

Unapproved Minutes
Council Special Session
July 18, 2016
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, July 18, 2016 at 12:00 noon at the Public Safety Center.

1. Roll Call

Present: Erickson, Holland, Humphrey, Price, Sorensen, Mayor Powell

Absent: Collier-Wise, Meins, Ward

2. Educational Item - Tour of Police Department - Matt Betzen

Matt Betzen, Police Chief, provided a tour of the Police Department and answered questions of the City Council on the Police Department.

3. Educational Item - Tour of Clay Area Emergency Services Communications Center - Ryan Anderson

Ryan Anderson, E911 Director, provided a tour of the Telecommunications Center and answered questions of the City Council on the Telecommunications Center.

4. Briefing on the July 18, 2016 City Council Regular Meeting

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

5. Adjourn

222-16

Alderman Holland moved to adjourn the Council special session at 12:41 p.m. Alderman Erickson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of July, 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
July 18, 2016
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on July 18, 2016 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Erickson, Holland, Humphrey, Meins, Price, Sorensen, Ward, Mayor Powell

Absent: Collier-Wise

2. Pledge of Allegiance

3. Minutes

A. Minutes of July 5, 2016 Special Meeting, July 5, 2016 Regular Meeting, July 14, 2016 Special Meeting

226-16

Alderman Sorensen moved approval of the July 5, 2016 Special Meeting, July 5, 2016 Regular Meeting, and July 14, 2016 Special Meeting minutes. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

227-16

Alderman Price moved approval of the agenda. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard - None

6. Public Hearings

A. Special Permit to exceed permissible sound levels by no more than 50% on W. Main Street between High and Prospect Streets on Friday, September 9, 2016 between 5:00 p.m. and midnight and on Saturday, September 10, 2016 between 5:00 p.m. and midnight for Ribs, Rods, & Rock 'n Roll for a street dance

Mike Carlson, Finance Officer, reported that Ribs, Rods & Rock 'n Roll has applied for a special permit to exceed allowable noise levels for

several bands and a street dance on Friday, September 9th and Saturday September 10th beginning at 5:00 p.m. and lasting until midnight. The request, diagram and notice of hearing are attached. Mike noted that the application and diagram appear to be the same as last year and recommended approval of the request. Mike noted that Jenny French and Scott Druecker, representing the organization, were present to answer questions.

228-16

Alderman Ward moved approval of the special permit to exceed permissible sound levels by no more than 50% for Ribs, Rods & Rock'n Roll, Inc. for a street dance on Main Street between High and Prospect Streets from 5:00 p.m. to midnight on Friday, September 9th and Saturday, September 10th. Alderman Sorensen seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Special daily malt beverage and wine license for Ribs, Rods, & Rock 'n Roll on or about September 9 & 10, 2016 on W. Main Street between Washington and Church Streets, Ratingen Platz, Market Street from W. Main to Bloomingdale Streets, Austin Street from W. Main to Kidder Streets, Kidder Street from Austin to half block east of Market Street, Court Street from W. Main to half block south, public parking lot at Market and Kidder, and Prospect from W. Main Street to half block north

Mike Carlson, Finance Officer, reported that an application has been received for a special daily malt beverage and wine license from Ribs, Rods & Rock'n Roll for their events on September 9 & 10, 2016 on Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main Street to Kidder Street, Kidder Street from Austin to half block east of Market, Court Street from Main Street to half block south, public parking lot at Market and Kidder and Prospect Street from Main Street to half block north. Mike stated that the request from Ribs, Rods, & Rock'n Roll, notice of hearing, Police Chief's report and map of the area are included in the packet. Mike stated that, from the map, the area that alcohol will be allowed will be the same as last year, noting that last year it was expanded. Mike reviewed the different times and locations for where alcohol will be allowed noting that sales will remain in the same location as previous years on Main Street by Market Street. Mike stated that City ordinance allows the City Council to set conditions and restrictions, as it may deem appropriate, in issuing a special license. In the past, these conditions were to require a Release and Indemnification releasing the City from liability for the event (already received), a Certificate of Insurance naming the City as an additional insured (already received), require clear signage at each egress from the area where alcohol is allowed, reimburse the City for overtime wages of the Police Department up to a maximum of \$1,000, provide security personnel, require a cleanup plan and provide restroom

facilities. As to hours, the request is to start at 5:00 p.m. on Friday until midnight and a start time of 11:00 a.m. on Saturday until midnight. Mike noted that Jenny French and Scott Druecker, representing the organization, were present to answer questions. Discussion followed.

