

PLANNING AND ZONING AGENDA
TUESDAY, MARCH 31, 2020
7:00 P.M.

Due to the COVID-19 Pandemic, the City of Hartford will be conducting city meetings via teleconference in order to promote social distancing and abide by CDC standards and Governor Noem's Executive Order

To Join the Meeting from your Computer, Tablet or Smartphone go to:
<https://global.gotomeeting.com/join/627672469>

To Join the Meeting by Phone dial:
1-872-240-3212

Access Code: 627-672-469

- 1) ROLL CALL
Mark Anderson, Eric Bartmann, Tim Graham, Brad Miles, Stephanie Olson-Voth,
Tony Randall

- 2) APPROVAL OF THE AGENDA

- 3) APPROVAL OF MINUTES for:
 - March 10, 2020 Meeting

- 4) HEARINGS/PETITIONS/APPLICATIONS
 - 7:05 Hearing – Deannexation Petition for Parcel 71116

- 5) OLD BUSINESS

- 6) NEW BUSINESS
 - Reschedule April 14, 2020 Meeting

- 7) UPDATES
 - Building Inspector Update – Paul Clarke
 - City Administrator Updates – Teresa Sidel

- 8) ADJOURNMENT

Next Planning & Zoning Meeting: TBD

March 31, 2019 P&Z Notes

Hearings/Petitions/Applications:

- **7:05 Deannexation Petition:** Rose Stumpe has submitted a deannexation petition to the city for approval. As part of the Mickelson Road Project, the Hartford City council agreed to deannex this parcel, which lays just to the north of the city lagoons. This land was originally annexed as a rural service district in order for the city to get contiguous land to annex the property where the city lagoons sit. Now that Cresswood Addition has been annexed, the city does not need this land in the city. When negotiating right-of-way and land purchases for the new Mickelson Road, it was agreed between the City and LeRoy and Rose Stumpe to deannex this parcel. This deannexation does not include the city's private road to our lagoons – this was purchased by the city and is owned by the city. Now that the Mickelson Road Project has been completed and pursuant to our agreement, the city needs to deannex this parcel.

New Business:

- **Reschedule April 14, 2020 Meeting:** As of now, the Governor has not cancelled the April Elections – although there is talk of this (the city does not have authority to do this on our own). So, we are still planning our election and encouraging as many people as possible to vote by absentee ballot. If the election does not get cancelled, we will have to reschedule or cancel the April 14, 2020 meeting date.

Updates:

Code Enforcer/Building Inspector Updates:

- Paul Clarke will be present to provide an update to the Board on building permits.

City Administrator Updates:

- City Buildings: Most of you are aware of the situation, but city buildings are closed to the public to help protect essential city worker and keep city services running. We have been able to do most things remotely and have not received any complaints from the public – everyone has been very understanding.
- Meetings: P&Z and City Council Meetings will continue as scheduled via teleconferencing for now. The COVID-19 pandemic changes daily so we will be adapting as needed. For now, we plan to still hold our P&Z meetings twice a month but by teleconference instead of in person.
- Haine's Plat: The city council did approve the Haine's plat and waived the pre-annexation agreement.
- Landfill Passes: The City of Sioux Falls is not allowing free landfill passes (not even to Sioux Falls residents) in order to cut down on the traffic through the landfill. They will issue them once the situation changes.
- Projects: The 9th Street project has been awarded to Zacharias Construction – A pre-construction meeting will be planned within the next few weeks. The city is currently advertising for the Western Avenue sewer project – award will be made once we receive confirmation of grant approval.

Stop by City hall or call if you have any Question: 528-6187

Planning and Zoning Meeting – Regular Meeting March 10, 2020

Chairman Tony Randall called the meeting to order at 7:00 p.m. at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Stephanie Olson-Voth, Eric Bartmann and Brad Miles. City Administrator Teresa Sidel and Building Inspector Paul Clarke were also present.

