

Unapproved Minutes
Council Special Session
May 2, 2016
Monday 11:30 a.m.

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, May 2, 2016 at 11:30 a.m. at the Austin Whittemore House at 15 Austin Street.

1. Roll Call

Present: Collier-Wise, Erickson (arrived 11:58 a.m.), Holland, Price, Ward (arrived 11:45 a.m.), Willson, Mayor Powell

Absent: Clarene Meins, Holly Meins

2. Informational Item - Information on Austin Whittemore House - Dan Christopherson

Mayor Powell thanked the Clay County Historical Society for hosting the meeting and meal. Dan Christopherson thanked the Mayor and Council for holding their meeting at the Austin Whittemore House and encouraged members to tour after the meeting. Wess Pravecek, President of the Clay County Historical Society, explained the activities of the organization as well as the preservation and use of the Austin Whittemore House. Wess encouraged Council members to become members of the Historical Society and, when they have time, to take a tour of the house.

3. Informational Item - COPS Grant - Police Chief Matt Betzen

Matt Betzen, Police Chief, updated the City Council on the COPS Grant Program noting that the City Council had approved the grant application in 2013 and 2015 but they were not funded. Matt explained that this position would be divided into a School Recourse Officer and investigation position. Matt stated that the COPS Grant Program provided up to \$125,000 of funding over a 36 month period for this new position and the City will need to commit for the balance of the annual funding and to retain the position for another 12 months. Matt noted that it is a City Council decision on if we should apply for the grant. The consensus of the City Council was to include the COPS grant on a future agenda for consideration. John Prescott stated that this will be included on the May 16th meeting agenda.

4. Briefing on the May 2, 2016 City Council Regular Meeting

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

5. Adjourn

121-16

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

Dated at Vermillion, South Dakota this 2nd day of May, 2016.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
May 2, 2016
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on May 2, 2016 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of April 18, 2016 Special Meeting, April 18, 2016 Regular Meeting, April 19, 2016 Special Meeting.

122-16

Alderman Willson moved approval of the April 18, 2016 Special Meeting, April 18, 2016 Regular Meeting and April 19, 2016 Special Meeting minutes. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

123-16

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

A. National Nurses Week Proclamation

Alderman Price read the proclamation recognizing the week of May 6 - 12 as National Nurses Week in Vermillion. Mayor Powell presented the proclamation to representatives of Sanford Vermillion Hospital who thanked the Mayor and City Council for the proclamation.

Keith Thompson, Ryan Fischbach, and John Walker, officers with the Vermillion Volunteer Fire Department, thanked the City Council for allowing them time to address the City Council. They stated that the individuals making statements at the last City Council meeting under visitors to be heard were not speaking as representatives of the Fire Department. They wanted to thank the Mayor and City Council for the support of the Fire Department. The Mayor and City Council thanked the volunteer fire fighters for all they do for the community.

6. Public Hearings

A. Special permit to exceed permissible sound levels for Coyoteopoly, Inc and South Dakota Shakespeare Festival beginning Monday, June 6 through Saturday, June 11, 2016 from 6:00 p.m. to 10:00 p.m. and Sunday, June 12, 2016 from 3:00 p.m. to 7:00 p.m. for Shakespeare festival performances

Mike Carlson, Finance Officer, reported on receipt of an application to exceed permissible sound levels from Coyoteopoly, Inc and South Dakota Shakespeare Festival on Monday, June 6th through Saturday, June 11th from 6:00 p.m. to 10:00 p.m. and Sunday, June 12th from 3:00 p.m. to 7:00 p.m. for Shakespeare festival rehearsal and performances in Prentis Park band shell area. Mike stated that the application and notice of hearing are included in the packet. Mike noted that there have been no reports of problems in prior years with the event, noting the change this year is a Sunday matinee performance. Mike noted that later on the agenda is the special daily malt beverage and wine license and permit to close a portion of Main Street. Mike recommended approval of the request unless information is presented at the public hearing.

124-16

Alderman Collier-Wise moved approval of the special permit to exceed permissible sound levels by no more than 50% for Coyoteopoly, Inc in Prentis Park band shell area on June 6 - 11 from 6:00 p.m. to 10:00 p.m. and June 12th from 3:00 p.m. to 7:00 p.m. for Shakespeare festival rehearsal and performances. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company, Inc. on or about June 9-12, 2016 at the Prentis Park band shell area for the Shakespeare performances

Mike Carlson, Finance Officer, reported the Vermillion Area Chamber of Commerce and Development Company, Inc has applied for a special daily malt beverage and wine license for the Shakespeare performances on June 9-12 at the Prentis Park band shell area. Mike stated that the Police Chief's report and notice of hearing are included in the packet. Mike stated that since the event is being held on City property ordinance provides that the City Council may include such conditions and restrictions. The Police Chief is recommending the following parameters be established:

1. Wristbands will be distributed by the VCDC when IDs are checked to insure purchases and consumers are over 21 years of age.
2. VCDC will provide ushers who will monitor both the purchase area and the audience grounds within the area delineated. Ushers will insure that no one removes a beverage from the audience area or the fenced concession area.
3. The fenced concession area and the audience area will have posted signs instructing consumers not to remove alcoholic beverages from the two designated areas, and the direct path between them.
4. The hours of sales are established as a half hour prior to the performance to a half hour after the performance.

