

Harrisburg City Council  
Meeting Minutes

The regular meeting of the City Council was called to order on October 21, 2019, at 6:00 pm, with Mayor Julie Burke-Van Luvanee presiding. Council members present were Kevin Maxwell, Ryan Olson, Ryan Berg and Danny Tank. Also present from the city were Andrew Pietrus, Jill Johnke, Mary McClung, Michael McMahan, and Joe Stonesifer. A list of all others in attendance is on file at the city office.

Pledge of Allegiance was recited.

Motion Tank, seconded Olson to Amend October 21, 2019 City Council Agenda to add Business Items #18 Consider Proposal for Wetland Delineation for West Side Trunk Sewer Project and #19 Consider Proposal for Geotechnical Exploration for West Side Trunk Sewer Project.

Consent Agenda: Motion Olson, seconded Tank, to approve the consent agenda consisting of the following items:

1. Approval of October 21, 2019 Agenda
2. Approval of October 7, 2019 City Council Meeting Minutes
3. Approval of October 21, 2019 Approval of Claims
4. Authorized Mayor to sign ROW Certificate for Willow Street Path Project P TAPU (23) PCN 06Y5
5. Approval of Quote from Sanitation Products (Sourcewell Contract #122017-FSC) to order a Vactor 2100i (7-year lease) for \$390,650.00 in 2020
6. Mayor Proclamation- Proclaiming and Supporting Small Business Saturday on November 30, 2019.

Upon Roll call vote; All in favor

All Seasons Inc. – Professional Services/Fees (Weed Control) \$149.25; Barnes & Noble Booksellers – Books (Library) \$181.54; City of Sioux Falls – Professional Services/ Fees (Water) \$261.00; Dakota Hardscape Supply, Inc. – Supplies/Materials (Sewer) \$238.68; Department of Treasury – Federal Tax Withholdings \$6,100.93; First National Bank – NSF Check (Water, Sewer) \$176.65; Follett School Solutions, Inc. – Computer Software (Library) \$524.45; Harrisburg Economic Development Corp. – Subsidy (Economic Development) \$3,716.50; Home Definition Inc. – Professional Services/Fees (Govt Bldgs) \$25.00; I & S Group, Inc. – Professional Services/Fees (Storm Drainage) \$500.00; IMS Infrastructure Mgmt Service – Professional Services/Fees (Streets) \$4,125.00; Lewis & Clark Regional Water – Professional Services/Fees (Water) \$2,945.00; McClung, Mary – Travel/Conference (Fin Admin) \$273.10; Novak Sanitary Service – Utilities (Govt Bldgs) \$93.17; One Call Systems, Inc. – Professional Services/Fees (Water, Sewer) \$170.09; Optilegra, Inc. – Group Insurance, Insurance Withholdings \$111.12; Prairie Wind Trailers, LLC – Repairs/Maintenance (Streets, Water, Sewer, Parks) \$520.00; Ramkota Hotel – Aberdeen -Travel/Conference (West Nile, City Admin, Fin Admin) \$447.96; Secretary of State – Professional Services/Fees (Fin Admin) \$30.00; Sioux Falls Humane Society – Professional Services (Animal Control) \$154.92; Siteworks, Inc. – Improvement other than Buildings (Sewer) \$103,569.48; SDML Workers Compensation Fund – Workmens Compensation (Streets, Water, Sewer, Parks, Board, Mayor, City Admin, Fin Admin, Planning Commission, Park Board, Planner, Engineer, Library, Building Inspection, Mechanical Inspection, Code Enforcement) \$12,348.00; SD Supplemental Retirement Plan – Retirement Withholdings \$325.00; Stan Houston – Supplies/Materials (Streets, Water, Sewer, Parks) \$127.00; Stockwell Engineers Inc. – Professional Services/Fees (General, Water, Sewer, Storm Drainage Engineering) \$107,788.77; Traffic Solutions, Inc. – Supplies/Materials (Streets)

\$3,233.31; Vantek Communications, Inc. – Repairs/Maintenance, Rentals (Water, Sewer) \$345.00; Verizon Wireless – Utility (Water, Sewer) \$80.02; Wellmark Blue Cross Blue Shield – Group Insurance (Planner) \$158.20; Wellmark Blue Cross Blue Shield – Group Insurance (Fin Admin, City Admin, Streets, Water, Sewer, Parks) \$3,456.63; White Glove Cleaning Services – Utilities (Govt Bldgs) \$75.00; Zep Manufacturing Company – Supplies/Materials (Govt Bldgs) \$392.47

No public comment was offered.

