

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

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

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward (arrived at 12:02 p.m.), Willson, Mayor Powell

John Prescott, City Manager, introduced Dave Burbach with Burbach Aquatics, Inc. who is the swimming pool design consultant. Dave stated that he is in town working on the existing site conditions map of the pool site and soils report.

Alderman Ward arrived 12:02 p.m.

2. Informational Session - City Council discussion on malt beverage markup - John Prescott

Mayor Powell reported that when the City Council discussed possible funding options for the General Obligation Bond for the Prentis Park improvements the use of the malt beverage markup was reviewed. Mayor Powell stated that to avoid confusion it was decided to wait with proceeding with the funding options for the bond repayment until after the vote.

John Prescott, City Manager, stated that the voters approved the issuance of general obligation bonds to provide \$3 million for Prentis Park improvements. John noted that it is anticipated that the bonds will be sold the first quarter of 2015 and that there will be at least an interest payment due later in 2015. John stated that the annual general obligation bond debt service is estimated at \$222,000 per year. John reported that the malt beverage markup was discussed as an option to assist with the debt service. John handed out a draft of the malt beverage mark up ordinance noting that a number of other cities have similar ordinance and those before 1988 could have a markup percentages greater than 5%. John stated that a meeting was held with the license holders who were not in favor of the markup ordinance. John stated that at the public meetings for the bond issue the use of the markup percentage was listed as a repayment option without negative feedback. John asked the City Council if they wanted to proceed with the malt

beverage markup ordinance. Discussion followed with the consensus of the City Council to proceed with the malt beverage mark up ordinance.

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

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

4. Executive Session

Mayor Powell requested an executive session as provided in SDCL 1-25-2 (1).

403-14

Alderman Willson moved to go into executive session at 12:25 p.m. as provided in SDCL 1-25-2(1). Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the City Council in executive session.

Mayor Powell declared the City Council out of executive session at 12:31 p.m.

5. Recess and/or Adjourn to tour the new Liquor Store location at 820 Cottage Avenue

Mayor Powell stated that the tour will be at the new liquor store location at 820 Cottage Avenue and asked which members would be attending.

404-14

Alderman Collier-Wise moved to recess the meeting to relocate to the 820 Cottage Avenue location. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the Council in recess.

Alderman Erickson, Clarene Meins and Holly Meins were unable to attend the tour.

405-14

Alderman Holland moved to adjourn the Council special session at 12:50 p.m. Alderman Willson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of December, 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
December 15, 2014
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on December 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

2. Pledge of Allegiance

3. Minutes

A. Minutes of December 1, 2014 Special Session; December 1, 2014 Regular Session

406-14

Alderman Collier-Wise moved approval of the December 1, 2014 Special Session and December 1, 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

407-14

Alderman Willson moved approval of the agenda. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Jose Dominguez, City Engineer, wanted to update the public on the Main/Center/Court Street intersection. Jose stated that the traffic signal will be shut off and stop signs installed on Center and Court Streets during the last week of December or first week of January. Jose stated that this is part of the larger project for upgrading traffic signals on Main Street by reviewing the impact of not having the signal at this intersection. Jose stated that this test period will be for at least a 90 days. Jose noted that traffic counts will be conducted and public input will be accepted.

6. Public Hearings

A. Special Assessment roll for Sidewalk Repairs (Northwest Quadrant)

Jose Dominguez, City Engineer, reported that on August 6, 2012 and September 4, 2012 the City Council approved a Resolutions Adopting the Resolution of Necessity for Sidewalk Repairs. Jose stated that the work has been completed and the final payment has been authorized. The special assessments were calculated and filed with the Finance Officer on November 12, 2014. Jose stated that at November 17, 2014 meeting the City Council approved a resolution setting December 15th as the hearing date and notice of this hearing was placed in the newspaper and mailed to the affected property owners. Jose stated that since the notices were mailed staff received several phone calls regarding the cost of some of the assessments that led to a review of the assessment calculation. Jose stated that the review discovered that one of the calculations was incorrect. Jose reported that the special assessment roll has been amended and filed with the Finance Office for the error in calculation. Jose also reported that the special assessment roll also included the special assessments for the sidewalks that the City Council wanted installed. These assessments were part of a separate resolution that was also adopted on August 6, 2012 and these properties have been removed from the amended resolution. Jose reported that, as such, an amended resolution has been prepared for adoption and that resolutions to set a new public hearing for each special assessment roll are included later on the agenda. Discussion followed.

408-14

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

RESOLUTION AMENDING THE SPECIAL ASSESSMENT ROLLS
FOR SIDEWALK REPAIRS
IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has amended the special assessment rolls for defraying the

cost of construction of sidewalks and related improvements against the several tracts of real property fronting and abutting upon as listed below:

<u>PARCEL NUMBER</u>	<u>PROPERTY ADDRESS</u>	<u>LEGAL DESCRIPTION</u>	<u>OLD COST</u>	<u>AMENDED COST</u>
15415-00200-080-00	400 Bower	LOTS 6 7 & 8 BLK 2 LOTUSWOOD	\$469.25	\$412.59
15415-00100-040-00	214 Bower	LOT 4 BLK 1 EXC W 101' LOTUSWOOD	\$283.35	\$184.83
15410-00100-020-00	809 Carleton Circle	LOT 2 BLK. 1 LEER	\$1,123.77	\$1,285.62
15700-00100-000-03	400 Carr	REPLAT OF BLK 1 EXC S 30' & E 30' & N 30' Blk 1 SARACEN COURTS	\$453.53	\$407.38
15760-00000-000-18	731 W Cedar	E 79.5' OF S 144' OF W 199.5' & W 25' of C-6 of outlot C TORSTENSONS	\$819.02	\$887.08
15770-09252-133-09	829 Cedar St	W86' OF E261' OF S150' OF OUTLOT V-1 In SE 1/4 SE 1/4 Sec 14 & SW 1/4 13-92-52 TORSTENSONS UNPLATTED	\$773.64	\$802.88
15720-04900-070-00	204 Center	LOTS 6 & 7 BLK. 49 SNYDERS	\$2,638.61	\$3,266.59
15720-04900-050-00	210 Center	LOT 5 BLK. 49 SNYDERS	\$869.10	\$952.58
15720-04900-040-00	214 Center	LOT 4 BLK. 49 SNYDERS	\$698.06	\$728.90
15720-04800-130-00	217 Center	LOTS 11 12 & THE S. 1/2 OF LOT 13 BLK. 48 SNYDERS	\$993.16	\$1,083.18
15840-00400-010-00	1701 Constance	LOT 1 BLK. 4 WESTGATE	\$358.61	\$278.13
15840-00500-060-03	1806 Constance Dr	LOTS 6 & 6A BLK. 5 WESTGATE	\$341.97	\$261.49
15840-00400-120-00	1851 Constance Dr	LOT 12 BLK. 43 WESTGATE	\$264.10	\$159.65
15730-08600-050-15	415 Cottage	4A OF LOTS 4 & 5 BLK. 86 ADDN TO SNYDERS	\$357.65	\$276.90
15730-08500-080-12	432 Cottage Ave	N. 2/3 OF THE W. 1/2 OF LOT 8 BLK. 85 ADDN TO SNYDERS	\$263.66	\$159.08
15186-00100-080-00	508 Cottage	LOT 8 BLK 1 COTTAGE PL ADDN	\$263.66	\$159.08
15186-00100-080-00	514 Cottage	LOT 8 BLK 1 COTTAGE PL ADDN	\$436.38	\$379.72
15730-08500-050-03	524 Cottage Ave	N. 45' OF THE S. 94' OF THE E. 143' OF LOT 5 BLK. 85 ADDN TO SNYDERS	\$306.75	\$208.90
15186-00100-030-00	530 Cottage	LOT 3 BLK 1 COTTAGE PL ADDN	\$476.15	\$421.24
15186-00100-030-00	602 Cottage	LOT 3 BLK 1 COTTAGE PL ADDN	\$427.28	\$373.05
15730-08500-030-03	608 Cottage Ave	E. 150' OF LOT 3 BLK. 85 ADDN TO SNYDERS	\$522.60	\$487.48
15730-08700-000-12	15 E Cherry St	Lots LC-1 & LC-2 & W 218' of S 66' of N 192' Blk 87 ADDN TO	\$264.10	\$159.65