Mike recommended approval of the special permit unless information is presented at the public hearing.

125-16

Alderman Ward moved approval of the special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company for the Shakespeare performances on June 9-12 at the Prentis Park band shell area contingent upon complying with the conditions as indicated by the Police Chief. Alderman Collier-Wise

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

C. Special daily malt beverage and wine license for the Fraternal Order of Eagles on or about May 20, 21 & 22, 2016 at Prentis Park baseball field for a fundraising tournament

Mike Carlson, Finance Officer, reported that the Fraternal Order of Eagles has applied for a special daily malt beverage and wine license for the baseball tournament on May 20, 21 & 22 at the Prentis Park baseball field. Mike stated that the Police Chief's report and notice of hearing are included in the packet. Mike stated that, since the event is being held on City property, ordinance provides that the City Council may include such conditions and restrictions. The Police Chief is recommending the following parameters be established:

1. Five staff members will supervise the event's distribution and consumption of alcohol.
2. Signage will be posted at the entry gate and the alcohol dispensing point stating:
 - A. Alcohol consumption is only allowed inside the fenced spectator area.
 - B. No one under 21 will be served or allowed to consume alcohol.
 - C. No intoxicated person(s) will be served.
 - D. No alcohol can leave the fenced spectator area.
 - E. No outside alcohol is allowed into the fenced spectator area.
3. Staff will check all persons wishing to purchase and provide a wrist band once their age has been verified.
4. Persons who have not been wrist banded or who appear to be under 21 will not be allowed to purchase or consume alcohol.
5. The hours of sales are established to be a half hour before the game to the end of the game.

Mike recommended approval of the special permit unless information is presented at the public hearing.

126-16

Alderman Willson moved approval of the special daily malt beverage and wine license for the Fraternal Order of Eagles for the baseball tournament on May 20-22, 2016 at the Prentis Park baseball field contingent upon complying with the conditions as indicated by the

Police Chief. Alderman Ward 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, Inc. on or about May 15, 2016 at the Prentis Park baseball field for a baseball game

Mike Carlson, Finance Officer, reported that the Vermillion Area Chamber of Commerce and Development Company, Inc has applied for a special daily malt beverage and wine license for a baseball game on May 15, 2016 at the Prentis Park baseball field. Mike stated that the Police Chief's report and notice of hearing are included in the packet. Mike stated that, since the event is being held on City property, ordinance provides that the City Council may include such conditions and restrictions. The Police Chief is recommending the following parameters be established:

1. Seven staff members will supervise the events distribution and consumption of alcohol.
2. Signage will be posted at the entry gate and the alcohol dispensing point stating:
 - A. Alcohol consumption is only allowed inside the fenced spectator area.
 - B. No one under 21 will be served or allowed to consume alcohol.
 - C. No intoxicated person(s) will be served.
 - D. No alcohol can leave the fenced spectator area.
 - E. No outside alcohol is allowed into the fenced spectator area.
3. Staff will check all persons wishing to purchase and provide a wrist band once their age has been verified.
4. Persons who have not been wrist banded or who appear to be under 21 will not be allowed to purchase or consume alcohol.
5. The hours of sales are established to be an hour before the game to a half hour after the game.

Mike recommended approval of the special permit unless information is presented at the public hearing.

127-16

Alderman Erickson moved approval of the special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company for baseball game on May 15, 2016 at the Prentis Park baseball field contingent upon complying with the conditions as

indicated by the Police Chief. Alderman Holly Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. First Reading of Ordinance 1338 - Amending Section 155.008, Definitions, and Section 155.071, Accessory Uses and Structures, to provide definitions and regulations for constructing and maintaining a chicken coop for the keeping or housing of chickens as permitted by ordinance

Andy Colvin, Assistant to the City Manager, stated that the public hearing for a change to the zoning ordinance to provide for chicken coops was advertized to coincide with second reading of the Ordinance No. 1337 allowing backyard chickens. Andy stated that, as backyard chicken Ordinance No. 1037 was tabled at last meeting, this public hearing will need to be cancelled and staff will schedule another public hearing when Ordinance No. 1037 is taken from the table.

128-16

Alderman Collier-Wise moved to cancel the public hearing on Ordinance No. 1038 that proposed to amend the zoning ordinance to provide for chicken coops and direct staff to schedule another public hearing at such time as Ordinance No. 1037 is taken from the table. Alderman Holland seconded the motion. Motion carried 9 to 0.

