

Unapproved Minutes
Council Special Session
September 2, 2014
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, September 2, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

Absent: Ward

Mayor Powell introduced Alan Dale who is the new editor for the Plain Talk.

2. Report on German American Partnership Program trip - Kami Dibley, Vermillion High School

Mayor Powell introduced Kami Dibley, VHS German Teacher and Coordinator of the student exchange through the German American Partnership Program.

Alderman Holly Meins arrived 12:02 p.m.

Kami Dibley explained the German American Partnership Program and the exchange program coordinated with our Sister City Ratingen Germany whereby five students participated in the exchange program. The students reviewed their individual experiences with the exchange program. Kami and the students answered questions of the City Council. Kami again thanked the City Council for their support and stated that the German exchange students will be in Vermillion the last week of March and the first week of April next year and that she will be looking to coordinate a meeting during that time.

3. Discussion on proposals to manage the Vermillion Liquor Store - John Prescott

John Prescott, City Manager, stated that two proposals were received to manage the city liquor store that were sent to the City Council members late last week. John stated that he was requesting direction from the City Council on items contained in the proposals that they would request additional research completed as the review process moves forward.

Mayor Powell asked if the individuals present would like to present information to the City Council. Thomas Slattery, owner of JJ's Wine, Spirits & Cigars, reviewed his business management background, management team approach for operations, business philosophy and operating model that he uses in his Sioux Falls operations.

Gregg Peters reviewed the proposal that was submitted noting that he has been managing the liquor store for the last nine years. Gregg noted that sales as well as profits have increased during this time period. Gregg reviewed his experience in the retail as well as the experience of the operations supervisor and daily manager. Gregg reviewed some of the changes that he included in his proposal.

Discussion followed on the proposals including possible locations if the store was to move. Both individuals answered questions of the City Council on their proposals.

Evie Clercx, Broker for a Wine & Spirits supplier, explained how a larger varied selection at the liquor store would increase sales and profits.

Discussion followed with the Council requesting comparisons where possible of the proposals for consideration at a future meeting.

Mayor Powell stated that a letter from the Vermillion Food Pantry requesting financial support from the City was handed to all members and can be added to a future agenda for consideration.

4. Briefing on the September 2, 2014 City Council Regular Meeting

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

5. Adjourn

304-14

Alderman Holland moved to adjourn the Council special session at 1:08 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 2nd day of September, 2014.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
September 2, 2014
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on September 2, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of August 18, 2014 Special Session; August 18, 2014 Regular Session

305-14

Alderman Collier-Wise moved approval of the August 18, 2014 Special Session and August 18, 2014 Regular Session minutes. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

Mayor Powell requested that the agenda be amended to add an executive session before adjourn. The executive session is pursuant to SDCL 1-25-2 (3) for legal matters.

306-14

Alderman Collier-Wise moved approval of the agenda with the addition of an executive session pursuant to SDCL 1-25-2 (3) for legal matters. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Proclamation Recognizing Direct Support Professionals Week - September 7-13, 2014

Alderman Clarene Meins read the proclamation of Direct Support Professional Recognition Week designating the week of September 7-13, 2014 as Direct Support Professionals Week in Vermillion. Mayor Powell presented the Proclamation to Brandee McMahon, Ashley Peters and Adran Peters Direct Support Professionals from SESDAC.

6. Public Hearings

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

Jose Dominguez, City Engineer, reported that Tim Tracy, on behalf of the Dakota Hospital Foundation, approached the City to obtain a permit to construct a maintenance garage on property across the street from the hospital. In looking at the plan and the City zoning ordinance, it became clear that the project could not be permitted because the proposed use would be considered an accessory building on a different parcel than the primary structure. Jose stated that City staff met with Mr. Tracy and discussed the issue of the maintenance garage and the future needs of the hospital. It appeared that the best possible solution that would provide some flexibility while still allowing opportunities for public input, would be a Planned Development District. Jose stated that Planned Development Districts are custom zoning districts that combine uses with the goal of developing and redeveloping areas of the community. The concept of a Planned Development District makes sense in this area of town because several healthcare and medical uses are concentrated along Plum Street with

Sanford, the Vermillion Medical Clinic, and Chiropractic Wellness Center. Jose stated that Banner Associates is the consultant working with Dakota Hospital Association to put together the Planned Development District. Jose stated that the uses permitted in the district are those that would typically be related to healthcare facilities, including hospitals, offices, clinics, nursing homes, pharmacies and related uses. Jose noted that it is important to remember that these uses are currently permitted in the area. Jose reported that the Planning Commission considered the Planned Development District regulations and initial development plan and unanimously recommended approval.