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

Approval of the Minutes: The February 25, 2020 meeting minutes were reviewed. A motion was made by Anderson, second by Bartmann to approve the February 25, 2020 regular meeting minutes – all voted yes, motion carried

Hearings/Petitions/Applications

- **7:05 Hearing to Vacate South Portion of Block 8, Drake's Addition:** The city has received a vacate petition circulated by Sioux Valley Energy to vacate the south 161.54 feet of the 15 foot wide alley running north and south between E 1st Street and E Railroad Street in Block 8 of Drake's Addition to the City of Hartford. This would be the alley portion that runs primarily between their facility along Railroad Street and the Goldenwest facility. Dave Ossefoort with Sioux Valley Energy was present to address any questions from the Board. He indicated the Sioux Valley would like to vacate this area in order to enlarge and better utilize their property. Sioux Valley Energy and Goldenwest Telecommunications do have facilities within this area so all easements will need to stay in place. A motion was made by Olson-Voth, second by Anderson to recommend approval of the vacate petition, with all easements staying in place, for the S 161.54 feet of the alley in Block 8 of Drakes Addition to the City of Hartford – all voted yes, motion carried.
- **7:10 Hearing to Vacate a portion of East Mickelson Road:** The city has a signed vacate petition to vacate the “old” portion of E Mickelson Road that will no longer be used since the re-alignment was completed last year. It encompasses from Highway 38 west about 413 feet. Goldenwest is the only utility with facilities in this area so their easement will need to stay in place. A motion was made by Bartmann, second by Miles to recommend approval of the vacate petition, with all easements staying in place, for the strip of right-of-way in the N1/2, NW1/4 of Section 26 and the S1/2, SW ¼ of Section 23, Township 102N, Range 51W in Minnehaha County, South Dakota, which encompasses the east end of the “old” Mickelson Road alignment - all voted yes, motion carried.
- **Review Plat for Lot 1 of Haines Addition:** The city received a plat from Wyatt Haines for an area outside of city limits but within our platting jurisdiction. Mr. Haines owns property about ½ mile north of Exit 390, along 466th Ave. He would like to plat a small portion of his property to erect a home on it. This smaller portion will allow him to secure a lower interest rate for financing. This newly platted portion would sit in the middle of his property and abut 466th Ave on the east side. Section 4.1.4 of the city's subdivision regulations states that no plat within the city's unincorporated jurisdiction shall be approved unless the subdivider has filed a petition for annexation or executed an agreement to annex with the city council. Per city regulations, a pre-annexation agreement shall be obtained before approval of the plat. This agreement states that once the land is contiguous with the city, the landowner will voluntarily annex into the city if requested. Mr. Haines has asked the city to waive the pre-annexation agreement for this plat. He noted that he purchased the property before our regulation for pre-annexation agreements were in place, so he was unaware of this requirement. He also stated that he has invested heavily into this property, including water and septic and his worry is that he will be forced to hook onto city services and abandon his current investment. The Board understood his concerns and it was noted that the adjoining property to the north, west and south of his property is still his to control and if he never annexes his other land, the city cannot act upon the pre-annexation agreement. The city would have to grow completely around the new plat and touch the east side of the new plat before the pre-annexation agreement could be enacted. The Board also discussed concerns about forced annexation, condemnation and issues that arise when cities grow completely around a property, which cause a “donut hole” within the city. A motion was made by Bartmann, second by Miles to recommend approve the plat for Lot 1 of Haines Addition contingent that a

pre-annexation agreement is executed with the city – Anderson and Randall voted no, with all others voting yes, motion carried.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide a report to the Board. Currently there are 8 open single-family homes in various stages of construction. Clarke continues to monitor the progress of the Hartford Building Center project. Sidel gave an update on the mobile home in Lot 6B of the Northside Mobile Home Park. A lock out was conducted on the morning of March 10th and the inside condition of the mobile home proved inhabitable. There were several building, safety and health hazards found. The mobile home has been condemned and boarded up until it can be removed.
- **City Administrator Update:**
 - **P&Z Vacancy:** A vacancy still exists on the Planning and Zoning Board that will need to be filled by appointment from the Mayor.
 - **Code Enforcement Report:** The Board was provided the February code enforcement report.
 - **MPO Long-Range Transportation Plan:** The city of Hartford is participating on an update to the areas long-range transportation plan (LRTP). There will be an open house for public input on March 25th from 5:00 – 6:30 at the Hartford Fire Station.
 - **Kelly Point 2nd Addition:** A plat for Kelley Point 2nd Addition was reviewed and approved administratively for 3 single family lots.
 - **Upcoming Agenda Items:** The Board was given a brief update on an upcoming deannexation petition.

