

**Hartford City Council Agenda**  
**Tuesday, September 15, 2020 - 7:00 p.m.**  
**Hartford City Hall**

Mayor: Jeremy Menning  
Ward 1: Mark Brenneman and Travis Kuehl  
Ward 2: Mark Monahan and Mark O'Hara  
Ward 3: LaVonne Randall and Arden Jones

**Pledge of Allegiance**

**Business Items**

- Roll Call of Mayor and City Council Members
- Additions to the Agenda/Approve Agenda
- Approve Minutes of Previous Meeting(s)  
    \*Regular Meeting Minutes - 09/01/2020
- Approve Bills submitted for Payment

**Public Comments** - Public Input on Non-Agenda Items

\*Action cannot be taken on items discussed unless specifically listed elsewhere on the agenda\*

**Applications, Agreements, Hearings, Resolutions & Ordinances**

- Special Events Application - 2020 Homecoming Parade
- 7:05 Hearing & 1<sup>st</sup> Reading of Ordinance #697 - Rezone of Lots 7&8, Block 4 of Hartford City Proper
- 7:10 Hearing & 1<sup>st</sup> Reading of Ordinance #694 - Amended Zoning Regulations
- 7:20 Hearing - Annexation and Rezone of Lot 3 of Swenson Addition
  - Resolution 2020-13 - Annexation of Lot 3 of Swenson Addition
  - 1<sup>st</sup> Reading of Ordinance 696 - Zoning of Lot 3 of Swenson Addition
- 2nd Reading of Ordinance #692 - Rezone of Lots 5&6, Block 3 of Western Meadows Addition
- 2nd Reading of Ordinance #693 - 2021 Appropriation Ordinance

**Reports**

- Fire Department Report - Chief Bryon Shumaker
- City Engineer Report - Stockwell Engineers
- Public Works Superintendent - Craig Wagner
- Finance Officer Report - Karen Wilber
- City Administrator Report - Teresa Sidel

**Old Business**

- Jamboree Request - Release \$5,000 of Appropriations for 2020 Event

**New Business**

- Review Plat of Tract 1 and Tract 2 of Anderson's Addition
- Assignment Agreement between City of Hartford and Rural Office of Community Services

**Correspondence**

**Executive Session (SDCL 1-25-2) (SDCL 9-34-19)**

**Adjournment**

**Next Regular City Council Meeting: Tuesday - October 6, 2020**

## City Council Meeting – Regular Meeting September 1, 2020

Mayor Jeremy Menning called the meeting to order at 7:00pm with the following city council members present: Mark Monahan, Arden Jones, Mark Brenneman, Travis Kuehl, and Mark O’Hara. LaVonne Randall were absent with notice. Also present were City Administrator Teresa Sidel, City Finance Officer Karen Wilber, Public Works Superintendent Craig Wagner, Chamber & Economic Development Director Gabe Steinmeyer, City Engineer Mitch Mergen, City Attorney Tom Frieberg and approximately three 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 Brenneman, second by O’Hara to approve the meeting minutes from Aug 18, 2020 – Monahan abstained with all others voting yes, motion carried. A motion was made by Jones, second by Monahan to approve the budget meeting minutes from Aug 26, 2020 – all voted yes, motion carried.

**PUBLIC COMMENTS:** None.

**VISITORS:** Pool Manager Amy Sebert was present to give the 2020 end of season report for the pool. She recognized all the lifeguards and assistant managers that staffed the pool this year. Due to the pandemic and opening the pool later than usual, there was only one session of swimming lessons offered, which was well attended. Passes sold included 198 family and 55 individuals in addition there were 25 pool parties booked. Barb Thaler was a great help with training and conducting drills throughout the summer. Sebert also extended a thank you to city staff and to the council for making the decision to open the pool this year. Even with the pandemic and the changes that were made, the season was a success.

### ORDINANCES, RESOLUTIONS, APPLICATIONS, AGREEMENTS AND HEARINGS:

- **7:05 Rezone Hearing & 1<sup>st</sup> Reading of Ordinance #692 Lots 5 & 6, Block 3 of Western Meadows Addition:** Western Meadows, LLC has applied to rezone Lots 5 & 6 of Block 3 from community commercial to residential. Lots to the west and south of these lots are currently zoned residential and have houses on them. The Planning & Zoning board has reviewed this request and recommend approval of the rezoning. A motion was made by Monahan, second by Kuehl to approve 1<sup>st</sup> reading of Ordinance #692 to rezone of Lots 5 & 6, Block 3 of Western Meadows Addition from community commercial to residential – all voted yes, motion carried.
- **7:10 Hearing for Special Events Application – 2020 Jamboree Event:** Leah Johnson, on behalf of the Jamboree Committee, was present to request a Special Event Permit to hold a one-day Jamboree Event on Saturday Sept 26<sup>th</sup>. The event will include a car show, burnout contest and entertainment in the city park followed by a street dance downtown. The committee is also requesting to sell malt beverages during the event and the use of city staff as needed. A motion was made by Jones, second by Monahan to approve the special event permit for the 2020 Jamboree Event as applied for and to waive the fee – all voted yes, motion carried.
- **2<sup>nd</sup> Reading of Ordinance #691 Amend Subdivision Regulations:** The City’s subdivision regulations have been updated to incorporate changes to the street lift policy. The updated street lift policy states that the final lift of asphalt shall not be installed until one construction season (minimum 6 months) expires from the date all underground infrastructure is installed. The Planning & Zoning Board has reviewed these regulations and is recommending approval by the city council. A motion was made by Monahan, second by Brenneman to approve 2<sup>nd</sup> Reading of Ordinance #691 Amended Subdivision Regulations – all voted yes, motion carried.
- **1<sup>st</sup> Reading of Ordinance #693 2021 Appropriations:** Ordinance #693 outlines and sets the 2021 budget that was voted on by the Council at the August 26, 2020 special budget meeting. A motion was made by Jones, second by Brenneman to approve 1<sup>st</sup> reading of Ordinance #693 2021 Appropriations – all voted yes, motion carried.
- **Resolution 2020-10 Annual Street Maintenance Fee:** Resolution 2020-10 will authorize the assessment of an annual street maintenance fee at a rate of \$1 per front footage with a minimum assessment of \$65. An exhibit was provided of all parcels and their assessed amounts. A motion was made by Monahan, second by Brenneman to approve Resolution 2020-10 Annual Street Maintenance Fee Assessment – all voted yes, motion carried.
- **Resolution 2020-11 Transportation Alternative Grant Application:** The City has applied for a grant that will aid in the construction of the bike trail along Turtle Creek between Feyder Ave & Main Ave. Passing Resolution 2020-11 is part of the grant process and states that the City will maintain the trail, commit to the matching funds needed for the project and secure the right-of way needed. The funds are in the Bike/Rec account and as for the right-of-way, the trail will be placed on City owned property. A motion was made by Jones, second by Monahan to approve Resolution 2020-11 Transportation Alternative Grant Application – all voted yes, motion carried.

- **Resolution 2020-12 Unclaimed Property:** A check that was issued by the City in March 2019 remains uncashed. Attempts have been made to contact the payee to either cash the check or, if lost, the City would reissue. Since the City has received no response, passing Resolution 2020-12 would allow the City to send the unclaimed check amount to the State Unclaimed Property Division, who would then hold the funds and handle any future claims. A motion was made by Kuehl, second by O'Hara to approve Resolution 2020-12 Unclaimed Property – all voted yes, motion carried.

## **REPORTS:**

- **Sheriff's Department Report:** Deputy Kardas was present to provide his report for the month of August, which had 323 calls for service for the month.
- **Chamber & Economic Development Director Report:** Chamber & Economic Development Director Steinmeyer's report was provided to the council. Chamber items include updates to the bylaws, finalizing the Sept mailer, organizing the 3<sup>rd</sup> Annual Golf Classic, producing "Coffee With A Cop" segments, and recruitment of board & committee members. For HADF, Steinmeyer continues to respond to RFI's and meet with entities interest in Hartford. He also continues to work on workforce housing & apartment focused housing projects. Steinmeyer requested Council approval to attend a Dakota Resources Learning Network Gathering on Sept 15<sup>th</sup>/16<sup>th</sup> in Custer, SD. The event topic is community engagement and the registration fee is \$100. A motion was made by Brenneman, second by O'Hara to approve Steinmeyer attending the Dakota Resource event on Sept 15<sup>th</sup>/16<sup>th</sup> – all voted yes, motion carried.
- **Engineer Report:** Mitch Mergen provided engineer updates:
  - 9<sup>th</sup> Street Improvements – The project is on schedule with the curb & gutter now in place and the remaining concrete work expected to be complete this week. Crews will then begin preparing for asphalt. Pay application #2 for work completed to date was presented to the council. A motion was made by Jones, second by Monahan to approve pay application #2 to Zacharias Construction, Inc. in the amount of \$139,406.69 – all votes yes, motion carried.
  - Ruud/Opal Lane Intersection Improvements – The contractor has experienced some delays in the underground work due to private utility conflicts. These utilities have now been relocated and work on the project is proceeding. Underground work is expected to be complete this week. Crews will then begin preparing for asphalt. Pay application #1 for work completed to date was presented to the council. A motion was made by Monahan, second by Kuehl to approve pay application #1 to Zacharias Construction, Inc. in the amount of \$16,006.18 – all votes yes, motion carried.
  - Vandemark Avenue Improvements – Warranty repairs are underway, including concrete work and seeding. Property owners will be notified as the work progresses.
- **Public Works Report:** Public Works Superintendent Wagner's report was provided to the council.
  - Streets – The second application of mag water is planned in the coming weeks. Staff has been working on street patching and striping. Mosquito fogging continues as needed. Street sweeping is planned for next week. The speed trailer has been out at various problem areas.
  - Water – Staff continues to change out meters as time allows.
  - Sewer – Monthly reporting has been done. A pump went down at the Sagehorn lift station. Staff was able to switch the pump with a replacement pump with no issues.
  - Parks – The refurbishing of the playground equipment is underway. The signage to recognize Turtle Creek have arrived. Staff will work on getting them put up.
  - Pool – Staff has finished winterizing the pool.
  - Sports Complex – The City has been approved for a grant thru Reliabank for the planting of trees at the Sports Complex. The grant will fund \$100 per tree up to 15 trees for a total of \$1,500. Discussion was held on using funds budgeted for boulevard trees towards trees at the Sports Complex in an effort to get some bigger trees out there. Wagner also indicated that money is budget each year for trees in the parks too. Since planting will not happen until spring, Wagner will discuss with Mike Smith and bring more information back to the council at a future meeting.
- **Finance Officer Report:** City Finance Officer Wilber's report was provided to the council. Items included a summary of revenues received in August along with an overview of the city's cash balances, revenues and expenses through July. The September calendar of events was also provided.
- **City Administrator Report:** City Administrator Sidel's report was provided to the council. The City has acquired property south of Railroad St. that was previously owned by West Central School Dist. Lease agreements for the west face of billboard #2 & #3 are being cancelled due to nonpayment. The City will now have three billboards available for lease. Representatives from Safety Benefits will be in the office on Sept 16<sup>th</sup> to conduct a work comp audit. The new phone system is scheduled to be installed on Sept 16<sup>th</sup>. The State is

