



Special Meeting Agenda

City Council

12:00 p.m. (noon) Special Meeting
Monday, February 4, 2013
Large Conference Room
City Hall – 25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – VCDC ICAP Program – Steve Howe.**
3. **Briefing on the February 4, 2013 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
4. **Adjourn**

Access the City Council Agenda on the web – www.vermillion.us

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please state your name and address. Presentations are limited to 5 minutes. For those who do not appear on the agenda, no decision is to be expected at this time.

Meeting Assistance: If you require assistance, alternative formats and/or accessible locations consistent with the Americans with Disabilities Act, please contact the City Manager's Office at 677-7050 at least 3 working days prior to the meeting.

Council Meetings: City Council regular meetings are held the first and third Monday of each month at 7:00 p.m. If a meeting falls on a City holiday, the meeting will be scheduled for the following Tuesday.

Live Broadcasts of Council Meetings On Cable Channel: Regular City Council meetings are broadcast live on Cable Channel 3.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, February 4, 2013

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. January 21, 2013 Special Session; January 21, 2013 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
6. **Public Hearings**
7. **Old Business**
 - a. Second reading of Ordinance 1292 – Rezoning Lee Tract 1A in Lee Tract 1 in the SE1/4 of the SE1/4 of Section 11, Township 92 North, Range 52 West of the 5th P.M., Clay County, South Dakota, from the A-1 Agricultural District to the C Commercial District.
 - b. Second reading of Ordinance 1295 – amend Chapter 52 Garbage and Trash to require licensed collectors to display the business name of the licensed collector on the vehicle.
8. **New Business**
 - a. Final Plat of Lot 1, Block 1, Madison Park Addition to the City of Vermillion, Clay County, South Dakota (Southeast corner of Madison Street and N. Norbeck Street).
 - b. Request by Haan Development to reduce building permit and tap fees for a tax credit, income qualified apartment complex proposed for Lot 1, Block 1, Madison Park Addition.
 - c. Lee Tract 1A in Lee Tract 1 of the SE ¼ of the SE 14 of Section 11, T92N, R52W, 5th P.M., Clay County, South Dakota (northeast of the corner of Highways 50 and 19).
 - d. Tract 1, Heine Addition in the SW ¼ of the NW ¼; and Tracts 1 and 2, Ufford Addition in the SE ¼ of the NW 1/4; all in Section 21, T92N, R51W of the 5th P.M., Clay County, South Dakota.
9. **Bid Openings**
 - a. Water Treatment and wastewater treatment chemicals.
 - b. Electric wire and transformers.
 - c. Fuel quotes.
10. **City Manager's Report**
11. **Invoices Payable**

12. Consensus Agenda

- a. Set a public hearing date of February 19, 2013 for retail on-off sale wine license for Sunset Oil, Inc for Pump N Pak at 629 Stanford Street.

13. Adjourn

Access the City Council Agenda on the web – www.vermillion.us

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please raise your hand to be recognized, go to the podium and state your name and address.

a. Items Not on the Agenda Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made at this time.

b. Agenda Items: Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only City Council members and staff may discuss the current agenda item unless a Council member moves to allow another person to speak and there is unanimous consent from the Council. Questions from Council members, however, may be directed to staff or a member of the public through the presiding officer at any time.

Meeting Assistance: The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

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Vermillion City Council's Values and Vision

This community values its people, its services, its vitality and growth, and its quality of life and sees itself reinforcing and promoting these ideals to a consistently increasing populace.



Unapproved Minutes
Council Special Session
January 21, 2013
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, January 21, 2013 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Present: Collier-Wise (arrived at 12:17 p.m.), Davies, Grayson, Osborne, Willson, Zimmerman, Mayor Powell

Absent: Meins, Ward

2. Informational Session - HDR recycling options assessment - Bob Iverson

John Prescott, City Manager, reported that HDR is doing the solid waste master planning for the Joint Powers operations and the Joint Powers Board had requested additional work on recycling options. The report was made to the Joint Powers Board in December and was reported to the Yankton City Commission last week and now to the Vermillion City Council.

Bob Iverson, Solid Waste Director, reported that the HDR report included 4 recycling options:

Option 1 is to upgrade the current Vermillion Recycling Center to include new processing equipment to accept additional amounts and types of recyclables. This option assumes adding new recycling customers in Vermillion and Yankton such as apartment buildings, senior housing and mobile home parks.

Option 2 adopted a single stream collection for both cities with processing of the collected recyclables at the upgraded Vermillion Recycling Center. This option includes single stream collection vehicles and 96 gallon carts for each resident, retrofits to the Vermillion Recycling Center and addition of a new processing line to handle the additional recyclables.

Option 3 is to adopt a single stream collection for both cities with consolidation of the collected recyclables at the Vermillion Recycling Center to send to a separate processor. This will include single stream collection vehicles, 96 gallon carts for residence,

consolidation and baling of the mixed recyclables for shipment to a processing center.

Alderman Collier-Wise arrived at 12:17 p.m.

Option 4 is to procure a private operator to provide single stream collection and processing of recyclables. This will include bidding out the services to the most qualified company that meets the cities' requirements. The recycling operations in both communities would close as the private contractor will collect and process. Bob reviewed the advantages and disadvantages of this option.

Bob stated that the report went on to project the per household per month cost of each option as follows: Option 1 adding \$1.89, Option 2 adding \$1.42, Option 3 is a range depending upon the market prices for materials at \$3.32 to \$4.60 and Option 4 will be a savings of \$.65 per month. He noted that the study projected the monthly collection for Option 4 at \$4.00 per household but that, in checking with other cities, this can range from \$3 to \$12 per month. Bob stated that Option #2 was based on weekly collection of materials but in checking with other cities the collection is usually bi weekly which will reduce the cost of this option to .21 per household per month.

Bob noted that public education will be needed with any option to inform the users of the program.

Bob answered questions of the City Council on the options noting that the sorting line in Option #2 would use 6 to 8 individuals and the materials accepted would increase.

Discussion followed on including the recycling operations with the baling operations from the landfill as a new building is needed there. Bob noted that building a new recycling building would be more expensive than remodeling the current building and moving the recycling operations outside the city may not serve those customers who want to drop off.

As to the recycling options, the consensus of the City Council was to look at option #2. It was noted that this option might require the City to look at how the garbage is collected to assure all customers are paying for the service.

3. Informational Session - Discussion of area fill vs. bale fill landfill - Bob Iverson

Bob Iverson, Solid Waste Director, reported that with the loss of the baling building at the landfill in October the landfill is being operated as area fill placing the garbage, compacting and covering with dirt. He provided a handout of the capital and operating costs of an area fill vs a bale fill noting that the capital costs of an area fill are about \$200,000 higher and the annual operating costs are about \$80,000 per year higher. Bob reported that the litter control needed for an area fill is a big problem and cost. He recommended that the City Council proceed with replacing the baler and building lost in the fire. Discussion followed with John Prescott, City Manager, noting that he wanted to consider options before just proceeding with the replacement of the baling operations. John stated that at the Joint Powers meeting the Clay County representative was concerned about the litter if the operation switched to area fill. The consensus of the City Council was to proceed with the replacement of the landfill building as a bale fill operation.

4. Briefing on the January 21, 2013 City Council Regular Meeting Agenda

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

5. Adjourn

015-13

Alderman Osborne moved to adjourn the Council special session at 1:01 p.m. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 21st day of January, 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
January 21, 2013
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on January 21, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. January 7, 2013 Special Session; January 7, 2013 Regular Session

016-13

Alderman Grayson moved approval of the January 7, 2013 special session minutes and the January 7, 2013 regular session minutes. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

017-13

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

A. Dance Marathon and Children's Miracle Network Hospital proclamation

Alderman Meins read the proclamation for the Dance Marathon and Children's Miracle Network Hospitals recognizing February as Miracle month in Vermillion. Mayor Powell presented the proclamation to Justin Ebsen, Executive Sponsorship Director of Dance Marathon. Justin thanked the City Council for the proclamation and thanked the community for their support of the Dance marathon over the past 16 years.

6. Public Hearings - None

7. Old Business

A. Second reading of Ordinance 1294 - Amending Chapter 152 signs to modify regulations for signs within the joint jurisdictional zoning area

Andy Colvin, Assistant to the City Manager, reported that the amendment is to allow signs in the commercial and industrial zones in the joint jurisdictional areas which are along state highways and also restricts enforcement of the sign ordinance in the A-1 and NRC districts. Andy stated that there have been no comments received since first reading.

018-13

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1294 entitled Amending Chapter 152 signs to modify regulations for signs within the joint jurisdictional zoning area 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 7th day of January, 2013 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 21st day of January, 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. 1294

AN ORDINANCE AMENDING CHAPTER 152, SIGNS, SECTION 152.13 TABLES, OF THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, REGARDING REGULATIONS FOR SIGNS WITHIN THE JOINT JURISDICTIONAL ZONING AREA OF CLAY COUNTY AND THE CITY OF VERMILLION.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA THAT CHAPTER 152, SECTION 152.13, SHALL BE AMENDED AS FOLLOWS:

CHAPTER 152. SIGNS.

§ 152.13 TABLES.

(A) Signs shall be allowed on private property in accordance with Table 1. If the letters "NP" appear for a sign type in

a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letters "PR" appear for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases. If the letters "NA" appear for a sign type in a column, a sign is not allowed in the zoning districts represented by that column under any circumstances. Any sign designated by "NP" or "PR" shall be allowed only if it conforms to all other applicable requirements of this chapter.

Table 1: Permitted Signs by Type and Zoning District

Sign Type	Joint Jurisdictional Area Zoning Districts																			
	NR C	R-1	R-2	R-3	R-4	PD	GB	CB	NC	GI	HI	INS(a)	A-1(j)	R R	C	LI	HI	NRC	P D	
Freestanding																				
Area identification	NA	PR	PR	PR	PR	(h)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	NA	(h)
Billboard	PR	NA	NA	NA	NA	(h)	NA	NA	NA	PR	PR	NA	PR	NA	PR	PR	PR	PR	PR	(h)
Bulletin board	NP	NP	NP	NP	NP	(h)	NP	NP	NP	NP	NP	PR	NP	NP	NP	NP	NP	NP	NP	(h)
Ground	PR	PR	PR	PR	PR	(h)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	(h)
Incidental (b)	NP	NP	NP	NP	NP	(h)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	(h)
Outdoor menu board	NA	NA	NA	NA	NA	(h)	PR	PR	NA	PR	PR	NA	PR	NA	PR	PR	PR	PR	NA	(h)
Pylon	PR	PR	PR	PR	PR	(h)	PR	PR	NA	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	(h)
Residential (b)	NP	NP	NP	NP	NP	(h)	NP	NA	NP	NA	NA	NA	NP	NP	NP	NA	NA	NP	(h)	
Building																				
Awning	NA	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	NA	PR	NA	PR	PR	PR	PR	NA	(h)
Awning, electric	NA	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	NA	PR	NA	PR	PR	PR	PR	NA	(h)
Building marker (d)	NP	NP	NP	NP	NP	(h)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	(h)
Canopy	NA	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	NA	PR	NA	PR	PR	PR	PR	NA	(h)
Identification (e)	NP	NP	NP	NP	NP	(h)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	(h)
Marquee	NA	NA	NA	NA	NA	(h)	PR	PR	NA	PR	PR	NA	PR	NA	PR	PR	PR	PR	NA	(h)
Projecting	NA	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	NA	PR	NA	PR	PR	PR	PR	NA	(h)

Roof	NA	NA	NA	NA	NA	(h)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	(h)		
Roof, integral	NA	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	NA	PR	PR	PR	PR	PR	PR	NA	(h)	
Snap frame (i)	NA	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	NA	(h)
Suspended	NA	NA	NA	NA	NA	(h)	PR	PR	NA	PR	PR	NA	PR	NA	(h)						
Sign, gas pump topper (i)	NA	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	PR	NA	(h)
Wall	PR	NA	NA	NA	NA	(h)	PR	PR	PR	PR	PR	NP	PR	PR	(h)						
Wall, painted	NA	NA	NA	NA	NA	(h)	PR	PR	PR	NA	NA	NA	PR	NA	(h)						
Window	PR	NA	NA	NA	NA	(h)	NP	NP	NP	NP	NP	NA	NP	NP	(h)						
Miscellaneous																					
Banner	NA	NA	NA	NA	NA	(h)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	(h)
Banner, pole	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
Flag	NP	NP	NP	NP	NP	(h)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	(h)
Inflatable (f)	NA	NA	NA	NA	NA	(h)	NP	NP	NA	NP	NP	NA	NP	NP	(h)						
Pennant (f)	NA	NA	NA	NA	NA	(h)	NP	NP	NP	NP	NP	NA	NP	NP	(h)						
Portable (f)	NA	NA	NA	NA	NA	(h)	PR	PR(g)	PR(g)	PR	PR	(h)									
Temporary	NP	NP	NP	NP	NP	(h)	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	(h)

NP = No permit required

PR = Permit required

NA = Not allowed

Notes:

(a) This column does not represent a zoning district. It applies to institutional uses permitted in residential districts. The uses may include, but are not necessarily limited to, churches, schools, apartment complexes, retirement homes, funeral homes, libraries, fraternities, and sororities.

(b) No commercial message of any kind allowed on sign.

(c) No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises.

(d) May include only building name, date of construction or historical data on historic site.

(e) Only address and name of occupant(s) allowed on sign.

(f) Permitted only in accordance with § 152.10(E), (F), (G), and (H).

(g) Only nonilluminated A-frame signs permitted.

(h) Planned Developments (PD) will be required to follow the sign regulations applicable to the use(s) within the development.

(i) A permit is required for the initial installation of the sign frame.

(j) In the A-1 and NRC Zoning Districts, the City will not enforce the provisions of this chapter unless located along SD Highway 19, SD Highway 50, or Burbank Road.

(B) The maximum total area of all signs on a lot except for wall, incidental, building marker and flags (b) shall not exceed the lesser of the following set forth in Table 2:

Table 2: Maximum Total Sign Area per I by Zoning District

														Joint Jurisdictional Area Zoning Districts					
	NRC	R-1	R-2	R-3	R-4	P D	GB (c)	CB	NC	GI	HI	IN S(a)	A-1(f)	R R	C	LI	HI	NR C	P D
Maximum total square feet	900	20	20	20	20	(e)	400	200	100	900	900	32	900	20	400	900	900	900	(e)
Maximum total square feet for lots with 2 or more frontage	900	NA	NA	NA	NA	(e)	600	300	150	900	900	32	900	NA	600	900	900	900	(e)
Square feet of signage per linear foot of street frontage	1	NA	NA	NA	NA	(e)	6	2	2	NA	NA	NA	1	NA	6	NA	NA	NA	(e)
Square feet of signage per linear foot of street frontage for corner lots (d)	NA	NA	NA	NA	NA	(e)	3	1	1	NA	NA	NA	NA	NA	3	NA	NA	NA	(e)

Notes:

- (a) This column does not represent a zoning district. It applies to institutional uses permitted in residential districts. The uses may include, but are not necessarily limited to, churches, schools, apartment complexes, retirement homes, funeral homes, libraries, fraternities, and sororities.
- (b) Flags of the United States, the state, the city, foreign nations having diplomatic relations with the United States, and any other flag adopted or sanctioned by an elected legislative body of competent jurisdiction, provided that a flag shall not exceed 60 square feet in area and shall not be flown from a pole the top of which is more than 40 feet in height. These flags must be flown in accordance with protocol established by the Congress of the United States for the Stars and Stripes. Any flag not meeting any 1 or more of these conditions shall be considered a banner sign and shall be subject to regulation as such.
- (c) Lots with buildings that function as malls or shopping centers and contain more than 5 businesses shall be allowed 50 square feet of additional signage for each additional business, over 5 businesses, located within the building.
- (d) Lots with more than 2 frontages shall be limited to 2 frontage widths; 1 corresponding to the primary front yard and 1 abutting the street with the highest classification.
- (e) Planned Developments (PD) will be required to follow the sign regulations applicable to the use(s) within the development.
- (f) In the A-1 and NRC Zoning Districts, the City will not enforce the provisions of this chapter unless located along SD Highway 19, SD Highway 50, or Burbank Road.

