

Harrisburg City Council  
Meeting Minutes

The regular meeting of the City Council was called to order on September 15, 2020 at 6:00 pm, with Mayor Wenck presiding. Council members present were Kevin Maxwell, Ryan Berg and Danny Tank, and Ryan Olson. Also present from the city were Toby Huizenga, Joe Stonesifer, Andrew Pietrus, and Jill Johnke. A list of all others in attendance is on file at the city office.

Pledge of Allegiance was recited.

Consent Agenda: Motion Tank, seconded Maxwell to approve the consent agenda as presented.

1. Approved September 15, 2020 Agenda
2. Approved September 1, 2020 City Council Meeting Minutes
3. Approved September 15, 2020 Claims
4. Authorized Mayor to sign temporary pedestrian easement for Mydland Addition (Legendary Trail)
5. Authorized Mayor to sign permanent sanitary sewer easement for Tract 2 of Haas Addition

Upon roll call vote; all in favor

Ace Hardware – Supplies/Materials, Repairs/Maintenance, Improve other than Bldgs (Streets, Water, Sewer, Parks, Storm Drainage, Govt Bldgs) \$3,705.17; Agora X Inc -Energy (Streets, Water, Sewer, Parks, West Nile Prevention, Engineering) \$681.91; Bierschbach Equipment & Supply – Machinery & Equipment (Streets) \$2,685.00; Blackburn Mfging Co. – Supplies/Materials (Water, Sewer) \$260.05; CHS – Rentals (Streets, Water, Sewer, Parks) \$255.00; Code Works, Inc. – Professional Services/Fees (Planner) \$45.00; Customeyez Designs – Supplies/Materials (Sewer) \$265.00; Dakota Supply Group – Supplies/Materials (Water) \$24.00; Department of Treasury – Federal Withholdings \$7,569.33; Fareway Stores Inc. #178 – Supplies/Materials (Streets) \$12.87; Geotek Engineering – Professional Services/Fees (Sewer) \$1,433.00; Harrisburg Water – Utilities (Govt Bldgs, Water, Parks) \$2,791.92; Health Equity – H.S.A. Withholdings \$404.00; Health Equity – Professional Services/Fees (Fin Admin, City Admin, Engineering, Streets, Water, Sewer, Parks) \$22.50; Laceys – Professional Services/Fees, Rentals (Parks) \$1,785.00; Lewis & Clark Regional Water – Resale of Water (Water) \$13,313.40; Linc. Co. Rural Water System – Resale of Water - \$2,320.00; Matheson Tri-Gas Inc – Supplies/Materials (Streets, Water, Sewer, Parks) \$32.58; MidAmerican Energy – Energy (Sewer, Govt Bldgs) \$140.93; MLC Construction Inc. – Buildings (Parks) \$18,978.00; Novak Sanitary Service – Utilities (Govt Bldgs) \$104.41; One Call Systems – Professional Services/Fees (Water, Sewer) \$226.80; Optilegra, Inc. – Group Insurance, Insurance Withholdings \$131.20; Payment Service Network – Professional Services/Fees (Planner, Water, Sewer) \$1,672.67; Pheasantland Industries – Supplies/Materials (Streets) \$491.40; Qualified Presort Service, LLC – Supplies/Materials (Water, Sewer) \$1,058.93; Sanborn County Clerk of Courts – Professional Services/Fees (Community Development) \$20.00; Sioux Falls Networks – Professional Services/Fees (Fin Admin) \$254.35; Sioux International – Repairs/Maintenance (Parks) \$209.88; Siteone Landscape Supply, LLC – Supplies/Materials, Improve other than Bldgs (Parks, Storm Drainage) \$1,381.61; South Dak Assoc of Rural Water – Travel/Conference (Engineering, Water) \$300.00; SD Department of Transportation – Improve other than Buildings (Streets) \$67,082.38; SDPPA – Insurance (Streets) \$417.02; SD Supplemental Retirement Plan – SDRS Withholdings \$375.00; SD Electric Cooperative, Inc. – Energy (Sewer, Street Lighting, Water) \$4,917.25; Stan Houston – Supplies/Materials (Streets, Water, Sewer, Parks) \$693.49; Stan Houston – Machinery /Equipment (Streets) \$1,599.99; Staples Advantage – Supplies/Materials (Fin Admin) \$41.18; Sturdevant’s Auto Supply – Repairs/Maintenance, Supplies/Materials (Streets, Water, Sewer, Parks) \$128.19; Total Fire Protections Inc. – Professional Services/Fees (Govt Bldgs) \$290.00; Traffic Solutions Inc. – Supplies/Materials, Repairs/Maintenance (Streets) \$11,097.53; Traffic Solutions Inc. – Professional Services/Fees (Streets) \$2,011.21; Vast Broadband – Utilities (Library, Govt Bldgs) \$697.75; Wellmark Blue Cross Blue Shield