planning to make improvements to the Western Ave interstate exchange in 2025. As part of the CIP, the city is also planning to do improvements along Western Ave from the exchange to Mickelson Rd. The State would allow the City to partner with them for the engineering design. Discussion was held on going this route verses having City Engineers design the City's portion of the project. It is the consensus of the council that our engineers do the design work on the City's portion of the project.

**OLD BUSINESS:** None

**NEW BUSINESS:**

- **Mayoral Appointments – City Attorney and City Engineer:** Mayor Menning appointed Frieberg, Nelson & Ask as the City Attorney until September 2021. A motion was made by Kuehl, second by Monahan to approve Mayor Menning's appointment of Frieberg, Nelson & Ask as the City Attorney until September 2021 – all voted yes, motion carried. Mayor Menning appointed Stockwell Engineers as the City Engineer until September 2021. A motion was made by Brenneman, second by O'Hara to approve Mayor Menning's appointment of Stockwell Engineers as the City Engineer until September 2021 – all voted yes, motion carried

**CORRESPONDENCE:** None

**EXECUTIVE SESSION:** A motion was made Jones, second by Kuehl to enter executive session pursuant to SDCL 1-25-2 (3) for legal at 8:38pm – 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.

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Karen Wilber, Finance Officer

**EXECUTIVE SESSION:** A motion was made by Brenneman, second by Monahan to exit executive session at 8:56pm – all voted yes, motion carried.

**ADJOURNMENT:** A motion was made by Brenneman, second by Monahan to adjourn at 8:57pm – 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.

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Teresa Sidel, City Administrator

**APPLICATION FOR A SPECIAL EVENTS PERMIT**  
**(No Alcohol Usage)**

West Central HS (organization/applicant), hereby makes application to the City of Hartford, South Dakota, to conduct an event described as follows:

Homecoming Parade

Such event shall be conducted on the 25 day of Sept, 2020 between the hours of 1:00 and 2:00.

The area of public property, street, alley, highway or public sidewalk upon which such event shall be conducted is as follows:

2nd street from MS parking lot -> West to Main -> South to Railroad

Address of Event: \_\_\_\_\_

I certify that this organization/applicant meets all criteria on front and back of this form.

Amy Lupkes 8-27-20  
Signature Date

Organization: West Central HS  
Applicant: Amy Lupkes  
Address: 705 E. 2nd St  
Phone Number: 528-6236  
Email: Amy.Lupkes@K12.sd.us

**THIS PORTION FOR OFFICE USE**

The undersigned, City Administrator of Hartford, South Dakota, hereby certifies that the foregoing application has been considered and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and that the \$5 application fee have been thereof received.

\_\_\_\_\_  
Signature Date

**ORDINANCE #697**

**AN ORDINANCE of the City of Hartford, South Dakota,  
providing for the rezoning of certain property within the City  
of Hartford.**

**BE IT ORDAINED** by the governing body of the City of Hartford, South Dakota:

**THE ZONING CLASSIFICATION** under the Zoning Ordinance of the City of Hartford, South Dakota,  
of the real property described as:

Lot 7 & Lot 8, Block 4 of Hartford City Proper, City of Hartford, Minnehaha County,  
South Dakota

**IS HEREBY REZONED** from Community Commercial (CC) to Central Business (CB).

**ADOPTED** this 6th day of October 2020.

\_\_\_\_\_  
Mayor Jeremy Menning

Attest:

\_\_\_\_\_  
Karen Wilber

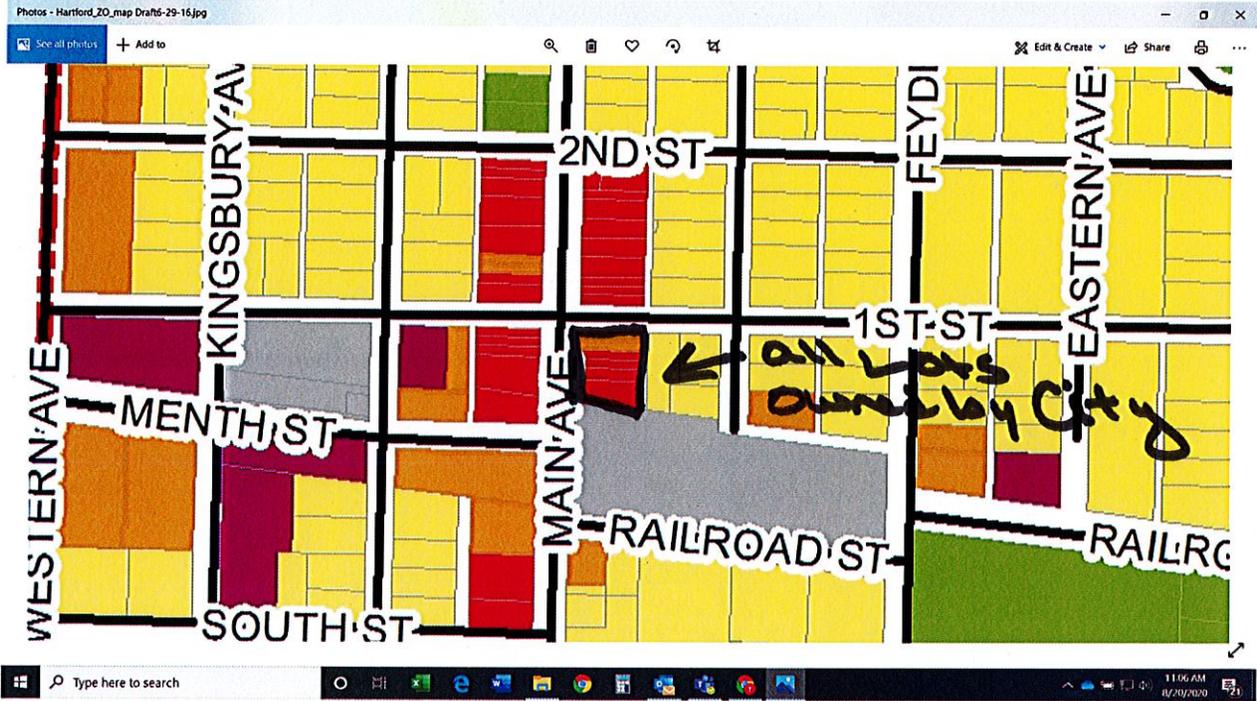
Planning and Zoning Public Hearing: September 8, 2020  
1<sup>st</sup> Reading of Rezone Ordinance: September 15, 2020  
2<sup>nd</sup> Reading & Adoption: October 6, 2020  
Publication: September 25, 2020  
Effective: November 5, 2020

(seal)



City of Hartford

Zoning Map



## **PUBLIC NOTICE**

The Hartford Planning and Zoning Commission will conduct a public hearing at 7:05p.m. on September 8, 2020 at Hartford City Hall to review and make a recommendation to the Hartford City Council in regards to a zoning change application submitted by the City of Hartford for Lot 7 & 8, Block 4 of Hartford City Property. The request is to change the current zoning from Community Commercial (CC) to Central Business (CB). The Hartford City Council will conduct a public hearing at 7:05 p.m. on September 15, 2020 at Hartford City Hall to either approve or deny the zoning change. All interested parties may appear and be heard.

Dated this 28th day of August, 2020.

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Teresa Sidel  
City Administrator

**ORDINANCE NO. 694**

AN ORDINANCE OF THE CITY OF HARTFORD, SD, AMENDING THE 2016 REVISED HARTFORD ZONING REGULATIONS BY AMENDING CHAPTER 3, NRC: NATURAL RESOURCE CONSERVATION DISTRICT; CHAPTER 4, R: RESIDENTIAL DISTRICT; CHAPTER 5, MH: MANUFACTURED HOUSING RESIDENTIAL; CHAPTER 6, NC: NEIGHBORHOOD COMMERCIAL DISTRICT; CHAPTER 7, CC: COMMUNITY COMMERCIAL DISTRICT; CHAPTER 8, RC: REGIONAL COMMERCIAL DISTRICT; CHAPTER 9, CB: CENTRAL BUSINESS DISTRICT; CHAPTER 10, LI: LIGHT INDUSTRIAL DISTRICT; CHAPTER 11, HI: HEAVY INDUSTRIAL DISTRICT; AND CHAPTER 20, DEFINITIONS.

