

Unapproved Minutes
Council Special Session
June 20, 2016
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, June 20, 2016 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Price, Willson, Mayor Powell

Absent: Holly Meins, Ward

2. Informational Item - Discussion of Rental Housing Re-inspection proposal - Farrel Christensen and Shannon Draper

Shannon Draper, Fire Chief, reported that, of the 300 businesses that could be inspected for fire safety inspections, the Department had time to inspect about 140 locations. Shannon stated that he would like to increase the hours of the part time fire inspector to provide for more inspections and that Farrel Christensen would like a part time employee to do the rental housing follow-up inspections. Shannon stated that the current part time fire inspector works two days per week and if this was increased to three days per week he felt that the business inspections could be increased to 190 locations and the extra hours could also be increased for other community service programs. Shannon stated that he would like more hours for the fire inspector but did not, at present, need a full time person.

Farrel Christensen, Building Official, stated that his department does not have time to complete follow-up inspections to ensure that all rental housing violations have been completed on time. Farrel stated that rental housing currently included 969 structures with 2,434 apartments and 5,449 beds. Farrel noted that each unit is inspected once every two years but only about 5% of those with violations have a follow-up inspection due to lack of time. Farrel stated that as the number of rental units has increased the time to do follow-up inspections has decreased. Farrel stated that the follow-up inspections are the best way to ensure that required repairs are completed. Farrel stated that the Fire Inspector uses the same codes as the rental housing and that the Inspector would only be doing follow-up inspections for documented violations so it should not take as long as a complete inspection. Farrel stated that he would need someone to work two days per week and finding this type of part time individual and

invest the time for training may be hard to do. Farrel reviewed the increased costs to the Code Enforcement budget of an inspector for two days per week.

Discussion followed with Shannon and Farrel answering questions from the City Council on the proposal to increase the inspections in each department.

John Prescott, City Manager, reported that with the proposal he was seeking direction from the City Council on if this increase in the current part time position is something to include in the preparation of the 2017 budget.

The consensus of the City Council was to include the increased hours in the 2017 budget for future consideration.

4. Briefing on the June 20, 2016 City Council Regular Meeting

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

5. Adjourn

184-16

Alderman Holland moved to adjourn the Council special session at 12:35 p.m. Alderman Erickson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of June, 2016.

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
June 20, 2016
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on June 20, 2016 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Willson, Mayor Powell, Student Representative Ireland

Absent: Ward

2. Pledge of Allegiance

3. Minutes

A. Minutes of June 6, 2016 Special Meeting, June 6, 2016 Regular Meeting, June 13, 2016 Special Meeting

185-16

Alderman Holland moved approval of the June 6, 2016 Special Meeting, June 6, 2016 Regular Meeting and June 13, 2016 Special Meeting minutes. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

186-16

Alderman Willson moved approval of the agenda. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Jim Auen, 1012 Natalie Court, stated that they have been without sidewalks connecting this development to the rest of the city sidewalk system and now the sidewalks are over 90% complete and if the homes are completed this summer it will be 100% complete. Jim wanted to thank Jose Dominguez, City Engineer, and other City staff for all their efforts in getting the sidewalks completed in this area.

6. Public Hearings

A. Special permit to exceed permissible sound levels by no more than 50% for the Vermillion Fire & EMS Department at Barstow Park on July 4, 2016 from 3:00 p.m. to 10:00 p.m.

Mike Carlson, Finance Officer, reported that an application was received for a special permit to exceed the permissible sound levels by no more than 50% in the northwest portion of Barstow Park on July 4th for a band as part of the Vermillion Fire Department Community Day in the Park event. Mike stated that the request is from 3:00 p.m. to 10:00 p.m. The Fire Department is inviting the community to the events they have planned from 4:00 p.m. until the fireworks in the evening. Mike reported that the diagram and notice of hearing are included in the packet. Mike noted that staff is not aware of any noise related problems with the event in past years. Mike recommended approval of the special permit.