F. First Reading of Ordinance 1339 - Amending Section 155.032, R-2 Residential District to provide for Fraternities, Sororities and boarding and lodging houses as conditional uses and providing for lot and yard regulations for such uses

Andy Colvin, Assistant to the City Manager, reported that City staff was contacted regarding a proposal to construct a new sorority house in place of the existing structure. Andy stated that staff has identified a number of issues related to new Greek houses and compliance with current zoning codes. Andy reported that Greek houses, as well as boarding/lodging houses, are permitted uses within the R-2 district which means they can be built according to current code without a special permit from the City Planning Commission. Andy reported that the proposed ordinance would move these uses to the conditional use category. Andy stated that this will permit a more open approval process for new construction that coincides with relaxing other requirements, such as setbacks, height and parking. Andy noted that, without purchasing additional property and re-platting, it would be difficult to construct a new Greek house in the current R-2 neighborhoods and meet the off-street parking requirements. Andy stated that the proposed ordinance only addresses the R-2 District changes and

provides for lot and area regulations with the parking issue included in a separate zoning amendment.

Jim Wilson, Chairman of Clay County Historic Preservation Commission stated that the commission supports all the proposed changes to the zoning included on tonight's agenda.

129-16

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. 1339 entitled An Ordinance Amending Section 155.032, R-2 Residential District to provide for Fraternities, Sororities and boarding and lodging houses as conditional uses and providing for lot and yard regulations for such uses, 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 2nd day of May, 2016 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Holland. 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. First Reading of Ordinance 1340 - Amending Section 155.072 Off Street Parking to modify language pertaining to fraternities and sororities, remove the exemptions to parking in the front and side yards and modifying language pertaining to parking allowances in all districts

Jose Dominguez, City Engineer, reported that another issue which arose in the past years was the location of off-street parking for multi-family structures. Jose stated that the City has allowed off-street parking for multi-family structures to be constructed within the required front yard setbacks. Jose noted that this has caused some of the construction within the R-2 District to not have a landscaped front yard or side yard. Jose stated that another challenge with permitting parking in front yards involves increased storm water runoff to streets that typically do not have the capacity for higher volume. Jose stated that the proposed changes to the ordinance would allow Greek houses to have a portion of the required off-street parking on a different lot. Jose stated that the location, and number of parking stalls, would be determined by the Planning Commission during the Conditional Use Permit process. Jose stated that the other proposed changes to the ordinance

will try and remedy the current issues with off-street parking being allowed in the front yard within the R-2 District, or any district, for multi-family structures. Jose stated that the amendment would not allow any parking within the required front yard for multi-family structures within the R-2 District and would limit the amount of required front yard parking for multi-family structures to 25-percent of the required parking in the R-3 District. Jose noted that the proposed amendment will apply to future construction or structures that lose their nonconforming status.

Gene Lunn, 403 N Plum, stated that he supported the proposed amendment as two 4-plex units were built across the street from him which have front yard parking and very little green space and this amendment will prevent this in the future.

130-16

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1340 entitled An Ordinance Amending Section 155.072 Off Street Parking to modify language pertaining to fraternities and sororities, remove the exemptions to parking in the front and side yards and modifying language pertaining to parking allowances in all districts, 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 2nd day of May, 2016 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Ward. 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.

H. First Reading of Ordinance 1341 - Amending Section 155.008 Definitions, amending the definition of an Accessory Building or Use

Andy Colvin, Assistant to the City Manager, reported that in reviewing the parking and landscaping regulations in the City zoning ordinance, the definition of an accessory building or use was in need of clarification. Andy stated that currently parking facilities can be located on a lot with different zoning than the principal use served. Andy noted that this can create issues if a business, for instance, is located adjacent to a residential district. Andy stated that the lot could be zoned both commercial and residential, where the building

could be on the half zoned commercial and the parking lot located on the half zoned residential. Andy stated that the proposed amendment would require future accessory uses, including parking, to be have the same zoning as the lot of the primary use served. Andy stated that this ordinance would require the zoning to be consistent for the entire lot. Andy noted that zoning is important for the planning and development of any community and this proposed amendment will ensure uses and their accessory uses will have the same zoning designation. Discussion followed.

131-16

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1341 entitled An Ordinance Amending Section 155.008 Definitions, amending the definition of an Accessory Building or Use, 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 2nd day of May, 2016 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Holland. 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.

I. First Reading of Ordinance 1342 - Amending Section 155.077, Landscaping Standards, providing additional requirements for living ground cover in all residential, commercial and industrial districts

Andy Colvin, Assistant to the City Manager, reported that, based on input from the Planning Commission as well as community members, staff proposed some changes to the landscaping standards in the zoning regulations. Andy noted that strengthening the landscaping requirements in the community will help address some drainage problems, in addition to beautifying the community. Andy stated that the proposed amendment addresses the following requirements and changes:

- The parkway, or boulevard, which is the area between the curb and the sidewalk, will be included in the 90% requirement for front yards. Additionally, 50% of the rear yard will now be required to be landscaped except for portions required for driveways and parking.