Lisa Ketcham, President of the Dakota Hospital Association, thanked the City Council for consideration of the request. Lisa noted that the Planning Commission recommended approval of the request and asked the City Council for their approval.

Tim Tracy, CEO of Sanford Vermillion, stated that City staff has been very helpful in assisting to resolve the issues relating to the maintenance building and the Planned Development District will meet the needs for the hospital as it moves forward with the \$11 million improvement project. Tim stated that the information on the Planned Development District and the improvement project was available to the public at the community celebration held at the high school on August 13th and invitations were sent to property owners within 250 feet for a public meeting at the library on August 26th. Tim stated that both meetings had positive community support for the project.

Jose presented a map of the proposed Planned Development District. Discussion followed on the Planned Development District.

307-14

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. 1320 entitled An Ordinance Amending Chapter 155, zoning regulations, of the revised ordinances of the City of Vermillion, South Dakota, section 155.026 entitled adoption of official zoning map and adding section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and adopting regulations therefore, of the City of Vermillion, South Dakota

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 September, 2014 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

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

7. Old Business - None

8. New Business

A. First Reading of Ordinance No. 1318-2015 Appropriations

John Prescott, City Manager, reported that the proposed budget was presented to the City Council on August 4th and the Council held hearings to review the budget on August 11th and 14th. John wanted to thank the City Council for the time spent meeting with all the departments to refine the budget. John reviewed some of the major items that are included in the 2015 budget ordinance. He noted that the Prentis Park improvement project was not included in the budget as the bond for the financing will be voted on at the November 4th election. John stated that, following approval of the bond resolution, the budget will be revised to reflect the project. Discussion followed on the budget.

308-14

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to proposed Ordinance No. 1318 entitled An Ordinance Adopting the 2015 Budget Ordinance 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 September, 2014 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Willson. 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.

B. First Reading of Ordinance No. 1319-2014 Revised Appropriations

John Prescott, City Manager, reported that the City Council adopted the 2014 budget in September 2013 and, during the 2015 budget process adjustments, the 2014 budget amounts are proposed based upon information that is available now. Some of the major items would be the Business Improvement District No. 1, water tower, shared project with the County for the HVAC at the public safety center building, Library Foundation for donations for the building fixtures and equipment and the Cottage Street water main replacement. John answered questions on the revised budget.

309-14

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. 1319 entitled An Ordinance Adopting the 2014 Revised Budget Ordinance 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 September, 2014 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

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

C. Firework public display permit on September 18, 2014 for Vermillion High School Homecoming

Mike Carlson, Finance Officer, reported that the Vermillion School District has requested a public fireworks display permit for a fireworks display after coronation on Thursday, September 18, 2014 south of the high school for a 10-15 minute show between 8:00 p.m. and 9:00 p.m. Mike noted that a letter from the high school principal and the report from Fire Chief Draper were included in the packet.

310-14

Alderman Erickson moved approval of the public fireworks display permit for the Vermillion School District for the public display on Thursday, September 18, 2014 south of the high school for a 10-15 minute display between 8:00 p.m. and 9:00 p.m. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Resolution extending the cable franchise agreement for 1 year to continue franchise renewal discussions

John Prescott, City Manager, reported that, in September 1999, the City Council adopted Ordinance No. 1078. He stated that this ordinance provided for a 15-year nonexclusive franchise agreement for cable television services. The original franchise agreement was signed with Zylstra Communications Corporation but has been transferred several times since 1999 and is currently held by Midcontinent Communications. John stated that a conference call has been held and some exchange of email communications on the nonexclusive franchise but no final document is available. John stated that the current ordinance provided for two additional twelve month extensions by the Manager with the approval of the Municipality notifying the Company of the same in writing. John stated that he has contacted the company and they are agreeable to the extension and as such he recommends adoption of the resolution extending the Cable TV franchise agreement. Discussion followed on the franchise and extension.

311-14

Alderman Ward moved approval of the Resolution Amending Ordinance No. 1078 Cable Communications Franchise Ordinance to allow for a twelve month extension as provided in section 10.2 of the ordinance. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Resolution fixing the time and place for a hearing and notice of hearing to levy special assessments for nuisance abatement

Mike Carlson, Finance Officer, reported that, as part of the nuisance abatement process, the City incurred costs for tagging, hiring contractors to mow or remove the snow and remove dangerous buildings. The state statute provides for the special assessment of these costs and requires that the City Council set a public hearing date, notify the property owners by sending notice and publishing the notice of hearing. The resolution will set a public hearing date of October 6, 2014 and provides for notice to the property owners. Discussion followed.