BE IT ORDAINED BY THE CITY OF HARTFORD, SD:

*Section 1. That Chapter 3.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06
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*Section 2. That Chapter 4.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to remove the following:*

Church	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06.
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*Section 3. That Chapter 4.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06
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*Section 4. That Chapter 5.02 of the 2016 Revised Hartford Zoning Regulations is hereby amended to remove the following:*

Churches	12.02, 12.04, 12.11, 19.01 One of the principle frontages shall abut upon an arterial or collector street. One freestanding sign as allowed within 12.06.
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*Section 5. That Chapter 5.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.11 All parking lots being eight feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street. One free standing sign as allowed within 12.06
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*Section 6. That Chapter 6.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.06, 12.11
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*Section 7. That Chapter 7.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.06, 12.11
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*Section 8. That Chapter 8.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.06, 12.11
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*Section 9. That Chapter 9.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.06, 12.11
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*Section 10. That Chapter 10.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.06, 12.11
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*Section 11. That Chapter 11.01 of the 2016 Revised Hartford Zoning Regulations is hereby amended to include the following:*

Place of Worship	12.02, 12.04, 12.06, 12.11
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*Section 12. That the following entries in Chapter 20.02 of the 2016 Revised Hartford Zoning Regulations are hereby amended to read as follows:*

CHURCH – See (Place of Worship).

PLACE OF WORSHIP – A premises used for the regular assemblage of people for the purpose of worship, ceremonies, rituals, or education relating to a particular form of religious belief. Places of worship include, but are not limited to, churches, chapels, mosques, synagogues, and temples.

Adopted this 6<sup>th</sup> day of October 2020

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Jeremy Menning  
Mayor, City of Hartford

ATTEST:

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Karen Wilber  
Finance Officer, City of Hartford

Seal

First Reading: September 15, 2020  
Second Reading & Adoption: October 6, 2020  
Publication: October 16, 2020  
Effective Date: November 5, 2020

## NOTICE OF PUBLIC HEARING

Pursuant to SDCL 11-4-4, notice is hereby given that the Hartford City Council will hold a Public Hearing on September 15, 2020, regarding adoption of the revised Hartford Zoning Regulations, which was recommended by the Hartford Planning Commission. A copy of the proposed Hartford Zoning Regulations is available for public review at the Hartford City Hall in the office of the City Administrator during regular business hours.

This City Council public hearing will be held at the following time, date and location:

7:10 P.M.  
September 15, 2020  
Hartford City Hall (125 N. Main Avenue)

The purpose of this hearing is to explain the proposed amendments to the Hartford Zoning Regulations to interested persons, to answer questions regarding this item, and to hear public comment on this item. The City Council invites all interested persons to attend and offer their comments. Those interested persons not able to attend are invited and encouraged to send written comments, prior to the hearing, to the Hartford City Administrator, 125 N. Main Avenue, Hartford, SD 57033.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this hearing, please contact the City Administrator at (605) 528-6187. Anyone who is deaf, hard-of-hearing or speech-disabled may utilize Relay South Dakota at (800) 877-1113 (TTY/Voice). Notification 48 hours prior to the hearing will enable the City to make reasonable arrangements to ensure accessibility to this hearing.

Teresa Sidel  
City Administrator

Prepared by:  
Teresa Sidel  
PO Box 727, Hartford, SD 57033  
605-528-6187

## **RESOLUTION OF ANNEXATION #2020-3**

**BE IT RESOLVED** by the Common Council of the City of Hartford, South Dakota:

**WHEREAS**, the City of Hartford, owner of the real property described as:

**Lot 3 of Swenson Addition to the City of Hartford Minnehaha County  
South Dakota**

**AND WHEREAS**, the City of Hartford having petitioned the Common Council of the City of Hartford for annexation of said area into the City, and said petition appearing in good form and in compliance with the requirements and provisions of SDCL 9-4-1, as amended, now, therefore,

**BE IT RESOLVED** by the Common Council of the City of Hartford, South Dakota, that the real property described above is hereby annexed into and incorporated within the municipal limits of the City of Hartford, South Dakota.

**DATED** this 15th day of September, 2020

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Mayor Jeremy Menning

(Seal)

ATTEST:

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Karen Wilber, City Finance Officer

**ORDINANCE #696**

**AN ORDINANCE of the City of Hartford, South Dakota,  
providing for the zoning of certain property within the City of  
Hartford.**

**BE IT ORDAINED** by the governing body of the City of Hartford, South Dakota:

**THE ZONING CLASSIFICATION** under the Zoning Ordinance of the City of Hartford, South Dakota,  
of the real property described as:

Lot 3 of Swenson Addition, City of Hartford, Minnehaha County, South Dakota

**IS HEREBY DESIGNATED** as Light Industrial.

**ADOPTED** this 6th day of October 2020.

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Mayor Jeremy Menning

Attest:

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Karen Wilber

Planning and Zoning Public Hearing: September 8, 2020  
1<sup>st</sup> Reading of Rezone Ordinance: September 15, 2020  
2<sup>nd</sup> Reading & Adoption: October 6, 2020  
Publication: September 25, 2020  
Effective: November 5, 2020

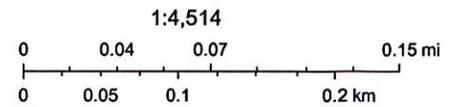
(seal)

# Lot 3 Swenson Addition



9/4/2020, 2:26:44 PM

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



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

**ORDINANCE #692**

**AN ORDINANCE of the City of Hartford, South Dakota,  
providing for the rezoning of certain property within the City  
of Hartford.**

Lot 5 & 6 in Block 3 of Western Meadows Addition, City of Hartford, Minnehaha  
County, South Dakota

**BE IT ORDAINED** by the governing body of the City of Hartford, South Dakota:

**THE ZONING CLASSIFICATION** under the Zoning Ordinance of the City of Hartford, South Dakota,  
of the real property described as:

**IS HEREBY CHANGED** from the municipal zoning of Community Commercial (CC) to  
Residential (R).

**ADOPTED** this 15th day of September 2020.

\_\_\_\_\_  
Mayor Jeremy Menning

Attest:

\_\_\_\_\_  
Karen Wilber

Planning and Zoning Public Hearing: August 25, 2020  
1<sup>st</sup> Reading of Rezone Ordinance: September 1, 2020  
2<sup>nd</sup> Reading & Adoption: September 15, 2020  
Publication: September 25, 2020  
Effective: October 15, 2020

(seal)

## **PUBLIC NOTICE**

The Hartford Planning and Zoning Commission will conduct a public hearing at 7:05p.m. on August 25, 2020 at Hartford City Hall to review and make a recommendation to the Hartford City Council in regards to a zoning change application submitted by Western Meadows LLC to rezone approximately 21,545 square feet of land lying on the north side of Opal Lane to be platted as Lots 5 and 6 in Block 3 of Western Meadows Addition, City of Hartford, Minnehaha County, South Dakota from Zoning classification of Community Commercial (CC) to Residential (R). The Hartford City Council will conduct a public hearing at 7:05 p.m. on September 1, 2020, at Hartford City Hall to either approve or deny the zoning change. All interested parties may appear and be heard.

Dated this 14<sup>th</sup> day of August 2020.

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Teresa Sidel  
City Administrator

**APPLICATION FOR ZONING CHANGE OR AMENDMENT  
HARTFORD, SOUTH DAKOTA**

# 4169 rec'd 8.10.20

APPLICATION NUMBER: \_\_\_\_\_ FEE: \$20.00: check#  or  cash

APPLICANT: Western Meadows LLC APPLICANT ADDRESS: 7409<sup>th</sup> Bitterroot Place

Phone Number: 605-336-2779 Ext. 124 Email Address: bmogend@castelloco.com

LEGAL DESCRIPTION: Approx. 21545 sq. ft to be platted lying on North side of Opal Lane, Hartford

PROPERTY ADDRESS: TBD Opal Lane, Hartford SD

If Change of Zone: PETITION TO REZONE FROM Commercial DISTRICT TO Residential DISTRICT

REASON FOR REQUESTED CHANGE OF ZONE OR ZONE AMENDMENT:  
Re-Plat area into 2 residential lots to conform with existing residential parcels located South + West of Subject Property

I (we) hereby certify that the information given is correct and true and furthermore, I (we) agree to comply with any and all conditions concerning approval of this application and other zoning requirements of the City of Hartford.

[Signature]  
Signature of Applicant

8/5/20  
Date

[Signature]  
Signature of Property Owner (if different from petitioner)

8/5/20  
Date

[Signature]  
Authorized Zoning Official

8-10-20  
Date

**For Office Use Only:**

Date of Public Hearing held by Planning and Zoning: 8.25.20 Time: 7:05

Recommendation to  approve or  disapprove change of zone by Planning and Zoning Board.

