Unapproved Minutes
Council Special Session
April 1, 2013
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 1, 2013 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Willson, Zimmerman, Mayor Powell

Absent: Ward

2. Informational Session – Police Department Annual Report – Police Chief Matt Betzen

Matt Betzen, Police Chief, reviewed the Police Department 2012 annual report. The report included the organizational chart for the department along with information on the following: patrol division, investigations, tactical response preparations, Explorer Post, house parties, D-Days, special recognitions, statistics and expenses. Matt answered questions of the City Council on the report.

3. Briefing on the April 1, 2013 City Council Regular Meeting Agenda

Council reviewed items on the agenda with City staff. No action was taken.

4. Adjourn

084-13
Alderman Osborne moved to adjourn the Council special session at 1:02 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of April, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY_____
John E (Jack) Powell, Mayor

ATTEST:
BY_____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
April 1, 2013
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 1, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell, Student Representative Jessica Peterson

2. Pledge of Allegiance

3. Minutes

A. March 18, 2012 Special Session; March 18, 2013 Regular Session

085-13
Alderman Zimmerman moved approval of the March 18, 2013 special session minutes and the March 18, 2013 regular session minutes. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

086-13
Alderman Willson moved approval of the agenda. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Mayor Powell introduced Jessica Peterson as the USD student representative to the City Council.

A. Proclamation – Mayors Day of Recognition for National Service

Alderman Collier-Wise read the proclamation designating April 9, 2013 as National Service Recognition Day in Vermillion and encouraged residents to recognize the positive impact of national service and to thank those who serve.

B. Proclamation – Recognizing Earth Day 2013

Alderman Meins read the proclamation recognizing April 23, 2013 as Earth Day in Vermillion and encouraged residents to celebrate Earth Day.

Mayor Powell reported that four high school track meets were held in the Dakota Dome over the last two weeks, where over 6,500 student athletes participated along with many spectators. He noted that over 150 volunteers are needed to conduct each meet and wanted to thank the volunteers as well as participants.

AJ Mayer, Pi Kappa Alpha Fraternity Philanthropic Chairman, reported that the fraternity has scheduled a week of service for April 2 through 9 with events planned to raise funds and service the community. He invited the community to the Pikes in the Park event on April 4th in Prentis Park, noting that the meal is $5 and there will be many activities.

6. Public Hearings - None

7. Old Business

A. Second Reading of Ordinance 1297 – Amending Chapter 70, General Traffic and Parking Regulations of the 2008 Revised Ordinances of the City of Vermillion, adding Section 70.057, prohibiting the use of electronic communications devices while operating a motor vehicle

John Prescott, City Manager, reported that in January it was suggested that an educational session be held on a texting ban while driving. The educational session was held on March 25th after which the Governor signed SB 106 which established bans for drivers 14 –18 years of age with an instruction permit. John stated that the ordinance presented on March 18th was based upon the ordinances adopted by other South Dakota first class cities. At that meeting, there was discussion on the language “when a vehicle is in motion or part of traffic” in section 70.058 and the City Attorney has proposed slightly different language of “when the vehicle is in motion or when the motor vehicle constitutes a part of the flow of traffic or an obstruction and hazard to traffic”. John noted that there was also discussion on the definition of telecommunications device to use in the ordinance. It was suggested that the definition from SB 106 be used. John stated that he has included both versions in the packet with version A being the language used by other cities ordinances that was included in the first reading and version B is the definition used in SB 106. John stated that he provided both versions so the Council can specify which definition they want to use. As to the fee, that resolution is later on the agenda.

Discussion followed on the definitions.

087-13
Second reading of title to Ordinance No. 1297, entitled AN ORDINANCE AMENDING Chapter 70 General Traffic and Parking Regulations, adding Sections 70.057 through 70.059 of the Revised Ordinances of the City of Vermillion, South Dakota to prohibit texting while operating or in physical control of a motor vehicle for the City of Vermillion, South Dakota.

Mayor Powell read the title to the above named Ordinance, and Alderman Osborne moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1297 entitled An Ordinance Amending Chapter 70 General Traffic and Parking Regulations, adding Sections 70.057 through 70.059 of the Revised Ordinances of the City of Vermillion, South Dakota to prohibit texting while operating or in physical control of a motor vehicle was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 18th day of March, 2013 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 1st day of April, 2013 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

Adoption of the Ordinance was seconded by Alderman Willson.

Discussion followed on the definitions included in option B being the State language noting the need to correct the wording from electronic communications device to wireless communication device and to include radio transmission communications.

088-13
Alderman Collier-Wise moved to amend the motion to replace in the definitions for “Electronic Message”, section 70.058 and 70.059 the word “electronic” communications device with “wireless” communications device and in the electronic message definition to add in the last sentence “radio transmission communications”. Alderman Zimmerman seconded the motion. Discussion followed on the wording for the amendment. The amendment to the motion passed 9 to 0. Mayor Powell declared the motion amended as follows:

ORDINANCE NO. 1297

AN ORDINANCE AMENDING CHAPTER 70 GENERAL TRAFFIC AND PARKING REGULATIONS, ADDING SECTIONS 70.057 THROUGH 70.059 OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA. TO PROHIBIT TEXTING WHILE OPERATING OR IN PHYSICAL CONTROL OF A MOTOR VEHICLE.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that Chapter 70, Sections 70.057 through 70.059 is added and it is hereby ordained by authority of the same as follows:

Sec. 70.057. Definitions.

“Wireless communication device,” any wireless electronic communication device that provides for voice or data communication between two or more parties, including a mobile or cellular telephone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages, or a laptop computer. A wireless communication device does not include a global positioning or navigation system (GPS) used to receive driving direction.

“Electronic message” means a self-contained piece of digital communication that is designed or intended to be transmitted between two wireless communication devices. An electronic message includes, but is not limited to, email, a text message, an instant message, and a command or request to access a World Wide Web page, or other data that uses a commonly recognized electronic communications protocol. An electronic message does not include the use of global positioning or navigation systems, radio transmission communications, or voice or other data transmitted as a result of making a phone call, or data transmitted automatically by a wireless communication device without the direct initiation by a person.

Sec. 70.058. Prohibition of use of electronic message.
No person may operate or be in actual physical control of a motor vehicle while using a handheld wireless communication device to compose, read, or send an electronic message when the vehicle is in motion or where the motor vehicle constitutes a part of the flow of traffic or an obstruction and hazard to traffic.

Sec. 70.059. Exceptions to prohibition of use of wireless communication devices and electronic messages.

Section 70.058 shall not apply if the wireless communication device is being used:

a) In the reasonable belief that a person's life or safety is in immediate danger; or

b) In an emergency vehicle while in the performance of official duties.