312-14

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

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING
ON THE SPECIAL ASSESSMENT ROLL
FOR NUISANCE ABATEMENT

IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota on the 2nd day of September, 2014 for the abatement of public nuisance to be levied against the property abutting upon:

NUISANCE ABATEMENT

On various properties as follows:

<u>Property</u>	<u>Location</u>	<u>Legal</u>	<u>Corrective Action</u>	<u>Amount</u>
809 N Norbeck		Lot G-2 Exc W 110.9 of S 198.91 SW 1/4 SE 1/4	grass tagging & mowing 8/27/13	79.50
		NE 1/4 & SE 1/4 SE 1/4 NE 1/4 & Exc	debris removal 9/2/13	349.80
		Lot 1 18-92-51 Misc Entries		
15 Linden		S 18" of Lots 1 & 2 & N 32' of Lot 3 Blk 1	grass tagging & mowing 5/29/13	79.50
		Cottage Place	grass tagging & mowing 7/16/13	121.90
			grass tagging 6/17/13	31.80
			grass tagging & mowing 8/27/13	143.10
			snow tagging & removal 12/8/13	95.40
813 W Cedar		E75' of S150' of outlot V-1 in SE1/4	grass tagging & mowing 5/16/14	74.20
		14-92-52 & SW 1/4 of 13-92-52	grass tagging 6/5/14	31.80
		Torstensons unplatted	grass tagging 7/25/14	53.00
10 S University		Lot 4, East End Addn	grass tagging 5/23/13	10.60
			grass tagging & mowing 6/18/13	100.70
			snow tagging & removal 12/8/13	106.00
21 E Bloomingdale		Comm 80' E of NW corner Lot S to	debris removal 9/24/13	116.60
		80' E of SW corner of Lot 3 thence	snow tagging & removal 12/8/13	63.60
		E 44' N to N line of Lot 1 Blk 13 Original Town		
324 Lewis		S 103' 7.5" of Lots 1 & 2 Blk 81	snow tagging & removal 12/8/13	63.60

East Vermillion

119 Franklin	Lot 12 Blk 41 Snyders	grass tagging & mowing	
		7/23/13	121.90
		grass tagging & mowing	
		9/24/13	121.90
		snow tagging & removal	
		12/8/13	127.20
		Abatement dangerous	
		structure	13,696.98
		grass tagging & mowing	
7/2/14	74.20		
grass tagging & mowing			
7/25/14	95.40		
420 Franklin	S 50' of E 106.25' Lot 2 Blk 83 Addn to Snyders Addn	grass tagging & mowing	
		5/16/14	74.20
601 Lewis	Lot 1 Replat of Aud Tract A S 1/2 Lot 2 NW 1/4 19-92-51 Aud tract A 19-92-51	grass tagging & mowing	
		5/23/13	31.80
		grass tagging & mowing	
		6/21/13	53.00
		grass tagging & mowing	
		7/2/14	111.30
25 S Yale	Lot 16 Blk 76 Smiths Addn	grass tagging & mowing	
		7/19/13	10.60
		debris removal 1/14/14	143.10
716 Maple	E 77.7' of 11,12 & E77.7' of S 1/2 of Lot 13 Blk 3 Eastside	grass tagging & mowing	
		5/29/13	100.70
		grass tagging & mowing	
		6/25/13	100.70
		grass tagging & mowing	
		7/30/13	121.90
		grass tagging & mowing	
		8/27/13	143.10
		grass tagging & mowing	
5/16/14	74.20		
		grass tagging & mowing	
		6/13/14	31.80
714 W Clark	E 37' of Lot 10 & W 16' of Lot 11 Blk 4 Holiday Village Addn	grass tagging & mowing	
		6/21/13	10.60
		grass tagging & mowing	
		7/16/13	121.90
		grass tagging & mowing	
		8/27/13	132.50
		grass tagging & mowing	
		9/24/13	137.80
grass tagging & mowing			
6/13/14	74.20		

316 Prentis	Lot 2 Blk 3 Replat of Blessing Addn	grass tagging & mowing 5/23/13 debris removal 7/22/13	10.60 106.00
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in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property for the corrective action.

WHEREAS, said assessment roll now on file in the office of the City Finance Officer of the City of Vermillion, South Dakota, is open for public inspection and is referred to for further particulars.