187-16

Alderman Willson moved approval of the special permit to exceed permissible sound levels by no more than 50% in the northwest portion of Barstow Park on July 4, 2016 from 3:00 p.m. to 10:00 p.m. for the Vermillion Fire Department Community Day in the Park event that will include a band. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. First reading of Ordinance 1343 - Amending Title XV Land Usage, Chapter 155 modifying Applicable Standards for the Permitted Use of an electrical substation and adding a provision to the landscaping standards required for electrical substations

Jose Dominguez, City Engineer, reported that the City identified the financial disadvantage of constructing a fence along the setback lines of a lot housing an electric substation noting that the cost of fencing a lot housing an electric substation constructed at the set back lines would be far greater than the fencing needed to secure an electrical substation. Jose reported that this issue was presented to the Planning Commission that unanimously recommended to propose a zoning amendment and added provisions. Jose stated that the changes would require a fence seven feet in height to encompass the electric substation with an opaque screen for any side abutting a residential zone.

188-16

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1343 entitled An Ordinance Amending Title XV Land Usage, Chapter 155 modifying Applicable Standards for the Permitted Use of an electrical substation and adding a provision to the landscaping standards required for electrical substations, of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this

meeting being a regularly called meeting of the Governing Body of the City on this 20th day of June, 2016 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Collier-Wise. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 8 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. First reading of Ordinance 1344 - Amending Appendix A, 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2, Section 2.03(A) Zoning Map, by including certain real property in the Aquifer Protection Overlay Zone A - Aquifer Critical Impact Zones

Jose Dominguez, City Engineer, reported that Clay County received a request from the Lewis and Clark Regional Water System (LCRWS) to rezone parcels of land to an Aquifer Protection Overlay (APO) Zone. Jose reported the purpose of the zone is to protect the quality of water sources from environmental contamination. Jose noted a portion of the area is located within the joint jurisdictional zoning area. Jose stated that the joint planning commissions considered the amendment on March 29th and voted to table the amendment to a future meeting. Jose reported that the joint planning commissions met again on May 9th and recommended approval of the ordinance amendment to the respective governing bodies. Jose stated that the base zone of the area will remain Agricultural; however, the overlay provides for additional restrictions on the allowed uses. Jose reported that the City Council is asked to consider approval of the first reading of the ordinance. Jose noted that the County Commission approved first reading at their June 14th meeting. Jose stated that, if the first reading is approved, the second reading of the Ordinance would be a joint meeting with the County Commission. Jose reported that the County would like the joint meeting to be June 27th at 5:30 p.m. at City Hall.

Jim Auen, representing Lewis and Clark Regional Water System, answered questions of the City Council on the aquifer critical impact zone proposed.

189-16

Mayor Powell read the title to the above mentioned Ordinance and Alderman Collier-Wise moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1334 entitled An Ordinance Amending Appendix A, 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2, Section 2.03(A) Zoning Map, by including certain real property in the Aquifer Protection Overlay Zone A - Aquifer Critical Impact Zones has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 20th day of June, 2016 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Willson. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 8 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

B. Request to close N. Plum Street, from E. Cherry Street to SD Highway 50, on Friday, August 19, 2016 from 5:00 a.m. to 4:00 p.m. for USD's Move-In Day

John Prescott, City Manager, reported that the University of South Dakota has historically been utilizing Plum Street, between Highway 50 and E. Cherry Street, during their Move-In Day. John stated that the traffic control for the move-in requires the assistance of the City and the DOT. John stated that the request from USD is included in the packet. In order to mitigate the danger of the local traffic on Plum Street, USD has requested that Plum Street from Cherry Street to Hwy. 50 be closed from 5:00 a.m. to 4:00 p.m. on Friday, August 19, 2016. John noted that the map attached shows the areas affected. John noted that all residents in the mobile home parks and apartments can use alternate routes to access their residences. John noted that the Police, Fire and EMS Departments have been notified of the closure request. John recommended approval of the street closure.