[Signature]  
(Signature of Planning and Zoning President)

Date of Public Hearing held by the City Council: 9.1.20 Time: 7:05

Granted  Denied

\_\_\_\_\_  
(Signature of Mayor)

Notice sent to Official Newspaper for P&Z & CC Hearing (Not less than 10 days Prior to Hearing): 8.6.20

Notice posted on Property for P&Z Hearing (10 days prior to Hearing): 8.14.20

Public Hearing by Planning and Zoning: 8.25.20

Notice posted on Property for CC Hearing (10 days prior to Hearing): 8.25.20

First Reading & Public Hearing by City Council: 9.1.20

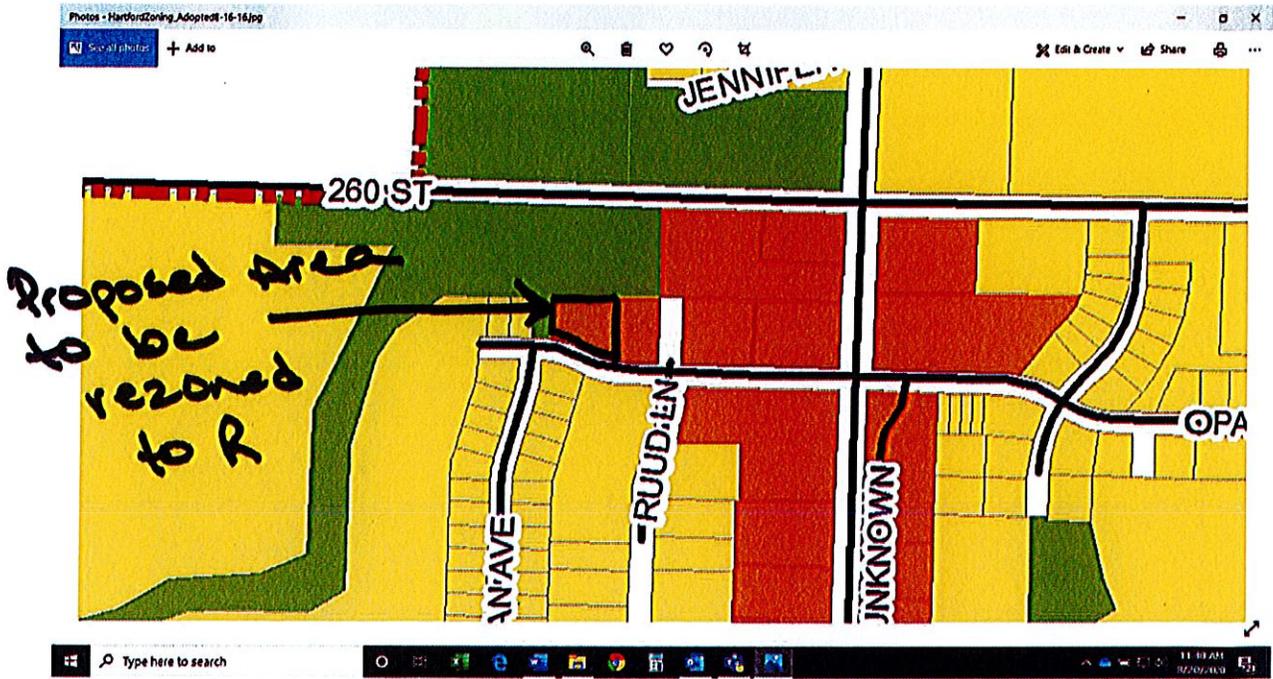
Second Reading and Adoption: 9.15.20

Publication Date: 9.25.20

Effective Date: 10.15.20

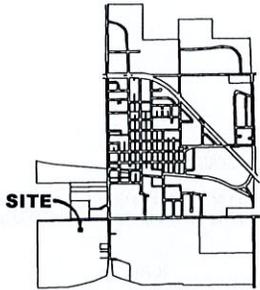
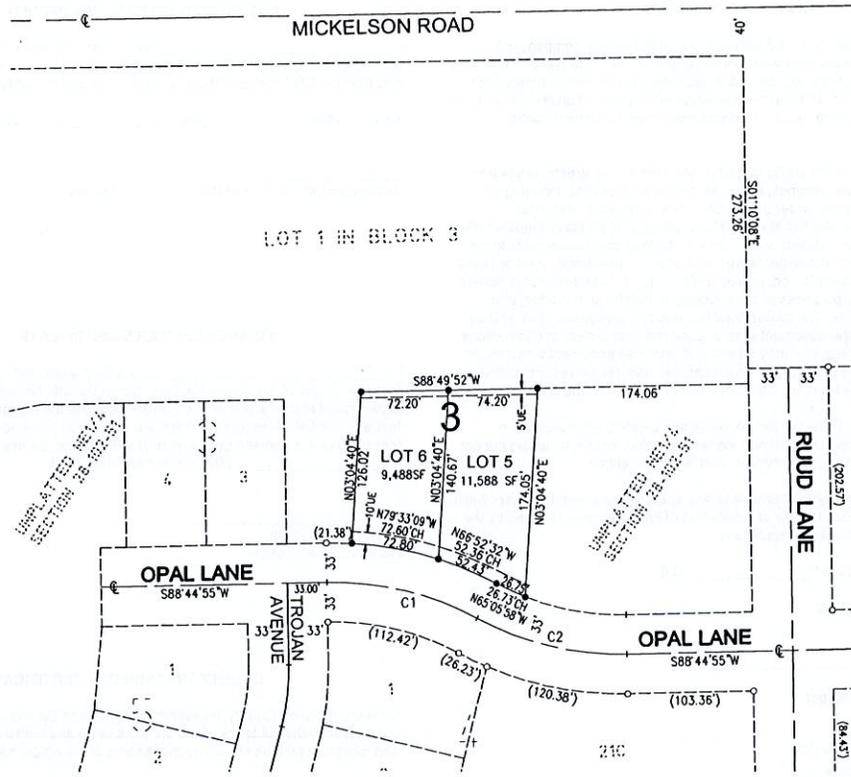
City of Hartford

Zoning Map



Checked By: G. Andersh  
 Project No. 20103  
 Dated: 8/27/20  
 Dwg: Western Meadows B3 L5-6

# WESTERN MEADOWS ADDITION TO THE CITY OF HARTFORD, MINNEHAHA COUNTY, SOUTH DAKOTA (Lots 5 & 6 in Block 3)



HARTFORD, SD  
 VICINITY MAP



CENTERLINE CURVE TABLE					
CURVE NO.	RADIUS	DEFLECTION	ARC	CHORD	BEARING
C1 & C2	250.00'	29°40'59"	129.52'	128.07'	S76°24'35"E

**LEGEND**

- PROPERTY CORNER FOUND
- PROPERTY CORNER SET (#5x1.5" REBAR W/SURVEYOR'S ID CAP)
- PREVIOUSLY PLATTED AREA
- ue UTILITY EASEMENT

**NOTES:**

Orientation of bearings is the universal transverse mecaton system.

**SURVEYOR'S CERTIFICATE**

I, Gary L. Andersh, of Schmitz, Kalda & Associates, Inc., a Registered Land Surveyor in the State of South Dakota, do hereby certify that I have, on or before this date, and at the request and direction of the property owner, surveyed a portion of the Northeast Quarter (NE1/4) of Section 28, Township 102 North, Range 51 West of the 5th P.M., Minnehaha County, South Dakota, and divided and platted the same into the following as shown on the plat:

Lots 5 and 6 in Block 3

The same shall hereafter be known and described as Western Meadows Addition to the City of Hartford, Minnehaha County, South Dakota.

I further certify that to the best of my knowledge the plat correctly represents the same, is true and correct and that it was made under my direct supervision.

Dated: August 27, 2020

Gary L. Andersh, LS



Prepared By:  
 SCHMITZ, KALDA & ASSOC., INC.  
 320 N. Main Avenue  
 Sioux Falls, SD 57104  
 (605) 332-8241



	General Fund	3rd Penny Sales Tax Fund	Sports Complex Fund	Capital Project Fund 505	Capital Project Fund 506	Capital Project Fund 507	Memo Total
460 Conservation and Development							
463 Urban Redevelopment and Housing							-
465 Economic Development and Assistance	305,200.00	88,590.00					393,790.00
466 Economic Opportunity							-
Total Conservation and Development	\$ 305,200.00	\$ 88,590.00	\$ -	\$ -	\$ -	\$ -	\$ 393,790.00
470 Debt Service							
471 Principal	302,036.01						302,036.01
472 Interest	81,509.71						81,509.71
Total Debt Service	\$ 383,545.72	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 383,545.72
480 Intergovernmental Expenditures							-
490 Miscellaneous							
491 Judgements and Losses							-
499 Liquor							-
Total Miscellaneous	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Appropriations and Accumulations	<u>\$ 3,091,244.14</u>	<u>\$ 88,590.00</u>	<u>\$ 842,000.00</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 1,269,300.00</u>	<u>\$ 5,291,134.14</u>

Section 2

	General Fund	3rd Penny Sales Tax Fund	Sports Complex Fund	Capital Project Fund 505	Capital Project Fund 506	Capital Project Fund 507	Memo Total
Governmental Funds							
Unassigned Fund Balance	77,687.53	24,574.00	83,820.00			-	186,081.53
310 Taxes							-
311.01 Property Tax - Current Yr	1,446,127.00						1,446,127.00
311.02 Current Year minus 1	6,000.00						6,000.00
311.07 Tax on Mobile Home	4,000.00						4,000.00
311.09 Tax - Other	4,000.00						4,000.00
313.00 Sales Tax	880,000.00	64,000.00					944,000.00
314.00 Taxes Collected	2,800.00						2,800.00
315.00 Amusement	225.00						225.00
317.00 Excise Tax	75.00						75.00
319.00 Penalties/Interest Taxes	1,000.00						1,000.00
320 Licenses and Permits	54,484.00						54,484.00
330 Intergovernmental Revenue	317,298.00		757,800.00			360,000.00	1,435,098.00
340 Charges for Goods and Services	82,022.00						82,022.00
350 Fines and Forfeits	8,000.00						8,000.00
360 Miscellaneous Revenue	169,413.92	16.00	380.00			100.00	169,909.92
363 Special Assessments	-			965.57	37,146.12	-	38,111.69
390 Other Sources	38,111.69		-	-	-	909,300.00	947,411.69
Total Means of Finance	<u>\$ 3,091,244.14</u>	<u>\$ 88,590.00</u>	<u>\$ 842,000.00</u>	<u>\$ 965.57</u>	<u>\$ 37,146.12</u>	<u>\$ 1,269,400.00</u>	<u>\$ 5,329,345.83</u>

**ORDINANCE NO. 693**  
**2021 APPROPRIATION ORDINANCE**  
(continued)

Section 3

	<u>Water Fund</u>	<u>Sewer Fund</u>
Proprietary and Fiduciary Funds		
Beginning Unrestricted Cash	-	12,186.24
Estimated Revenue	658,020.00	644,230.00
TOTAL AVAILABLE	<u>658,020.00</u>	<u>656,416.24</u>
Less Appropriations (Expenses)	608,618.36	656,416.24
Less Depreciation Reserve (SDCL 9-21-12)		
ESTIMATED SURPLUS/REVENUE	<u>\$ 49,401.64</u>	<u>\$ -</u>

The auditor/finance officer is directed to certify the following dollar amount of tax levies made in this ordinance to the County Auditor.