– Group Insurance (Planner) \$171.90; Wenck, Derick – Travel/Conference (Mayor, Board) \$272.60; White Glove Cleaning Services – Utilities (Govt Bldgs) \$75.00; Xcel – Energy (Park Lighting, Govt Bldgs, Public Safety, Water, Sewer, Street Lighting) \$12,142.93

Public Comment: Lieutenant Ben Lord gave a report on sheriff activity in Harrisburg.

Board of Appeals remained tabled.

Business Item 1. Approve and authorize Mayor to sign Pay Application #2 for Water Reclamation Facility. Motion Berg, seconded Maxwell to approve and authorize the Mayor to sign pay application #2 for Water Reclamation Facility from Henry Carlson Construction LLC in the amount of \$531,040.00. Upon roll call vote; all in favor.

Business Item 2. Approve and authorize Mayor to sign SRF Reimbursement request #7. Motion Olson, seconded Maxwell to approve and authorize the Mayor to sign SRF reimbursement request #7 in the amount of \$531,040.00. Upon roll call vote; all in favor.

Business Item 3. Resolution 2020-18 – Approve and authorize Mayor to sign pay application #1/Final for Southeastern Ditch Grading. Motion Olson, seconded Tank to approve and authorize the Mayor to sign pay application #1/Final from Backhaus Excavation and Underground for the Southeastern Ditch Grading in the amount of \$44,642.89. Upon roll call vote; all in favor.

Business Item 4. Approve and authorize Mayor to sign pay application #3 for Westside Sanitary Trunk Sewer. Motion Berg, seconded Maxwell to approve and authorize the Mayor to sign pay application #3 for the westside sanitary trunk sewer from H & W Contracting in the amount of \$307,212.55. Upon roll call vote; all in favor.

Business Item 5. Approve 272<sup>nd</sup> Preliminary Design Reimbursement to School District. Motion Berg, seconded Maxwell to approve the reimbursement for the 272<sup>nd</sup> street preliminary design of phases 3, 4, and 5 and one half of design and construction administration for phase 2 to the Harrisburg School District in the amount of \$49,000.00. Upon roll call vote; all in favor.

Business Item 6. Consider Dakota Aquifer Water Quality Sampling from LRE Water. Motion Maxwell, seconded Tank to approve the Dakota Aquifer Water Quality Sampling Agreement from LRE Water in the amount not to exceed \$7100.00. Upon roll call vote; all in favor.

Business Item 7. Consider Hugh Robinson (Main Street from Prairie St to Columbia St) Sidewalk Project Quote. Motion Tank, seconded Maxwell to approve the quote from Krump Concrete Construction, LLC for the sidewalk installation on Main Street from Prairie Street to Columbia Street in the amount of \$24,885.00. Upon roll call vote; all in favor.

Business Item 8. Consider Legendary Trail Project Quote. Motion Tank, seconded Maxwell to approve the quote from Seal Pros Inc. for the Legendary Trail Project in the amount of \$16,573.50. Upon roll call vote; all in favor.

