

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.
 - **Kelley 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