Adopted this 15th day of September, 2020

\_\_\_\_\_  
Jeremy Menning, Mayor

\_\_\_\_\_  
Attest - Karen Wilber, Finance Officer

(seal)

First Reading: 9-1-20  
Second Reading: 9-15-20  
Published: 9-25-20  
Effective Date: 10-15-20

Hartford Fire

City council report

August information

Total calls                    42

Calls in Hartford            14

EMS training- Neonatal resuscitation, basic deliver and management of neonate, after delivery  
management

Fire training- Mapping and skill stations.



## 9<sup>th</sup> Street Improvements

The City approved a resolution of necessity to construct improvements along 9<sup>th</sup> Street from Mundt ave to Vandemark Ave. Improvements include new water mains, sanitary sewer extension and roadway improvements. The roadway will be constructed with curb and gutter and asphalt pavement. Zacharias Construction was awarded the construction contract. The project is scheduled to be complete late September.

**Update** | Progress continues on the 9<sup>th</sup> Street project. Since the last council meeting, crews completed concrete approach work and prepared the site for asphalt. Asphalt is expected to be

complete during the week of September 7<sup>th</sup> pending the weather. Once complete, concrete crews will return to finish the sidewalks and other remaining work. Topsoil, seeding and final restoration is scheduled for the week of September 14<sup>th</sup>.

## Ruud and Opal Lane Intersection Improvements

The scope of this project is to improve surfacing at the Ruud and Opal intersection. Work will generally include removing the asphalt, repairing underground storm sewer infrastructure, and restoring it to grade. Zacharias Construction was awarded the construction contract. The project is planned to be complete by late August.

**Update** | Since our last report, the contractor completed curb and gutter and other miscellaneous concrete work. The base course within the intersection is prepared and awaiting asphalt. A bottom lift of asphalt is scheduled for the week of September 7<sup>th</sup>. After which, asphalt leading into the intersection will be milled and inspected for deficiencies. Stockwell will coordinate additional repairs if needed with City staff. Additional funds might be necessary to address deficiencies.





## Vandemark Avenue

**Update** | Warranty repairs are scheduled for the week of September 14<sup>th</sup>. The contractor will begin with concrete repairs. Once finished, disturbed areas will be reseeded. Various locations where seed germination was sparse will be sprayed for weeds, fertilized and overseeded. Property owners will be notified as the work progresses.

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## Industrial Park Sanitary Sewer Extension

The scope of this project is to construct and extend sanitary sewer facilities to the City's industrial park



located at the intersection of Western Avenue & 258<sup>th</sup> Street. The extension is approximately 1.3 miles in length.

**Update** | Construction documents are complete and ready to bid. One easement remains on the project. Easement documents are being coordinated through the City Attorney. Stockwell staff continue to provide assistance as needed.

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## CIP Updates and Rate Study

The scope of this project is to update the city's CIP and conduct a rate study analysis on the water and sewer fund. Stockwell staff will assist with cost estimates and project planning in an effort to evaluate and budget for future projects.

**Update** | The 2020 CIP was finalized and delivered to City Staff. Stockwell will begin to evaluate water and sewer rates as the WWTF project progresses.

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## Mickelson Road Improvements

The Mickelson Road project was a full reconstruction of the roadway and utilities from Patrick Avenue to Hwy 38. The construction was completed in 2019. The remaining scope of the project is working with FEMA to map the revised floodway and floodplains of the creek that passes under Mickelson Road through the new box culverts.



**Update** | Since the last council meeting, warranty inspections were conducted along the project and a list of repairs was sent to the contractor. Repairs include a mill and overlay above the box culvert to repair some of the settlement that has occurred. This work will be conducted in the spring of next year. Stockwell's office also received comments to the LOMR application that was submitted to FEMA. Staff is working on addressing and responding to the comments.

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## Force Account

Stockwell provides services to city staff as needed under a force account agreement. Services typically include plan reviews, costs estimates or other routine services as requested. Plan reviews typically include preliminary plans, conditional use requests, site plans, engineering documents and plats.

**Update** | Recent force account work includes the following: TAP Grant Application Assistance ▪ Stahl Commercial Building Site Plan Review ▪ Western Meadows Plat Review ▪ Ace Hardware Site Plan Review ▪ Western Meadows Phase 4 Plan Review ▪ Anderson's Addition Plat Review

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## Maintenance Report – 9/15/2020

September 9, 2020

### Streets

**Roads** – We are planning on applying mag water on Friday if the weather holds.

**Equipment**- All of the equipment is running well.

**Patching** – We are done patching for now.

**Hwy 38** – I visited with Travis Dressen with SDDOT the other day. They are working their way towards Hartford with the turning lanes. We also visited about the “Welcome to Hartford” sign. They are “OK” where ever we put it as long as we stay out of their ROW.

**Mosquito fogger** – We will continue to spray as needed; the season is close to being over.

**Street sweeping** – We didn’t get the sweeper out this week but will have it out next week.

**Speed trailer** – The speed trailer is out on Opal. We are also putting the traffic counters on Opal. We are getting complaints about the speed of the traffic in this area so I want to get more information from them. I will download the data from the traffic counters this week and have the information available at the council meeting.

**Drainage areas** – We are continuing to work on the drainage area by Cressman’s, it is about half way done.

### Water

**Meters** – We have been working on changing them out, we have less than a 1,000 left.

**Reports** – I will be filling out the stage 2 reports and sending them in this week. We have finished up with the lead and copper sampling and will be shipping them to the state today. The lead and copper sampling are done every three years.

**Water hydrant** – We are scheduled to rebuild the hydrant at 4<sup>th</sup> and Western on Thursday.

## **Sewer**

**Main list station** – Everything is running well at this time.

**Reports** – The monthly DMR report for August has been sent in.

**Lagoons** – We will be taking samples in the next few weeks to see if we will be able to discharge.

**Sagehorn lift station** – All is good at this time.

**Future facility** – We have met with few engineer firms these last few weeks; they wanted to see what we have now and what are ideas where.

## **Park**

**Parks** – We have started the refurbishing of the equipment.

**Turtle Creek** – The “TURTLE CREEK” signs arrived yesterday; we will be working on getting these put up.

**Bike Trail** – The signs are up and I will be working with Troy on the benches.

**Pool** – Pool is closed and getting winterized.

**Sports complex** – We did receive notification on the tree grant from Reliabank that they will donate a \$100.00 per tree for the Sports Complex. This is for both fields, with 15 trees at each. The City’s portion would be \$2,100.00 having Mike do the planting. I would have enough in this year’s budget to put towards them. We had some discussion at the last meeting on this and it was brought up about using the boulevard tree money for these. I would like to see the boulevard tree planting continue.

**Public Buildings** – The guys have poured half of the concrete for the shop and will be pouring the other half tomorrow.



Explanation of Agenda ItemsApplications, Agreements, Hearings, Resolutions & Ordinances:

- **Special Event Application:** The West Central School District has submitted a special events application to hold a parade in conjunction with the 2020 Homecoming activities. The date of the parade is September 25, 2020 from 1:00pm to 2:00pm. The parade will be along 2<sup>nd</sup> Street between the High School and Main Avenue. *The school is asking the city to waive the \$5.00 application fee - we have done this in the past for them.*
- **7:05 Hearing & 1<sup>st</sup> Reading of Ordinance #697:** The City of Hartford owns lots 2-8 of Block 4 of Hartford City Proper. These lots are along Main Avenue directly north of the Hartford Elevator. The 2 north lots (Lot 7 & 8) are zoned community commercial and the remaining lots are zoned central business. The city and HADF would like to see all these lots zoned the same. Since they are within the downtown area, it makes sense to rezone the north 2 lots to central business. A copy of the city's current zoning map is in your packet for reference.
- **7:10 Hearing and 1<sup>st</sup> Reading of Ordinance #694:** Ordinance 694 would amend our zoning regulations to allow Places of Worship (churches) as permitted uses in all zoning districts. The P&Z Board discussed this and approved at their last meeting. It would remove the wording of "churches" in residential and manufactured housing residential sections and add "Place of Worship" in all zoning districts as permitted used. Place of worship would include any premise used for the assembly of people for a religious belief, not just those buildings specifically designed for it. (our current ordinance only allows Churches in residential zoned areas)
- **7:20 Hearing – Annexation and Rezone of Lot 3 of Swenson Addition:** The City owns Lot 3 of Swenson Addition (the 5 acres just east of Central States Manufacturing). Currently this land is not in city limits. The city didn't annex this property when purchased because there are 2 housing eligibilities on the land and once annexed, those eligibilities are lost. The HADF and City has had some discussions about foregoing those eligibilities and just annexing the land and getting it zoned so it can be easily marketed to interested commercial buyers. The land would be more appealing to potential buyers if they don't have to go through the annexation and zoning process. Under council direction, the city is asking for this property to be approved for annexation and to be zoned as light industrial (Lot 2 (to the west) and Lot 4 (to the south) are already zoned light industrial). Resolution 2020-13 would annex the lot and Ordinance 686 would zone it as light Industrial.
- **2nd Reading of Ordinance #692 (no change):** Western Meadows LLC has submitted a rezone application for a portion of land lying in the NE corner of Opal Lane and Trojan Avenue. The property is currently zoned community commercial and the developers are asking for it to be rezoned to residential. This is a less intensive use and is one down from the current zoning. The lots to the west and south are currently zoned residential and have already been developed with housing. The property to the east is undeveloped yet. A copy of our current zoning map, along with a proposed plat map from Western Meadows, is in your packet for review. Lot 5 & Lot 6 in Block 3 is the area proposed for the rezone. This request was reviewed by the P&Z Board last week and they recommend approval to the city council. Approval of Ordinance #692 would rezone this area from Community Commercial to Residential.
- **2<sup>nd</sup> Reading of Ordinance #691 -Amendment to the City's Sub-Division Regulations (No Changes since 1<sup>st</sup> Reading):** As you know, our engineer has drafted an amended subdivision regulation that will incorporate changes to the city's street lift policy as discussed a couple of meetings ago. This amendment incorporates the street lift policy discussed with the council and incorporates a minimum timeframe of six months from when the underground infrastructure is placed and when the 1<sup>st</sup> street lift can be placed as suggested. This draft was presented to the Planning and Zoning Board to review and the Board approved the amendment and recommends approval by the city council.
- **1<sup>st</sup> Reading of Ordinance #693 – 2021 Appropriation Ordinance (no change):** In your packet is Ordinance #693, which is our 2021 budget. This ordinance reflects the motions that were made by the city council at our budget work session on Wednesday, August 26, 2020. The following allocations were added to the city's proposed expenses.

