

Unapproved Minutes
Council Special Session
April 20, 2015
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 20, 2015 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

Absent: Holly Meins, Ward

2. Educational Session - Discuss progressive fee system for sidewalk snow and junk and debris code violations - Farrel Christensen

Farrel Christensen, Building Official, reported that we have a few property owners that wait for the City to tag their sidewalk snow before removal or send a notice on junk and debris before they shovel or clean up their property. Farrel stated that the grass and weed removal ordinance was updated a number of years ago whereby the tagging fee starts at \$10 for the first offence and increases by \$20 for each subsequent tagging during a calendar year. Farrel noted that this reduced the repeat offenders and suggested including the sidewalk snow removal and junk and debris violations in this graduated fee schedule. Farrel stated that the tagging or notice violation fee is \$10 and there is an administrative fee of \$25 plus the cost of the contracted cleanup if the City needs to abate the nuisance. The graduated fee would be \$10 for the first violation in a calendar year then would increase by \$20 for each additional violation for grass/weeds, sidewalk snow and junk/debris. Farrel stated that the fee would reset to start at \$10 for the next year. Farrel stated that ordinance and fee resolution changes would be needed to implement the changes. Discussion followed with Farrel answering questions of the City Council. The consensus of the Council was to move forward with the ordinance and resolution changes to implement the graduated fee for all nuisance violations future Council consideration.

3. Educational Session - Review of Council policies and procedures - Mayor Jack Powell

Mayor Powell reported that last July the City Council held an orientation with Matt Fairholm that included a review of the Council - Manager form of government. Mayor Powell reported that the City Council

has adopted Rules and Procedures and reviewed the duties of the Mayor, Alderman and City Manager. Discussion followed on the procedure for a council member to bring an individual topic before the whole Council with the consensus that the item be brought to the City Manager to be included on an agenda and if time allows start with the noon meeting.

4. Educational Session - Community Welcome sign proposal - Rich Holland

Alderman Holland stated that he contacted the High School Booster Club representative about the cost of the new sign at the high school stating that he would like to have a welcome sign at the entrance to the city. Alderman Holland stated that the Booster Club official also offered the site at the corner of Crawford Road and Cherry Street currently being used by the Booster Club sign. Alderman Holland stated that he contacted the company that provided the high school sign but upon receiving no response contacted another company. Alderman Holland stated that the company came and met with him and John Prescott to provide a demonstration of an electronic sign with a price of \$36,000. Alderman Holland stated that, in talking to John, it was noted that there were some funds at one time for a sign project remaining from the Lotuswood land sale. Alderman Holland stated that he has inquired about grants and other fundraising but wanted to know how to proceed with the entrance sign project. Discussion followed on the entrance sign(s), location(s), costs and types of signs. Mayor Powell noted that the ICAP group at its last meeting was developing a list of community needs and he noted that entrance signs were at the top of their list. Discussion followed with the consensus to allow the ICAP group to work on this item and wait for their report.

4. Briefing on the April 20, 2015 City Council Regular Meeting

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

5. Adjourn

119-15

Alderman Holland moved to adjourn the Council special session at 12.51 p.m. Alderman Price seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 20th day of April, 2015.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
April 20, 2015
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 20, 2015 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 April 6, 2015 Special Session; April 6, 2015 Regular Session

120-15

Alderman Collier-Wise moved approval of the April 6, 2015 Special Session and April 6, 2015 Regular Session minutes. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

121-15

Alderman Willson moved approval of the agenda with the addition of 5.B Arbor Day Proclamation. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard
A. Earth Day proclamation

Alderman Clarene Meins read the proclamation recognizing April 22, 2015 as Earth Day in Vermillion and encouraged residents to celebrate Earth Day.

B. Arbor Day Proclamation

Alderman Collier-Wise read the proclamation recognizing April 25, 2015 as Arbor Day in Vermillion. Mayor Powell presented the proclamation to Aaron Baedke, representing the Vermillion Parks and Recreation Department. Aaron reported that the tree planting for Arbor Day will be in Prentis Park on April 25th at 12:30 p.m. and invited the community to attend.

