

Harrisburg City Council  
Meeting Minutes

The regular meeting of the City Council was called to order on December 19, 2016, at 6:00 pm, with Mayor Julie Burke-Van Luvanee presiding. Council members present were Ryan Olson, Allison Sanderson, and Ryan Wolbrink. Absent: Ryan Berg. Also present from the city were Mary McClung, and Michael McMahon. A list of all others in attendance is on file at the city office. Motions: All motions were by majority vote and approved unanimously by those members present unless otherwise indicated.

Pledge of Allegiance was recited.

Consent Agenda: Motion Wolbrink to approve the consent agenda consisting of the following items: 1) December 19, 2016 agenda; 2) December 5, 2016 City Council Meeting Minutes; 3) December 19, 2016 claims; 4) Setting December 29<sup>th</sup> City Council Meeting to be held at the Harrisburg City Hall at 5:00 p.m.; 5) Setting the January 9<sup>th</sup>, 2017 City Council Meeting place to be held at the Harrisburg City Hall; seconded Olson.

Above Standard Cleaning – Utilities (Govt Bldgs) \$80.00; Aflac – Aflac Withholdings \$253.78; Agora X Inc. – Supplies/Materials (Streets, Water, Sewer, Parks, Snow Removal, Street Cleaning) \$1,338.90; Bumblebee Gibson – Supplies/Materials (Snow Removal) \$675.00; City of Sioux Falls – Professional Services/Fees (West Nile Prevention) \$1,774.68; Department of Treasury - 941 Taxes \$5,491.62; Emergency Communications Network – Professional Services/Fees (Streets, Water, Sewer) \$3,379.00; Farley, Tom – Professional Services/Fees (Library) \$50.00; First National Bank – NSF Check (Water, Sewer) \$91.58; HD Supply Waterworks – Supplies/Materials (Water) \$2,580.85; Hy-Vee Accounts Receivable – \$45.80; Light & Siren – Supplies/Materials (Streets, Water, Sewer, Parks) \$319.00; MidAmerican Energy – Utilities (Sewer, Govt Bldgs) \$810.64; Midcontinent Communications – Professional Services/Fees (Fin Admin) \$380.00; Myrl & Roy's Paving, Inc. – Supplies/Materials (Water) \$253.28; One Call Systems Inc. – Professional Services/Fees (Water, Sewer) \$138.60; Preheim, Dustin – Travel/Conference (Sewer) \$215.88; Respec Consulting & Services – Professional Services/Fees (Storm Water Drainage Fund) \$8,109.82; Rural Route 1 Services – Utilities (Govt Bldgs) \$85.85; Sioux Falls Humane Society – Professional Services/Fees (Animal Control) \$239.38; SD Department of Transportation – Improvements other than Bldgs (Parks) \$237.34; SD Supplemental Retirement Plan – SDRS Withholdings (Retirement) \$350.00; SE Electric Cooperative, Inc. – Utilities (Sewer, Street Lighting, Water) \$3,218.24; Stan Houston – Supplies/Materials (Streets, Water, Sewer, Parks) \$8.33; Stockwell Engineers – Engineering (General, Water, Sewer Funds) \$14,114.55; The Crossroads Hotel & Convention Center – Travel/Conference (Sewer) \$110.00; Titan Rentals – Rentals (Snow Removal) \$1,360.00; Vantek Communications, Inc. – Repairs/Maintenance, Rentals (Water, Sewer) \$345.00

Mayor Burke-Van Luvanee recognized Christopher Woodson for his time and dedication to the Harrisburg Planning & Zoning Commission. Mayor Burke-Van Luvanee also recognized Ryan VanTol and Phil Olinger for their time and dedication to the Harrisburg Community Library Board. Their Certificates of Appreciation of Service will be sent to them.

