

Harrisburg City Council
Meeting Minutes

The regular meeting of the City Council was called to order on May 6, 2019, at 6:00 pm, with Mayor Julie Burke-Van Luvanee presiding. Council members present were Ryan Berg, Kevin Maxwell, absent Ryan Olson. Also present from the city were Mary McClung, Jill Johnke, Andrew Pietrus, Michael McMahon, Toby Huizenga, and Joe Stonesifer. 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 Maxwell, seconded Berg, to approve the consent agenda consisting of the following items:

1. Approval of May 6, 2019 Agenda.
2. Approval of April 15, 2019 City Council Meeting Minutes
3. Approval of May 6, 2019 Approval of Claims
4. SD DENR 2018 Recognitions
 - a. City of Harrisburg – Secretary’s award for Drinking Water Excellence – 18 Consecutive years
 - b. Certificate of Achievement – Toby Huizenga, Mark McClung, Dustin Preheim, Jason Thurston, Chris Kullander.
 - c. Mayoral Proclamation – Declaring May as Mental Health Awareness Month in the City of Harrisburg.
 - d. Mayoral Proclamation – Declaring the week of May 13th – 16th, 2019 “Law Enforcement Torch Run for Special Olympics South Dakota Week”

Roll Call: Berg-Aye, Maxwell-Aye, Olson-Absent, Motion Carried

Ace Hardware – Supplies/Materials (Streets, Water, Sewer, Parks) \$3,062.63; Aflac – Aflac Withholdings - \$588.00; Agora X Inc. – Supplies/Materials (Streets, Water, Sewer, Parks, Street Cleaning, Snow Removal) \$1,548.09; Anderson, Jordyn – Customer Deposit Refund (Water) \$107.04; Banyon Data Systems – Professional Services/Fees (Fin Admin) \$195.00; Barnes & Noble Booksellers – Books (Library) \$133.86; Berard, Emil & Donna – Customer Deposit Refund (Water) \$125.60; Blue Valley Public Safety, Inc. – Repairs/Maintenance (Public Safety) \$1,391.00; Bowman, Noah – Customer Deposit Refund (Water) \$107.04; Cardmember Services – Community Education/Event, Professional Services/Fees, Supplies/Materials, Books (Parks, Fin Admin, Board, Library, Streets, Water, Sewer) \$3,306.70; CHS – Supplies/Materials (Parks) \$811.01; Core & Main – Professional Services/Fees, Supplies/Materials (Water) \$4,860.50; Dakota Fluid Power, Inc. – Repairs/Maintenance (Street Cleaning) \$126.32; DeHaan, Caleb & Paige – Customer Deposit Refund, Metered and Flat Rate Water Refund (Water) \$173.03; Demco – Supplies/Materials (Library) \$1,010.88; Department of Motor Vehicles – Supplies/Materials, Professional Services/Fees (Streets) \$21.20; Department of Treasury – Federal Tax Withholdings \$6,421.32; Elbert, Daniel – Customer Deposit Refund (Water) \$59.76; First National Bank – NSF Check (Water, Sewer) \$109.79; First National Bank – NSF Check (Water, Sewer) \$50.60; First National Bank – NSF Check (Water, Sewer) \$143.21; First National Bank – April 2019 Payroll \$60,135.36; Grainger – Supplies/Materials (Govt Bldgs) \$104.85; Grainger – Supplies/Materials (Streets, Water, Sewer, Parks) \$177.91; Hammerstrom, Gene – Utilities (Govt Bldgs) \$70.00; Hansum, Tabitha & Kendall – Customer Deposit Refund (Water) \$90.22; Harrisburg Economic Development – Subsidy (Economic Dev Promo) \$2,722.00; Harrisburg Water – Utilities (Govt Bldgs, Parks) \$415.24;