Dated at Vermillion, South Dakota this 1st day of April, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY_____
John E. (Jack) Powell,
Mayor

ATTEST:

BY_____
Michael D. Carlson, Finance Officer

Thereafter the question of the adoption of the Ordinance as amended was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Yes, Davies-Yes, Grayson-Yes, Meins-Yes, Osborne-Yes, Ward-Yes, Willson-Yes, Zimmerman-Yes, Mayor Powell-Yes.

Motion carried 9 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

B. Second Reading of Ordinance 1298 – Amending Section 155.055 Countryside Planned Unit Development, Subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family dwellings and establishing Lot and yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units

Andy Colvin, Assistant to the City Manager, reported that Mr. Hertz, owner and developer of the Countryside Planned Development District, has requested to include multi-family dwellings in Area B within the district. The Planning Commission considered the amendment on March 11, 2013 at which time they recommended approval of the change but would limit structure height to 35 feet with the lot and yard regulations similar to the R-3 residential district. Andy noted that no comments have been received since first reading. Discussion followed on the amendment to the Countryside Planned Development District.

089-13
Second reading of title to Ordinance No. 1298, entitled AN ORDINANCE AMENDING section § 155.055 Countryside Planned Unit Development, subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family Dwellings and establishing Lot and Yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units for the City of Vermillion, South Dakota.

Mayor Powell read the title to the above named Ordinance, and Alderman Willson moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1298 entitled An Ordinance Amending Section 155.055 Countryside Planned Unit Development, subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family Dwellings and establishing Lot and Yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units of the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 18th day of March, 2013 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 1st day of April, 2013 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

ORDINANCE NO. 1298

An Ordinance amending section § 155.055 Countryside Planned Unit Development, subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family Dwellings and establishing Lot and Yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA:

That section § 155.055 Countryside Planned Unit Development District subsection (B) Area B be amended to read as follows:

(B) Area B. The purpose of this district is to provide for low impact business, medium-density manufactured homes and residential areas within planned unit developments. All city ordinances apply to the planned unit development except for those modified below.

(1) Permitted uses.

Permitted Uses	Applicable Standards
Single-family detached dwellings	§§ 155.070, 155.072, 155.076, 155.077
Single family attached dwellings	§§ 155.070, 155.072, 155.076, 155.077
Two-family attached dwellings	§§ 155.070, 155.072, 155.076, 155.077
Multiple family Dwellings	§§ 155.070, 155.072, 155.076, 155.077
Convenience store	§§ 155.070, 155.072, 155.076, 155.077
Drug store	§§ 155.070, 155.072, 155.076, 155.077
Markets	§§ 155.070, 155.072, 155.076, 155.077
Retail stores	§§ 155.070, 155.072, 155.076, 155.077
Accessory Structures	§§ 155.071, 155.082(A) (see definition)

(3) Lot and yard regulations. All measurements shall be taken from the lot line to the building line at the closest point.

	Lot Area	Frontage	Building Line	Front Yard	Side Yard	Rear Yard	Maximum Height
Business Uses	10,000 square ft	50 feet	65 feet	25 feet	8 feet	25 feet	35 feet
Single family Detached Dwellings	6,000 square ft	50 feet	65 feet	25 feet	8 feet	25 feet	35 feet
Single family attached Dwellings	2,500 square ft	25 feet	25 feet	25 feet	8 feet (0 on party wall)	25 feet	35 feet
Two family attached Dwellings	7,500 square ft	50 feet	75 feet	25 feet	8 feet	25 feet	35 feet
Multiple family 3 to 8 units	7,500 square ft	50 feet	60 feet	30 feet	10 feet	25 feet	35 feet

Multiple family 9 to 12 units	17,000 square ft	50 feet	85 feet	30 feet	10 feet	25 feet	35 feet
Multiple family over 12 units	25,000 square ft	50 feet	85 feet	30 feet	10 feet	25 feet	35 feet
Accessory building				Not Permitted	4 feet	4 feet	12 feet

Dated at Vermillion, South Dakota this 1st day of April, 2013

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By_____
John E. (Jack) Powell, Mayor

ATTEST:

By_____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Davies. Thereafter the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Yes, Davies-Yes, Grayson-Yes, Meins-Yes, Osborne-Yes, Ward-Yes, Willson-Yes, Zimmerman-Yes, Mayor Powell–Yes.

Motion carried 9 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Annual Library report

Jane Larson, Librarian, reported that State law requires the Library Board to prepare and submit an annual report to the governmental bodies that provide funding to the Library. Jane reviewed the 2012 library annual report that was included in the packet, noting the changes from last year. Jane answered questions on the Library operations. Discussion followed on the report

090-13
Alderman Osborne moved to acknowledge receipt of the 2012 Annual Report of the Library Board. Alderman Collier-Wise seconded the motion. Jane Larson reminded citizens that the Library will be closed until April 8th and even after they reopen will have some

ongoing work to complete the relocation. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Resolution Authorizing the Issuance of Revenue Bond for the Solid Waste Landfill Improvements

Mike Carlson, Finance Officer, reported that in the fall of 2011 the landfill cell 5 and the leachate collection system projects were placed on the State Water Plan. An application was submitted for a SRF loan and solid waste grant funding for the project with the anticipated construction taking place in 2013 as the existing cells reached capacity. At the same time, an application was made to change the side slope of the existing landfill cells to allow for more capacity along with increasing the cell elevation on the existing cells. The Department of Environment and Natural Resources (DENR) have approved the change in side slope for the existing landfill cells thus increasing the capacity of the existing cells to allow for the new cell construction and leachate system to be delayed. The DENR has agreed with the calculations for increasing the cell elevation and we are awaiting final approval.

In April 2012 the City was notified by the DENR of the approval of a grant/loan package for cell 5 and the leachate system. The funding package consisted of a SRF loan of $1,639,000 for 20 years at 3% and a solid waste grant of $522,210. HDR developed project estimates and the facility plan used in the grant/loan application along with the side slope amendment and change in elevation application. With the change in side slope, HDR is now recommending construction of the leachate system in 2013 and cell 5 in 2014. As HDR is working on the plans and specifications for the leachate system, the city needs to complete the loan process with the DENR for the funding. Mike stated that the enclosed resolution was prepared by Dorsey & Whitney, Bond Council, and has been reviewed by Jim McCulloch, City Attorney. Discussion followed.

091-13

After reading the same once, Alderman Zimmerman moved adoption of the following:

RESOLUTION RELATING TO THE IMPROVEMENT OF THE SOLID WASTE LANDFILL FACILITY; CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF THE MONEYS DERIVED THEREFROM; AUTHORIZING AND DIRECTING THE ISSUANCE AND SALE OF A REVENUE BOND TO PAY THE COST OF SAID IMPROVEMENTS; DEFINING THE TERMS AND MANNER OF PAYMENT OF THE BOND AND THE SECURITY THEREOF AND APPROVING THE FORM OF LOAN AGREEMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH DAKOTA, AS FOLLOWS:

SECTION 1. AUTHORIZATION AND FINDINGS.