6. Public Hearings

A. Special permit to exceed permissible sound levels by no more than 50% for Coyoteopoly and South Dakota Shakespeare Festival in the band shell area of Prentis Park from June 8th through June 14, 2015 from 6:00 p.m. to 10:00 p.m. for Shakespeare festival performances

Mike Carlson, Finance Officer, reported that a special permit to exceed permissible sound levels was received from Coyoteopoly and South Dakota Shakespeare Festival for the Prentis Park band shell area from Monday, June 8 through Sunday, June 14, 2015 from 6:00 p.m. to 10:00 p.m. for the Shakespeare festival performances. Mike stated that the notice of hearing along with the application and the diagram showing the sound levels not exceeding the ordinance are included in the packet. Mike noted that there were no problems related to the issuance of the noise permit in prior years and recommended approval unless the public hearing indicates that there will be problems related to the noise. Mike noted that June 8-10 is for rehearsal and testing of sound equipment and the event is June 11-14.

122-15

Alderman Collier-Wise moved approval of the special permit to exceed permissible sound levels for Coyoteopoly and South Dakota Shakespeare Festival in the band shell area of Prentis Park from Wednesday, June 8 through Sunday, June 14, 2015 from 6:00 p.m. to 10:00 p.m. for Shakespeare festival performances. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted

B. Special daily malt beverage and wine license for the Clay County Agricultural Fair Association, Inc. on or about May 1, 2015 at the Clay County Fairgrounds west arena

Mike Carlson, Finance Officer, reported that an application was received from the Clay County Agricultural Fair Association for a special daily malt beverage and wine license on or about May 1, 2015 for the demolition derby on the fairgrounds. The notice of hearing and Police Chief's report are included in the packet. The time period for the request would be from 5:30 p.m. to 10:30 p.m. Mike stated that Jessica Kennedy, representing the Fair Board, is present to answer questions. Mike recommended approval of the special license unless additional information is provided at the hearing. Jessica Kennedy invited the community to the May Day Demo Derby.

123-15

Alderman Ward moved approval of the special daily malt beverage and wine license for the Clay County Agricultural Fair Association, Inc. on or about May 1, 2015 at the Clay County Fairgrounds from 5:30 p.m. to 10:30 p.m. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Special permit to exceed permissible sound levels by no more than 50% for Vermillion Area Chamber of Commerce and Development Company on Ratingen Platz and half block of Market Street south of Main Street on July 9, July 23, August 6, August 20, September 3, September 10 and September 17 from 5:30 p.m. to 8:00 p.m. for Thursdays on the Platz and on April 23 from 4:00 p.m. to 7:00 p.m. for Earth Day Activities

Mike Carlson, Finance Officer, reported that an application was received for a special permit to exceed permissible sound levels by no more than 50% for the Thursdays on the Platz events scheduled for April 23, 2015 from 4:00 p.m. to 7:00 p.m. and July 9, July 23, August 6, August 20, September 3, September 10 and September 17, 2014 from 5:30 p.m. to 8:00 p.m. on the Ratingen Platz at the corner of Market and Main Streets. Mike noted that the September 10 and 17 dates would be rain dates if needed. Mike noted that the notice of hearing and application are included in the packet. Discussion followed.

124-15

Alderman Willson moved approval of the special permit to exceed permissible sound levels by no more than 50% for the Thursdays on the Platz events on April 23, 2015 from 4:00 p.m. to 7:00 p.m. and July 9, July 23, August 6, August 20, September 3, September 10 and September 17, 2014 from 5:30 p.m. to 8:00 p.m. on the Ratingen Platz (corner of Market and Main Streets). Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on Ratingen Platz and half

block of Market Street south of Main Street on July 9, July 23, August 6, August 20, September 3, September 10 and September 17 from 5:30 p.m. to 8:00 p.m. for Thursdays on the Platz and on April 23 from 4:00 p.m. to 7:00 p.m. for Earth Day Activities

Mike Carlson, Finance Officer, reported that an application for a special daily malt beverage and wine license was received from the Vermillion Area Chamber and Development Company for the Thursdays on the Platz events on or about April 23, 2015 from 4:00 p.m. to 7:00 p.m., July 9, July 23, August 6, August 20, September 3, September 10 and September 17 from 5:30 p.m. to 8:00 p.m. at Ratingen Platz and adjoining portion of Market Street. Mike stated that the notice of hearing and the report of the Police Chief are included in the packet. The VCDC has provided the City with a certificate of insurance and the release and indemnification for the events. Mike noted that the events will be similar to previous years and the September 10 and 17 would be rain dates if needed. The location is on the Ratingen Platz and the abutting portion of Market Street and, if approved, should include the use of the Ratingen Platz. The special permit to exceed permissible sound levels and street closing are later on the agenda.

