

Unapproved Minutes
Council Special Session
September 15, 2014
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, September 15, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Holland, Clarene Meins, Holly Meins (arrived at 12:08), Price, Ward, Willson, Mayor Powell

Absent: Erickson

2. Liquor Store Management proposals - John Prescott

John Prescott, City Manager, handed out a worksheet that listed the two proposals along with the effects on income and expenses for the items that could be determined along with a listing of issues that may need to be addressed with each proposal. John stated that both individuals have submitted additional information for their proposal that has been forwarded to the Council members.

Holly Meins arrived at 12:08 p.m.

Mayor Powell asked Council members for comments and discussion with Thomas Slattery and Gregg Peters answering questions of the City Council on their proposals.

Hearing no further discussion, Mayor Powell thanked the two individuals for submitting proposals and stated that the next step would be for the City Council to direct staff to negotiate a contract with one of the individuals for consideration at a future Council meeting. Discussion followed with the consensus of the City Council to direct the City Manager to negotiate a liquor store management contract and building lease with Gregg and Nikki Peters based on the items discussed for consideration at a future City Council meeting.

3. Briefing on the September 15, 2014 City Council Regular Meeting

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

5. Adjourn

322-14

Alderman Ward moved to adjourn the Council special session at 12:52 p.m. Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of September, 2014.

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
September 15, 2014
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on September 15, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of September 2, 2014 Special Session; September 2, 2014 Regular Session.

323-14

Alderman Collier-Wise moved approval of the September 2, 2014 Special Session and September 2, 2014 Regular Session minutes. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

John Prescott requested that New Business Item A. Ambulance Billing Service Agreement be removed from the agenda.

324-14

Alderman Collier-Wise moved approval of the agenda with the removal of New Business Item A. Ambulance Billing Service Agreement. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Swimming Pool Committee

Shane Nordyke, Chairman of the Swimming Pool Committee, introduced other committee members present and provided an update on the work being done with the consultant on the Prentis Park project. She stated that the pool design is being reviewed in a fiscally responsible manner to meet the needs of the community while considering all options including the reuse of portions of the old pool. Alderman Ward, who is a member of the committee, encouraged the community to become involved in the pool discussions.

B. Public Power Week Proclamation

Alderman Clarene Meins read the proclamation recognizing Public Power Week of October 5-11 in Vermillion. Mayor Powell presented the proclamation to John Prescott on behalf of the Light Department.

Mayor Powell introduced Student Representative Lyndsay Clausen

6. Public Hearings - None

7. Old Business

A. Second Reading of Ordinance No. 1320 - Amending Chapter 155, Zoning Regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, Section 155.026, entitled Adoption of Official Zoning Map, and adding Section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion, Clay County, South Dakota, from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition, to the City of Vermillion, Clay County, South Dakota from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and adopting regulations therefore.

Andy Colvin, Assistant to the City Manager, stated that the ordinance will create a Community Oriented Healthcare Planned Development District. The uses to be permitted in the district are those that would typically be related to healthcare facilities and currently are allowed in this area. This district will allow the medical facilities to grow and expand in the area. Andy reported that the Planning Commission recommended approval of the planned development district regulations and initial development plan. Andy reported that no comments were received since first reading of the ordinance. Discussion followed with the question of whether a large drug store with other merchandise would be allowed in this district. Jim McCulloch, City Attorney, stated that drug stores are allowed but that retail services and trade are not included.

Tim Tracy, with Sanford Vermillion, stated that drug stores were included as an allowed use as the hospital has a retail pharmacy and that drug stores are an allowed use in the current neighborhood commercial zone that the hospital is located in now.

325-14

Second reading of title to Ordinance No. 1320, entitled An Ordinance Amending Chapter 155, zoning regulations, of the revised ordinances of the City of Vermillion, South Dakota, section 155.026 entitled adoption of official zoning map and adding section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and adopting regulations therefore, of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1320 entitled An Ordinance Amending Chapter 155, zoning regulations, of the revised ordinances of the City of Vermillion, South Dakota, section 155.026 entitled adoption of official zoning map and adding section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and

adopting regulations therefore, of the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 2nd day of September, 2014 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of September, 2014 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. 1320

AN ORDINANCE AMENDING CHAPTER 155, zoning REGULATIONS, OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, SECTION 155.026 ENTITLED ADOPTION OF OFFICIAL ZONING MAP AND ADDING SECTION 155.059 ENTITLED COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT, rezoning LOTS 1-4, HOSPITAL ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, FROM THE R-2 RESIDENTIAL DISTRICT TO THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT; AND LOTS 1-15, KAHL'S ADDITION AND LOTS 11-20, BLOCK 3, EASTSIDE ADDITION, TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA FROM THE NC NEIGHBORHOOD COMMERCIAL DISTRICT TO THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT, and ADOPTING regulations therefore.

