

Harrisburg City Council
Meeting Minutes

The regular meeting of the City Council was called to order on November 18, 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, Jason Thurston and Joe Stonesifer. A list of all others in attendance is on file at the city office.

Pledge of Allegiance was recited.

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

1. Approval of November 18, 2019 Agenda
2. Approval of November 4, 2019 City Council Meeting Minutes
3. Approval of November 18, 2019 Approval of Claims
4. Approval of the Harrisburg Community Library By-Law Amendment.
5. Approval of Park Board Recommendation to Place Order for Replacement Ballfield Fencing at Legion Park. (\$13,834.00 for 2020 Installation and Expenditure)
6. Approval of Park Board Recommendation to Authorize Spending up to \$1700.00 for New Signage for Central Park and Ellis Larson Park from Pheasantland Industries (2019 Expenditure)
7. Approval of Park Board to Authorize Spending up to \$500.00 for the 2nd Annual Christmas Lighting Contest. (2019 Expenditure)
8. Approval of Garbage Hauler License for Sweeney Sanitation.

Upon Roll call vote; All in favor

AE2S – Professional Services/Fees (Engineering) \$2,124.00; Agora X Inc. – Energy – (Streets, Water, Sewer, Parks) \$1,123.95; Barnes & Noble Booksellers – Books (Library) \$633.16; Board of Operator Certification – Professional Services/Fees (Sewer) \$10.00; Cooperative Energy Company – Energy (Streets, Water, Sewer, Parks) \$858.55; Core & Main – Supplies/Materials (Water) \$233.80; Department of Treasury – Federal Withholding Taxes \$6,416.62; Fastenal Company – Supplies/Materials (Streets, Water, Sewer, Parks) \$7.87; Graybar Electric Co. – Supplies/Materials (Streets, Water, Sewer, Parks) \$239.52; Harrisburg Water – Utilities (Parks, Govt Bldgs) \$303.13; Health Equity – Professional Services/Fees (City Admin, Fin Admin, Streets, Water, Sewer, Parks) \$17.50; Health Equity – H.S.A. Withholdings \$265.00; Heiman Fire – Professional Services/Fees (Govt Bldgs) \$550.90; Holiday Inn Express Hotel & Suites – Travel/Conference (Water, Sewer, Engineering) \$480.00; Home Definitions, Inc. – Professional Services/Fees (Govt Bldgs) \$25.00; IMS Infrastructure Mgmt Services – Professional Services/Fees (Streets) \$357.50; I & S Group, Inc. – Professional Services/Fees (Storm Drainage) \$547.00; Kempf Construction Inc. – Improvements other than Buildings (Storm Drainage) \$47,143.45; Kullander, Chris – Supplies/Materials, Travel/Conference (Streets, Water, Sewer, Parks) \$254.53; Linc. Co. Rural Water System – Improvements other than buildings (Water) \$81,738.97; Lloyd Properties – Principal (TIF #2) \$5,198.17; Matheson Tri-Gas Inc. – Supplies/Materials (Streets, Water, Sewer, Parks) \$31.03; Novak Sanitary Service Utilities (Govt Bldgs) \$93.17; One Call systems Inc. – Professional Services (Water, Sewer) \$227.85; Optilegra, Inc. – Group Insurance (City Admin, Fin Admin, Planner, Engineering, Streets, Water, Sewer, Parks) \$111.12; Prairie Wind Trailers – Repairs/Maintenance (Streets, Water, Sewer, Parks) \$40.00; Qualified Presort Service, LLC – Supplies/Materials (Water, Sewer) \$1,133.04; Rural Route 1 Services – Utilities (Govt Bldgs) \$158.25; Sanitation Products – Machinery/Equipment (Snow Removal) \$23,074.00; Sioux Falls Networks – Professional Services (Fin Admin) \$254.35; Sioux Falls Networks – Supplies/Materials (Streets, Water, Sewer, Parks) \$249.99;

Sioux Valley News – Publishing – (Ord., Res., Proceedings) \$515.33; Soukup Construction, Inc. – Improvements other than Buildings (Govt Bldgs) \$40,560.79; SD Arborists Association – Travel/Conference (Forestry) \$110.00; SD Supplemental Retirement – Supplemental Retirement Withholdings \$325.00; SE Electric Cooperative Inc. – Energy (Sewer, Street Lighting, Water) \$4,245.12; Staples Advantage – Supplies/Materials (Streets, Water, Sewer, Parks, Fin Admin) \$201.84; Stockwell Engineers Inc. – Professional Services/Fees (Engineering General, Water, Sewer, Storm Drainage) \$134,503.27; Two Way Solutions, Inc. – Repairs/Maintenance (Streets, Water, Sewer, Parks) \$18.99; Verizon Wireless – Utilities (Water, Sewer) \$80.02; Wellmark Blue Cross Blue Shield – Group Insurance (Planning) \$158.20; Wellmark Blue Cross Blue Shield – Group Insurance (City Admin, Fin Admin, Streets, Water, Sewer, Parks) \$3,939.78; White Glove Cleaning Services – Utilities (Govt Bldgs) \$75.00; Windquist, Curt & Carla – Professional Services/Fees (Library) \$250.00; Zee Medical Service – Supplies/Materials (Govt Bldgs) \$207.54

No public comment was offered.

