

Harrisburg City Council  
Meeting Minutes

The regular meeting of the City Council was called to order on February 18, 2020 at 6:00 pm, with Council President Ryan Olson presiding. Council members present were Kevin Maxwell, Danny Tank and Ryan Berg. Also present from the city were Andrew Pietrus. Mary McClung, Michael McMahon, Joe Stonesifer and Toby Huizenga. A list of all others in attendance is on file at the city office.

Pledge of Allegiance was recited.

Mayor Julie Burke – Van Luvanee joined the meeting at 6:01 pm.

Consent Agenda: Olson stated that he would be abstaining from Business Item 2.f Country Corner Orchards Addition Motion Berg, seconded Olson to approve the consent agenda consisting of the following items:

1. Approved February 18, 2020 Agenda
2. Approved February 4, 2020 City Council Meeting Minutes
3. Approved February 18, 2020 Approval of Claims
4. Approved purchase of GPS Equipment in the amount of \$5,345.20 plus shipping, tablet and hotspot internet connection
5. Approved Phase 2 Public Works Facility Paving to Soukup Construction, Inc. in the amount of \$49,900.00
6. Approved Revised Preliminary Plan for the Mills Creek Addition
7. Approved Notice to Bidders – Westside Sanitary Sewer Trunk Line
8. Mayoral Proclamations:
  - a) Proclaiming March as Cerebral Palsy Month
  - b) Proclaiming March as Developmental Disability Month
  - c) Proclaiming March as Multiple Sclerosis Month
  - d) Proclaiming March 21<sup>st</sup> as Down Syndrome Day
9. Distributed Draft of Housing Needs Update Study

Upon roll call vote; all in favor

AE2S – Professional Services/Fees (Engineering) \$4,545.45; Barnes & Noble Booksellers – Books (Library) \$556.82; Business Archives – Professional Services/Fees (Govt Bldgs) \$40.00; Complete Weddings and Events – Professional Services/Events (Economic Development Promotion) \$100.00; Core & Main – Supplies/Materials (Water) \$4,476.83; Dakota Fluid Power, Inc. – Repairs/Maintenance – (Streets) \$1,081.47; Department of Treasury – Federal Withholding Taxes \$6,976.22; Design Solutions & Integration – Repairs and Maintenance (Sewer) \$325.00; Division of Motor Vehicles – Supplies/Materials, Professional Services/Fees (Engineering) \$21.20; Environmental Systems Research – Repairs/Maintenance (Planner, Engineering) \$792.88; Federal Signal Corporation – Machinery/Equipment (Public Safety) \$14,997.93; First National Bank – February 2020 Payroll \$44,795.48; Grainger – Supplies/Materials (Govt Bldgs) \$180.18; Grate Interpreting – Professional Services/Fees (Disability Awareness Board) \$181.05; Hammerstrom, Gene – Utility (Govt Bldgs) \$35.00; Huizenga, Toby - Utility (Govt Bldgs) \$35.00; Health Equity – Professional Services/Fees (City Admin, Fin Admin, Water, Sewer, Parks) \$17.50; Health Equity – H.S.A. Withholdings \$404.00; Holiday Inn Express Hotel & Suites – Travel/Conference (Water, Sewer, Engineering) \$654.00; Johnke, Jill – Utility (Govt Bldgs) \$35.00; K & M Tire – Supplies/Materials (Streets, Water, Sewer, Parks) \$650.06; Kullander, Chris – Utility (Govt Bldgs) \$35.00; Kullander, Chris – Travel/Conference (Water, Sewer)