- The R-1, R-2 and R-3 residential districts will be required to plant one tree per 50 feet of frontage, with a limit on the number permitted in the parkway. The typical residential lot will have at least one tree. Previously, only commercial and industrial zones were required to plant trees.

Andy stated that the City Council has already adopted a revised tree ordinance, which regulates trees planted in the right-of-way and provides a guide for residents, noting that this amendment will work with the tree ordinance in an effort to beautify the community. Andy stated that these new requirements will apply to future developments and existing developments will not be required to comply unless the use is discontinued. Discussion followed.

132-16

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1342 entitled An Ordinance Amending Section 155.077, Landscaping Standards, providing additional requirements for living ground cover in all residential, commercial and industrial districts, 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 2nd day of May, 2016 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Holland. 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.

7. Old Business - None

8. New Business

A. Request from Coyoteopoly & Shakespeare Festival to close E. Main Street from Plum Street through the Walker Street intersection during the performances on June 9-12, 2016 and limit E. Main Street parking

John Prescott, City Manager, reported that Coyoteopoly has submitted a request to close E. Main Street from Plum Street to Walker Street from 6:00 p.m. to 9:30 p.m. on June 9, 10, and 11, 2016 and 3:00 p.m. to 6:30 p.m. on Sunday June 12, 2016 for the performance. John stated that this closing is the same as last year except that the Sunday

performance is a matinee. John noted that they are also requesting to remove the on-street parking on E. Main Street along Prentis Park on June 6 - 12, 2016 to prohibit vehicles from parking next to the production area. John noted that the organization will man the street closing barricades to allow emergency vehicles access.

133-16

Alderman Collier-Wise moved approval of the request of Coyoteopoly/South Dakota Shakespeare Festival to close E. Main Street from Plum Street to Walker Street on June 9, 10, and 11, 2016 from 6:00 p.m. to 9:30 p.m., June 12, 2016 from 3:00 p.m. to 6:30 p.m. and to remove parking on E. Main Street along Prentis Park on June 6 - 12, 2016. Alderman Willson 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 7, 2016 from 5:00 p.m. to 10:00 p.m. for the Spring 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 Saturday, May 7, 2016 for a spring demo derby. Mike stated that this is to provide a safe entrance and exit from the event

134-16

Alderman Willson moved approval of the closing of High Street through the Fairgrounds from 5:00 p.m. to 10:30 p.m. on Saturday, May 7, 2016 for a demo derby. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Request to close Prentis Avenue from E. Main Street to E. Clark Street on May 15, 2016 from 2:00 p.m. to 5:00 p.m. for an exhibition baseball game at Prentis Park

John Prescott, City Manager, reported that the Vermillion Chamber of Commerce and Development Company and the Vermillion Parks and Recreation Department have submitted a street closure request for Prentis Avenue from 2:00 p.m. to 5:00 p.m. on Sunday, May 15, 2016 from E. Clark Street to E. Main Street. John stated that the request will reduce traffic to a minimum and make it safer for children who may chase foul balls during the game and that, prior to the baseball game, a City sponsored camp for children will be held in the same area. John stated that the exhibition game is between the Sioux City Explorers and Lincoln Saltdogs. John reported that City Staff will be stationed at the barricades during the closure to allow residents access to their homes. John stated that all of the Prentis Avenue property owners were

mailed a letter on April 20, 2016 advising them of the potential closing and when the City Council would be considering the request and that no comments had been received at the time of Council packet preparation.

135-16

Alderman Collier-Wise moved approval of the street closing request for Prentis Avenue from E. Main Street to E. Clark Street on May 15, 2016 from 2:00 p.m. to 5:00 p.m. for an exhibition baseball game at Prentis Park. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Library Board request for a permit for consumption but not sale on May 20, 2016 from 6:00 p.m. to 8:00 p.m. at 18 Church for "Books & Brew" event

Mike Carlson, Finance Officer, reported that Susan Heggstad, on behalf of the Vermillion Public Library as approved by the Vermillion Public Library Board of Trustees, has requested a permit to consume alcoholic beverages on public property for a "Books & Brew" event at the Edith B. Siegrist Vermillion Public Library garden behind the library from 6:00 p.m. to 8:00 p.m. on May 20, 2016. Mike noted that, if the weather does not cooperate, the event will be held in the Kozak Room. Mike stated that a copy of the request and information on the event was included in the packet. Mike reported that State statute provides that the Governing Body of a municipality may permit the consumption, but not sale, of any alcoholic beverage on property owned by the public.

136-16

Alderman Collier-Wise moved approval of the permit for consumption but not sale on public property for a "Books & Brew" event at the Edith B. Siegrist Vermillion Public Library garden behind the Library or the Kozak Room from 6:00 p.m. to 8:00 p.m. on May 20, 2016. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. 2016-2020 Capital Improvement Plan

John Prescott, City Manager, reported that at the April 4th noon meeting the 2016-2020 Capital Improvement Plan was presented to the City Council. John stated that one of the goals of the Capital Improvement Plan is to present ideas to the City Council and community about projects that may be undertaken in the next five years. John noted that funding may not be defined for each item at present but will be developed as the timeline moves closer. John stated that the Capital Improvement Plan has been developed for the last several years as a planning document to be used in developing the future budgets. John

reviewed the projects being considered for 2017 budget later this summer. Discussion followed.

