

PLANNING AND ZONING AGENDA
TUESDAY, OCTOBER 10, 2023
CITY HALL - 7:00 P.M.

- 1) ROLL CALL
Mark Anderson, Tim Graham, Stacey Kutil, Michelle Kilbourn, Troy Jackson, Brad Miles, and Tony Randall

- 2) APPROVAL OF THE AGENDA

- 3) APPROVAL OF MINUTES
 - September 26, 2023 Meeting

- 4) PUBLIC COMMENTS
Action cannot be taken on items discussed unless specifically listed elsewhere on the agenda

- 5) EXECUTIVE SESSION FOR LEGAL PER SDCL 1-25-2 (3)

- 6) UPDATES
 - Building Inspector Update – Paul Clarke
 - Building Inspector/Code Enforcer Update – Kyle Christensen
 - City Administrator Updates – Teresa Sidel

- 7) ADJOURNMENT

Next Planning & Zoning Meeting: October 31, 2023

Planning and Zoning Meeting – Regular Meeting September 26, 2023

Chairman Tony Randall called the meeting to order at 7:00pm at Hartford City Hall with the following planning and zoning members present: Mark Anderson, Tim Graham, Stacey Kutil, Michelle Kilbourn, and Brad Miles. Troy Jackson was absent with notice. Also present was City Administrator Teresa Sidel, Building Inspector/Code Enforcer Kyle Christensen, and Building Inspector Paul Clarke. There was 1 person from the public in attendance.

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

Approval of the Minutes: The September 12, 2023, regular meeting minutes were reviewed. A motion was made by Miles, second by Kilbourn to approve the September 12, 2023, regular meeting minutes – all voted yes, motion carried.

Public Comments: None

Hearings/Petitions/Applications:

7:05 Conditional Use Hearing – Request to allow a Bar/Casino at 109 N Main Ave: The city has received a conditional use permit from Beka Properties/Main Avenue Casino. The applicant is asking to allow a Bar/Casino at 109 N Main Ave. This property will have lottery machines and the applicant has applied for a malt beverage license. This property is zoned Central Business, which allows an establishment with alcohol sales but requires a conditional use permit. Karen Burgers was present to address any questions from the Board. Ms. Burgers noted they plan to have 10 lottery machines (the maximum allowed by the state) and will have malt beverages for patrons. They do not plan to have full bar services or other entertainment. Planned hours are M-TH from 10am to 10pm, Fri-Sat from 10am to Midnight, and Sun from noon-10pm. All public access and parking will be off Main Avenue. Only staff and deliveries will be in the back alley. It was noted that the applicant will need to follow all state regulations for lottery and alcohol sales. A motion was made by Kutil, second by Kilbourn to approve conditional use permit 2023-8-31 to allow a bar/casino at 109 N Main Avenue – all voted yes, motion carried.

Updates:

- **Building Inspector Update:** Building Inspector Paul Clarke was present to provide an update on building projects to the Board. There are currently 15 open single-family homes in various stages of construction, along with 1 twin home. An update on the Maple Pass apartments/townhomes was also provided to the Board – they are looking at opening in October. Clarke also gave a recap of current commercial permits that are still open.
- **Building Inspector/Code Enforcer Update:** Kyle Christensen was present to provide an update on code enforcement to the Board and presented a recap of current code violations being addressed by the city – tall grass/weeds, parking on the grass, inoperable vehicle, no pet license, pet running at large, accessory building violations, no fence permit and one CUP violation.
- **City Administrator Update:**
 - Hwy 38 Water Extension – Plans are near completion for this project. The city plans to bid the project this fall with work commencing next year.
 - WWTF – 19 Bid packages were opened last week, and the total bid came in approximately \$45K under our GMP. A groundbreaking ceremony was held on 9/18, along with a pre-construction meeting and construction has begun.
 - Western Avenue Expansion – ISG is finalizing plans to provide to the DOT. Project will be bid in unison with the state's interstate bridge project in 2024, with construction in 2025.
 - CIP – The Board was provided an updated CIP for 2023.
 - The Park & Rec Board are working on plans for a restroom/concession stand at the sports complex.
 - The city has been awarded 2 grants – EDA and LIIP grant to construct 12th Street and N Oaks Avenue.