Business Item 1: Resolution 2016-14 Sioux Falls Platting Jurisdiction Boundary. Jeff Schmitt, Sioux Falls Chief Planning and Zoning Official and Albert Schmidt, Sioux Falls Urban Planner were present to discuss the platting jurisdiction boundary being proposed. Harrisburg Planning and Zoning has reviewed and recommends approval. Motion Wolbrink to approve Resolution 2016-14 Sioux Falls Platting Jurisdiction Boundary, seconded Sanderson.

RESOLUTION 2016-14  
A RESOLUTION ESTABLISHING JOINT JURISDICTIONAL BOUNDARY LINES  
BETWEEN THE CITY OF SIOUX FALLS AND THE CITY OF HARRISBURG.

WHEREAS, the Sioux Falls City Council and the Lincoln County Board of Commissioners jointly exercise comprehensive planning powers in a joint jurisdictional area beyond the municipal corporate limits of Sioux Falls; and

WHEREAS, the future growth and development in the joint jurisdictional area has been guided by the Shape Sioux Falls 2035 Comprehensive Plan which was adopted by the Sioux Falls City Council and the Lincoln Board of County Commissioners in 2009; and

WHEREAS, an amended Shape Sioux Falls 2035 Plan, known as the Shape Sioux Falls 2040 Comprehensive Plan, was adopted by the City of Sioux Falls which delineates a joint jurisdiction boundary area with said plan to supersede the Shape Sioux Falls 2035 Comprehensive Plan; and

WHEREAS, a joint jurisdictional boundary shall not exceed six miles distance from the municipal boundary and shall be delineated in a comprehensive plan, but in no instance may the area extend beyond a line equidistant from the corporate limits of any other municipality unless otherwise agreed to by the governing body of each municipality having a planning commission; and

WHEREAS, the City of Harrisburg and the City of Sioux Falls desire to agree upon that portion of the joint jurisdiction boundary line that extends beyond a line equidistant from their respective corporate limits.

NOW, THEREFORE, BE IT RESOLVED that the portion of the joint jurisdictional boundary line that extends beyond a line equidistant from the respective city limits of the City of Sioux Falls and the City of Harrisburg is agreed upon and shall be as follows: Beginning at the intersection of the centerlines of 479<sup>th</sup> Avenue and 271<sup>st</sup> Street, then west along the centerline of 271<sup>st</sup> Street until the intersection of centerlines of 271<sup>st</sup> Street and Western Avenue; then south along the centerline of Western Avenue until the intersection of centerlines of Western Avenue and 272<sup>nd</sup> Street, then west along the centerline of 272<sup>nd</sup> street until the endpoint at the intersection of the centerline of 272<sup>nd</sup> Street and the eastern edge of the Interstate 29 right-of-way as shown on the attached map and part of this resolution by reference as also depicted in the City of Sioux Falls Shape Sioux Falls 2040 Comprehensive Plan on page 27.

NOW THEREFORE BE IT FURTHER RESOLVED by the City of Harrisburg that this resolution shall become effective according to law.

Dated at Harrisburg, South Dakota, this 19<sup>th</sup> day of December, 2016.

#### COMMON COUNCIL OF THE CITY OF HARRISBURG

Seal:

Attest:

Julie Burke- Van Luvanee  
Mayor

Mary McClung  
Finance Officer

Published: December 29<sup>th</sup>, 2016

Effective: January 19<sup>th</sup>, 2016

Published once at the approximate cost of \_\_\_\_\_.

Business Item 2: Resolution 2016-15 Acceptance of Phase 6 Legendary Estates. McMahon explained that the two phases he recommends being accepted tonight will begin the warranty period for the infrastructure within those phases only. There are still punch list items within Phases 1-5 that continue to be addressed and worked towards completion. Motion Olson to approve Resolution 2016-15 acceptance of Phase 6 Legendary Estates, seconded Wolbrink.