		SNYDERS		
15340-00100-010-01	24 E. Duke	S. 320' EXCEPT THE W. 120' OF LOT 1 AND THE S. 320' OF LOT 4 BLK 1 JOHNSON'S	\$366.05	\$287.45
15340-00100-190-00	1000 Elm St.	LOT 19 BLK 1 JOHNSON'S	\$469.25	\$412.59
15720-04600-100-00	111 Elm	LOT 10 BLK. 46 SNYDERS	\$802.95	\$866.07
15720-04500-030-03	120 Elm St	E. 85' OF LOTS 2 & 3 BLK. 45 SNYDERS	\$908.31	\$1,003.86
15720-04700-100-00	209 Elm	LOT 10 BLK. 47 SNYDERS	\$611.47	\$613.91
15720-04700-130-00	221 Elm St	LOT 13 BLK. 47 SNYDERS	\$307.85	\$216.87
15720-04800-020-00	224 Elm St	N. 40' OF LOT 2 BLK. 48 SNYDERS	\$247.03	\$137.33
15720-04800-010-00	226 Elm	LOT 1 BLK. 48 SNYDERS	\$478.03	\$439.41
15720-05900-030-03	318 Elm	S. 12' OF THE E. 110' OF LOT 2 & 3 EXCEPT THE N. 6' OF THE W. 40' OF LOT 3 BLK. 59 SNYDERS	\$429.03	\$375.34
15720-04800-030-00	218/220 Elm	S. 4' OF LOT 2 & N. 38' OF LOT 3 BLK. 48 SNYDERS	\$776.96	\$832.09
15720-03800-110-00	15 Franklin	N. 20' OF LOT 11 BLK. 38 SNYDERS	\$317.91	\$230.02
15720-04100-110-00	115 Franklin	LOT 11 BLK. 41 SNYDERS	\$417.22	\$359.89
15720-04100-120-00	119 Franklin	LOT 12 BLK 41 SNYDERS	\$404.97	\$343.87
15720-04000-030-03	124 Franklin	N. 1/2 OF LOTS 1 2 & 3 BLK. 40 SNYDERS	\$370.85	\$299.25
15720-05500-140-00	325 Franklin	W. 82' OF LOTS 13 & 14 BLK. 55 SNYDERS	\$264.10	\$159.65
15730-08400-040-00	417 Franklin	N. 81' OF THE W. 66' OF LOT 4 BLK. 84 ADDN TO SNYDERS	\$1,468.23	\$1,736.07
15730-08400-050-03	421 Franklin St	N. 44' OF THE E. 1/2 OF LOT 5 & W. 1/2 OF LOT 5 BLK. 84 ADDN TO SNYDERS	\$1,074.57	\$1,178.11
15390-00000-160-00	201 Hall	N. 58' OF LOT 16 & ALL OF LOT 17 LARSON'S SUBDIVISION	\$530.90	\$498.34
15390-00000-500-00	218 Hall	LOT 50 LARSON'S SUBDIVISION	\$890.82	\$958.88
15730-08500-140-00	439 High (435)	LOT 14 BLK 85 exc the N58' of E 113' ADDN TO SNYDERS	\$1,065.66	\$1,209.62
15730-08400-070-03	436 High St.	E 230' OF LOT 7 BLK 84 ADDN TO SNYDERS	\$426.85	\$372.48
15730-08500-140-00	431 High (435)	LOT 14 BLK 85 exc the N58' of E 113' ADDN TO SNYDERS	\$647.78	\$661.40
15720-04200-070-00	102 High	S. 38' OF LOT 6 & ALL OF LOT 7 BLK. 42 SNYDERS	\$796.80	\$858.04
15720-04200-030-00	114 High	LOT 3 & THE N. 20' OF LOT 4 BLK. 42 SNYDERS	\$429.03	\$375.34
15720-04200-010-00	124 High	LOT 1 BLK. 42 SNYDERS	\$434.08	\$382.27
15720-04300-140-03	125 High	W. 106' OF THE N. 6' OF LOT 13 & THE W. 106' OF LOT 14 BLK.	\$429.47	\$375.91

		43 SNYDERS		
15720-05100-060-03	210 High	LOT 5 & N. 9' OF LOT 6 BLK. 51 SNYDERS	\$823.41	\$870.39
15720-05100-040-00	216 High	LOTS 3 & 4 BLK. 51 SNYDERS	\$429.03	\$375.34
15730-08400-080-03	406 High	S. 54' OF THE E. 198' OF LOT 8 BLK. 84 ADDN TO SNYDERS	\$283.35	\$184.83
15730-08400-080-03	416 High St	S 54' OF E 198' OF 8 BLK 84 ADDN TO SNYDERS	\$283.35	\$184.83
15730-08500-120-00	417 High	N. 73' OF THE W. 118' OF LOT 12 BLK. 85 ADDN TO SNYDERS	\$429.03	\$375.34
15730-08400-080-00	Lot north of 416 High (422)	LOT 8 EXC S 54' OF E 198' BLK 84 ADDN TO SNYDERS	\$429.03	\$375.34
15840-00300-020-00	900 James St	LOT 1 & THE S. 5' OF LOT 2 BLK. 3 WESTGATE	\$264.10	\$159.65
15840-00200-060-00	1009 James St	LOT 6 BLK. 2 WESTGATE	\$264.10	\$159.65
15840-00200-080-00	1025 James St	LOT 8 REPLAT OF PART OF BLK. 2 WESTGATE	\$429.47	\$375.91
15720-04700-050-00	empty lot north of 202 Dakota (212 N Dakota)	S 1/2 OF 3 & ALL OF 4 & 5 BLK 47 SNYDERS	\$1,958.21	\$2,376.82
15550-00200-050-00	702 N. Dakota	66' OF SPRUCE ST ADJ LOT 1 & LOTS 1234 & n 8.2' OF LOT 5 BLK 2 PARKS	\$1,046.96	\$1,150.65
15720-04600-050-00	110 N. Dakota	LOT 5 BLK. 46 SNYDERS	\$672.28	\$694.92
15720-04600-030-00	118 N. Dakota	LOTS 3 & 4 BLK. 46 SNYDERS	\$50.00	\$50.00
15720-04700-030-00	220 N. Dakota	S. 1/2 OF LOT 2 & THE N 1/2 OF LOT 3 BLK. 47 SNYDERS	\$550.66	\$534.39
15720-06000-010-00	324 N. Dakota	LOT 1 BLK. 60 SNYDERS	\$550.66	\$534.39
15730-08600-070-27	422 N. Dakota	LOT 7B OF LOT 7 BLK. 86 ADDN TO SNYDERS	\$426.42	\$366.80
15730-08600-070-39	508 N. Dakota	LOT R-1 BLK. 86 ADDN TO SNYDERS	\$1,042.04	\$1,178.73
15400-00100-030-00	602 N. Dakota	65.9' X 143' LOT 3 BLK. 1 LAWRENSEN'S	\$264.10	\$159.65
15550-00100-120-00	820 N. Dakota	LOTS 1 2 3 11 & 12 AND THE E. 1/2 OF VACATED ELM STREET PARKS	\$233.35	\$134.83
15410-00300-110-00	807 Princeton	LOTS 8 9 10 & 11 BLK 3 LEER	\$264.10	\$159.65
15720-04900-090-00	205 Prospect	LOTS 8 & 9 BLK. 49 SNYDERS	\$1,769.21	\$2,129.66
15720-04900-110-00	211 Prospect	LOTS 10 & 11 BLK. 49 SNYDERS	\$413.28	\$354.74
15720-05000-030-00	216 Prospect	S. 1/2 OF LOT 2 & ALL OF LOT 3 BLK. 50 SNYDERS	\$628.55	\$612.28
15720-05800-100-00	309 Prospect	N. 1/2 OF LOT 9 & ALL OF LOT 10 BLK. 58 SNYDERS	\$550.66	\$534.39
15410-00200-050-00	804 Radcliffe Cir	LOT 5 BLK. 2 LEER	\$375.66	\$305.54
15340-00300-270-00	925 Rice Dr	LOT 27 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$263.66	\$159.08
15340-00300-060-00	928 Rice Drive	LOT 6 REPLAT OF LOT 1 BLK. 3	\$341.53	\$260.91