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

SECTION 1. That Section 155.026, Adoption of Official Zoning Map, is hereby amended as follows:

THAT LOTS 1-4, HOSPITAL ADDITION, LOTS 1-15, KAHL'S ADDITION AND LOTS 11-20, BLOCK 3, EASTSIDE ADDITION, TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA ARE HEREBY INCLUDED IN THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT AND THE OFFICIAL ZONING MAP IS AMENDED TO INCLUDE SUCH LAND IN THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT.

SECTION 2. That a new Section entitled 155.059 Community Oriented Healthcare Planned Development District be added and shall include the following regulations:

155.059 COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT.

(A) Purpose. The regulations set forth in this section or set forth elsewhere in the Vermillion Zoning Ordinance when referred to in this section are the district regulations in the Community Oriented Healthcare Planned Development District. The purpose of

this district is to provide for well planned mixed use community oriented healthcare areas within the Planned Development District. All city ordinances apply to the Planned Development District except for those modified below.

(B) Permitted uses.

Permitted Uses	Applicable Standards
Hospital/clinic	§§ 155.070, 155.072, 155.073, 155.077
Office	§§ 155.070, 155.072, 155.073, 155.077
Assisted living facility	§§155.070, 155.072, 155.077 Applicant must provide copy of South Dakota Department of Health license. All multiple dwelling standards apply.
Nursing Home	§§155.070, 155.072, 155.077 Applicant must provide copy of South Dakota Department of Health license.
Accessory use (such as, garage, shed)	§§ 155.071, 155.082 (A) (see definition)
Group Home	Structure must be a single housekeeping unit. Applicant must provide a copy of state agency license. §§ 155.070, 155.072, 155.076, 155.077
Drug store	§§ 155.070, 155.072, 155.073, 155.077
Medical and dental clinics	§§ 155.070, 155.072, 155.073, 155.077
Day care center	Adequate and safe playground area with fence 4 feet high. A safe pickup and drop off area must be provided for the children. §§ 155.070, 155.072, 155.073, 155.077
Fences	§ 155.074
Off-premise parking lots	§ 155.070, 155.072, 155.077

(C) Conditional uses.

Dwellings	Dwellings shall be limited to the basement of any permitted primary uses within the district. §§ 155.070, 155.072, 155.073, 155.077, 155.095
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(D) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions).

	Lot Area	Frontage	Building Line	Front Yard	Side Yard	Rear Yard	Maximum Height
All uses	6000 square feet	50 feet	50 feet	25 feet	8 feet	25 feet	35 feet
Off-premise parking lots	§ 155.072	NA	NA	10 feet	2 feet	10 feet	NA

Exceptions:

#1 Where a side yard or rear yard is required half of the required yard must be maintained as a landscaped area.

#2 There shall be a required front yard on each street side of a double frontage lot. There shall be a required front yard on each street side of lots.

#3 Parking lot setbacks will only be required when abutting or across from a residential zone.

#4 See adjustments to yard regulations (§ 155.082) for other specific exceptions.

(E) Property re-division. All future property re-division shall require a re-platting of the affected parcels. Planned Development District may be required to be amended depending on property re-division.

(F) Visibility at Intersections and Driveways. Safety zones shall comply with § 155.070.

(G) Off Street Loading Requirements shall comply with § 155.073.

(H) Landscaping standards

- (1) Within any zoning district, at least 90% of the required front yard setback shall be landscaped and maintained with living ground cover except for the portion of the front yard necessary for hard surfaced driveways and parking (§ 155.072).
 - (2) One (1) tree per 50 feet of tract width is required. No more than 25% of the required trees may be deciduous ornamental, evergreen, or coniferous trees.
 - (3) Each existing tree of at least 1 3/4-inch caliper in size shall count toward the tree requirement.
 - (4) Where feasible, landscape areas must be capable of providing a substantially full expanse of foliage within three years after planting. All deciduous trees shall be 1 3/4 inch caliper and all deciduous ornamental trees shall be 1 1/4-inch caliper.
- (I) Adjustments to Yard Regulations shall comply with § 155.082.
- (J) Non-conforming Uses and Structures shall comply with § 155.083.
- (K) Lighting
- (1) When property is adjacent to or within 150 feet of residentially used or zoned property, the following lighting standards apply:
 - (a) The maximum light level shall be no greater than 3 foot candles field measured at the property line (ground level).
 - (b) The maximum height of light luminaries shall be 20 feet above the ground.
 - (c) Canopy luminaries and other on-site lighting with luminaries greater than 2000 lumens shall include a 90-degree cut-off type, deflector, refractor, or forward throw light fixture.
 - (d) The maximum number of canopy luminaries shall be determined by the following industry standard: Canopy length (in feet) x canopy width (in feet) x 3= Maximum No. of Luminaries lamp wattage
 - (2) All other light luminaries shall have a maximum height of 38 feet above the ground. Submittal of photometric plans shall be required with all site plan checks for building projects on property with lighted parking lots or lighted canopies.