#### RESOLUTION 2016-15

##### A RESOLUTION TO ACCEPT THE INFRASTRUCTURE IN PHASE 6 OF THE LEGENDARY ESTATES ADDITION

WHEREAS, the City of Harrisburg has approved engineering and construction plans for Phase 6 of the Legendary Estates Addition; and

WHEREAS, Nielson Development, LLC has installed 2,263.3' of 8" sanitary sewer main and appurtenances (valued at \$94,118.00), 1,556' of 8" water main and appurtenances (valued at \$97,458.00), 709' of 12" water main and appurtenances (valued at \$25,621.00), 698' of storm sewer (valued at \$42,341.00), and 2,242.3' of new paved residential street (Miah Street, Quinn Avenue, Katie Drive, Legendary Drive, and Adrianna Avenue) with curb, gutter, and signage (valued at \$200,482.00) for Phase 6 of the Legendary Estates Addition per the City-approved plans; and

WHEREAS, the City Engineer and City staff have inspected and approved the installation of said infrastructure and recommend that this infrastructure be accepted for use and maintenance by the City; and

WHEREAS, the filed plat of Phase 6 of the Legendary Estates Addition has dedicated 3.397 acres of right-of-way to the public for Miah Street, Quinn Avenue, Katie Drive, Legendary Drive, and Adrianna Avenue;

NOW, THEREFORE, BE IT RESOLVED by the City of Harrisburg that the City hereby accepts the public infrastructure improvements made by Nielson Development, LLC within the dedicated rights-of-way

for Miah Street, Quinn Avenue, Katie Drive, Legendary Drive, and Adrianna Avenue, and shall hereafter be responsible for the care and maintenance of said improvements from the date of this resolution; and

BE IT FURTHER RESOLVED that the City of Harrisburg hereby accepts the dedication of the public rights-of way for Miah Street, Quinn Avenue, Katie Drive, Legendary Drive, and Adrianna Avenue; and

BE IT FURTHER RESOLVED that a two-year warranty period for the sanitary sewer and water improvements as well as the one-year warranty period for the street improvements shall begin upon adoption of this resolution by the City Council.

Dated this 19<sup>th</sup> day of December, 2016.

HARRISBURG CITY COUNCIL

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Mayor

Mary McClung  
Finance Officer

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Business Item 3: Resolution 2016-16 Acceptance of Phase 7 Legendary Estates. Motion Wolbrink to approve Resolution 2016-16 acceptance of Phase 7 Legendary Estates, seconded Sanderson.

#### RESOLUTION 2016-16

#### A RESOLUTION TO ACCEPT THE INFRASTRUCTURE IN PHASE 7 OF THE LEGENDARY ESTATES ADDITION

WHEREAS, the City of Harrisburg has approved engineering and construction plans for Phase 7 of the Legendary Estates Addition; and

WHEREAS, Nielson Development, LLC has installed 1,025.8' of 8" sanitary sewer main and appurtenances (valued at \$58,299.00), 1,133' of 8" water main and appurtenances (valued at \$58,570.00), and 1,055' of new paved residential street (Lien Avenue) with curb, gutter, and signage (valued at \$94,338.00) for Phase 7 of the Legendary Estates Addition per the City-approved plans; and

WHEREAS, the City Engineer and City staff have inspected and approved the installation of said infrastructure and recommend that this infrastructure be accepted for use and maintenance by the City; and

WHEREAS, the filed plat of Phase 7 of the Legendary Estates Addition has dedicated 1.598 acres of right-of-way to the public for Lien Avenue;

NOW, THEREFORE, BE IT RESOLVED by the City of Harrisburg that the City hereby accepts the public infrastructure improvements made by Nielson Development, LLC within the dedicated right-of-way for Lien Avenue, and shall hereafter be responsible for the care and maintenance of said improvements from the date of this resolution; and

BE IT FURTHER RESOLVED that the City of Harrisburg hereby accepts the dedication of the public right-of-way for Lien Avenue; and

BE IT FURTHER RESOLVED that a two-year warranty period for the sanitary sewer and water improvements as well as the one-year warranty period for the street improvements shall begin upon adoption of this resolution by the City Council.