		JOHNSON'S		
15340-00300-260-00	931 Rice Dr	LOT 26 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$367.78	\$295.24
15340-00300-080-00	1000 Rice Dr	LOT 8 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$429.47	\$375.91
15340-00300-130-00	1030 Rice Drive	LOT 13 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$575.45	\$250.00
15575-00600-010-00	11 Shriner Street	Lot 1 Blk 6 PARTRIDGE	\$280.74	\$176.29
15410-00300-050-00	804 Vassar Circle	LOT 5 BLK. 3 LEER	\$280.74	\$176.29
15810-02800-030-01	1117 W. Main (1115 W Main)	E 72' OF REPLAT LOT 3 BLK 28 VAN METERS	\$700.13	\$722.98
15720-05100-070-00	202 High	E. 1/2 OF LOT 7 BLK. 51 SNYDERS	\$886.32	\$967.77
15720-05300-080-00	413 W. Cedar St	LOTS 7 & 8 BLK 53 SNYDERS	\$788.78	\$847.54
15770-09252-133-45	511 W. Cedar St	E. 55' OF THE S. 1/2 OF IS-1 OF THE SW 1/4 S13-T92-R52 TORSTENSONS UNPLATTED	\$609.28	\$611.05
15770-09252-133-57	525 W. Cedar St	LOT IS-3 IN THE SW 1/4 S13 T92-R52 EXCEPT THE N. 150' TORSTENSONS UNPLATTED	\$672.67	\$681.23
15370-00100-030-00	531 W. Cedar St	LOT 3 BLK 1 LAMBERTS SUBDIVISION	\$280.21	\$175.63
15370-00200-100-00	505 W. Clark	LOTS 9 & 10 & E. 12' OF LOT 8 BLK. 2 LAMBERTS SUBDIVISION	\$280.74	\$176.29
15370-00200-060-00	517 W. Clark	E 10' OF LOT 5 & W 50' OF LOT 6 BLK 2 LAMBERTS SUBDIVISION	\$744.30	\$772.38
15370-00200-050-00	521 W. Clark	W 50' OF LOT 5 BLK 2	\$497.28	\$464.59
15370-00100-050-03	528 W. Clark	LOT 4 & E 13.5' OF LOT 5 BLK 1 LAMBERTS SUBDIVISION	\$264.10	\$159.65
15330-00200-090-00	737 W. Clark	LOT 8 & W 9.8' OF LOT 9 BLK 2 HOLIDAY VILLAGE	\$453.14	\$396.62
15330-00300-030-00	904 W. Clark	LOT 3 BLK 3 HOLIDAY VILLAGE	\$263.66	\$159.08
15330-00100-050-03	913 W. Clark	S. 142' OF LOT 2 & W. 10' OF THE S. 32.7' OF LTO 3 & THE W. 10' OF LOTS 4 & 5 BLK. 1 HOLIDAY VILLAGE	\$341.53	\$260.91
15390-00000-460-00	1028 W. Clark	LOT 46 EXCEPT THE SESTERLY 15' OF LOT 46 & THE E. 25' OF LOT 25 REPLAT OF LOTS 16 & 17 LARSONS SUBDIVISION	\$233.48	\$117.05
15390-00000-530-00	1005/1015 W. Clark	LOTS 51 52 & 53 LARSONS SUBDIVISION	\$537.50	\$501.85
15390-00000-530-00	1021/1031 W. Clark	LOTS 51 52 & 53 LARSONS SUBDIVISION	\$452.16	\$395.37
15390-00000-530-00	923/933 W. Clark	LOTS 51 52 & 53 LARSONS SUBDIVISION	\$554.55	\$523.74

15730-08400-010-00	203 W. Dartmouth	E 183' of S 67' OF LOT 1 BLK 84 ADDN TO SNYDERS	\$1,727.16	\$2,074.67
15730-08400-020-06	221 W. Dartmouth	W 64.5' OF E 138' OF 2 BLK 84 ADDN TO SNYDERS	\$1,275.45	\$1,483.96
15730-08400-030-03	311 W. Dartmouth	W 72' OF LOT 3 BLK 84 ADDN TO SNYDERS	\$1,098.25	\$1,222.01
15730-08400-040-03	319 W. Dartmouth	E 49' OF LOT 4 BLK 84 ADDN TO SNYDERS	\$623.72	\$629.93
15720-05500-140-03	322 W. Dartmouth	E. 68' OF LOTS 13 AND 14 BLK 55 SNYDERS	\$814.54	\$863.27
15330-00600-080-00	500 W. Dartmouth	LOT 8 BLK 6 HOLIDAY VILLAGE	\$358.61	\$278.13
15330-00600-010-00	616 W. Dartmouth	LOT 1 BLK 6 HOLIDAY VILLAGE	\$414.67	\$399.13
15330-00500-080-03	712 W. Dartmouth	LOT 8 BLK. 5 EXCEPT THE W. 6' HOLIDAY VILLAGE	\$264.10	\$159.65
15330-00500-080-00	716 W. Dartmouth	E. 64' OF LOT 7 AND THE W. 6' OF LOT 8 BLK 5 HOLIDAY VILLAGE	\$264.10	\$159.65
15340-00400-020-00	115 W. Duke	LOT 4 & THE S. 15' OF LOT 5 BLK 4 JOHNSON'S	\$214.10	\$109.65
15410-00300-010-00	316 W. Duke	LOT 1 BLK 3 LEER	\$331.91	\$248.33
15810-01300-000-00	707 W. Main	LOT M1 BLK. 13 VAN METER'S	\$307.85	\$216.87
15810-02700-050-00	813 W. Main	LOTS 4 & 5 BLK. 27 VAN METER'S	\$319.66	\$232.31
15810-02700-030-00	815 W. Main	LOT 3 BLK. 27 VAN METER'S	\$481.46	\$427.90
15810-02500-060-00	1005 W. Main	LOT 6 REPLAT OF LOTS 5 6 & 7 BLK. 25 VAN METER'S	\$666.16	\$686.26
15810-02500-020-00	1025 W. Main	E. 23' OF LOT 1 & ALL OF LOT 2 BLK. 25 VAN METER'S	\$333.84	\$242.86
15720-04400-060-00	9 W. National	LOTS 6 & 7 BLK 44 SNYDERS	\$776.96	\$832.09
15720-04400-090-03	19 W. National (101 Prospect)	W 110' OF LOT 8 & 9 Blk 44 SNYDERS	\$802.95	\$866.07
15810-01400-020-00	4 Walnut St	N. OF MAIN OF LOTS 1 & 2 BLK. 14 VAN METER'S	\$307.85	\$216.87
15330-00700-010-00	310 Walnut St	LOT 1 BLK. 7 HOLIDAY VILLAGE	\$280.21	\$175.63
15720-04100-070-00	100 Washington	LOT 7 BLK. 41 SNYDERS	\$542.78	\$524.09
15720-05200-100-00	202 Washington	S. 40' OF LOT 6 & ALL OF LOTS 7 8 9 & THE S. 12' OF LOT 10 BLK. 52 SNYDERS	\$1,601.15	\$1,956.37
15720-05200-060-00	210 Washington	S. 36' OF LOT 4 & ALL OF LOT 5 & THE N. 4' OF LOT 6 BLK. 52 SNYDERS	\$412.85	\$354.18
15720-05500-020-00	324 Washington	LOTS 1 & 2 BLK. 55 SNYDERS	\$495.53	\$462.30
15390-00000-450-00	1107 Westend Dr	LOT 44 EXCEPT THE SESTERLY 39.2' & SESTERLY 22.6' OF LOT 45 LARSONS SUBDIVISION	\$278.53	\$178.53

15390-00000-040-00	1122 Westend Dr	LOT 4 LARSONS SUBDIVISION	\$1,208.79	\$1,380.23
15390-00000-030-00	1128 Westend Dr	LOT 3 LARSONS SUBDIVISION	\$263.66	\$159.08
15720-03300-040-00	16 N. Dakota St	LOTS 1,2,3 & 4 BLK. 33 SNYDERS	\$6,877.54	\$6,877.54
15840-00400-280-00	1804 Vonnie	LOT 28 BLK 4 WESTGATE	\$1,294.73	\$1,624.21
15720-04100-070-00	100 Washington	LOT 7 BLK. 41 SNYDERS	\$4,268.95	\$5,548.58
15720-03800-140-00	25 Franklin	N 9' OF W 100' OF 13 & 100' OF LOT 14, BLK 38 SNYDERS	\$0.00	\$1,553.17

in the City of Vermillion, Clay County, South Dakota. The amended assessment rolls were filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 10th day of December 2014.