Tom Sorensen, 320 N Plum, questioned if the replacement of trees was included in the capital plan. Tom noted that years ago the Dutch elm disease caused the loss of most elm trees and now the ash bore threatens the ash trees. John Prescott, City Manager, reported that the Tree Board has a pilot program to provide trees to citizens for \$25 which consisted of 10 trees of which all have not been requested. John asked interested citizens to contact City Hall about this program.

137-16

Alderman Holland moved approval of the Capital Improvement Plan for 2016-2020 as presented. Alderman Price seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

G. Library Board of Trustees appointments

Mayor Powell reported that seven citizens have completed the expression of interest forms for the two openings on the Library Board. Mayor Powell stated that he has asked Council members for their recommendations to fill the vacancies and based upon this information would recommend Gabrielle Strouse and Martha Muellenburg for three year terms on the Library Board expiring in May 2019. Mayor Powell thanked all that had expressed interest in the positions.

138-16

Alderman Price moved approval of the appointment of Gabrielle Strouse and Martha Muellenburg to three year terms on the Library Board expiring in May 2019. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

H. 2016 - 2018 AFSCME agreement for eligible employees of the Communications Center

John Prescott, City Manager, reported that AFSCME representing employees in Telecommunications considered the AFSCME (B) agreement. John noted that AFSCME (A) represents the general government and utility employees whose agreement was approved last fall. John noted that the Telecommunications employees were represented by the Teamsters union until July 2015. John stated that the Telecommunications employees became affiliated with AFSCME in late 2015. John reported that the City of Vermillion Labor and Finance Committee met in 2015 and 2016 to review progress on negotiating the union agreement with the AFSCME. John stated that a number of negotiation items with this union were largely completed in late 2015 during negotiations with AFSCME on

the agreement that covers general employees. John stated that the Labor and Finance Committee provided guidance on completing both AFSCME union negotiations. John reported that City staff met with the AFSCME union representatives on several occasions in 2016 and reached agreement on a proposal within the guidelines established by the Labor and Finance Committee. John noted that the Labor and Finance Committee reported on the progress of negotiations and recommended approval of the agreement at the March 21, 2016 meeting. John stated that nothing has changed since the March recommendation and that AFSCME has been developing and proofing the final written agreement since the March meeting. John reviewed the items included in the agreement and recommended approval of the agreement.

139-16

Alderman Collier-Wise moved approval of the AFSCME (B) agreement covering eligible employees of the Vermillion/Clay Area Emergency Services Communications Center for 2016-2018. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

I. Resolution of support for DENR tire disposal grant program

John Prescott, City Manager, reported that the South Dakota Department of Environment and Natural Resources (DENR) has contacted the Vermillion landfill about a grant to provide a free tire disposal program for Clay, Union and Yankton counties. John stated that the program will allow area residents, but not commercial businesses, to drop off tires at the Landfill at no cost. John noted that a requirement of the grant is that the City Council adopts a resolution of support for the tire disposal program. John stated that the grant, if approved, would reimburse the City for the disposal costs of the tires. John stated that Administration recommends adoption of the resolution supporting an application from a tire recycling grant with DENR.

140-16

Alderman Willson moved approval of the Resolution supporting an application from a tire recycling grant with DENR. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil on all items.

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$1.8694, Brunick's Service \$1.90; Item 2 - 1,000 gal unleaded gasoline - regular: Stern Oil \$2.0597, Brunick's Service \$2.15; Item 3 - 3,000 gal Diesel fuel dyed: Stern Oil \$1.6093, Brunick's Service \$1.64; Item 4 - 1,000 gal diesel fuel-clear: Stern Oil \$1.9158, Brunick's Service \$1.95.

141-16

Alderman Price moved approval of the low quote of Stern Oil all four items. Alderman Collier-Wise seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Landfill Bale Bags

Jose Dominguez, City Engineer, reported that bid documents were sent to three potential bidders for semi load (18,000 bags) for the landfill baling operation. Jose stated that bids were opened on April 21st with only one bid received from Global Packaging Solutions for \$58,500. Jose recommended awarding the bid to the only bidder.

142-16

Alderman Willson moved approval of the only bid of Global Packaging Solutions for landfill baler bags of \$58,500. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that the on-line registration program for all Summer Park and Recreation Department programs opened today. John stated that Prentis Park pool is scheduled to open May 26th, if weather permits.

B. John reported that the second load of glass was picked up from the Recycling Center last week so to date over 42 tons of glass have been recycled since the program began in May 2015.

C. John reported that the Water Department received the Secretary's Award for Drinking Water Excellence from the Department of Environment & Natural Resources for the 15th consecutive year.