190-16

Alderman Willson moved approval of the request to close N. Plum Street from E. Cherry Street to SD Highway 50 bypass on Friday, August 19, 2016 from 5:00 a.m. to 4:00 p.m. for USD Move-in Day. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Request to close Rose Street, from Coyote Village to the Dakota Dome, on Friday, August 19, 2016 from 5:00 a.m. to 4:00 p.m. for USD's Move-In Day

John Prescott, City Manager, reported that the University has requested the closing of Rose Street from Coyote Village to the Dakota Dome

during their Move-In Day. John stated that the request for the closure is due to safety concerns with traffic. John reported that, to remove the danger of the local traffic on Rose Street, USD has requested that Rose Street from Coyote Village to the Dakota Dome be closed from 5:00 a.m. to 4:00 p.m. on Friday, August 19, 2016. John noted that the map showing the areas affected is included in the packet. John noted that the Police, Fire and EMS Departments have been notified of the closure request. John recommended approval of the street closure.

191-16

Alderman Holland moved approval of the closing of Rose Street from Coyote Village to the Dakota Dome, on Friday, August 19, 2016 from 5:00 a.m. to 4:00 p.m. for USD Move-In Day. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

D. Vermillion Housing Authority member appointment

Mayor Powell reported that Sandra Brown's current term on the Vermillion Housing Authority will be expiring at the end of June. The opening was posted and Sandra was the only individual that expressed interest in the position. Mayor Powell recommended the reappointment of Sandra Brown to a five-year term on the Vermillion Housing Authority Board.

192-16

Alderman Willson moved approval of the Mayor's recommendation of the reappointment of Sandra Brown to a five-year term on the Vermillion Housing Authority Board. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

E. Authorization to prepay a portion of the 2015 Special Assessment Bond Series B

Mike Carlson, Finance Officer, reported that the City issued special assessment bonds series 2015 B in the amount of \$316,180.58 for concrete surfacing and other street improvements on Norbeck Street from Roosevelt Street to East Clark Street with delayed interest. Mike stated that the City agreed to delay assessing the interest to the property owners until April 2017 with the interest being paid by the City. Mike reported that a payment of \$129,169.12 was received for the special assessments and, as the 3.5% interest due on the bonds is considerably higher than the City can invest these funds, it is in the best interest to call a portion of the bonds. Mike stated that a resolution has been prepared to authorize the calling of this portion of the bonds.

193-16

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

RESOLUTION AUTHORIZING THE PREPAYMENT
OF SPECIAL ASSESSMENT BONDS

WHEREAS, the City of Vermillion has issued 2015 special assessment bonds series B to finance the concrete surfacing for street and other improvements on Norbeck Street from Roosevelt Street to East Clark Street, that were authorized by resolutions of necessity adopted by the City Council; and

WHEREAS, these special assessment bonds were purchased by the Electric Utility fund as an investment of electric utility reserve funds, accounted for as an interfund loan; and

WHEREAS, the bonds provide for annual payments of principal and interest from the special assessment debt service fund to the electric utility fund; and

WHEREAS, the bond resolution provides that all or a portion of the individual bonds may be called without penalty upon notice; and

WHEREAS, the special assessment bonds were secured by an assessment levied against the parcels of property benefiting from the improvement to be repaid in annual assessments with the property taxes or may be prepaid at any time; and

WHEREAS, the special assessment debt service fund has received a prepayment that is restricted for the payment of the outstanding bonds and as such, elects to exercise the option to call this portion of the 2015 special assessment bond series B that is currently outstanding.

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes to exercise the option to call \$129,169.12 of the 2015 Special Assessment Bond Series B on July 1, 2016.

BE IT FURTHER RESOLVED, that the City Council authorizes the Finance Officer to make the advance bond payments, as authorized, from and to the respective city funds effective July 1, 2016.

Dated in Vermillion, South Dakota this 20th day June, 2016.

