

Harrisburg City Council
Meeting Minutes

The regular meeting of the City Council was called to order on April 21, 2020 at 6:00 pm, with Mayor Julie Burke-Van Luvanee presiding. Council members present by teleconference were Kevin Maxwell, Ryan Berg and Ryan Olson and Danny Tank. Also present from the city were Mary McClung, Jill Johnke, Joe Stonesifer, Toby Huizenga and Andrew Pietrus. A list of all others in attendance is on file at the city office.

Pledge of Allegiance was recited.

Motion made by Tank, seconded Berg to add setting the 1st meeting in June for June 4, 2020 due to rescheduled municipal election being held on June 2, 2020 to consent agenda.

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

1. Approval of April 21, 2020 Agenda
2. Approval of minutes – April 7, 2020 City Council Meeting Minutes
3. Approval of April 21, 2020 – Approval of Claims
4. Approval of Plat of Tract 3 of Jasmine's addition
5. Authorize Mayor's signature on Pre-Annexation Agreement for Tract 3 of Jasmine's addition
6. Set the 1st meeting in June for June 4th, 2020 due to rescheduled municipal election being held on June 2, 2020 to the Consent Agenda.

Upon roll call vote; all in favor

AE2S – Professional Services/Fees (Engineering- General) \$739.75; American Fence Company – Improvements other than Bldgs (Parks) \$12,760.23; Breaking Burrito – Other Licenses/Permits Refund (General) \$200.00; CADD Engineering Supply of SD – Professional Services/Fees (Engineering) \$1,139.33; City of Sioux Falls – Professional Services/Fees (Water) \$304.50; Core & Main – Supplies/Materials (Water) \$2,635.51; Crouch Recreation Inc. – Improvements other than Bldgs (Parks) \$11,088.00; Custom Tree Movers, Inc. – Supplies/Materials (Forestry) \$2,175.00; Department of Treasury – Tax Withholdings \$6,529.13; Department of Treasury – Tax Withholdings \$7,073.22; First National Bank – Payroll April 2020 \$43,453.70; Hammerstrom, Gene – Utilities (Govt Bldgs) \$35.00; Harrisburg Economic Development – Subsidies (Economic Dev Promo) \$2,955.54; Harry's Yellow Submarine – Other Licenses/Permits Refund (General) \$200.00; Hawkins Inc. – Supplies/Materials (Sewer) \$1,198.40; Health Equity – H.S.A. Withholdings \$404.00; Health Equity – H.S.A. Withholdings \$404.00; Home Definition, Inc. – Professional Services/Fees (Govt Bldgs) \$25.00; Huizenga, Toby – Utilities (Govt Bldgs) \$35.00; Johnke, Jill – Utilities (Govt Bldgs) \$35.00; Hy-Vee – Contrib/Donations Refund (General) \$2,500.00; Kabob King – Other Licenses/Permits Refund (General) \$200.00; Kullander, Chris – Utilities (Govt Bldgs) \$35.00; Marco, Inc. – Rentals (Streets, Water, Sewer, Parks) \$153.92; McClung, Mary – Utilities (Govt Bldgs) \$35.00; Metro Construction Inc. – Improvements other than Bldgs (Sewer) \$731,082.81; Meyer, Nolan – Utilities (Govt Bldgs) \$35.00; MidAmerican Energy – Energy (Sewer, Govt Bldgs) \$976.75; One Call Systems Inc. – Professional Services/Fees (Water, Sewer) \$117.60; Optilegra, Inc. – Group Insurance (City Admin, Fin Admin, Planner, Engineer, Streets, Water, Sewer, Parks) \$111.12; Pietrus, Andrew – Utilities (Govt Bldgs) \$35.00; Preheim, Dustin – Utilities (Govt Bldgs) \$35.00; Rennich, David – Utilities (Govt Bldgs) \$35.00; Rushmore Service Center – Garnishment Withholdings \$224.87; Rushmore Service Center – Garnishment Withholdings \$224.87; Sioux Falls Area Humane Society – Professional Services/Fees (Animal Control) \$126.22; Sioux Falls