125-15

Alderman Collier-Wise moved approval of the special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about April 23, 2015 from 4:00 p.m. to 7:00 p.m., July 9, July 23, August 6, August 20, September 3, September 10 and September 17 from 5:30 p.m. to 8:00 p.m. on Ratingen Platz and adjoining portion of Market Street including the use of the Ratingen Platz for the events. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Retail on-off sale malt beverage license with video lottery for Bunyan's LLC for Bunyan's at 1201 West Main Suite 106 for July 1, 2015 to June 30, 2016

Mike Carlson, Finance Officer, reported that an application was received for a retail on-off sale malt beverage license with video lottery for Bunyan's LLC for 1201 W Main Street Suite 106 for the licensing period of July 1, 2015 to June 30, 2016. Mike noted that Bunyan's LLC currently has an on-sale liquor license and an on-off sale malt beverage license with the new application allowing for up to 10 video lottery machines. Mike noted that since the last renewal Bunyan's has failed two and passed one compliance check. Mike stated that a management plan has been included in the packet along with the Police Chief's report and notice of hearing. Mike recommended approval of the license unless additional information is provided at the hearing. Discussion followed.

126-14

Alderman Erickson moved approval of the retail on-off sale malt beverage license with video lottery for Bunyan's LLC at 1201 West Main Street suite 106 for the licensing period of July 1, 2015 to June 30, 2016. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. First Reading of Ordinance 1328 amending Section 155.059 Community Oriented Healthcare Planned Development District, subsection (D) Lot and Yard regulations, adding a section for hospitals/clinics

Jose Dominguez, City Engineer, reported that several weeks ago the City received a request from Banner Associates, on behalf of one of the property owners, to amend the recently adopted Community Oriented Healthcare Planned Development District(PDD). Jose reported that this PDD is bordered on the north by E. Main Street, on the east by Walker Street and Plum Street (south of Jane Street), on the south by Maple and Jane Street, and on the west by the alley that runs between E. Main Street and Maple Street. Jose stated that the request is due to the fact that the current PDD has a maximum height requirement of 35-feet, and one of the owners would like to build a structure close to 58-feet tall. Jose stated that height restrictions are included in the zoning ordinance for a couple of reasons: safety and neighborhood characteristics. Jose noted that hospital and clinics, as a general rule, tend to grow vertically and thus might require that the height maximum be more than the typical structure. Jose stated that the existing Dakota Hospital building is roughly 55-feet tall within a neighborhood made up of single story buildings. Jose reported on the height of other structures within the city. Jose reported that the Planning Commission considered the amendment on April 13th and forwarded a recommendation to approve the amendment to the Planned Development District. Discussion followed.

127-15

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1328 entitled An Ordinance Amending Section § 155.059, Community Oriented Healthcare Planned Development District, Subsection (D) Lot And Yard Regulations, Adding a Section Regarding the Allowable Height For Hospitals/Clinics of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the

City on this 20th day of April, 2015 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Erickson. 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.

G. Request from Hillside Community Church for a 3 foot side yard variance from the zoning ordinance to construct a building addition at 1800 Constance Drive