- (3) The following structures or uses are exempt from these lighting standards: parks, pedestrian walkways, and illuminated flags or statues.
- (4) Lighting for parking lots shall be constructed so as to prevent light pollution to surrounding properties.
- (L) Sign regulations. Signs shall be regulated by Chapter 152. Regulations shall be those used in the NC District.
- (M) Fence regulations. Fences shall comply with § 155.074(A), (B) and (C), except for fences used to enclose recreational areas that may comply with § 155.074(G).
- (N) Accessory Uses. Accessory uses and structures may be placed within this district without the need of a primary structure being located within the same lot. The use of the accessory building shall still be related to the allowed use within the Planned Development District.

Dated at Vermillion, South Dakota this 15th day of September, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman 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, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-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.

B. Second Reading of Ordinance No. 1318 - 2015 Appropriations

John Prescott, City Manager, stated that the final step in the 2015 budget process is second reading of the appropriations ordinance. John stated that the budget ordinance was developed following the City Council budget hearings in August and first reading was September 2nd. John reviewed the major projects included in the 2015 budget. John

recommended approval of second reading of the budget ordinance for 2015.

326-14

Second reading of title to Ordinance No. 1318, entitled 2015 Appropriations Ordinance for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1318 entitled 2015 Appropriations Ordinance 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 2nd day of September, 2014 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of September, 2014 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. 1318
2015 APPROPRIATION ORDINANCE**

AN ORDINANCE ADOPTING the 2015 Appropriations Ordinance for the City of Vermillion, South Dakota.

BE IT ORDAINED BY THE GOVERNING BODY of the City of Vermillion that the following sums are appropriated to meet the obligations of the municipality.

2015 Budget

GENERAL FUND

REVENUES:

General Property Taxes	2,127,100	
Sales Tax	1,674,000	
Penalties & Interest	4,000	
Licenses & Permits	142,750	
Cable TV Franchise	103,500	
State Intergovernmental	264,350	
County Intergovernmental	89,400	
Charges for Goods & Services	536,450	
Fines & Forfeits	38,150	
Miscellaneous Revenues	85,200	
TOTAL GENERAL FUND REVENUES		5,064,900

EXPENDITURES:

Policy & Administration:

General Government	563,535	
Finance Office	177,079	
Engineering	303,298	
Planning & Zoning	800	
Code Compliance	204,497	
Community Promotion	74,000	
Total Policy & Administration		1,323,209
<u>Public Safety & Security:</u>		
Police Administration & Invest.	462,313	
Police Patrol	1,281,634	
Fire & Rescue	249,218	
Emergency Management	3,300	
Ambulance	309,449	
Total Public Safety & Security		2,305,914
<u>Maintenance & Transportation:</u>		
Municipal Garage	138,955	
Municipal Service Center	33,540	
Street Department	718,758	
Snow Removal	70,422	
Sweeping & Mowing	111,529	
Carpentry	30,369	
City Hall Maintenance	79,200	
Old Landfill Maintenance	12,000	
Airport	117,936	
Total Maintenance & Transportation		1,312,709
<u>Human Development & Leisure Services:</u>		
Library	586,363	
Parks & Forestry	297,337	
Swimming Pool	108,972	
Recreation	169,604	
Mosquito Control	19,665	
National Guard Armory Center	60,533	
Total Human Development & Leisure		1,242,474
TOTAL GENERAL FUND EXPENDITURES		6,184,306
GENERAL FUND NEEDS		(1,119,406)
Transfer from Electric Fund		803,117
Transfer from Water Fund		2,306
Transfer from Sewer Fund		1,402
Transfer from Liquor Fund		194,200
Transfer from Capital Projects		18,072
Transfer from Utilities Engineering Fees		136,387
Transfer from B.I.D #1		1,430
Transfer to Equipment Replacement		(6,000)
Transfer to 911 Fund - Communications		(271,305)
Appropriation from Reserve		239,797

GENERAL FUND BALANCE 0

SPECIAL REVENUE FUNDS

SECOND CENT SALES TAX FUND

Revenues 1,717,500

Expenditures - Second Cent Sales Tax 317,200

Transfer to Airport Capital Projects (4,750)

Transfer to TIF #6 Debt Service (60,620)

Transfer to City Hall Debt Service Fund (351,741)

Transfer to Mill Overlay Capital Projects (140,000)

Appropriation to Reserve (843,189)