1.01. The City of Vermillion, South Dakota (the Issuer), together with the City of Yankton, South Dakota, Yankton County, South Dakota and Clay County, South Dakota (collectively, the Members), owns, administers and operates an integrated solid waste management system (the System), for municipal, industrial and domestic purposes, under a Revised Joint Powers Agreement, dated November 14, 2012, by and among the Members.

1.02. The Issuer is authorized to borrow money and issue its revenue bonds under South Dakota Codified Laws, Chapters 9-40 (the "Act") and 6-8B, in order to finance a portion of the cost of improvements to the System as set forth in Exhibit A hereto (the Improvements). The Issuer is authorized to issue its obligations in order to defray the cost thereof, and to make all pledges, covenants and agreements authorized by law for the protection of the holders of the obligations, including, without limitation, those covenants set forth in SDCL, Sections 9-40-16 and 9-40-17. The obligations are payable from the Net Revenues of the System, as defined in Section 2.03 hereof.

1.03. The execution and delivery of the Revenue Obligation Loan Agreement between South Dakota Conservancy District (the District) and the Issuer (the Loan Agreement), the form of which has been submitted to this Council, and the pledging of the loan payments there under for the security of the State Revolving Fund revenue bond of the Issuer and the interest thereon shall be, and they are, in all respects, hereby authorized, approved and confirmed, and the Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content submitted to this Council, with such changes that are not substantive as the Attorney for the Issuer deems appropriate and approves, for and on behalf of the Issuer. The Mayor and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the Issuer as set forth in or required by the Loan Agreement.

1.04. The issuance of a revenue bond of the Issuer, of not more than $1,639,000 principal amount in the form and content set forth in Appendix B to the Loan Agreement (the Bond) is hereby authorized, approved and confirmed, and the Mayor, Finance Officer and other appropriate officials of the Issuer shall be authorized to execute and deliver the Bond to the District, for and on behalf of the Issuer, upon receipt of the purchase price and to deposit the proceeds thereof in the manner provided for in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Bond, and their execution and delivery of the Bond shall evidence such approval. The terms of the Bond, as so executed and delivered, shall be deemed to be incorporated herein by reference.

1.05. It is hereby found and determined that the principal amount of the Bond, when added to all other indebtedness of the Issuer subject to its general (5%) debt limit, will not exceed 5% of the assessed value of the taxable property in the Issuer. Therefore, an election is not required for the issuance of the Bond and the execution of the Loan Agreement under Section 9-40-15, South Dakota Codified Laws.

SECTION 2. FUNDS AND ACCOUNTS. For the purpose of application and proper allocation of the income of the System and to secure the payment of principal of and interest on the Bond, the following funds and accounts shall be used solely for the following respective purposes until payment in full of the principal of and interest on the Bond:

2.01. Solid Waste System Fund; Bond Proceeds and Revenues Pledged and Appropriated. A fund designated as the Solid Waste System Fund (the Fund) has been established and shall be maintained as a separate and special bookkeeping account on the official books of the Issuer until the Bond and any additional bonds (together referred to as the Bonds) payable from the Net Revenues of the System, as provided in Sections 3.02 through 3.04 hereof and interest, Administrative Expense Surcharge and redemption premiums due thereon have been fully paid, or the Issuer's obligation with reference to the Bond has been discharged as provided in this resolution. All proceeds of the Bond and all other funds hereafter received or appropriated for purposes of the System are appropriated to the Fund. All gross revenues of the System are irrevocably pledged and appropriated and shall be credited to the Fund as received. Such gross revenues shall include all gross income and receipts from rates and charges imposed for the availability, benefit and use of the System as now constituted and of all replacements and improvements thereof and additions thereto, and from penalties and interest thereon, and from any sales of property acquired for the System and all income received from the investment of such gross revenues; but not any taxes levied or amounts borrowed or received as grants for construction of any part of the System. The Fund shall be subdivided into separate accounts as designated and described in Sections 2.02 to 2.06, to segregate income and expenses received, paid and accrued for the respective purposes described in those sections. The gross revenues of the System received in the Fund shall be apportioned monthly or as soon as possible after the first day of each month, commencing the first calendar month following the delivery of the Bond, which apportionment is hereinafter referred to as the "monthly apportionment."

2.02. Construction Account. The Construction Account shall be used only to pay as incurred and allowed costs which under financial

and reporting standards as promulgated by the Governmental Accounting Standards Board, the Financial Accounting Standards Board, or an Other Comprehensive Basis of Accounting, as applicable (referred to herein as Financial and Reporting Standards), are capital costs of the System, and of such future reconstructions, improvements, betterments or extensions of the System as may be authorized in accordance with law; including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands and easements, interest accruing on the Bond during the first year following the date of its delivery, if and to the extent that the Revenue Bond Account is not sufficient for payment of such interest, reimbursement of any advances made from other Issuer funds, and all other expenses incurred in connection with the construction and financing of any such undertaking. To the Construction Account shall be credited as received all proceeds of the Bond, except amounts appropriated to the Revenue Bond Account under Section 2.04, all other funds appropriated by the Issuer for the System, and all income received from the investment of the Construction Account.

2.03. Operating Account. On each monthly apportionment there shall first be set aside and credited to the Operating Account, as a first charge on the gross revenues, such amount as may be required over and above the balance then held in the Operating Account to pay the reasonable and necessary operating expenses of the System which are then due and payable, or are to be paid prior to the next monthly apportionment. The term “operating expenses” shall mean the current expenses, paid or accrued, of operation, maintenance and current repair of the System, calculated in accordance with Financial and Reporting Standards, and shall include, without limitation, administrative expenses of the Issuer relating solely to the System, premiums for insurance on the properties thereof, labor and the cost of materials and supplies used for current operation and for maintenance, and charges for the accumulation of appropriate reserves for current expenses which are not recurrent monthly but may reasonably be expected to be incurred in accordance with Financial and Reporting Standards. Such operating expenses shall not include any allowance for depreciation or renewals or replacements of capital assets of the System and shall not include any portion of the salaries or wages paid to any officer or employee of the Issuer, except such portion as shall represent reasonable compensation for the performance of duties necessary to the operation of the System, nor any amount properly payable from any other account of the Fund. The Net Revenues of the System, as referred to in this resolution, are hereby defined to include the entire amount of such gross revenues remaining after each such monthly apportionment, after crediting to the Operating Account the amount required hereby,

including sums required to maintain an operating reserve equal to one month’s estimated operating expenses.