Andy Colvin, Assistant to the City Manager, reported that Stephen Walters, Pastor at Hillside Community Church, approached staff about the possibility of constructing an addition to the south side of the church. Andy stated that it became apparent that the existing side yard would not be adequate to allow for the construction of the proposed addition. Andy reported that Section 155.100 gives the City Council, acting as the Board of Adjustment, the power to hear and decide variances to vary the strict application of the height, area, setback, yard, parking or density requirements as will not be contrary to the public interest. Andy stated that for purposes of these regulations, public interest shall include the interests of the public-at-large within the city, not just neighboring property owners. Andy noted that at all times, the burden shall be on the applicant to prove the need for a variance. Andy stated that, in looking at the variance request, staff feels that the applicant meets the requirements set forth in ordinance. Andy noted that when the existing building was originally built it is possible that the intent was to complete the octagonal shape of the building should future growth of the congregation take place. Andy stated that the reason for the addition is to accommodate a growing congregation; therefore, loss of profit and self-imposed hardships do not apply in this case. In addition, staff does not feel that the variance would adversely affect the neighborhood or adjacent property owners since the building is a considerable distance from neighboring structures, and the direction of the addition is towards a sizable public right-of-way and not a neighboring property owner. Andy stated that the Planning Commission studied this request on April 13th and recommended approval of the variance. Discussion followed.

128-15

Alderman Willson moved approval of the request from Hillside Community Church for a 3 foot side yard variance from the zoning ordinance to construct a building addition at 1800 Constance Drive. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Second Reading of Ordinance 1327 amending Chapter 118.16 (F) to expand hours of operation for the sale and consumption of alcoholic beverages in the furniture zone

John Prescott, City Manager, reported that Café Brule has submitted a request to begin alcohol sale and consumption hours at 7 a.m. vs. the current code start time of noon. John noted that the request is included in the packet that stated they are interested in the ability to serve a mimosa to breakfast customers. John noted that the change would also be beneficial for early lunch customers. John reported that a change in City code would apply to all current and future furniture zones and not just the Cafe Brule furniture zone. John stated that Cafe Brule was issued the only furniture zone permit in 2014. John noted that the City Council still maintains the authority to approve or disapprove the sale and consumption of alcohol in a furniture zone. John stated that the Police Chief has reported no incidents with alcohol sales in the furniture zone area at Cafe Brule. John stated that first reading was approved at the April 6th meeting that will amend section 118.16(F) to change the daily start time from noon to 7:00 a.m.

129-15

Second reading of Ordinance No 1327, entitled An Ordinance Amending Title XI, Chapter 118, Section 1018.16(F) to expand hours of operation from the sale and consumption of alcoholic beverages in the furniture zone 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. 1327 entitled An Ordinance Amending Title XI, Chapter 118, Section 1018.16(F) to expand hours of operation from the sale and consumption of alcoholic beverages in the furniture zone 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 6th day of April, 2015 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 20th day of April, 2015 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 NUMBER 1327

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XI, CHAPTER 118, TO AMEND SECTION 118.16 (F) TO EXPAND HOURS OF OPERATION FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE FURNITURE ZONE.

BE IT ORDAINED BY THE GOVERNING BODY OF VERMILLION, SOUTH DAKOTA that Title XI, Chapter 118, Section 118.16 (F) be amended as follows:

SECTION 1. That section 118.16, Additional Rules Governing Alcoholic Beverage in Furniture Zone, is hereby amended as follows:

(F) The hours of operation for the sale and consumption of alcoholic beverages in the furniture zone lease areas shall be 7:00 a.m. to 10:00 p.m. the City has the right to limit use of the furniture zone area for alcoholic beverage sales and consumption on specific days.

Dated at Vermillion, South Dakota this 20th day of April 2015.

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 Erickson. 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. Request to close Market Street for ½ block from W. Main Street south to the alley from 5:30 p.m. to 8:00 p.m. on July 9, July 23, August 6, August 20, September 3, September 10 and September 17 from 5:30 p.m. to

8:00 p.m. for Thursdays on the Platz and on April 23 from 4:00 p.m. to 7:00 p.m. for Earth Day Activities.

John Prescott, City Manager, indicated that, with the earlier items on the agenda, the Thursdays on the Platz group are again planning to hold several events in downtown Vermillion on the Platz. This summer's events are scheduled for April 23, July 9, July 23, August 6, August 20, September 3, September 10 and September 17, 2015. The events will host local and regional musical entertainment. The group will utilize Ratingen Platz at the corner of W. Main and Market Streets for the events. Due to the number of anticipated attendees, a street closure request has again been submitted for Market Street from W. Main Street to the East/West alley between W. Main Street and Kidder Street. The street closure request is the same as past years. The closing on April 23th is from 4:00 p.m. to 7:00 p.m. and for the rest of the dates from 5:30 p.m. to 8:00 p.m. John noted that the last two dates in September are for rain dates if earlier events have to be canceled. Nate Welch, VCDC Executive Director, stated that they would like the time changed on April 23rd to start at 3:00 p.m. to allow more time to set up.