Harrisburgers – Community Event (Parks) \$354.00; Health Equity – H S A Withholdings \$265.00; Helland, Joann – Travel/Conference (Library) \$91.52; Hillyard – Supplies/Materials (Parks) \$127.60; Home Builders Association – Professional Services/Fees (Planner) \$200.00; Home Definition, Inc. – Professional Services/Fees (Govt Bldgs) \$25.00; Huizenga, Toby – Utilities (Govt Bldgs) \$70.00; IMS Infrastructure Mgmt Service – Professional Services/Fees (Streets) \$11,650.00; Iskendenov, Eldar – Community Garden Plot Fee Refund \$35.00; Johnke, Jill – Utilities (Govt Bldgs) \$70.00; Kullander, Chris – Utilities (Govt Bldgs) \$70.00; Lewis & Clark Regional Water – Resale of Water (Water) \$11,572.48; Linc. Co. Register of Deeds – Supplies/Materials, Professional Services/Fees (Planner) \$126.00; Linc. Co. Rural Water System – Improvements other than Buildings (Water) \$32,640.67; Mac’s Hardware – Supplies/Materials (Govt Bldgs) \$110.50; Marco, Inc. – Rentals, Supplies/Materials (Fin Admin, Streets, Water, Sewer, Parks) \$540.67; Matheson Tri-Gas Inc. – Supplies/Materials (Streets, Water, Sewer, Parks) \$18.60 McClung, Mark – Travel/Conference (Streets) \$338.80; McClung, Mark – Utilities (Govt Bldgs) \$70.00; McClung, Mary – Travel/Conference (Fin Admin) \$62.64; McClung, Mary – Utilities (Govt Bldgs) \$70.00; McMahan, Michael – Travel/Conference (Planner) \$121.80; Nieuwsma, Ryan & Sara – Customer Deposit Refund (Water) \$56.58; Novak Sanitary Service – Utilities, Professional Services/Fees (Govt Bldgs, Solid Waste Disposal) \$184.75; Novak Sanitary Service – Utilities (Govt Bldgs) \$56.75; One Call Systems Inc. – Professional Services/Fees (Water, Sewer) \$88.20; Optilegra, Inc. – Group Insurance (city Admin, Fin Admin, Streets, Water, Sewer, Parks, Planner) \$101.08; Patterson, Andrew – Customer Deposit Refund (Water) \$107.04; Payment Service Network – Returned Payment (Water) \$79.78; Payment Service Network – Professional Services/Fees (Water, Sewer, Planner) \$1,535.67; Pheasantland Industries – Supplies/Materials (Streets, Water, Sewer, Parks, Board) \$61.75; Pearson, Celina & Drew – Customer Deposit Refund (Water) \$90.22; Pietrus, Andrew – Utilities (Govt Bldgs) \$70.00; Plucker, Larry – Utilities (Govt Bldgs) \$70.00; Pockets Full of Fun – Professional Services/Fees (Library) \$285.00; Preheim, Dustin – Utilities (Govt Bldgs) \$70.00; Qualified Presort Service LLC – Supplies/Materials (Water, Sewer) \$1,111.42; Ramkota Hotel – Travel/Conference (Streets) \$112.00; Reinert, Betsy & Charles – Customer Deposit Refund (Water) \$107.04; Rennich, David – Utilities (Govt Bldgs) \$35.00; Rodriguez, Dave – Customer Deposit Refund (Water) \$133.18; Rural Route 1 Services – Utilities (Govt Bldgs) \$116.50; Sams Club BEMB – Professional Services/Fees (Fin Admin, Library) \$85.00; Sayler, Kristina – Customer Deposit Refund (Water) \$107.04; Schoeneman Bros. Co. – Supplies/Materials (Water) \$22.27; SEAFOG – Professional Services/Fees (Fin Admin) \$60.00; Sioux Falls Networks – Professional Services/Fees (Fin Admin) \$209.35; Sioux Falls Utilities (Sewer Treatment (Sewer) \$15,872.03; Sioux Valley News – Publishing (Ord, Res, Proceedings, Election) \$493.70; Siteone Landscape Supply, LLC – Repairs/Maintenance (Parks) \$687.55; SD Retirement System – Retirement Withholdings \$8,641.02; SD Supplemental Retirement System – Retirement Withholdings \$450.00; SE Electric Cooperative, Inc. – Utilities (Sewer, Street Lighting, Water) \$3,925.93; Spadaro, Victor & Lea – Customer Deposit Refund (Water) \$150.00; Stonesifer, Joe – Utilities (Govt Bldgs) \$70.00; Sturdevant’s Auto Supply – Repairs/Maintenance (Public Safety) \$478.08; Telcom Construction – Customer Deposit Refund (Water) \$96.43; Thurston, Jason – Utilities (Govt Bldgs) \$35.00; Two Way Solutions, Inc. – Supplies/Materials (Streets, Water, Sewer, Parks) \$447.97; USA Blue Book – Supplies/Materials (Water) \$572.26; Vantek Communications, Inc. – Repairs/Maintenance, Rentals (Water, Sewer) \$345.00; Vast Broadband – Utilities (Govt Bldgs, Library) \$662.30; Verizon Wireless – Utilities (Water) \$40.01; Wellmark Blue Cross Blue Shield – Group Insurance (Parks, Sewer, Water, Streets, Fin Admin, City Admin) \$4,543.92; White Glove Cleaning Services – Utilities (Govt Bldgs) \$62.50; Witkop, Jaysie – Customer Deposit Refund (Water) \$139.39; Xcel Energy – Utilities (Park Lighting, Govt Bldgs, Public Safety, Water, Sewer, Street Lighting) \$10,531.34; Zee medical Service – Supplies/Materials (Govt Bldgs) \$103.90