2.04. Revenue Bond Account. Upon each monthly apportionment there shall be set aside and credited to the Revenue Bond Account, out of the Net Revenues of the System, an amount equal to one-third of the total sum of the principal and interest to become due on the Bond on the next succeeding Loan Payment Date (as defined in the Bond). Moneys from time to time held in the Revenue Bond Account shall be disbursed only to meet payments of principal and interest on the Bond as such payments become due; provided, that on any date when the outstanding Bond is due or prepayable by its terms, if the amount then on hand in the Revenue Bond Account is sufficient, with other moneys available for the purpose, to pay the Bond and the interest accrued thereon in full, it may be used for that purpose. If any payment of principal or interest becomes due when moneys in the Revenue Bond Account are temporarily insufficient, such payment shall be advanced out of any Net Revenues theretofore segregated and then on hand in the Replacement and Depreciation Account or the Surplus Account. In the event that sufficient moneys are not available from the aforementioned sources the Issuer, to the extent it may, at the time legally do so, may, but shall not be required to, temporarily advance moneys to the Revenue Bond Account from other revenues of the System or from other funds of the Issuer on hand and legally available for the purpose, but any such advance shall be repaid from Net Revenues of the System within 24 months.

2.05. Replacement and Depreciation Account. There shall next be set aside and credited, upon each monthly apportionment, to the Replacement and Depreciation Account such portion of the Net Revenues, in excess of the current requirements of the Revenue Bond Account (which portion of the Net Revenues is referred to herein as Surplus Net Revenues), as the City Council shall determine to be required for the accumulation of a reasonable reserve for renewal of worn out, obsolete or damaged properties and equipment of the System. Moneys in this account shall be used only for the purposes above stated or, if so directed by the City Council, to redeem Bonds which are prepayable according to their terms, to pay principal or interest when due thereon as required in Section 2.04 hereof, or to pay the cost of improvements to the System; provided, that in the event that the Issuer shall hereafter issue bonds for the purpose of financing the construction and installation of additional improvements or additions to the System, but which additional bonds cannot, upon the terms and conditions provided in Section 3, be made payable from the Revenue Bond Account, Surplus Net Revenues from time to time received may be segregated and paid into one or more separate and additional accounts for the payment of such bonds and interest thereon, in advance of payments required to be made into the Replacement and Depreciation Account.

2.06. Surplus Account. Any amount of the Surplus Net Revenues from time to time remaining after the above required applications thereof shall be credited to the Surplus Account, and the moneys from time to time in that account, when not required to restore a current deficiency in the Revenue Bond Account as provided in Section 2.04 hereof, may be used for any of the following purposes and not otherwise:

(a) to redeem and prepay principal of the Bond when and as such principal becomes prepayable according to its terms;

(b) if the balances in the Revenue Bond Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the current fiscal year, then;

(i) to pay for repairs or for the construction and installation of improvements or additions to the System; and

(ii) to be held as a reserve for redemption and prepayment of principal of the Bond which is not then but will later be prepayable according to its terms.

No moneys shall at any time be transferred from the Surplus Account or any other account of the Fund to any other fund of the Issuer, nor shall such moneys at any time be invested in warrants, special improvement bonds or other obligations payable from other funds, except as provided in this section.

2.07. Deposit and Investment of Funds. The Finance Officer shall cause all moneys pertaining to the Fund to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of Chapter 4-6A, South Dakota Codified Laws, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the Issuer, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No moneys shall at any time be withdrawn from such deposit accounts except for the purposes of the Fund as authorized in this resolution; except that moneys from time to time on hand in the Fund may at any time, in the discretion of the City Council, be invested in securities permitted by the provisions of South Dakota Codified Laws, Section 4-5-6; provided, that the Replacement and Depreciation Account may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the account from whose

moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys in that account. The investment of the moneys on deposit in the Revenue Bond Account is further restricted by the provisions of Section 6.01 hereof. Deposits and securities described in this section shall constitute “Qualified Investments.”

2.08. Additional Revenues or Collateral. The Issuer reserves the right at any time to pledge additional moneys, revenues or collateral as security for the Bond and any additional bonds. Such pledge shall not be effective unless and until the Issuer receives, and provides to the bond registrar an opinion of, nationally recognized bond counsel stating that such pledge will not adversely affect the validity or tax exemption of the Bond and any additional bonds then outstanding.

2.09. Appropriation of Other Moneys. The Issuer reserves the right in any year while the Bond is outstanding to appropriate from moneys on hand and legally available for such purpose in its cash reserve accounts such amounts as this Council may specify and direct that such amounts be used to pay principal and interest on the Bond. Any such appropriation shall reduce the obligation of the Issuer to impose rates and charges under Section 3.04 hereof.

2.10. Statutory Mortgage. The Issuer covenants and agrees that pursuant to SDCL 9-40-28 and SDCL 9-40-29, the lawful holders of the Bond shall have a statutory mortgage lien upon the System and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal, interest, and Administrative Expense Surcharge on the Bond, and the Issuer agrees not sell or otherwise dispose of the System, the Improvements, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the distribution of water for municipal, industrial, and domestic purposes within the Issuer.

SECTION 3. PRIORITIES AND ADDITIONAL BONDS.

3.01. Priority of Bond Payments. If at any time the Net Revenues of the System are insufficient to pay principal and interest then due on the Bond, any and all moneys then on hand shall be first used to pay the interest accrued on the Bond, and the balance shall be applied toward payment of the maturing principal of the Bond in order of their maturities, the earliest maturing principal to be paid first, and pro rata in payment of principal maturing on the same date.

3.02. Additional Bonds. The Issuer reserves the right to issue additional bonds, payable from the Revenue Bond Account of the Fund, on a parity as to both principal and interest with the Bond in the

manner and upon satisfaction of the conditions and subject to the limitations set forth in the Loan Agreement, and if any Prior Bonds are then outstanding, subject to the limitations contained in the resolutions under which such Prior Bonds were issued.

3.03. Compliance with Loan Agreement. The Issuer will comply, so long as the Bond is outstanding, and unpaid, with all of the provisions of the Loan Agreement, to the same extent as though such provisions were set forth in this resolution.

3.04. Rates and Charges. The Issuer will maintain, revise, charge and collect rates and other charges for all service furnished and made available by the System, according to schedules such that the gross revenues derived therefrom will be sufficient, when combined with other available funds, to pay when due all expenses of the operation and maintenance of the System, and all principal of and interest on the Bond, to provide for the establishment and maintenance of adequate reserves, to provide an allowance adequate for recurring renewals and replacements of the System, to satisfy the rate covenant provided in Section 6.4 of the Loan Agreement and to fulfill the terms of all other agreements with holders of the Issuer's bonds.

SECTION 4. AMENDMENTS.

4.01. Amendments without Bondholder Consent. The Issuer reserves the right to amend this resolution from time to time and at any time, for the purpose of curing any ambiguity or of curing, correcting or supplementing any defective provision contained herein, or of making such provisions with regard to matters or questions arising hereunder as this City Council may deem necessary or desirable and not inconsistent with this resolution, and which shall not adversely affect the interest of the holder of the Bond, or for the purpose of adding to the covenants and agreements herein contained, or to the gross revenues herein pledged, other covenants and agreements thereafter to be observed [and additional gross revenues thereafter appropriated to the Fund], for the purpose of surrendering any right or power herein reserved to or conferred upon the Issuer, or for the purpose of authorizing the issuance of additional bonds in the manner and subject to the terms and conditions prescribed in Section 3. Any such amendment may be adopted by resolution, without the consent of the holder of the Bond.