(C) Individual signs shall not exceed the maximum number or square footage nor encroach into the minimum setback shown on this Table 3. (See also Table 4.)

Table 3: Number, Dimensions and Location of Individual Signs by Zoning District

Sign Type	NR C	R-1	R-2	R-3	R-4	PD	GB (b)	CB (b)	NC (b)	GI (b)	HI (b)	IN S(a)	Joint Jurisdictional Area Zoning Districts							
													A-1(g)	R R	C	LI	HI	NRC	PD	
Freestanding																				
Area (square feet)	160	16	16	16	16	(f)	160	160	40	160	160	32	160	16	160	160	160	160	160	(f)
Height (square feet)	40	5	5	5	5	(f)	40	15	15	40	40	10	40	5	40	40	40	40	40	(f)
Right-of-way setback (feet) (c)	3	3	3	3	3	(f)	3	3	3	3	3	3	3	3	3	3	3	3	3	(f)
Number permitted per lot	NA	NA	NA	NA	NA	(f)	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	(f)
Number permitted per feet of street frontage (d)	1 for each 900	NA	NA	NA	NA	(f)	1 for each 300	1 for each 200	1 for each 200	1 for each 500	1 for each 500	1 for each freestanding	1 for each 900	NA	1 for each 300	1 for each 500	1 for each 500	1 for each 500	1 for each 900	(f)
Building																				
Area (square feet)	NA	2	2	NA	NA	(f)	NA	NA	NA	NA	NA	24	NA	2	NA	NA	NA	NA	NA	(f)
Wall area (percent) (e)	10	NA	NA	10	10	(f)	15	20	10	5	5	NA	10	NA	15	5	5	10	10	(f)

Notes:

- (a) This column does not represent a zoning district. It applies to institutional uses permitted in residential districts. The uses may include, but are not necessarily limited to, churches, schools, apartment complexes, retirement homes, funeral homes, libraries, fraternities, and sororities.
- (b) In no case shall the sign height exceed the sign's distance from an adjacent residential district boundary line.
- (c) No part of any sign shall protrude into the horizontal or vertical setback line.
- (d) Lots with 2 or more frontages shall be regulated according to Table 2. However, signage cannot be accumulated and used on 1 frontage in excess of that allowed for lots with only 1 street frontage.
- (e) The percentage figure here shall mean the percentage of the area of the wall which such sign is a part of, attached to or most nearly parallel to.

(f) Planned Developments (PD) will be required to follow the sign regulations applicable to the use(s) within the development.

(g) In the A-1 and NRC Zoning Districts, the City will not enforce the provisions of this chapter unless located along SD Highway 19, SD Highway 50, or Burbank Road.

Table 5: Permitted Sign Characteristics by Zoning District

Characteristic	Joint Jurisdictional Area Zoning Districts																		
	NR C	R- 1	R- 2	R- 3	R- 4	P D	G B	C B	N C	G I	H I	IN S(a)	A- I(g)	R R	C I	L I	H I	N R C	P D
Electronic message display-EMD (b) (e)	N	N	N	N	N	(d))	P	P	P	P	P	P(f))	N	N	P	P	P	N	(d))
Changeable copy	N	N	N	P	N	(d))	P	P	P	P	P	P	N	N	P	P	P	N	(d))
Illumination, internal (e)	N	N	N	P	N	(d))	P	P (c))	P (c))	P	P	P	N	N	P	P	P	N	(d))
Illumination, external (e)	P	N	N	P	N	(d))	P	P (c))	P (c))	P	P	P	P	N	P	P	P	P	(d))
Illumination, surface- lighted (e)	N	N	N	N	N	(d))	P	P (c))	P (c))	P	P	P	N	N	P	P	P	N	(d))
Neon (e)	N	N	N	N	N	(d))	P	P (c))	P (c))	P	P	P	N	N	P	P	P	N	(d))
Nonilluminated	P	P	P	P	P	(d))	P	P	P	P	P	P	P	P	P	P	P	P	(d))
Reflective	P	N	N	N	N	(d))	P	P	P	N	N	N	P	N	P	N	N	P	(d))

P = Permitted
N = Not allowed

Notes:

(a) This column does not represent a zoning district. It applies to institutional uses permitted in residential districts. The uses may include, but are not necessarily limited to, churches, schools, apartment complexes, retirement homes, funeral homes, libraries, fraternities, and sororities.

(b) This characteristic shall not include stationary LED illumination. LED illumination shall be considered as internal illumination. Portable signs with EMD capabilities shall be permitted in the GB, CB, NC, GI, C, LI and HI districts subject to the regulations in § 152.10(E) and shall be permitted for any institutional use in conjunction with special events and public services for a period not to exceed 7 consecutive days nor more than 30 cumulative days within a calendar year.

(c) Any lighting involving motion or the appearance of motion shall be prohibited.

- (d) Planned Developments (PD) will be required to follow the sign regulations applicable to the use(s) within the development.
- (e) No direct light or significant glare from the sign shall be cast onto any adjacent lot that is zoned and used for residential purposes.
- (f) Signs with EMD capabilities shall be regulated as follows:
 1. Only institutional uses such as churches, libraries and schools shall be allowed signs with EMD capabilities subject to other restrictions as stated in this section.
 2. No sign with EMD capabilities, other than a portable sign, shall be permitted for any institutional use within 150 feet of an individually listed property on the National Register of Historic Places as depicted in the 1999 Historic Preservation Plan or any amendments thereto.
 3. Institutional uses not regulated by subsection 2 above shall be limited to 1 sign with a maximum size of 24 square feet.
- (g) In the A-1 and NRC Zoning Districts, the City will not enforce the provisions of this chapter unless located along SD Highway 19, SD Highway 50, or Burbank Road.

Dated at Vermillion, South Dakota this 21st day of January, 2013.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Willson. 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-Y, Davies-Y, Grayson-Y, Meins-Y, Osborne-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y.

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. Adoption of a policy guiding the naming or renaming of City facilities

John Prescott, City Manager, reported that there have been requests to name City facilities and currently there is no policy regarding the naming or renaming of City facilities. A policy has been developed and reviewed by the City Council to establish guidelines, noting that the City Council has the authority to name or rename a facility as they determine is appropriate.

019-13

Alderman Zimmerman moved approval of the policy for naming/renaming City facilities dated January 21, 2013. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. First reading of Ordinance 1295 - Amend Chapter 52 Garbage and Trash to require licensed collectors to display the business name of the licensed collector on the vehicle

Andy Colvin, Assistant to the City Manager, reported that, in December when the commercial collector's licenses were being considered for renewal, there was discussion about the need for business names on the collection trucks. The item was researched and Sioux Falls requires the business name on trucks. The ordinance requires four inch letters on both sides of the vehicle. Discussion followed on the proposed change.

020-13

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1295 entitled An Ordinance Amending Chapter 52 Garbage and Trash to require licensed collectors to display the business name of the licensed collector on the vehicle 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 21st day of January, 2013 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Osborne. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

C. Final Plat of Lot 1, Block 2, French East Addition to the City of Vermillion, Clay County, South Dakota (west side of Mickelson south of E. Main Street)

Jose Dominguez, City Engineer, reported on the location of the lot that is south of Main Street on the west side of Mickelson Street. Jose noted that the plat was reviewed by the Planning Commission who recommended approval. He stated that the owner will need to enter

into a Developers Agreement prior to construction for the adjoining street improvements. Discussion followed.

021-13

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

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lot 1, Block 2, French East Addition to the City of Vermillion, Clay County, South Dakota for approval.

BE IT RESOLVED that the attached and foregoing plat has been submitted to and a report and recommendations thereon made by the Vermillion Planning Commission to the City Council of Vermillion which has approved the same.

BE IT FURTHER RESOLVED that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion which has examined the same, and it appears that the systems of streets and alleys set forth therein conforms to the system of streets and alleys of the existing plat of such city, and that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid and that such plat and survey thereof have been executed according to law, and the same is hereby accordingly approved.

The motion was seconded by Alderman Meins. 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.

D. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Repairs

Jose Dominguez, City Engineer, reported that the resolution is to set a public hearing for February 19, 2013 for sidewalk improvements in the southeast portion of the city. The affected property owners will be notified of the Public Hearing by mail.

022-13

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

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR SIDEWALK REPAIRS IN THE CITY OF VERMILLION, SD

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota, on the 21st day of January, 2013, for the repair of sidewalks in front or abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and

WHEREAS, said assessment roll, now on file in the office of the City Finance Officer of the City of Vermillion, South Dakota, is open for public inspection and is referred to for further particulars; and

WHEREAS, said assessment roll shows as follows:

1. The name of the owner(s) of each lot to be assessed, as shown by the assessment rolls, of the Director of Equalization.
2. A description by lot, block and addition, or by metes and bounds of each parcel of land to be assessed, recognizing divisions by deed of platted lots, and obtaining the legal description of land as of the date of the adoption of the Resolution of Necessity for such improvement;
3. The amount assessed against each lot;
4. The number of installments, the rate of interest deferred installments shall bear, and the whole of such assessment, or any installment thereof, may be paid at any time, and that all installments paid prior to the respective due dates shall be deemed paid in inverse order of their due date;
5. Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, BE IT RESOLVED, that Tuesday, the 19th day of February, 2013, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 25 Center Street, in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of said City of Vermillion, South Dakota, should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the construction of said improvement.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota, shall be and is hereby authorized and directed to cause this Resolution and Notice to be

published in the official newspaper in the City of Vermillion, South Dakota, one week prior to the date set for such hearing.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota, shall mail a copy of this Resolution and Notice, by first-class mail, with postage thereon fully prepaid, addressed to the owner(s) of any property to be assessed for such improvement at their address as shown by the records of the Director of Equalization. Such mailing shall be done at least one (1) week prior to the date set for said hearing.

Dated at Vermillion, South Dakota, this 21st day of January, 2013.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, CLAY COUNTY, SOUTH DAKOTA:

By:

John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

<u>Address</u>	<u>Legal</u>	<u>Amount</u>
10 S University	Lot 4 East End	231.94
100 Catalina	LOT 3 BLK 1 PARK VIEW ACRES 2ND	175.52
100 Sycamore	LOT 1 BLK 2 PARK VIEW ACRES 2ND	285.22
1004 Ridgecrest	LOT 10 BLK 3 RIDGECREST	197.19
1018 Crestview	LOT 2 BLK 6 EASTGATE MANOR 3RD	122.06
103 Linden	N 17' OF 17 & ALL OF 18 BLK 2 COLLEGE PARK	138.70
1030 Valley View	LOT 5 BLK 4 RIDGECREST	122.06
	LOT 8A REPLAT OF LOTS 8 & 9 BLK 3 RIDGECREST	
1031 Valley View	ADDN	175.76
104 S Harvard	LOTS 9 & 10 BLK 77 SMITHS	401.77
107 Catalina	S 65' OF LOT 3 BLK 2 PARK VIEW ACRES 2ND	218.62
109 S Pine	LOTS 18 & 19 EAST VIEW	80.51
	S 38' OF LOT 3 & ALL OF LOT 4 BLK 2 COLLEGE	
110 S University	PARK ADDN	1,448.01
1119 Crestview	LOT 6 & W 5' OF LOT 7 BLK 7 EASTGATE MANOR 3RD	122.06
113 Catalina	LOT 4 BLK 2 PARK VIEW ACRES 2ND	144.77
	N 27' OF LOT 15 & S 16' OF LOT 16 BLK 2 COLLEGE	
113 Linden	PARK	186.10
1132 Valley View	LOT 22 BLK 4 RIDGECREST 4TH	158.68
	N 20' OF LOT 14 & S 23' OF LOT 15 BLK 2 COLLEGE	
115 Linden	PARK	220.53
116 Linden	LOT 9 BLK 1 EASTSIDE	158.55
122 Linden	Lots 10 & 11 BLK 1 EASTSIDE	155.36

1226 Valley View	LOT 26 BLK 4 RIDGECREST 4TH E 40' OF LOT 9 & ALL OF 10 BLK 7 EASTGATE MANOR	479.79
1234 Valley View	3RD ADDN	271.90
127 S Yale	LOT 3 BLK 4 ADDN TO HANSONS	155.36
17 S Yale	LOT 13 BLK 76 SMITHS	338.50
18 forest	N 1/2 OF W 1/2 LOT 7 BLK 74 SMITHS	155.36
200 Forest	S 25' OF 1 & ALL OF 2 BLK 2 HANSONS	155.36
203 S Yale	LOT 4 BLK 4 ADDN TO HANSONS	155.36
202 S Pine	LOT 1 BLK 3 EASTSIDE	828.25
206 S Pine	LOT 2 & N 44' OF LOT 3 BLK 3 EASTSIDE S 40' OF LOT 4 & E 150' OF N 10' OF LOT 5 BLK 1 HANSONS	158.68
207 Forest		155.36
207 S Yale	N 57' LOT 5 BLK 4 ADD TO HANSONS	50.00
208 Forest	LOTS 3 & 4 BLK 2 HANSONS	155.36
208 S Yale	LOTS 7 & 8 BLK 5 ADDN TO HANSONS	50.00
2105 E Main	LOT 9 BLK 5 SMITH-QUAM	210.39
2111 E Main	LOT 11 BLK 5 SMITH-QUAM S 6' LOT OF 3, ALL OF LOT 4 & N 30' OF LOT 5 BLK 3 EASTSIDE	143.20
212 S Pine		185.33
220 Walker	LOT 4 BLK 4 MEISENHOLDERS 3RD	320.79
221 E Main	LOTS 4, 5 & 6 BLK 74 SMITHS	1,264.59
222 S Pine	LOT 7 & N 1/2 OF LOT 8 BLK 3 EASTSIDE	1,350.91
225 S Yale	S-1 IN NE 1/4 NE 1/4 24-92-52 UNPLATTED S YALE	248.59
23 Linden	S 8' OF 4 & N 42' OF 5 BLK 1 COLLEGE PARK	517.20
23 Forest	LOT 9 & 10 BLK 73 SMITHS	345.02
234 S Pine	S 1/2 OF 8 & ALL OF 9 BLK 3 EASTSIDE	371.79
235 Lewis	LOTS 8 & 9 BLK 78 EAST VERMILLION COMM AT A POINT 216' S OF NW COR OF BLK 78 E 130' S 55', SMITHS	50.00
24 S Yale		50.00
25 S University	LOT 2 BLK 1 BIGELOW'S UNIVERSITY	325.19
301 Lewis	LOTS 10 & 11 BLK 78 EAST VERMILLION	50.00
303 Linden	N 75' OF LOT 20 & E 1/2 VACATED ALLEY BRUYERS LOTS 1 TO 14 BLK 11 & VACATED ALLEY EXC LOT H1	348.50
305 Forest	LOT 8 & LOT H2 LOT 14~ BLK 11 ORIGINAL TOWN~	248.59
309 Lewis	LOT 12 & W 1/2 OF 13 BLK 78 EAST VERMILLION N 1/2 OF W 14' OF 3 & N 1/2 OF 4, 5, 6 & 7 BLK 80 EAST VERMILLION	186.10
311 Forest	W 7' OF LOT 3 & ALL OF LOT 4 BLK 81 EAST VERMILLION	155.36
312 Lewis		305.20
315 Lewis	E 1/2 OF 13 & ALL OF 14 BLK 78 EAST VERMILLION	182.00
315 S University	N 1/2 OF LOTS 1, 2 & 3 BLK 82 EAST VERMILLION	228.61
322 Canby	LOTS 1 & 2 BLK 78 EAST VERMILLION ADDN S 1/2 OF VAC 5TH ST & S 1/2 OF LOTS 1 & 2 BLK 80 EAST VERMILLION ; S 1/2 OF W 35' OF LOT 9 BLK 81 EAST VERMILLION	2,492.78
322 Forest		215.29
311 S Yale	LOT C-1 BLK 81 EAST VERMILLION; LOT C-2 & S 8' & W 20' OF L-1 24-92-52 UNPLATTED S YALE	348.50
324 Lewis	S 103' 7.5" OF LOTS 1 & 2 BLK 81 EAST	305.20