WHEREAS, the Governing Body will by resolution fix a hearing date and place for the hearing upon said amended assessment roll.

NOW, THEREFORE, IT IS RESOLVED, by the Governing Body of the City of Vermillion, Clay County, South Dakota that the amended special assessment rolls are to be published as required by SDCL 9-43-93.

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

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 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.

B. Special Assessment roll for Construction of Concrete Surfacing along the North to South Alley in Block 68, Bigelow's Addition from East Clark Street to East Cedar Street

Jose Dominguez, City Engineer, reported that on January 6, 2014 the City Council approved a Resolution Adopting the Resolution of Necessity for Construction of Concrete Surfacing along the North to South Alley in Block 68, Bigelow's Addition from East Clark Street to East Cedar Street. Jose reported that the work has been completed and the final

payment has been authorized. Jose stated that the special assessments were calculated and filed with the Finance Officer on November 12, 2014. Jose stated at the November 17, 2014 meeting, the City Council approved a resolution setting December 15th as the hearing date and the notice of this hearing was placed in the newspaper and mailed to the affected property owners. Jose reported state statute requires a public hearing to be held to consider the assessment roll.

Lori Whitman, 221 N. Harvard, stated that some of her rock driveway off the alley has been removed and not replaced, a pile of some material was left and the cable TV cable was cut. Jose reported that he has contacted the contractor about correcting these items after hearing from Mrs. Whitman today. Discussion followed on the assessment roll.

409-14

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

RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLLS
AND NOTICE OF SPECIAL ASSESSMENTS FOR CONSTRUCTION OF CONCRETE
SURFACING ALONG THE NORTH TO SOUTH ALLEY IN BLOCK 68, BIGELOW'S
ADDITION FROM EAST CLARK STREET TO EAST CEDAR STREET IN THE
CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has established special assessment rolls for defraying the cost of construction of sidewalks and related improvements against the several tracts of real property fronting and abutting upon:

<u>PARCEL NUMBER</u>	<u>PROPERTY ADDRESS</u>	<u>LEGAL DESCRIPTION</u>	<u>AMOUNT</u>
15050-06800-070-00	225 N. Harvard	N ½ OF 6 AND ALL OF 7 BLK 68 BIGELOWS ADDN	\$4,458.70
15050-06800-060-00	221 N. Harvard	LOT 5 & S ½ OF LOT 6 BLK 68 BIGELOWS ADDN	\$4,458.70
15050-06800-040-00	215 N. Harvard	LOT 4 BLK 68 BIGELOWS ADDN	\$2,972.47
15050-06800-030-00	209 N. Harvard	N ½ OF LOT 2 & ALL OF LOT 3 BLK 68 BIGELOWS ADDN	\$4,458.70
15050-06800-020-00	205 N. Harvard	LOT 1 & S ½ OF 2 BLK 68 BIGELOWS ADDN	\$4,458.70
15050-06800-090-00	222 N. Yale	LOT 8 & 9 BLK 68 BIGELOWS ADDN	\$5,944.95
15050-06800-110-00	218 N. Yale	LOTS 10 & 11 BLK 68 BIGELOWS ADDN	\$5,944.95
15050-06800-140-00	204 N. Yale	LOTS 12, 13 & 14 BLK 68 BIGELOWS ADDN	\$8,917.41

in the City of Vermillion, Clay County, South Dakota. The assessment rolls were filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 12th day of November 2014.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing, upon the assessment rolls, and directed the City Finance Officer, of the City of Vermillion, Clay County, South Dakota, to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment rolls, and the time and place for the hearing that the assessment rolls would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment rolls for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice, by first-class mail, postage thereon fully prepaid, addressed to the property owners of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

WHEREAS, it now appears that the Finance Officer has caused notice of the hearing to be given in the manner provided by the aforementioned Resolution and Notice, and by law.

WHEREAS, all persons interested have been given an opportunity to appear and show cause why the Governing Body should not approve the assessment rolls, and the assessments against the respective premises of the owners, and the Governing Body has determined that the assessment rolls are, in all respects, true and correct and according to law.

NOW, THEREFORE, IT IS RESOLVED, by the Governing Body of the City of Vermillion, Clay County, South Dakota that the special assessment rolls are hereby approved without amendment or change.

BE IT FURTHER RESOLVED, that the approved assessment rolls be filed in the office of the City Finance Officer the day after approval of the assessment rolls. The City Finance Officer shall publish once in the official newspaper of Vermillion, South Dakota, and a copy of this Resolution and Notice, along with the approved assessment rolls.

BE IT FURTHER RESOLVED, that the City Finance Officer shall immediately mail to the owner, or owners, of each lot, parcel or piece of ground, as shown by the assessment rolls, a copy of this Resolution and Notice, along with the approved assessment roll for that location.

NOTICE IS HEREBY GIVEN, that the assessments mentioned in the assessment rolls will be payable according to the provisions of Plan One, as set forth in Sections 9-43, inclusive of the Codified Laws of the State of South Dakota, unless superseded by a deferred assessments agreement.

NOTICE IS FURTHER GIVEN, that any assessment under Plan One, or any installment thereof, may be paid without interest to the City Finance Officer whose office is located in City Hall at 25 Center Street in the City of Vermillion, South Dakota, at any time, within thirty days after the filing of the approved assessment rolls in the office of said City Finance Officer. Thereafter, and prior to the due date of the first installment, the entire assessment remaining, or any number of installments thereof, plus interest thereon, from the filing date to the date of payment, may be paid to the said City Finance Officer. After the due date of the first installment, provided that the installments, which are due together with interest included thereon, have been paid, any or all of the remaining installments not yet due may be paid without additional interest to the said City Finance Officer. All installments paid prior to their respective due dates shall be paid in inverse order of their due dates. No installment, under Plan One, shall be paid to the said City Finance Officer on or after its due date, and on and after said date such installment shall be paid only to the County Treasurer with interest.

NOTICE IS FURTHER GIVEN, that the approved assessment rolls, will be filed with the City Finance Officer on December 16, 2014. The assessment is payable in ten (10) installments at ten percent (10%), per annum, interest on unpaid installments as stipulated in the assessment roll for each location. The first installment due date is January 1, 2016. Subsequent installments are due January 1st of each succeeding year until the entire assessment is paid.

The assessment rolls herein referred to are attached.

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

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 Holland. 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.

7. Old Business

A. Second Reading of Ordinance 1323 - 2014 Supplemental Budget Appropriations Ordinance

Mike Carlson, Finance Officer, reported that the supplemental appropriations ordinance is needed to adjust the budget for items that have changed since the budget was adopted in September 2014. Mike noted that there have been no changes since first reading and reviewed the funds contained in the changes proposed. Discussion followed.

410-14

Second reading of title to Ordinance No 1323 entitled 2014 Budget Supplemental Appropriations Ordinance of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1323 entitled 2014 Budget Supplemental Appropriations Ordinance 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 1st day of December, 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 December, 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. 1323
2014 SUPPLEMENTAL APPROPRIATIONS ORDINANCE

AN ORDINANCE ADOPTING a 2014 Supplemental 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 Budget</u>	<u>Proposed Budget</u>	<u>Amount of Supplemental Budget</u>
<u>General Fund:</u>			
Revenues:			
Appropriation from Reserve	252,097	258,097	(6,000)
Expenditures:			
Finance Office			
Publishing & Advertising	16,000	18,000	2,000
Snow Removal			
Equipment Repair & Maint	11,000	15,000	4,000
<u>Second Penny Sales Tax Fund</u>			
Revenues:			
Interfund Loan repayment	-0-	22,000	22,000
Expenditures:			
Advance to TIF #6	267,862	286,412	18,550
Appropriation to Reserve	137,354	140,804	3,450
<u>Parks Capital</u>			
Revenue:			
Contribution & Donation	950	3,700	2,750
Expenditures:			
Capital Expenditures	9,000	11,750	2,750
<u>Golf Course Fund</u>			
Revenues:			
Appropriation from Reserve	19,545	41,545	22,000
Expenditures			
Interfund Loan Repayment	-0-	22,000	22,000
<u>Water Fund</u>			
Revenues:			
Appropriation from Reserve	264,342	264,692	350
Expenditures:			
Transfer to TIF #6	9,400	9,750	350
<u>Liquor Fund</u>			
Revenues:			
Appropriation from Reserve	23,616	33,338	9,722
Expenditures:			
Manager Profit	73,751	53,751	(20,000)