D. John reported that the Wastewater Treatment Facility recently was awarded the 2015 Operation and Maintenance award from the Department of Environment & Natural Resources.

E. John reported that the Planning Commission has a vacancy due to the relocation of a current member that will expire in June 2020. John asked interested citizens to complete the Expression of Interest form and return it to City Hall by noon on Thursday, May 12, 2016 in

anticipation that the City Council will make an appointment at the May 16th meeting.

F. John reported that the groundbreaking for the Prentis Park swimming pool project is Wednesday, May 4th at 4:00 p.m. noting that the public is invited to attend.

G. John reported that the City surplus and abandoned property auction is Friday, May 13th at 5:30 p.m. at the Municipal Service Center which is located at 115 W. Duke Street.

PAYROLL ADDITIONS AND CHANGES

Street: Josh Lasley \$9.00/hr; Ambulance: Leanna Gubbels \$8.55/hr-\$8.55/hr training-\$12.83/hr holiday; Recreation: Morgan Graham \$9.00/hr, Cora Ruzicka \$8.75/hr; Pool: Cora Ruzicka \$8.75/hr; Parks: Reed Aylor \$8.75/hr, Jeremiah Johnson \$8.75/hr, Kyle Ochsner \$8.75/hr; Golf Clubhouse: Torie Buberl \$8.55/hr, Keegan Johnson \$8.55/hr, Megan Kerns \$8.55/hr, Sam McLeran \$8.55/hr; Golf Maintenance: Luke Girard \$8.55/hr, Blake Gilkyson \$8.75/hr, Mitchell Sand \$8.75/hr, Paul Schwaisinger \$8.75/hr; Recycling: James Conway \$15.17/hr

11. Invoices Payable

143-16

Alderman Collier-Wise moved approval of the following invoice:

| | | |
|---------------------|---------|--------|
| University Cleaners | repairs | 149.50 |
|---------------------|---------|--------|

Alderman Price seconded the motion. Alderman Clarene Meins requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

144-16

Alderman Collier-Wise moved approval of the following invoices:

| | | |
|------------------------------------|-----------------------|-----------|
| Allegiant Emergency Services | med supplies | 660.00 |
| Aqua-Pure Inc | chemicals | 8,800.00 |
| Aramark Uniform Services | uniform cleaning | 402.45 |
| Argus Leader Media #1085 | subscription | 19.89 |
| Arizona Manufacturing & Embroidery | merchandise | 104.70 |
| Avera Occupational Medicine | testing | 488.50 |
| Baker & Taylor Books | books | 500.63 |
| Banner Associates, Inc | professional services | 11,254.89 |
| Best Western Ramkota Inn | lodging | 87.99 |
| Bhs Marketing, LLC | soda ash | 13,645.72 |

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|------------------------------|-------------------------|-----------|
| Bierschbach Eqpt & Supply | parts | 273.55 |
| Border States Elec Supply | supplies | 1,419.19 |
| Bound Tree Medical, LLC | supplies | 800.49 |
| Broadcaster Press | advertising | 132.00 |
| BSN Sports Inc | deluxe diamond turf | 2,134.99 |
| Burns & McDonnell | professional services | 1,723.00 |
| Bushnell Outdoor Products | merchandise | 1,334.49 |
| Butler Machinery Co. | parts | 2,749.92 |
| Callaway Golf | merchandise | 390.36 |
| Campbell Supply | supplies | 1,350.91 |
| Canfield Business Interior | workstation panels | 542.58 |
| Cask & Cork | merchandise | 1,936.75 |
| Century Business Products | copier contract/copies | 186.92 |
| Centurylink | telephone | 744.19 |
| Chesterman Co | merchandise | 358.50 |
| City Of Vermillion | copies/postage | 1,421.14 |
| City Of Vermillion | utility bills | 36,407.67 |
| Class C Solutions Group | supplies | 97.02 |
| Clay-Union Electric Corp | sponsor share-breakfast | 116.17 |
| Cobra Puma Golf, Inc | merchandise | 168.24 |
| Colonial Life Acc Ins. | insurance | 3,106.27 |
| Concrete Materials | supplies | 801.31 |
| Confluence | professional services | 2,572.73 |
| Cory Moore | safety boots reimb | 100.00 |
| Creative Product Source, Inc | supplies | 432.23 |
| Custom Conveyor Corp. | parts | 891.60 |
| D-P Tools | supplies | 23.72 |
| Dakota Beverage | merchandise | 6,171.72 |
| Dakota Pc Warehouse | monitor | 199.99 |
| Dakota Riggers & Tool Supply | supplies | 34.43 |
| Danko Emergency Equipment | supplies | 3,057.76 |
| Deadperfect | merchandise | 474.66 |
| Delta Dental Plan | insurance | 6,199.94 |
| Dennis Martens | maintenance | 833.34 |
| Dept Of Revenue | testing | 515.00 |
| DGR Engineering | professional services | 6,267.00 |
| Dorsey & Whitney | professional services | 10,000.00 |
| Dust Tex | mat service | 80.00 |
| E.A Sween Company | supplies | 210.31 |
| Earthgrains Baking Co's Inc | supplies | 100.23 |
| Echo Electric Supply | supplies | 1,847.22 |
| EDC Educational Services | books | 280.53 |
| Electronic Engineering | supplies | 128.00 |