Dated this 19<sup>th</sup> day of December, 2016.

HARRISBURG CITY COUNCIL

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Business Item 4: Authorize Mayor to sign all Columbia Cost Recovery Releases when fees are paid and received. Motion Sanderson to authorize the Mayor sign all Columbia Cost Recovery Releases when fees are paid and received, seconded Olson.

Business Item 5: Award Bid for Devitt Regional Detention Pond. Bids were open and read at 2:00 pm on December 6, 2016. Bids consisted of a base bid plus Schedule A (Quartzite Rock) or Schedule B (Field Stone) and an Alternate 1 Bid for lighting around the pond.

Bidder	Base Bid Plus Schedule A	Base Bid Plus Schedule B	Alternate 1
Dakota Constructors	\$387,394.20	\$428,260.20	\$112,416.10
Runge Enterprises	\$428,229.05	\$425,779.05	\$105,000.00
Soukup Construction	\$563,563.00	\$621,873.00	\$96,960.00
H & W Construction	\$573,255.43	No Bid	\$52,800.00
First Rate Excavate	\$613,354.99	\$652,554.99	\$107,998.00
Metro Construction	\$639,086.58	\$688,086.58	\$52,800.00

All bids were reviewed by our city engineer and they recommend awarding the contract to the low bidder, Dakota Constructors, Inc. in the amount of \$387,394.20. This award amount includes the base bid plus Schedule A which provides for quartzite riprap where required by the plans. Motion Wolbrink to award the low bid plus Schedule A to Dakota Constructors, Inc. in the amount of \$387,394.20 for the Devitt Regional Detention Pond improvements, seconded Olson. Council discussed and felt that the need for lighting for safety around the water was a priority. Motion Wolbrink to include and award the Alternate 1 option for lighting around the pond to Dakota Constructors in the amount of \$112,416.10 to be expended from the general fund, seconded Olson.

Business Item 6: Change Order No. 1 – Tiger Street Water Main Crossing. This project has been completed and the change order reflects the quantities used, H & W Contracting LLC and city engineers approve of the change order amount. Motion Sanderson to approve Change Order No. 1 for the Tiger Street Water Main Crossing in the deduction amount of \$1,854.00, seconded Wolbrink.

Business Item 7: Pay Application No. 1 & Final – Tiger Street Water Main Crossing. This is the 1<sup>st</sup> and final pay application from H & W Contracting LLC and includes Change Order No. 1 for a total of \$30,039.50. Motion Sanderson to approve Pay Application No. 1 & Final from H & W Contracting, LLC for the Tiger Street Water Main Crossing in the amount of \$30,039.50, seconded Wolbrink.

Business Item 8: Motion Sanderson to approve the proposal from Stockwell Engineers for the 2017 general engineering services billed under the Force Account and authorize the Mayor to sign, seconded Wolbrink.

Business Item 9: Certification Compensation: Motion Olson to approve a \$.53 pay increase to Dustin Preheim for receiving his Wastewater Collection Class II Certification on December 13, 2016, setting his wage at \$19.43, new rate will be effective with pay period beginning December 19, 2016, seconded Wolbrink.

Business Item 10: Use of Community Legion Building for Square Dance. There have been some problems with this group and the use of the Legion Hall. Council reiterated that the key needs to be picked up during normal City Hall business hours, Legion Hall should remain locked when not in use, cleaned after each use, and the key dropped off immediately after each use, or the free use of the building will be revoked and the group will need to begin paying for any use of the building.

The next meeting of the City Council will be held on Thursday, December 29<sup>th</sup>, 2016 at 5:00 pm at the Harrisburg City Hall Conference Room. The next meeting of the Planning Commission will be held on Tuesday, January 10, 2017, at 6:00 p.m. at the Harrisburg City Hall Conference Room.

With no further business, a motion was made by Sanderson to adjourn the meeting at 6:47 p.m., seconded Olson.

Mary McClung, Finance Officer

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