4.02. Amendments with Bondholder Consent. With the consent of the holder of the Bond as provided in Section 4.03, the Issuer may from time to time and at any time amend this resolution by adding any provisions hereto or changing in any manner or eliminating any of the provisions hereof, or of any amending resolution, except that no amendment shall be adopted at any time without the consent of the holder of the Bond which are then outstanding, if it would extend

the maturities of any Bond, would reduce the rate or extend the time of payment of interest thereon, would reduce the amount or extend the time of payment of the principal or redemption premium thereof, would give to any Bond any privileges over any other Bond, would reduce the sources of gross revenues appropriated to the Fund, would authorize the creation of a pledge of gross revenues prior to or on a parity with the Bond (except as is authorized by Section 3), or would reduce the percentage in principal amount of Bonds required to authorize or consent to any such amendment.

4.03. Notice and Consent. Any amendment adopted pursuant to Section 4.02 shall be made by resolution, mailed to each holder of a Bond affected thereby, and shall become effective only upon the filing of written consents with the Finance Officer, signed by the holders of not less than two-thirds in principal amount of the Bonds which are then outstanding or, in the case of an amendment not equally affecting all outstanding Bonds, by the holders of not less than two-thirds in principal amount of the Bond adversely affected by such amendment. Any written consent to an amendment may be embodied in and evidenced by one or any number of concurrent written instruments of substantially similar tenor signed by bondholders in person or by agent duly appointed in writing, and shall become effective when delivered to the Finance Officer. Any consent by the holder of any Bond shall bind the holder and every future holder of the same Bond with respect to any amendment adopted by the Issuer pursuant to such consent, provided that any bondholder may revoke his consent with reference to any Bond by written notice received by the Finance Officer before the amendment has become effective. In the event that unrevoked consents of the holders of the required amount of Bonds have not been received by the Finance Officer within one year after the mailing of any amendment, the amendment and all consents theretofore received shall be of no further force and effect.

4.04. Proof. Proof of the execution of any consent, or of a writing appointing any agent to execute the same, or of the ownership by any person of a Bond, shall be sufficient for any purpose of this resolution and shall be conclusive in favor of the Issuer if made in the manner provided in this section. The fact and date of the execution by any person of any such consent or appointment may be proved by the affidavit of a witness of such execution or by the certificate of any notary public or other officer authorized by law to take acknowledgements that the person signing such writing acknowledged to him the execution thereof. The amount of Bonds held by any person by or for whom consent is given, and the distinguishing numbers of such Bond, and the date of holding the same, shall be proved by the bond register. The fact and date of execution of any such consent may also be proved in any other manner which this Council may deem sufficient; but this City Council may

nevertheless, in its discretion, require further proof in cases where it deems further proof desirable.

SECTION 5. PAYMENT OF BOND.

5.01. General. When the liability of the Issuer on the Bond has been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holder of the Bond shall cease.

5.02. Payment. The Issuer may discharge its liability with reference to any Bond which is due on any date by depositing with the holder or holders thereof, or the paying agent or agents, if any, for such Bond on or before that date a sum sufficient for the payment thereof in full; or if any Bond shall not be paid when due, the Issuer may nevertheless discharge its liability with reference thereto by depositing with the holder or holders thereof, or the paying agent or agents, if any, a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

5.03. Prepayable Bond. The Issuer may also discharge its liability with reference to any prepayable Bond which is called for redemption on any date in accordance with its terms, by depositing with the holder or holders thereof, or the paying agent or agents, if any, on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due thereon, provided that notice of such redemption has been duly given as provided in the resolution authorizing the Bond.

SECTION 6. TAX MATTERS AND EFFECTIVE DATE.

6.01. Tax Matters.

(a) Covenant. The Issuer covenants and agrees with the holders from time to time of the Bond 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 Bond to become subject to taxation under the Internal Revenue Code of 1986, as amended (the Code), and applicable Treasury Regulations (the Regulations).

(b) Use of System. The Issuer covenants and agrees that it will not, nor will it permit any of its officers, employees or agents, to enter into any lease, use or other agreement with any person other than a state or political subdivision or agency or instrumentality of a state, relating to the use of the System or the security for the Bond which might cause the Bond to be considered a “private activity bond” within the meaning of Section 141 of the Code.

(c) Investment of Moneys on Deposit in Revenue Bond Account. The Finance Officer shall ascertain monthly the amount on deposit in the Revenue Bond Account. If the amount on deposit therein ever exceeds by more than $81,950 the aggregate amount of principal and interest due and payable from the Revenue Bond Account within 13 months thereafter, such excess shall either (1) not be invested except at a yield equal to or less than the yield borne by the Bond, or (2) be used to prepay and redeem principal installments of the Bond.

(d) Certification. The Mayor and Finance Officer, being the officers of the Issuer charged with the responsibility for issuing the obligations pursuant to this resolution, are authorized and directed to execute and deliver to the purchaser a certification in order to satisfy the provisions of Section 1.148-2(b) of the Regulations. Such certification shall state that on the basis of the facts, estimates and circumstances in existence on the date of issue and delivery of the Bond as therein set forth, it is not expected that the proceeds of the Bond will be used in such a manner that would cause the Bond to be an arbitrage bond, and the certification shall further state that to the best of the knowledge and belief of the officers there are no other facts, estimates or circumstances that would materially change such expectation.

6.02. Qualified Tax-Exempt Obligations. The City Council hereby designates the Bond as a “qualified tax-exempt obligation” for purposes of Section 265(b) (3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonable anticipated amount of qualified tax-exempt obligations (within the meaning of Section 265(b) (3) of the Code) which will be issued by the Issuer and all subordinate entities thereof during calendar year 2013 does not exceed $10,000,000.

6.03. Tax-Exempt Status of the Bond and Rebate. The Issuer shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bond, including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the Bond, and (3) the rebate of excess investment earnings to the United States.

6.04. Repeal. All provisions of all other ordinances, resolutions and other actions and proceedings of the Issuer and of this City

Council which are in any way inconsistent with the terms and provisions of this resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this resolution.

Dated at Vermillion, South Dakota this 1st day of April, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY_____
John E. (Jack) Powell, Mayor

ATTEST:
BY_____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Willson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

C. Resolution to set a fee for violation Of Ordinance 1297

John Prescott, City Manager, reported that second reading of Ordinance 1297 to prohibit texting while operating a motor vehicle was approved earlier on the agenda. The fee schedule for violations of City ordinances was established in 2010 and is on file with the Clerk of Courts. John noted that most City traffic offenses have a fine of $54 and with the $60 court costs brings the total to $114. John stated that Sioux Falls set the fee at $95 and Huron is $100 plus costs while Brookings is $120 and Watertown is $200 including costs.