\$63.00; Lewis & Clark Regional Water – Improvements other than Buildings (Water) \$1,998.56; Lincoln Conservation District – Community Education/Event (Parks) \$86.00; Linc. Co. Rural Water System – Improvements other than Buildings (Water) \$50,147.84; Marco, Inc. – Rentals (Streets, Water, Sewer, Parks) \$153.92; Matheson Tri-Gas Inc. – Supplies/Materials (Streets, Water, Sewer, Parks) \$31.03; McClung, Mary – Utility (Govt Bldg) \$35.00; Menards-East – Supplies/Materials (Govt Bldgs) \$1,652.22; MidAmerican Energy – Energy (Govt Bldgs, Sewer) \$1,839.86; Midwest Alarm Company, Inc. – Professional Services/Fees (Govt Bldgs) \$402.00; Novak Sanitary Service – Utilities (Govt Bldgs) \$104.41; One Call Systems inc. – Professional Services/Fees (Water, Sewer) \$19.95; Overdrive, Inc. – Supplies/Materials, Repairs/Maintenance (Library) \$1,500.00; Pheasantland Industries – Supplies/Materials (Streets) \$221.40; Pietrus, Andrew – Utility (Govt Bldgs) \$35.00; Preheim, Dustin – Utility (Govt Bldgs) \$35.00; Preheim, Dustin – Travel/Conference (Water/Sewer) \$63.00; Rennich, David – Utility (Govt Bldgs) \$35.00; Rural Route 1 Services – Utilities (Govt Bldgs) \$136.50; Rushmore Service Center – Garnishment Withholdings \$224.87; Sioux Falls Networks – Professional Services/Fees (Fin Admin) \$254.35; South Dak Retirement System – SDRS Withholdings \$6,090.10; SD Supplemental Retirement – SDRS Withholdings \$325.00; Staples Advantage – Supplies/Materials (Library, Streets, Water, Sewer, Parks) \$99.59; Stockwell Engineers Inc. – Professional Services/Fees (Engineering General, Water, Sewer) \$199,770.65; Stonesifer, Joe – Utility (Govt Bldgs) \$35.00; Sturdevant’s Auto Supply – Supplies/Materials, Machinery/Equipment (Streets, Water, Sewer, Parks) \$3,505.11; Thurston, Jason – Utility (Govt Bldgs) \$35.00; Verizon Wireless – Utilities (Water, Sewer) \$154.88; Wellmark Blue Cross Blue Shield – Group Insurance (Planner) \$171.90; Wellmark Blue Cross Blue Shield – Group Insurance (City Admin, Fin Admin, Streets, Water, Sewer, Parks) \$3,677.51; White Glove Cleaning Services – Utilities (Govt Bldgs) \$87.50

No public comment was offered. Mayor acknowledged staff that attended the Lincoln County Commission meeting in regards to the Cliff Avenue and Willow Street intersection presentation.

Board of Appeals – Certificate of Occupancy for 749 Pacific Circle. Motion Olson, seconded Tank to adjourn regular session and convene as the Board of Appeals at 6:02pm.

Mayor called the Public Hearing for the appeal received from Mark Fiechtner on the denial of issuance of a certificate of occupancy for 749 Pacific Circle.

McMahon reviewed the basis of denial of the certificate of occupancy including the incompleteness of the installation of traffic control signage, street name signage, and street improvements. McMahon explained the options the Board of Appeals has regarding the appeal. Planning and Zoning Board members present stated that they felt a certificate should not be issued. Council would like to see a hold harmless agreement absolving the City of any and all liabilities regarding the occupancy at 749 Pacific Circle.

Motion Tank, seconded Maxwell to leave the denial of the certificate of occupancy as it stands, and request Mr. Fiechtner sign a hold harmless agreement as the developer, builder and occupant. Upon roll call vote; all in favor

Motion Tank, seconded Berg to adjourn as the Board of Appeals at 6:17pm and reconvene the city council meeting.

Business Item 1. Approve New Full Time Hire – GIS/Engineer Technician. Motion Tank, seconded Maxwell to approve hiring Cole Wedel for the full time GIS/Engineer Technician position at a rate of \$19.00 per hour with a monthly cell phone allowance of \$35.00 beginning February 24, 2020. Upon roll call vote; all in favor.

Business Item 2. Approve Westside Sanitary Sewer Trunk Memorandum of Agreements, Pre-Annexation Agreements, Permanent Easement Acquisitions and Temporary Construction Easements:

- a) NW ¼ Except Spring Valley, Carrs and Larson's Additions, Section 33, Township 100 North, Range 50 West Motion Berg, seconded Tank to approve and authorize the Mayor to sign the Memorandum of Agreement, Pre-Annexation Agreement, Permanent Easement, Temporary Construction Easement and authorize easement payments for the parcel described as the NW1/4 Except Spring Valley, Carrs and Larson's Additions, Section 33, Township 100 North, Range 30 West. Upon roll call vote; all in favor.
- b) Tract 3A Adrian's Addition Except South 623.16', North 998.68', NE ¼, Section 33, Township 100 North, Range 50 West Motion Tank, seconded Maxwell to approve and authorize the Mayor to sign the Memorandum of Agreement, Pre-Annexation Agreement, Permanent Easement, Temporary Construction Easement and authorize easement payments for the parcel described as Tract 3A Adrian's Addition Except South 623.16', North 998.68', NE ¼, Section 33, Township 100 North, Range 50 West. Upon roll call vote; all in favor.
- c) Tract 1 Hensch Addition, NE¼, Section 33, Township 100 North, Range 50 West Motion Olson, seconded Maxwell to approve and authorize the Mayor to sign the Memorandum of Agreement, Pre-Annexation Agreement, Permanent Easement, Temporary Construction Easement and authorize easement payments for the parcel described as Tract 1 Hensch Addition, NE¼, Section 33, Township 100 North, Range 50 West. Upon roll call vote; all in favor.
- d) SW1/4 of Section 34, Township 100 North, Range 50 West of the 5<sup>th</sup> P.M., Lincoln County, South Dakota Motion Maxwell, seconded Tank to approve and authorize the Mayor to sign the Pre-Annexation Agreement, Permanent Easement, Temporary Construction Easement and authorize easement payments for the parcel described as the SW 1/4 , Section 34, Township 100 North, Range 50 West. Upon roll call vote; all in favor.
- e) W½, SE¼, Except Voel's Addition, Section 34, Township 100 North, Range 50 West Motion Olson , seconded Maxwell to approve and authorize the Mayor to sign the Memorandum of Agreement, Pre-Annexation Agreement, Permanent Easement, Temporary Construction Easement and authorize easement payments for the parcel described as the W½, SE¼, Except Voel's Addition, Section 34, Township 100 North, Range 50 West.. Upon roll call vote; all in favor.
- f) Country Corner Orchards Addition, Tract 2, Except Lot H-1 in Section 34, Township 100 North, Range 50 West, Lincoln County, South Dakota Motion Tank, seconded Berg to approve and authorize the Mayor to sign the Memorandum of Agreement, Pre-Annexation Agreement, Permanent Easement, Temporary Construction Easement and authorize easement payments for the parcel described as Country Corner Orchards Addition, Tract 2, Except Lot H-1 in Section 34, Township 100 North, Range 50 West, Lincoln County, South Dakota. Upon roll call vote: Tank- aye, Maxwell – aye, Berg – aye, Olson – abstain

Business Item 3. Award Bid for Wastewater Treatment Facility Force Main. A total of 6 bids were received. Bidders for this project were Metro Construction (Gross base bid of \$3,459,396.72 with alternate No. 1 bid of \$166,037.60 for a total gross base bid plus alternate No. 1 of \$3,625,434.32), Hulstein Excavating Inc. (Gross base bid of \$3,929,038.95 with alternate No. 1 bid of \$166,274.00 for a total gross base bid plus alternate No. 1 of \$4,095,312.95), First Rate Excavate (Gross base bid of

\$4,218,914.60 with alternate No. 1 bid of \$167,304.40 for a total gross base bid plus alternate No. 1 of \$4,386,219.00), H & W Contracting (Gross base bid of \$4,257,053.20 with alternate No. 1 bid of \$236,077.50 for a total gross base bid plus alternate No. 1 of \$4,493,130.70), Prunty Construction Co Inc. (Gross base bid of \$4,296,104.30 with alternate No. 1 bid of \$216,392.00 for a total gross base bid plus alternate No. 1 of \$4,512,496.30), and Carstensen Contracting Inc. (Gross base bid of \$4,403,034.80 with alternate No. 1 bid of \$178,421.00 for a total gross base bid plus alternate No. 1 of \$4,581,455.80). Motion Olson, seconded Maxwell to approve awarding the bid for the Wastewater Treatment Facility Force Main to the low bidder Metro Construction in the amount of \$3,459,396.72 for the gross base bid and \$166,037.60 for the Alternate No. 1 bid for a total gross base bid plus alternate No. 1 of \$3,625,434.32. Upon roll call vote; all in favor.

Business Item 4. Award Quote for Southeastern Avenue Ditch Grading – This project is part of the Wastewater Treatment Facility project. Two quotes were received, one from First Rate Excavate \$52,000.00 and one from Soukup Construction, Inc. for \$60,330.00. After negotiation discussions with First Rate Excavate, they have resubmitted their quoted price to be \$49,900.00 to complete the project. Motion Tank seconded Maxwell to approve awarding the Southeastern Avenue Ditch Grading quote to First Rate Excavate in the amount of \$49,900.00. Upon roll call vote; all in favor.