VERMILLION ADDN		
401 Sharpe	LOT 9 BLK 3 EASTGATE MANOR 3RD	50.00
403 E Main	W 130' OF N 216' OF BLK 78 SMITHS	2,401.01
403 Linden	N 75' OF LOT 18 & E 1/2 VACATED ALLEY BRUYERS	864.41
408 Lewis	S 132' OF W 30' LOT 8 & S 132' OF E 25' LOT 9 BLK 82 EAST VERMILLION	122.06
408 S Pine	S 65' OF LOT 2 BLK 2 AUD TRACT B OF S 1/2 LOT 2 NW 1/4 19-92-51	213.64
409 Linden	N 1/2 OF LOT 17 & S 25' OF LOT 18 & E 1/2 VACATED ALLEY BRUYERS	122.06
419 Park Lane	W 40' OF 3 & ALL 4 & 5 BLK 75 EXC LOT H2 EAST VERMILLION; LOTS 16, 17 & W 40' OF LOT 18 BLK 75 EAST VERMILLION; W 40' OF 3 & ALL OF 4 BLK 76 & VAC PARK AVE EAST VERMILLION	807.87
421 S University	S 1/2 OF 1,2,3 & 4 BLK 77 EAST VERMILLION	1,167.50
424 Lewis	LOT 4 & E 10' OF 5 BLK 82 EAST VERMILLION	244.64
501 S Norbeck	LOT 5 BLK 5 EASTGATE MANOR 3RD ADDN	238.60
509 Lee	S1/2 OF LOT 16 & LOT 17 & N1/2 OF 18 BLOCK 9 EASTGATE MANOR 3RD	50.00
510 Catalina	S 10' OF LOT 4 & LOT 5 BLK 3 EASTGATE MANOR 3RD	254.97
511 Mickelson	LOT 6 BLK 12 EASTGATE MANOR 3RD	50.00
514 S Norbeck	LOT 5 BLK 9 EASTGATE MANOR 3RD	155.10
515 E Main	N 132' OF LOT 2 BLK 1 COLLEGE PARK	886.98
521 Valley View	LOT 6A BLK 3 VALLEY VIEW	374.30
526 Poplar	LOT 5 BLK 1 VALLEY VIEW	125.38
600 S Norbeck	LOT 4 BLK 9 EASTGATE MANOR 3RD	50.00
605 Sharpe	LOT 17 BLK 6 EASTGATE MANOR 3RD ADDN	50.00
618 Lee	LOT 1 BLK 11 EASTGATE MANOR 3RD	50.00
620 Canby	W 20' OF LOTS 2 & 3 BLK 1 AUD TRACT B; LOTS 7 & 8 & E 20' OF 9 REPLAT OF AUD TRACT A S 1/2 LOT 2 NW 1/4 19--92-51 AUD TRACT 19-92-51~	244.64
624 Lewis	LOT 6 COVERDALES	122.06
627 Lewis	LOT 6 REPLAT OF AUD TRACT A S 1/2 LOT 2 NW 1/4 19-92-51 AUD TRACT 19-92-51	50.00
630 Lewis	LOT 7 COVERDALES	122.06
701 Lewis	LOT 1 & N 10' OF LOT 2 BLK 2 AUD TRACT B	478.35
707 Lewis	LOT 3 BLK 2 AUD TRACT B S 1/2 OF LOT 2 NW 1/4 19-92-51	98.76
716 Maple	E 77.7' OF 11, 12 & E 77.7' OF S 1/2 OF 13 BLK 3 EASTSIDE	524.98
806 Valley View	LOT 7A REPLAT OF S 25' OF LOT 7 BLK 8 MEISENHOLDERS 3RD; LOT 1A REPLAT LOT 1 BLK 2 RIDGECREST	347.30
833 Valley View	LOT 3 BLK 1 EXC WESTERLY 13.8' RIDGECREST; LOT 3A BLK 1 EXC WESTERLY 75' RIDGECREST 6TH	145.37
9 Forest	S 30.5' OF E 15' OF LOT 3 & S 30.5' OF LOTS 4, 5 & 6 BLK 73 & N 1/2 VAC ALLEY SMITHS	158.55
902 Valley View	LOT 8 BLK 2 RIDGECREST	122.06

909 Lewis	REPLAT OF BLK 1 (CHURCH & SCHOOL) ST AGNES CHURCH	238.60
917 Ridgecrest	LOT 7 BLK 1 RIDGECREST; LOT 7A BLK 1 RIDGECREST 6TH	351.82
935 Sunset	LOT 1 BLK 2 PARK VIEW ACRES 2ND	199.86
941 Crestview	E 32' OF 5 & W 60' OF 6 BLK 2 EASTGATE MANOR 2ND	124.11
943 E Main	LOT 4 BLK 1 PARK VIEW ACRES	164.01
948 Eastgate	E 76' OF LOT 12 BLK 1 EASTGATE MANOR; E 76' OF LOT 5 REPLAT BLK 1 & 2 BLK 2 ST AGNES CHURCH	314.25
948 Sunset	LOT 1 BLK 1 PARK VIEW ACRES 2ND	217.09
949 E Main	LOT 6 BLK 1 PARK VIEW ACRES	468.31
952 Sunset	LOT 2 BLK 1 PARK VIEW ACRES 2ND	237.89
416 Walker	REPLAT OF BLK 1 ST AGNES CHURCH	122.06
102 S University	LOT 1 & N 18' OF LOT 2 BLK 2 COLLEGE PARK	155.36
1114 Ridgecrest	LOT 6 BLK 4 RIDGECREST 5TH ADDN	124.11
1215 Valley View	LOT 27 BLK 1 RIDGECREST 2ND	124.11
1318 Crestview	LOT 22 BLK 9 EASTGATE MANOR 3RD	255.26
303 E Main	LOTS 1 & 2 BLK 76 SMITHS ADDN	732.35
415 Lee	LOT 14 BLK 9 EASTGATE MANOR 3RD	251.92
514 Valley View	LOT 14 BLK 2 VALLEY VIEW	328.51
519 S Crawford	LOT 1A BLK 15 EASTGATE MANOR 3RD	122.06
915 E Main	N 100' OF LOT 3 BLK 1 RUSSOS 1ST	271.90
952 Crestview	E 72' OF LOT 7 BLK 1 EASTGATE MANOR 2ND ADDN	50.00
1722 Baylor	LOTS 7 & 8 BLK 3 WESTGATE	1,477.31
812 Canby	LOT 5 BLK 2 MEISENHOLDERS	182.00

The motion was seconded by Alderman Collier-Wise. 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

E. Resolution Authorizing and Requesting that the SDDOT program for a Mill and Overlay Project along West Main Street from High Street to Stanford Street

Jose Dominguez, City Engineer, reported that the resolution is to place the mill and overlay project on the SDDOT STP Fund Program. By doing this, the City will be able to access the STP funds to assist with funding for this project. Jose noted that no costs will be assessed to the adjoining property owners. The project is scheduled for 2015 with a total project cost of \$900,000, of which \$500,000 are STP funds and \$400,000 are local. Discussion followed on the project.

023-12

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

RESOLUTION FOR FEDERAL AID SURFACE TRANSPORTATION PROGRAM TO MILL AND OVERLAY WEST MAIN STREET FROM HIGH STREET TO STANFORD STREET

WHEREAS, the City of Vermillion desires the construction and improvement of the road as herein after described; Mill and overlay West Main Street from the intersection with High Street to the intersection with Stanford Street. This project will be approximately 0.75-miles long.

TYPE OF CONSTRUCTION: The work will consist of milling a portion of the existing asphalt surface and placing new asphalt where the asphalt was milled. In addition, portions of damaged curb and gutter will be replaced and all pedestrian ramps along the project will be brought up to ADA compliance.

LIST OF CURRENT LANDOWNERS AND ADDRESSES ADJACENT TO THE PROJECT:

PROPERTY ADJACENT TO PROJECT	LANDOWNER
113 W. Main Street	Mead Building Center of Vermillion, LLC 2218 11th St. Columbus, NE 68602
211 W. Main Street	Clay County, SD 211 W. Main Street., Suite 200 Vermillion, SD 57069
301 W. Main Street	Francis L. Rasmussen PO Box 515 Vermillion, SD 57069
309 W. Main Street	Steve & Nancy Bell 117 Court Street Vermillion, SD 57069
315 W. Main Street	Loretta Dean ETAL Attn: Edith Beacom PO Box 321 Vermillion, SD 57069
317 W. Main Street	Leo D. & Kelly C. O'Dea 317 W. Main Street Vermillion, SD 57069
403 W. Main Street	Brent & Lisa Hays 403 W. Main Street Vermillion, SD 57069
411 W. Main Street	Larry L. & Rita M. Wittmeier 411 W. Main Street Vermillion, SD 57069
415 W. Main Street	Weinberg Investments, Inc.

	Oak leaf Real Estate Mgmt. Co. 1309 Nebraska St. Sioux City, IA 51105
505 W. Main Street	505 W. Main Limited Partnership 505 5th Street., Suite 200 Sioux City, IA 51101
607 W. Main Street	505 W. Main Limited Partnership 505 5th Street., Suite 200 Sioux City, IA 51101
611 W. Main Street	Patricia Goebel & Carol Person 102 Franklin St. Vermillion, SD 57069
613 W. Main Street	Derek & Tracy Wiedemann 613 W. Main St. Vermillion, SD 57069
619 W. Main Street	David & Rhonda Hulkonen 408 Catalina St. Vermillion, SD 57069
4 Walnut Street	Mary E. Fink 4 Walnut St. Vermillion, SD 57069
707 W. Main Street	Robert Lowe A-F 1600 McKnight Rd., N. Maplewood, MN 55119-3194
709 W. Main Street	J.P. Morgan Chase Bank, N.A. 3415 Vision Dr. Columbus, OH 43219
713 W. Main Street	Michael J. & Susan S. Rolfes 2231 Burbank Rd. Vermillion, SD 57069
717 W. Main Street	Ruth Mortiz 717 W. Main St. Vermillion, SD 57069
723 W. Main Street	David Lee & Elaine Mae Roetman 803 W. Main St. Vermillion, SD 57069
803 W. Main Street	David Lee & Elaine Mae Roetman 803 W. Main St. Vermillion, SD 57069
813 W. Main Street	Kevin J. Bliss & Julie A. Stewart 1009 Deerfield Rd. Vermillion, SD 57069
815 W. Main Street	Nicole & Jeffrey D. Gilbertson 123 Forest St.

	Vermillion, SD 57069
819 W. Main Street	Douglas Mart 819 W. Main St. Vermillion, SD 57069
901 W. Main Street	David & Michelle A. Brunick 514 Lee St. Vermillion, SD 57069
911 W. Main Street	David Brunick 514 Lee St. Vermillion, SD 57069
919 W. Main Street	Scott & Jane Hanson 919 W. Main St. Vermillion, SD 57069
927 W. Main Street	Joseph D. & Shawn D. Hoffman 113 Hall St. Vermillion, SD 57069
1001 W. Main	Kay L. Miller 1001 W. Main St. Vermillion, SD 57069
1005 W. Main Street	Abul Shaiflullah 325 Prentis St. Vermillion, SD 57069
1009 W. Main Street	Pamela D. Lowell PO Box 272 Vermillion, SD 57069
1017 W. Main Street	Pamela D. Lowell PO Box 272 Vermillion, SD 57069
1025 W. Main Street	Jody & Marty Reich 1025 W. Main St. Vermillion, SD 57069
1029 W. Main Street	Austin Lee Reno 1029 W. Main St. Vermillion, SD 57069
1103 W. Main Street	Van Larson 45491 River Dr. Vermillion, SD 57069
1107 W. Main Street	Barbara Lee Mullally, Linda Ann Hoelsing & Van Laurie Larson 4536 W. Main St. Rapid City, SD 57702
1115 W. Main Street	Assad & Rachel Barari 24608 Tiffany Ln. Hermosa, SD 57744

1117 W. Main Street	Assad & Rachel Barari 24608 Tiffany Ln. Hermosa, SD 57744
1121 W. Main Street	Assad & Rachel Barari 24608 Tiffany Ln. Hermosa, SD 57744
1123 W. Main Street	Larry A. & Rosemary Mart 110 Walker St. Vermillion, SD 57069
1129 W. Main Street	Larry A. & Rosemary Mart 110 Walker St. Vermillion, SD 57069
114 W. Main Street	Sunshine Arie #2421 of Fraternal Order of Eagles, Inc. 114 W. Main St. Vermillion, SD 57069
120 W. Main Street	Mark A. Christensen 2820 Pettersen Rd. Vermillion, SD 57069
200 W. Main Street	Brown Optometric Clinic, P.C. 11 Shriner St. Vermillion, SD 57069
212 W. Main Street	Paul M. Hasse Revocable Trust 415 Sterling St. Vermillion, SD 57069
222 W. Main Street	Fast Auto Glass, Inc. 222 W. Main St. Vermillion, SD 57069
5 Luxemburg Street	Eleri Ann Odens & Sharon McNamara 410 S. Dakota St. Vermillion, SD 57069
320 W. Main Street	Vermillion Senior Citizens Services, Inc. 320 W. Main St. Vermillion, SD 57069
402 W. Main Street	Loralee A. Lapointe 402 W. Main St. Vermillion, SD 57069
408 W. Main Street	Kim Allison 408 W. Main St. Vermillion, SD 57069
502 W. Main Street	Richard & Sally Abild Living Trust 31418 Bluff Rd. Vermillion, SD 57069
508 W. Main Street	Richard & Sally Abild Living Trust

	31418 Bluff Rd. Vermillion, SD 57069
514 W. Main Street	Geoffrey Grey-Loke 514 W. Main St. Vermillion, SD 57069
518 W. Main Street	Tamara S. Davis 518 W. Main St. Vermillion, SD 57069
524 W. Main Street	Vernon McBride 524 W. Main St. Vermillion, SD 57069
602 W. Main Street	Pine Tree, L.L.C. PO Box 333 Vermillion, SD 57069
608 W. Main Street	William R. Wood 46296 313th St. Vermillion, SD 57069
614 W. Main Street	TZ Rentals 46271 309th St. Vermillion, SD 57069
618 W. Main Street	Rena Brunick 618 W. Main St. Vermillion, SD 57069
712 W. Main Street	City of Vermillion 25 Center St. Vermillion, SD 57069
800 W. Main Street	Hatle Investments, L.L.C. 2022 Augusta Dr. Vermillion, SD 57069
808 W. Main Street	Hatle Investments, L.L.C. 2022 Augusta Dr. Vermillion, SD 57069
816 W. Main Street	Paul M. Hasse Revocable Trust 415 Sterling St. Vermillion, SD 57069
900 W. Main Street	Roger G. Jeck 16 E. Dartmouth Vermillion, SD 57069
908 W. Main Street	LMMD Rentals, Inc. 836 Valley View Dr. Vermillion, SD 57069
916 W. Main Street	Clyde F. & Jean M. Watts 916 W. Main St. Vermillion, SD 57069

924 W. Main Street	Hatle Investments, L.L.C. 2022 Augusta Dr. Vermillion, SD 57069
1002 W. Main Street	Helen More, ETAL 1002 W. Main St. Vermillion, SD 57069
1010 W. Main Street	Clayton Hanson 1010 W. Main St. Vermillion, SD 57069
1012 W. Main Street	Todd A. & Michele S. Mechling 1020 W. Main St. Vermillion, SD 57069
1102 W. Main Street	Karen Muenster 509 Linden St. Vermillion, SD 57069
1104 W. Main Street	Karen K. & Thomas J. Muenster 509 Linden St. Vermillion, SD 57069
1106 W. Main Street	Karen K. & Thomas J. Muenster 509 Linden St. Vermillion, SD 57069
1120 W. Main Street	Wolfgang & Emma Jahn 1120 W. Main St. Vermillion, SD 57069
1122 W. Main Street	Larry A. & Rosemary Mart 110 Walker St. Vermillion, SD 57069

WHEREAS, the City of Vermillion is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements; and

WHEREAS, the City of Vermillion is obligated and hereby agrees to reimburse the State for all costs not reimbursed with Surface Transportation Program (STP) Funds and associated State matching funds; and

NOW, THEREFORE BE IT RESOLVED, by the governing Body of the City of Vermillion, South Dakota that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the State's "Standard Specifications for Roads and Bridges," the project described.