229-16

Alderman Holland moved approval of the special daily malt beverage and wine license for Ribs, Rods & Rock'n Roll, Inc. on or about September 9 & 10, 2016 on Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main Street to Kidder Street, Kidder Street from Austin to half block east of Market, Court Street from Main Street to half block south, public parking lot at Market and Kidder and Prospect Street from Main Street to half block north, contingent upon the following: 1) The applicant provides a Release and Indemnification releasing the City from liability for the event; 2) The applicant provide a Certificate of Insurance naming the City of Vermillion as an additional insured, including liquor liability, for the event; 3) The applicant provide clear signage at each egress from the area where alcohol is; 4) The Organization provide personnel that are at least age 21 to serve as security for the street dance. The individuals shall be wearing shirts that state "Event Security" on the back; 5) The Organization agrees to reimburse the City of Vermillion for the overtime for police officers assigned to the event limited to \$1,000 or actual costs, whichever is lower; 6) The Organization shall have a plan for clean up and provide adequate restroom facilities; 7) The hours authorized for malt beverage and wine sales are 5:00 p.m. Friday to midnight and Saturday 11:00 a.m. until midnight in the areas as outlined in the map included with the application. Alderman Erickson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Street closure request for Ribs, Rods, & Rock 'n Roll on or about September 9 & 10, 2016 for Main Street between Washington and Church Streets, Ratingen Platz, Market Street from W. Main to Bloomingdale Streets, Austin Street from W. Main to Kidder Streets, Kidder Street from Austin to half block east of Market Street, Court Street from W. Main to half block south, and Prospect Street from W. Main Street to half block north

Derek Chancellor, Administrative Intern, stated that Ribs, Rods, & Rock 'n Roll organization is requesting a temporary street closing to host their State BBQ Championship, music festival and car show on September

9 and 10, 2016. Derek reported that the request is broken down into two sections as follows:

Section one - Proposed to be closed from Friday, September 9, 2016 at 7:00 a.m. until Sunday, September 11, 2016 at Noon: W. Main Street, from High Street to Prospect Street; Austin Street, from W. Main Street to Kidder Street; Market Street; from W. Main Street to Bloomingdale Street; Prospect Street, from W. Main Street to ½ block north of W. Main Street; and Kidder Street, from Austin Street to ½ block east of Market Street. This closing would also include Ratingen Platz and the city parking lot at the southwest corner of Market Street and Kidder Street.

Section two - Proposed to be closed on Saturday, September 10, 2016 from 6:00 a.m. until 5:00 p.m.: W. Main Street, from Washington Street to High Street; Main Street, from Prospect Street to Church Street; and Court Street from E. Main Street south for one-half block.

Derek stated that the street closing request and diagram of the streets are included in the packet noting that the proposed street closings are very similar to last year. Derek stated that Police, Fire and EMS were notified and had no safety concerns.

230-16

Alderman Erickson moved approval of the street closing as requested on September 9, 10 & 11, 2015 for the Ribs, Rods & Rock 'n Roll event. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Street closure request for Vermillion Food Pantry - Weekend Backpack Program's Feeding Vermillion Food Giveaway on Thursday, July 28, 2016 for Franklin Street from Princeton to 502 Franklin Street, from 2:00 p.m. to 8:30 p.m.

Derek Chancellor, Administrative Intern, reported that a street closing request was received from Vermillion Food Pantry - Weekend Backpack Program to close Franklin Street from Princeton to 502 Franklin Street on Thursday, July 28th from 2:00 p.m. to 7:00 p.m. Derek stated that the request and diagram are included in the packet. The application stated that the residents of Franklin Street south of the closure will be notified and will have access from the south.

Derek stated that Keith Joy with the Food Pantry was present to answer any questions.

231-16

Alderman Sorensen moved approval of the street closing request for Thursday, July 28, 2016 from 2:00 p.m. to 7:00 p.m. for Franklin Street

from Princeton to 502 Franklin Street for the Food Pantry second feeding Vermillion food giveaway. Alderman Erickson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Street closure request for Thursdays on the Platz on July 21, August 4 and 18, and September 1, 2016 for W. Main Street from Ratingen Platz to the corner of Main and Prospect Streets from 5:15 p.m. to 8:00 p.m.