SECOND CENT SALES TAX FUND BALANCE 0

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees 3,520

Expenditures - Parks Improvements 3,520

PARKS IMPROVEMENT FUND BALANCE 0

BBB SALES TAX FUND

Revenues 331,900

Expenditures 307,300

Appropriation to Reserve (24,600)

BBB SALES TAX FUND BALANCE 0

911 FUND -COMMUNICATIONS

Revenues 271,305

Expenditures 542,610

Transfer from General Fund 271,305

911FUND FUND BALANCE 0

BUSINESS IMPROVEMENT DISTRICT #1

Revenues 71,500

Expenditures 35,750

Transfer to General Fund 1,430

Appropriation to Reserve (34,320)

Business Improvement District #1 Fund Balance 0

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees 203,550

Expenditures: 15,000

Appropriation to Reserve	(188,550)
STORMWATER FEE FUND BALANCE	<u>0</u>

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts	10,215
Expenditures - Library	7,000
Appropriation to Reserve	(3,215)
LIBRARY FINE AND GIFT FUND BALANCE	<u>0</u>

DEBT SERVICE FUNDS

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues	27,560
Expenditures	27,560
Interfund Loan	340,200
Transfer to Capital Projects	(340,200)
DS SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

DEBT SERVICE-- TIF District No. 6

Expenditures	60,620
Transfer from Second Cent Sales Tax Fund	60,620
DEBT SERVICE - TIF 6 FUND BALANCE	<u>0</u>

DEBT SERVICE - CITY HALL

Revenues	2,300
Expenditures	354,041
Transfer from Second Cent Sales Tax Fund	351,741
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Expenditures	315,000
Transfer to General Fund	(18,072)
Transfer from Debt Service	340,200
Appropriation to Reserve	7,128
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	90,250
Expenditures	95,000
Transfer from Second Cent Sales Tax Fund	4,750
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - W MAIN MILL & OVERLAY

Revenues	265,400
Expenditures	405,400
Transfer from Second Cent Sales Tax Fund	140,000
CP W MAIN MILL & OVERLAY FUND BALANCE	<u>0</u>

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment <u>Fund</u>	Copier - Fax- Postage <u>Fund</u>	Custodial <u>Fund</u>	Equipment Replacement <u>Fund</u>
<u>Revenues</u>				
Internal Dept Charges		18,150	87,000	439,397
Interest on Investments	50			1,100
Other Revenues				38,000
Total Revenues	<u>50</u>	<u>18,150</u>	<u>87,000</u>	<u>478,497</u>
<u>Expenditures</u>				
Personnel			83,584	
Operating Expenses	50	16,350	3,213	
Capital			500	511,900
Total Expenditures	<u>50</u>	<u>16,350</u>	<u>87,297</u>	<u>511,900</u>
Transfer Out (In)				(6,000)
(To) From Reserve		(1,800)	297	27,403
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

UTILITY AND ENTERPRISE FUNDS (Information Only)

	Electric <u>Fund</u>	Water <u>Fund</u>	Wastewater <u>Fund</u>	Joint Powers <u>Fund</u>	Liquor <u>Fund</u>	Golf Course <u>Fund</u>	Curbside Recycling Fund
<u>Revenues</u>							
Sales	5,632,000	1,475,000	1,510,000	1,262,000	1,256,000	710,400	113,000
Surcharge	744,000	263,000	322,000				
Other Revenue	90,000	41,400	8,800	29,000		73,725	300
Interest	153,850	5,087	4,240	4,000	500	4,000	50
Total Revenues	<u>6,619,850</u>	<u>1,784,487</u>	<u>1,845,040</u>	<u>1,295,000</u>	<u>1,256,500</u>	<u>788,125</u>	<u>113,350</u>
<u>Expenditures</u>							

Personnel	983,743	600,515	488,943	507,677		365,878	94,660
Operating Expenses	3,688,221	578,282	626,397	981,455	1,073,839	417,870	15,100
Capital	630,480	149,420	134,300	266,000	2,000	8,000	38,250
Debt Service		200,472	252,837	229,901			8,408
Debt Service Surcharge	<u>575,663</u>	<u>235,669</u>	<u>291,013</u>				
Total Expenditures	5,878,107	1,764,358	1,793,490	1,985,033	1,075,839	791,748	156,418
Transfers Out	(884,950)	(38,583)	(28,679)		(194,200)		
Transfers In (To) From Reserve	9,000						
	<u>134,207</u>	<u>18,454</u>	<u>(22,871)</u>	<u>690,033</u>	<u>13,539</u>	<u>3,623</u>	<u>43,068</u>
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

The City Manager is directed to certify the following dollar amount of tax levies in ordinance to the Clay County Auditor: \$2,140,000

Dated at Vermillion, South Dakota this 15th day of September, 2014

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Collier-Wise. 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, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-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.