Estimated Cost of Project Including Engineering: \$900,000
STP Funds: \$500,000
Local Funds: \$400,000
Proposed Year of Construction: 2015

Dated at Vermillion, South Dakota this 21st day of January, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Grayson. 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.

F. Resolution Authorizing and Requesting that the SDDOT program for Upgrades to the Traffic Signals Located along Main Street (Main & Center/Court, Main & Dakota and Main & University)

Jose Dominguez, City Engineer, reported that the resolution is to place the upgrades of the traffic signals along Main Street on to the SDDOT STP Fund Program. By doing this, the City will be able to access the STP funds for this project. Jose noted that the major cost will be to replace the University Street traffic signal due to its age. The other intersections will be upgraded for pedestrian crossing times. This project is scheduled for 2016 and is estimated to cost \$500,000 of which \$200,000 will be City funds and \$300,000 will be STP funding. Discussion followed on the proposed project.

024-13

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

RESOLUTION FOR FEDERAL AID SURFACE TRANSPORTATION PROGRAM TO
UPGRADE TRAFFIC SIGNALS ALONG MAIN STREET (MAIN/CENTER,
MAIN/DAKOTA & MAIN/UNIVERSITY)

WHEREAS, the City of Vermillion desires the construction and improvement of the traffic signals and intersections as herein after described;

Traffic signals at the intersection between Main Street and Center/Court Street

Traffic signals at the intersection between East Main Street and Dakota Street

Traffic signals at the intersection between East Main Street and University Street

TYPE OF CONSTRUCTION: The work will include upgrading the controls at each of the intersections, installing detector loops, upgrading the traffic signal heads, upgrading the pedestrian heads, bringing all pedestrian ramps to ADA compliance, and any other work required to bring the traffic signals to current standards.

LIST OF CURRENT LANDOWNERS AND ADDRESSES ADJACENT TO THE PROJECT:

PROPERTY ADJACENT TO PROJECT	LANDOWNER
12 Center Street	SA Enterprises, Inc. 12 Center St. Vermillion, SD 57069
8 Center Street	JP Investments, L.L.C. PO Box 345 Vermillion, SD 57069
1 W. Main Street	JP Investments, L.L.C. PO Box 345 Vermillion, SD 57069
3 W. Main Street	Mark A. Siecke 411 W. 10th St. Decatur, NE 68020
5 W. Main Street	Masonic Lodge #2 Attn: Randy Rasmussen 504 Sterling St. Vermillion, SD 57069
2 W. Main Street	Gary V. Karren A. Kerr Revocable Trust 6424 Capitol Plaza Omaha, NE 68132
1 E. Main Street	JP Investments, L.L.C. PO Box 345 Vermillion, SD 57069
5 E. Main Street	JP Investments, L.L.C. PO Box 345 Vermillion, SD 57069

7 E. Main Street	Gary L. Dejong 7 1/2 E. Main St., Apt. 202 Vermillion, SD 57069
2 E. Main Street	Shire Properties, L.L.C. 22 Bloomingdale Vermillion, SD 57069
120 E. Main Street	Clarene Meins 1434 E. Cherry St. Vermillion, SD 57069
125 E. Main Street	Tom & Patricia Durham PO Box 548 Vermillion, SD 57069
203 E. Main Street	Lockwood Leasing, L.L.C. PO Box 561 Viborg, SD 57070
200 E. Main Street	Robert H. & Deevee Dykstra 200 E. Main St. Vermillion, SD 57069
7 S. University Street	Concordia Lutheran Church 7 S. University St. Vermillion, SD 57069
505 E. Main Street	William R. Wood 46296 313th St. Vermillion, SD 57069
5 N. University Street	Kirk Hogan 615 Colonia Ct. Vermillion, SD 57069
424 E. Main Street	Sylvester Clifford 424 E. Main St. Vermillion, SD 57069

WHEREAS, the City of Vermillion is obligated and hereby agrees to provide proper maintenance as required by the Federal Highway Act as amended and supplemented thereto for the project after construction and to regulate or cause to be regulated the installation of utility facilities within the limits of the right-of-way of the proposed project in accordance with State and Federal requirements; and

WHEREAS, the City of Vermillion is obligated and hereby agrees to reimburse the State for all costs not reimbursed with Surface Transportation Program (STP) Funds and associated State matching funds; and

NOW, THEREFORE BE IT RESOLVED, by the governing Body of the City of Vermillion, South Dakota that the South Dakota Department of Transportation be and hereby is authorized and requested to program for construction, in accordance with the "Local Roads Plan" and the

State's "Standard Specifications for Roads and Bridges," the project described.

Estimated Cost of Project Including Engineering:	\$500,000
STP Funds:	\$300,000
Local Funds:	\$200,000
Proposed Year of Construction:	2016

Dated at Vermillion, South Dakota this 21st day of January, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
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.

G. Developers Agreement with Crystal L., Daniel L. and Jocelyn M. Robinson Regarding Construction of a Paved Driveway at Lot 11, Block 57, Snyder's Addition

Jose Dominguez, City Engineer, reported that the Code Enforcement Department had notified the property owners at 311 High Street in August about the need to register their rental property prior to occupancy. The owners were notified of several updates to the property that would be needed prior to occupancy. One of the requirements was for two paved parking pads along with a paved driveway from the property line to the parking pads. The two parking pads were completed but the paved driveway from the property line to the parking pads has not been completed. The agreement will allow the owners to utilize the rental with the understanding that a temporary driveway be constructed with the permanent paved driveway to be constructed prior to June 28, 2013. Jose noted that the agreement will be filed at the Register of Deeds. Discussion followed.

025-13

Alderman Davies moved approval of the developers' agreement with Crystal L., Daniel L. & Jocelyn M. Robinson regarding construction of a paved driveway at Lot 11, Block 57, Synder's (311 High Street) providing for June 28, 2013 completion. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

A. John reminded citizens that sidewalks are to be cleared 24 hours after the end of a snow event. He stated that snow should be stored on the property not across the street on a neighbor's property without permission. If snow is moved across the street, snow windrows should not be left in the street.

B. John reported that the Citizens Academy Program will be starting on Monday, March 25th. He noted that this is a free program which, over the course of 4 to 5 evening sessions, provides an insight and firsthand look at City services and facilities. Interested individuals are requested to contact City Hall for additional information or to register.

C. John reported that the Joint Powers Advisory Board has an opening for the City of Vermillion resident representative. The Joint Powers Advisory Board typically meets quarterly in either Vermillion or Yankton. Interested individuals should submit an Expression of Interest form by February 11th for City Council appointment at the February 19th meeting.

PAYROLL ADDITIONS AND CHANGES

Communications: Ruth Kennedy \$14.00/hr; Recreation: Ryan Kost \$8.00/hr, Abby Ouellette \$7.25/hr

2013 PAYROLL RESOLUTION ADDITIONS & CORRECTIONS

Additions: Police: Mark Foley \$18.54/hr; Recreation: Katie Herrera \$7.75/hr, Josie Huber \$7.75/hr, McKenzie Huber \$7.75/hr, Kendall Kritenbrink \$8.00/hr, Victoria Kroll \$7.75/hr, Bailey Lupardus \$8.00/hr, Alexa Mockler \$7.50/hr, Paul Pederson \$25.00/game, Daniel Tharp \$25.00/game, Chris White \$7.75/hr, Tyler Williamson \$7.75/hr;
Corrections: Recreation: Rory Tucker \$8.25/hr; Curbside Recycling: Dan Hanson \$14.77/hr, Matt Puthoff \$15.10/hr

JOHNSON CONTROLS	REPAIRS	138.21
KALINS INDOOR COMFORT	FILTERS	20.00
KINETIC LEASING	LANDFILL LEASE	27,818.62
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
MAGNUM DEVELOPMENT	WATER HEATER REBATES	1,800.00
MARKS MACHINERY	PARTS	833.02
MATHESON TRI-GAS, INC	CYLINDER RENTAL	10.23
MIDAMERICAN	GAS USAGE	6,516.43
MIDWEST BUILDING MAINTENANCE	MAT SVC	132.80
PCC, INC	DECEMBER AMBULANCE PAYMENTS	1,800.42
POLLMAN EXCAVATION	CRUSHED ROCK/GRAVEL	9,304.33
PUMP N PAK	FUEL	2,726.21
QUILL	SUPPLIES	1,038.49
RANDY VOSS	PROFESSIONAL SERVICES	130.00
RECORDED BOOKS, INC	BOOKS	119.60
SD DEPT OF LABOR	UNEMPLOYMENT BENEFITS	435.00
SD ONE CALL	LOCATES	248.85
SDWWA	MEMBERSHIP DUES	80.00
SIOUX CITY WINTRONIC	SUPPLIES	32.14
STAN HOUSTON EQPT CO	PARTS	737.21
STERN OIL CO.	FUEL	17,610.76
STUART C. IRBY CO.	TRANSFORMERS	13,140.00
STURDEVANTS AUTO PARTS	PARTS	21.96
TESTAMERICA LABORATORIES	TESTING	2,151.63
THE WALKING BILLBOARD	UNIFORM SHIRTS	400.60
TITAN ACCESS ACCOUNT	PARTS	50.25
TRUE VALUE	SUPPLIES	49.94
USD CREATIVE SERVICES	MAP LAMINATION	18.00
VERMILLION ACE HARDWARE	SUPPLIES	18.48
VERMILLION AREA COMMUNITY	ROUND UP PROGRAM	82.44
VERMILLION CONCRETE	SIDEWALK/CONCRETE WORK	2,967.32
VERMILLION NOW!	CONTRIBUTION	54,384.36
VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	859.37
WAL-MART COMMUNITY	SUPPLIES	193.36
WILLSON FLORIST	PLANT	39.95
ZEE MEDICAL SERVICE	SUPPLIES	277.10

2013

BARRY BRATTEN	SAFETY BOOTS REIMBURSEMENT	84.99
BUTLER MACHINERY CO.	WHEEL LOADER	114,234.00
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CENTURYLINK	TELEPHONE	1,485.99

DEPT. ENVIRONMENT NATL RES	DISCHARGE PERMIT WASTEWATER	10,500.00
ECHO ELECTRIC SUPPLY	SUPPLIES	159.00
GREGG PETERS	MANAGERS FEE	5,375.00
KNOLOGY	DIAL UP/911 CIRCUIT	1,415.45
MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	105.95
MIDWEST ALARM CO	ALARM MONITORING	300.00
MINN MUNICIPAL UTILITY ASSOC	MEMBER DUES	350.00
MUNICIPAL ELEC. ASSOC.	MEMBERSHIP DUES	4,127.00
NETSYS+	PROFESSIONAL SERVICES	170.00
OFFICE SYSTEMS CO	COPIER CONTRACT	337.00
PROEFROCK ELECTRIC INC	DAMAGE REIMBURSEMENT	562.93
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
SD AIRPORT MANAGEMENT ASSOC	MEMBERSHIP DUES	25.00
SD BOARD OF OPERATOR CERTIFICATION	OPERATORS CERTIFICATION	144.00
SD CITY MGMT ASSOCIATION	MEMBERSHIP DUES	300.00
SD GOVERNMENTAL HUMAN RESOURCES	MEMBERSHIP DUES	25.00
SD MUNICIPAL LEAGUE	MEMBERSHIP DUES	3,731.74
SD MUNICIPAL LIQUOR CONTROL ASSOC	MEMBERSHIP DUES	25.00
SECOG	DUES	11,076.00
SPRINT	CELL PHONES	1,342.39
STANDARD & POOR'S	PROFESSIONAL SERVICES	10,000.00
STUART C. IRBY CO.	TRANSFORMERS	6,570.00
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,050.00
VERMILLION CHAMBER OF COMMERCE	CONTRIBUTION	46,350.00
VERMILLION HOUSING AUTHORITY	CONTRIBUTION FOR BONDS	1,000.00

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

12. Consensus Agenda - None

13. Adjourn

028-13

Alderman Osborne moved to adjourn the Council Meeting at 7:48 p.m. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 21st day of January, 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 _____.

Council Agenda Memo

From: Andy Colvin, Assistant City Manager

Meeting: February 4, 2013

Subject: Second Reading of Ordinance 1292 – Rezoning Lee Tract 1A in Lee Tract 1 in the SE1/4 of the SE1/4 of Section 11, Township 92 North, Range 52 West of the 5th P.M., Clay County, South Dakota, from the A-1 Agricultural District to the C Commercial

Presenter: Andy Colvin, Assistant City Manager

Background: Last year Eldon Nygaard contacted City staff about the legality of his billboard located near the intersection of Stanford/Highway 19 and Highway 50. Mr. Nygaard received a notification from the SDDOT that the billboard was not in compliance with state regulations, which require the land upon which the sign is located to be zoned commercial or industrial. The regulations are part of the state's highway beautification rules to control the location and number of billboards along state highways.

Discussion: The City sign ordinance regulates signage in the Joint Jurisdictional Area. Billboards are permitted uses within Agricultural District, which means that Mr. Nygaard's billboard is in compliance with City and County Ordinances. However, since the state requires the land upon which the sign is located to be zoned commercial or industrial, Mr. Nygaard was essentially forced to remove the sign or apply for a zone change. The City Council and County Commission held a public hearing on December 11th, 2012 to consider the zone change. The first reading was approved pending submission of a plat of the area where the sign is located. A plat has been submitted for City Council approval later on tonight's agenda.

The City's future land use map calls for this area to be commercial. In addition, the site is located across the highway from Polaris; therefore the area is currently commercial in nature.

Financial Consideration: Publication costs in accordance with state law.

Conclusion/Recommendations: Based on a thorough review of the request, staff would recommend approval. The zone change should be approved contingent on the property being platted. As this is the second reading a recorded vote by name is required.

ORDINANCE NO. 1292

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 REZONING CERTAIN REAL PROPERTY FROM THE A-1, AGRICULTURAL DISTRICT, DISTRICT TO THE C, COMMERCIAL DISTRICT

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

That Section 2.03(A) is hereby amended as follows:

Lee Tract 1A in Lee Tract 1 in the SE1/4 of the SE1/4 of Section 11, Township 92 North, Range 52 West of the 5th P.M., Clay County, South Dakota, is hereby rezoned from the A-1 Agricultural District to the C Commercial District, and the official zoning map referred to in Section 2.03(A) of the 2012 Joint Zoning Regulations for Clay County and the City Of Vermillion, is amended to include such land in the C Commercial District.

