted yes, motion carried.

RECONVENE AS NEW COUNCIL: Mayor Jeremy Menning called the meeting to order at 7:26pm with the following city council members present: Mark Monahan, Arden Jones, Mark Brenneman, LaVonne Randall, Travis Kuehl and Mark O’Hara.

VISITORS: Tony Axtell, on behalf of the HASR, was present to provide the council an update:

- New Officers were recently elected: Tony Axtell, Pres; BJ Olson, V Pres; Norm Stueck, Treas; Dan Wagner, Sec; Mike Schuldt Softball Rep; Tim Goehring, Soccer Rep; Matt Evans, At Large Rep.
- Membership has grown and community involvement has increased. Promoting on social media.
- Continue to collect aluminum cans and are looking for a second trailer.

- Will be purchasing two shade structures to be placed at the complex if approved by the City. A motion was made by Monahan, second by Jones to accept the donation of two shade shelters from HASR contingent on Public Works Supt Wagner's review/approval of the structures – all voted yes, motion carried.
- Requests: fencing along Western Ave near soccer fields, reduce speed limit on Western Ave, address ADA concerns on sidewalk, more trees, second storage shed.
- Expressed concerns on timeline of getting entire complex done. Referenced other communities that have completed their sports facilities. Further discussion was held by the council on other major projects that will be coming up and the current debt limit of the City. It was suggested by Mayor Menning that he, along with city staff, engineers, council and members of HASR meet to brainstorm ideas and come back to the council with a solid proposal.

ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Hearing & 1st Reading of Ordinance #707 Rezone Lots 3 – 5 (Ex E 20' of Lot 5) and S ½ of Vacated Alley, Block 6 of South Addition from Residential to Community Commercial:** 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 community commercial. 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, which with community commercial zoning would require a conditional use permit. At the Apr 6, 2021 council meeting, the request to rezone this parcel from residential to light industrial was denied. A motion was made by Jones, second by Brenneman to approve 1st reading of Ordinance #707 Rezone Lots 3 – 5 (ex E 20' of Lot 5) and S ½ of Vacated Alley, Block 6 of South Addition from residential to community commercial – all voted yes, motion carried.
- **7:10 Hearing for Application for Special Alcoholic Beverage License – 120 Main Events, LLC:** Garner Hansen of 120 Main Events has applied for a special alcoholic beverage license to sell alcoholic beverages at the Cinco de Mayo Fiesta Event being held at X-IT 387 Plaza on May 5, 2021 from 3pm to 8pm. A motion was made by Jones, second by Monahan to approve the special alcoholic beverage license for 120 Main Events – all voted yes, motion carried.
- **1st Reading of Ordinance #706 Establishment of Park & Recreation Board:** Ordinance #706 will establish a park & recreation board that is strictly advisory to the council and will not have the authority to spend funds, enter contract, hire staff, etc. A motion was made by Jones, second by Randall to approve 1st reading of Ordinance #706 Establishment of Park & Recreation Board – Monahan voted no with all others voting yes, motion carried.

REPORTS:

- **Sheriff's Department Report:** Deputy Kardas was not present. His report for the month of April was provided. There were 287 calls for service for the month, which is an increase of 29 calls over last month. Kardas will start hosting monthly Coffee with the Cop again starting May 11th 7am at Stomping Grounds. Everyone is welcome.
- **Chamber & Economic Development Report:** Amy Farr was present to provide her report. Chamber activities: prepping for #DiscoverHartford week, mailing of newsletter, continues work on Hartford Living, attending MACE conference. HADF activities: attended GEOD & SMGA conferences, continued efforts on RFI's, ongoing discussion with landowners/developers, Envision2025 meetings.
- **Engineer Report:** David Doxtad was present to report the following:
 - The review of the city's design standards continues. Estimated to be 60% complete now.
 - The rate study will be looked at after completion of the wastewater feasibility study is complete.
 - Development work is ongoing: Western Meadows, Knapp's Landing & Turtle Creek Highlands.
 - Two plat reviews have been done.
 - Transferring the City's GIS information is complete.
 - ISG provided an update on the progress of the Wastewater Feasibility Study.
- **Stockwell Engineer Report:** Mitch Mergen 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** – Asphalt repairs were complete Apr 26. Seeding work is done and will be monitored until established. Warranty inspection to occur in the fall.
 - Vandemark Ave Improvements** – There are two boulevard areas along this project that the contractor has been unsuccessful repairing. Seed has been placed twice and not taken either time. An estimate was provided by a local company to oversee this area. Payment has been held from the contract for this portion of work. A motion was made by Monahan, second by Jones to approve the estimate of \$350 from Shamrock Property Management, LLC for this seeding work – Randall abstained with all others voting yes, motion carried.
 - Ruud/Opal Lane Intersection Improvements** – Warranty inspection to occur in the fall.
 - Industrial Park Sanitary Sewer Extension:** Design is complete. Contracts remain on hold.
 - Mickelson Road Improvements:** Construction is complete. Warranty repairs will be scheduled this spring. LOMR is in progress with revised maps expected to be complete in the coming months.

