

Harrisburg City Council
Unapproved Meeting Minutes

The regular meeting of the City Council was called to order on Sept 2, 2025, at 6:00 pm, with Mayor Derick Wenck presiding. Council members were Kevin Maxwell, Kevin Larson, Chris Kindt & Pete Wodzinski. Also present from the City were Amanda Mack, Toby Huizenga, Deb Harris, Monty Jenkins, and Jill Johnke. A list of all others in attendance is on file at the city office.

Pledge of Allegiance was recited.

No public comment

Motion Maxwell, seconded Wodzinski to approve the consent agenda as presented. Upon roll call vote; all in favor.

1. Approval of Agenda
2. Approval of August 19, 2025 City Council Meeting Minutes
3. Approval of Sept 2, 2025 Claims
4. Approved and authorized Mayor to sign Change Order # 2 (Final) Prospect St & Southeastern Ave
5. Approved and authorized Pay Application (Final) – Prospect St & Southeastern Ave
6. Approved and authorized Mayor to sign Change Order #2 (Final) – 2025 Slurry Seal Project
7. Approved Pay Application (Final) 2025 Slurry Seal Project
8. Approved Pay Application # 12 – SE Infrastructure Project
9. Approved Library Surplus Weeding List

A & B Business \$136.73; Accts Mgmt \$404.96; AFLAC \$367.74; American Engineering Test \$2,060.00; Bierschbach Equipment \$415.00; Bioverse \$1,276.00; Butler Machinery \$231.73; Cardmember Services \$12,023.86; Creekside Place \$1,618.42; Dakota Fluid Power \$362.32; Delta Dental \$1,461.80; Dept of Treasury \$19,299.48; Diligent \$1,018.26; Distinct Auto Glass \$60.00; Harris, Deb \$12.30; Harrisburg Heritage \$13,507.27; HDL LLC \$502.70; Health Equity \$795.00; Johnson, Natalie \$2,000.00; K & M Tire \$2,492.52; Linc Cty Rural Water \$2,746.64; Loffler \$32,023.25; Menards East \$233.46; Midco \$95.39; Optilegra \$287.92; Paragon Micro \$135.00; Sanitation Products \$205.00; SDRS \$17,396.66; SDRS Supplemental \$600.00; SE Electric \$11,604.10; Sioux Falls Outdoor Equip \$950.64; Sioux International \$791.44; Skogen, Gary \$1,560.60; Stan Houston \$7,570.00; Stellinga, Michelle \$237.50; Stockwell Engineering \$97,872.80; Toole Design Group \$866.06; Vessco \$9,138.40; VonEye, Heath \$2,423.16; Wellmark BC/BS \$18,689.47; Xcel Energy \$13,546.78; Payroll \$54,365.40

Contracts / Change Orders

Business Item 1. Motion Wodzinski, seconded Maxwell to approve Change Order #2 (Final) – 2025 Street Maintenance Project in the amount of \$53,742.96. Upon roll call vote; all in favor.

Business Item 2. Motion Kindt, seconded Maxwell to approve Pay Application #1 (Final) – 2025 Street Maintenance Project to Myrl & Roys's Paving in the amount of \$553,742.96. Upon roll call vote; all in favor.

Public Hearing & Ordinance First Readings

Public Hearing to receive input regarding certifying the 2026 City of Harrisburg Tax Levy to the Lincoln County Auditor.

Business Item 1. Motion Wodzinski, seconded Maxwell to set the 2nd reading of Ordinance 2025-11 to September 16, 2025. Upon roll call vote; all in favor.

Other Business

1.Motion Maxwell, seconded Wodzinski to approve resolution 2025-19 request to SDDOT to Lower Speed Limit. Upon roll call vote; all in favor.

RESOLUTION 2025-19

A RESOLUTION REQUESTING THE SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION (SDDOT) TO REDUCE THE SPEED LIMIT ON SD HIGHWAY 115 (MINNESOTA AVE) FROM ½ MILE SOUTH OF WILLOW STREET (273RD ST), TO ½ MILE NORTH OF LINCOLN COUNTY HIGHWAY 106 (271ST ST).