Discussion followed on the fine noting the need to keep it consistent with other traffic violations.

092-13
After reading the same once, Alderman Osborne moved adoption of the following:

RESOLUTION
ESTABLISHING A FINE
FOR OFFENSES IN VIOLATION
OF ORDINANCE 1297

WHEREAS, the City of Vermillion is authorized under Section 10.99 of the City of Vermillion Code of Ordinances to set fines for City offenses by resolution; and

WHEREAS, the City wishes to establish a fine for offenses in violation of Ordinance 1297, which prohibits texting while operating or in physical control of a motor vehicle; and

WHEREAS, said fine for violation of section 70.058 shall be set at $54 plus Court Costs of $60 for a total of $114; and

WHEREAS, the City will add said fine to the official City Fine Schedule, on file, for examination by the public in the City Finance Office; and

WHEREAS, the City will present the fine amount to the presiding Circuit Court Judge of the First Judicial Circuit Court for its adoption pursuant to SDCL 16-2-21(8); and

WHEREAS, the City wishes to authorize the Magistrate Clerk to update the fine schedule in accordance with the State fine schedule, as necessary, and annually present the schedule to the presiding Circuit Court Judge of the First Judicial Circuit Court for its imposition.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby authorizes the presentation of the mentioned fine to the presiding Circuit Court Judge of the First Judicial Circuit Court for its adoption and authorizes the Magistrate Clerk to update the fee schedule in accordance with State recommendations, as necessary, and annually present the fee schedule to the presiding Circuit Court Judge of the First Judicial Circuit Court for its imposition.

Dated at Vermillion, South Dakota this 1st day of April, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

_____
John E. (Jack) Powell, Mayor

ATTEST:

_____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Ward. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0

members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

9. Bid Openings

A. Surplus Greens Mower and Fairway Mower

Mike Carlson, Finance Officer, reported that the 2002 greens mower and 2005 fairway mowers were included in the equipment replacement fund for replacement in 2013. The new equipment has been delivered and the old equipment was declared surplus and appraised on February 19th and a bid opening was advertized for March 28th. No bids were received on March 28th and, as such, the property may be sold at private sale for not less than 90% of appraised value. Staff will continue to look for interested parties for these two mowers and requests to be authorized to sell the mowers at not less that 90% of appraised value with the information being included in a future Council packet.

093-13
Alderman Willson moved to acknowledge that no bids were received for the two surplus mowers and to authorize staff to continue marketing efforts to sell for not less than 90% of the appraised value and provide information of the sale back to the City Council. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Fuel Quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Brunick’s Service on Item 1 and the low quote of Stern Oil on Item 2, 3 and 5.

Item 1: 4,350 gal unleaded 10% ethanol: Stern Oil $3.3813, Brunick’s Service $3.36; Item 2: 1,000 gal unleaded gasoline regular: Stern Oil $3.4446, Brunick’s Service $3.47; Item 3: 3,000 gal No. 2 Diesel fuel-clear: Stern Oil $3.4137, Brunick’s Service $3.45; Item 5: 1,000 gal No. 2 diesel fuel-clear: Stern Oil $3.66, Brunick’s Service $3.70

094-13
Alderman Grayson moved approval of the low quote of Brunick’s Service on Item 1 and the low quote of Stern Oil on Items 2, 3 and 5. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that the library is closed this week but is scheduled to reopen Monday, April 8th.

B. John reported that the City Council will be making two appointments to the Library Board at the June 17th meeting and requested interested individuals to complete the Expression of Interest form available at City Hall or on the City website.

C. John reported that the landfill voucher will be in the newspapers on Tuesday, April 2nd and is also available at the landfill, City Hall or recycling center. John noted that the landfill will be open from 8:00 a.m. until noon on Saturdays starting April 6th.

D. John reported that sanitary sewer rates are recalculated each April based upon a percentage of the average water billing for January, February and March. The current rate is at 128%. The rate was changed in April 2012 and staff is recommending the rate remain the same for the 2013 calculation. John noted that water rates were raised 2% in January and the new sanitary sewer calculation will be based upon the higher water rates.

PAYROLL ADDITIONS AND CHANGES

Golf Clubhouse: Emily Bauer $7.25/hr, Zach Helland $7.25/hr, Kristen Schwasinger $7.25/hr, Tyler Husby $8.00/hr; Golf Maintenance: Justin McGregor $8.00/hr, Justin Norling $8.25/hr, Lance Reif $8.00/hr; Mitchell Lang $9.00/hr

11. Invoices Payable

095-13
Alderman Zimmerman moved approval of the following invoice:

Jack Powell	APPA TRAVEL REIMBURSEMENT	1542.71

Alderman Collier-Wise seconded the motion. Mayor Powell requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

096-13
Alderman Davies moved approval of the following invoice:

UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	20.00

Alderman Collier-Wise seconded the motion. Alderman Meins requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

097-13
Alderman Davies moved approval of the following invoices:

A-OX WELDING SUPPLY CO	BULK CO2	725.70
AARON BREEN	REFUND OVERPAYMENT	315.67
ACTION BATTERY WHOLESALES	MAINTENANCE	2,370.00
AMERICAN LEGAL PUBLISHING	FOLIO SUPPLEMENT	50.00
AMSAN	SUPPLIES	299.07
ANTIGUA GROUP, INC	MERCHANDISE	2,194.82
ARAMARK	WORK SHIRTS	257.89
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	238.93
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	361.07
ASSURED LOCK TOOL & SUPPLY	PARTS	56.57
AUDIO GO	BOOKS	120.00
AUTOMATIC BUILDING CONTROL	ANNUAL INSPECTION	1,724.00
AWWA	MEMBERSHIP	340.00
BAKER & TAYLOR BOOKS	BOOKS	1,461.77
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	1,210.25
BARNES DISTRIBUTION	SUPPLIES	92.37
BOBS CANDY SERVICE, INC	SUPPLIES	130.40
BORDER STATES ELEC SUPPLY	PARTS	1,070.80
BOUND TREE MEDICAL, LLC	SUPPLIES	1,035.44
BROWN TRAFFIC PRODUCTS	SUPPLIES	95.00
BUTLER MACHINERY CO.	PARTS	2,261.77
CAMPBELL SUPPLY	SUPPLIES	640.35
CASK & CORK	MERCHANDISE	425.92
CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
CENTURY BUSINESS PRODUCTS	COPIES	69.54
CENTURYLINK	TELEPHONE	737.64
CERTIFIED POOL TRAINERS	REGISTRATION	260.00
CHEMCO, INC	SUPPLIES	56.89
CITY OF VERMILLION	COPIES/POSTAGE	3,285.56
CITY OF VERMILLION	UTILITY BILLS	31,876.87
CLAY RURAL WATER SYSTEM	PART/WATER USAGE	53.29
CLIMATE SYSTEMS, INC	REPAIRS	686.12
COFFEE KING, INC	SUPPLIES	57.75
COLONIAL LIFE ACC INS.	INSURANCE	2,856.72
COYOTE RENTALS	WATER HEATER/WIRING REBATE	200.00
CUMMINS CENTRAL POWER, LLC	PARTS	919.06
CUSTOM UPHOLSTERY BY DIANNE	LIBRARY FURNITURE	2,520.00
D-P TOOLS	SUPPLIES	28.89
DAKOTA BEVERAGE	MERCHANDISE	7,840.25
DAKOTA PC WAREHOUSE	SUPPLIES	349.97