C. Second Reading of Ordinance No. 1319 - 2014 Revised Appropriations

John Prescott, City Manager, stated that the 2014 budget was adopted in September 2013 and since that time some things have changed that have been incorporated into the revised appropriations ordinance. John

stated that there would most likely need to be another revised ordinance before the yearend to address unanticipated items. John reviewed some of the changes that have impacted the revised budget. John recommended adoption of the 2014 revised appropriations ordinance.

327-14

Second reading of title to Ordinance No. 1319, entitled 2014 Revised Appropriations Ordinance for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1319 entitled 2014 Revised Appropriations Ordinance 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 2nd day of September, 2014 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of September, 2014 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. 1319
2014 REVISED APPROPRIATION ORDINANCE**

AN ORDINANCE ADOPTING the 2014 Revised Appropriations Ordinance for the City of Vermillion, South Dakota.

BE IT ORDAINED BY THE GOVERNING BODY of the City of Vermillion that the following sums are appropriated to meet the obligations of the municipality.

	<u>2014 Revised Budget</u>	
GENERAL FUND		
<u>REVENUES:</u>		
General Property Taxes	2,055,520	
Sales Tax	1,678,000	
Penalties & Interest	4,000	
Licenses & Permits	138,550	
Cable TV Franchise	102,500	
State Intergovernmental	270,980	
County Intergovernmental	89,400	
Charges for Goods & Services	525,150	
Fines & Forfeits	38,150	
Miscellaneous Revenues	<u>123,840</u>	
TOTAL GENERAL FUND REVENUES		5,026,090

EXPENDITURES:

Policy & Administration:

General Government	549,673	
Finance Office	177,270	
Engineering	295,797	
Planning and Zoning	800	
Code Compliance	199,328	
Community Promotion	128,800	
Total Policy & Administration		1,351,668

Public Safety & Security:

Police Administration & Invest.	446,548	
Police Patrol	1,238,291	
Fire & Rescue	229,363	
Emergency Management	3,300	
Ambulance	302,200	
Total Public Safety & Security		2,219,702

Maintenance & Transportation:

Municipal Garage	136,120	
Municipal Service Center	33,750	
Street Department	703,731	
Snow Removal	69,875	
Sweeping & Mowing	109,694	
Carpentry	41,579	
City Hall Maintenance	74,500	
Old Library Maintenance	5,000	
Old Landfill Maintenance	12,000	
Airport	124,423	
Total Maintenance & Transportation		1,310,672

Human Development & Leisure Services:

Library	605,698	
Parks & Forestry	289,347	
Swimming Pool	109,013	
Recreation	184,066	
Mosquito Control	19,278	
National Guard Armory Center	58,967	
Total Human Development & Leisure		1,266,369
TOTAL GENERAL FUND EXPENDITURES		6,148,411

GENERAL FUND NEEDS

(1,122,321)

Transfer to 911 Fund	(268,028)
Transfer from Electric Fund	803,117
Transfer from Water Fund	2,306
Transfer from Sewer Fund	1,402
Transfer from Liquor Fund	194,200
Transfer from BID #1	840

Transfer from Utilities Engineering Fees	136,387
Appropriation from Reserve	252,097
GENERAL FUND BALANCE	<u>0</u>

SPECIAL REVENUE FUNDS

SECOND CENT SALES TAX FUND

Revenues	1,686,500
Expenditures - Second Cent Sales Tax	880,800
Transfer to Bike Path Capital Projects	(36,100)
Transfer to Airport Capital Projects	(4,750)
Transfer to City Hall Debt Service Fund	(349,634)
Transfer to TIF #6 DS & CP	(267,862)
Transfer to Equipment Replacement Fund	(10,000)
Appropriation to Reserve	(137,354)
SECOND CENT SALES TAX FUND BALANCE	<u>0</u>

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees	4,470
Expenditures - Parks Improvements	9,000
Appropriation from Reserve	4,530
PARKS IMPROVEMENT FUND BALANCE	<u>0</u>

BBB SALES TAX FUND

Revenues	323,025
Expenditures	288,150
Appropriation to Reserve	(34,875)
BBB SALES TAX FUND BALANCE	<u>0</u>

911 FUND -COMMUNICATIONS

Revenues	293,527
Expenditures	561,555
Transfer from General Fund	268,028
911FUND- FUND BALANCE	<u>0</u>

BUSINESS IMPROVEMENT DISTRICT #1

Revenues	42,000
Expenditures	15,000
Transfer to General Fund	840
Appropriation to Reserve	(26,160)

Business Improvement District #1 Fund Balance 0

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees 197,000
Expenditures: 180,000
Transfer to Bliss Pointe CIP 150,000
Appropriation from Reserve 133,000
STORMWATER FEE FUND BALANCE 0