Adjournment: A motion was made by Olson-Voth, second by Miles to adjourn at 7:51 p.m. – 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 Hartford City Hall.

Teresa Sidel, City Administrator

PUBLIC NOTICE

A deannexation petition has been received from Circle J Farms asking for the deannexation of the following property: The West 660 Feet of the North half of the NE Quarter (N1/2NE1/4), except the West 33 feet, in Section 27, Township 102 North, Range 51 West of the 5th P.M., Minnehaha County, South Dakota, containing 2 acres, according to the recorded plat thereof. This petition will be reviewed by The Planning and Zoning Board on March 31, 2020 at 7:05p.m. The Hartford City Council will review said deannexation at 7:05 p.m. on April 7, 2020 at Hartford City Hall to either approve or disapprove the described request. All interested parties may appear and be heard.

Dated this 5th day of March 2020.

Teresa Sidel
Hartford City Administrator

Petition for the Exclusion of Certain Real Property from the Municipal Boundaries of the City of Hartford, South Dakota.

COMES NOW, Circle J. Farms, Inc. and hereby submits to the City Council for the City of Hartford, South Dakota, this written petition for exclusion of certain real property from the Municipal Boundaries of the City of Hartford, South Dakota.

In support of this petition Circle J. Farms, Inc. states:

1. It is the owner of the following described real property, located within the municipal boundaries of the City of Hartford, South Dakota, legally described as:

The West 660 feet of the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$), except the West 33 feet, in Section 27, Township 102 North, Range 51 West of the 5th P.M., Minnehaha County, South Dakota, containing 2 acres, according to the recorded plat thereof.

2. Circle J. Farms, Inc. is requesting that the City Council, by resolution, exclude the real property described in paragraph 1. of this petition, from the municipal boundaries of the City of Hartford, South Dakota.
3. Circle J. Farms, Inc. represents to the Hartford City Council that this petition is signed by the owners of one-hundred percent of the owners in value of the real property described in paragraph 1. of this petition and sought to be excluded from the municipal boundaries of the City of Hartford, South Dakota.
- 4) Circle J. Farms, Inc. represents to the Hartford City Council that there are no legal voters residing within the real property legally described in paragraph 1. of this petition and sought to be excluded from the municipal boundaries of the City of Hartford, South Dakota.

WHEREFORE, petitioner requests that the City of Harford schedule a hearing on this petition and that notice thereof be given as provided by law.

Dated this 14th day of February, 2020.

CIRCLE J. FARMS, INC.

Rose M. Stumpo

By:

Its: *President*

~~507 N. Saghorn Drive~~

~~Hartford, SD 57033~~

*202 W. 81st St.
Sioux Falls, SD*

57108

Arizona
STATE OF ~~SOUTH DAKOTA~~)
Maricopa :SS
COUNTY OF ~~MINNEHAHA~~)