Furniture & Equipment	2,000	11,722	9,722
Leasehold Improvements	-0-	20,000	20,000
<u>Capital Projects TIF #6</u>			
Revenues:			
Advance from Sales Tax	232,500	251,050	18,550
Advance from VCDC	-0-	136,500	136,500
Transfer from Water	9,400	9,750	350

Expenditures:			
Professional Services	80,000	196,500	116,500
Street & Infrastructure	1,947,000	1,985,900	38,900

Copier Fax Postage Fund

Revenues:			
Appropriation from Reserve	-0-	6,900	6,900

Expenditures:			
Equipment Copier	-0-	9,000	9,000
Appropriation to Reserve	2,100	-0-	(2,100)

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

8. New Business

A. Final Plat of Lots 1 and 2, Max Christol Addition to the City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, reported on the location of the property noting the plat will combine 15-lots into two larger lots, and dedicate close to 66-feet of Noble Street. Jose stated that there is currently a house on what will become Lot 1. Jose noted that the owner's intention

is to have two lots that she would be able to sell. Lot 1 would have the current house, and Lot 2 would be a buildable lot for a single-family residence. Jose stated that the Planning Commission on December 8th, after hearing comments from the neighbors, recommended approval of the plat.

411-14

After reading the same once, Alderman Collier-Wise 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: Lots 1 and 2, Max Christol 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 Clarene 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.

B. Resolution amending electric rates

John Prescott, City Manager, reported that the City receives approximately 60% of our electric supply in a fixed allotment from Western Area Power Administration (WAPA) and the balance from Missouri River Energy Services (MRES). John reported at the MRES area meetings in October it was reported that WAPA will not be increasing its rates for 2015 but that MRES will be increasing their rates 8.5%. John stated that this will be about \$135,000 increase in the City power supply costs for 2015. John stated that to recover this increased cost a 2.5% rate increase is being proposed. John stated that the proposed rate will adjust customer charges, kWh and Kw in the different rate classes.

John reported that the Utility Committee met on November 25th and after review recommended the rate increase. The Utility Committee report was made to the City Council at the December 1st meeting. John stated that the increase will be with utility bills sent in January and due in February. Discussion followed.

412-14

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

RESOLUTION
REVISING ELECTRICAL RATES

WHEREAS Chapter 51 of the 2008 Revised Ordinances of the City of Vermillion allows the City Council to establish and change electrical rates, and;

WHEREAS, the City of Vermillion Light & Power utility receives a fixed power allotment of power from the Western Area Power Administration and the remaining power allotment is from Missouri River Energy Services, our supplemental power supplier, and;

WHEREAS, our supplemental power supplier has raised the cost of supplemental power due to increased operating costs and, debt service and;

WHEREAS, to recover the increased power costs a rate adjustment of 2.5% is included in the service rates listed below to be effective for electric billing after January 16, 2015, and;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 15th day of December, 2014, that rates be changed or established as follows:

Sec. 51.22 Residential service rates.

For billing made after January 16, 2015 seasonal residential rates will be:

Rate: All KWH per month per KWH at 9.0 cents for October -June billing and at 9.6 cents for July - September billing.

The rate includes a surcharge fee per KWH at .011 cents defined below

Customer charge: \$9.85 per month

Sec. 51.23 Small commercial power secondary service rate.

For billing made after January 16, 2015 seasonal small commercial secondary rates will be:

Rate: All KWH per month per KWH at 9.4 cents for October - June billing and at 10.0 cents for July - September billing.

The rate includes a surcharge fee per KWH at .011 cents defined below

Customer charge: \$16.50 per month for single phase services and \$26.50 per month for three phase services.

Sec. 51.24 Large commercial power secondary service rate.

For billing made after January 16, 2015 seasonal large commercial secondary service rates will be:

Rate: All KWH per month per KWH at 3.9 cents.

Maximum KW demand at \$11.80 per KW for October - June billing and at \$14.10 per KW for July - September billing.

The rate includes a surcharge fee per KWH at .011 cents defined below

Customer charge: \$36.00 per month.

Sec. 51.27 City Street Lighting

For billing made after January 16, 2015 city street lighting service rates will be:

Rate: All KWH per month per KWH at 12.5 cents.

The rate includes a surcharge fee per KWH at .011 cents defined below

Surcharge Fee:

There is hereby established and imposed, pursuant to the authority of SDCL 9-40, a surcharge upon the electric service served by the City of Vermillion electric utility. The surcharge shall apply to all classes of electric customers listed above. The surcharge is a special charge for the use of the electric system improvements financed with the proceeds of the City's 2009 Electric Revenue Bonds, and is pledged for the payment of the costs of operating and maintaining said improvements, and the debt service and other charges as may become due and owing on the 2009 Electric Revenue Bonds. The City hereby finds that the said improvements benefit all customers of its electric System and therefore imposes the surcharge fees on each customer of its System. The surcharge shall at all times be sufficient to produce net revenues for each fiscal year at least equal to one hundred twenty (125) percent of the principal and interest on the bonds coming due in such fiscal year. The charges shall be reviewed

annually by city personnel and administratively adjusted, upwards or downwards, pursuant to SDCL 9-40-15.1 and 9-40-15 to such amounts as may be necessary to pay principal, interest and other charges as may become due and owing on the bonds. The surcharge fee per monthly billing shall be as follows:

For billing made after January 16, 2015 the surcharge fee shall be .011 cents per KWH.

The Surcharge may be combined with the electric KWH charge on the monthly billing for ease of reporting.

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

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 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.

C. Resolution authorizing issuance of General Obligation Bonds, Series 2015

Mike Carlson, Finance Officer, reported that the voters approved the General Obligation Bond for up to \$3.1 million on November 4th for improvements to Prentis Park. Mike stated that the next steps will be the "Resolution authorizing issuance, prescribing the form and details and providing for the payment of general obligation bonds, Series 2015". Mike stated that the resolution authorizes the sale of up to \$3.1 million of bonds at an interest rate not to exceed 4.5 percent. The resolution authorizes the Mayor, Finance Officer and City Attorney to execute the necessary documents for the issuance of the bonds, account for the use of the funds and requires an ordinance for the collections of funds for the repayment. The resolution also addressed the form of the bonds and tax issues. The ordinance creating the bond fund and levying taxes for payment of the general obligation bonds is next on the agenda. Mike stated the resolution was prepared by Dorsey & Whitney, LLP, Bond Counsel and has been reviewed by Jim McCulloch, City Attorney. Discussion followed.

413-14

After reading the same once, Alderman Collier-Wise moved adoption of the following:

RESOLUTION AUTHORIZING ISSUANCE, PRESCRIBING THE FORM AND DETAILS
AND PROVIDING FOR THE PAYMENT OF GENERAL OBLIGATION BONDS,
SERIES 2015

BE IT RESOLVED by the City Council of the City of Vermillion, South Dakota (the Issuer), as follows:

SECTION 1. RECITALS, AUTHORIZATION AND SALE.

1.01. Authorization and Election. This Council hereby determines that it is in the best interests of the Issuer to authorize the issuance and sale of its General Obligation Bonds, Series 2015, in a principal amount not to exceed \$3,100,000 (the Bonds), pursuant to Chapters 9-26 and 6-8B, South Dakota Codified Laws, the proceeds of which will be used, together with Issuer funds on hand as may be required, to finance the acquisition and construction of Prentis Park Improvements to consist of a new swimming pool to replace the existing pool, parking lot, basketball courts and related improvements (the Project). Issuance of the Bonds was approved by the electors of the Issuer at an election held on November 4, 2014.

1.02. Sale and Bond Purchase Agreement. The Bonds shall be issued in an aggregate principal amount not to exceed \$3,100,000 for the purpose of financing the Project, paying the costs of issuing the Bonds (including underwriter's discount and the costs of bond insurance, if recommended by the Purchaser) and providing for an original issue discount not exceeding 2% of the principal amount of the Bonds. The Bonds shall be sold to Dougherty & Company LLC, of Minneapolis, Minnesota (the Purchaser) at a purchase price (exclusive of original issue discount) of not less than 98.5% of par, plus accrued interest, the Bonds to bear interest at a rate or rates per annum resulting in an average interest rate not greater than 4.5% per annum and to mature over a period not to exceed 20 years. The Mayor and Finance Officer are hereby authorized and directed to agree with the Purchaser upon the exact purchase price, principal amount, maturities, redemption provisions and interest rate or rates for the Bonds, within the parameters set forth in this section. The execution of a Bond Purchase Agreement setting forth such final terms by the Mayor and Finance Officer is hereby approved and authorized, and such execution shall be conclusive evidence of such agreement and shall be binding upon the Issuer. The provisions of the Bond Purchase Agreement as so executed, including all Exhibits and Appendices thereto, are incorporated herein by reference. The law firm of Dorsey & Whitney LLP, in Minneapolis,

Minnesota, is hereby appointed as bond counsel and disclosure counsel for purposes of this issue of Bonds.