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts 11,700
Expenditures - Library 8,985
Appropriation to Reserve (2,715)
LIBRARY FINE AND GIFT FUND BALANCE 0

STREETSCAPE FUND

Expenditures 364
Appropriation from Reserve 364
STREETSCAPE FUND BALANCE 0

DEBT SERVICE FUNDS

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues 72,756
Expenditures 164,921
Interfund Loan 556,982
Transfer to Capital Projects (556,982)
Appropriation from Reserve 92,165
SPECIAL ASSESSMENT FUND BALANCE 0

DEBT SERVICE - TIF District No. 6

Revenues 0
Expenditures 35,362
Transfer from Second Cent Sales Tax 35,362
DEBT SERVICE - TIF 6 FUND BALANCE 0

DEBT SERVICE - City Hall

Revenues	2,300
Expenditures	351,934
Transfer from Second Cent Sales Tax	349,634
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Revenues	0
Expenditures	538,910
Transfer from Debt Service	556,982
Appropriation to Reserve	(18,072)
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BIKE PATH

Revenues	163,900
Expenditures	200,000
Transfer from Second Cent Sales Tax	36,100
CP BIKE PATH FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	90,250
Expenditures	95,000
Transfer from Second Cent Sales Tax	4,750
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BLISS POINTE TIF 6

Revenues	1,733,250
Expenditures	2,027,000
Appropriation to Reserve	98,150
Transfer from Stormwater Fund	150,000
Transfer from Second Cent Sales Tax	232,500
Transfer from Water Fund	9,400
CP LIBRARY FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - WEST MAIN MILL & OVERLAY

Revenues	40,200
Expenditures	<u>40,200</u>

WEST MAIN MILL & OVERLAY FUND BALANCE

0

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment Fund	Copier - Fax- Postage Fund	Custodial Fund	Equipment Replacement Fund
<u>Revenues</u>				
Internal Dept Charges		17,650	84,520	418,332
Interest on Investments	185			1,100
Contributed Capital				
Other Revenues				247,352
Total Revenues	185	17,650	84,520	666,784
<u>Expenditures</u>				
Personnel			80,617	
Operating Expenses	185	15,550	3,200	
Capital			500	406,468
Total Expenditures	185	15,550	84,317	406,468
Transfer (Out) In (To) From Reserve		(2,100)	(203)	18,600 (278,916)
Fund Balance	0	0	0	0

UTILITY AND ENTERPRISE FUNDS (Information Only)

	Electric Fund	Water Fund	Wastewater Fund	Joint Powers Fund	Liquor Fund	Golf Course Fund	Curbside Recycling Fund
<u>Revenues</u>							
Sales	5,442,000	1,435,000	1,475,000	1,182,150	1,207,000	691,150	111,800
Surcharge	735,000	263,000	322,000				
Other Revenue	90,000	48,125	8,835	24,000		73,050	300
Interest Bond Proceeds	156,850	6,391	4,862	6,000	500	4,000	50
Grants		415,000		1,221,590			
		33,000		467,850			
Total Revenues	6,423,850	2,200,516	1,810,697	2,901,590	1,207,500	768,200	112,150

Expenditures

Personnel

	956,208	578,960	483,190	490,138		358,153	90,342
Operating Expenses	3,547,217	577,100	612,773	1,060,800	1,034,916	405,592	14,600
Capital	1,375,554	844,916	418,840	3,551,800	2,000	24,000	250
Debt Service Surcharge		180,230	255,924	188,013			8,408
Debt Service Total	<u>575,050</u>	<u>235,669</u>	<u>291,013</u>				
Expenditures	6,454,029	2,416,875	2,061,740	5,290,751	1,036,916	787,745	113,600
Transfers Out	(884,950)	(47,983)	(37,279)		(194,200)		
Transfers In (To) From Reserve	9,000						
	<u>906,129</u>	<u>264,342</u>	<u>288,322</u>	<u>2,389,161</u>	<u>23,616</u>	<u>19,545</u>	<u>1,450</u>
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Dated at Vermillion, South Dakota this 15th day of September, 2014.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Holland. 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, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-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. Removed from the agenda

B. Final Plat of Lot 1 of Block 1, and Lots 2, 4, 5 and 6 of Block 2 of Dakota Hospital Foundation Addition to the City of Vermillion, Clay County, South Dakota.

Jose Dominguez, City Engineer, reported on the location of the property being platted and presented a map of the area. Jose noted that the final plat will combine lots that are adjacent to each other thus removing the existing lot lines that run through buildings. Jose stated that all the property is owned by Dakota Hospital Foundation and is approximately 10 acres. Jose reported that the Planning Commission recommended approval of the plat.