130-15

Alderman Erickson moved approval of the street closing request for Market Street from W. Main Street to the East/West alley between W. Main Street and Kidder Street on April 23th from 3:00 p.m. to 7:00 p.m. and from 5:30 p.m. to 8:00 p.m. on July 9, July 23, August 6, August 20, September 3, September 10 and September 17, 2015, for the "Thursdays on the Platz" events. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Request to close High Street as it abuts the Fairgrounds immediately south of W. Cherry Street on May 1, 2015 from 5:00 pm to 10:30 pm for the Spring Fling Demolition Derby

Mike Carlson, Finance Officer, reported that a request was received from the Clay County Fair Association to close High Street through the Fairgrounds from 5:00 p.m. to 10:30 p.m. on Friday May 1, 2015 for a spring demo derby. Jessica Kennedy, representing the Fair Board, was present to answer questions.

131-15

Alderman Erickson moved approval of the closing of High Street through the Fairgrounds from 5:00 p.m. to 10:30 p.m. on Friday May 1, 2015 for a demo derby. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. USD Development Reinvestment Payment Program agreement

John Prescott, City Manager, reported that in January 2015 USD representatives presented information at a noon meeting on the arena, science, health, research lab, track and soccer complex. At that time, it was noted that additional funding was needed to complete all aspects of the project. John noted that the City Council asked staff to review options on possible ways to contribute to the project. John reported that last year the City and GOED partnered to provide assistance to Polaris with a new \$10.4 million conveyor system project. John reported the City participation was to reimburse up to \$208,000 of sales/use tax paid to the City on the construction. John noted that these amounts were verified with the Department of Revenue. John reported that over the last couple of months City staff and USD officials have discussed how the City might assist with the project. John stated that one idea that arose was the rebate of local sales and use tax paid on eligible construction costs. John stated that the proposed local agreement is very similar to the previous local agreement with Polaris and how the Governor's Office of Economic Development operates sales and use tax rebate awards on the state level. John stated that copies of the invoices on eligible items would be submitted to the VCDC. The VCDC with support from the City would verify that the local sales and use tax has been paid by the vendor and credited to the City of Vermillion. John stated that the City would refund the payment of the local sales and use tax paid on the eligible items to the VCDC who would distribute the funds to USD. John noted that the agreement provides that the City will have 45 days from the end of each quarter to complete reimbursement. All eligible purchases must be completed between January 1, 2015 and September 30, 2017 for reimbursement to be provided. John stated that the City's participation with the reinvestment program is based on the local sales and use tax paid to Vermillion on qualifying construction costs and is capped at \$700,000.

Sheila Gestring, VP of Finance for USD, reported that this \$66 million project is the largest taken on by USD and its partners to date on the campus. Sheila noted that they are close to the fundraising goal that would allow all aspects of the project to be completed. Sheila reviewed the impact that USD projects have on state and local sales tax. Sheila noted that the City and USD have partnered on other projects such as the softball complex and Wellness Center. Sheila reported that the new facilities will add 20 new jobs and the science and research facility will add 150 students. Sheila stated that a financial impact study is currently in progress to report on the financial impact to the community of this project. Sheila stated that the agreement will provide for reimbursement of local sales/use tax paid on the project not to exceed \$700,000.

Dave Herbster, Athletic Director, reviewed diagrams of the facilities under construction.

James Abbott, President of USD, thanked the City Council for consideration of the reimbursement agreement. President Abbott stated that \$5 to \$7 million is still needed to be raised to complete all aspects of the project. President Abbott noted that bringing more visitors to the community benefits the entire community. He stated that this agreement demonstrates cooperation between the VCDC, City and USD to see that we have the best university and city.