Dated at Vermillion, South Dakota this 4th day of February, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

First Reading: December 11, 2012
Second Reading: February 4, 2013
Publication: February 15, 2013
Effective Date: March 7, 2013

Council Agenda Memo

From: Tyler Klatt, Intern

Meeting: February 4, 2013

Subject: Second Reading of Ordinance No. 1295 – Amending Chapter 52, Garbage and Trash, Section 11 Vehicles for Collection; Requiring the Licensed Collector to display the name of the business on the vehicle

Presenter: Tyler Klatt

Background: During the annual review of licenses for garbage collectors last December, a City Council member noted that there was not a requirement to display the name of the licensed collector on the vehicle. It was expressed that this type of requirement would be beneficial to the community and would be helpful in overall regulation of the licensed garbage collectors. In reviewing other City Codes, staff found that Sioux Falls has a requirement that garbage haulers place the name of their business on the truck. The first reading of the ordinance was unanimously approved at the January 21st meeting.

Discussion: The proposed amendment adds a requirement to all licensed collectors of garbage and/or commercial solid and industrial waste. The requirement states that those licensed collectors must display the name of the licensed collector on both sides of the vehicle, in letters that are no smaller than four (4) inches in height. Additionally, the letters shall be colored in contrast to the color of the vehicle.

Financial Consideration: Adoption of the ordinance will involve publication costs.

Conclusion/Recommendations: Administration recommends approval of Ordinance No. 1295 amending Chapter 52 to require garbage haulers to display the name of their business on their trucks. As this is the second reading a recorded vote by name is required.

PROPOSED ORDINANCE NO. 1295

AN ORDINANCE AMENDING CHAPTER 52 GARBAGE AND TRASH, AMENDING SECTION 52.11 OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, TO REQUIRE LICENSED COLLECTORS OF GARBAGE AND/OR SOLID WASTE TO DISPLAY THE BUSINESS NAME OF THE LICENSED COLLECTOR ON THE VEHICLE.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that Chapter 52, Sections 52.11 be amended and it is hereby ordained by authority of the same as follows:

§ 52.11 VEHICLES FOR COLLECTION

Licensed collectors of garbage and/or commercial solid waste and industrial waste shall provide themselves with suitable vehicles which shall be all metal, watertight, and be of the packer type. The vehicles shall display the business name of the licensed collector; the lettering shall be no smaller than four (4) inches tall. The name shall be clearly displayed on both the driver and passenger side of the vehicle. The letters shall be colored in contrast to the vehicles color. The vehicles shall be thoroughly washed at such times, not to exceed once each day, as may be directed by the supervising department or as may be necessary to keep vehicles in proper sanitary condition when conveying and garbage shall be so loaded and unloaded that the contents shall not fall or spill upon the ground. No article or item shall be carried on the vehicles so as to drag upon the streets. Licensed haulers of yard waste and large trees and limbs shall provide themselves with suitable vehicles which, when transporting or loading, the contents shall not spill upon the ground. No articles or items shall be carried on the vehicles so as to drag upon the streets.

Dated at Vermillion, South Dakota this 4th day of February, 2013

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: January 21, 2013
Second Reading: February 4, 2013
Published: February 15, 2013
Effective: March 8, 2013

Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: February 4, 2013
Subject: Final Plat of Lot 1, Block 1, Madison Park Addition to the City of Vermillion, Clay County, South Dakota
Presenter: Jose Dominguez

Background: Banner Associates has submitted a final plat for Lot 1, Block 1 on behalf of the owner. The area to be final platted is roughly 4.2-acres in area and is bordered on the west by North Norbeck Street and on the north by Madison Street. The proposed plat will subdivide the area into 1-lot. This lot is planned for a multi-family development.

The plat was reviewed by the Planning Commission at their January 14th meeting. At that meeting the Planning Commission recommended approval to the City Council.

Discussion: Staff reviewed the final plat and found that it complies with all code provisions. The applicant will also be dedicating all of the required utility easements around the lot. In addition, the applicant will dedicate North Norbeck Street from the south property line north to the intersection between North Norbeck and Roosevelt Street. Also, the owner will be dedicating Madison Street from North Norbeck east to the east property line of the proposed lot.

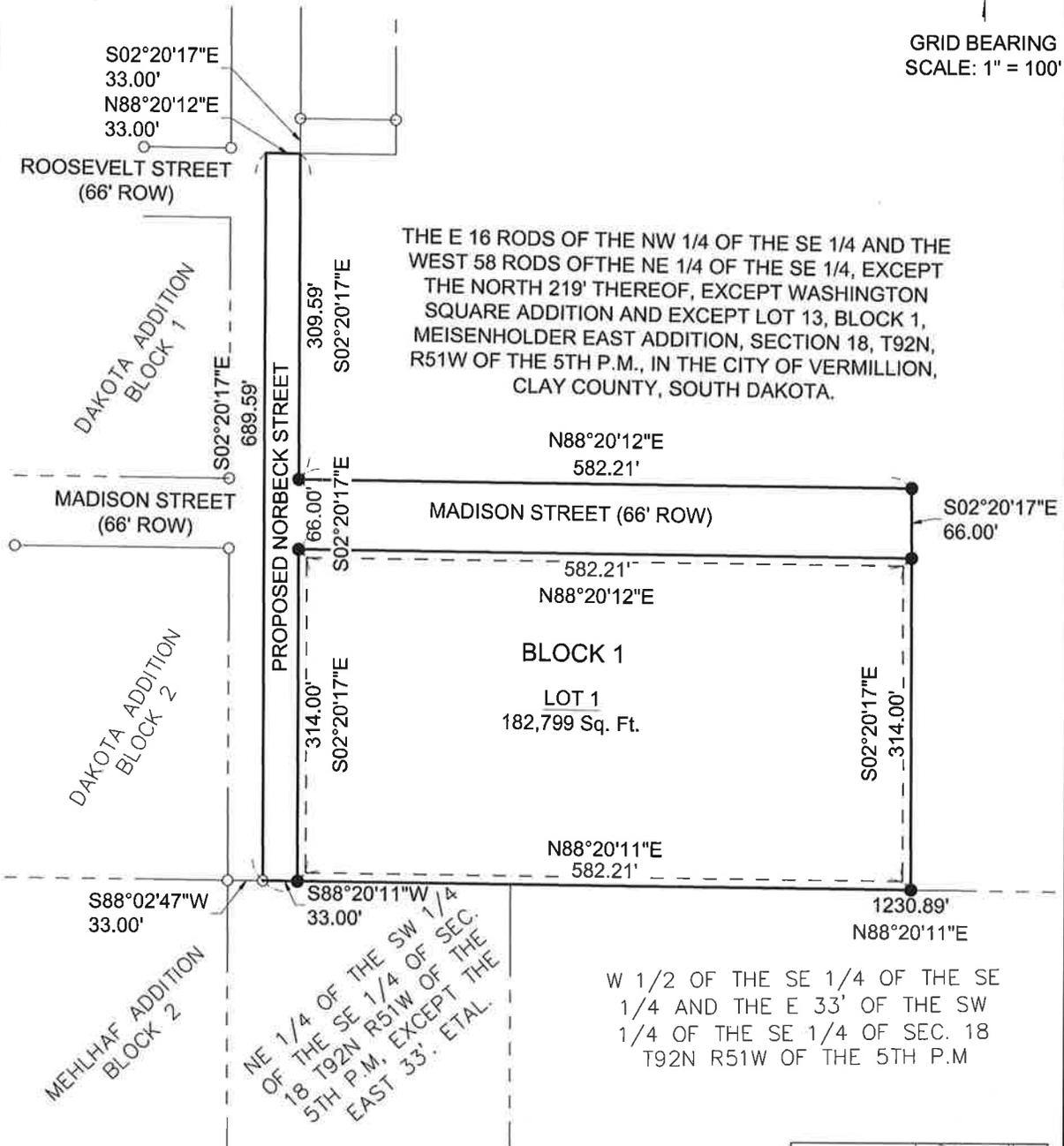
The owner has also been made aware that a Developer's Agreement will be required prior to any construction taking place. The agreement will allow the owner to develop without all of the utilities or streets being constructed.

Financial Consideration: All of the applicable fees have been paid by the applicant.

Conclusion/Recommendations: Staff finds that the final plat meets all of the ordinance requirements and recommends approval the final plat.

PLAT OF
LOT 1 IN BLOCK 1 OF MADISON PARK ADDITION TO THE CITY OF
VERMILLION, CLAY COUNTY, SOUTH DAKOTA

GRID BEARING
 SCALE: 1" = 100'



- LEGEND**
- MONUMENT SET THIS SURVEY 5/8" REBAR WITH STAMPED PLASTIC CAP
 - MONUMENT FOUND
 - PROPOSED 8' UTILITY EASEMENT



PREPARED BY:
 BANNER ASSOCIATES, INC.
 VERMILLION, SOUTH DAKOTA
 (605) 624-6342
 JANUARY 2013
 SHEET 1 OF 2

PLAT OF
LOT 1 IN BLOCK 1 OF MADISON PARK ADDITION TO THE CITY OF VERMILLION,
CLAY COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Nathan W. Nielson, Registered Land Surveyor in the State of South Dakota, do hereby certify that at the direction of G. A. HAAN DEVELOPMENT, LLC, have surveyed and platted a tract of land in: THE E 16 RODS OF THE NW 1/4 OF THE SE 1/4 AND THE WEST 58 RODS OF THE NE 1/4 OF THE SE 1/4, EXCEPT THE NORTH 210' THEREOF, EXCEPT WASHINGTON SQUARE ADDITION AND EXCEPT LOT 13, BLOCK 1, MEISENHOLDER EAST ADDITION, SECTION 18, T92N, R51W OF THE 5TH P.M., IN THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

This tract of land shall hereafter be known as LOT 1 IN BLOCK 1 OF MADISON PARK ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA located in the SE 1/4 OF SECTION 18, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA.

I certify that the locations and dimensions as shown on the plat are true and correct to the best of my knowledge, information and belief and that monuments were set at the corners so indicated. Said survey was surveyed and platted by me or under my direct personal supervision, following generally accepted Professional Standards for Surveying and Platting in the State of South Dakota.

IN WITNESS WHEREOF, I have set my hand and seal the _____ DAY OF _____, 20_____.

Nathan W. Nielson
Registered Land Surveyor
Registration No. 9924
Banner Associates, Inc.
14 W. Main St., Suite A
Vermillion, South Dakota 57069
Telephone (605) 624-6342

CERTIFICATE OF OWNER

We, G. A. HAAN DEVELOPMENT, LLC, GERALD A. HAAN, AUTHORIZED SIGNATORY, do hereby certify that We are the absolute and unqualified owners of the real estate hereafter described as LOT 1 IN BLOCK 1 OF MADISON PARK ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA located in the SE 1/4 OF SECTION 18, TOWNSHIP 92 NORTH, RANGE 51 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA.

We, G. A. HAAN DEVELOPMENT LLC, certify that said plat was made at our request and direction for the purpose of locating, marking, and platting the same, and that said property is free of all encumbrances. We also certify that development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations.

We hereby dedicate Madison Street and East 1/2 of Norbeck Street as shown, to the public for public use forever. We also hereby grant easements as shown, for utilities, their construction and maintenance forever.

IN WITNESS WHEREOF, I have set my hand the _____ DAY OF _____, 20_____.

GERALD A. HAAN, AUTHORIZED SIGNATORY, G. A. HAAN
DEVELOPMENT, LLC

STATE OF _____ }
COUNTY OF _____ } SS

On the _____ day of _____, 20_____, before the undersigned officer, personally appeared GERALD A. HAAN, AUTHORIZED SIGNATORY OF G. A. HAAN DEVELOPMENT, LLC, known to me or satisfactorily proven to be the person(s) whose name are subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal this _____ day of _____, 20_____.

Notary Public My Commission Expires

VERMILLION CITY COUNCIL RESOLUTION

WHEREAS, it appears that the owner(s) thereof has/have caused a plat to be made of the following described real property: Plat of LOT 1 IN BLOCK 1 OF MADISON PARK ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, in the SE 1/4 OF SECTION 18, TOWNSHIP 92 NORTH, RANGE 51 WEST of the 5th P.M., Clay County, South Dakota.

BE IT RESOLVED, that the attached and foregoing plat has been submitted to and a report and recommendation hereon, made by the Vermillion Planning Commission to the Vermillion City Council and has recommended approval.

BE IT FURTHER RESOLVED, that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion, which has examined the same; that it appears the system of streets and alleys set forth therein conforms to the system of streets and alleys of Vermillion; that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid; that such plat and survey thereof have been executed according to law; the same is hereby accordingly approved. Dated this _____ day of _____, 20_____.

Mayor, City of Vermillion, South Dakota

I, the undersigned Finance Officer of the City of Vermillion, South Dakota, do hereby certify that the within and foregoing is a true copy of the resolution passed by the City Council of the City of Vermillion, South Dakota on this _____ day of _____, 20_____.

Finance Officer, City of Vermillion, South Dakota

CERTIFICATE OF COUNTY TREASURER

The undersigned, County Treasurer of Clay County, South Dakota, hereby certifies that all taxes that are liens upon the land included in the above plat, as shown by the records of this office, have been fully paid. Dated this _____ day of _____, 20_____.

Treasurer, Clay County, South Dakota

CERTIFICATE OF DIRECTOR OF EQUALIZATION

The undersigned, Director of Equalization of Clay County, South Dakota, hereby certifies that I have received a copy of the foregoing plat. Dated this _____ day of _____, 20_____.

Director of Equalization, Clay County, South Dakota

CERTIFICATE OF REGISTER OF DEEDS

Filed for record this _____ day of _____, 20_____, _____ o'clock _____ M, and recorded in Book _____ of Plats, on page _____.

Register of Deeds, Clay County, SD

PREPARED BY:
BANNER ASSOCIATES, INC.
VERMILLION, SOUTH DAKOTA
(605) 624-6342
JANUARY 2013

Council Agenda Memo

From: John Prescott, City Manager
Meeting: February 4, 2013
Subject: Request for tap and building permit fees
Presenter: John Prescott, City Manager

Background: Haan Development contacted the City in late 2012 and indicated that they were interested in developing a 40-unit apartment complex in Vermillion. They negotiated with Dunham Company to purchase a site for the apartment complex on the east side of N. Norbeck Street immediately south of the intersection with Madison Street. The current plan for the 40 unit complex is to have five buildings with eight units per building. There would be 25 two-bedroom units of 900 square feet and 15 three-bedroom units of 1100 square feet. Apartment units would be rented to qualifying individuals having an income between 30% and 60% of the adjusted median income for Clay County. The rent would not exceed 30% of the household income. The complex will also include a 900 square foot community space with a kitchen, a manager's office and a children's play area. The property is currently zoned R-3 which is appropriate for this type of apartment development.

Discussion: Part of the funding for construction of the complex is federal tax credits. Haan Development will be submitting an application to the South Dakota Housing Development Authority seeking the award of a portion of the State's share of federal tax credits for the project. The awarding of tax credits is a competitive process. The applications are evaluated on a 1000 point scale. An application can receive 25 points through the demonstration of local financial support for the project. Haan Development has submitted a request seeking a reduction in the City building permit fees and tap fees related to this project. A copy of the email making the request and a template letter which would be submitted as part of the application, if the request is funded, are attached.

Without a building permit application detailing building plans and desired utility service connections, it is difficult to determine the exact building permit value. We have estimated the following costs for a 50 x 70 building:

Building permit: \$1,415

4 inch water tap, connection with a $\frac{3}{4}$ inch meter: \$1,250

6 inch sanitary sewer tap: \$235

For five buildings, the total amount potentially forgiven would be \$14,500.

Over the last couple of years, City Council members, business leaders and VCDC officials have expressed the need for additional housing of all types. The market study completed by Haan Development for their tax credit application as well as the housing study completed by the City and VCDC in 2012 all have indicated a need for additional affordable housing units. New multi-family units which are rented based on 30% to 60% of the average median income for Clay County are typically not constructed with 100% private financing due to the limited rent income potential. The financing to make this project happen is tax credits. To assist in helping the project earn tax credits, the City is asked to reduce building and tap fees.