Business Item 3. 2nd Reading Ordinance 2019-19 Stormwater Basin Development Fee. Motion Tank, seconded Olson to approve Ordinance 2019-19 Stormwater Basin Development Fee. Published separate from the council meeting minutes.

6:03 pm Public Hearing Clarity Telecom LLC dba Vast Broadband Cable Franchise Renewal – No public comment was offered.

6:05 pm Public Hearing Midcontinent Communications Cable Franchise Renewal – No public comment was offered.

Business Item 5. Consider Quote to Televis Sanitary Sewer Lines. Motion Berg, seconded Olson to approve the quote from Hydro-Klean for televising the sanitary sewer lines in the old part of town in the amount of \$22,406.66. Upon roll call vote; all in favor

Business Item 1. Resolution 2019-26 Authorizing Clarity Telecom, LLC dba Vast Broadband to Operate as A Grantee Under Ordinance 2009-12. Motion Maxwell, seconded Tank to approve Resolution 2019-26 Authorizing Clarity Telecom, LLC dba Vast Broadband to Operate as A Grantee Under Ordinance 2009.12. Upon roll call vote; all in favor.

RESOLUTION 2019 - 26

RESOLUTION OF THE CITY OF HARRISBURG, SOUTH DAKOTA AUTHORIZING CLARITY TELECOM, LLC TO OPERATE AS A GRANTEE UNDER ORDINANCE 2009-12

WHEREAS, the City Council of the City of Harrisburg, South Dakota (“Franchise Authority”) passed Ordinance 2009-12 on December 7, 2009 (the “Franchise”), approving the renewal of the Cable Service Franchise for the Franchise Authority;

WHEREAS, Clarity Telecom, LLC, dba Vast Broadband, successor in interest to Knology, Inc. (“Franchisee”) owns, operates and maintains a cable television system (“System”) in the Franchise Authority, pursuant to Ordinance 2009-12;

WHEREAS, the Franchise granted to Franchisee is set to expire on January 12, 2020, unless renewed by the Franchise Authority;

WHEREAS, Franchisee has requested the Franchise Authority's approval, authorization and consent to continue to operate as a Grantee, as defined, under the terms and conditions of the Franchise;

WHEREAS, the Franchise Authority has reviewed the qualifications of the Franchisee and finds it to be a suitable Grantee, as defined in the Franchise, and has determined that it shall renew the Franchise for an additional five (5) years;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISBURG, SOUTH DAKOTA, AS FOLLOWS:

SECTION 1 . The Franchise Authority approves, authorizes and consents to the operation of Franchisee, as a nonexclusive Grantee, as defined, under the terms and conditions of the Franchise.

SECTION 2 . Pursuant to Section 10.0104 of the Franchise, the Franchise Authority renews the Franchise for a period of five (5) years with an automatic renewal of five (5) additional years.

SECTION 3 . The renewed term of the Franchise shall expire at 11:59 p.m. on January 12, 2025.

SECTION 4 . If the Franchise Authority does not notify the Franchisee in writing of its intention to not renew the Franchise on or before January 12, 2025, the Franchise shall be renewed for an additional five (5) years and shall expire at 11:59 p.m. on January 12, 2030.

SECTION 5 . This Resolution shall be deemed effective upon the twentieth day after its publication unless suspended by operation of referendum.

SECTION 6 . This Resolution shall have the force of a continuing agreement with the Franchise and Franchisee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee.

PASSED, ADOPTED AND APPROVED this 18th day of November, 2019, by the City Council of the City of Harrisburg, South Dakota by the following vote:

Ayes: Berg, Olson, Maxwell, Tank
Nays: None
Absent: None

CITY OF HARRISBURG
Julie Burke – Van Luvanee
Mayor

ATTEST:
Mary McClung
Finance Officer

I, Mary McClung, the duly appointed, qualified and acting Finance Officer of the City of Harrisburg, South Dakota, hereby certify that the forgoing resolution was passed by the City Council of Harrisburg, South Dakota, at its regular meeting held on the 18th day of November, 2019.

Witness my hand as Municipal Finance Officer and Official Seal of the City of Harrisburg, South Dakota.