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 Erickson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

F. Request from Vermillion Chamber of Commerce and Development Company for funding to support the 2016 South Dakota High School All-Star Football game

John Prescott, City Manager, reported that in late 2015 it was announced that Vermillion was selected to host the South Dakota High School All-Star Football game based upon a proposal submitted by the Vermillion Chamber of Commerce and Development Company Sports Authority Committee. John noted that with this being the first year and with only a few months to put the event together Nate Welch reported that there is a need for funding assistance of \$10,000. John stated that in discussions with the VCDC it was suggested to request funding from the BBB sales tax fund and also the Business Improvement District #1 (BID). John stated that the BID Board met last week with the recommendation of funding up to \$12,500 of BID funding to assist with the All Star game. John stated that on the agenda is Item F for a request of BBB funding and Item G for BID funding. John stated that the City Council will need to determine the amount of support and which funding will be used. John stated that he would suggest \$2,500 from BBB funding and then up to \$10,000 of BID funding.

Nate Welch, Executive Director of the VCDC, reported on the activities planned for the 84 student athletes from when they arrive on Wednesday, to the banquet on Friday night that friends and family can purchase tickets to attend, with the game in the Dakota Dome on Saturday. Discussion followed on the event and funding.

194-16

Alderman Collier-Wise moved to authorize \$2,500 of BBB sales tax funding to the VCDC Sports Authority Committee for assistance with the South Dakota High School All-Star Football game to be amended in the

revised 2015 budget. Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

G. Request to amend BID #1 Budget to support VCDC Sports Authority Committee

195-16

Alderman Willson moved to authorize up to \$10,000 of BID #1 funding to the VCDC Sports Authority Committee for assistance with the South Dakota High School All-Star Football game to be amended in the revised 2015 budget. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Burbank Road Storm Drainage Improvements

Jose Dominguez, City Engineer, reported that the ditch on the north side of Burbank Road east of South Crawford Road experiences ponding during storm events. Jose reported that the City surveyed the ditch and discovered that several sections of the ditch have silted over the years. Jose noted that the silting is forcing some of the sections not to flow correctly and consequently storm water ponds. Jose stated that quotes were for the installation of the pipe and grading of the ditch with the City supplying the pipe and all of the clay necessary for the grading. Jose stated that requests for quotes were sent to four potential bidders with two received. Jose noted that on June 14th when quotes were opened only one quote was read as one did not have the correct proposal forms. Jose stated that the only quote was from M&M Construction of \$29,186.00 and recommended acceptance. Jose stated that the completion date of this project is August 17, 2016.

196-16

Alderman Collier-Wise moved approval of the only quote of M&M Construction of \$29,186.00 for the Burbank Road Storm Drainage improvements. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Miscellaneous Concrete Projects

Jose Dominguez, City Engineer, reported that the City has an ongoing program to update all of the handicap ramps within the City that was instituted several years back and designates funding for handicap ramp improvements each year. Jose stated that the City also utilizes this project to repair curb and gutter sections and storm sewer inlets that were damaged during the winter months. Jose reported that requests for quotes were sent to three contractors with two received when they were

opened on June 14th. Jose reported that one quote could not be read as it did not have the correct proposal forms. The only quote was from M&M Construction for the amount of \$31,151.71. Jose noted that the City's estimate for this project was \$40,000. Jose recommended the only quote.

197-17

Alderman Willson moved approval of the only bid from M&M Construction for the amount of \$31,151.71 for the miscellaneous concrete project. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that the City began going street by street picking up storm related tree branches. We are asking that tree branches from the storm are placed between the sidewalk and curb and away from existing trees, utility boxes or street lights. John noted that tree branches can be taken to the Recycling Center on Crawford Road or the Landfill on Bluff Road and for this week there will be no charge for disposing of storm related tree branches.

B. John reported that the free tire disposal for Vermillion and Clay County residents will end with the close of business on Friday, June 24th.

C. John reported that the Governor announced this morning that the City was awarded a \$515,000 Community Development Block Grant for the Prentis Street Lift Station Project. John stated that the replacement of the lift station and related piping would take place in 2017.

D. John reported on the special meeting with the County Commission on Monday, June 27th at 5:30 p.m. in the City Council Chambers for the second reading of Ordinance No. 1344 for a zoning amendment to create an Aquifer Protection Overlay Zone in the joint jurisdictional area.

E. John reported that City offices will be closed on Monday, July 4th for the holiday. John noted that the first City Council meeting for July will be on Tuesday, July 5th.