Networks – Professional Services/Fees (Fin Admin) \$254.35; Sisson Printing Inc. – Contrib/Donations Refund (General) \$500.00; SD Dept of Revenue & Regulation – Professional Services/Fees (Solid Waste Disposal) \$250.00; SD DENR – Fiscal Management – Professional Services/Fees (Sewer) \$100.00; SD DENR – Fiscal Management – Professional Services/Fees (Engineer) \$100.00; SDSU Ice Cream/Pro Services – Other Licenses/Permits Refund (General) \$200.00; South Dak Retirement System – SDRS Withholdings \$6,423.72; SD Supplemental Retirement Plan – SDRS Withholdings \$325.00; SD Dept of Transportation – Professional Services/Fees (Engineering, Streets) \$300.00; SD Dept of Transportation – Improv other than Bldgs (Streets) \$37,847.24; Stan Houston – Supplies/Materials (Sewer) \$795.00; Stonesifer, Joe – Utilities (Govt Bldgs) \$35.00; Swenson, Craig – Other Licenses/Permits Refund (General) \$200.00; Thurston, Jason – Utilities (Govt Bldgs) \$35.00; Traffic Solutions Inc. – Supplies/Materials, Repairs/Maintenance (Streets) \$3,857.22; Two Way Solutions, Inc. – Repairs/Maintenance (Streets, Water, Sewer, Parks) \$238.96; Wedel, Cole – Utilities (Govt Bldgs) \$35.00; Wellmark Blue Cross Blue Shield – Group Insurance (Planner) \$171.90; Wellmark Blue Cross Blue Shield (City Admin, Fin Admin, Engineering, Streets, Water, Sewer, Parks) \$4,032.31; White Glove Cleaning Services – Utilities (Govt Bldgs) \$81.25; Wilson Blain Concrete – Repairs/Maintenance (Water) \$997.11; Vast Broadband – Utilities (Library, Govt Bldgs) \$675.09; Verizon – Utilities (Water, Sewer, Engineer) \$198.76

Public Comment: Brad Mair, President of the Home Builders Association requested the council defer business Item 4, Arterial Street Funding. There are some questions they would like answered prior to 1st Reading. McClung provided and read emails received from Steve VanBuskirk and Clint Ackerman requesting that Business Item 4 be deferred for further discussion between the developers, builders and city. No other public comment provided.

Business Item 1. 2nd Reading Ordinance 2020-02 Fireworks Regulations. Motion Maxwell, seconded Olson to approve Ordinance 2020-02 Firework Regulations. Upon roll call vote; all in favor.

Business Item 2. Resolution 2020-09 Voluntary Annexation of Mydland Property. Motion Tank, seconded Maxwell to approve Resolution 2020-09 Voluntary Annexation for the Mydland property, described as the SE1/4 SE1/4 except Mydland Addition and the South 17 acres of the N1/2SE1/4 in Section 36. T100N, R50W, 5th P.M. Lincoln County, South Dakota (Approximately 56 Acres.) Upon roll call vote; all in favor

RESOLUTION 2020-09

A RESOLUTION TO APPROVE A PETITION FOR ANNEXATION OF CERTAIN PROPERTY CONTIGUOUS TO THE CITY OF HARRISBURG,

LINCOLN COUNTY, SOUTH DAKOTA.