Adjournment: A motion was made by Kilbourn, second by Miles to adjourn at 7:21pm – 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

September 2023 Building Inspection Report

<u>Date</u>	<u>Address</u>	<u>Permit #</u>	<u>Type</u>	<u>Status</u>	<u>Comments</u>
9/1/2023	100 E. 9th St Lot #14	2023-89	bld	Status	deck job
9/2/2023	404 N. Oaks Ave	2023-63	bld	footing	front yard deck set up
9/2/2023	509 Par Tee	2023-50	bld	Status	residing job
9/2/2023	1007/1009 Duck Circle	2023-10	bld	Status	finish work
9/2/2023	404 S. Main Ave	2023-21	bld	Status	insulation and sheetrock
9/2/2023	501 Sagehorn Drive	2023-75	bld	Status	rear deck updates
9/2/2023	1009 Par Tee Drive	2023-94	bld	Status	rear deck updates
9/2/2023	310 N. Maple Ave	2022-153	bld	Status	finish work
9/2/2023	202 N. Eastern ave	2023-82	bld	Status	footing and f. walls set
9/5/2023	606 Sherwood Circle	2023-76	bld	Status	rough framing
9/5/2023	309 N. Mundt ave	2023-51	bld	Status	reviewed framing issues
9/6/2023	901 W. Opal Lane	2023-71	bld	framing	approved new house rough framing
9/7/2023	204 E. 4th street	2023-88	bld	final	closed out job
9/8/2023	404 N. Oaks Ave	2023-63	bld	Status	working with GC on code issues
9/11/2023	109 N. Main ave	2023-107	bld	framing	approved interior framing changes
9/11/2023	309 N. Feyder ave	2023-99	bld	framing	window work
9/14/2023	805 Par Tee	2023-85	bld	final	closed out job
9/14/2023	807 Par Tee	2023-86	bld	final	closed out job
9/16/2023	600 N. Oaks ave	2023-112	bld	final	siding job done
9/16/2023	2010 N.Wester	2023-65	bld	Status	checked on progress
9/16/2023	404 S. Main Ave	2023-21	bld	Status	completing sheetrock
9/16/2023	303 E. 2nd street	2023-24	bld	Status	checked on progress
9/16/2023	405 N. Mundt ave	2023-25	bld	Status	checked on progress
9/18/2023	314 N. Maple ave	2022-157	bld	pre final	reviewed outstanding issues
9/18/2023	404 N. Oaks Ave	2023-63	bld	framing	approved rough framing
9/19/2023	916 Trojan Ave	2023-98	bld	footing	new house set up
9/22/2023	202 N. Eastern ave	2023-82	bld	Status	footing and f. walls set
9/23/2023	2010 N. western	2023-1	bld	Status	checked on structure
9/23/2023	1007-1009 Duck circe	2023-10	bld	Status	checked on exterior progress
9/23/2023	404 S. Main Ave	2023-21	bld	Status	interior work progressing
9/23/2023	808 W. Opal Lane	2023-26	bld	Status	interior work progressing
9/23/2023	606 Sherwood Circle	2023-76	bld	Status	checked on rough framing
9/23/2023	101 Whistler Circle	2023-29	bld	Status	new house interior work on going
9/23/2023	Tortuga Ave (3) sites	2023-103	bld	Status	excavation in progress
9/23/2023	916 Trojan Ave	2023-98	bld	Status	footings and foundation walls set
9/23/2023	901 W. Opal Lane	2023-71	bld	Status	interior work progressing
9/25/2023	303 E. 2nd street	2023-24	bld	framing	reviewed CMU block walls
9/25/2023	1007/1009 Duck Circle	2023-10	bld	final	closed out job
9/26/2023	1008 N. Oaks Ave	2023-114	bld	footing	commercial addition
9/27/2023	314 N. Maple ave	2022-157	bld	pre final	townhouse
9/28/2023	909 Tortuga Ave	2023-102	bld	footing	new house
9/29/2023	313 N. Maple ave	2023-155	bld	pre final	townhouse
9/30/2023	1009 Tortuga Ave	2023-101	bld	footing	new house
9/30/2023	1002 Tortuga ave	2023-103	bld	footing	new house