WHEREAS, said assessment roll shows:

The name of the owner(s) of each lot to be assessed as shown by the assessment rolls of the Director of Equalization;

A description by lot, block, and addition, or by metes and bounds of each parcel of land to be assessed, recognizing divisions by deed of platted lots, and obtaining the legal description of land as of the date of the adoption of the Resolution of Necessity for such improvement;

The amount assessed against each lot;

The number of installments, the rate of interest deferred installments shall bear, and the whole of such assessment or any installment thereof may be paid at any time, and that all installments paid prior to the respective due dates shall be deemed paid in inverse order of their due date;

Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, IT IS RESOLVED, the 6th day of October, 2014, at the hour of 7:00 p.m. in the City Hall Council Chambers 25 Center Street in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of the said City of Vermillion, South Dakota should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the nuisance abatement.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota shall be and is hereby authorized and directed to cause this Resolution and Notice to be published in the

official newspaper in the City of Vermillion, South Dakota, one week prior to the date set for such hearing.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota shall mail a copy of this Resolution and Notice, by first-class mail with postage thereon fully prepaid, addressed to the owner(s) of any property to be assessed for such nuisance abatement at their address as shown by the records of the Director of Equalization. Such mailing shall be done at least one (1) week prior to the date set for said hearing.

Dated at Vermillion, South Dakota, this 2nd day of September 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Erickson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

F. Right-of-Way and Utilities Certification Forms for the West Main Street Mill and Overlay Project from High to Stanford Streets

Jose Dominguez, City Engineer, reported that the West Main Street from High Street to Stanford Street is scheduled to be milled and overlaid during the 2015 construction season. As this project will be administered by the DOT, it will be using the STIP funds allotted to the City for part of the funding. Jose reported that the DOT is requesting that the City provide a right-of-way certificate stating that all construction will take place in the existing right-of-way and that the City certifies that the affected utilities have been contacted and notified of the project. Jose recommended the signing of the Right-of-Way and Utilities Certification forms. Discussion followed.

313-14

Alderman Willson moved approval of authorizing the Mayor to sign the Right-of-Way and Utilities Certification Forms for the West Main Street Mill and Overlay Project from High Street to Stanford Street that are

required by the DOT. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

G. Letting Authorization for the West Main Street Mill and Overlay Project from High to Stanford Streets

Jose Dominguez, City Engineer, reported that the West Main Street from High Street to Stanford Street is scheduled to be milled and overlaid during the 2015 construction season. Jose noted that the document the DOT is requesting the City Council to approve will allow the DOT to bid, review and award the bid without the City's review. This process was followed during the Stanford Street project and for the Shared Used path being constructed along Stanford Street between W. Cherry Street and Highway 50. Jose stated that the DOT is estimating the cost of the mill and overlay at approximately \$441,690.23. When you include the engineering fees, the construction administration fees, and the non-participating costs the total project cost would be closer to \$536,000. However, it should be noted that the City has already paid for all of the engineering fees associated with the design of the project. This cost would be split between the STP funds and City funds. The STP funds would cover up to \$300,000 while the rest would be from City funds. Jose stated that we have budgeted \$140,000 of City funds to cover project costs. Once the project is awarded, we may need to revise the City's budget to provide for any additional expenses. Jose recommended approval of the Mayor signing the agreement with the DOT.

314-14

Alderman Willson moved approval of authorizing the Mayor to sign the Letting Authorization for the West Main Street Mill and Overlay Project from High Street to Stanford Street with the DOT. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

H. Resolution to surplus and authorization to transfer expired less-lethal munitions to the City of Yankton Police Department

Matt Betzen, Police Chief, reported that the Police Department has been storing some expired less-lethal munitions that the Department no longer trains with or uses. Matt stated that with changes in storage requirement we no longer possess adequate storage facilities for such items. Matt stated that these expired items could be used for training and the City of Yankton Police Department maintains a tactical team that could use these items in their training. Matt stated that state statute allows for the transfer of items between political subdivisions by resolution and requested approval of the resolution to transfer the expired less-lethal munitions.

315-14

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

RESOLUTION
AUTHORIZING THE TRANSFER OF PROPERTY
TO THE CITY OF YANKTON POLICE DEPARTMENT

WHEREAS, SDCL 6-5 authorizes political subdivisions to exchange and transfer property to one another; and

WHEREAS, the City of Vermillion Police Department has determined that certain expired munitions are no longer suitable for the purpose for which they were acquired; and

WHEREAS, the cost for the City of Vermillion to dispose of the munitions would be substantial; and

WHEREAS, the City of Yankton Police Department would like to acquire the expired munitions; and

WHEREAS, the City of Yankton Police Department provides assistance and support to the City of Vermillion Police Department when necessary; and

WHEREAS, the City of Vermillion Police Department and City of Yankton Police Department have a good working relationship and have shared both resources and manpower; and

WHEREAS, SDCL 6-5-2 allows for the City of Vermillion to transfer property that is no longer needed for public use to another political subdivision.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to transfer the following property to the City of Yankton Police Department at no cost:

- 10x Defense Technology CM Stinger Rubber Ball OC devices.
- 10x Defense Technology SAF Smoke canisters
- 39x Defense Technology CS (Tear Gas) canisters
- 20x (Approximate) 12ga Less than Lethal impact munitions

Dated at Vermillion, South Dakota this 2nd day of September, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____

John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Clarene Meins. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

9. Bid Openings

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 \$3.0634, Brunick's Service \$3.12; Item 2 - 1,000 gal unleaded regular: Stern Oil \$3.3482, Brunick's Service \$3.45; Item 3 - 3,000 gal No. 2 Diesel fuel dyed: Stern Oil \$3.1238, Brunick's Service \$3.20; Item 5 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$3.3703, Brunick's Service \$3.45

316-14

Alderman Willson moved approval of the low quote of Stern Oil on all items. Alderman Erickson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported on the receipt of raffle notice from St. Agnes PTSA 100 Club who is selling 100 tickets at \$120 each. Every month there is a drawing with one person winning \$300 while 2 others win \$100. Drawings continue for 12 months. Funds from the drawing are used for PTSA causes. Drawings are held at the end of the month following PTSA meetings.

B. John reported that there will be street closings for Ribs, Rods and Rock N Roll this Friday and Saturday. There are various street closings with the event.

C. John reported that Market Street will be closed for a half block south of Main Street on Thursday, September 4th from 5:00 p.m. to 8:00 p.m. for Thursdays on the Platz.

D. John reported that on-line registration for the Fall Park & Recreation programs begins on Wednesday, September 3rd. John noted that those without on-line access can still register at the Recreation office in the armory.

E. John reported that a public hearing on rezoning Lots 1 & 2 Block 7 Partridge Addition scheduled and advertised for the September 8th Planning Commission has been cancelled as the applicant has withdrawn the rezoning request.

F. John reported that the paving of the entrance to the recycling center will begin this week. John stated that there may be some inconveniences and changes to the traffic flow during construction but the facility will remain open.

G. John reported that the Grand Celebration and Dedication of the log schoolhouse will be Wednesday, September 3rd from 4:00 p.m. to 7:00 p.m. on the lawn at the Austin-Whittemore property.

PAYROLL ADDITIONS AND CHANGES

Police: Chet Moser \$18.96/hr, Ben Nelsen \$25.36/hr; Code: Eric Birkland \$16.26/hr; Communications: Wendy Carroll \$18.82/hr; Golf Clubhouse: Benjamin Watzel \$7.25/hr; Golf Maintenance: Brenden Irwin \$7.25/hr, Justin McGregor \$8.25/hr, Kyle Ringhofer \$7.50/hr, Volunteer Firefighters: Andrew Horan, Rhett Struve, Justin Sadler, Henry Burguer, Matt Wanamaker

11. Invoices Payable

317-14

Alderman Willson moved approval of the following invoices:

UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	26.00
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Alderman Collier-Wise seconded the motion. Alderman Clarene Meins requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

318-14

Alderman Collier-Wise moved approval of the following invoices:

A & A REFRIGERATION	REPAIRS	517.33
ABB INC.	SUBSTATION BREAKERS	98,800.00
ACE REFRIGERATION CO	REPAIRS	47.00
ALLIED INSURANCE	NOTARY BOND	100.00
APPEARA	SUPPLIES	176.99

