

Harrisburg City Council  
Meeting Minutes

The regular meeting of the City Council was called to order on April 20, 2021 at 6:00 pm, with Mayor Wenck presiding. Council members present were Kevin Maxwell, Ryan Berg, Ryan Olson and Danny Tank. Also present from the city were Joe Stonesifer, Toby Huizenga, Dustin Preheim, Jill Johnke, and Mary McClung. A list of all others in attendance is on file at the city office.

Pledge of Allegiance was recited.

Consent Agenda: Motion Olson, seconded Berg to approve the consent agenda as presented.

1. Approved of April 20, 2021 Agenda
2. Approved April 6, 2021 City Council Meeting Minutes
3. Approved April 6, 2021 Claims
4. Approved and authorized Mayor to Sign Water Reclamation Facility Pay Application #9 for Henry Carlson Construction in the amount of \$1,542,294
5. Approved and authorized Mayor to Sign SRF Application #14 for Water Reclamation Facility in the amount of \$1,542,294
6. Approved Temporary Street Closures for Harrisburg Days 2021 Events
  - a) Columbia Street North of Willow Street to Foundation Drive (Carnival Midway) June 7<sup>th</sup> – 12<sup>th</sup>, 2021
  - b) S. Cliff Ave. (between W Maple Street and the south driveway entrance to the South Middle School), W Maple St (between Cliff Ave and Emmett Trail), Harvest Trail, W. Elm St., E Elm St. (from Emmett Trail to Columbia St.), Columbia St. (from Elm St. South), Tiger St. (W of Prairie St.), Emmett Trail. (South of W. Maple St. to Tiger St.), Prairie St (between Columbia St S and Tiger St.) Parade Route – June 12<sup>th</sup>, 2021 (9 am – 12 pm)
7. Approved Plat of Tract 1 of Kolb Addition located in the SE1/4SE1/4 of Section 28, T100N, R50W, 5<sup>th</sup> P.M., Lincoln County, SD
8. Approved Plat of Tract 1 of Stencil Addition Located in the SE 1/4SE1/4 of Section 28, T100N, R50W, 5<sup>th</sup> P.M., Lincoln County, SD
9. Approved Preliminary Plan for Whiskey Creek Addition, located at Tract 2, Hensch Addition
10. Approved and authorized Mayor to Sign Subdivision Construction Agreement for Mydland Estates Addition Place 2
11. Authorized Mayor to Sign 2020 Audit Engagement Letter with Schoenfish & Co. Inc. - \$11,500
12. Approved All Star Fireworks quote for 4<sup>th</sup> of July Display - \$6,500
13. Mayoral Proclamations
  - a) Proclaimed May 16 – 22, 2021 as National Public Works Week
  - b) Proclaimed June 2021 as Harrisburg Fire Department Month Recognizing their 100 year Anniversary

Upon roll call, all members present in favor.

AE2S – Professional Services/Fees (Sewer - Engineering) - \$16,604.75; Banner Associates Inc. – Professional Services/Fees (General, Sewer – Engineering) \$21,324.29; Bierschbach Equipment & Supply – Machinery/Equipment (Streets) \$2,335.00; Board of Operator Certification – Professional Services/Fees (Sewer) \$10.00; Butler Machinery Company – Machinery/Equipment (Streets, Water, Sewer, Parks, Storm Drainage) \$76,570.65; Cell Phone Allowances – Utilities (Govt Bldgs) \$560.00; City of Sioux Falls – Professional Services/Fees (Water) \$304.50; Cooperative Energy Company – Energy (Streets, Water, Sewer, Parks) \$1,455.16; Core & Main LP – Supplies/Materials (Water) \$5,450.96; Creekside Place LLC – Principal (TIF #4) \$6,692.49; Customeyez Designs – Repairs/Maintenance (Parks) \$330.00; Dakota Pump – Repairs/Maintenance (Water) \$125.00; Department of Treasury – Federal Tax Withholdings \$9,179.64; Department of Treasury – Federal Tax Withholdings \$9,042.06; Health Equity – Professional Services/Fees (City Admin, Fin Admin, Community Dev Dir, Engineering, Water, Sewer, Streets, Parks) \$27.50; Health Equity – HSA