SEPTEMBER 2023 CODE REPORT

ADDRESS	DATE	DEADLINE/FOLLOWUP	CODE TYPE	REASON	SOURCE	CLOSED?	COMMENTS
101 W 3rd St	9/5/2023	9/21/2023	Municipal	Parking on Grass Inoperable Vehicle	S	Yes	Letter sent on 9/5 for multiple vehicles and dismantled pickup parked behind house.
101 N Main Ave	9/5/2023	9/12/2023	Municipal	Parking on Sidewalk	S	Yes	Letter with \$50 fine sent on 9/5 for construction lift parked on sidewalk. Fine paid as of 9/11.
200 E 3rd St	9/5/2023	9/12/2023	Municipal	Tall Grass/Weeds	S	Yes	Letter with \$50 fine sent on 9/5 for tall grass/weeds. Fine paid as of 9/14.
300 W 8th St	9/12/2023	N/A	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/12 for tall grass/weeds along Hwy 38. Due to DOT needing to return to regrade and reseed, no deadline given for weeds. DOT called on 9/19 and they plan on remedying this fall.
302 W 8th St	9/12/2023	N/A	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/12 for tall grass/weeds along Hwy 38. Due to DOT needing to return to regrade and reseed, no deadline given for weeds. DOT called on 9/19 and they plan on remedying this fall.
304 W 8th St	9/12/2023	N/A	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/12 for tall grass/weeds along Hwy 38. Due to DOT needing to return to regrade and reseed, no deadline given for weeds. DOT called on 9/19 and they plan on remedying this fall.
306 W 8th St	9/12/2023	N/A	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/12 for tall grass/weeds along Hwy 38. Due to DOT needing to return to regrade and reseed, no deadline given for weeds. DOT called on 9/19 and they plan on remedying this fall.
400 Mary Lane	9/12/2023	9/19/2023	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/12 for tall grass/weeds along Hwy 38.
402 Mary Lane	9/12/2023	9/19/2023	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/12 for tall grass/weeds along Hwy 38.
408 Patrick Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
406 Patrick Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
400 Patrick Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
409 S Eastern Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
500 S Eastern Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
503 S Eastern Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
508 S Feyder Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
500 Tessa Ave	9/12/2023	9/28/2023	Municipal	Municipal Trees	S	Yes	Letter sent on 9/12 for low-hanging tree branches over sidewalks.
511 S Eastern Ave	9/12/2023	9/19/2023	Municipal	Tall Grass/Weeds	S	No	Letter with \$50 fine sent on 9/12 for tall grass/weeds. Violation corrected as of 9/16.
500 S Eastern Ave	9/14/2023	9/24/2023 10/06/2023	Municipal	No Pet License Animal at Large	R	No	Letter sent on 9/14 for dog running at large and no pet license. Letter with \$50 fine sent on 9/28.
204 N Western Ave	9/15/2023	9/26/2023	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/15 for tall grass/weeds in the ditch. Owner called and will address the mowing next scheduled mow (empty lot).
500 Ironwood Dr	9/15/2023	N/A	Zoning	Accessory Building	S	Yes	Courtesy letter with accessory building ordinance reminder sent on 9/15 about a shed strapped to a pallet, and does not appear to be installed yet; currently sitting too close to detached garage. Owner obtained placement permit as of 9/19.
304 W 3rd St	9/15/2023	9/26/2023	Municipal	No Fence Permit	R	Yes	Letter sent on 9/15 for missing fencing permit.
306 W 2nd St	9/19/2023	9/26/2023	Municipal	Tall Grass/Weeds	S	Yes	Letter sent on 9/19 for tall grass/weeds.
109 S Vandemark Ave	9/21/2023	10/10/2023	Zoning	Parking on Grass	R	No	Letter sent on 9/21 for boat and ice shack parked on the grass.
101 W Highway 38	9/26/2023	10/10/2023	Zoning	CUP Violation	R	No	Letter sent on 9/26 to property tenants with CUP violations of working on vehicles outside of building, and general untidiness of the property (tools/parts not being stored inside building, tall grass/weeds). Second violaton in (6) months.
108 N Oaks Ave	9/26/2023	10/17/2023	Zoning	Accessory Building	S	No	Letter sent on 9/26 for accessory building being built closer than the 5' allowed, per ordinance. Owner called on 10/2 and admitted fault for not reading ordinance. Will pour additional concrete and move shed.
106 N Mundt Ave	9/26/2023	10/12/2023	Zoning	Parking on Grass	S	No	Letter sent on 9/26 for a bus and trailer parked on the grass.
104 N Mundt Ave	9/26/2023	10/12/2023	Municipal	Inoperable Vehicle	S	No	Letter sent on 9/26 for a car sitting on jackstands in front of garage.