The policy question for the City Council is to what extent, if any, the fees should be reduced and how a fee reduction can be justified to others seeking building permits. Staff would suggest that building permit fees and tapping fees only be reduced when such reduction is needed to earn points in a competitive, tax-credit project to meet a need documented by the City Council. The City Council may also want to consider capping the dollar value of fees forgiven. The City Council may also want to consider reimbursing a portion or all of the fees once the project is constructed. As noted below, the respective fees go to a variety of funds. As the utility funds are generally tighter and are supported by users vs. general tax dollars, it may be worth considering a smaller reduction in utility fees and a larger reduction in the building permit fee. The building permit fee goes in the General Fund which will benefit from the property tax generated by the project.

Financial Consideration: The building permit fee is placed in the General Fund. The water tap fee is placed in the water fund while the sanitary sewer fees are allocated to the sewer fund.

Conclusion/Recommendations: Administration would recommend a reduction in the building permit fee, water tap fee and sanitary sewer fee for the Madison Park Apartments project if it is awarded tax credits and a request for a building permit to construct the complex is made prior to December 31, 2013. If a reduction in fees is approved, staff would suggest authorizing the City Manager to submit the letter indicating the fee reduction for the tax credit application.

John Prescott

From: Ide, Ben [ben@phoenixholding.us]
Sent: Tuesday, December 18, 2012 10:09 PM
To: John Prescott
Cc: steveh@vermillionchamber.com
Subject: Tap/Permit Fees

Hi John,

I checked South Dakota Housing Development Authority's scoring criteria for city contributions and here's what it says:

Financial Support from Local Sources (25 points maximum)

Proposals containing documentation of financing or incentives from a local government, a private party or a foundation that assist in reducing the development costs or enhancing the project feasibility may receive up to 25 points.

There isn't any clear guidelines as to how they will consider financial support, but I'm pretty sure they will compare all of the applications against each other to determine point allocation.

Please accept this email as our formal request for a reduction or waiver in all city related fees, including tap fees and permit fees. As you know, our project will be competing against other applications across the state and by making a contribution the City of Vermillion can help ensure our success in bringing attractive, affordable housing to area. Please let me know when this request will be considered and don't hesitate to contact me with any questions you may have.

Thanks,

Ben

Benjamin W. Ide, Development Coordinator
G.A. Haan Development
380 Franklin Street #104, PO Box 556
Harbor Springs, MI 49740
Office: (231) 526-7380
Cell: (517) 980-0494
Fax: (231) 526-7390
Email: Ben@phoenixholding.us

[PLACE ON CITY LETTERHEAD]

[DATE]

To Whom it May Concern:

I, John Prescott, City Manager of Vermillion, South Dakota, am writing on behalf of the Vermillion City Council in support of the following proposed development:

Madison Park Apartments
401 N. Norbeck, site located south of Cherry Street and east of Madison Street
40 units

The development will consist of as many as 40 newly constructed rental units targeted to families.

The rental project market study provided by the applicant, which was undertaken by Property Dynamics and dated January 2013, has been reviewed by the Vermillion City Council and it is in concurrence with the need identified therein.

Attached are the meeting minutes dated [DATE] evidencing approval from the Vermillion City Council, and authorizing the City Manager to sign this letter of support.

John Prescott
City Manager
[DATE]

Signature

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: February 4, 2013

Subject: Final Plat of Lee Tract 1A in Lee Tract 1 of the SE ¼ of the SE ¼ of Section 11, T92N, R52W, 5th P.M., Clay County, South Dakota

Presenter: Jose Dominguez

Background: Banner Associates has submitted a final plat for Tract 1A of Lee Tract 1 on behalf of the owner. The area to be final platted is roughly 2,500-square feet in size and is bordered by SD Hwy. 50 on the south. The proposed plat will create one small lot to be zoned commercial.

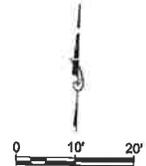
This plat falls within the Joint Jurisdictional Zoning Area; therefore the plat is first reviewed by the County Planning Commission who then recommends to the City Council. The County Planning Commission reviewed the plat at their January 28th meeting and recommended approval to the City Council.

Discussion: Staff reviewed the final plat and found that it complies with the majority of the code provisions. The lot does not meet any minimum size requirements for construction of a structure and it does not, and will not, have direct access from the highway. The lot size has been overlooked due to the fact that the intended use is for the construction and maintenance of a billboard sign. The owner has no intention of erecting a structure within the site. Additionally, the access is handled through a recorded agreement between the owner of the property and the owner of the sign. The agreement allows the owner of the sign to access through the already existing access from Lee Tract 1 to do any work necessary on the billboard.

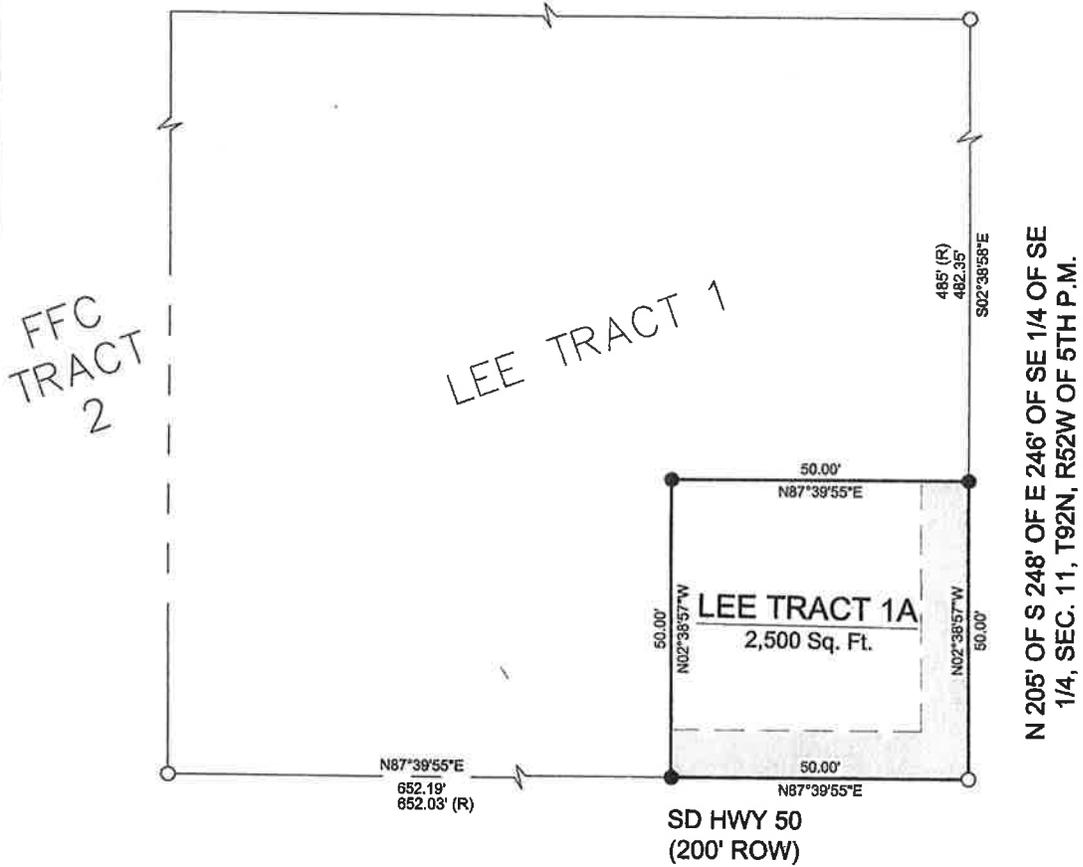
Financial Consideration: The applicant has paid all applicable platting fees.

Conclusion/Recommendations: Staff finds that the final plat meets all of the ordinance requirements and recommends approval of the final plat.

PLAT OF
LEE TRACT 1A IN LEE TRACT 1 OF THE SE 1/4 OF THE SE 1/4
OF SECTION 11, T92N, R 52W, 5TH P.M., CLAY COUNTY,
SOUTH DAKOTA.



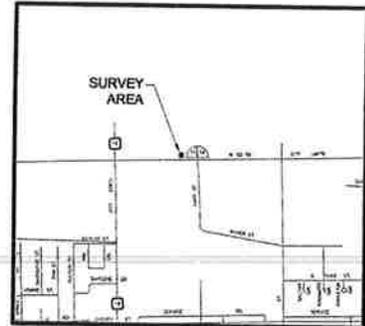
VACATION NOTICE
 EAST 50 FEET OF SOUTH 50 FEET OF
 LEE TRACT 1 IN SE 1/4 OF SE 1/4 OF SECTION 11,
 TOWNSHIP 92 NORTH, RANGE 52 WEST OF 5TH P.M.,
 CLAY COUNTY, SOUTH DAKOTA



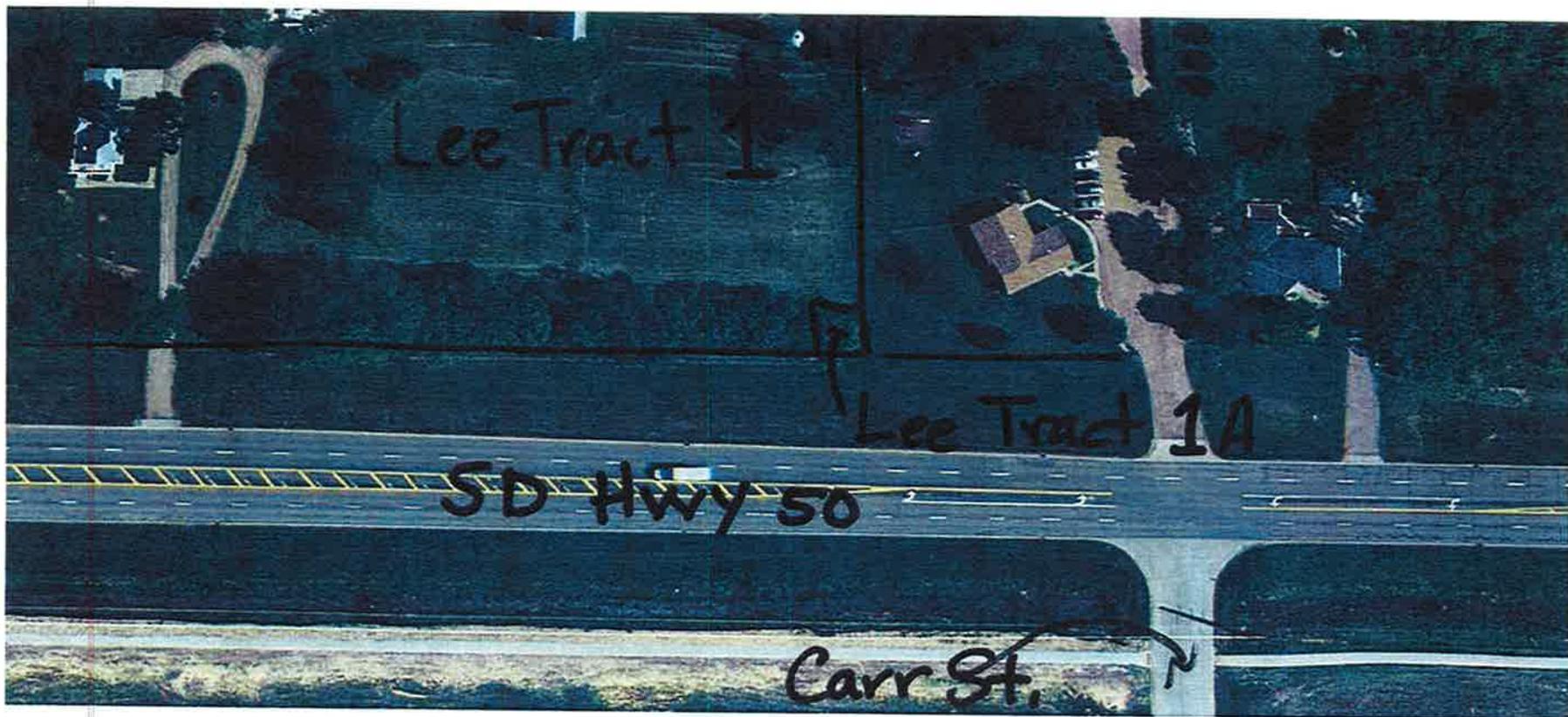
PREPARED BY:
 BANNER ASSOCIATES, INC.
 VERMILLION, SOUTH DAKOTA
 (605) 624-6342
 JANUARY 2013
 SHEET 1 OF 3

LEGEND

- MONUMENT SET THIS SURVEY 5/8" REBAR WITH STAMPED PLASTIC CAP
- MONUMENT FOUND (3/8" REBAR)
- (R) RECORD DISTANCE
- EXISTING PROPERTY LINE
- REPLATTED PROPERTY LINE
- ▭ PROPOSED 8' UTILITY EASEMENT



VICINITY MAP



Lee Tract 1

Lee Tract 1A

SD Hwy 50

Carr St.

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: February 4, 2013

Subject: Final Plat of Tract 1, Heine Addition in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; and Tracts 1 and 2, Ufford Addition in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$; all in Section 21, T92N, R51W of the 5th P.M., Clay County, South Dakota

Presenter: Jose Dominguez

Background: Brandt Land Surveying has submitted a final plat for the above mentioned parcel on behalf of the owners. The area to be final platted is roughly 37.52-acres. Heine Addition will be bordered by 466th while Ufford Addition will be within the section. The proposed plat will create three agricultural tracts.

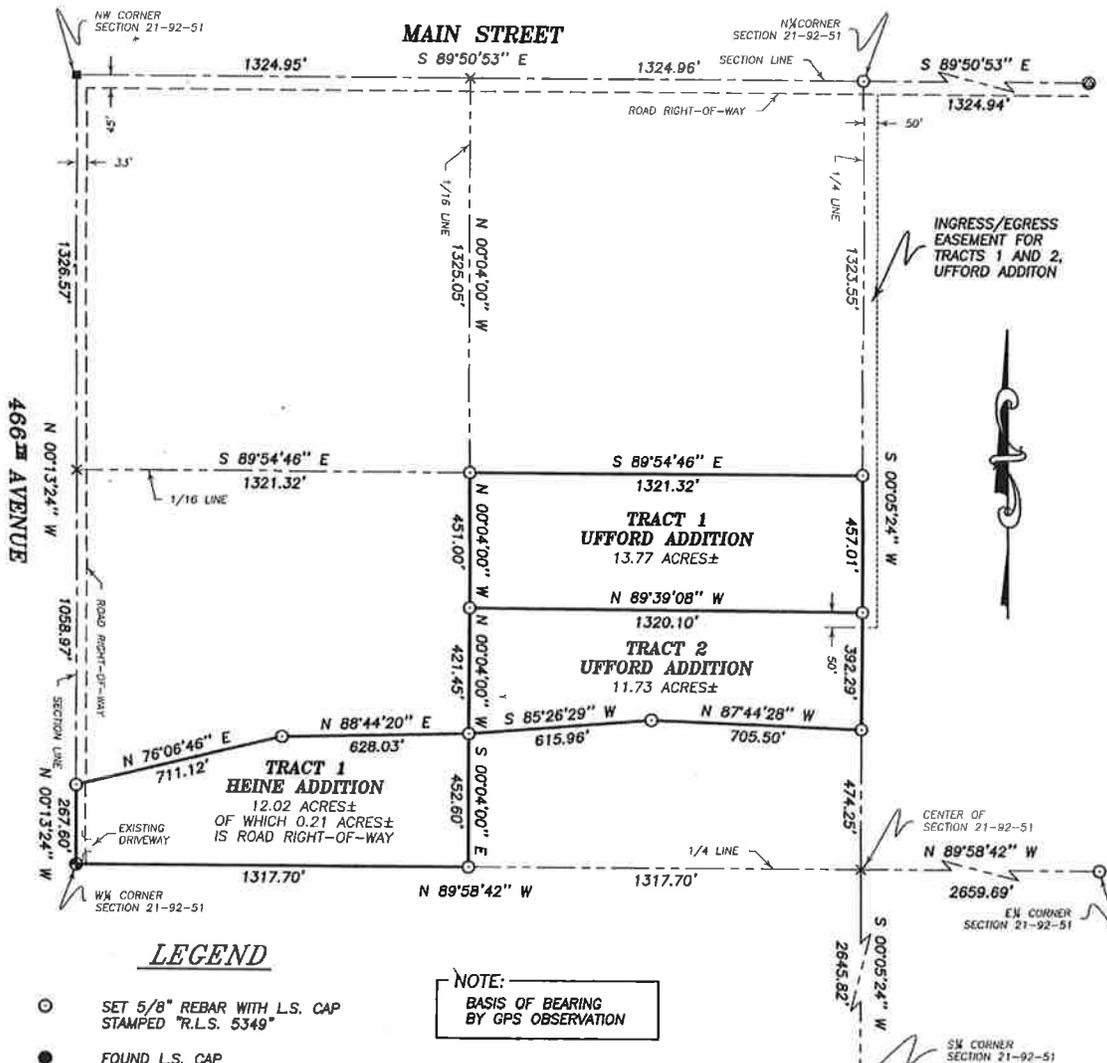
This plat falls within the Joint Jurisdictional Zoning Area; therefore it is first reviewed by the County Planning Commission who then recommends to the City Council. The County Planning Commission reviewed the plat at their January 28th meeting and recommended approval to the City Council.