WHEREAS, the City of Harrisburg has received a written petition for voluntary annexation signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed to the municipality;

WHEREAS, certain territory, hereinafter more particularly described, is contiguous to the City of Harrisburg, South Dakota; and

WHEREAS, the Planning Commission of the City of Harrisburg recommends that said area be annexed thereto;

NOW THEREFORE BE IT RESOLVED by the Common Council of the City of Harrisburg, South Dakota, that the boundaries of said City of Harrisburg, South Dakota, be and they hereby are extended to include the area contiguous to the City of Harrisburg described as follows:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ except Mydland Addition and the South 17 acres of the N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 36, T100N, R50W, 5th P.M., Lincoln County, South Dakota. (Approximately 56.0 acres)

NOW THEREFORE BE IT FURTHER RESOLVED by the City of Harrisburg that the within-described territory is hereby designated Urban Service District, thus amending Ordinance #2006-016;

NOW THEREFORE BE IT FURTHER RESOLVED by the City of Harrisburg that the zoning for the within described territory be designated as NR: Natural Resource District, R-1: Single Family Residential District, and R-2: Low Density Residential District as shown on the attached exhibit.

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

RESOLUTION 2020-09, Page 2 of 2 pages.

Dated at Harrisburg, South Dakota, this 21st day of April, 2020.

COMMON COUNCIL OF THE CITY OF HARRISBURG

Julie Burke – Van Luvanee

Mayor

Attest:

Mary McClung

Finance Officer

Published: April 30, 2020

Effective: May 20, 2020

Business Item 3. Approval of Preliminary Plan for Mydland Estates. Motion Tank, seconded Maxwell to approve Preliminary Plan for the Mydland Estates Addition as presented. Upon roll call vote; all in favor.

Business Item 4. 1st Reading Ordinance 2020-04 Arterial Street Funding. After discussion and consideration of requests for deferral, motion Tank, seconded Berg to set the 2nd reading of Ordinance 2020-04 Arterial Street Funding for the 1st meeting in June, June 4, 2020 Harrisburg City Council meeting. Upon roll call vote; all in favor.

Business Item 5. Engineering Design Standards Updates. Motion Maxwell, seconded Olson to approve the engineering design standards updates as presented. Upon roll call vote; all in favor.

Business Item 6. Pay Application #1 – Columbia Street Extension – Foundation Drive to Central Park Drive. Motion Maxwell, seconded Olson to approve Pay Request #1 for the Columbia Street Extension-Foundation drive to Central Park Drive from First Rate Excavate, Inc. for the period of 03/23/20 – 04/07/20 in the amount of \$132,164.73. Upon roll call vote; all in favor.

Business Item 7. Resolution 2020-10 A Resolution to address a public health crisis by extending the effective date of Ordinance 2020-03. Motion Maxwell, seconded Olson to approve Resolution to address

a public health crisis by extending the effective date of Ordinance 2020-03. Upon roll call vote; all in favor.

RESOLUTION NO. 2020-10

A RESOLUTION TO ADDRESS A PUBLIC HEALTH CRISIS BY EXTENDING THE EFFECTIVE DATE OF ORDINANCE 2020-03.

WHEREAS, an outbreak of the severe respiratory disease, COVID-19, which is caused by and is transmitted by person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected across the world, including the United States;

WHEREAS, COVID-19 is spread by person-to-person contact via both airborne and fecal-oral transmission, or by contact with surfaces contaminated by the virus. In some cases, especially among older adults and persons with serious underlying health conditions, COVID-19 can result in serious illness requiring hospitalization, admission to an intensive care unit, and death;

WHEREAS, COVID-19 is an imminent hazard to public health, safety, or welfare;

WHEREAS, the World Health Organization (WHO) has designated COVID-19 a pandemic, and the U.S. Centers for Disease Control and Prevention (CDC) has declared a public health emergency;

WHEREAS, the CDC has issued guidance to state and local governments and all citizens recommending steps to prevent community spread and guard against the COVID-19 outbreak;

WHEREAS, the CDC and health experts have recommended social distancing to slow the spread of COVID-19;

WHEREAS, Social distancing is a method of slowing down or stopping the spread of a contagious disease by reducing the probability of contact between infected persons and those not infected in order to minimize disease transmission;

WHEREAS, in response to the need to implement social distancing, all schools in the state will be closed for the remainder of the school year;

WHEREAS, on March 16, 2020, the White House issued guidance recommending that social gatherings of more than ten people be avoided and that people avoid eating or drinking at bars, restaurants, and food courts;