No public comment

Motion Maxwell, seconded Berg to sine die the meeting at 6:02pm.

Reconvene as New Council at 6:02pm

Oath of Offices – The following Alderman took the oath of office:

- a) Ward 1 – Kevin Maxwell (3 year term-2022)
- b) Ward II – Danny Tank (3 year term-2022)

Election of Officers - Berg nominated Olson for President of the Council, and that nominations cease. Maxwell seconded. Berg nominated Maxwell for Vice President and that nomination cease. Tank seconded.

Mayor Burke-Van Luvanee designated the Sioux Valley News as the city's official newspaper and First National Bank and South Dakota FIT as the city's official depositories.

Mayor Burke-Van Luvanee made the following liaison designations: Maxwell as Chair, and Tank as vice chair for Parks/Adult/Youth Recreation, Olson as Chair, and Berg as vice chair of HEDC/Chamber Liaison, Maxwell to Library, and Olson to Public Safety. With no objections, appointments stand. Will appoint someone next meeting to Public Works and decide if one will be appointed to Planning & Zoning.

Business Item 1. 2019-2020 Malt Beverage License Renewals

- a. Agora X Inc/ Sam's BP. Motion Maxwell, seconded Tank to approve the 2019-2020 Retail (on-off sale) Malt Beverage & SD Farm Wine license for Agora X Inc./Sam's BP.
- b. Casey's General Store #2586. Motion Maxwell, seconded Tank to approve the 2019-2020 Retail (on-off sale) Malt Beverage & SD Farm Wine license for Casey's General Store #2586.
- c. EightyOne. Motion Maxwell seconded Tank to approve the 2019-2020 Retail (on-off sale) Malt Beverage & SD Farm Wine license for EightyOne.
- d. Wild Tiger Casino. Motion Maxwell, seconded Tank to approve the 2019-2020 Retail (on-off sale) Malt Beverage & SD Farm Wine license for Wild Tiger Casino.

Business Item 4. Authorize the Mayor to Sign State Water Right Permit Application. Motion Tank, seconded Maxwell to authorize the Mayor to sign the State Water Right Permit Application and submit with applicable fee of \$105.00. Roll call: Olson-Absent, Maxwell-Aye, Berg-Aye and Tank-Aye.