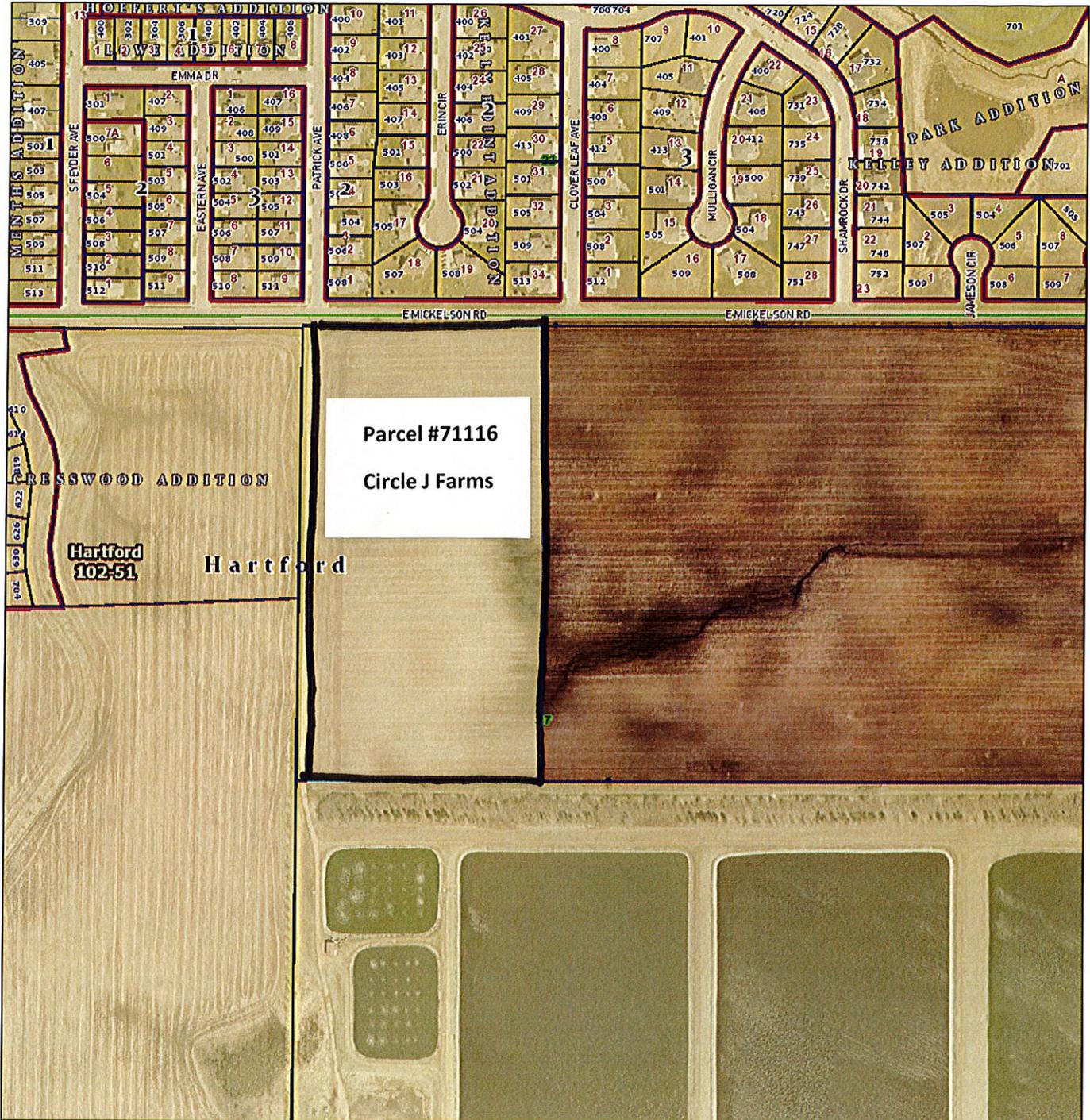
On this the 14th day of February, 2020, before me, the undersigned officer, personally appeared Rose M. Stumpe, who acknowledged himself/herself to be the President of CIRCLE J FARMS, INC., a corporation, and that (s)he, as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself/herself as such officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.



Christopher Egan
Notary Public, ~~South Dakota~~ Arizona
My commission expires: 08/08/2022

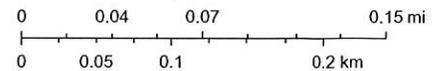
Deannex Parcel #71116



2/4/2020, 9:56:27 AM

- County Tract County Parcels
- County Lot Parcels
- County Block Standard Tax Parcel
- County Additions Condo or Suite
- County Tax Lines Municipalities
- PLAT Section
- TAXLOT Townships

1:4,514



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, City of