R=RESIDENT S=STAFF

City Administrator Update

October 10, 2023

Updates (Changes in Red):

- 6th & Mundt Street – Project is substantially complete, with a few punch list items and some seeding, restoration, and minor items to be done. ISG has provided the contractor with a list of punch list items, including reseeding of the boulevard areas. **Reseeding has been completed but a final inspection on all punch list items needs to take place before the project will be closed out.**
- Hwy 38 Water Main Extension – The city council previously approved plans to have ISG work on a design for a water extension that will run along Railroad Street & S Colton Road. The plans were reviewed by staff and city council approved the project on 1/3. Financing was discussed and approved on 2/21, with part of the project being funded with water fund reserves and part with an SRF loan. The SRF loan for this project was approved last week by DANR. The city will receive a \$490,800 SRF loan. The loan is for 30 years at 3.25% interest and will be paid back with water system revenue (no surcharge). Plans are near completion and bidding is still planned for this fall, with construction next year. The city is hoping to possibly secure the same contractor that is doing our WWTF in order to facilitate a low bid - this will all be determined by the bids.
- Western Avenue Expansion - ISG continues to work on plans. Plans need to be submitted to the DOT by the end of this year so it can be vetted by the state next year for construction in 2025. ISG still is working on plans and coordinating with the state engineer (HR Green). ISG and city staff meet with the state officials this week to discuss the bid process for this project. The state's bridge project and the city's street project are going to be bid together but will be managed separately.
- WRRF – Staff continues to meet with ISG and Rice Lake on the WRRF. ISG has submitted 90% plans to DANR. An error in the publishing of our CMAR was noticed by the state so in order to comply with all state regulations, the city needs to re-publish our CMAR notice, review proposals submitted, and re-issue the CMAR. This process will take approximately 3 weeks and we hope to be back on track by the end of May. The city has approved Rice Lake as our CMAR for this project and approved a GMP (Guarantee Maximum Price). The contract with Rice Lake was approved by the council on 7/5 and Rice Lake is able to move forward with securing bids for the project. Nineteen bid packages were opened this last week on the city's Wastewater Facility Project. With the total bid coming in approximately \$45K below our GMP. Rice Lake is securing contracts and a pre-construction meeting is planned for Monday afternoon, 9/18. The groundbreaking on Monday 9/18 went well and we had a good attendance – probably 40 people. Dirt work has started, and the pre-construction meeting was held. **As dirt work for the road and facility continues, ISG is reviewing shop drawings for site utilities, gravity trunk sewer, force main and concrete mix designs for the footings, flatwork, and floors. We are still on track for placing the Aeromod tank and part of the gravity collection line this year, with the operations building and site utilities for next year. Completion set for summer of 2025.**
- Stockwell Projects (Changes in Red):
 - Western Sewer Project: A walk through was conducted on 7/20 with staff, Stockwells, and the state. A second walk through was conducted about 3 weeks ago. A list of punch list items was sent to the contractor to be addressed. Final payment will not be granted until all punch list items are completed to the city's satisfaction. The contractor was given a deadline of May 15, 2023, to complete all punch list items. All punch list items have been completed. Additional seeding was completed but we will wait to close out the project until we ensure the seed will take. The seeding will be re-evaluated mid-August and we will determine if the project can be closed out completely or if re-seeding needs to be done. **The project area was reviewed by Stockwell engineers on Wednesday, 10/4 – punch list items were completed earlier, and seeding has taken hold. This project will be closed out.**
- Other:
 - Grants: As you know, the city has submitted an application for an EDA and LIIP grant to help place 12th Street (north of the Building Center) and Oaks Ave (north by the water tower). We have now received word that both the LIIP grant, and EDA grant have been awarded to the city – the project can move forward. The council has employed Infrastructure Design Group to engineer this project since they provided preliminary engineering for the grant application and have some of the work already completed. An anchor tenant is already secured and with the placement of the infrastructure, we hope more will follow.
 - New Website Layout: Our new website layout is up and running but we are still working out a few kinks. Our mass notification system was not reaching everyone that signed up – we believe this is because the residents were not doing all