Discussion followed on the agreement with representatives of USD answering questions of the City Council on current partnerships between the City and USD and projections on future partnerships with the new facilities. It was noted that USD also partners with the public school system on use of facilities.

132-15

Alderman Ward moved approval of the Reinvestment Payment Program Agreement with the University of South Dakota and Vermillion Area Chamber of Commerce and Development Company as presented to provide for the reimbursement of the local sales/use tax paid on the construction and related equipment of the arena, science, health and research lab, track and soccer complex. Alderman Erickson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Declaration of surplus items for City auction

Mike Carlson, Finance Officer, reported that a list is included in the packet of surplus City vehicles, abandoned vehicles, unclaimed property from the Police Department and surplus City property. Mike noted that, before the City can dispose of property, the City Council will need to declare it surplus and authorize the sale at public auction. Hazen Bye has been contacted and can do the auction on May 8th at 5:30 p.m. at the Municipal Service Center.

133-15

Alderman Willson moved to declare the following property surplus to be sold at public auction:

Abandon Vehicles: 1983 Buick Regal; 2003 Chevrolet Venture; 1990 Ford F-150; 1995 Oldsmobile CRL; 2001 Chevrolet SLV; 1995 Buick Park Avenue; 1997 Pontiac Grand Prix; 1986 Chrysler Fifth Avenue; Peace Sports Power 50; Approximately 40 Abandon Bicycles; Abandon Unclaimed Property from Police Department: red pocket knife, child's plastic guitar, small hammer, black USB cable cord, leather wallet with brown bulls, bike combination lock, child's red scooter, TomTom, purple Barbie scooter, skateboard, black Nike backpack with contents, calculator, music case,

ice scraper, Samsung S5 cell phone, Garmin GPS; Surplus City Property: 11 short side rails for carbine forearm M16/AR15, 5 barrel rails for carbine forearm M16/AR15, 4 12/20 gauge shotgun stock & forearm upgrade kits, 3 plastic glock holsters, 3 leather glock holsters, ammo pouch, 2 leather pistol holsters, 3x3 - 3 drawer filing cabinet, rain jacket, 4 rain bibs, wood stock & forearm w/nylon sling shotgun, nylon shotgun sling, 14" chain saw, Xerox 2510 copier, delivery cart, paper cutter, 2 wall clocks, letter-size filing cabinet, 2 media bins, 5 wooden signs, 3 sets of wooden blinds, TV, 2 small bulletin boards, boom box, HP 855 printer, 3 computers, monitor stand, monitor, 48" paperback rack, miscellaneous computer parts/cords, miscellaneous items, Snapper snow blower #8241, 15 - 55 gallon plastic barrels, basketball hoops, speakers, weight scale, pool table, bike, bumper pool table, foosball table, TV, ping pong table, push mower, homemade trailer 12' no title, homemade concession trailer 12' no title, push fertilizer spreader, credit card machine, credit card pad and printer, 2 Gateway computers, monitor, mini refrigerator, freezer, assorted printer paper & ribbons, 2 Royal 480 nt cash registers, shelving, 7 metal shelving units, Asus G25 Laptop w/o hard drive, Gateway M675 Laptop w/o hard drive, Gateway SX2841 computer w/o hard drive, HP Pavilion computer w/o hard drive, HP 1200 Printer, misc computer parts and cables, wooden book case, plastic cabinet, plastic tackle box. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Cottage Avenue water reconstruction project

Jason Anderson, Assistance City Engineer, reported that the replacement of the Cottage Avenue water main from West Duke to West Cherry Street was not included in the 2015 budget but, shortly after budget sessions last fall and another failure of this water main, City staff decided to prioritize this project. The information was presented to the City Council at the August 18, 2014 noon session with the consensus to move forward in the spring. Jason reported that bids were opened on April 15th to replace the 16" ductile iron pipe with PVC pipe. Jason stated that three bids were received and the low base bid was from Turner Plumbing of \$129,964.51. Jason noted that staff considered Bid Alternates for the use of flowable fill (alternate 1) and sand (alternate 2) as trench backfill material in lieu of backfilling with the removed soils. Jason stated that the purpose of backfilling with these alternate materials is to better guarantee a roadway surface that does not experience settling over time. Jason stated that staff has determined that awarding a Bid Alternate item may not be the best use of Water Department funds and believes that we can test the level of compaction achieved with the removed and replaced trench soils for approximately \$3,000 and achieve a similar finished result. Jason

recommended the low base bid of Turner Plumbing of \$129,964.51 for the Cottage Avenue water main replacement