AQUA-PURE INC	CHEMICALS	8,548.40
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	342.57
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	48.00
AVERA QUEEN OF PEACE HEALTH	TESTING	214.80
BAKER & TAYLOR BOOKS	BOOKS	764.02
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	18,404.49
BARKLEY ASPHALT	ASPHALT	1,288.97
BIERSCHBACH EQPT & SUPPLY	PARTS	617.50
BLAINE'S BODY SHOP	REPAIRS	2,202.45
BOMGAARS	SUPPLIES	17.37
BORDER STATES ELEC SUPPLY	SUPPLIES	3,001.67
BOUND TREE MEDICAL, LLC	SUPPLIES	955.27
BROADCASTER PRESS	ADVERTISING	119.00
BROWN TRAFFIC PRODUCTS	SUPPLIES	77.25
BRUNICKS SERVICE INC	PROPANE	160.00
BURNS & MCDONNELL	PROFESSIONAL SERVICES	5,000.00
BUTLER MACHINERY CO.	PARTS	866.38
CALLAWAY GOLF	MERCHANDISE	483.42
CAM COMMERCE	SOFTWARE MAINTENANCE	1,761.23
CAMPBELL SUPPLY	SUPPLIES	1,678.85
CANNON TECHNOLOGIES, INC	SOFTWARE INTERFACE/SUPPORT	9,821.34
CASK & CORK	MERCHANDISE	801.77
CENTURY BUSINESS LEASING	COPIER LEASE	138.25
CENTURYLINK	TELEPHONE	744.18
CHEMCO, INC	SUPPLIES	59.29
CHESTERMAN CO	MERCHANDISE	1,260.42
CITY OF SIOUX FALLS	WATER TESTING	101.50
CITY OF VERMILLION	POSTAGE/COPIES	1,355.44
CITY OF VERMILLION	UTILITY BILLS	44,096.00
CIVIL AIR PATROL MAGAZINE	SUBSCRIPTION	145.00
CLAY COUNTY EMS ASSOCIATION	CPR TRAINING	390.00
COFFEE KING, INC	SUPPLIES	125.50
COLLINS BROTHERS, INC	MERCHANDISE	937.97
COLONIAL LIFE ACC INS.	INSURANCE	3,347.65
CONCRETE MATERIALS	CONCRETE	919.15
CONTINENTAL RESEARCH CORP	SUPPLIES	509.55
CORINSURANCE	INS FIRE PORTABLE EQUIPMENT	1,191.00
COYOTE CHEMICAL COMPANY	PARTS	823.00
COYOTE CONVENIENCE	FUEL	16.79
CREDIT COLLECTIONS BUREAU	COMMISSION	231.73
CROSSROADS HOTEL & CONVENTION	LODGING	157.98
CULLIGAN WATER	BOTTLED WATER	115.00
D-P TOOLS	SUPPLIES	56.77

DAKOTA BEVERAGE	MERCHANDISE	11,986.49
DAKOTA PC WAREHOUSE	COMPUTER/REPAIRS	886.90
DAKOTA SECURITY SYSTEMS, INC	ALARM MONITORING	360.00
DAKOTA SUPPLY GROUP	PARTS	55.60
DANKO EMERGENCY EQUIPMENT	SUPPLIES	879.21
DARLA TASSLER	REFUND REC FEES	20.00
DELOSS CONSTRUCTION INC	CRUSHING CONCRETE	24,000.00
DELTA DENTAL PLAN	INSURANCE	6,345.92
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	195.00
DGR ENGINEERING	PROFESSIONAL SERVICES	2,895.00
DIAMOND VOGEL PAINTS	TRAFFIC PAINT	3,681.60
DUANE FULK	SAFETY GLASSES REIMBURSEMENT	150.00
DUST TEX	MAT SERVICE	80.00
E.A SWEEN COMPANY	SUPPLIES	258.11
EARTHGRAINS BAKING CO'S INC	SUPPLIES	79.74
ECHO ELECTRIC SUPPLY	SUPPLIES	2,861.46
ELECTRONIC ENGINEERING	REPAIRS	814.85
ELLIOTT EQUIPMENT CO	PARTS	400.31
FARMER BROTHERS CO.	SUPPLIES	113.80
FEDEX.	SHIPPING	22.94
FOOT-JOY	MERCHANDISE	227.10
FRED HAAR CO, INC	PARTS	1,415.67
GALE	BOOKS	22.40
GALLS INCORPORATED	UNIFORMS	102.83
GEOTEK ENGINEERING	TESTING/INSPECTION	2,208.00
GOVERNMENT FINANCE OFFICER ASSOC	MEMBERSHIP DUES	170.00
GRAYBAR ELECTRIC	SUPPLIES	297.77
GRAYMONT CAPITAL INC	CHEMICALS	7,365.49
GREGG PETERS	FREIGHT/ADVERTISING	1,932.75
GREGG PETERS	RENT	937.50
HANDER INC. PLUMBING & HEATING	BOILER PROJECT	27,823.05
HANSEN LOCKSMITHING	REPAIRS	1,520.00
HAUFF MID-AMERICA SPORTS	SUPPLIES	68.55
HAUGER YARD/SNOW SERVICE	MOWING	96.00
HAWKINS INC	CHEMICALS	2,664.43
HD SUPPLY WATERWORKS	SUPPLIES	8,008.61
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	4,177.06
HEARTLAND AG-BUSINESS GROUP	SUBSCRIPTION	38.00
HERC-U-LIFT	REPAIRS	129.67
HERCULES INDUSTRIES, INC	SUPPLIES	151.14
HOLMES WELDING & MFG. CO	SUPPLIES	40.50
HUSKER'S CDC	REPAIRS	229.59

