

## **Planning and Zoning Meeting – Regular Meeting February 10, 2026**

Planning & Zoning Chairman Tony Randall called the meeting to order at 7:00pm at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Keely Espinoza, Brad Miles and Joe Whealy. Stacey Kutil was absent with notice. City Administrator Teresa Sidel and Building Inspector/Code Enforcer Kyle Christensen were also present. There were seven people from the public present.

**Approve Agenda:** A motion was made by Miles, second by Graham to approve the agenda as set – all voted yes, motion carried.

**Approval of the Minutes:** The January 13, 2026 regular meeting minutes were reviewed. A motion was made by Espinoza, second by Anderson to approve the January 13, 2026 meeting minutes – all voted yes, motion carried.

**Public Comments on Non-Agenda Items:** None

### **Hearings/Petitions/Applications:**

**A motion was made by Miles, second by Graham, to adjourn as the Planning and Zoning Board and reconvene as the Board of Adjustments – all voted yes, motion carried.**

- **7:05 Variance Hearing:** The city has received a variance application from Nick Simmermon for parcel #23862 & #80872. This is the vacant property on the east side of Western Ave. between Ramona Drive and 5<sup>th</sup> Street in the middle of the Block. The city rezoned this property from residential/natural resource conservation to residential high density last fall thus allowing reduced lot area, width, and sideyard setbacks.

Mr. Simmermon would like to purchase the property and develop with a private drive and single family homes on both sides of the drive. He indicated that the homes would be affordable housing and have a one stall garage. Mr. Simmermon believes he can meet all city regulations except for the setback requirements. The original application asks for a 20' backyard setback, which would be a variance request of 5' but the original site plan provided with the variance application shows a 16' private drive – this will need to be increased to 26' per fire code, thus requiring a larger variance request. The developer is now seeking a backyard setback of 15', which would be a variance of 10' and a front yard setback of 20', which would be a variance of 5'.

Concerns brought about by the Board were too short of driveways, parking in the narrow private drive/street, and not enough room for placement of sidewalks. There were 3 neighboring property owners that also expressed concerns which included smaller rear yards, drainage, parking, and affordable housing verses low-income housing. It was also pointed out that the Board already rezoned this property to Residential High Density to allow for smaller lots and setbacks but now they are being asked to reduce the setback even more.

Believe the applicant did not meet the criteria for a variance, a motion was made by Graham, second by Miles to deny the variance request for reduced setbacks – all voted yes, motion carried.

**A motion was made by Espinoza, second by Miles, to adjourn as the Board of Adjustments and reconvene as the Board of Appeals – all voted yes, motion carried.**

### **New Business:**

- **Certificate of Appointments:** Mark Anderson and Brad Miles were re-appointed by the mayor to serve an additional 2-year term on the Planning and Zoning Board to run from January 2026 to the end of December 2027. Joe Whealy was newly appointed by the Mayor to serve a 2-year term as well until December 2027. All three were presented with appointment certificates. The city appreciates their service to the Board.
- **Election of Chairman for 2026:** Randall called for 2026 Chairman nominations from the Board. Miles nominated Tony Randall for the 2026 Planning and Zoning Chair, nomination was second by Anderson. Graham then made a motion to cease nominations and cast a unanimous vote for Randall as the 2026 Planning and Zoning Chairman, second by Miles – all voted yes, motion carried.
- **Election of Vice-Chairman for 2026:** Randall called for 2026 Vice-Chairman nominations from the Board. Graham made a motion to nominate Brad Miles for the 2026 Planning and Zoning Vice-Chair and to cease nominations and cast a unanimous vote for Brad Miles as the 2026 Planning and Zoning Vice-Chairman, second by Espinoza – all voted yes, motion carried.

### **Updates:**

- **Building Inspector Update:** Building Inspector Paul Clarke was unable to attend the meeting but provided a written update to the Board, along with his January building permit report. Clarke noted that there are currently 7 open

single-family permits and two twin home permits. Clarke also provided an update on commercial projects. The Board also asked that Clarke provide an update on code issues at 1<sup>st</sup> & Mundt.

- **Building Inspector/Code Enforcer Update:** Kyle Christensen was present to update the Board on recent code enforcement issues. His January code enforcement report was provided in the Board packet. Items addressed this past month include junk on property, unlicensed pets, and a code violation for a sign in the city's ROW. Christensen also gave the Board an update on a couple of bills that are being discussed during this legislature session. SB129 is a bill which could adopt the 2024 ICC codes, if passed, the city will be looking at updated our current 2021 codes to the 2024 codes. SB3 would allow no permits for siding, roofing, and some interior remodels. If passed, this will prove a challenge to the city for doing inspections and ensuring code compliance.
- **City Administrator Update:**
  - **Project Updates**
    - Western Ave Expansion: All 3 phases of the road are complete. Some minor punch list items still need to be addressed such as seeding, sidewalks, dirt work, etc.
    - WRRF –Substantial completion has been achieved on the project and the city is treating all our wastewater through the new plant. The city continues to work with ISG and Rice Lake on equipment startups, updates to the SCADA system and testing. The city continues to advertise for a plant operator.
    - TA Grant – ISG has received state approval to move forward on this project. Design is planned for this winter with construction this spring.
    - Kelley Ave Drainage Study – ISG conducted a study of this area due to the poor drainage concerns. Current drainage conditions and 3 possible alternatives for improvements were reviewed by the city council on 10/7. No action was taken by the council but it will be revisited within the next couple of months.
    - Other Projects: All on-going developments have been provided with an updated punch list to be completed from the city.
  - **Other Updates:**
    - The city is advertising for a new wastewater plant operator.
    - The city has approved the final plan and development agreement for TIF #3. All necessary approvals have been completed and TIF #3 is in effect.
    - The city has transferred the old lagoon land to Gateway Hartford Inc. for future remediation and redevelopment. GHI is leasing back the property to the city in order to allow the city to continue de-watering the lagoons, relocating the tree branch site, and honor our billboard lease agreement.
    - The state is turning 250. The city council will have some discussions on things we can do to help recognize this.
    - The Board was asked if they want to take over the city council's laptops or continue to get information via paper copies and the city's website. The Board was in agreement to continue with the same system and not utilize the old computers.
    - The city will be utilizing new "public hearing" notice signs – the new sign was shown to the Board.

**Adjournment:** A motion was made by Espinoza, second by Miles to adjourn at 7:54pm – 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 are on file at Hartford City Hall.

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Teresa Sidel, City Administrator