Business Item 5. Resolution 2020-06 Commerce Street Sewer Cost Recovery – Motion Olson, seconded Berg to approve Resolution 2020-06 Commerce Street Sewer Cost Recovery.

#### RESOLUTION NO 2020-06

A RESOLUTION ADOPTING A SANITARY SEWER COST RECOVERY EVALUATION FOR COMMERCE AVENUE SANITARY TRUNK SEWER IMPROVEMENTS AND ASSESSING THE COST OF SUCH COST RECOVERY TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

WHEREAS, the City of Harrisburg (the “City”) has financed and completed the construction of the Commerce Avenue Sanitary Trunk Sewer Improvements and conducted an evaluation to establish the equitable apportionment of the costs of the project according to the benefits to accrue to property in the area;

WHEREAS, the sanitary sewer may serve areas which may be benefited thereby, and the cost shall be apportioned against such property;

WHEREAS, the City has determined for purposes of SDCL 9-48-15 that it is appropriate that such benefited property pay its proportionate share of the cost of such construction, without interest, according to the benefits that may accrue to such property before such property may be served by such facility; and

WHEREAS, the City has determined that the amount to be paid and the apportionment thereof among the benefited properties.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HARRISBURG, SD:

Section 1. That the City adopts the attached Sanitary Sewer Cost Recovery Evaluation for the Commerce Avenue Sanitary Trunk Sewer Improvements.

Section 2. The cost and expense of the improvements shall be levied by cost recovery upon the benefited property listed in Table 1 (the Benefited Property”). The improvements shall be assessed upon the Benefited Property based on the area of the property benefited, as provided by law.

Section 3. That payment of the costs allocated to the Benefitted Property shall be delayed, without interest, until such time as the Benefitted Property or portion thereof requests connection to the Commerce Avenue Sanitary Trunk Sewer Improvements and/or platted for development, at which time the cost recovery applicable thereto would become payable in full.

Section 4. Any property described in Table 1 of the attached cost recovery evaluation shall be required to pay the City the amount established in the cost recovery evaluation, which is attached to and part of this resolution.

Section 5. A copy of the resolution including attachments will be recorded at the Register of Deeds Offices, Lincoln County, SD, as a notice to all potential or actual future landowners that proof of payment is required prior to the time such property shall connect to the Commerce Avenue Sanitary Trunk Sewer Improvements and/or be permitted to be platted for development.

Dated adopted: February 18, 2020

Julie Burke – Van Luvanee  
Mayor

ATTEST:  
Mary McClung  
Finance Officer

Adopted: February 18, 2020  
Published: February 27, 2020  
Effective: March 18, 2020

Business Item 6. Consider Water Bill Insert. All information can be found on the city website and a link will be provided on the insert. Motion Tank seconded Berg to include an insert regarding utility rate information in the utility bill in November of each year and include information on the back of the April billing each year and to also include an insert in the March billing for 2020. Upon roll call vote; all in favor. A please save for future reference will be added to insert.

Reports: City Engineer Stonesifer and ISG representatives provided an update on the Bioswale project quotes that were received. A formal bidding process will be completed as the informal quotes received were well above the engineer’s projected cost and required bid limit. Stonesifer and City of Harrisburg representatives presented an update on the Willow Street and Cliff Avenue Intersection design to the Lincoln County Commissioners on Tuesday, February 18, 2020. The commissioners tasked the city with looking for funding options and grants that may be available. Stonesifer presented a preliminary draft of the Capital Improvement Plan to the Planning Commission and will continue to meet with them to develop. City Council and Mayor will bring strategic planning dates, scope of work and facilitator contact information to the March 3rd City Council meeting for further discussion.

Executive Session – Pursuant to SDCL 1-25-2 (1) Personnel. Motion Tank, seconded Maxwell to enter Executive Session Pursuant to SDCL 1-25-2(1) Personnel at 7:15pm.

Mayor Burke – Van Luvanee declared out of Executive Session and return to regular session at 7:44pm.

The next regular meeting of the Harrisburg City Council will be held at 6:00 pm on Tuesday, March 3, 2020 at Liberty Conference Room.

With no further business, a motion was made by Tank, seconded Maxwell, to adjourn the city council meeting at 7:45pm.

Submitted by Mary McClung, Finance Officer

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