1.03. Officials Authorized to Execute Documents. The Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Bond Purchase Agreement and the documents required thereunder, the Official Statement, the Bonds and any other documents required to complete the financing contemplated hereby, including an insurance policy for all or a portion of the Bonds if deemed advisable by the Purchaser. Execution and delivery of such documents by the Mayor and Finance Officer shall constitute evidence that such items are consistent with the terms of this resolution and have been duly authorized, executed and delivered by the Issuer and are enforceable against the Issuer in accordance with their terms, subject to customary exceptions relating to bankruptcy, reorganization, insolvency and other laws affecting creditors' rights. The Mayor, Finance Officer and City Attorney are further authorized to take such other actions as may be required to effectuate the terms and intent of this resolution. In the event of the absence or disability of the Mayor, Finance Officer or City Attorney, the acting Mayor, the acting Finance Officer or the Assistant City Attorney are hereby authorized to act in the place and stead of the Mayor, Finance Officer and City Attorney, and to take all actions and execute all documents approved hereby.

1.04. Official Statement. The Mayor, Finance Officer and City Attorney are authorized, in cooperation with the Purchaser, to prepare an Official Statement to be distributed to prospective purchasers of the Bonds. The Mayor and the Finance Officer are hereby authorized and directed to approve the Official Statement.

SECTION 2. BOND TERMS, EXECUTION AND DELIVERY AND REGISTRAR.

2.01. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the Finance Officer and shall be executed and authenticated on behalf of the Issuer by the signatures of the Mayor and the Finance Officer and countersigned by an attorney resident and licensed to practice in the State of South Dakota. All signatures may be printed, lithographed or engraved facsimiles of the original. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not

be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. After the Bonds have been so prepared and executed, the Finance Officer shall deliver them to the Registrar for delivery to the Purchaser on receipt of the purchase price heretofore agreed upon, and the Purchaser shall not be required to see to the application thereof. Upon delivery of the Bonds to the Purchaser the Finance Officer shall file with the Secretary of State, on the form provided by the Secretary of State, the information required by S.D.C.L., Section 6-8B-19.

2.02. Maturities, Interest Rates and Forms. The Bonds shall be issued in the denomination of \$5,000 each, or any integral multiple thereof, shall mature on the dates and in the respective years and amounts, and shall bear interest from date of original issue until paid or duly called for redemption at the respective annual rates stated opposite such maturity years as shown on Exhibit A to the Bond Purchase Agreement. The Bonds shall be issuable only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, shall be payable by check or draft issued by the Registrar described herein; provided if the Bonds are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.08 hereof, principal and interest shall be payable in accordance with the operational arrangements of the securities depository.

2.03. Dates and Interest Payment Dates. Each Bond shall bear a date of original issue as of the date on which the Bonds are delivered to the Purchaser. Upon the initial delivery of the Bonds pursuant to Section 2.01 and upon any subsequent transfer or exchange pursuant to Section 2.06, the date of authentication shall be noted on each Bond so delivered, exchanged or transferred. The interest on the Bonds shall be payable on the dates shown on Exhibit A to the Bond Purchase Agreement, to the owner of record thereof as the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months.

2.04. Redemption. The Bonds shall be subject to redemption prior to maturity, at the option of the Issuer, in the years and at the redemption prices set forth in Exhibit A to the Bond Purchase Agreement in such order of maturities as may be designated by the Issuer and, within any maturity, in \$5,000 principal amounts selected by the Registrar by lot, assigned in proportion to their principal amounts. The Finance Officer shall cause notice of the call for redemption thereof to be published as and if required by law, and, at least thirty days prior to the designated redemption date, shall cause notice of the call thereof for redemption to be mailed, by first class mail (or, if

applicable, by the bond depository in accordance with its customary procedures), to the registered owners of any Bonds to be redeemed at their addresses as they appear on the bond register described in Section 2.06 hereof, but no defect in or failure to give such mailed notice shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. The notice of redemption shall specify the redemption date, redemption price, the numbers, interest rates and CUSIP numbers of the Bonds to be redeemed and the place at which the Bonds are to be surrendered for payment, which is the principal office of the Registrar. Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Issuer shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

2.05. Appointment of Registrar and Registration. The Issuer shall appoint an initial bond registrar, transfer agent and paying agent (the Registrar) pursuant to the Bond Purchase Agreement. The Mayor and the Finance Officer are authorized to execute and deliver, on behalf of the Issuer, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The Issuer agrees to pay the reasonable and customary charges of the Registrar for the services performed. The Issuer reserves the right to remove any Registrar upon thirty (30) days notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar. No resignation or removal of the Registrar shall become effective until a successor Registrar has been appointed and has accepted such appointment. Any Bond Insurer shall be furnished prompt written notice of the resignation or removal of the Registrar and the appointment of a successor.

2.06. Registration. The effect of registration and the rights and duties of the Issuer and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender to the Registrar for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bond is surrendered to the Registrar by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the Issuer.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for its refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The Issuer and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the Issuer upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds, the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be lost, stolen or destroyed, the Registrar

shall deliver a new Bond of like amount, number, maturity date and tenor, in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond lost, stolen or destroyed, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond lost, stolen or destroyed, upon filing with the Registrar of evidence satisfactory to it that such Bond was lost, stolen or destroyed, and of the ownership thereof, and upon furnishing to the Issuer and the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to the Registrar, in which both the Issuer and the Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the Issuer. If the mutilated, lost, stolen or destroyed Bond has already matured or been called for redemption in accordance with its terms, it shall not be necessary to issue a new Bond prior to payment.

2.07. Bond Form. The Bonds shall be prepared in substantially the form presented to and approved by this Council and on file in the office of the Finance Officer.

2.08. Securities Depository. The Finance Officer may, on or before the date of issue of the Bonds, direct that the Bonds be issued in book-entry only form and if issued in such form, the following provisions shall apply:

(a) For purposes of this section the following terms shall have the following meanings:

"Beneficial Owner" shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person's subrogee.

"Cede & Co." shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

"DTC" shall mean The Depository Trust Company of New York, New York.

"Participant" shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

"Representation Letter" shall mean the Representation Letter pursuant to which the sender agrees to comply with DTC's Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the Issuer shall be affected by any notice to the contrary. Neither the Registrar nor the Issuer shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC, the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC's Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the Issuer may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with

respect to the Bonds at any time by giving notice to the Issuer and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC by the Mayor or Finance Officer is hereby authorized and directed.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

SECTION 3. USE OF PROCEEDS. There is hereby established on the official books and records of the Issuer a General Obligation Bonds, Series 2015 Construction Fund (the "Construction Fund"). The Finance Director shall continue to maintain the Construction Fund until payment of all costs and expenses incurred in connection with the construction of the Project have been paid. To the Construction Fund there shall be credited all proceeds of the Bonds, exclusive of accrued interest, received from the Purchaser and from the Construction Fund there shall be paid all construction costs and expenses of the Project, to the extent not paid from other funds, and the issuance costs of the Bonds. After payment of all costs incurred with respect to the Project which are payable from Bond proceeds and costs of issuance of the Bonds, the Construction Fund shall be discontinued and any proceeds of the Bonds remaining therein shall be credited to the Bond Fund described in Section 4 hereof.

SECTION 4. BOND FUND. The Bonds shall be payable from a separate General Obligation Bonds, Series 2015 Bond Fund (the Bond Fund) of the Issuer, which Bond Fund the Issuer agrees to maintain until the Bonds have been paid in full. If the money in the Bond Fund should at any time be insufficient to pay principal and interest due on the Bonds, such amounts shall be paid from other moneys on hand in other funds of the Issuer, which other funds shall be reimbursed therefor when sufficient money becomes available in the Bond Fund. The moneys on hand in the Bond Fund from time to time shall be used only to pay the principal of and interest on the Bonds. Into the Bond Fund shall be

paid: (a) any amount appropriated thereto pursuant to Section 3 hereof; (b) any ad valorem taxes collected in accordance with the provisions of Section 5 hereof; and (c) any other funds appropriated by the Council for the payment of the Bonds.