WHEREAS, the City of Harrisburg and northern Lincoln County continue to experience the fastest growth rates in the State of South Dakota; and

WHEREAS, safety of the traveling public, students, school staff, and community members is of paramount importance to the City of Harrisburg; and

WHEREAS, SD Highway 115 was previously a westerly boundary of the formal City limits, and

WHEREAS, SD Highway 115 is currently a centrally located principal arterial that is heavily traveled, and runs adjacent to and through areas frequently used by commuters, school district students, families, and school buses; and

WHEREAS, urban growth and development impacting traffic patterns and traffic volumes since the 2020 Highway 115 reconstruct and established 55 mph speed limit has included (as shown in pink in attached exhibit);

- City population growth from 6,700 to 11,200
- School district growth from 5,427 to 6,200+
- Kwik Star gas station & truck stop at Tom Sawyer Trail & 115
- SDK dog park expansion north of Tiger Way & 115
- Noteboom RV expansion at Willow & 115
- Residential development:
 - Mills Creek Addition – 158 single and multi-family lots
 - East of 115 and Tom Sawyer Trail
 - Sunny Haven & Tom Sawyer Addition – 75 single family lots
 - West of 115 and Tom Sawyer Trail
 - Sawyer Pointe Apartments – four 36-unit apartments (144 total units)
 - East of 115 and Tom Sawyer Trail
 - Rix Addition & Tiger Way – 61 multi-family units
 - North of 115 and Tiger Way
- Conversion of 272nd St from a rural gravel road to a paved 2-lane roadway from Hwy 115 to Cliff Ave in 2024, with additional conversion of 272nd St from Hwy 115 to Louise Ave in 2026/27
- Continued growth in south Sioux Falls, within the Harrisburg School District, south of 57th St
 - Approximately 2/3 of the Harrisburg School District student body reside in south Sioux Falls, with one of two main entrances to Harrisburg High School

located along SD 115.

WHEREAS, over 520 acres of new active development has been annexed, zoned, and preliminary plans approved for an additional 894 residential lots (as shown in green in attached exhibit); and

WHEREAS, a recent draft version of a new Harrisburg Housing Study indicates the need for an additional 3,000+ housing units and 900 rental units by 2033; and

WHEREAS, the current posted speed limit of 55 miles per hour between Willow Street and Highway 106 poses a heightened risk for accidents, near-misses, and traffic-related hazards involving the traveling public, school-aged children, and other community members; and

WHEREAS, the City and School District have observed increased traffic congestion, increased traffic accidents, growth in community and student body population, and higher pedestrian crossings in this corridor, intensifying the need for reduced vehicle speeds; and

WHEREAS, Lincoln County has implemented similar speed reductions from 55 mph to 45 mph on two major arterial roadways, Cliff Ave (475th Ave) from Harrisburg north to Sioux Falls, and Willow St (273rd St) from I-29 east to Hwy 115 (as shown in blue in attached exhibit); and

WHEREAS, lowering the speed limit from 55 miles per hour to 45 miles per hour on this section of Highway 115 would provide drivers with additional reaction time, provide consistency in speed limits on major arterial roads connecting the metro to Sioux Falls, and reduce the severity of potential accidents.

NOW, THEREFORE, BE IT RESOLVED that the City of Harrisburg formally requests the South Dakota Department of Transportation to reduce the posted speed limit on Highway 115 from ½ mile south of Willow Street (273rd St) to ½ mile north of County Highway 106 (271st St) from 55 mph to 45 mph; and

BE IT FURTHER RESOLVED that the Mayor and City Administrator are authorized to forward this resolution to the South Dakota Department of Transportation and other relevant state and local authorities to advocate for prompt consideration and implementation of this request.