DAKOTA PUMP INCORP	SUPPLIES	175.23
DAKOTA SENIOR MEALS	CONTRIBUTION	3,500.00
DAKOTA SUPPLY GROUP	SUPPLIES	809.76
DANKO EMERGENCY EQUIPMENT	PARTS	262.11
DELTA DENTAL PLAN	INSURANCE	5,926.80
DEMCO	SUPPLIES	89.95
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	260.00
DGR ENGINEERING	PROFESSIONAL SERVICES	4,549.05
DUST TEX	SUPPLIES	82.30
DYNAMIC BRANDS	MERCHANDISE	486.00
ECHO ELECTRIC SUPPLY	SUPPLIES	3,705.86
ELECTRIC PUMP, INC	PARTS	4,145.48
ELECTRONIC ENGINEERING	BATTERIES	82.00
ENVIRONMENTAL RESOURCE ASSOC	SUPPLIES	1,113.94
FAR FROM NORMAL	SUPPLIES	73.00
FARMER BROTHERS CO.	SUPPLIES	40.67
FARREL CHRISTENSEN	MEALS/TRAVEL REIMBURSEMENTS	301.95
FASTENAL COMPANY	SUPPLIES	109.43
FEDEX.	SHIPPING	11.47
FILTERTEC	FILTERS	957.18
FLAGS UNLIMITED	FLAGS	183.84
FOREMAN MEDIA	COUNCIL MTG	100.00
GEAR FOR SPORTS	MERCHANDISE	2,561.63
GOLFBALLSONLY.COM	MERCHANDISE	1,440.00
GRAHAM TIRE CO.	TIRES	215.34
GRAINGER	SUPPLIES	1,801.10
GRAYMONT CAPITAL INC	CHEMICALS	3,682.80
GREGG PETERS	FREIGHT	1,534.00
GREGG PETERS	RENT	937.50
H2 GOLF COMPANY, LLC	MERCHANDISE	292.95
HARLAND TECHNOLOGY SERVICE	MAINTENANCE	1,606.00
HATCH FURNITURE & FLOORING	LIBRARY FURNITURE	867.00
HAWKINS INC	CHEMICALS	1,035.36
HD SUPPLY WATERWORKS	SUPPLIES	6,615.82
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	19,970.42
HEIMAN, INC.	INSPECTION	121.00
HEINE ELECTRIC & IRRIGATION	REPAIRS-WELL #4	8,517.00
HELMS & ASSOCIATES	AIRPORT TAXIWAY	1,763.67
HERREN-SCHEMPP BUILDING	SUPPLIES	109.72
HILLYARD FLOOR CARE SUPPLY	SUPPLIES	61.14
HORNUNGS PRO GOLF	MERCHANDISE	129.69
HY VEE FOOD STORE	SUPPLIES	77.72

ID CARDS UNLIMITED	PATRON ID CARDS	614.40
INDEPENDENCE WASTE	WASTE HAULING	765.00
INGRAM	BOOKS	2,722.65
INTERNATIONAL CODE COUNCIL	MANUALS	512.00
INTERNATIONAL CODE COUNCIL	MEMBERSHIP	125.00
JACKS UNIFORM & EQPT	UNIFORMS	3,215.35
JAY'S PLUMBING	REMODEL-GOLF COURSE	817.62
JOHN A CONKLING DIST.	MERCHANDISE	5,789.23
JOHN C. PRESCOTT	MEALS/TRAVEL REIMBURSEMENT	46.00
JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	17,830.03
JOHNSON CONTROLS	REPAIRS	775.71
JOHNSTONE SUPPLY	PARTS	556.49
JONES FOOD CENTER	SUPPLIES	886.70
JOSE DOMINGUEZ	MEALS REIMBURSEMENT	43.00
KAISER REFRIGERATION	PARTS	92.99
KALINS INDOOR COMFORT	REPAIRS	85.00
KAREN HARRIS	SAFETY GLASSES REIMBURSEMENT	150.00
KARSTEN MFG CORP	MERCHANDISE	1,019.20
KINETICO QUALITY WATER SYSTEMS	SOFTENER	6,390.00
KNOLOGY	911 CIRCUIT	1,365.50
KOMLINE-SANDERSON	PARTS	951.07
LAKESIDE EQUIPMENT	PARTS	247.00
LAYNES WORLD	SUPPLIES	18.61
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	1,147.65
LEISURE LAWN CARE	PROFESSIONAL SERVICES	167.20
LESSMAN ELEC. SUPPLY CO	SUPPLIES	638.00
LEUPOLD & STEVENS, INC	MERCHANDISE	547.15
LIBRARY & EDUCATIONAL SERVICE	BOOKS	59.11
LINCOLN MUTUAL LIFE	INSURANCE	456.81
LONGS PROPANE INC	PROPANE	2,042.98
MAGUIRE IRON, INC	WATER STORAGE TANK	13,500.00
MALL OF AMERICA SECURITY DEPT	REGISTRATION	150.00
MALLOY ELECTRIC	PARTS	467.22
MARK KOLLER	MEAL REIMBURSEMENT	9.00
MART AUTO BODY	TOWING	450.00
MATHESON TRI-GAS, INC	OXYGEN	95.36
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,496.00
MEAD LUMBER	SUPPLIES	517.34
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	85.53
MENARDS	SUPPLIES	39.94
MIDWEST ALARM CO	ALARM MONITORING	141.75
MIDWEST BUILDING MAINTENANCE	MAT SVC	485.60
MIDWEST TURF & IRRIGATION	PARTS	1,185.61