Withholdings \$516.16; Health Equity – HSA Withholdings \$516.16; Home Definition, Inc. – Professional Services/Fees (Govt Bldgs) \$25.00; Hy-Vee – Supplies/Materials (City Admin) \$37.28; Infrastructure Design Group – Professional Services/Fees (General – Engineering) \$14,142.50; Infrastructure Design Group – Professional Services/Fees (General – Engineering) \$19,673.60; K & M Tire – Repairs/Maintenance (Parks) \$200.00; LG Everist – Repairs/Maintenance (Sewer) \$154.82; Matheson Tri-Gas Inc – Supplies/Materials (Streets, Water, Sewer, Parks) \$32.58; Meyer, Nolan – Supplies/Materials (Streets, Water, Sewer, Parks) \$98.95; MidAmerican Energy – Energy (Govt Bldgs, Sewer) \$1,635.31; MLC Construction Inc. – Buildings (Govt Bldgs) \$26,870.40; Novak Sanitary Service – Utilities (Govt Bldgs) \$132.23; One Call Systems Inc. – Professional Services/Fees (Water, Sewer) \$227.85; Optilegra, Inc. – Group Insurance, Insurance Withholdings (City Admin, Fin Admin, Comm Dev Dir, Planner, Engineering, Streets, Water, Sewer, Parks) \$131.20; Payroll – April (All Departments) \$57,216.69; Rent All, Inc – Rentals (Water) \$105.00; Roto Rooter – Professional Services/Fees (Sewer) \$385.00; Running Supply, Inc. – Supplies/Materials (Streets, Water, Sewer, Parks) \$100.38; Rushmore Service Center – Garnishment Withholdings \$224.87; Rushmore Service Center – Garnishment Withholdings \$224.87; Sioux International – Repairs/Maintenance (Streets, Water, Sewer, Parks) \$177.75; SD Gov Finance Officers Assoc – Travel/Conference (Fin Admin) \$75.00; SD Human Resource Assoc – Travel/Conference (Fin Admin) \$50.00; South Dak Retirement System – Retirement Contributions (April) \$8,071.56; SDPAA – Insurance (Econ Dev Promo) \$430.00; SD Supplemental Retirement Plan – SDRS Withholdings \$325.00; Staples Advantage – Supplies/Materials (Streets, Water, Sewer, Parks) \$89.09; Stockwell Engineers Inc – Professional Services/Fees (Sewer) \$57,676.62; Titan Machinery – Supplies/Materials (Streets, Water, Sewer, Parks) \$170.00; Verizon Wireless – Utilities (Water, Sewer, Engineering) \$240.23; Wellmark Blue Cross Blue Shield – Group Insurance (Planner) \$197.70; Wellmark Blue Cross Blue Shield – Group Insurance (City Admin, Fin Admin, Comm Dev Dir, Engineering, Streets, Water, Sewer, Parks) \$9,778.26; White Glove Cleaning Services – Utilities (Govt Bldgs) \$81.25

No public comment was offered.

Al Doeve with National Community Development Services was present to introduce himself and explained the process that they are conducting for the Feasibility Assessment for the Harrisburg Economic Development Corporation. Once the interviews have been completed at the end of this week, they will compile and submit their findings in a report that will be available the 1<sup>st</sup> week of May.