Business Item 1. Ordinance 2019-14 Amend Section 1.0202 Chapter 1.02 of the Municipal Ordinances-Regular Meetings. Motion Tank, seconded Maxwell to approve Ordinance 2019-14 Amend Section 1.0202 of Chapter 1.02 of the Municipal Ordinance Regular Meetings. Upon roll call vote; all in favor.

Business Item 2. Ordinance 2019-15 Amend Chapter 9.03 Non-Residential Building Code. Motion Tank, seconded Berg to approve Ordinance 2019-15 Amend Chapter 9.03 Non- Residential Building Code. Upon roll call vote; all in favor.

Business Item 3. Ordinance 2019-16 Amend Chapter 9.04 Residential Building Code. Ordinance 2019-16 Amend Chapter 9.04 Residential Building Code. Motion Tank, seconded Maxwell to approve Ordinance 2019-16 Amend Chapter 9.04 Residential Building Code. Upon roll call vote; all in favor.

Business Item 4. Ordinance 2019-17 Amend Chapter 9.05 Existing Building Code. Motion Tank, seconded Maxwell to approve Ordinance 2019-17 Amend Chapter 9.05 Existing Building Code. Upon roll call vote; all in favor.

Business Item 5. Ordinance 2019-18 Amend Chapter 9.06 Mechanical & Fuel Gas Code. Motion Tank, seconded Maxwell to approve Ordinance 2019-18 Amend Chapter 9.06 Mechanical & Fuel Gas Code.

Business Item 6. Resolution 2019-20 Special Assessments for Nuisance Abatements. Motion Berg, seconded Maxwell to approve Resolution 2019-20 Special Assessment for Nuisance Abatement 270.15.00.007Q in the amount of \$692.50 and 270.51.07.011 in the amount of \$147.50

#### RESOLUTION NO. 2019-20

#### A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR NUISANCE ABATEMENTS IN VARIOUS AREAS WITHIN THE CITY OF HARRISBURG, SD.

BE IT RESOLVED by the City Council of the City of Harrisburg, South Dakota:  
SECTION 1: That the special assessment roll for nuisance abatements in various areas within Harrisburg, SD, is hereby approved and the assessments in the assessment roll are levied against the property described in it. The assessments become a lien against the property when the assessment roll is filed in the office of the Finance Officer.

SECTION 2: The assessment may be paid in one annual installment and shall be collected under Plan One—Collection by County Treasurer as provided in SDCL 9-43.

Dated this 21<sup>st</sup> day of October 2019.

Julie Burke – Van Luvanee  
Mayor

ATTEST:  
Mary McClung  
Finance Officer  
(SEAL)

Publish: October 31, 2019  
Effective: November 21, 2019

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

Harrisburg  
Nuisance Abatements (2019)

Legal Description	Supposed Property Owner	Interest Due	Total	Invoice
10/01/19 – 5/01/20 5.25% Per Year	Assessment			
Hsbg-NW COR O.L. 7 Ex E 50' of W 85' of N 150' City of Harrisburg, SD Parcel 270.15.00.007Q (705 E Willow Street)	Prostrollo Properties LLC		\$692.50	11577
Hsbg – Lincoln Meadows Sub Div – Lot 1 Blk 7 City of Harrisburg, SD Parcel 270.51.07.001 (502 Grand Avenue)	Alfred Mutua		\$147.50	12357

Business Item 7. Resolution 2019-21 Amending Water Rates. Motion Olson, seconded Maxwell to approve Resolution 2019-21 Amending Water Rates effective January 1, 2020. Upon roll call vote; all in favor.

RESOLUTION NO. 2019-21  
A RESOLUTION AMENDING WATER 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 and maintenance of the water system, to amend the rates for the sale of water provided by the City of Harrisburg; and

WHEREAS, Section 8.0115 of the Harrisburg Municipal Ordinances gives the Harrisburg City Council the authority to revise water rates by Resolution of the Harrisburg City Council; and

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

**SECTION 1.** That the following base monthly charge is established for the various meter sizes listed below.

<u>Meter Size:</u>	<u>Minimum Charge:</u>
5/8" and 3/4"	\$7.30
1"	\$10.29
1 1/2"	\$23.26
2"	\$34.08
3"	\$67.65
4" and up	\$129.90

**SECTION 2.** All single-family dwelling customers shall pay a tiered volume rate per as follows:

- (a) 1 – 3000 gallons at a rate of eighty-seven cents (\$0.87) per one thousand gallons of water used per month,

- (b) 3,001 to 6,000 gallons at a rate of three dollars and thirty cents (\$3.30) per one thousand gallons of water used per month,
- (c) 6,001 to 9,000 gallons at a rate of eight dollars and forty-four cents (\$8.44) per thousand gallons of water used per month
- (d) Over 9,001 gallons at a rate of thirteen dollars and forty-four cents (\$13.44) per thousand gallons of water used per month.