Mary McClung
Finance Officer

Adopted: November 18, 2019
Published: November 28, 2019
Effective: December 18, 2019

Published once at the approximate cost of _____.

Business Item 2. Resolution 2019-27 Authorizing Midcontinent Communications to Operate as A Grantee Under Ordinance 2009-12. Motion Maxwell, seconded Tank to approve Resolution 2019-27 Authorizing Midcontinent Communications to Operate as A Grantee Under Ordinance 2009.12. Upon roll call vote; all in favor.

RESOLUTION 2019 - 27

RESOLUTION OF THE CITY OF HARRISBURG, SOUTH DAKOTA AUTHORIZING MIDCONTINENT COMMUNICATIONS TO OPERATE AS A GRANTEE UNDER ORDINANCE 2009-12

WHEREAS, the City Council of the City of Harrisburg, South Dakota (“Franchise Authority”) passed Ordinance 2009-12 on December 7, 2009 (the “Franchise”), approving the renewal of the Cable Service Franchise for the Franchise Authority;

WHEREAS, Midcontinent Communications (“Franchisee”) owns, operates and maintains a cable television system (“System”) in the Franchise Authority, pursuant to Ordinance 2009-12;

WHEREAS, the Franchise granted to Franchisee is set to expire on January 12, 2020, unless renewed by the Franchise Authority;

WHEREAS, Franchisee has requested the Franchise Authority’s approval, authorization and consent to continue to operate as a Grantee, as defined, under the terms and conditions of the Franchise;

WHEREAS, the Franchise Authority has reviewed the qualifications of the Franchisee and finds it to be a suitable Grantee, as defined in the Franchise, and has determined that it shall renew the Franchise for an additional five (5) years;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HARRISBURG, SOUTH DAKOTA, AS FOLLOWS:

SECTION 7 . The Franchise Authority approves, authorizes and consents to the operation of Franchisee, as a nonexclusive Grantee, as defined, under the terms and conditions of the Franchise.

SECTION 8 . Pursuant to Section 10.0104 of the Franchise, the Franchise Authority renews the Franchise for a period of five (5) years with an automatic renewal of five (5) additional years.

SECTION 9 . The renewed term of the Franchise shall expire at 11:59 p.m. on January 12, 2025.

SECTION 10 . If the Franchise Authority does not notify the Franchisee in writing of its intention to not renew the Franchise on or before January 12, 2025, the Franchise shall be renewed for an additional five (5) years and shall expire at 11:59 p.m. on January 12, 2030.

SECTION 11 .This Resolution shall be deemed effective upon the twentieth day after its publication unless suspended by operation of referendum.

SECTION 12 .This Resolution shall have the force of a continuing agreement with the Franchise and Franchisee, and the Franchise Authority shall not amend or otherwise alter this Resolution without the consent of Franchisee.

PASSED, ADOPTED AND APPROVED this 18th day of November 2019 by the City Council of the City of Harrisburg, South Dakota by the following vote:

Ayes: Berg, Olson, Maxwell, Tank
Nays: None
Absent: None

CITY OF HARRISBURG
Julie Burke – Van Luvanee
Mayor

ATTEST:

Mary McClung
Finance Officer

I, Mary McClung, the duly appointed, qualified and acting Finance Officer of the City of Harrisburg, South Dakota, hereby certify that the forgoing resolution was passed by the City Council of Harrisburg, South Dakota, at its regular meeting held on the 18th day of November 2019.

Witness my hand as Municipal Finance Officer and Official Seal of the City of Harrisburg, South Dakota.

Mary McClung
Finance Officer

Adopted: November 18, 2019
Published: November 28, 2019
Effective: December 2, 2019

Published once at the approximate cost of _____.

Business Item 4. 1st Reading Ordinance 2019-20 – Supplemental Appropriations Budget. Motion Tank, seconded Maxwell to set the 2nd reading of Ordinance 2019-20 Supplemental Appropriations Budget for Dec 2nd, 2019 City Council Meeting. Upon roll call vote; all in favor.

Stonesifer provided map of current streetlights and radius of light and showed that the street lighting service rate fee could be used for additional lighting within town as well as annual electrical cost. Council directed staff to place on the December 2, 2019 agenda for consideration. Pietrus reviewed draft code of ethics and what other topics council may want to include within the policy. Council directed staff to place on the December 2, 2019 for consideration. Verbal reports were given by the Mayor and Council.

City offices will be closed Thursday, November 28th and 29th, 2019 in observance of the Thanksgiving holiday.

The next regular meeting of the Harrisburg City Council will be held at 6:00 pm on Monday, December 2, 2019 at the Liberty School Board Room.

With no further business, a motion was made by Tank, seconded Berg, to adjourn the city council meeting at 6:49pm.

Submitted by Jill Johnke, Administrative Assistant / Deputy Finance Officer