Expenses:

- General Fund
  1. \$8,668 was added to Salaries for 1/3 of a part-time office assistant
  2. \$18,000 was added to Streets for a sander
  3. \$12,000 was added to Streets for one reversable plow
  4. \$6,666 was added to street for 1/3 of a pickup truck to replace the '98 Dodge
  5. \$22,500 was added for the Humboldt Fire & Ambulance
  6. \$9,000 was added to the Senior Center for appropriations
  7. \$12,000 was added to the Hartford fire department for operation expenses
  8. \$36,000 was added to the Hartford fire department for equipment replacement
  9. \$10,000 was added to Promotion for Hometown Christmas
  10. \$15,000 was added under the Downtown Committee for Downtown Improvements
  11. \$25,000 was added to Promotion for Jamboree Event
  12. \$75,812 was added under Parks for Capital Improvements at the Sports Complex
  
- 3<sup>rd</sup> Penny Fund
  1. \$32,000 was added to Promotion for Chamber: Operating (12K), Jamboree Carnival (15K) & Halloween (5K)
  2. \$55,590 was added for the HADC
  
- Water Fund
  1. \$8,666 was added to Salaries for 1/3 of a part-time office assistant
  2. \$6,667 was added to street for 1/3 of a pickup truck to replace the '98 Dodge
  
- Sewer Fund
  1. \$8,666 was added to Salaries for 1/3 of a part-time office assistant
  2. \$6,667 was added to street for 1/3 of a pickup truck to replace the '98 Dodge

**Reports - No Action Items**

**Old Business:**

- **Jamboree Appropriation Request:** The Jamboree Committee will be asking the city to release \$5,000 of their 2020 appropriation for this year's event. (Original Appropriation was \$25,000)

**New Business:**

- **Review Plat of Tract 1 and 2 of Anderson's Addition:** The city currently has platting jurisdiction with Minnehaha County. This means that all plats (or replats) that are within the city's growth area must first be approved by the City of Hartford before they can be presented to the County for approval – it must go before the P&Z Board and City Council both for approval. Joel Boy with Midwest Land Surveying submitted the enclosed plat for city review. Enclosed are our comments on the plat. To date, these comments have not been addressed. P&Z did approve the plat contingent that our engineer comments are addressed. Basically, they need to illustrate existing buildings to verify setbacks, increase the ROW on 465<sup>th</sup> Ave and sign a pre-annexation agreement, which would require annexation if the city asks since we touch this property. Council can approve the plat contingent on the engineer comments or can table this item.
- **Assignment Agreement between the City of Hartford and Rural Office of Community Services:** When the city originally purchased our transit bus, we received a grant from the State of South Dakota. This grant allowed us to purchase a used bus from the City of Clark. Since this was a grant and the city only paid 20% of the cost, the State and ICAP had an interest in the bus as well. Now that the city no longer has ICAP managing the transit bus, the state wants the city to acknowledge that Rural Office of Community Service (ROCS) now has interest in the bus that was previously held by ICAP. This assignment agreement assigns ICAPS interest to ROCS.

\*\*\*\*\*

**Non-Agenda Updates**

- **Finance Office Report:** Karen is out of the office this last week. She will send out her bill and council report on Monday for council review.
- **RFQ:** There seems to be interest in the RFQ sent out by the city. Craig and I have meet with a few engineering firms that wanted to gather some more information. I think (hope) we will have quite a few

submissions. The deadline is September 30<sup>th</sup>, after which date, we will have our team review and narrow down the possible firms for this project.

- **New Phone System:** The new phones system will be installed on Monday (9/14) and the switchover will be September 16<sup>th</sup>.
- **Rural Service District:** Tom is working on an ordinance to update our rural service districts (include land we recently annexed to the east of the city) – this ordinance will go before the council at our next meeting.
- **Western Avenue Sewer:** Tom, Mitch and I have a meeting with Bill Haugen on Monday, September 14<sup>th</sup> to discuss the easements the city needs for the sewer line extension. Hopefully, we will get an agreement worked out so we can secure the easements needed for this project next year. I will keep the council updated.

Please let me know if you have any questions or concerns. 605-261-3995

Teresa

September 4, 2020



Mrs. Teresa Sidel  
City of Hartford  
[cityhall@hartfordsd.us](mailto:cityhall@hartfordsd.us)

12\_20033 | SEI No.  
Plat for Review | Encl  
Joel Boy, Midwest Land Surveying | Cc

Re: Anderson's Addition  
Tract 1 & 2  
Plat Review

Dear Mrs. Sidel:

Stockwell Engineers, Inc. has reviewed the enclosed plat for the abovementioned project. We reviewed the plat as a minor plat in conformance with the city's subdivision regulations. The plat is outside the city's limits but within platting jurisdiction. It is our understanding the plat is meant to serve the purposes of transferring ownership. No improvements to public infrastructure are planned at this time. The following are our comments.

#### General Comments

1. Subdivision Regulation 3.2.1.L requires a site plan be submitted with the plat illustrating existing building outlines to verify setbacks. We recommend the subdivider submit a site plan to comply.
2. Subdivision Regulation 4.1.4 requires that an executed annexation agreement accompany the plat.
3. 465<sup>th</sup> Avenue is a section line roadway and is anticipated to serve as a minor arterial roadway in the future. Design Standard 8.5.1 requires the minimum ROW to be 100-ft centered along the section line. We recommend revising the ROW from 33-ft to 50-ft to comply.

We trust these comments will aid in the review of this project. We recommend the subdivider address our comments in writing and revise the submittals appropriately. If there are questions regarding our correspondence, please contact our office.

Respectfully submitted,

STOCKWELL ENGINEERS, INC.

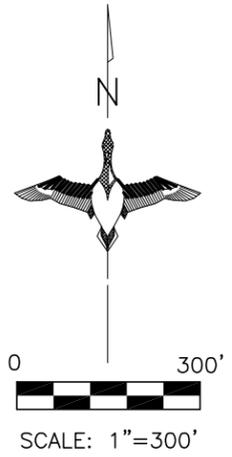
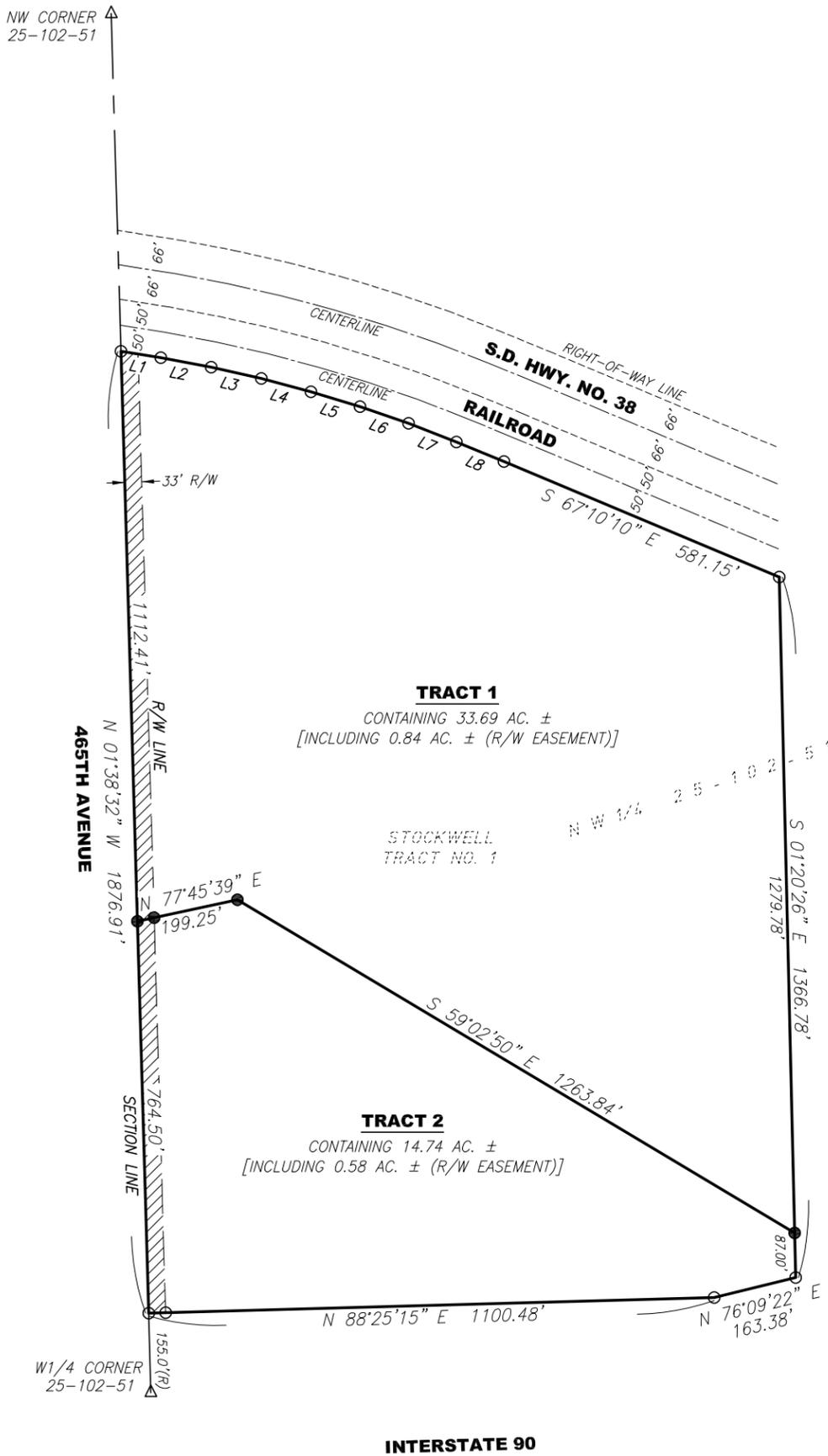
A handwritten signature in blue ink that reads 'Mitchell Mergen'.