the steps to verify their email or phone number, so we are posting messages to make sure all steps are completed for the sign-up. We also had some issues with the “Tell us what you think” button – when this form was filled out, it was not reaching city hall – that has been corrected. Lastly, we are working on fillable application forms – Jenny has created these forms for placement on the website, but we are having trouble with the forms emailing back to city hall. We will continue to work with IT to correct this issue. All-in-all the new website is up and running and we will continue to work on getting fillable forms for the public.

- **2nd SRF Loan:** The city has applied for a 2nd SRF loan for our WWTF. The original project estimate was \$16.7M in December of 2021. Due to increasing costs since then, the new project estimate is \$23.4M. This creates a funding deficiency of approximately \$6.7M. The city is proposing to utilize \$1M in city funds and we applied for a 2nd SRF loan for \$5.7M. DNR reviewed this application at their meeting on 9/28 and the city was approved for a 2nd SRF loan in the amount of \$5,750,000. It is a 30-year loan at 3.25% interest. Repayment will be guaranteed by the implementation of a surcharge. This is predicted to be \$23.40 per account but may be reduced if the city increases accounts or takes on an industrial user before drawing on the loan.
- **Maple Pass:** Maple Pass is nearing completion of their buildings – hoping for occupancy sometime in October. They are working with Amy to plan a ribbon cutting and open house.
- **Dakota Mainstem:** I believe I have mentioned this before, but Dakota Mainstem is a new Board that is being created to look at the construction of a new pipeline to bring water from the Missouri River east to service communities in eastern South Dakota. Dakota Mainstem is just forming and over the last few months a steering committee with representatives from various cities and water corps have been working on incorporation, bylaws, and securing professional services such as engineering and finance. I have been involved in these meetings to represent Hartford. They are now at the point of appointing members to the new Board – I have been appointed to this Board for a 2-year term. Meetings are usually held monthly, and we are just in the beginning phases of this project. If a new pipeline is erected, this will allow additional water for the eastern part of the state – where water is getting limited to communities outside of Sioux Falls.
- **Abatements:** The city will be doing a “clean-up” of the property at 102 N Main Ave. on Tuesday morning. Also, the former owner of 801 S Western has been removed from the property and the new owner plans to move forward with demo of the current building to prepare for a new building next spring.

Note: City offices are closed on Monday, 10/9 in observance of Native American Day.

Please call if you have any Question: 528-6187 or 605-906-1750