HY VEE FOOD STORE	SUPPLIES	122.38
INDEPENDENCE WASTE	WASTE HAULING	1,134.00
INGRAM	BOOKS	244.83
INTERSTATE ALL BATTERY CENTER	BATTERY	17.90
JACKS UNIFORM & EQPT	UNIFORMS	99.90
JENNIFER NELSON	REFUND REC FEES	20.00
JOHN A CONKLING DIST.	MERCHANDISE	5,656.10
JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	16,918.88
JOHNSON CONTROLS	SERVICE AGREEMENT/REPAIRS	1,813.31
JOHNSON FEED, INC	REPAIRS	856.35
JONES FOOD CENTER	SUPPLIES	649.10
JONES FOOD CENTER	SUPPLIES	163.89
JOSEPH A OSTREM	BOOT REIMBURSEMENT	50.00
KALINS INDOOR COMFORT	AIRPORT HEAT PUMP	2,488.00
KARSTEN MFG CORP	MERCHANDISE	315.36
KOLETZKY IMPLEMENT	PARTS	218.90
LARRYS HOME REPAIR	REPAIRS	55.65
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	5,783.91
LEISURE LAWN CARE	INSPECTION/TREATMENT	382.02
LESSARD CONTRACTING	LANDFILL CELL 5 PROJECT	140,797.42
LESSMAN ELEC. SUPPLY CO	SUPPLIES	744.86
LINCOLN REPUBLIC INSURANCE	INSURANCE	491.68
LIVING HERE	SUBSCRIPTION	17.00
LOCATORS AND SUPPLIES, INC	PARTS	341.70
LONGS PROPANE INC	PROPANE	60.00
LSC ENVIRONMENTAL PRODUCTS	SUPPLIES	4,586.52
MAGUIRE IRON, INC	WATER TOWER PROJECT	131,150.83
MALLOY ELECTRIC	SUPPLIES	410.58
MARK MILBRODT	SAFETY BOOTS REIMBURSEMENT	96.29
MART AUTO BODY	TOWING	315.00
MATHESON TRI-GAS, INC	SUPPLIES	115.82
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	2,124.00
MCLEODS PRINTING	PRINTING	2,324.55
MEAD LUMBER	SUPPLIES	17.48
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	297.44
MEDMEDIA INC	ANNUAL MAINTENANCE	380.00
MIDWEST ALARM CO	ALARM MONITORING	63.00
MIDWEST BUILDING MAINTENANCE	MAT SERVICE	834.95
MIDWEST READY MIX & EQUIPMENT	SUPPLIES	3,562.00
MIDWEST TURF & IRRIGATION	EQUIPMENT/PARTS	24,428.94
MINITEX LIBRARY	SUPPLIES	310.50
MISSOURI RIVER ENERGY SERVICE	INSPECTION	733.35
MISSOURI VALLEY MAINTENANCE	REPAIRS	534.32

MOORE WELDING & MFG	REPAIRS	38.00
MR. GOLF CAR, INC	REPAIRS	423.50
MSC INDUSTRIAL SUPPLY CO	SUPPLIES	55.84
NANCY LOSACKER	LIBRARY WORKSHOP	500.00
NCL OF WISCONSIN, INC	CHEMICALS	1,002.61
NETSYS+	PROFESSIONAL SERVICES/REPAIRS	2,587.50
NEW YORK LIFE	INSURANCE	84.02
NORTH STAR SAFETY INC	UNIFORMS	186.71
OFFICE SYSTEMS CO	SUPPLIES	74.89
PCC, INC	COMMISSION	2,730.58
PEDERSEN MACHINE INC	PARTS	63.00
PNC EQUIPMENT FINANCE	DEFIBRILLATORS	2,000.00
POMPS TIRE SERVICE, INC.	TIRES/REPAIRS	6,380.36
POWER SOURCE ELECTRIC	PROFESSIONAL SERVICES	41.32
PRAETORIAN GROUP, INC	PROFESSIONAL SERVICES	875.00
PRAIRIE BERRY WINERY	MERCHANDISE	885.00
PRECISION LAWN CARE	MOWING	262.50
PRINT SOURCE	ADVERTISING	331.92
PUMP N PAK	FUEL	217.27
QUEEN CITY WHOLESALE	MERCHANDISE	334.71
QUILL	SUPPLIES	1,421.57
RACOM CORPORATION	MAINTENANCE CONTRACT	395.50
RANDOM HOUSE, INC	BOOKS	103.75
RANDY VOSS	PROFESSIONAL SERVICES	260.00
RASMUSSEN MOTORS, INC	REPAIRS	220.76
RECORDED BOOKS, INC	BOOKS	788.95
REINHART FOODSERVICE, LLC	SUPPLIES	1,283.20
REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	12,175.41
RODNEY OR SUSAN OBERLE	WATER HEATER REBATE	255.00
ROSEWOOD GREENHOUSE	PLANTS	78.45
RUNGE ENTERPRISES, INC	NORBECK STREET IMPROVEMENTS	126,400.63
SANFORD HEALTH PLAN	PARTICIPATION FEES	66.00
SANITATION PRODUCTS	PARTS	105.00
SCHUYLER RUBBER CO, INC	SUPPLIES	1,572.01
SD DEPT OF HEALTH	TATTOO INSPECTION FEE	300.00
SD FEDERAL PROPERTY AGENCY	CABINET/TOOLS	259.00
SD MUNICIPAL LEAGUE	REGISTRATION	100.00
SD PLANNERS ASSOCIATION	REGISTRATION	160.00
SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	1,664.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	75,629.19
SD STATE HISTORICAL SOCIETY	MEMBERSHIP	35.00
SDN COMMUNICATIONS	PROFESSIONAL SERVICES	612.20
SECURITY SHREDDING SERVICE	SHREDDING	35.00