Business Item 3. Resolution 2021-15 Permitting Open Containers in a Specified Area of Harrisburg During Specified Times and Dates for Harrisburg Days Event. Motion Berg, seconded Maxwell to approve Resolution 2021-15 Permitting Open Containers in a Specified Area of Harrisburg to Include Columbia Street (North of Willow Street) to Foundation Drive and Tracts 1-5 Replat of Hsbg School Addition on June 11<sup>th</sup> and 12<sup>th</sup>, 2021 from 12pm to 1:00am each day. Upon roll call, all members present in favor.

#### RESOLUTION NO. 2021-15

##### A RESOLUTION PERMITTING OPEN CONTAINERS IN A SPECIFIED AREA OF HARRISBURG DURING SPECIFIED TIMES AND DATES.

WHEREAS, the City of Harrisburg (the “City”) has passed ordinance 5.0102 that reads as follows:

5.0104 Open Containers. It shall be unlawful to consume any beer or alcoholic beverage or to possess any glass, can or other container containing beer or any alcoholic beverage on which the seal has been broken, in any public place, vacant building, automobile, street, alley, sidewalk or place of amusement or business establishment not authorized to sell beer or alcoholic beverages, unless approved by the City Council.

WHEREAS, the City has determined that it shall permit the consumption of alcoholic beverages on specific City streets at specific times during the annual Harrisburg Days celebration.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisburg, South Dakota, that it shall permit the consumption of beer or alcoholic beverages on specific streets at specific times subject to the requirements of this resolution.

BE IT FURTHER RESOLVED that consumption shall only be permitted on the following public places, portions of streets, and their adjacent sidewalks and right of ways:

- Columbia Street (North of Willow Street) to Foundation Drive
- Tracts 1-5 Replat of Hsbg School Add

BE IT FURTHER RESOLVED that no open container shall be permitted past barriers erected on the above streets and their adjacent sidewalks and right of ways;

BE IT FURTHER RESOLVED that only open containers purchased from establishments or permit holders licensed pursuant to SDCL 35-4-2(4) or SDCL 35-4-124 shall be permitted on the above streets and their adjacent sidewalks and right of ways;

BE IT FURTHER RESOLVED that open containers shall only be permitted on the following dates and times:

- June 11, 2021, 12:00pm – June 12, 2021, 1:00am;
- June 12, 2021, 12:00pm – June 13, 2021, 1:00am;

BE IT FURTHER RESOLVED that no glass containers containing beer or any alcoholic beverage shall be permitted on the above streets and their adjacent sidewalks and right of ways; and

BE IT FURTHER RESOLVED that the City and/or law enforcement may in its sole discretion reduce the area where open containers are permitted and shorten the time during which open containers are permitted.

Dated this 20th day of April, 2021.

Derick Wenck  
Mayor

ATTEST:

Mary McClung  
Finance Officer  
(SEAL)

Publish: April 29, 2021

6:05 pm – Public Hearing – Special Event On Sale Malt Beverage License, Harrisburg Days – June 11<sup>th</sup> and 12<sup>th</sup>, 2021 – No public comment offered.

Business Item 1. Special Event On Sale Malt Beverage License – Harrisburg Days June 11<sup>th</sup> – 12<sup>th</sup>, 2021. Motion Maxwell, seconded Olson to approve the Special Event On Sale Malt Beverage License for Harrisburg Days on June 11<sup>th</sup> and 12<sup>th</sup>, 2021. Upon roll call, all members present in favor.

Business Item 4. Resolution 2021-16 Temporary No Parking – Foundation Drive – Discussion on days of temporary closure needed, paused discussion for timed public hearing.

6:08 pm – Public Hearing – Special Event On Sale Malt Beverage License, Harrisburg Days – June 12, 2021 – No public comment offered.

Business Item 2. Special Event On Sale Malt Beverage License – American Legion Men June 12<sup>th</sup>, 2021. Motion Tank, seconded Maxwell to approve the Special Event On Sale Malt Beverage License for the American Legion Men on June 12<sup>th</sup>, 2021. Upon roll call, all members present in favor.