Discussion: Staff reviewed the final plat and found that it complies with the majority of the code provisions. The only requirement that the plat does not meet is the requirement of dedicating utility easements. This requirement was waived due to the proposed used being agricultural and that no construction would be taking place within the tracts. All of the tracts will be having access off a platted street. Heine Addition will have access to 466th Avenue and Ufford Addition will have access to East Main Street through a 50-foot ingress/egress easement.

Financial Consideration: The applicant has paid all required platting fees.

Conclusion/Recommendations: Staff finds that the final plat meets all of the ordinance requirements and recommends approval of the final plat.

TRACT 1, HEINE ADDITION IN THE SW¼ OF THE NW¼; AND TRACTS 1 AND 2, UFFORD ADDITION IN THE SE¼ OF THE NW¼; ALL IN SECTION 21, T92N, R51W OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA.

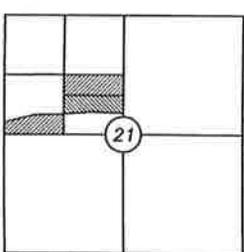


LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "R.L.S. 5349"
- FOUND L.S. CAP
- ⊙ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "KENNEDY R.L.S. 5350"
- ⊖ FOUND NAIL
- FOUND LANDSCAPE SPIKE
- × CALCULATED CORNER

NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455



LOCATION (N.T.S.)

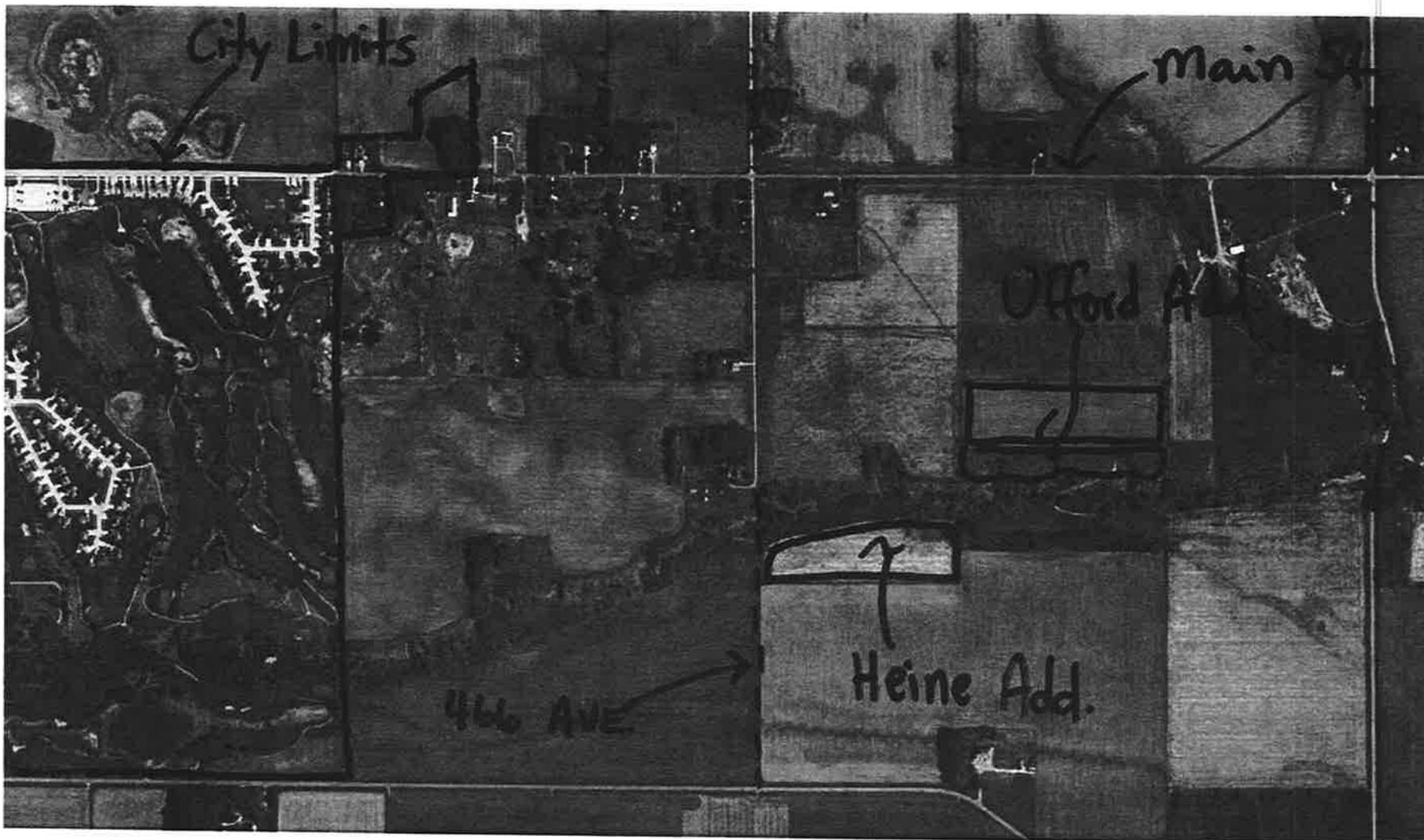
JOB № 12361
PAGE 1 OF 2

MONUMENT RECORD (NOT TO SCALE) NW COR 21-92-51

COMMENTS: RE-ESTABLISHED BY SINGLE PROPORTION.

MONUMENT RECORD (NOT TO SCALE) EW COR 21-92-51

COMMENTS: RE-ESTABLISHED FROM FENCE LINES



Council Agenda Memo

From: Jason Anderson, Assistant City Engineer
Meeting: February 4, 2013
Subject: Annual Supply of Water & Wastewater Chemicals
Presenter: Jason Anderson

Background: The City annually receives bids for lime and soda ash used in water and wastewater treatment. The City opened bids for the chemicals on Tuesday, January 30, 2013 at 2:00 p.m. The bid tabulation sheet is attached.

Discussion: Bid documents were sent to eleven prospective bidders and included a diesel fuel surcharge bid item to allow for cost changes due to fluctuating diesel fuel prices. Seven bids were received; three for quicklime and four for soda ash. Graymont LLC and Thatcher Company are the lowest bidders for quicklime and soda ash, respectively. The quicklime bid is exactly the same price as the 2012 bid award and the soda ash bid is less than the 2012 bid award.

Financial Consideration: The purchases are budgeted in the Water and Wastewater Treatment Funds. The 2013 water department budget includes \$260,000 for the water treatment chemicals. The 2013 wastewater budget includes \$50,000 in lab supplies and chemicals.

Conclusion/Recommendations: Administration recommends awarding Proposal #1 for quicklime to the low bidder, Graymont LLC, at \$155.00/ton for a total of \$77,500.

Administration recommends awarding Proposal #2 for soda ash to the low bidder, Thatcher Company, at \$310.84/ton for a total of \$147,649.

BID TABULATION

January 30, 2013

Water & Wastewater Chemicals
Vermillion, SD

Proposal #1
500 ton - Quicklime

Proposal #2
475 ton - Soda Ash

Bidder & Address	Bid Bond	Unit Price FOB Plant	Freight Charge	Fuel Surcharge	Total	Unit Price FOB Plant	Freight Charge	Fuel Surcharge	Total
Graymont (WI) LLC 800 Hill Avenue Superior, WI 54880	10 % BB	\$ 79.00	\$ 76.00	--	\$ 155.00				
Mississippi Lime 3870 S Lindbergh Blvd St. Louis, MO 63127	10% BB	\$ 175.00	\$ 56.40	--	\$ 231.40				
Pete Lien & Sons, Inc. PO Box 440 Rapid City, SD 57709	10% BB	\$ 86.00	\$ 71.00	--	\$ 157.00				
Thatcher Company of Montana PO Box 27407 Salt Lake City, UT 84127-0407	CC \$7,382.45					\$ 310.84	--	--	\$ 310.84
BHS Marketing-Western Briquette 2320 W. Indiana Ave Salt Lake City, UT 84127-0955	CC \$7671.25					\$ 252.80	\$ 53.19	\$ 17.02	\$ 323.01
Univar USA, Inc. 8500 W. 68th St Bedford Park, IL 60501	10% BB					\$ 323.75	--	--	\$ 323.75
Brenntag Pacific, Inc. 10747 Patterson Place Santa Fe Springs, CA 90670	10% BB					\$ 307.60	--	\$ 14.34	\$ 321.94

Days Required for Delivery After Order Receipt

Graymont	<u>2 days</u>	BHS	<u>3-7 days</u>
Mississippi Lime	<u>3-5 days</u>	Univar	<u>7-10 days</u>
Pete Lien & Sons	<u>2 days</u>	Brenntag	<u>5-7 days</u>
Thatcher Co.	<u>3-5 days</u>		

Five Year History

	2009	2010	2011	2012	2013
LIME	\$151.78	\$142.00	\$137.00	\$155.00	\$155.00
SODA ASH	\$340.75	\$315.80	\$312.99	\$323.87	\$310.84

Council Agenda Memo

From: Jason Anderson, Assistant City Engineer

Meeting: February 4, 2013

Subject: Purchase of electric wire and transformers

Presenter: Jason Anderson

Background: The 2013 Electric Distribution budget includes funding for the annual supply of primary underground electric wire and padmount transformers for stock needs and 2013 electric projects. The City opened bids on January 29, 2013. Copies of the bid tabulation sheets are attached.

Discussion: Five bids with appropriate bid security were received for electric wire. The low bidder on 19,000 feet of 1/0 wire and 13,000 feet of 4/0 wire was RESCO for a total amount of \$53,996.

Five bids with appropriate bid security were received for transformers. Transformer bids are evaluated for operating losses over the transformer life cycle in determining the low bidder. The total base price is the initial cost to acquire the transformers while the total evaluation price represents the total life cost of the transformers including operating losses over the transformer life. Staff recommends rejecting the low bid from Dakota Supply as it does not meet specifications. The second low bidder on transformers was RESCO with an initial purchase price of \$67,203 and a total evaluated bid of \$136,417.80.

Financial Consideration: The 2013 Electric Distribution fund includes funding for these purchases.

Conclusion/Recommendations: Administration recommends awarding the electric wire bid to the low bidder, RESCO, for 19,000 feet of 1/0 wire and 13,000 feet of 4/0 wire for a total amount of \$53,996.

Administration also recommends rejecting the low bid from Dakota Supply for padmount transformers as it does not meet specifications and awarding the padmount transformer bid to the second low bidder, RESCO, with an initial purchase price of \$67,203 and a total evaluated bid of \$136,417.80.

BID TABULATION

PROJECT: Electric Wire

Date: January 29, 2013

BIDDER			Border States Electric Supply Co.		Wesco		RESCO		Stuart Irby		RESCO Alternate Bid	
ADDRESS			1401 N. Minnesota Ave Sioux Falls, SD 57104		2501 E. Third St. Sioux City, IA 51101		P.O. Box 160 Moorhead, MN 56560		1234 1st Ave South Fort Dodge, IA 50501		P.O. Box 160 Moorhead, MN 56560	
BID SECURITY			10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond		10% Bid Bond	
ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
1	19,000	1/0 Solid Aluminum, 15KV, 175 mil, EPR Conductor with 8 #14 AWG neutrals per 1,000 feet	\$1,947.00	\$36,993.00	\$ 1,867.00	\$ 35,473.00	\$ 1,789.00	\$ 33,991.00	\$ 1,823.00	\$34,637.00	\$ 1,364.00	\$ 25,916.00
2	13,000	4/0 Strand Aluminum, 15KV 175 mil, EPR Conductor with 11 #14 AWG neutrals per 1,000 feet	\$ 2,633.00	\$ 34,229.00	\$ 2,762.00	\$ 35,906.00	\$ 2,628.00	\$ 34,164.00	\$ 2,624.00	\$34,112.00	\$ 2,160.00	\$ 28,080.00
TOTAL AMOUNT				\$ 71,222.00		\$ 71,379.00		\$ 68,155.00		\$68,749.00		\$ 53,996.00
Copper & Aluminum Adjustment Base			\$3.591/lb	\$1.03941/lb	\$3.65/lb	\$1.04/lb	\$3.6236/lb	\$1.0554/lb	\$3.6236/lb	\$1.05543/lb	\$3.6645/lb	\$1.0255/lb
Manufacturer & Delivery ARO			General	10 weeks	Okonite	12 weeks	Kerite	10-12 weeks	Southwire	10-12 weeks	Prysmian	15-19 weeks

BID TABULATION

PROJECT: New Transformers for Electric Dept.