Dated this 2nd day of September, 2025

Derick Wenck Mayor

ATTEST:

2. Motion Wodzinski, seconded Maxwell to approve Resolution 2025-20 a Resolution authorizing the execution, terms, issuance, sale and payment of sales tax revenue bonds and bond anticipation notes not to exceed \$13,000,000.00 for Capital Projects. Upon roll call vote; all in favor.

RESOLUTION 2025 -20

RESOLUTION AUTHORIZING THE EXECUTION, TERMS, ISSUANCE, SALE AND PAYMENT OF SALES TAX REVENUE BONDS AND BOND ANTICIPATION NOTES IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED THIRTEEN MILLION AND NO/100 (\$13,000,000), OF THE CITY OF HARRISBURG, SOUTH DAKOTA.

WHEREAS, the City of Harrisburg, South Dakota (the “City”) is authorized by the provisions of SDCL §10-52-2.10 to issue sales tax revenue bonds;

WHEREAS, the City pursuant to the provisions of Title 11 of the Municipal Ordinances, City of Harrisburg, South Dakota, the City levies non-ad valorem tax (the “Sales Tax”); and

WHEREAS, the City Council has determined and does hereby declare that is necessary and in the best interest of the City to issue Sales Tax Revenue Bonds (the “Bonds”) for the purpose of providing funds to fund the costs of capital projects inside the City and pay the costs of issuance of Bonds; and

WHEREAS, in anticipation of the issuance of the Bonds, the City Council determines that it is necessary to issue bond anticipation notes (the “BAN”).

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

ARTICLE I

FINDINGS

Section 1.1.

It is hereby found, declared a necessity, and determined by the City Council that all limitations upon the issuance of Bonds have been met and that the Bonds are being authorized, issued and sold in accordance with the provisions of the SDCL Chapters 10-52 and 6-8B (the “Act”).

Section 1.2.

It is hereby found, declared a necessity, and determined by the City Council that all limitations upon the issuance of the BAN have been met and that the BAN is being authorized, issued and sold in accordance with the provisions of the Act.

ARTICLE II
AUTHORITY, PLEDGE, COLLECTION, AND SALE.

Section 2.1. Authority to Issue Bonds.

The City declares it necessary and is authorized by SDCL Chapter 10-52 to issue bonds (i) to fund the costs of capital projects inside the City, therefore the Bonds shall be authorized and issued pursuant to, and in accordance with, the provisions of the Act, this resolution, and other applicable provisions of law, in the aggregate principal amount as finalized by a bond purchase agreement.

Section 2.2. Pledge of Sales Tax.

The Sales Tax shall be, and is hereby irrevocably pledged to the prompt and full payment of the principal, premium, and interest on each and all of said Bonds as such principal, premium, and interest respectively become due.

Section 2.3. Collection of Taxes.

Pursuant to SDCL § 10-52-2.10, the City does hereby pledge, provide, and agree that it will continue to impose and collect the 2 percent sales and use tax (the “Sales Tax”) so long as the Bonds are outstanding. The governing body does hereby pledge so much of the collections of the Sales Tax as may be necessary to pay the principal, premium, and interest on the bonds, and to maintain any debt service reserve established for the Bonds.

Section 2.4. Sale of Bonds.

The Bonds may be sold upon such terms as will be set forth in a future resolution.

Section 2.5 Authority to Issue Bond Anticipation Notes.

The City declares it necessary and is authorized by SDCL 6-8B-26 through 6-8B-29 to issue BAN. The proceeds of which will be used to fund the costs of capital projects inside the City. The BAN shall not mature later than three years after their date of issuance. The terms shall be set forth in a purchase agreement.

Section 2.6. Tax Matters.

- (a) The City covenants and agrees with the registered owners from time to time of the Bonds and BAN that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds or BAN to become includable in gross income for federal income tax purposes under the Code and applicable Treasury Regulations (the “Regulations”), and covenants to take any and all actions within its powers to ensure that the basic interest on the Bonds and BAN will not become includable in gross income for federal income tax purposes under the Code and the Regulations.