John Prescott, City Manager, reported that "Thursdays on the Platz" is again planning to hold several events in downtown Vermillion. John stated that the City Council approved the use of Ratingen Platz and the closure of Market Street from W. Main Street to the East/West alley between W. Main Street and Kidder Street along with the approval of the noise permit and special daily malt beverage at the June 6th meeting. John noted that, since the initial Market Street closing was approved, a request to expand the street closing to include a portion of W. Main Street was submitted. John stated that the Thursdays on the Platz group would like to have W. Main Street closed from the west side of the intersection of Main and Prospect Streets to the west side of Ratingen Platz from 5:15 p.m. to 8:00 p.m. like the Market Street closing. John stated that the dates of the event are July 21, August 4, August 18, and September 1, 2016 with rain dates of July 28, August 11, August 25, and September 8. John stated that the events would host local and regional musical entertainment.

Laura Roof, with the Thursdays on the Platz group stated that the extra room will allow for more room, better visibility, and better sound quality.

Alderman Holland moved approval of the closing of Main Street from the west side of the intersection of Main and Prospect Streets to the west side of Ratingen Platz from 5:15 to 8:00 p.m. on July 21, August 4, August 18, and September 1, 2016 with rain dates of July 28, August 11, August 25, and September 8. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

D. Permit for consumption but not sale on Friday, August 19, 2016 from 7:00 p.m. to 9:00 p.m. for Edith B. Siegrist Vermillion Public Library at 18 Church for "Books & Brews" event

Mike Carlson, Finance Officer, reported that Susan Heggstad, on behalf of the Vermillion Public Library, 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 7:00 p.m. to 9:00 p.m. on August 19, 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 noted that the City Council previously approved a consumption request for May 20, June 17 and July 15 with no incidents reported. 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.

232-16

Alderman Ward 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 7:00 p.m. to 9:00 p.m. on August 19, 2016. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

E. Agreement with Banner Engineering for design, bidding, construction observation, and construction administration of Prentis Lift Station replacement and sanitary sewer line project

Jose Dominguez, City Engineer, reported that in 2015 the City Council approved Banner Associates to perform the assessment of the Prentis Street Lift Station with a recommendation to replace the lift station and the downstream sewer should be upsized. Jose noted as the project moved forward the City Council approved a Community Development Block Grant (CDBG) application and State Revolving Fund (SRF) loan application. Jose stated that the State approved a \$515,000 CDBG and \$812,000 SRF loan. Jose stated that to move forward with the project a contract with Banner Associates has been prepared. Jose stated that the Agreement has been separated into four phases. Jose reported that the design phase is not to exceed \$77,175, the Bidding phase is not to exceed \$10,175, the Construction Administration phase is not to exceed \$35,600, and the Construction Observation phase is not to exceed \$51,650, with a total cost not to exceed \$174,600. Jose stated that the CDBG award and DENR loan will provide the funding for the engineering and construction. Discussion followed.

233-16

Alderman Sorensen moved approval of the professional services agreement with Banner Associates for the Prentis Street lift station project at a total cost not to exceed \$174,500. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

A. John reported that some portions of curbside recycling collection routes currently being collected on Wednesdays are being

moved to Tuesdays and some Friday collections are being moved to Thursdays to help balance out the routes. John stated that flyers will be posted with the changes effective the week of August 1, 2016.

B. John reported that the public hearing to review the malt beverage markup will be part of the public hearings related to the 2017 budget adoption on Tuesday, September 6th.

C. John reminded citizens that Market Street will be closed from W. Main Street south for ½ block and Main Street as it abuts Ratingen Platz on Thursday, July 21, 2016 for "Thursdays on the Platz" with the closing from 5:00 p.m. to 8:00 p.m.

D. John reported that the 2017 Council budget work sessions will be on Wednesday, August 10th and Thursday, August 11th in the City Hall large conference room beginning at 5:30 p.m. each night.

E. John reported that starting July 25th there will be not be a pool admission charge during regular business hours as it is the final week of the pool and staff will be removing items as the property is being turned over to the contractor on August 1st.