**SECTION 3.** That all multi family, school district facilities, commercial and industrial customers shall pay a volume rate as follows:

- (a) Three dollars and fifty-four cents (\$3.54) per one thousand gallons of used per month.

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

**SECTION 5.** This rate change is effective beginning January 1, 2020.

Adopted this 21st day of October 2019.

Julie Burke – Van Luvanee  
Mayor

ATTEST:

Mary McClung  
Finance Officer

Publication: October 31, 2019

Effective Date: January 1, 2020

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

Business Item 8. Resolution 2019-22 Amending Sewer Rates- Motion Olson, seconded Maxwell to approve Resolution 2019-22 Amending Sewer Rates effective January 1, 2020. Upon roll call vote; all in favor.

RESOLUTION NO. 2019-22  
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 seventeen dollars and twenty cents (\$17.20) per month (the “Base Fee”), plus fourteen dollars and twenty-two cents (\$14.22) 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 fifteen dollars and ten cents (\$15.10) per month (the “Base Fee”) per living unit, plus fifteen dollars and sixty-six cents (\$15.66) 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 fifteen dollars and ten cents (\$15.10) per month (the “Base Fee”), plus thirteen dollars and forty-two cents (\$13.42) 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 January 1, 2020.

Adopted this 21st day of October 2019.

Julie Burke Van Luvanee  
Mayor

ATTEST:

Mary McClung  
Finance Officer

Publication: October 31, 2019  
Effective Date: January 1, 2020

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Business Item 9. Resolution 2019-23 Surcharge (DW-02) Motion Berg, seconded Olson to approve Resolution 2019-23 Surcharge (DW-02) and set the surcharge rate at \$.99 per one thousand gallons of water used, effective January 1, 2020. Upon roll call vote; all in favor.

#### RESOLUTION NO. 2019-23

RESOLUTION OF THE CITY OF HARRISBURG, SOUTH DAKOTA TO REVISE THE SURCHARGE IMPOSED ON USERS OF THE CITY’S DRINKING WATER SYSTEM IN ORDER TO REPAY A SURCHARGE REVENUE BOND IN THE ORIGINAL PRINCIPAL AMOUNT OF \$1,714,327.

WHEREAS, on August 19, 2013, the City Council adopted Resolution No. 2013-12 (the “Surcharge Resolution”) to impose a surcharge on all customers of the City’s drinking water system (the “System”) in order to secure repayment of a bond originally issued on April 26, 2007 in the original principal amount of \$1,714,327 (the “Borrower Bond”) to South Dakota Conservancy District (the “District”) pursuant to the terms of the Loan Agreement of the same date (the “Loan Agreement”);

WHEREAS, the Surcharge Resolution established a monthly surcharge of \$1.12 per one thousand gallons of water used to all classes of customers;

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 better reflect the amount of surcharge needed to 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.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Surcharge Rate. The surcharge established under the Surcharge Resolution is hereby adjusted to a volume fee of ninety-nine cents (\$0.99) per one thousand gallons of water used per month upon all classifications of customers, effective beginning with the January 1, 2020 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.

Adopted this 21<sup>st</sup> day of October 2019.

Julie Burke Van Luvanee  
Mayor

ATTEST:

Mary McClung  
Finance Officer

Publication: October 31, 2019

Effective Date: January 1, 2020

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

Business Item 10. Resolution 2019-24 Surcharge (DW-03) Motion Berg, seconded Olson to approve Resolution 2019-24 Surcharge (DW-03) and set the surcharge at \$1.35 per one thousand gallons of water used per month effective January 1, 2020. Upon roll call vote; all in favor.

#### RESOLUTION NO. 2019-24

RESOLUTION OF THE CITY OF HARRISBURG, SOUTH DAKOTA TO REVISE THE SURCHARGE IMPOSED ON USERS OF THE CITY'S DRINKING WATER SYSTEM IN ORDER TO REPAY A SURCHARGE REVENUE BOND IN THE ORIGINAL PRINCIPAL AMOUNT OF \$2,090,000.

WHEREAS, on August 19, 2013, the City Council adopted Resolution No. 2013-13 (the "Surcharge Resolution") to impose a surcharge on all customers of the City's drinking water system (the "System") in order to secure repayment of a bond originally issued on December 1, 2008 in the original principal amount of \$2,090,000 (the "Borrower Bond") to South Dakota Conservancy District (the "District") pursuant to the terms of the Loan Agreement of the same date (the "Loan Agreement");

WHEREAS, the Surcharge Resolution established a monthly surcharge of \$1.52 per one thousand gallons of water used to all classes of customers;

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 better reflect the amount of surcharge needed to 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.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. Surcharge Rate. The surcharge established under the Surcharge Resolution is hereby adjusted to a volume fee of one dollar and thirty-five cents (\$1.35) per one thousand gallons of water used per month upon all classifications of customers, effective beginning with the January 1, 2020 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.