Mitchell Mergen, PE  
Representing City Engineer

Disclaimer: Stockwell Engineer's, Inc. review is for general conformance with city standards. Comments are provided as a courtesy to aid the developer in preparing submittals. The responsibility to comply with state and local ordinances shall remain with the developer and its representatives. Copies of the city's subdivision regulations, design standards and local ordinances are available at city hall for the developer to reference.

# PLAT OF TRACT 1 AND TRACT 2 OF ANDERSON'S ADDITION

AN ADDITION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.



LINE	BEARING	DISTANCE
L1	S 81°02'42" E	78.27'
L2	S 79°11'29" E	99.73'
L3	S 77°13'36" E	100.04'
L4	S 75°03'59" E	100.10'
L5	S 72°57'35" E	99.87'
L6	S 71°04'58" E	99.87'
L7	S 68°41'23" E	99.88'
L8	S 67°35'10" E	99.87'

### LEGEND:

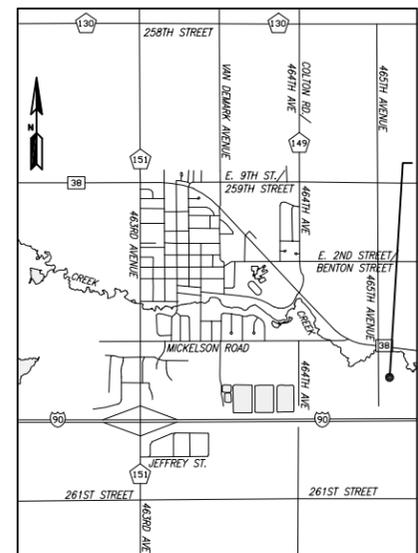
- SET 5/8" REBAR W/CAP #10141
- FD. MONUMENT
- AC. ACRES
- S.F. SQUARE FEET
- U.E. UTILITY EASEMENT
- R/W RIGHT-OF-WAY
- N.T.S. NOT TO SCALE
- PREVIOUSLY PLATTED LINE
- - - - - EASEMENT LINE



PREPARED BY:



Land Surveying and GPS Consulting  
211 E. 14th Street Suite 100  
Sioux Falls, South Dakota 57104  
Phone: (605) 339-8901 FAX:(605) 274-8951



VICINITY MAP N.T.S.  
CITY OF HARTFORD

NOTES:  
BASIS OF BEARINGS ARE UTM ZONE 14  
THIS PLAT WAS PREPARED WITHOUT THE  
BENEFIT OF A TITLE COMMITMENT.

EASEMENTS OF RECORD WERE NOT  
RESEARCHED AND ARE NOT SHOWN  
ON THE PLAT.

# PLAT OF TRACT 1 AND TRACT 2 OF ANDERSON'S ADDITION

**AN ADDITION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.**

<p style="text-align: center;"><b>SURVEYOR'S CERTIFICATE</b></p> <p>I, Jeffery C. Schievelbein, of Midwest Land Surveying, Inc., a Registered Land Surveyor in the State of South Dakota, do hereby state that I did, on or before this date, survey Stockwell Tract No. 1 in the Northwest Quarter of Section 25, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, and re-platted the same into Tract 1 and Tract 2 of Anderson's Addition, an Addition in the Northwest Quarter of Section 25, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, as shown on the foregoing PLAT.</p> <p>The same shall be known and described as <u>TRACT 1 AND TRACT 2 OF ANDERSON'S ADDITION, AN ADDITION IN THE NORTHWEST QUARTER OF SECTION 25, TOWNSHIP 102 NORTH, RANGE 51 WEST OF THE 5TH PRINCIPAL MERIDIAN, MINNEHAHA COUNTY, SOUTH DAKOTA.</u></p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>I further certify that the above PLAT correctly represents the same, is true and correct and that it was made at the request of the owners.</p> <div style="text-align: center;">  </div> <p>_____ Jeffery C. Schievelbein, Registered Land Surveyor No. 10141</p>	<p style="text-align: center;"><b>CITY ENGINEER'S CERTIFICATE</b></p> <p>I, _____, City Engineer of the City of Hartford, South Dakota, do hereby certify that this plat has been reviewed by me or my authorized agent and that this plat is recommended for approval.</p> <p>Signed on this _____ day of _____, 20____.</p> <p>_____ City Engineer City of Hartford, South Dakota</p> <hr/> <p style="text-align: center;"><b>CITY COUNCIL RESOLUTION</b></p> <p>Whereas this Plat has been examined by the City Council of Hartford and it appears to the City Council that the system of streets set forth therein conforms to the system of streets of the existing Plats of the City, that all provisions of the City's subdivision regulations have been complied with, that all taxes and special assessments upon the tract or subdivision have been fully paid, and that such plat and the survey thereof have been executed according to law.</p> <p>Now therefore, be it resolved by the City Council of Hartford, South Dakota that said Plat is hereby approved, and the City Finance Officer is hereby directed to endorse on said Plat a copy of this resolution and certify the same thereon.</p> <p>Approved this _____ Day of _____, 20____.</p> <p>_____ Mayor City of Hartford, South Dakota</p>
<p style="text-align: center;"><b>OWNER'S CERTIFICATE</b></p> <p>We, the undersigned, do hereby certify that we are the owners of all land included in the above plat and that said plat has been made at our request and in accordance with our instructions for the purposes of transfer, and that the development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations.</p> <p>We hereby dedicate to the public for public use forever, the streets, roads, alleys, parks and public grounds, if any, as shown on said plat. Including all sewers, culverts, bridges, water distribution lines, sidewalks and other improvements on or under the streets, roads, alleys, parks and public grounds whether such improvements are shown or not. We also hereby grant easements to run with the land for water, drainage, sewer, gas, electric, telephone, cable television, or other public utility lines or services, under, on or over those strips of land designated hereon as easements for the purposes of constructing, maintaining, repairing, and improving said facilities. The owner, their lessees and assignees shall, at their own expense, keep the easement area in good repair and clear of obstructions. No improvements of any kind may be erected within an easement which might interfere in any way with the proper maintenance, use, repair, reconstruction, and patrolling of the easement. This covenant shall run with the land.</p> <p>We hereby waive any rights of protest to any special assessment program which may be initiated for the purpose of installation of improvements required by the Subdivision Ordinance of the City of Hartford.</p> <p>We do hereby certify that this replat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, or law including but not limited to zoning, building, subdivision, and flood prevention.</p> <p>We further certify that this platting of said described Tract 1 and Tract 2 of Anderson's Addition does hereby vacate the following platting:</p> <p>Stockwell Tract No. 1 in the Northwest Quarter of Section 25, Township 102 North, Range 51 West of the 5th Principal Meridian, Minnehaha County, South Dakota, on file at the office of the Register of Deeds in Book 28 of plats, Page 13, said plat, hereby vacated, being situated within described Anderson's Addition as surveyed.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ Daren R. Anderson</p> <p>_____ Kim C. Anderson</p> <p>State of _____ County of _____</p> <p>On this the ____ day of _____, 20____, before me, the undersigned officer, personally appeared Daren R. Anderson and Kim C. Anderson, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.</p> <p>In witness whereof I hereunto set my hand and official seal.</p> <p>_____ Notary Public - State of _____ My Commission Expires: _____</p>	<p style="text-align: center;"><b>FINANCE OFFICER'S CERTIFICATE</b></p> <p>I, _____, the duly appointed, qualified and acting Finance Officer of the City of Hartford, South Dakota, hereby certify that the certificate of approval is true and correct including the signature thereon, and that any special assessments which are liens upon the land shown in the above plat, as shown by the records in my office on this _____ day of _____, 20____ have been paid in full.</p> <p>_____ City Finance Officer City of Hartford, South Dakota</p> <hr/> <p style="text-align: center;"><b>COUNTY PLANNING DIRECTOR'S CERTIFICATE</b></p> <p>I, the Planning Director of Minnehaha County, do hereby certify that this plat has been reviewed by me or my authorized agent and has been approved.</p> <p>Approved this _____ day of _____, 20____.</p> <p>_____ PLANNING DIRECTOR Minnehaha County, South Dakota</p> <hr/> <p style="text-align: center;"><b>COUNTY AUDITOR CERTIFICATE</b></p> <p>I Bob Litz, do hereby certify that the above certificate of approval is true and correct including the signature thereon.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ COUNTY AUDITOR Minnehaha County, South Dakota</p> <hr/> <p style="text-align: center;"><b>TREASURER</b></p> <p>I, the Treasurer of Minnehaha County, South Dakota, do hereby certify that all taxes which are liens upon any land shown in the above plat, as shown by the records of my office have been paid in full.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ TREASURER Minnehaha County, South Dakota</p> <hr/> <p style="text-align: center;"><b>DIRECTOR OF EQUALIZATION</b></p> <p>I, the Director of Equalization of Minnehaha County, South Dakota, do hereby certify that a copy of the above and foregoing described plat has been filed in my office.</p> <p>Dated this _____ Day of _____, 20 ____.</p> <p>_____ DIRECTOR OF EQUALIZATION Minnehaha County, South Dakota</p>
<p style="text-align: center;"><b>CERTIFICATE OF HIGHWAY AUTHORITY</b></p> <p>ACCESS TO SD. HIGHWAY 38 IS ( )APPROVED ( )NOT APPROVED. THIS ACCESS APPROVAL DOES NOT REPLACE THE NEED FOR ANY PERMITS REQUIRED BY LAW TO ESTABLISH THE PRECISE ACCESS LOCATION, INCLUDING PERMIT REQUIREMENTS SET FORTH IN ADMINISTRATIVE RULE OF SOUTH DAKOTA 70:09:01:02</p> <p>_____ HIGHWAY AUTHORITY</p> <p>TITLE: _____</p>	<p style="text-align: center;"><b>REGISTER OF DEEDS</b></p> <p>Filed for record this _____ day of _____, 20____, at _____ o'clock, _____m., and recorded in Book _____ of Plats on Page _____.</p> <p>_____ REGISTER OF DEEDS Minnehaha County, South Dakota</p>
<p style="text-align: center;"><b>CITY PLANNING COMMISSION CERTIFICATE</b></p> <p>Be it resolved by the Planning Commission of the City of Hartford, South Dakota that this Plat be approved and that the same be presented to the City Council with the recommendation to adopt said plat.</p> <p>Approved this _____ Day of _____, 20____.</p> <p>_____ Chairman City of Hartford Planning Commission</p>	