Business Item 9. Consider Asphalt Patching Quote at Hunter Dr, Chestnut and Walnut. Motion Olson, seconded Maxwell to approve the quote from Asphalt Seal Coating and Repairs for the asphalt patching at Hunter Drive, Chestnut and Walnut in the amount of \$4,773.60. Upon roll call vote; all in favor.

Business Item 10. Consider Change Order #1 for Concrete project 2. Motion Maxwell, seconded Olson to approve Change order #1 for the Concrete Project #2 from 605 Companies in the amount of \$4,587.50. Upon roll call vote; all in favor.

Business Item 11. Consider Change order #2 for Westside Sanitary Trunk Sewer. Motion Maxwell, seconded Olson to approve Change order #2 from H & W Contracting, LLC for the Westside Sanitary Trunk Sewer in the amount of \$13,035.00. Upon roll call vote; all in favor.

Business Item 12. Consider Stockwell Agreement Amendment #3 for Westside Trunk Sanitary Sewer. Motion Maxwell, seconded Berg to approve the Stockwell Agreement Amendment #3 for the Westside Trunk Sanitary Sewer in the amount of \$57,000.00. Upon roll call vote; all in favor.

Business Item 13. Consider Willow Street & Southeastern Avenue Drainage Analysis Amendment #1 from Stockwell Engineers. Motion Olson, seconded Tank to approve the Amendment #1 from Stockwell Engineers for the Willow Street & Southeastern Avenue Drainage Analysis in the amount of \$14,028.40. Upon roll call vote; all in favor.

Business Item 14. Consider Willow Street & Southeastern Avenue Regional Detention Final Design proposal from Stockwell Engineers. Motion Olson, seconded Maxwell to approve the Willow Street & Southeastern Avenue Regional Detention Final Design Proposal from Stockwell Engineers in an amount not to exceed \$32,327.00. Upon roll call vote; all in favor.

Business Item 15. Resolution 2020-19 Street Light Fee Adjustment. Motion Berg, seconded Olson to approve Resolution 2020-19 Street Light Fee Rate Adjustment. Roll call; Tank-no, Maxwell-no, Olson-aye, Berg-aye. Mayor-no. Motion does not pass. Upon further discussion regarding lowering the fee for commercial, institutional and industrial; motion Tank, seconded Berg to approve Resolution 2020-19 Street light fee rate adjustment with adjusting commercial, institutional, and industrial to pay \$4.00 per month instead of \$8.50 per month. Roll call; Tank-aye, Maxwell-no, Olson-aye, Berg-aye. Motion passes.

#### RESOLUTION NO. 2020-19

#### A RESOLUTION AMENDING THE STREET LIGHT SERVICE RATE FOR STREET LIGHTING SERVICES MAINTAINED BY THE CITY.

WHEREAS, Chapter 8.05 of the City of Harrisburg Municipal Ordinances gives the Harrisburg City Council the authority to set streetlight service fee rates by Resolution of the Harrisburg City Council; and

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

Section 1: Fee. That each Lot shall pay a streetlight service fee per month based on one of three land use categories effective beginning January 1, 2021.

Section 2: Use Categories.

- a. Single family residential Lots shall be \$2.00 per month;
- b. Commercial, Institutional, and Industrial Lots shall be \$4.00 per month;
- c. Multi-family residential Lots shall be \$1.50 per Dwelling Unit per month.

Section 3: Definitions.

“Dwelling Unit” shall mean one or more rooms, designed, occupied, or intended for occupancy as a separate living quarters, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family maintaining a household.

Section 4: Exemption. Only Lots with a water and sewer account shall be assessed the street light service fee. Each water and sewer account shall be assessed the street light service fee for only one Lot, regardless of how many Lots are served by said water and sewer account.

Dated this 15<sup>th</sup> day of September, 2020.