SERVALL TOWEL & LINEN	SHOP TOWELS	16.80
SIOUX EQUIPMENT	SUPPLIES	181.35
STERN OIL CO.	OIL	1,134.06
STEVE'S HEATING & A/C INC	REPAIRS	248.98
STEWART OIL-TIRE CO	REPAIRS	81.00
STOR-LOC	STORAGE EQUIPMENT	6,400.00
STOREY KENWORTHY/MATT PARROT	SUPPLIES	604.19
STUART C. IRBY CO.	SUPPLIES	2,256.00
STURDEVANTS AUTO PARTS	PARTS	992.26
T AND R ELECTRIC	DISPOSAL COST	786.56
TAYLOR MADE	SUPPLIES	49.51
TENIA NORMAN	REFUND METER DEPOSIT	30.00
THATCHER COMPANY	SODA ASH	13,574.88
THE EQUALIZER	ADVERTISING	593.55
THE NEW SIOUX CITY IRON CO	SUPPLIES	71.60
THE RETROFIT COMPANIES, INC	PROFESSIONAL SERVICES	411.96
TIA HEMILLER	REFUND REC FEES	15.00
TRUE VALUE	SUPPLIES	415.06
TURNER PLUMBING	WATER MAIN REPLACEMENT	79,518.28
ULTRAMAX	SUPPLIES	468.00
UNITED WAY	CONTRIBUTIONS	687.69
USA BLUEBOOK	SUPPLIES	636.40
VALIANT VINEYARDS	MERCHANDISE	250.70
VAN DIEST SUPPLY CO	CHEMICALS	1,060.75
VERIZON WIRELESS	CELL PHONES	1,598.85
VERMILLION ACE HARDWARE	SUPPLIES	744.35
VERMILLION CHAMBER OF COMMERCE	REINVESTMENT PROGRAM GRANT	67,351.80
VERMILLION FORD	PARTS	84.03
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	3,717.46
WADE MOUNT	SAFETY BOOTS REIMBURSEMENT	84.79
WAL-MART COMMUNITY	SUPPLIES	1,022.15
WALKER CONSTRUCTION	SIDEWALK REPAIRS	54,815.53
WALT'S HOMESTYLE FOODS, INC	SUPPLIES	229.80
WESCO DISTRIBUTION, INC	SUPPLIES	14,129.05
WILLSON FLORIST	FLORAL ARRANGEMENT	44.00
WOW! BUSINESS	911 CIRCUIT	1,365.50
YAMAHA GOLF & UTILITY	JULY GOLF CARS LEASE	3,772.97
YANKTON JANITORIAL SUPPLY	SUPPLIES	440.36
DAVE STAMMER	BRIGHT ENERGY REBATE	35.00
OMPRAKASH THANGAVELU	BRIGHT ENERGY REBATE	1,100.00
JAMES SMITH	BRIGHT ENERGY REBATE	10.00
GREG CARD	BRIGHT ENERGY REBATE	35.00

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

12. Consensus Agenda

A. Set a bid opening date of September 11, 2014 for N. Norbeck Street roadway lighting project

319-14

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

13. Executive Session

320-14

Alderman Ward moved to go into executive session for consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation as provided in 1-25-2 (3) at 7:45. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the Council in executive session.

Alderman Erickson stated that he had a conflict of interest and exited the executive session at 7:58 p.m.

Mayor Powell declared the Council out of executive session at 8:20 p.m.

14. Adjourn

321-14

Alderman Ward moved to adjourn the Council Meeting at 8:21 p.m. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 2nd day of September, 2014.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.