Continuation of Business Item 4. Motion Maxwell, seconded Tank to approve Resolution 2021-16 Temporary No Parking – Foundation Drive from Cliff Avenue to Columbia Street from June 10<sup>th</sup>, 2021 through June 12<sup>th</sup>, 2021. Upon roll call, all members present in favor.

RESOLUTION 2021-16

A RESOLUTION TO TEMPORARILY PROHIBIT PARKING ON  
A PORTION OF FOUNDATION DRIVE  
IN THE CITY OF HARRISBURG, SOUTH DAKOTA

WHEREAS, City of Harrisburg, South Dakota has determined that traffic on Foundation Drive from Cliff Avenue to Columbia Street during Harrisburg Days will cause unsafe driving conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisburg, hereby temporarily prohibits parking on Foundation Drive from Cliff Avenue to Columbia Street from June 10<sup>th</sup>, 2021 through June 12<sup>th</sup>, 2021 as a means of reducing unsafe driving conditions during Harrisburg Days.

Dated this 20th day of April, 2021.

Derick Wenck  
Mayor

ATTEST:

Mary McClung  
Finance Officer  
(SEAL)

Published: April 29, 2021  
Effective: May 19, 2021

Business Item 5. Resolution 2021-17 A Resolution Approving the Consolidation of the Minnehaha County Economic Development Association and the Lincoln County Economic Development Association into the Sioux Metro Growth Alliance, in the City's Capacity as a member of the Lincoln County Economic Development Association. Motion Berg, seconded Maxwell to approve the consolidation of the Minnehaha County Economic Development Association and the Lincoln County Economic Development Association into the Sioux Metro Growth Alliance, in the city's capacity as a member of the Lincoln County Economic Development Association. Upon roll call, all members present in favor.

Date of Hearing: April 20, 2021  
Date Adopted: April 20, 2021  
Date Published: April 29, 2021  
Date Effective: May 19, 2021

RESOLUTION NO. 2021-17

A RESOLUTION APPROVING THE CONSOLIDATION OF THE MINNEHAHA COUNTY ECONOMIC DEVELOPMENT ASSOCIATION AND THE LINCOLN COUNTY ECONOMIC DEVELOPMENT ASSOCIATION INTO THE SIOUX METRO GROWTH ALLIANCE, IN THE CITY'S CAPACITY AS A MEMBER OF THE LINCOLN COUNTY ECONOMIC DEVELOPMENT ASSOCIATION.

WHEREAS, the City has been a member of the Lincoln County Economic Development Association, a South Dakota nonprofit corporation (the "Association"), since its formation on December 12, 1996;

WHEREAS, the Association has worked to create new economic opportunities and improve access to those opportunities for residents of Lincoln County (the "County");

WHEREAS, as the City, the County, and the City of Sioux Falls have grown, the Association has developed a close working relationship with the Lincoln County Economic Development Association, a South Dakota nonprofit corporation pursuing the same aims in Lincoln County (together with the Association, the "Development Associations");

WHEREAS, the Development Associations now share administrative staff personnel and run concurrent Board meetings, aligning the efforts of the two organizations;

WHEREAS, the Association's executive staff recommended to the Association's Board of Directors a Plan of Consolidation, attached hereto, under which the Development Associations would be consolidated to form a new South Dakota nonprofit corporation, the Sioux Metro Growth Alliance (the "Alliance");

WHEREAS, on February 17, 2021, the Association's Board of Directors voted to recommend the Plan of Consolidation to the Association's members, including the City;

WHEREAS, the Plan of Consolidation will allow the new Alliance to operate more efficiently to achieve the same goals that the Development Associations pursued;

WHEREAS, the Alliance, as proposed by the Plan of Consolidation, will not have members, but will instead be ultimately governed by a Board of Directors;

WHEREAS, the Association's executive staff has recommended the Alliance form an advisory committee, consisting of the Development Associations' former members, with the explicit goal of preserving venues for municipal input (an "Advisory Committee"); and

WHEREAS, pursuant to the notice of meeting attached hereto, the Association has called a meeting of the members, on May 5<sup>th</sup>, 2021, for the purpose of voting on the Plan of Consolidation (the "Meeting").  
NOW, THEREFORE:

BE IT RESOLVED BY THE CITY OF HARRISBURG, SOUTH DAKOTA, that the Plan of Consolidation, in the form reviewed by the City, is hereby approved.