Public Hearing and Presentations:

6:15pm Public Hearing Rezone Request for Tract E of the Devitt Farm Addition and a portion of the SW1/4 of Section 36, T100N. R50W, 5th P.M., City of Harrisburg, Lincoln County, South Dakota from General Business and R-1 Single Family Detached Residential Zoning Districts to R-2 Low Density Residential District.

Business Item 2. 1st Reading Ordinance 2019-04 to rezone Tract E of the Devitt Farm Addition and a portion of the SW1/4 of Section 36, T100N, R50W, 5th P.M., City of Harrisburg, Lincoln County, South Dakota from General Business and R-1 Single Family Detached Residential Zoning Districts to R-2 Low Density Residential District. Motion Berg, seconded Maxwell to set the 2nd reading of Ordinance 2019-04

to rezone Tract E of the Devitt Farm Addition and a portion of the SW1/4 of Section 36, T100N, R50W, 5th P.M., City of Harrisburg, Lincoln County, South Dakota from General Business and R-1 Single Family Detached Residential Zoning Districts to R-2 Low Density Residential District for Monday, May 20, 2019 City council meeting.

6:20 Public Hearing- Public Hearing Special Event Temporary On Sale Malt Beverage License (American Legion Men) June 8th, 2019.

Business Item 3. Approve Special Event Temporary On-Sale Malt Beverage License for the American Legion Men on June 8th, 2019. Motion Berg, seconded Maxwell to approve the special event temporary on-sale malt beverage license for the American Legion Men on June 8th, 2019.

Business Item 5. Pay Request #1 Commerce Avenue Sanitary Sewer Extension. Motion Berg, seconded Tank to approve Pay Request #1 from Site Works, Inc in the amount of \$191,884.34 for the Commerce Avenue Sanitary Sewer Extension project. Roll call: Olson-Absent, Maxwell-Aye, Berg-Aye and Tank-Aye.

Business Item 6. Jason and Cassandra Nelson – Consider request for Adjustment to Sewer Bill. No action taken.

Business Item 7. Approval of Weed Sprayer purchase from Benco Products Inc. Motion Maxwell, seconded Tank to approve the purchase of a 100-Gal Slide in base sprayer with attachments from Benco Products, Inc in the amount of \$3,542.05. Roll call; Olson-Absent, Maxwell-Aye, Berg-Aye and Tank-Aye.

Business Item 8. Approval to advertise for Full Time Public Works. Motion Maxwell, seconded Berg to approve the advertisement to fill the vacant full-time public works position. Roll call: Olson-Absent, Maxwell-Aye, Berg-Aye, Tank-Aye.

Business Item 9. Consider quote for curb and gutter repairs and sidewalk. 2 quotes were received and after review recommendation is to award to the low quote from Krump Concrete. Motion Tank, seconded Maxwell to approve the low quote from Krump Concrete in the amount of \$13,578.00 for miscellaneous curb and gutter repairs and sidewalk placement. Roll call: Olson-Absent, Maxwell-Aye, Berg-Aye and Tank-Aye.

Business Item 10. Resolution 2019-06 Amending Sewer Rates-Motion Tank, seconded Maxwell to approve Resolution 2019-06 Amending Sewer Rates. Roll Call: Olson-Absent, Maxwell-Aye, Berg-Aye, and Tank-Aye.

RESOLUTION NO. 2019-06

A RESOLUTION AMENDING SEWER RATES

WHEREAS, the Harrisburg City Council believes that it is necessary and in the best interest of the City of Harrisburg, in order to pay all costs for the operation, maintenance, and improvement of the City's sewer system, to amend the rates for the collection and disposal of wastewater provided by the City of Harrisburg; and

WHEREAS, Sections 8.0103 and 8.0366 of the Harrisburg Municipal Ordinances gives the Harrisburg City Council the authority to set sewer rates by Resolution of the Harrisburg City Council; and

NOW, THEREFORE, BE IT RESOLVED by the Harrisburg City Council as follows:

SECTION 1. That all residential single-family dwelling unit customers shall pay:

(i) a minimum base monthly fee of eleven dollars and ninety-five cents (\$11.95) per month (the "Base Fee"), plus thirteen dollars and sixty-seven cents (\$13.67) per one thousand gallons of water used per

month (the “Volume Rate”), based on their average use in the months of December, January and February (“winter average”).