Bids: First Rate Excavate base bid: \$151,380.93, alternate 1: \$29,824.96, alternate 2: \$5,684.40; Slowey Construction base bid: \$136,663.25, alternate 1: \$33,892.00, alternate 2: \$9,284.52; Turner Plumbing base bid: \$129,964.51, alternate 1: \$27,113.60, alternate 2: \$9,852.96

134-14

Alderman Collier-Wise moved approval of the low base bid of Turner Plumbing for the Cottage Avenue water main replacement of \$129,964.51. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that Builder's Choice has completed the baseball storage building at Prentis Park.

B. John reported that the contractor is working on the repair of the east section of the Vermillion River hike/bike trail.

C. John reported that the city received notice from Midcontinent Communications the week of April 6th about an increase in basic cable of \$4 to \$5 per month. John stated that most equipment and premium services are staying at the same price point. He noted that residents should be receiving notice shortly.

D. John reported that the Parks and Recreation Department will be hosting an Activities Fair at the Armory this Saturday, April 25th from 9:00 a.m. to Noon. John stated that it is not a registration but an opportunity to learn more about summer programs.

E. John reported that the City Engineer has approved the following two plats:

Lot 5A, Block 6 Erickson Addition
Lot 4B, Block 6, Erickson Addition

PAYROLL ADDITIONS AND CHANGES

Engineering: Jason Anderson \$24.31/hr, Todd Nordyke \$18.91/hr, Travis VanBeek \$20.52/hr; Ambulance: Alyssa Hunt \$30.00/1st-\$17.00/2nd; Recreation: Kristen Ball \$8.50/hr, Nick Burke \$20.00/game, Savanna Bremer \$8.50/hr; Pool: Alexis Malimanek \$8.50/hr; Mosq Control: Marcus Becks \$10.50/hr; Golf Clubhouse: Tim Ellison \$8.50/hr; Golf

Maintenance: Justin Ackerman \$8.50/hr, Brittlyn Dillow \$8.50/hr, Tyler Husby \$9.50/hr; Light: Monty Monkvold \$32.69/hr, Jospeh Sorensen \$9.00/hr, Jim Zimmerman \$18.34/hr

11. Invoices Payable

135-15

Alderman Willson moved approval of the following invoices:

BROADCASTER PRESS	ADVERTISING	1,606.13
BUREAU OF ADMINISTRATION	TELEPHONE	288.05
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CENTURYLINK	TELEPHONE	1,494.51
CLAY CO REGISTER OF DEED	FILING FEE-EASEMENT	30.00
CLAY COUNTY EMS ASSOCIATION	CPR & AED CLASS	144.00
CLAY RURAL WATER SYSTEM	WATER USAGE	38.10
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,878.94
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,740.29
FIRST NATIONAL BANK	CITY HALL BOND INTEREST	68,520.63
GREGG PETERS	MANAGER FEE/PROFITS	17,902.24
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	210.00
MIDAMERICAN	GAS USAGE	3,587.06
MIDCONTINENT COMMUNICATION	INTERNET/CABLE SERVICE	118.68
QUILL	SUPPLIES	1,238.63
REPUBLIC NATIONAL DIST.	MERCHANDISE	8,730.48
SD ELECTRICAL COMMISSION	CONTRACTORS LICENSE	150.00
STERN OIL CO.	FUEL	13,465.30
THE EQUALIZER	ADVERTISING	151.00
UNITED PARCEL SERVICE	SHIPPING	118.45
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,050.00
WELLMARK BCBS	REFUND AMBULANCE PAYMENT	80.65
WOW! BUSINESS	DIAL UP SERVICE	49.95

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

12. Consensus Agenda - None

13. Adjourn

136-15

Alderman Ward moved to adjourn the Council Meeting at 8:03 p.m. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 20th day of April, 2015.

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 _____.