FURTHER RESOLVED, that Derick Wenck is appointed as the City's proxy at the Meeting for the limited purpose of casting the City's vote, as a member in the Association, in favor of (i) adopting the Plan of Consolidation; and (ii) taking any other actions reasonably related to carrying out the consolidation of the Development Associations.

FURTHER RESOLVED, the City understands and acknowledges that it will not be a member of the Alliance, and is relinquishing all rights and liabilities associated with its membership in the Association, except to the extent they survive the consolidation.

FURTHER RESOLVED, in the event and at such time as the Alliance establishes an Advisory Committee, the City is authorized to accept a position on such Advisory Committee and Derick Wenck is appointed to serve as the City's representative on the Advisory Committee, subject to the terms of the Alliance's then-existing bylaws.

Derick Wenck  
Mayor

ATTEST:

Mary McClung  
City Clerk

Business Item 6. Resolution 2021-18 To Prohibit Parking on a Portion of United Avenue between Teddy Street and Laura Street. United Avenue functions as a collector street, parking on both sides results in single vehicle movement which impairs traffic flow and increased safety concerns. Property owners adjacent had no issue with the proposed no parking on the east side of United Avenue. Motion Olson, seconded Maxwell to approve Resolution 2021-18 to Prohibit Parking on a Portion of United Avenue (east side) between Teddy Street and Laura Street. Upon roll call, all members present in favor.

#### RESOLUTION 2021-18

#### A RESOLUTION TO PROHIBIT PARKING ON A PORTION OF UNITED AVENUE IN THE CITY OF HARRISBURG, SOUTH DAKOTA

WHEREAS, City of Harrisburg, South Dakota has investigated the traffic on United Avenue and determined that parking on the east side of United Avenue from Laura Street to Teddy Street will cause unsafe driving conditions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Harrisburg, hereby prohibits parking on the east side of United Avenue from Laura Street to Teddy Street as a means of reducing unsafe driving conditions along United Avenue.

Dated this 20th day of April 2021.

Derick Wenck  
Mayor

ATTEST:

Mary McClung  
Finance Officer  
(SEAL)

Published: April 29, 2021

Effective: May 19, 2021

Business Item 7. Approval Quote from Krump Concrete for Concrete Repairs at Various Locations (Primarily in the Southeast and Homesite areas). Motion Tank, seconded Maxwell to approved quote from Krump Concrete for concrete repairs at various locations (primarily in the Southeast and Homesite areas) in the amount of \$26,312. Upon roll call, all members present in favor.

Business Item 8. Consider Quote from Krump Concrete for Sidewalk Installation on South Cliff Avenue. Continuation of sidewalk on east side of Cliff Avenue from Honeysuckle to the South Cliff Falls Apartments. The Harrisburg School District sees the need for this sidewalk continuation and has offered to split the costs with the city. Motion Tank, seconded Maxwell to approve quote from Krump Concrete for sidewalk installation on South Cliff Avenue in the amount of \$22,864. Upon roll call, all members present in favor.

Business Item 9. Consider Quote from Backhaus Excavating for Culvert Resetting and Regrading at Maple St. and Southeastern Ave. and Willow Street and Annaway. Motion Olson, seconded Tank to approve quote from Backhaus Excavating for culvert resetting and regrading at Maple Street and Southeastern Avenue and Willow Street and Annaway in the amount of \$28,000. Upon roll call, all members present in favor.