Adopted this 21<sup>st</sup> day of October 2019.

Julie Burke – Van Luvanee  
Mayor

ATTEST:

Mary McClung  
Finance Officer

Publication: October 31, 2019

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Business Item 11. Resolution 2019-25 Surcharge (WWTF Land) Motion Maxwell, seconded Berg to approve Resolution 2019-25 Surcharge (WWTF Land) and set the surcharge at a base fee of \$8.00 per month upon all classifications of customers effective January 1, 2020. Upon roll call vote; all in favor.

#### RESOLUTION NO. 2019-25

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 \$2,520,000.

WHEREAS, on July 2, 2018, the City Council adopted Resolution No. 2018-14 (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 October 18, 2018 in the original principal amount of \$2,520,000 (the "Borrower Bond") to Branch Banking and Trust Company ("BB&T") pursuant to the terms of the Borrower Bond and its related documents (the "Loan Agreement");

WHEREAS, the Surcharge Resolution established a monthly surcharge of \$12.00 base fee upon all classifications of customers;

WHEREAS, the Surcharge Resolution provides for annual review and adjustment of the surcharge amount to a level which, assuming a 1.10 coverage ratio 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 reflect that less funds were borrowed than initially anticipated.

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 \$8.00 per month upon all classifications of customers, effective beginning with the January 1, 2020 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.

Adopted this 21<sup>st</sup> day of October 2019.

Julie Burke – Van Luvanee  
Mayor

ATTEST:

Mary McClung  
Finance Officer

Publication: October 31, 2019

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Business Item 12. Consider Bid for Legendary Stormwater Low Flow Pipe Project. Only one quote for the project was received from Kempf Constuction Inc. in the amount of \$47,000.50. Motion Maxwell, seconded Berg to approve the bid from Kempf Construction Inc in the amount of \$47,000.50 plus excise tax for the Legendary Stormwater Low Flow Pipe Project. Upon roll call vote; all in favor.

Business Item 13. Consider Approval of Harrisburg Disability Awareness Commission By-Laws. Motion Berg, seconded Tank to approve the Harrisburg Disability Awareness Commission By-Laws as presented. Upon roll call vote; all in favor.

Business Item 14. Set November 7<sup>th</sup> or 14<sup>th</sup> 2019 from 5:30 pm – 7:30pm at Liberty School commons for the Wastewater Treatment Facility Update Open House. Motion Maxwell, seconded Berg to set November 7, or 14<sup>th</sup>, 2019 from 5:30pm to 7pm at Liberty School Commons for the Wastewater Treatment Facility Update Open House. Upon roll call vote; all in favor.

Business Item 15. Consent for Harrisburg Chamber Holiday Display outside of City Hall. Motion Tank, seconded Olson to allow the Harrisburg Chamber to place a Holiday Display outside of City Hall. Upon roll call vote; all in favor.

Business Item 16. Consider Adoption of Reimbursement Policy and Reimbursement Claim form. Motion Tank, seconded Berg to adopt the reimbursement policy and reimbursement claim form. Upon roll call vote; all in favor.

Business Item 18. Consider Proposal for Wetland Delineation for West Side Trunk Sewer Project. Motion Berg, seconded Maxwell to approve the proposal from Lund Engineers & Environmental for \$8,700.00 plus any applicable tax for the Wetland Delineation for the West Side Trunk Sewer Project and authorize Stonesifer sign the proposal. Upon roll call vote; all in favor.

Business Item 19. Consider Proposal for Geotechnical Exploration for the West Side Trunk Sewer Project. Motion Maxwell, seconded Tank to approve the proposal from Geotek Engineering for



geotechnical exploration for the West Side Trunk Sewer Project in an amount not to exceed \$8000.00 and authorize Stonesifer to sign the proposal. Upon roll call vote; all in favor.

Stonesifer gave a Pavement Condition Results Presentation and verbal reports were given by the mayor council members.

Business Item 17. Executive Session Pursuant to SDCL 1-25-2(1) Personnel Motion Tank, seconded Olson to enter into executive session pursuant to SDCL 1-25-2(1) Personnel at 6:54 pm.

Mayor declared out of executive session at 7:56 pm

The next regular meeting of the Harrisburg City Council will be held at 6:00 pm on Monday, November 4, 2019 at the Liberty School Board Room.

With no further business, a motion was made by Tank, seconded Maxwell, to adjourn the city council meeting at 7:57pm.

Submitted by Jill Johnke, Administrative Assistant / Deputy Finance Officer