**ASSIGNMENT OF AGREEMENT AND CONSENT TO ASSIGNMENT**

This Assignment of Agreement ("ASSIGNMENT") is made by and between the city of Hartford, South Dakota, whose post office address is 125 N. Main Avenue, Hartford, SD 57033, referred to in this ASSIGNMENT as the "ASSIGNOR," and Rural Office of Community Services, Inc. , whose post office address is 106 SW West Street, Wagner, SD 57380, referred to in this ASSIGNMENT as the "ASSIGNEE."

The ASSIGNOR has a Grant Agreement with the State of South Dakota, acting by and through its Department of Transportation, referred to in this ASSIGNMENT as the "STATE." A full and true copy of the agreement, referred to in this ASSIGNMENT as the "AGREEMENT," is attached to and made a part of this ASSIGNMENT as **Exhibit A**, and are more particularly described as follows:

Agreement Number 811307, Grant Agreement using Section 5310 funds.

Pursuant to the terms of the AGREEMENT, the ASSIGNOR and the ASSIGNEE have submitted a request for the STATE'S consent to this ASSIGNMENT.

**ASSIGNMENT AND ACCEPTANCE**

Effective October 1, 2020, the ASSIGNOR assigns its rights and obligations under the AGREEMENT to the ASSIGNEE, and the ASSIGNEE accepts the ASSIGNOR'S assignment of all rights and obligations imposed by the AGREEMENT.

The ASSIGNOR has designated its Mayor as the ASSIGNOR'S authorized representative and has empowered the Mayor with the authority to sign this ASSIGNMENT on behalf of the ASSIGNOR. A copy of the ASSIGNOR'S Commission or Council minutes or resolution authorizing the execution of this ASSIGNMENT by the Mayor as the ASSIGNOR'S authorized representative is attached to this ASSIGNMENT as **Exhibit B**.

The ASSIGNEE covenants and agrees to be bound by all conditions and to perform all covenants and agreements contained in the AGREEMENT.

City of Hartford, South Dakota

Rural Office of Community Services, Inc.

By: \_\_\_\_\_

By: *Peter Smith*

Name: \_\_\_\_\_

Name: Peter Smith

Its: Mayor

Its: Executive Director

Date: \_\_\_\_\_

Date: 8/27/2020

Attest:

(Corporate Seal)

\_\_\_\_\_  
City Auditor/Clerk

(CITY SEAL)



STATE OF SOUTH DAKOTA  
DEPARTMENT OF TRANSPORTATION  
AGREEMENT

This Agreement is made this November 26, 2014, by and between the State of South Dakota, acting by and through its Department of Transportation, referred to in this Agreement as the "STATE," and the City of Hartford, South Dakota, referred to in this Agreement as the "GRANTEE."

**BACKGROUND:**

1. Section 5309/5310 of the Intermodal Surface Transportation Act of 1991, as amended, provides for capital grants to private nonprofit corporations and public bodies approved by the STATE to coordinate services for elderly and persons with disabilities for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly persons and persons with disabilities for whom mass transportation services are unavailable, insufficient, or inappropriate; and,
2. The Governor of the State of South Dakota, in accordance with a request by the United States Department of Transportation, Federal Transit Administration, referred to in this Agreement as "FTA," has designated the STATE to evaluate and select projects proposed by private nonprofit organizations and public body approved by the STATE to coordinate services for elderly and persons with disabilities and to coordinate the grant applications; and,
3. The STATE and the GRANTEE want to secure and utilize grant funds for the transportation needs of the elderly persons and persons with disabilities of South Dakota;

**THE STATE AND THE GRANTEE AGREE AS FOLLOWS:**

**Section 1. Purpose of Agreement.** The purpose of this Agreement is to provide for the undertaking of transportation services to elderly persons and persons with disabilities by the GRANTEE and to state the terms, conditions, and mutual understandings of the parties as to the manner in which these services, referred to in this Agreement as the "PROJECT," will be undertaken and completed.

**Section 2. Scope of Project.** The GRANTEE will undertake and complete the PROJECT as described in the GRANTEE'S Application, which Application is incorporated by reference, filed with, and approved by the STATE, in accordance with the terms and conditions of this Agreement.

**Section 3. Period of Performance.** The GRANTEE will commence, carry on, and complete the PROJECT with all practicable dispatch, in a sound, economical, and efficient manner.

**Section 4. Cost of Project.** The cost of the PROJECT will be in the amount indicated in the GRANTEE'S Application and latest approved PROJECT Budget and will be borne in the manner described in this Agreement. The GRANTEE will provide, from sources other than federal funds, funds in the amount sufficient, together with Federal FTA PROJECT Grant funds, referred to in this Agreement as the "GRANT," to assure payment of the actual PROJECT costs. The GRANTEE will initiate and prosecute to completion all actions necessary to enable the GRANTEE to provide the GRANTEE'S share of the PROJECT costs, at

or prior to, the time that such funds are needed to meet the PROJECT costs. The GRANTEE further agrees that no refund, or reduction of the amount so provided, will be made, unless there is at the same time, a refund to the STATE of a proportional amount of the GRANT.

- (a) The GRANTEE has agreed to the purchase of the following equipment from City of Clark:  
2003 Ford Goshen 1FDXE45FX3HA62768
- (b) The STATE previously provided EIGHTY PERCENT (80%) of total original equipment cost at the time of such equipment's purchase by City of Clark, with the requirement that the equipment be used for the provisions of transportation service.
- (c) The subject equipment is being withdrawn from transportation service by City of Clark, and ownership of the equipment must be transferred by City of Clark to another private nonprofit organization with City of Clark to receive a payment of TWENTY PERCENT (20%) of estimated vehicle value from the receiving organization.
- (d) The STATE has established the estimated value for the equipment at Four thousand dollars and no cents (\$4,000.00).
- (e) The GRANTEE will provide TWENTY PERCENT (20%) of the total estimated vehicle value to City of Clark, that percentage being Eight hundred dollars and no cents (\$800.00).

**Section 5. Purchase of Project Equipment.** The GRANTEE or the STATE will purchase all PROJECT equipment financed in whole or in part pursuant to this Agreement in accordance with applicable state law and the standards set forth by the Uniform Administration Required for Grant and Cooperative Agreement to State and Local Governments 49 CFR Part 18. The GRANTEE will purchase the PROJECT equipment in conformity with the latest approved PROJECT Budget. The GRANTEE will include the following provision will in any advertisement or invitation to bid for any procurement of new equipment under this Agreement:

**Statement of Financial Assistance**

This contract is subject to a financial assistance contract between the State of South Dakota and the U.S. Department of Transportation.

**Section 6. Title to Project Equipment.** Title to the PROJECT equipment will be in the name of the GRANTEE, subject to the restrictions on use and disposition of the PROJECT equipment set forth in this Agreement.

**Section 7. Use of Project Equipment.** The GRANTEE agrees the PROJECT equipment and facilities will be used for the provision of transportation service as described in the PROJECT Application. If the PROJECT equipment is not used in this manner, or is withdrawn from transportation service, the GRANTEE will immediately notify the STATE. The GRANTEE will execute any documents necessary for the STATE to transfer ownership of the vehicle to another private nonprofit organization with the GRANTEE to receive a payment of twenty percent (20%) of estimated vehicle value from the receiving organization. The STATE will establish the estimated vehicle value for the vehicle.