Date: January 29, 2013

BIDDER	Border States Electric Supply Co.	Wesco	Dakota Supply	RESCO	Stuart Irby
ADDRESS	1401 N. Minnesota Ave Sioux Falls, SD 57104	2501 E. Third St. Sioux City, IA 51101	3610 N St Paul Ave Sioux Falls, SD 57104	P.O. Box 160 Moorhead, MN 56560	1234 1st Ave South Fort Dodge, IA 50501
BID SECURITY	10 % Bid Bond	10 % Bid Bond	10 % Bid Bond	10 % Bid Bond	10 % Bid Bond
Single & Three Phase Pad Mounted Transformers					
Total Base Price	\$ 84,902.25	\$ 78,035.00	\$ 58,627.00	\$ 67,203.00	\$ 79,719.00
Total Evaluation Price	\$ 160,724.85	\$ 149,354.20	\$ 136,191.60	\$ 136,417.80	\$ 138,940.40
Manufacturer	Cooper Power	ABB	GE-Prolec	ERMCO	Howard
Delivery Date	6-8 weeks	9-12 weeks	7-9 weeks	8-10 weeks	8-10 weeks

CITY OF VERMILLION
 INVOICES PAYABLE-FEBRUARY 4, 2013

1 UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	20.00
2 A-OX WELDING SUPPLY CO	CHEMICALS	742.00
3 ACS-FIREHOUSE SOFTWARE	SUPPORT CONTRACT	625.00
4 AMERICAN LEGAL PUBLISHING	CITY CODE UPDATE	3,524.00
5 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	102.20
6 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	47.79
7 AUDIO GO	BOOKS	191.91
8 AUSTIN ANDERSON	MEALS REIMBURSEMENT	42.00
9 BAKER & TAYLOR BOOKS	BOOKS	156.03
10 BARNES DISTRIBUTION	SUPPLIES	84.57
11 BATTERIES PLUS	BATTERIES	47.97
12 BOMGAARS	SUPPLIES	468.23
13 BOOKPAGE	SUBSCRIPTION	300.00
14 BOYER TRUCKS	PARTS	303.83
15 BRANDIE HOLLAND	REFUND ARMORY RENTAL	50.00
16 BRUNICK FURNITURE & FLOORING	TABLES - LIBRARY	725.00
17 BSN SPORTS INC	SUPPLIES	49.50
18 BUTLER MACHINERY CO.	PARTS	452.09
19 C & H GOLF BALL	MERCHANDISE	864.00
20 C&H DISTRIBUTORS, INC	SUPPLIES	102.76
21 CAMPBELL SUPPLY	SUPPLIES	983.05
22 CASK & CORK	MERCHANDISE	1,580.21
23 CENTER POINT LARGE PRINT	BOOKS	252.41
24 CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
25 CENTURY BUSINESS PRODUCTS	COPIER USAGE/MAINTENANCE	736.59
26 CENTURLINK	TELEPHONE	737.64
27 CHANNING BETE COMPANY, INC	MANUALS/HANDBOOKS	391.31
28 CHEMCO, INC	SUPPLIES	342.71
29 CITY OF VERMILLION	COPIES/POSTAGE	1,245.14
30 CITY OF VERMILLION	UTILITY BILLS	35,966.66
31 CLASSIC INDUSTRIAL SUPPLIES	SWEATSHIRTS	128.90
32 CLAY RURAL WATER SYSTEM	WATER USAGE	37.10
33 COLONIAL LIFE ACC INS.	INSURANCE	2,924.19
34 CONCERNS OF POLICE SURVIVORS	MEMBERSHIP	200.00
35 COX AUTO SUPPLY	PARTS	15.40
36 D-P TOOLS	SUPPLIES	54.95
37 DAKOTA BEVERAGE	MERCHANDISE	5,188.00
38 DAKOTA PC WAREHOUSE	MONITOR/CABLES/REPAIRS	455.93
39 DAKOTA RIGGERS & TOOL SUPPLY	REPAIRS	165.51
40 DANKO EMERGENCY EQUIPMENT	SUPPLIES	679.70
41 DELTA DENTAL PLAN	INSURANCE	5,998.48
42 DEMCO	SUPPLIES	499.62
43 DENNIS MARTENS	MAINTENANCE	833.34
44 DEPT OF REVENUE	TESTING	355.00
45 DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	7,836.18
46 DUANE FULK	SAFETY BOOTS REIMBURSEMENT	100.00
47 DUECO, INC	PARTS	164.66
48 DUST TEX	SUPPLIES	102.60

49 ECHO ELECTRIC SUPPLY	SUPPLIES	211.52
50 ENERGY LABORATORIES	TESTING	1,220.00
51 ERIC BIRKELAND	SAFETY BOOTS REIMBURSEMENT	100.00
52 FAR FROM NORMAL	SUPPLIES	70.20
53 FARMER BROTHERS CO.	SUPPLIES	40.67
54 FIRST NATIONAL BANK	ELECTRIC BOND TRUSTEE FEE	2,600.00
55 GALE	BOOKS	320.68
56 GAYLORD BROS INC	SUPPLIES	29.88
57 GEAR FOR SPORTS	MERCHANDISE	443.34
58 GRAHAM TIRE CO.	TIRES	450.74
59 GREGG PETERS	FREIGHT	2,271.25
60 GREGG PETERS	RENT	937.50
61 HALI-BRITE INC.	PARTS	271.08
62 HANSEN LOCKSMITHING	REPAIRS	22.50
63 HD SUPPLY WATERWORKS	SUPPLIES	1,546.97
64 HEIMAN, INC.	SUPPLIES	57.85
65 HELMS & ASSOCIATES	PROFESSIONAL SERVICES AIRPORT	3,370.51
66 HENDERSON EXHAUST PLUS	REPAIRS	89.95
67 HENDERSONS ULTIMATE CAR WA	CAR WASH	50.00
68 HERREN-SCHEMPP BUILDING	SUPPLIES	675.96
69 HILL HOUSE PUBLISHING, LLC	SUBSCRIPTION	13.95
70 HILLYARD FLOOR CARE SUPPLY	SUPPLIES	240.06
71 INDEPENDENCE WASTE	WASTE HAULING/ROLL OFF	910.50
72 INGRAM	BOOKS	469.88
73 INTELLI TRACK	PROFESSIONAL SERVICES	800.00
74 INTERNATIONAL CODE COUNCIL	BUILDING CODE UPDATE	1,112.55
75 INTL ASSOC OF FIRE CHIEFS	MEMBERSHIP DUES	204.00
76 JOHN A CONKLING DIST.	MERCHANDISE	5,914.63
77 JOHN WALKER	MEALS REIMBURSEMENT	70.00
78 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	33,184.28
79 JOHNSON FEED, INC	TRUCK MAINTENANCE	70.00
80 JONES FOOD CENTER	SUPPLIES	732.16
81 KARSTEN MFG CORP	MERCHANDISE	192.28
82 L.E.E.D.A	MEMBERSHIP	50.00
83 LAYNES WORLD	PLAQUE	46.17
84 LEADSONLINE	SUBSCRIPTION RENEWAL	1,428.00
85 LEGGETTE, BRASHEARS & GRAHAM	MERCHANDISE	3,714.26
86 LINCOLN MUTUAL LIFE	INSURANCE	461.01
87 LOCATORS AND SUPPLIES, INC	SUPPLIES	393.40
88 LOGIN/IACP NET	ANNUAL FEE	500.00
89 LONGS PROPANE INC	PROPANE	2,743.13
90 LP GILL, INC	TIRE DISPOSAL	915.00
91 MAGUIRE IRON, INC	WATER TOWER CONTRACT	115,259.23
92 MAIN STREET CENTER	CONTRIBUTION	15,000.00
93 MALLOY ELECTRIC	PARTS	1,314.26
94 MARK KOLLER	SAFETY GLASSES/MEALS REIMBURSEMENT	174.00
95 MARKS MACHINERY	PARTS	88.12
96 MART AUTO BODY	TOWING	675.00
97 MATHESON TRI-GAS, INC	OXYGEN	80.62
98 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,024.00
99 MENARDS	SUPPLIES	35.96
100 MICHAEL TODD	PARTS	888.43
101 MID-STATES ORG. CRIME	MEMBERSHIP FEES	150.00

102	MIDWEST ALARM CO	ALARM MONITORING	120.00
103	MIDWEST BUILDING MAINTENAN	MAT SVC	352.80
104	MIDWEST RADIATOR & EXHAUST	PICKUP SNOW PLOW	5,205.65
105	MIDWEST TURF & IRRIGATION	PARTS	754.01
106	MIKE WENSEL	MEALS REIMBURSEMENT	142.00
107	MINN MUNICIPAL UTILITY ASSOC	1ST QTR SAFETY MGMT	5,539.14
108	MISSOURI VALLEY MAINTENANCE	REPAIRS	1,046.68
109	MOUNTAIN PLAINS LIB ASSN	MEMBERSHIP DUES	65.00
110	MUNICIPAL ELEC. ASSOC.	REGISTRATION	120.00
111	NATL EMERGENCY NUMBER ASSOC	MEMBERSHIP DUES	130.00
112	NATL REC & PARK ASSOC	MEMBERSHIP	150.00
113	NCL OF WISCONSIN, INC	SUPPLIES	136.38
114	NETSYS+	PROFESSIONAL SERVICE	693.98
115	NEW YORK LIFE	INSURANCE	94.02
116	NIKE INC	MERCHANDISE	172.95
117	NORTH CENTRAL RENTAL & LEASING	LANDFILL EQUIP RENTAL	1,498.29
118	NORTHERN SAFETY CO. INC	SUPPLIES	27.20
119	NORTHERN TRUCK EQPT CORP	PARTS	123.44
120	OFFICE OF FIRE MARSHAL	BOILER INSPECTION	180.00
121	OFFICE SYSTEMS CO	SUPPLIES	56.00
122	OVERDRIVE INC	LIBRARY MAINTENANCE FEE	3,000.00
123	PAUL BRUNICK	MEALS REIMBURSEMENT	70.00
124	PETE LIEN & SONS, INC	CHEMICALS	4,440.75
125	PHYSIO-CONTROL CORP	SUPPLIES	48.50
126	PLAIN TALK PUBLISHERS	SUBSCRIPTION	26.00
127	PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
128	POMPS TIRE SERVICE, INC.	TIRES/REPAIRS	1,643.88
129	POWERPHONE, INC	REGISTRATION	10.00
130	PRAIRIE BERRY WINERY	MERCHANDISE	990.00
131	PRESSING MATTERS	SUPPLIES	56.00
132	PRINT SOURCE	SUPPLIES	358.50
133	QUILL	SUPPLIES	1,457.95
134	RACOM CORPORATION	MAINTENANCE CONTRACT	461.75
135	RANDOM HOUSE, INC	BOOKS	40.00
136	RANDY ISAACSON	MEALS REIMBURSEMENT	70.00
137	RASMUSSEN MOTORS, INC	REPAIRS	51.79
138	REEVES CO, INC	NAME PINS	185.96
139	REPUBLIC NATIONAL DIST	MERCHANDISE	19,688.08
140	RESCO	SUPPLIES	1,661.75
141	RESERVE ACCOUNT	POSTAGE FOR METER	1,950.00
142	RIVERSIDE HYDRAULICS & LABS INC	PARTS	303.43
143	ROYAL CAR WASH	CAR WASH CARD	50.00
144	SCHAEFFER MFG. CO	SUPPLIES	1,363.20
145	SCHOLASTIC LIBRARY PUBLISHING	BOOKS	155.14
146	SD ASSOC. OF CODE ENFORCEMENT	MEMBERSHIP DUES	40.00
147	SD BUILDING OFFICIALS ASSOC.	MEMBERSHIP DUES	55.00
148	SD CHAPTER APWA	REGISTRATION	135.00
149	SD ELECTRICAL COMMISSION	WIRING PERMITS	75.00
150	SD FIREFIGHTERS ASSOCIATION	MEMBERSHIP DUES	630.00
151	SD LIBRARY ASSOCIATION	MEMBERSHIP DUES	590.00
152	SD LIBRARY NETWORK	NETWORK ONGOING COSTS	9,618.50
153	SD MILITARY & VETERANS AFFAIRS	REFUND DUPLICATE LANDFILL PMT	44.07
154	SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	215.00

155 SD RETIREMENT SYSTEM	CONTRIBUTION	21,463.96
156 SDN TECHNOLOGIES	SUPPORT RENEWAL	6,462.00
157 SDWWA-	MEMBERSHIP DUES/REGISTRATION	165.00
158 SERVALL TOWEL & LINEN	SHOP TOWELS	29.40
159 SIOUX CITY WINTRONIC	SUPPLIES	243.80
160 SIOUXLAND HUMANE SOCIETY	DROP OFF FEES	37.00
161 SIOUXLAND SCALE SERVICE	REPAIRS	1,298.14
162 SOOLAND BOBCAT	STREET DEPARTMENT PLANER	10,815.00
163 STATE RADIO COMMUNICATION	TELETYPE SERVICE	3,500.00
164 STEWART OIL-TIRE CO	REPAIRS	89.95
165 STURDEVANTS AUTO PARTS	PARTS	1,834.58
166 TAYLOR MADE	MERCHANDISE	49.44
167 TESTAMERICA LABORATORIES	TESTING	1,382.34
168 THATCHER COMPANY	SODA ASH	7,123.60
169 THE WALKING BILLBOARD	EMS DEPT SHIRTS/WIND SHIRTS	723.60
170 TITAN ACCESS ACCOUNT	PARTS	1,608.36
171 TODD HALVERSON	MEALS REIMBURSEMENT	42.00
172 TOM KRUSE	MEALS REIMBURSEMENT	70.00
173 TOTAL FLOORING	REPAIRS	82.00
174 TOTAL TOOL SUPPLY, INC	PARTS	127.02
175 TRAVIS TARR	MEALS REIMBURSEMENT	42.00
176 TRUE VALUE	SUPPLIES	254.89
177 ULTRAMAX	SUPPLIES	1,520.80
178 UNITED WAY	CONTRIBUTIONS	182.60
179 US POSTMASTER	POSTAGE DUE	50.00
180 VANDERPOL DRAGLINE, INC	AIRPORT TAXIWAY PROJECT	2,277.00
181 VEOLIA ENVIRONMENTAL SERVICE	ELECTRONICS DISPOSAL	5,483.14
182 VERIZON WIRELESS	POLICE COMMUNICATIONS	223.76
183 VERMEER HIGH PLAINS	SUPPLIES	210.98
184 VERMILLION ACE HARDWARE	SUPPLIES	747.60
185 VERMILLION CHAMBER OF COMMERCE	MEMBERSHIP	750.00
186 VERMILLION HIGH SCHOOL	YEARBOOK	68.90
187 VERMILLION NOW!	REIMBURSEMENT	1,065.30
188 VERMILLION PUBLIC TRANSIT	CONTRIBUTION	7,500.00
189 VERMILLION ROTARY CLUB	DUES/MEALS	151.75
190 VERNON MANUFACTURING	PARTS	70.00
191 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	9,027.45
192 WAL-MART COMMUNITY	SUPPLIES	996.57
193 WALKER CONSTRUCTION	SNOW REMOVAL	1,120.00
194 WELFL CONSTRUCTION CO	LIBRARY EXP/REMODEL	108,906.00
195 WESCO DISTRIBUTION, INC	SUPPLIES	1,378.60
196 WILL'S DRYER & KILN, LLC	SUPPLIES	89.00
197 YANKTON FIRE & SAFETY	EXTINGUISHER RECHARGE	32.50
198 YANKTON JANITORIAL SUPPLY	SUPPLIES	1,325.96
199 KYLE SEIBEL	BRIGHT ENERGY REBATE	175.00
200 KEVIN MCDONALD	BRIGHT ENERGY REBATE	275.00
201 SHANE NORDYKE	BRIGHT ENERGY REBATE	300.00
202 DAVE BERG	BRIGHT ENERGY REBATE	175.00
203 MICHAEL O'CONNOR	BRIGHT ENERGY REBATE	1,250.00
	GRAND TOTAL	\$550,278.94



UNIVERSITY OF
SOUTH DAKOTA

January 24, 2013

Mr. John Prescott
City Manager
25 Center Street
Vermillion, SD 57069

Dear John:

The University of South Dakota has many people to thank for helping our students through the recent closure of Coyote Village, but your police, fire and water folks are at the top of the list.

Police Chief Matt Betzen, Fire Chief Shannon Draper and Water Supervisor Tom Kruse were on hand quickly Monday night to assist in evaluating the situation. Vermillion police helped collect students from various locations where they had taken refuge from the cold and then transported them to the Muenster Student Center for hotel assignments.

The presence of Matt, Shannon and Tom certainly eased the chaos and contributed to a positive outcome in a trying situation.

On behalf of the students and staff of the University of South Dakota, let me offer a sincere thank you for the support extended by the City of Vermillion.

With appreciation,

A handwritten signature in black ink that reads "James W. Abbott".

James W. Abbott
President
The University of South Dakota

cc: Matt Betzen, Chief of Police
Shannon Draper, Fire Chief
Randy Isaacson, Water Superintendent

JAMES W. ABBOTT, PRESIDENT

414 East Clark Street • Vermillion, SD 57069 • 605-677-5641 • 605-677-6520 fax • www.usd.edu