SECTION 5. PLEDGE OF TAXING POWERS. For the prompt and full payment of the principal of and interest on the Bonds as such payments respectively become due, the full faith, credit and unlimited taxing powers of the Issuer shall be and are hereby irrevocably pledged. In order to produce amounts needed to meet when due the principal and interest payments on the Bonds, ad valorem taxes are hereby levied on all taxable property in the Issuer, said taxes to be levied and collected as specified in Ordinance No.1324. Said taxes shall be irrevocable as long as any of the Bonds are outstanding and unpaid.

SECTION 6. DEFEASANCE. When all of the Bonds have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the registered owners of the Bonds shall cease. The Issuer may discharge its obligations with respect to any Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or, if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The Issuer may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Registrar on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due, provided that notice of such redemption has been duly given as provided herein. The Issuer may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank or trust company qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such time and at such rates and maturing or callable at the holder's option on such dates as shall be required to pay all principal, interest and redemption premiums to become due thereon to maturity or earlier designated redemption date.

SECTION 7. CERTIFICATION OF PROCEEDINGS. The officers of the Issuer are hereby authorized and directed to prepare and furnish to the Purchaser and to Dorsey & Whitney LLP, Bond Counsel, certified copies of all proceedings and records relating to the Bonds and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Bonds, as the

same appear from the books and records in their custody and control or as otherwise known to them, and all such certified copies, affidavits and certificates, including any heretofore furnished, shall be deemed representations of the Issuer as to the correctness of all statements contained therein.

SECTION 8. TAX COVENANTS; ARBITRAGE MATTERS; AND DISCLOSURE.

8.01. Tax Covenant. The Issuer covenants and agrees with the registered owners of the Bonds, that it will not take or permit to be taken by any of its officers, employees or agents any actions that would cause interest on the Bonds to become includible in gross income of the recipient under the Internal Revenue Code of 1986, as amended (the Code) and applicable Treasury Regulations (the Regulations), and covenants to take any and all actions within its powers to ensure that the interest will not become includible in gross income of the recipient under the Code and the Regulations. It is hereby certified that the proceeds of the Bonds will be used for the acquisition and betterment of municipal facilities owned and operated by the Issuer and the Issuer covenants and agrees that, so long as the Bonds are outstanding, the Issuer shall not enter into any lease, management agreement, use agreement or other contract with any nongovernmental entity relating to the facilities so financed which would cause the Bonds to be considered "private activity bonds" or "private loan bonds" pursuant to Section 141 of the Code.

8.02 Arbitrage Certification. The Mayor and Finance Officer being the officers of the Issuer charged with the responsibility for issuing the Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and applicable Regulations stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds which make it reasonable to expect that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be "arbitrage bonds" within the meaning of the Code and the Regulations.

8.03. Arbitrage Rebate. It is hereby found that the Issuer has general taxing powers, that no Bond is a "private activity bond" within the meaning of Section 141 of the Code, that 95% or more of the net proceeds of the Bonds are to be used for local governmental activities of the Issuer, and that the aggregate face amount of all tax-exempt obligations (other than private activity bonds) issued by or on behalf of the Issuer and all subordinate entities thereof during the year 2015 is not reasonably expected to exceed \$5,000,000. Therefore, pursuant to the provisions of Section 148(f)(4)(D) of the Code, the Issuer shall not be required to comply with the arbitrage rebate requirements of paragraphs (2) and (3) of Section 148(f) of the Code.

8.04. Qualified Tax-Exempt Obligations. The Council hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonably anticipated amount of qualified tax-exempt obligations (within the meaning of Section 265(b)(3) of the Code) which will be issued by the Issuer and all subordinate entities during calendar year Series 2015 does not exceed \$10,000,000.

8.05. Continuing Disclosure. The Issuer acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (18 C.F.R. § 240.15c2-12) (as in effect and interpreted from time to time, the Rule). The Rule governs the obligations of certain underwriters to require that issuers of municipal obligations enter into agreements for the benefit of the holders of the obligations to provide continuing disclosure with respect to the obligations. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit participating underwriters in the primary offering of the Bonds to comply with the Rule, which will enhance the marketability of the Bonds, the Mayor and Finance Officer are hereby authorized and directed to execute an Undertaking of Continuing Disclosure (the Undertaking), by which the Issuer agrees to provide such information, either directly or through a disclosure agent. The Issuer hereby covenants and agrees to observe and perform the covenants and agreements contained in the Undertaking, unless amended or terminated in accordance with the provisions thereof, for the benefit of the registered owners or beneficial owners from time to time of the Outstanding Bonds as provided in the Undertaking.

SECTION 9. EFFECTIVE DATE; REPEALS. This Resolution shall become effective upon passage and all provisions of resolutions, resolutions and other actions and proceedings of the Issuer which are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

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

D. First Reading of Ordinance No. 1324 Creating a bond fund and levying taxes for the payment of General Obligation Bonds, Series 2015

Mike Carlson, Finance Officer, stated that the resolution just adopted calls for an ordinance creating a bond fund and levying taxes for payment of the General Obligation Bonds, Series 2015. Mike stated that the ordinance provided for the certifying of the annual debt service to the County Auditor as to the annual tax levy. Mike noted that the ordinance also provided in Section 3 "except that, when and if appropriations shall hereafter be made into the Bond Fund of cash from any other fund of the City or moneys therefore actually paid into the Bond Fund, the City Council shall have the power to reduce the levy for the ensuing year or years specified in the Certificates as to Tax Levy by an amount equal to the moneys so appropriated, and upon certification thereof the levies above specified shall be accordingly reduced or canceled." Thus, if the City Council appropriates funds for the payment of the General Obligation bonds the tax levy for the payment can be reduced or canceled. Mike stated that the ordinance was prepared by Dorsey & Whitney, LLP, Bond Counsel, and has been reviewed by Jim McCulloch. Mike noted that the ordinance calls for Exhibit A to be filed with the County Auditor that will be completed after the bonds are sold to have the exact amounts. Discussion followed.

414-14

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1324 entitled An Ordinance Creating a bond fund and levying taxes for the payment of General Obligation Bonds, Series 2015 for 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 15th day of December, 2014 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

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

E. Commercial Collectors License renewals

Mike Carlson, Finance Officer, reported that the following have made application, including the proof of insurance, for commercial collectors licenses for 2015: Loren Fischer Disposal - Loren Fischer, Owner; Fischer Disposal, LLC - Lonnie Fischer, Operator ; Art's Garbage Service - Division of Waste Connections; Vermillion Garbage Service - Marty Johnson, Owner and Independence Waste - K & P Services Inc, Owner;. Mike noted as part of the renewal, applicants were requested to include any violations of City ordinance and the Police Chief did a local records check on each applicant with his results included in the memo. Mike reported that three haulers that had licenses last year did not renew their licenses. Discussion followed on the license renewals.

415-14

Alderman Willson moved approval of the commercial collectors licenses for 2015 for the businesses listed above. Alderman Holland seconded the motion. Discussion followed on the commercial collection process. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. Public Safety Center Board appointment

Mike Carlson, Finance Officer, reported that an agreement with the County on the Public Safety Center created the Public Safety Center Board that would resolve any issue between the City and County on the use of the facility. The current Board members are Robert Fuller (2016), Dave Thiesse (2015) and Bruce Plate (2014). Mike stated that Sheriff Howe and Police Chief Betzen recommended the reappointment of Bruce Plate for a three year term ending December 31, 2017. Discussion followed on the Safety Center Board.

416-14

Alderman Collier-Wise moved approval of the reappointment of Bruce Plate to the Public Safety Center Board for a term that expires December 31, 2017. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

G. City fee schedule

John Prescott, City Manager, reported that the City has a number of different fees that are charged for services by the different departments. John noted that many are called for by ordinance and as such a listing was prepared that lists the ordinance section as well as the fee that was established. John stated that a second listing was prepared that lists all fees charged that include fees set by department policy or State statute. John stated that the documents will

provide the public as a listing of fees changed for services by the City. John reported that this list will be updated annually and presented to the City Council for review. John recommended approval of the fee schedule documents as presented.