(ii) Council authorizes City staff to adopt a written policy for calculating winter usage.

SECTION 2. That all residential multi-family customers shall pay:

(i) a minimum base monthly fee of nine and ninety-three cents (\$9.93) per month (the “Base Fee”) per living unit, plus fifteen dollars and six cents (\$15.06) per one thousand gallons of water used per month (the “Volume Rate”).

(ii) Council authorizes City staff to adopt a written policy for calculating the number of living units.

SECTION 3. That all school district facilities, commercial customers and industrial customers shall pay:

(i) a minimum base monthly fee of nine dollars and ninety-three (\$9.93) per month (the “Base Fee”), plus twelve dollars and ninety cents (\$12.90) per one thousand gallons of water used per month (the “Volume Rate”).

SECTION 4. Any surcharges separately authorized by resolution shall be in addition to the above sewer rates.

SECTION 5. This rate change is effective beginning with the October 1, 2019 bills.

Adopted this 6th day of May, 2019.

Julie Burke – Van Luvanee
Mayor

ATTEST:

Mary McClung

Finance Officer

Publication: May 16, 2019

Effective Date: June 6, 2019

Published once at the approximate cost of _____.

Business Item 11. Resolution 2019-07 Amending Sewer Surcharge CW-03. Motion Maxwell, seconded Berg to approve Resolution 2019-07 Amending Sewer Surcharge CW-03. Roll call: Olson-Absent, Maxwell-Aye, Berg-Aye, and Tank-Aye.

RESOLUTION NO. 2019-07

RESOLUTION OF THE CITY OF HARRISBURG, SOUTH DAKOTA TO REVISE THE SURCHARGE IMPOSED ON USERS OF THE CITY’S SANITARY SEWER SYSTEM IN ORDER TO REPAY A SURCHARGE REVENUE BOND IN THE ORIGINAL PRINCIPAL AMOUNT OF \$5,911,800.

WHEREAS, on October 21, 2013, the City Council adopted Resolution No. 2013-27 (the “Surcharge Resolution”) to impose a surcharge on all customers of the City’s wastewater system (the “System”) in order to secure repayment of a bond originally issued on November 18, 2009 in the original principal amount of \$5,911,800 (the “Borrower Bond”) to the South Dakota Conservancy District (the “District”) under the terms of the Loan Agreement between the City and the District as of the same date, as amended on December 10, 2013 (the “Loan Agreement”); and

WHEREAS, the Surcharge Resolution established a monthly surcharge of \$1.78 per one thousand gallons of water per month; and

WHEREAS, the Surcharge Resolution provides for annual review and adjustment of the surcharge amount to a level which, assuming a 10% delinquency rate, will produce income at the times and in

amounts sufficient to pay when due the principal of and interest on the Borrower Bond and all other amounts owing under the Loan Agreement; and

WHEREAS, the City has determined that the surcharge should be adjusted to a flat base rate per customer rather than a volume-based charge;

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Surcharge Rate. The surcharge established under the Surcharge Resolution is hereby adjusted to a base fee of \$5.49 per month upon all classifications of customers, effective beginning with the October 1, 2019 bills.

2. Limited Effect. Except as expressly modified by this amendment, the Surcharge Resolution will continue in full force and effect in accordance with its terms.

Dated at Harrisburg, South Dakota, this 6th day of May 2019.

APPROVED:

Julie Burke – Van Luvanee

Mayor

ATTEST:

Mary McClung

Finance Officer

Publication: May 16, 2019

Effective Date: June 6, 2019

Published once at the approximate cost of _____.

Business Item 12. Resolution 2019-08 Amending Sewer Surcharge CW-04. Motion Berg, seconded Maxwell to approve Resolution 2019-08 Amending Sewer Surcharge CW-04. Roll Call: Olson-Absent, Maxwell-Aye, Berg-Aye and Tank-Aye.