Business Item 10. Consider Quote from 605 Companies for Manhole Replacement on Prairie Street and Grand/Elm. With the plan to reline sewer mains in the downtown area over the next couple of years a manhole at both ends is a must. Motion Tank, seconded Maxwell to approve quote from 605 Companies for the manhole replacement on Prairie Street and Grand/Elm in the amount of \$29,236. Upon roll call, all members present in favor.

Business Item 11. Approval and Authorize Mayor to Sign Change Order #13 Water Reclamation Facility (Epoxy Countertops). Motion Maxwell, seconded Olson to approve and authorize Mayor to sign Change Order #13 for the Water Reclamation Facility for full epoxy Countertops in the add amount of \$434. Upon roll call, all members present in favor.

Business Item 12. Approval and Authorize Mayor to Sign Change Order #14 Water Reclamation Facility (Roof Structure). This item was removed during the initial bid process to remain in budget, staff feels it is important to have the roof structure to provide cover for the biosolids to keep from getting wet and defeating the purpose of drying. There is contingency remaining that will be used of the roof structure. Motion Berg, seconded Maxwell to approve and authorize Mayor to sign Change Order #14 for the Water Reclamation Facility for a bio solids metal building roof structure in the add amount of \$258,858. Upon roll call, all members present in favor.

Business Item 13. Consider and Authorize Mayor to Sign 2021-2022 Malt Beverage License Renewals

- a) CC & F Retail, Inc. (Friendly's Fuel) – Retail (on-off sale) Malt Beverage & SD Farm Wine. Motion Tank, seconded Maxwell to approve the 2021-2022 Malt Beverage and SD Farm Wine License for CC & F Retail, Inc. (Friendly's Fuel). Upon roll call, all members present in favor.

- b) Casey's General Store #2586 – Retail (on-off sale) Malt Beverage & SD Farm Wine. Motion Maxwell, seconded Olson to approve the 2021-2022 Malt Beverage and SD Farm Wine License for Casey's General Store #2586. Upon roll call, all members present in favor.
- c) Dollar General Store #22234 – Retail (on-off sale) Malt Beverage & SD Farm Wine. Motion Berg, seconded Maxwell to approve the 2021-2022 Malt Beverage and SD Farm Wine License for Dollar General Store #22234. Upon roll call, all members present in favor.
- d) Wild Tiger Casino – Retail (on-off sale) Malt Beverage & SD Farm Wine. Motion Olson, seconded Maxwell to approve the 2021-2022 Malt Beverage and SD Farm Wine License for Wild Tiger Casino. Upon roll call, all members present in favor.
- e) Resort by SDK– Retail (on-off sale) Malt Beverage & SD Farm Wine. Motion Tank, seconded Maxwell to approve the 2021-2022 Malt Beverage and SD Farm Wine License for Resort by SDK. Upon roll call, all members present in favor.
- f) Hy-Vee Dollar Fresh – Retail (on-off sale) Malt Beverage & SD Farm Wine. Motion Maxwell, seconded Olson to approve the 2021-2022 Malt Beverage and SD Farm Wine License for Hy-Vee Dollar Fresh. Upon roll call, all members present in favor.

Business Item 14. Canvas April 13, 2021 Election Results. After the canvas of the election results, motion Maxwell, seconded Berg to approve the result of the Municipal Election for Ward I Alderman held on April 13, 2021 with Thomas Anez receiving 54 votes and Benjamin S. Merrill receiving 34 votes with on provisional ballot that was determined would not count. Upon roll call, all members present in favor.

With no further business, a motion was made by Tank, seconded Maxwell to adjourn the city council meeting at 6:42 pm. Upon roll call, all members present in favor.

The next regular meeting of the Harrisburg City Council will be held at 6:00pm on Tuesday, May 4, 2021.

Submitted by Jill Johnke, Deputy Finance Officer

Published once in the Sioux Valley News at the approximate cost of \_\_\_\_\_.