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|---------------------------------|-----------------------|-----------|
| Embroidery & Screen Works | uniform shirts | 2,847.85 |
| Emergency Apparatus Maintenance | repairs | 2,320.97 |
| Farmer Brothers Co. | supplies | 113.80 |
| Fastenal Company | supplies | 28.50 |
| Fedex. | shipping | 11.74 |
| First National Bank | bond trustee fee | 300.00 |
| Foreman Media | council mtg | 200.00 |
| Gale | books | 296.28 |
| Graymont Capital Inc | quicklime | 3,983.75 |
| Great Northern Environment | supplies | 14,656.46 |
| Gregg Peters | advertising/freight | 1,488.80 |
| Gregg Peters | rent | 937.50 |
| Hach Co | supplies | 1,048.00 |
| Harland Technology Service | printer ribbons | 123.25 |
| Hauff Mid-America Sports | backstop padding | 4,490.00 |
| HD Supply Waterworks | supplies | 3,202.92 |
| Helget Safety Supply, Inc | gloves | 155.66 |
| Helms & Associates | professional services | 3,673.08 |
| Herren-Schempp Building | supplies | 251.85 |
| Hy Vee Food Store | supplies | 221.70 |
| Independence Waste | waste hauling/rental | 1,365.09 |
| Ingram | books | 2,431.70 |
| Jacks Uniform & Eqpt | uniforms | 114.74 |
| Jay's Plumbing | repairs | 299.96 |
| Jerry's Chevrolet Buick Gm | repairs | 891.73 |
| John A Conkling Dist. | merchandise | 3,190.50 |
| Johnson Brothers Of SD | merchandise | 7,283.50 |
| Jones Food Center | supplies | 1,035.07 |
| Karsten Mfg Corp | merchandise | 2,512.42 |
| Key Contracting, Inc | manhole lining | 42,102.00 |
| Lakeside Equipment | parts | 3,166.00 |
| Lawson Products Inc | supplies | 253.67 |
| Laynes World | plaques | 134.34 |
| Leggette, Brashears & Graham | professional services | 392.70 |
| Leos Lounge | meals | 249.00 |
| LFS | repairs | 2,895.57 |
| Locators And Supplies, Inc | wire flags | 97.41 |
| Malloy Electric | parts | 5,021.85 |
| Mark Milbrodt | safety boots reimb | 100.00 |
| Mart Auto Body | towing | 150.00 |
| Matheson Tri-Gas, Inc | supplies | 489.49 |
| Matthew Bender & Co, Inc | books | 46.44 |
| Matthew Betzen | meals reimbursement | 70.00 |

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|------------------------------------|-------------------------|----------|
| McCulloch Law Office | professional services | 1,188.00 |
| Med-Media | maintenance/license | 255.00 |
| Medical Waste Transport, Inc | haul medical waste | 240.77 |
| Medico Life & Health Insurance | insurance | 461.07 |
| Menards | storage racks | 179.97 |
| Micro Marketing LLC | books | 143.96 |
| Mid-American Research Chemical | supplies | 407.10 |
| Midwest Alarm Co | alarm monitoring | 132.00 |
| Midwest Building Maintenance | mat svc | 653.55 |
| Midwest Turf & Irrigation | parts | 4,541.64 |
| Minitex Library | supplies | 161.00 |
| Minn Municipal Utility Association | online testing | 6,115.00 |
| Missouri River Energy Service | educational school kits | 244.32 |
| Missouri Valley Maintenance | repairs | 1,051.18 |
| Moore Welding & Mfg | supplies | 146.00 |
| McLaury Engineering | professional services | 1,400.00 |
| NCL Of Wisconsin, Inc | supplies | 2,344.69 |
| Netsys+ | professional services | 593.00 |
| New York Life | insurance | 84.02 |
| Northern Safety Co. Inc | supplies | 228.54 |
| Northern Truck Eqpt Corp | parts | 355.70 |
| O'Reilly Auto Parts | supplies | 19.99 |
| Office Systems Co | copier contract/copies | 457.11 |
| Okoboji Wines-SD | merchandise | 657.00 |
| Olson Medical Clinic | pre-employment exam | 202.00 |
| Overhead Door Of Sioux City | repairs | 205.00 |
| Paul Conway Shields | supplies | 128.44 |
| PCC, Inc | commission | 2,892.93 |
| Peoplefacts, LLC | supplies | 26.50 |
| Pomps Tire Service, Inc. | repairs | 1,392.10 |
| Prairie Berry Winery | merchandise | 696.50 |
| Pressing Matters | notary stamp | 31.00 |
| Presto-X-Company | inspection/treatment | 51.36 |
| Print Source | supplies | 92.00 |
| Queen City Wholesale | merchandise | 222.45 |
| Quill | supplies | 97.53 |
| Racom Corporation | maintenance | 447.85 |
| Radiant Heat, Inc | repairs | 3,965.25 |
| Randy Isaacson | safety glasses reimb | 150.00 |
| Recorded Books, Inc | books | 260.20 |
| Recovery Systems Co, Inc | pressure gauge | 114.71 |
| Reinhart Foodservice, LLC | supplies | 623.53 |
| Republic National Dist | merchandise | 4,153.33 |