Derick Wenck  
Mayor

ATTEST:

Mary McClung  
Finance Officer  
(SEAL)

Publish: September 24, 2020  
Effective: October 14, 2020

Business Item #17. Resolution 2020-24 Land and Water Conservation Fund Grant Application – Hugh Robinson Park Improvements. Motion Maxwell, seconded Tank to approve Resolution 2020-24 Land and Water Conservation fund grant application for Hugh Robinson Park Improvements. Upon roll call vote; all in favor.

#### RESOLUTION NO. 2020-24

##### Land and Water Conservation Fund (LWCF) Grant Application Hugh Robinson Park Improvements

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW, THEREFORE, BE IT RESOLVED:

1. That Michael McMahon is hereby authorized to execute and file an application on behalf of the City of Harrisburg with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing park improvements for Hugh Robinson Park for the City of Harrisburg South Dakota and its Environs.
2. That Michael McMahon, Planning and Zoning Administrator, is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Harrisburg, South Dakota shall provide a minimum of 50% of the total cost of the project, and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.

Adopted this 15<sup>th</sup> day of September, 2020.

Derick Wenck  
Mayor

ATTEST:

Mary McClung

Finance Officer

Certification of Recording Officer

The undersigned duly qualified and acting Finance Officer of the City of Harrisburg does hereby certify: That the attached Resolution is a true and correct copy of the Resolution, authorizing the filing of application with the National Park Service as regularly adopted at a legally convened meeting of the City of Harrisburg duly held on the 15<sup>th</sup> day of September, 2020, and further that such Resolution has been fully recorded in the journal of proceedings and records in my officer.

IN WITNESS WHEREOF, I have hereunto set my hand the 15<sup>th</sup> day of September, 2020.

Record Officer Signature: Mary McClung

Title: Finance Officer

Seal (Notary or city)

Published: September 24, 2020

Business Item 18. 2<sup>nd</sup> reading ordinance 2020-07 2021 Appropriations Ordinance. Motion Tank, seconded Maxwell to approve Ordinance 2020-07 2021 Appropriations Ordinance. Upon roll call vote; all in favor.

Business Item 19. 1<sup>st</sup> Reading Ordinance 2020-08 Supplemental Appropriations Ordinance. Motion Olson, seconded Tank to set the 2<sup>nd</sup> reading of Ordinance 2020-08 Supplemental Appropriations Ordinance for October 6<sup>th</sup>, 2020. Upon roll call vote; all in favor.

Business Item 20. Resolution 2020-20 Amending Sewer Rates. Motion Tank, seconded Maxwell to approve Resolution 2020-20 Amending Sewer Rates. Upon roll call vote; all in favor.

RESOLUTION NO. 2020-20  
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 eighteen dollars and eighteen cents (\$18.18) per month (the “Base Fee”), plus fourteen dollars and sixty-five cents (\$14.65) 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 sixteen dollars and one cent (\$16.01) per month (the “Base Fee”) per living unit, plus sixteen dollars and thirteen cents (\$16.13) 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 sixteen dollars and one cent (\$16.01) per month (the “Base Fee”), plus thirteen dollars and eighty two cents (\$13.82) 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 January 1, 2021 bills.

Adopted this 15<sup>th</sup> day of September, 2020.

Derick Wenck  
Mayor

ATTEST:

Mary McClung

Finance Officer

Publication: September 24, 2020

Effective Date: October 14, 2020

Business Item 21. Resolution 2020-21 Amending Water Rates. Motion Berg, seconded Maxwell to approve Resolution 2020-21 Amending Water Rates. Upon roll call vote; all in favor.

RESOLUTION NO. 2020-21  
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"	\$7.66
1"	\$10.74
1 1/2"	\$24.10
2"	\$35.25
3"	\$69.83
4"	\$133.94
5" and up	TBD

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

- (a) 1 – 3000 gallons at a rate of fifty-one cents (\$0.90) per one thousand gallons of water used per month,
- (b) 3,001 to 6,000 gallons at a rate of three dollars and twenty-four cents (\$3.40) per one thousand gallons of water used per month,
- (c) 6,001 to 9,000 gallons at a rate of eight dollars and twenty-seven cents (\$8.69) per thousand gallons of water used per month
- (d) Over 9,001 gallons at a rate of thirteen dollars and eighteen cents (\$13.85) 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 twelve cents (\$3.64) 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, 2021.