RESOLUTION NO. 2019-08

RESOLUTION OF THE CITY OF HARRISBURG, SOUTH DAKOTA TO REVISE THE SURCHARGE IMPOSED ON USERS OF THE CITY'S SANITARY SEWER SYSTEM IN ORDER TO REPAY A SURCHARGE REVENUE BOND IN THE ORIGINAL PRINCIPAL AMOUNT OF \$1,435,340.

WHEREAS, on October 21, 2013, the City Council adopted Resolution No. 2013-28 (the "Surcharge Resolution") to impose a surcharge on all customers of the City's wastewater system (the "System") in order to secure repayment of a bond originally issued on January 11, 2012 in the original principal amount of \$1,435,340 (the "Borrower Bond") to the South Dakota Conservancy District (the "District") under the terms of the Loan Agreement between the City and the District as of the same date, as amended on December 10, 2013 (the "Loan Agreement"); and

WHEREAS, the Surcharge Resolution established a monthly surcharge of \$1.28 per one thousand gallons of water per month; and

WHEREAS, the Surcharge Resolution provides for annual review and adjustment of the surcharge amount to a level which, assuming a 10% delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the Borrower Bond and all other amounts owing under the Loan Agreement; and

WHEREAS, the City has determined that the surcharge should be adjusted to a flat base rate per customer rather than a volume-based charge;

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Surcharge Rate. The surcharge established under the Surcharge Resolution is hereby adjusted to a base fee of \$1.88 per month upon all classifications of customers, effective beginning with the October 1, 2019 bills.

2. Limited Effect. Except as expressly modified by this amendment, the Surcharge Resolution will continue in full force and effect in accordance with its terms.

Dated at Harrisburg, South Dakota, this 6th day of May, 2019.

APPROVED:
Julie Burke Van-Luvanee
Mayor

ATTEST:
Mary McClung
Finance Officer
Publication: May 16, 2019
Effective Date: June 6, 2019
Published once at the approximate cost of _____.

Business Item 13. Resolution 2019-09 Sewer Surcharge CW-07. Motion Tank, seconded Berg to approve Resolution 2019-09 Sewer Surcharge CW-07. Roll call: Olson-Absent, Maxwell-Aye, Berg-Aye and Tank-Aye.

RESOLUTION NO. 2019-09

RESOLUTION OF CITY OF HARRISBURG, SOUTH DAKOTA TO APPROVE A SURCHARGE APPLICABLE TO USERS OF THE CITY'S WASTEWATER SYSTEM IN ORDER TO REPAY A SURCHARGE REVENUE BOND IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$24,487,000.

WHEREAS, the City of Harrisburg, South Dakota (the "City") has determined that it is necessary to construct and equip a new mechanical wastewater treatment facility and other improvements (the "Improvements") to the City's wastewater system (the "System"); and

WHEREAS, in order to pay for a portion of the cost of the Improvements, including engineering costs, legal and financing costs, and other related costs, the City Council has determined that it is necessary and advisable for the City to issue its Wastewater Surcharge Revenue Bond, Series 2019 (Clean Water SRF loan C461065-07), in an amount not to exceed \$24,487,000 (the "Bond") in connection with a loan to be made under a Revenue Obligation Loan Agreement to be entered into by the City with the South Dakota Conservancy District (the "Loan Agreement") and a resolution to be adopted by the City authorizing the issuance of the Bond; and

WHEREAS, the City has proposed to adopt a surcharge pursuant to SDCL 9-40-15 on all users of the System and to pledge the receipts therefrom for the security and repayment of the principal of and interest on the Bond.

NOW, THEREFORE, BE IT ORDAINED by the City Council of City of Harrisburg, South Dakota, as follows:

1. Surcharge and Rate. The City does hereby establish, in addition to its normal wastewater system user fee, a special charge or surcharge in the amount set forth on Exhibit A (the "Surcharge") on all users of the System.