F. John reported that Greening Vermillion is planning to complete their first round of storm inlet painting awareness this week. John stated that a number of inlets will be marked with the message "Dump No Waste - Drains to River". John noted that this message, along with a fish logo, is designed to remind the public that what is put in a storm sewer inlet ends up in the river. John stated that this is part of the City's compliance program with Federal storm water regulations.

PAYROLL ADDITIONS AND CHANGES

Police: Andrew Delgado \$20.61/hr; Engineering: Eric Birkland \$17.94/hr, Shane Griese \$23.98/hr; Street: Tyler Johnson \$9.00/hr; Ambulance: Rachel Tverberg \$10.00/hr-\$2.00/oncall-\$15.00/holiday-\$3.00/holiday on call; Recreation: AJ Boese \$8.75/hr, Jack Brown \$8.75/hr, Stacey Baedke \$8.75/hr, Sam Craig \$9.00/hr, Kellen Dion \$8.75/hr, Brock Fehr \$8.75/hr, Parker Goblirsch \$8.75/hr, Allison Heine \$9.00/hr, Ellen Hanson \$9.00/hr, Joseph Miller \$8.75/hr, Richard Rasmussen \$8.75/hr, Rachel Schmidt \$8.75/hr, Gabi Taggart \$8.75/hr; Pool: Cassie Hilbrands \$10.00/hr, Ross Dahlhoff \$8.75/hr, Alexis Malimanek \$9.00/hr, Michael Kopren \$8.75/hr, Sidney Neugebauer \$8.75/hr; Mosquito Control: Tanner Anderson \$9.00/hr; Golf Clubhouse: Ryne Whisler \$8.55/hr; Light: Andrew Eidem \$32.22/hr; Wastewater: Ryan Hage \$9.50/hr

11. Invoices Payable

198-16

Alderman Erickson moved approval of the following invoices:

Aramark	uniform shirts	346.88
Blick Art Materials	supplies	191.88
Broadcaster Press	advertising	854.54
Bureau Of Administration	telephone	194.27
Butler Machinery Co.	excavator	188,523.15
Campbell Supply	supplies	105.54
Cask & Cork	merchandise	316.40
Centurylink	telephone	1,495.41
City Of Vermillion	may landfill vouchers	888.00
Clay Rural Water System	water usage	98.40
Clay-Union Electric Corp	territory acquisition	8,031.95
Dakota Beverage	merchandise	7,860.11
Dept. Environment Natl Res	landfill operations fee	3,554.23
Division Of Motor Vehicle	title/plates	16.20
Equimedica USA, Inc	containers	1,030.58
Global Dist.	merchandise	359.00
Gregg Peters	managers fee	6,000.00
Grey House Publishing	books	126.00
John A Conkling Dist.	merchandise	5,177.70
Johnson Brothers Of SD	merchandise	19,273.41
Loren Fischer Disposal	haul cardboard	210.00
MidAmerican	gas usage	2,183.91

Midcontinent Communications	internet/cable service	653.68
Queen City Wholesale	supplies	476.36
Precision Lawn Care	mowing	562.50
Republic National Dist	merchandise	18,006.19
Reserve Account	postage for meter	950.00
Sculpture Walk	SD sculpture trail	3,000.00
Southern Wine & Spirits Of SD	merchandise	2,016.54
Staples Advantage	supplies	836.86
Stern Oil Co.	fuel	10,951.01
Sturdevants Auto Parts	parts	665.16
The Equalizer	advertising	1,772.70
True Value	supplies	197.41
United Parcel Service	shipping	47.38
Us Postmaster	postage for utilities	1,050.00
Vermillion Ace Hardware	supplies	251.29
Willson Florist	floral arrangement	55.00
Donna Backhaus	Bright Energy Rebate	100.00
Kayleen Reynolds	Bright Energy Rebate	100.00
Kalins Indoor Comfort	Bright Energy Rebate	200.00
Masaba, Inc	Bright Energy Rebate	6,944.00

Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

199-16

Alderman Erickson moved to adjourn the Council Meeting at 7:39 p.m. Alderman Holly Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 20th day of June, 2016.

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 _____.