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the global pandemic of COVID-19;

WHEREAS, cases of COVID-19 have been confirmed in several counties in South Dakota;

WHEREAS, on March 13, 2020, Executive Order 2020-04 declared a state of emergency to exist in the State of South Dakota in response to the spread of COVID-19, which was extended through May 31, 2020 by Executive Order 2020-15;

WHEREAS, on March 23, 2020, Executive Order 2020-08, provided guidance and strategies to South Dakota citizens and businesses to reduce the likelihood of spreading COVID-19;

WHEREAS, the CDC & SD Department of Health (SD DOH) have issued guidance to state and local governments and all citizens recommending steps to prevent community spread and guard against the COVID-19 outbreak;

WHEREAS, on April 6, 2020, Executive Order 2020-12, rescinded Executive Order 2020-08, and put in place mandatory guidelines for South Dakota citizens, employers, retail businesses, health care organizations, and local and municipal governments;

WHEREAS, on April 7, 2020, the City Council of the City of Harrisburg (the “City”) passed Ordinance 2020-03 in support of the directives of the executive orders and CDC guidance as it relates to COVID-19 in the state of South Dakota;

WHEREAS, Ordinance 2020-03 is set to expire on May 1, 2020 unless extended by resolution of the City Council; and

WHEREAS, the City finds it necessary for the prevention and spread of the contagious virus causing the deadly COVID-19 disease within the City to extend the effective date of Ordinance 2020-03 to June 1, 2020;

NOW THEREFORE, BE IT RESOLVED, by the Harrisburg City Council that Ordinance 2020-03 shall remain in effect until June 1, 2020, at which time it shall be automatically repealed unless specifically readopted for an additional period of time by resolution of the City Council.

BE IT FURTHER RESOLVED, that, pursuant to SDCL 9-19-13, this resolution is necessary for the immediate preservation of the public peace, health, safety, welfare, and support of the City and shall become effective immediately upon passage and publication.

Dated this 21st day of April, 2020.

CITY OF HARRISBURG, SOUTH DAKOTA

Julie Burke – Van Luvanee, Mayor

ATTEST:

Mary McClung, Finance Officer

(SEAL)

Reading and Adoption: 04-21-2020

Publication: 04-30-2020

Effective Date: 04-30-2020

Business Item 8. Consider Ordinance 2020-05 An Ordinance Adding Chapter 3.03 to Title 3 of the Municipal Ordinances of the City of Harrisburg South Dakota addressing Nuisances in a Declared Emergency. Motion Maxwell, seconded Tank to set the 2nd reading of Ordinance 2020-05 for the May 5, 2020 Harrisburg City Council Meeting. Upon roll call vote; all in favor.

Business Item 9. Utility Bill Late Fee Waiver Extension Motion Maxwell, seconded Tank to approve extending the utility bill late fee waiver for April 2020 for the City of Harrisburg utility water and sewer bills. Upon roll call vote; all in favor.

Reports: Stonesifer gave a brief update on current projects including the Willow St. Trail, WWTF Forcemain, SE Ditch Cleaning and WWTF bidding timeline. Tank asked that the Lincoln County non-emergency number be noted for those that want to report a violation of Ordinance related to COVID-19. Maxwell stated that the City's compost site will open on April 29, 2020 from 3pm-7pm and Saturday May 2, 2020 from 9am – 1pm and be open Wednesdays and Saturdays for the spring and summer, permitting that weather and site conditions allow. Mayor asked Stonesifer for clarification on timeline and clarification on CMR bidding process and guaranteed maximum price.

The next regular meeting of the Harrisburg City Council (teleconference) will be held at 6:00 pm on Tuesday, May 5, 2020.

With no further business, a motion was made by Maxwell, seconded Tank, to adjourn the city council meeting at 7:05pm. Upon roll call vote; all in favor.

Submitted by Jill Johnke, Deputy Finance Officer

Published once at the approximate cost of _____.