MIKKELSEN LIBRARY	BOOK REPLACEMENT COSTS	115.69
MINN MUNICIPAL UTILITY ASSOC	SAFETY MANUALS	189.00
MOORE WELDING & MFG	WIND SCREENS	2,307.00
MURPHS APPLIANCE & TV	REFRIGERATOR/WASHER	1,258.00
N B GOLF LLC	GOLF CARS/BEVERAGE UNIT LEASE	3,824.46
NATL GOLF FOUNDATION	MEMBERSHIP	225.00
NATL REC & PARK ASSOC	MEMBERSHIP	260.00
NCL OF WISCONSIN, INC	SUPPLIES	460.20
NEBR WATER ENVIR. ASSOC	REGISTRATION	540.00
NETSYS+	PROFESSIONAL SERVICES	375.00
NEW YORK LIFE	INSURANCE	94.02
NICHOLAS MARCUS	MEAL/MILEAGE REIMBURSEMENT	126.00
NIKE INC	MERCHANDISE	8,653.91
NORTH CENTRAL RENTAL & LEASING	EQUIPMENT RENTAL	420.00
NORTHERN TRUCK EQPT CORP	PARTS	135.04
NOVELTY MACHINE & SUPPLY	INSPECTION	234.50
OFFICE SYSTEMS CO	COPIER CONTRACT/COPIES	1,429.46
OLSON MEDICAL CLINIC	PRE-EMPLOYMENT PHYSICAL	153.00
OPTICS PLANET INC	SOLAR RADAR SIGN	3,772.00
OTIS ELEVATOR COMPANY	SERVICE CONTRACT	1,063.20
PITNEY BOWES	MAINTENANCE	242.49
PITNEY BOWES, INC	INK CARTRIDGE	122.38
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POSITIVE PROMOTIONS	T-SHIRTS - LIBRARY	88.95
POTOMAC AVIATION TECHNOLOGY	MONITORING FEES	250.00
PRAIRIE BERRY WINERY	MERCHANDISE	870.00
PRESSING MATTERS	ADVERTISING	355.00
PRINT SOURCE	SUPPLIES	1,016.00
PUMP N PAK	FUEL	2,412.77
QUALITY EQUIPMENT AND SERVICE	BLADE SHARPENING	37.50
QUILL	SUPPLIES	1,409.39
RACOM CORPORATION	MAINTENANCE CONTRACT	386.75
RADIANT HEAT, INC	PARTS	130.34
RANDOM HOUSE, INC	BOOKS	127.50
RECORDED BOOKS, INC	BOOKS	531.80
RECYCLING EQUIPMENT MANUF	PARTS	140.99
REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	28,809.88
RESCO	SUPPLIES	242.40
RIVERSIDE HYDRAULICS & LAB	PARTS	449.44
ROB PICKENS	SAFETY BOOTS REIMBURSEMENT	100.00
ROBERT LITKE	AMB PAYMENT REFUND	73.03
RODNEY TIEMAN	MEALS REIMBURSEMENT	9.00
S & S WORLDWIDE, INC	SUPPLIES	32.89

SCHADE'S VINEYARD	MERCHANDISE	432.00
SCHAEFFER MFG. CO	SUPPLIES	595.20
SD ARBORISTS ASSOCIATION	MEMBERSHIP DUES	35.00
SD ASSOC. OF CODE ENFORCEMENT	REGISTRATION	50.00
SD ASSOC. OF RURAL WTR SYSTEMS	REGISTRATION	600.00
SD FEDERAL PROPERTY AGENCY	SUPPLIES	600.00
SD MUNICIPAL STREET MAINT	REGISTRATION	50.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	71,307.47
SD SOLID WASTE MANAGEMENT	REGISTRATION	300.00
SDWWA-	REGISTRATION	130.00
SECURITY SHREDDING SERVICE	SHREDDING SERVICES	350.00
SERVALL TOWEL & LINEN	SHOP TOWELS	29.40
SHORTYS HVAC SUPPLIES LLC	PARTS	810.00
SIOUX FALLS TWO WAY RADIO	SPEAKER MIC	86.64
SIOUXLAND HUMANE SOCIETY	FEES	37.00
SIOUXLAND SCALE SERVICE	REPAIRS	1,006.52
SOOLAND BOBCAT	PARTS	76.04
SPECIAL T'S AND MORE	T-SHIRTS - ELECTRIC DEPT	782.80
STEFFEN	PARTS	98.95
STERN OIL CO.	OIL	744.66
STEVE'S HEATING & A/C INC	REMODEL-GOLF COURSE	397.77
STURDEVANTS AUTO PARTS	PARTS	1,980.89
TAYLOR MADE	MERCHANDISE	5,602.48
THATCHER COMPANY	SODA ASH	7,123.60
THE BOULDER COMPANY	SUPPLIES	88.31
THE EQUALIZER	ADVERTISING	882.35
THE NEW SIOUX CITY IRON CO	SUPPLIES	107.98
THE SUPPLY CACHE	FIREFIGHTER EQUIPMENT	1,417.00
TIGERT ART GALLERY	FRAMING	336.00
TITLEIST DRAWER CS	MERCHANDISE	7,618.06
TONY GLASS	WATER HEATER REBATE	150.00
TOTAL TOOL SUPPLY, INC	PARTS	153.21
TRAF-O-TERIA SYSTEM, INC	PARKING TICKETS	403.77
TREASURER-CLAY COUNTY	STORM TAX	8.03
TRUE VALUE	SUPPLIES	163.35
TUMBLEWEED PRESS INC	SUBSCRIPTION	399.00
TURNER PLUMBING	REPAIRS	2,250.00
UNITED OFFICE SUPPLY	TONER	499.85
UNITED PARCEL SERVICE	SHIPPING	12.00
UNITED WAY	CONTRIBUTIONS	547.80
USD	SPONSOR	100.00
VERIZON WIRELESS	POLICE COMMUNICATIONS	212.11
VERMEER HIGH PLAINS	PARTS	1,121.83

VERMILLION ACE HARDWARE	SUPPLIES	2,350.22
VERMILLION CHAMBER OF COMMERCE	REGISTRATION	90.00
VERMILLION FORD	PARTS	66.41
VERMILLION HIGH SCHOOL	VOLLEYBALL POLE SET	1,500.00
VERMILLION HOUSING AUTHORITY	SUPPORT	7,043.00
VGSA	SPONSOR	200.00
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	7,832.34
WAL-MART COMMUNITY	SUPPLIES	532.58
WALKER CONSTRUCTION	SNOW REMOVAL	486.00
WALKER PROCESS EQUIPMENT	REPAIRS	8,249.84
WELFL CONSTRUCTION CO	LIBRARY EXP/REMODEL	69,807.00
WESCO DISTRIBUTION, INC	SUPPLIES	289.50
WESTECH ENGINEERING, INC	PROFESSIONAL SERVICES	4,372.00
WESTERN IOWA TECH	FIRE SCHOOL REGISTRATION	65.00
WESTERN OFFICE TECHNOLOGIES	SUPPLIES	279.79
WIGMAN CO	PARTS	27.64
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,361.84
YANKTON MEDICAL CLINIC	TESTING	19.00
ZEE MEDICAL SERVICE	SUPPLIES	145.15

Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

098-13
Alderman Osborne moved to adjourn the Council Meeting at 8:08 p.m. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of April, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY_____
John E. (Jack) Powell, Mayor

ATTEST:
BY_____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.