PAYROLL ADDITIONS AND CHANGES

Library Board: Gabrielle Strouse \$15.00/mtg; Planning Commission: James Wilson \$15.00/mtg; Ambulance: Rebecca Cordie \$8.55/hr-\$12.82/holiday-\$8.55/hr training, Madeline Kaufman \$8.55/hr-\$12.82/holiday-\$8.55/hr training; Recreation: Kylee Ligtenberg \$8.75/hr; Pool: Abby Larson \$8.75/hr; Library: Jeffrey Engeman \$13.72/hr; Golf Maintenance: Justin McGregor \$8.55/hr; Light: Matt Nelson \$25.49/hr

11. Invoices Payable

234-16

Alderman Ward moved approval of the following invoices:

Baker & Taylor Books	books	356.63
Bierschbach Eqpt & Supply	supplies	26.30
Bioverse, Inc	supplies	350.40
Broadcaster Press	advertising	1,098.59
Brunick's Service Inc	fuel	6,053.70
Bureau Of Administration	telephone	217.41
Campbell Supply	supplies	409.43
Cask & Cork	merchandise	661.15
Centurylink	telephone	1,495.41
City Of Vermillion	landfill vouchers	540.00

Clay Rural Water System	water usage	94.80
Clay-Union Electric Corp	electricity	1,744.79
Concrete Materials	golf sand	865.94
Dakota Beverage	merchandise	5,333.47
Dept. Environment Natl Res	landfill operations fee	3,716.80
Dust Tex	entry mats	80.00
Ernie Halverson	safety boots reimbursement	100.00
Findaway World LLC	books	315.55
GCSAA	membership	375.00
Global Dist.	merchandise	253.00
Government Finance Officer Assoc.	2015 annual report	435.00
Graybar Electric	supplies	650.75
Gregg Peters	managers profits/fee/advertising	23,076.53
Independence Waste	portable toilet rental	310.95
Ingram	books	571.84
John A Conkling Dist.	merchandise	3,211.15
Johnson Brothers Of SD	merchandise	18,417.12
Loren Fischer Disposal	haul cardboard	140.00
Matheson Tri-Gas, Inc	cylinder rental	7.95
Mead Lumber	supplies	18.99
MidAmerican	gas usage	2,763.45
Midcontinent Communication	internet/cable service	718.68
Midwest Building Maintenance	mat svc	142.00
Midwest Turf & Irrigation	parts	607.01
Olson Sod Farms	sod	232.50
Precision Lawn Care	mowing	477.50
Racom Corporation	contract coverage	447.85
Recorded Books, Inc	books	128.00
Republic National Dist.	merchandise	7,783.02
Reserve Account	postage for meter	950.00
SD Electrical Commission	apprentice's license	40.00
SD Public Assurance Alliance	insurance	842.00
Southern Wine & Spirits Of SD	merchandise	6,243.10
Staples Advantage	supplies	1,230.51
Stern Oil Co.	fuel	10,438.64
Sturdevants Auto Parts	parts	364.32
The Equalizer	advertising	373.00
True Brands	supplies	406.21
True Value	supplies	30.46
Us Postmaster	postage due	1,100.00
Valiant Vineyards	merchandise	54.00
Van Diest Supply Co	supplies	689.00
Vermillion Ace Hardware	supplies	204.62
Vermillion Area Community Found	round up program	295.88

Vermillion Ford	pickup	36,725.00
Visa/First Bank & Trust	fuel/supplies	150.00
Windows America	refund overpayment	19.50
Zimco Supply Co	chemicals	23,703.43
Nick Slattery	Bright Energy Rebate	706.00
Jones Food Center	Bright Energy Rebate	1,251.00

Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of August 1, 2016 for a public hearing for a retail on-off sale malt beverage license and retail on-off sale wine license for Fire Works, Inc for Dakota Brick House at 13 & 15 W. Main Street.

B. Set a public hearing date of August 1, 2016 for a public hearing for a special daily malt beverage and wine license on or about August 12 & 13, 2016 for the Clay County Agricultural Fair Association at the fairgrounds west arena.

235-16

Alderman Price moved approval of the consensus agenda. Alderman Erickson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

236-16

Alderman Ward moved to adjourn the Council Meeting at 7:20 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of July, 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 _____.