417-14

Alderman Willson moved approval of the City fee schedule as presented. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

H. Grant Pre-Application Checklist for the Design of the Apron Reconstruction at Harold Davidson Field Airport

Jose Dominguez, City Engineer, reported the latest capital improvement plan for the airport shows that during the 2015 construction year the City would start the design for the apron reconstruction. Jose reported that prior to this project the FAA has only required a grant application and a grant acceptance to be filed with them. Jose noted that according to the FAA, the grant pre-application is a new step designed to ease the grant application process. Jose stated the grant pre-application document provides some basic information about the project to the FAA making them aware of any possible issues ahead of time. Jose stated that this doesn't impact project cost or funding but is another step in the process. Jose recommended approval for the Mayor to sign the grant pre-application checklist for the design of the apron reconstruction.

418-14

Alderman Willson moved approval of the Mayor signing the Grant Pre-Application Checklist for the Design of the Apron Reconstruction at Harold Davidson Field Airport. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

I. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Installation of Street Lighting Along North Norbeck Street from Roosevelt Street to East Cherry Street

Jason Anderson, Assistant City Engineer, reported that at the August 4, 2014 meeting, the City Council approved a Resolution Adopting the Resolution of Necessity for Installation of Street Lighting along North Norbeck Street from Roosevelt Street to East Cherry Street. Jason stated that the project has been completed and the final payment has been authorized. Jason reported that the special assessments were calculated and filed with the Finance Officer on December 5, 2014.

Jason noted that State statute requires the City to hold a public hearing to allow the affected property owners to review and discuss any concerns regarding the assessed value. The resolution provided that the property owners to be assessed are notified of the hearing by mail as well as the resolution will be published. Jason stated that the resolution sets the public hearing for January 19, 2016. Discussion followed.

419-14

After reading the same once, Alderman Collier-Wise moved adoption of the following:

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR INSTALLATION OF STREET LIGHTING ALONG NORTH NORBECK STREET FROM
ROOSEVELT STREET TO EAST CHERRY STREET

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 5th day of December, 2014, for the installation of street lights along North Norbeck Street from Roosevelt Street to Cherry Street, 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 Monday, the 19th day of January, 2015, 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 15th day of December, 2014.

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

By: _____
John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Holland. 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.

J. 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 on August 6, 2012, the City Council approved a Resolution Adopting the Resolution of Necessity for Sidewalk Repairs. Jose noted this resolution involved the sidewalks in the northwest quadrant of the community. Jose stated the project has been completed and the final payment has been authorized. Jose stated that the special assessments were calculated and filed with the Finance

Officer on November 12, 2014 and amended calculation was filed on December 10, 2014. Jose noted that this assessment was amended earlier in today's meeting and a new public hearing date needs to be set. Jose noted that State statute requires the City to hold a public hearing to allow the affected property owners to review and discuss any concerns regarding the assessed value. The resolution provided that the property owners to be assessed are notified of the hearing by mail as well as the resolution will be published. Jose stated that the resolution sets the public hearing for January 19, 2016 for the amended assessment roll. Discussion followed.

420-14

After reading the same once, Alderman Willson 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 10th day of December, 2014, 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 Monday, the 19th day of January, 2015, 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 15th day of December, 2014.

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

By: _____
John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

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.

K. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Safety Improvements

Jose Dominguez, City Engineer, reported that on August 6, 2012, the City Council approved a Resolution Adopting the Resolution of Necessity for Sidewalk Safety Improvements. Jose noted that this resolution involved the sidewalks gaps within the community. Jose stated that the

project has been completed and the final payment has been authorized. Jose stated that the special assessments were calculated and filed with the Finance Officer on December 10, 2014. Jose noted that State statute requires the City to hold a public hearing to allow the affected property owners to review and discuss any concerns regarding the assessed value. The resolution provided that the property owners to be assessed are notified of the hearing by mail as well as the resolution will be published. Jose stated that the resolution sets the public hearing for January 19, 2016 for the amended assessment roll. Discussion followed.

421-14

After reading the same once, Alderman Willson 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 SAFETY IMPROVEMENTS 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 10th day of December, 2014, for the construction 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 Monday, the 19th day of January, 2015, 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 15th day of December, 2014.

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

By: _____
John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Holland. 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.

L. Resolution supporting South Dakota Municipal League legislative effort for a Third Penny General Local Sales Tax Option

John Prescott, City Manager, reported that the South Dakota Municipal League (SDML) is requesting resolutions of support for a third penny general local sales tax option. John stated that in 2010 the SDML worked on similar legislation that was not successful. John stated that

the proposal would require a public vote to add the third penny of sales tax for a specific purpose that would end when the specific project was funded. John stated that a resolution of support was prepared for City Council consideration. Discussion followed on sales tax noting that this legislation would require a public vote.

422-14

Alderman Ward moved approval of the resolution supporting the South Dakota Municipal League legislative effort for a third penny general local sales tax option and authorized the Mayor to sign. Alderman Collier-Wise 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 reported that City offices will close at Noon on Wednesday, December 24th and remain closed thru Thursday, December 25th for the Christmas holiday and will also be closed on Thursday, January 1, 2015 for the New Years Day holiday.

B. John reported that curbside recycling that is typically picked up on Thursdays will be collected on Monday, December 29th and Monday, January 5th in place of the Christmas and New Year's holidays.

C. John reported that the Christmas Tree collection site is open and accepting real trees. The site is located on the south side of Broadway Street just west of Dakota Street. John asked that any plastic that you might wrap the tree in for transporting as well as lights and decorations be removed before depositing at the site. John noted the site will be open until January 18th.

PAYROLL ADDITIONS AND CHANGES

Police: Jacy Nelson \$24.02/hr; Ambulance: Emily Brigham \$8.00/call-\$6.99/1st-\$6.00/2nd; Recreation: Ellysa Reinke \$7.75/hr; Light: Rod Tieman \$29.97/hr; Recycling: Eric McPherson \$14.44/hr

11. Invoices Payable

423-14

Alderman Willson moved approval of the following invoices:

Bow Creek Metal Inc	Repairs	222.38
Broadcaster Press	Advertising	1,038.21

Bureau Of Administration	Telephone	337.15
Cam Commerce	Professional Services	60.00
Canon Financial Services	Copier Lease	196.27
Centurylink	Telephone	1,492.61
City Of Vermillion	Landfill Vouchers	192.00
Clay Rural Water System	Water Usage	62.60
Clay-Union Electric Corp	Electricity	2,210.72
Dakota Senior Meals	Contribution	3,500.00
Dept. Environment Natl Res	Landfill Operations Fee	2,309.76
Division Of Motor Vehicle	License Plate	9.00
Farrell's Heating & Air Co	Repairs	339.36
Gregg Peters	Managers Fee	5,375.00
Joint Utility Training School	Registration	800.00
Kinetic Leasing	Landfill Grader Lease	27,818.62
Loren Fischer Disposal	Haul Cardboard	210.00
Matheson Tri-Gas, Inc	Supplies	255.01
Midcontinent Communication	Cable/Internet Service	128.68
Pomp's Tire Service	Tires	967.98
Republic National Dist.	Merchandise	11,115.69
Runge Enterprises, Inc	Norbeck Street Contract	35,890.33
Sanford Health Plan	Participation Fee	66.00
Stern Oil Co.	Fuel	17,557.61
Storey Kenworthy	Supplies	257.77
The Equalizer	Advertising	83.00
US Postmaster	Postage	1,050.00
Vermillion Ace Hardware	Shelving	12,663.80
Vermillion Chamber Of Commerce	Bliss Pointe Grant	16,583.11
Zimco Supply Co	Chemicals	3,668.04
Joe Conroy	Bright Energy Rebate	10.00
Dale Hill	Bright Energy Rebate	275.00
St Agnes School	Bright Energy Rebate	500.00

2015 Invoices Payable

SDML Workers Comp Fund	Workers Comp Insurance	93,347.00
SD Public Assurance Alliance	Boiler Insurance	13,860.00

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

12. Consensus Agenda

A. Set a bid opening date of January 27, 2015 for water and wastewater chemicals

B. Set a bid opening date of January 27, 2015 for electric transformers

424-14

Alderman Willson moved approval of the consensus agenda. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

425-14

Alderman Ward moved to adjourn the Council Meeting at 7:43 p.m. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of December, 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 _____.