328-14

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 of Block 1, and Lots 2, 4, 5 and 6 of Block 2 of Dakota Hospital Foundation 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 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.

C. Resolution Approving Grant Offer for Airport Improvement Program for the Airport Layout Plan with the FAA

Jose Dominguez, City Engineer, reported that the existing airport capital improvement plan has the new airport layout plan (ALP) to be started this year. The grant agreement with the FAA stipulates the funding and also has criteria that need to be followed during the development of the plan. Jose noted that, although the form is different, the City has entered into a similar agreement for every airport project. Jose said that the resolution provided that the City

will be reimbursed 90% of the project costs estimated at \$100,000, from the FAA. Jose noted that the State will reimburse 5% leaving the City share at 5%. Jose recommended adoption of the resolution approving the grant offer for airport improvements.

329-14

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

RESOLUTION ACCEPTING THE GRANT OFFER
FOR THE AIRPORT IMPROVEMENT PROGRAM
FOR THE AIRPORT LAYOUT PLAN
BETWEEN THE FAA AND THE CITY OF VERMILLION

WHEREAS, the City of Vermillion wishes to update the airport layout plan by utilizing a combination of Local, State and Federal Funds, and;

WHEREAS, the Governing Body of the City of Vermillion is asked by the United States Department of Transportation Federal Aviation Administration to approve the above mentioned grant agreement by resolution, and;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion accepts the Grant Agreement between the United States Department of Transportation Federal Aviation Administration and the City of Vermillion for Project 3-46-0056-010-2014.

Dated at Vermillion, South Dakota this 15th day of September 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Price. 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. Tree Board Appointment

Mayor Powell reported that there is currently an opening on the Tree Board. Mayor Powell stated that an expression of interest form was received from Jim Brady and he recommended his appointment to the Tree Board.

330-14

Alderman moved approval of the appointment of Jim Brady to the Tree Board. Alderman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Light & Power Department transformers

Jason Anderson, Assistant City Engineer, reported that the Electric Department typically purchases wire and transformers once a year in preparation for the construction season. Due to unexpected transformer need, bids were opened on September 10th for some additional transformers. Jason stated that seven bids were received and that bids are evaluated for operating losses over the life cycle of the transformer to determine the low bidder. The low bidder was Stuart Irby Company with an initial purchase price of \$29,873 and total evaluated price of \$52,429.

Bidders: Border States Electric base bid \$28,075, total evaluated price \$58,627.50; Wesco base bid \$26,799, total evaluated price \$53,685.40; DSG base bid \$24,235, total evaluated price \$52,897; RESCO bid one base bid \$25,336, total evaluated price \$53,338.40; RESCO bid two base bid \$25,599, total evaluated price \$54,783.40; Stuart Irby bid one base bid \$28,888, total evaluated price \$58,481.60; Stuart Irby bid two base bid \$29,873, total evaluated price \$52,429

331-14

Alderman Willson moved approval of the low bid of Stuart Irby Company bid two with an initial purchase price of \$29,873 and total evaluated price of \$52,429. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. N. Norbeck Street roadway lighting project

Jason Anderson, Assistant City Engineer, reported that in January 2014 the City Council adopted a resolution for the assessment of North Norbeck Street improvements between Clark and Roosevelt Streets and in August 2014 the City Council adopted a resolution for the assessment of street light improvements along North Norbeck Street from Roosevelt to East Cherry Streets. Jason said that bid documents were sent to nine potential bidders. The bid has the project divided into the base bid

for the light on Norbeck Street from Cherry Street to Roosevelt Street and the bid alternate for the lights along Norbeck Street from Clark Street to Roosevelt Street. Jason reported that one bid was received on September 11th at the bid opening from AGK Electric for a total of \$37,338.15. Jason noted that, as the bid was in excess of engineers estimate of \$24,500, contact was made with the bidder to see if there was any room to negotiate the price. Jason reported that staff was able to reduce the total price to \$31,788.55 by providing flexible conduit material at City cost for the project. Jason noted that the material is sold in large quantities far greater than what is needed for the project and the bidder had included the total quantity in the bid. Jason recommended awarding the bid on the adjusted price of \$14,010.45 on the base bid and \$17,778.10 on the alternate bid with AGK Electric.

332-14

Alderman Erickson moved approval of the only bid of AGK Electric of \$14,010.45 on the base bid and \$17,778.10 on the alternate bid, total \$31,788.55 as negotiated by City staff. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reminded the community of the fireworks show planned for this Thursday, September 18th between 8:00 p.m. and 9:00 p.m. in the field south of the High School as part of Homecoming Week activities.