The Surcharge will be imposed beginning July 1, 2021. The Surcharge amount is subject to adjustment as follows:

(a) The City Council will adjust the amount of the Surcharge if it determines that final project costs and federal or state assistance allows the City to reduce the principal amount of the Bond.

(b) The City Council will review the Surcharge rate annually, and adjust it upwards or downwards to a level which, assuming a 10% delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the Bond over a period of 30 years, together with interest thereon at an interest rate of 1.75% per annum plus an administrative expense surcharge of .75% in accordance with the Loan Agreement.

2. Surcharge Found to be Equitable. It has been found that all users of the System benefit from the Improvements paid for in part from the proceeds of the Bond, and that the

Surcharge is found to be equitable for the services provided by such improvements. Therefore, the Surcharge will be applicable to all users of the System, current and future, whether in or out of the City.

3. Segregation of Surcharge Receipts. The revenues collected from the Surcharge will be segregated from all other funds of the City and will be pledged to secure the Bond. The Bond will be payable solely from such segregated revenues, and not from the general revenues of the System. Until adequate provision has been made for the debt service on the Bond, moneys in the segregated account may not be used for any purpose other than for the repayment of the Bond. The City in its discretion may from time to time advance moneys from the general revenues of the System to make payments on the Bond, but any moneys so advanced will be repaid from Surcharge collections within one year of the date of such advance.

4. Duration of Surcharge; Automatic Repeal. The Surcharge shall remain in effect until such time as the Bond is discharged or defeased. The initial Surcharge shall be collected at the same time as other charges of the System. Upon payment of all principal and interest on the Bond or any refunding bonds, or until the same have been defeased, the Surcharge will automatically be repealed without any further action of the Council.

5. Billing and Accounting. The Surcharge will be included in the monthly bill. Nothing contained herein requires the Surcharge to be indicated on the billing, but the Surcharge segregation must be specifically reflected in the books of the City.

6. Severability. If any one or more of the provisions of this Resolution is held invalid, illegal, or unenforceable in any respect by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability will not affect any other provision hereof.

7. Surcharge Bond Not to Create Constitutional Indebtedness. The Surcharge provided for herein is for the purpose of paying the Bond, which will not constitute indebtedness within the meaning of the South Dakota Constitutional Chapter XIII, Section 4.

Dated this 6th day of May, 2019.

APPROVED:
Julie Burke-Van Luvance
Mayor

ATTEST:
Mary McClung
Finance Officer
Publication: May 16, 2019
Effective Date: June 6, 2019
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EXHIBIT A
Surcharge Schedule
(Pursuant to Resolution No. 2019-09)

Surcharge Based on Volume: \$10.93 per 1,000 gallons of water used during the month

CERTIFICATE

The undersigned hereby certifies that the foregoing Resolution is a true and exact copy of the Resolution adopted by the City Council of City of Harrisburg, South Dakota at a meeting duly called and held on May 6, 2019.

Adopted: May 6, 2019
Published: May 16, 2019
Effective: June 6, 2019

Dated this 6th day of May 2019.

Mary McClung
Finance Officer

{SEAL}

Business Item 14. Disability Committee. Taylor Berg gave an update on the Disability Committee. Motion Tank, seconded Berg to direct staff to proceed with the developing of the resolutions, ordinances and by-laws required to establish the disability committee by the city.

Verbal reports were given by the city administrator, city engineer, public works department, planning and zoning and finance department which included administrator activity, Harrisburg Days update, engineering activity, April Building Permit activity, April Sales Tax Report and the April 2019 Finance Report.

A special meeting of the Harrisburg City Council will be held at 5:00 pm on May 8, 2019 at the City Hall conference room. The next regular meeting of the Harrisburg City Council will be held at 6:00 pm on Monday, May 20, 2019 at the Liberty School Community Room.

With no further business, a motion was made by Tank, seconded Maxwell, to adjourn the city council meeting at 7:40 pm.

Submitted by Jill Johnke, Administrative Assistant/Deputy Finance Officer