Adopted this 15th day of September.

Derick Wenck  
Mayor

ATTEST:

Mary McClung  
Finance Officer

Publication: September 24, 2020  
Effective Date: October 14, 2020

Business Item 22. Resolution 2020-22 Annual Storm Water Assessments. Motion Tank, seconded Maxwell to approve Resolution 2020-22 Annual Storm Water Assessments. Upon roll call vote; all in favor.

#### RESOLUTION 2020-22

##### A RESOLUTION FOR ANNUAL STORM WATER ASSESSMENTS FEE.

Pursuant to Title 8, Chapter 8.03, Storm Water Drainage, of the Municipal Ordinances of the City of Harrisburg, Lincoln County, South Dakota the City of Harrisburg may levy annually storm water assessments for the purpose of operation, maintenance and capital expenses of the storm sewer and drainage system.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HARRISBURG, LINCOLN COUNTY, SOUTH DAKOTA to direct the city finance officer to add such assessment to the general assessment together with the regular assessment and certify the assessment to the county auditor to be collected as municipal taxes for general purposes. The amount of assessment that shall be levied upon all lots is equal to the runoff weighting factor, multiplied by the parcel area (in square feet), and multiplied by the unit charge rate of \$0.0015, fifteen ten-thousandths.

Dated this 15th day of September, 2020.

Derick Wenck  
Mayor

ATTEST:

Mary McClung  
Finance Officer

Publish: September 24, 2020  
Effective: October 14, 2020

Business Item 23. Resolution 2020-23 Special Annual Maintenance Fee. Motion Tank, seconded Maxwell to approve Resolution 2020-23 Special Annual Maintenance Fee. Upon roll call vote; all in favor.

#### RESOLUTION NO. 2020-23

A RESOLUTION AUTHORIZING A SPECIAL MAINTENANCE FEE FOR MAINTENANCE AND REPAIR OF STREETS AND SIDEWALKS AND STREET LIGHTING SYSTEM COSTS, PURSUANT TO SDCL 9-43-138.



WHEREAS, the City Council has determined a need to assess an annual special maintenance fee pursuant to SDCL 9-43-138 for the purpose of maintaining and repairing streets, sidewalks and street lighting system costs; and

WHEREAS, the special maintenance fee is based upon the lots fronting and abutting the streets that are maintained by the City of Harrisburg;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisburg, South Dakota:

SECTION 1: To direct the Harrisburg Finance Officer to add such special street maintenance fee to the general assessment together with the regular assessment and certify the assessment to the Lincoln County Auditor to be collected as municipal taxes for general purposes. The amount of special maintenance fee that shall be levied upon all lots fronting and abutting the streets that are maintained by the City shall be at a rate of \$2.10 per front foot.

Dated this 15th day of September, 2020.

Derick Wenck  
Mayor

ATTEST:  
Mary McClung  
Finance Officer

(SEAL)

Publish: September 24, 2020  
Effective: October 14, 2020

Business Item 16. Executive Session – Pursuant to SDCL#1-25-2(4) Contract Negotiations. Motion Tank, seconded Maxwell to enter into executive session pursuant to SDCL #1-25-2(4) Contract Negotiations at 7:18pm. Upon roll call vote; all in favor.

Motion Tank seconded Maxwell to close executive session at 7:41pm. Upon roll call vote; all in favor.

The next regular meeting of the Harrisburg City Council will be held at 6:00 pm on Tuesday, October 6, 2020.

With no further business, a motion was made by Tank, seconded Maxwell, to adjourn the city council meeting at 7:41pm. Upon roll call vote; all in favor.

Submitted by Jill Johnke, Deputy Finance Officer

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