B. John reported on raffle notifications received:

- a. St. Agnes Parish is selling \$1 tickets from September 20 to October 19, 2014 for a variety of donated prizes valued from \$50 to \$500. The drawing is October 19, 2014 at St Agnes Fall Festival. Proceeds go to support St Agnes School and related activities.
- b. St. Agnes Youth Group is selling \$1 tickets from September 5 to October 19, 2014. The prize is a 2000 Grand Am valued at \$3,000. The drawing is October 19, 2014 at St Agnes Fall Festival. Proceeds go to support St Agnes Youth Group.
- c. Vermillion Rural Fire is selling \$20 tickets until September 27, 2014. There are 32 guns available as prizes. Values range from \$500 to \$1,000. Proceeds from the raffle go toward the purchase of the rescue truck to be funded by the rural Fire Association.

C. John reported that fire hydrant flushing is scheduled to start the week of September 22nd.

D. John reported that 65 vehicles participated in the Household Hazardous Waste collection last Friday at the Recycling Center.

E. John reported that a Council member was contacted and asked that to announce: The Living River group will meet on Tuesday, September 16th at the Vermillion Public Library at 7:00 p.m., and to invite the community to join for a film-viewing and discussion. They will be showing the 2010 documentary "Bag It," about plastics, solid waste, and recycling. Following the film, members of the "Bring Your Bag" Committee will discuss their campaign and ask for ideas from the audience.

F. It was reported that the Booster Club will be having a dedication and ribbon cutting for the new sign at the high school on Thursday, September 18th at 6:45 p.m.

PAYROLL ADDITIONS AND CHANGES

Ambulance: Nicole Gulley \$9.00/hr FTO, John Wetherinton \$6.00/1st-
\$6.00/2nd-\$8.00/call; Recreation: Hailey Norman \$7.75/hr; Library: Alta
Allen \$8.00/hr, Epiphany Knedler \$8.16/hr, Austin Knoble \$8.0/hr; Golf
Clubhouse: Emily Schierbeck \$7.25/hr; Golf Maintenance: Justin Ackerman
\$7.50/hr, Huter Serfoss \$7.50/hr; Communications: Jessica Standley
\$17.41/hr; Curbside Recycling: Dan Hanson \$15.80/hr

11. Invoices Payable

333-14

Alderman Willson moved approval of the following invoice:

JOHN POWELL	APPA EXPENSE REIMBURSEMENTS	878.82
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Alderman Collier-Wise seconded the motion. Mayor Powell requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

334-14

Alderman Willson moved approval of the following invoices:

AMERICAN LEGAL PUBLISHING	INTERNET RENEWAL	375.00
BROADCASTER PRESS	ADVERTISING	2,025.94
BUREAU OF ADMINISTRATION	TELEPHONE	256.70
CAMPBELL SUPPLY	SUPPLIES	51.96
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CITY OF VERMILLION	LANDFILL VOUCHERS	444.00
CLAY RURAL WATER SYSTEM	WATER USAGE	83.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,275.66
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,105.35

ECHO ELECTRIC SUPPLY	SUPPLIES	1,459.78
ENERGY LABORATORIES	TESTING	1,220.00
ENVIRONMENTAL PRODUCTS	PARTS	2,267.01
FOREMAN MEDIA	COUNCIL MTG	100.00
GERSTNER OIL	AIRPORT FUEL	20,336.90
GRAHAM TIRE CO.	TIRES	237.70
GREGG PETERS	MANAGERS FEE	5,375.00
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	9,055.50
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	210.00
MATHESON TRI-GAS, INC	SUPPLIES	251.48
MIDAMERICAN	GAS USAGE	2,068.47
MIDCONTINENT COMMUNICATIONS	CABLE/INTERNET SERVICE	118.68
MIDWEST READY MIX & EQUIP	LANDSCAPE ROCK	165.50
NORTHEAST WISCONSIN TECHNICAL COLLEGE	REGISTRATION	25.00
REPUBLIC NATIONAL DISTRIBUTING CO	MERCHANDISE	13,685.28
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
STERN OIL CO.	SUPPLIES	24,520.96
THE EQUALIZER	ADVERTISING	1,060.00
UNITED PARCEL SERVICE	SHIPPING	76.20
US POSTMASTER	POSTAGE FOR UTILITY BILLS	950.00
VCDC	GRANT BLISS POINTE	303,036.78
VERIZON WIRELESS	WIRELESS COMMUNICATION	122.49
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	219.48
WOW! BUSINESS	DIALUP SERVICE	49.95
DUANE MEHLHAF	BRIGHT ENERGY REBATE	375.00
MICHELLE LAUGHLIN	BRIGHT ENERGY REBATE	250.00
RUSS STONE	BRIGHT ENERGY REBATE	275.00
DAVID STAMMER	BRIGHT ENERGY REBATE	70.00

Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

335-14

Alderman Ward moved to adjourn the Council Meeting at 7:39 p.m. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of September, 2014.

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 _____.