- (b) The Mayor and the City Finance Officer, being the officers of the City charged with the responsibility for issuing the Bonds pursuant to this resolution are hereby authorized and directed to execute and deliver to the underwriter or purchaser thereof a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Regulations, stating that on the basis of facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds and BAN, it is reasonably expected that the proceeds of the Bonds will be used in a manner that would not cause the Bonds or BAN to be “arbitrage bonds” within the meaning of Section 148 of the Code and the Regulations.
- (c) The City shall file with the Secretary of the Treasury a statement concerning the Bonds and BAN containing the information required by Section 149(e) of the Code.

Section 2.7. Miscellaneous Acts.

The appropriate officers of the City are hereby authorized, empowered, and directed to do any and all such acts and things, and to execute, acknowledge, deliver, and, if applicable file or record, or cause to be filed or recorded, in any appropriate public offices, all such documents, instruments, and certifications, in addition to those acts, things, documents, instruments, and certifications hereinbefore authorized and approved, as may, in their discretion, be necessary or desirable to implement or comply with the intent of this Resolution, or any of the documents herein authorized and approved, or for the authorization, issuance, and delivery by the City of the Bonds and BAN.

Section 2.8. Partial Invalidity.

If any one or more of the provisions of this Resolution, or of any exhibit or attachment thereto, shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof, or of any exhibit or attachment thereto, but this Resolution, and the exhibits and attachments thereto, shall be construed the same as if such invalid, illegal, or unenforceable provision had never been contained herein, or therein, as the case may be.

Section 2.9. Conflicting Resolutions Repealed.

All resolutions or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 2.10 Retention of Bond Counsel.

The City hereby retains Nathan S. Schoen of the firm of Cutler Law Firm, LLP, Sioux Falls, South Dakota, to act as bond counsel with respect to the Bonds and the BAN.

Section 2.11 Retention of Colliers.

The City hereby retains Colliers & Company LLC as underwriter/placement agent for the Bonds and the BAN.

Section 2.12 Effective Date.

This resolution, after its final passage, shall be recorded in a book kept for that purpose, shall be authenticated by the signature of the Mayor and Finance Officer, shall be published in the City's officially designated newspaper, and shall be effective on the 20th day following such publication. After becoming effective, this resolution shall be irrevocable until the Bonds and BAN issued hereunder shall be paid in full, except that prior to issuance of the Bonds, this resolution may be amended at any time by adoption of an administrative resolution.

Section 2.13 Certification of Proceedings.

The officers of the City are authorized and directed to prepare and furnish to the purchasers of the Bonds and BAN certified copies of all proceedings and records of the City relating to the authorization and issuance of the Bonds and BAN and such other affidavits and certificates as may reasonably be required to show the facts relating to the legality and marketability of the Bonds and BAN as such facts appear from the officer's books and records or are otherwise known to them. All such certified copies, certificates and affidavits, including any heretofore furnished, shall constitute representations of the City as to the correctness of the facts recited therein and the action stated therein to have been taken.

Section 2.14 Legislative Nature of Resolution.

This resolution shall constitute authority to issue the Bonds and BAN without any further action. The City may hereafter pass a resolution indicating the final terms of which shall be administrative in nature and effective upon passage.

Dated this 2nd day of September, 2025.

Derick Wenck - Mayor

[CITY SEAL]

ATTEST:

Deb Harris

Finance Officer

Mack gave the City Administrators Report

Motion Wodzinski, seconded Maxwell to enter into Executive Session pursuant to SDCL 1-25-2(4) at 6:20pm. Upon roll call vote; all in favor.

Mayor declared out of executive session at 7:13pm

With no further business, a motion was made by Wodzinski, seconded by Maxwell to adjourn the city council meeting at 7:14pm. Upon roll call, all present in favor.

The next regular meeting of the Harrisburg City Council will be held at 6:00pm on Tuesday, September 16, 2025.

Submitted by Jill Johnke, Deputy Finance Officer