- **Public Works Report:** Public Works Superintendent Wagner's report was provided to the council.
Streets – Mag water is scheduled for late May. Sweeping is scheduled for next week. Slurry seal contracts are signed. A start date has not been set yet. Boulevard tree planting will be finished up next week. Wagner will be applying for the mosquito control grant again this year.
Water – Staff continues to change out meters as time allows.
Sewer – The new generator is ordered. Staff will be pouring a concrete slab for it this spring. WTR Solutions was here last week to measure the sludge in the ponds and take samples to be analyzed. Engineers and staff toured 5 wastewater facilities last week.
Parks – Wagner provided some rough pricing to redo the tennis courts. It was determined that three different options should be considered: 1) remove existing concrete & repour new; 2) work with existing concrete & apply new surface; 3) apply tile surface to existing concrete. It was the consensus of the council for Wagner to get firm proposals on these three options. Thanks to Jerry Price & the Scouts for the rock work they did at Century Park.
Pool – Staff is working on getting the pool ready for opening in May. Staff is planning on filling it next week.
Sports Complex – Soccer fields have been painted. Thanks to Reliabank for partnering with the City on the purchase of the trees for the Sports Complex.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided to the Council. Items included a summary of revenues received in Apr along with an overview of the city's cash balances, revenues and expenses through Mar. The May calendar of events was also provided.
- **City Administrator Report:** City Administrator Sidel's report was provided. Sidel provided an update on the hiring of summer help. The City continues to take application for Public Works Assistants, Lifeguards, Assistant Pool Manger, and Park Rec Assistant. Staff will meet with GF&P on May 5th to review the grant application for the bike trail projected between Main Ave & Feyder Ave. A Wellmark grant was also applied, which Sidel received notice that the City was unsuccessful at getting. No work on the FEMA grant to the concession stand/storm shelter building at the Sports Complex. The City tries to review the zoning regulation every 5 years. The Planning & Zoning board has started this review. Any suggested changes will be brought to the council for final approval. The City's design standards are also being reviewed. Midwest Assistant Program is offering a free training session on managing municipal debt. Sidel and Wilber plan to attend. The session is in Watertown on June 22nd 12:30pm - 4:30pm. Since it has not been done in a number of years, Sidel will be getting obtaining insurance quotes. She hopes to have them for council review next month. In regard to the medical marijuana measure that was passed, SDML has provided a draft ordinance for municipalizes to use. This draft ordinance is a temporary ordinance that the City will adopt until the State has set their regulations. Once the State's regulations are enacted, the City can pass a new ordinance that will either follow the States regulations or be more restrictive, or a combination. To start the process of adopting a temporary ordinance, a joint meeting needs to be held with the council and planning & zoning board. Wed May 26th 7pm was the date set for the meeting.

NEW BUSINESS:

- **Election of Council President:** Mayor Menning accepted nominations for council president. A motion Kuehl, second by Brenneman to nominated Arden Jones – Jones abstained with all others voting yes, motion carried. A motion was made by Kuehl, second by Randall to cease nominations – Jones abstained with all others voting yes, motion carried. Arden Jones was elected council president.
- **Election of Council Vice President:** Mayor Menning accepted nominations for council vice president. A motion Jones, second by O'Hara to nominated Travis Kuehl – Kuehl abstained with all others voting yes, motion carried. A motion was made by Jones, second by Randall to cease nominations – Kuehl abstained with all others voting yes, motion carried. Travis Kuehl was elected council vice president.
- **Mayoral Appointments – Official Newspaper, Official Health Care Facility, Official Depositories:** Mayor Menning appointed the Official Newspaper as the Minnehaha Messenger, the Official Health Care Facility as Sanford Clinic of Hartford, and the Official Depositories as Great Western Bank, Reliabank, US Bank and First National Bank of Sioux Falls. A motion was made by Monahan, second by Jones, to approve the Mayor's appointments of Official Newspaper, Official Health Care Facility and Official Depositories – all voted yeas, motion carried.
- **Review/Approve Tax Abatement Request on Parcel #23404:** State law allows property tax abatements for qualifying disabled seniors & veterans. The Minnehaha County Auditor has received an abatement request from a disabled veteran 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 Randall to approve the property tax abatement request submitted on Parcel #23404 – all voted yes, motion carried.
- **Review/Approve Purchase Agreement between City & HADF for Lot 3 (EX E 33') and Lot 4 of Swenson Addition:** This purchase agreement would transfer this land from the City to the HADF at no cost with the condition that HADF utilize the City attorney in the negation/completion of the sale of this property to another party. In addition, this property has excess dirt on site which the City has agreed to sell to certain individuals. This agreement allows those individuals access to the property to remove their portion of the dirt up until Oct 31, 2021. A motion was made by Jones, second by Randall to approve the purchase agreement between the City & HADF for Lot 3 (EX E 33') & Lot 4 of Swenson Addition as presented – Monahan voted no with all others voting yes, motion carried.

- **Presentation of Petition for 12th Street Improvements:** Don Sieverding, of Knapp's Landing, has circulated a petition for street improvements to 12th St, from Western Ave east to the intersection of Duck Trl & Kelley Jo Dr. The petition has been signed by over 55% of adjoining landowners and now is being presented to the council for review. Don & Stacey Sieverding and Bill Haugen were present. A motion was made by Monahan, second by Brenneman for city engineers to do a cost analysis on the project and to review what underground/utility work may need to be done with the project and come back to the city with an estimate – all voted yes, motion carried.
- **Review On-Street Parking Regulations:** Ordinance #622, which addresses on-street parking of commercial vehicles, was reviewed. Parking of commercial vehicles upon city streets is prohibited. There is, however, a list of 11 exceptions to this provision. It was the consensus of the council that the verbiage of this section needs to be reviewed further at a future meeting.

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 8:56pm – 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 Randall, second by Monahan to exit executive session at 9:24pm – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Monahan to adjourn – motion rescinded.

A motion was made by Monahan, second by Jones to give Amy Sebert a \$1.00 raise for the 2021 pool season – all voted yes, motion carried.

ADJOURNMENT: A motion was made by Monahan, second by Randall to adjourn at 9:25pm – 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