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| Resco | supplies | 252.00 |
| Ri-Tech Industrial Product | supplies | 220.00 |
| Richard Draper | reimb for backpacks | 119.64 |
| Sanford Clinic Vermillion | supplies | 272.69 |
| Sanford Health Plan | participation fees | 60.00 |
| Sanitation Products | street sweeper | 178,803.00 |
| Schaeffer Mfg. Co | supplies | 1,082.41 |
| SD Electrical Commission | wiring permits | 310.00 |
| SD Federal Property Agency | forklift | 3,500.00 |
| SD Governmental Finance Officers Assoc | registration | 150.00 |
| SD Lottery | license renewal | 100.00 |
| SD One Call | one call locates | 175.35 |
| SD Retirement System | contributions | 49,949.07 |
| SDN Communications | professional services | 1,376.92 |
| Security Shredding Service | shredding containers | 35.00 |
| SEH, Inc | professional services | 6,582.60 |
| Servall Towel & Linen | shop towels | 73.50 |
| Stanger Litho Graphics | supplies | 162.00 |
| Stern Oil Co. | oil | 619.44 |
| Stewart Oil-Tire Co | repairs | 494.85 |
| Storey Kenworthy/Matt Parrot | supplies | 642.52 |
| Stryker Sales Corporation | supplies | 281.64 |
| Stuart C. Irby Co. | led lights/fixtures | 125,874.85 |
| Sturdevants Auto Parts | parts | 2,458.67 |
| Subway | meals | 34.00 |
| Sundog Eyewear | merchandise | 697.48 |
| Tapco | maintenance | 142.50 |
| Taylor Made | merchandise | 137.49 |
| The Equalizer | advertising | 116.00 |
| The Growler Station, Inc | fee/maintenance program | 749.97 |
| The Walking Billboard | uniforms | 99.00 |
| Tigert Art Gallery | framing | 366.00 |
| Titan Machine-Productivity | supplies | 2,246.56 |
| Titleist Drawer Cs | merchandise | 2,167.96 |
| Tri-B-Trim Shop | repairs | 250.00 |
| True Value | supplies | 604.47 |
| Tyler Technologies | maintenance | 4,505.09 |
| United Way | contributions | 557.70 |
| Us Golf Association | membership | 110.00 |
| USA Bluebook | parts | 748.15 |
| Van Diest Supply Co | supplies | 6,146.60 |
| Vast Broadband | 911 circuit/dialup | 1,415.45 |
| Verizon Wireless | cell phones | 2,438.51 |

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|---------------------------------------|-----------------------|----------|
| Vermeer High Plains | supplies | 99.16 |
| Vermillion Ace Hardware | supplies | 2,155.48 |
| Vermillion Chamber And Development Co | bid #1 promotion | 8,273.90 |
| Vermillion Ford | parts | 122.22 |
| Vermillion Housing Authority | support | 1,541.00 |
| Vermillion Rotary Club | dues/meals | 134.25 |
| VGSA | registration | 229.00 |
| Visa/First Bank & Trust | fuel/lodging/supplies | 7,714.98 |
| Wal-Mart Community | supplies | 1,090.76 |
| Walt's Homestyle Foods, Inc | supplies | 145.60 |
| Wesco Distribution, Inc | parts | 6,327.82 |
| Wexford Fulfillment Solution | merchandise | 887.08 |
| Wigman Co | supplies | 360.17 |
| Willson Florist | blooming plant | 40.00 |
| Yankton Area Ems Association | registration | 125.00 |
| Yankton Fire & Safety | repairs | 77.00 |
| Yankton Janitorial Supply | supplies | 195.50 |
| Zee Medical Service | supplies | 324.30 |
| Zimco Supply Co | supplies | 8,958.94 |
| Zuercher Technologies LLC | support/maintenance | 1,260.00 |
| Judy Sullivan | Bright Energy Rebate | 24.00 |
| Mike Paulson | Bright Energy Rebate | 9.00 |

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

12. Consensus Agenda

A. Set a public hearing date of May 16, 2016 for annual malt beverage license renewals

145-16

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

13. Executive Session Personnel Matters

Mayor Powell stated that the meeting would go into executive session for personnel matters at 8:10 p.m.

Mayor Powell declared the Council out of executive session at 8:31 p.m.

14. Adjourn

146-16

Alderman Ward moved to adjourn the Council Meeting at 8:32 p.m. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 2nd day of May, 2016.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.