

Unapproved Minutes
Council Special Session
September 3, 2013
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, September 3, 2013 at 12:00 noon at the William J. Radigan Fire/EMS Station meeting room.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne (arrived at 12:04 p.m.), Willson, Zimmerman, Mayor Powell

Absent: Ward

2. Informational Session - Follow up information from August 19th Prentis Park Pool Discussion - Jim Goblirsch

John Prescott, City Manager, reported that, since last meeting, staff has met with a consulting firm regarding the master planning process for Prentis Park. Jim Goblirsch, Director of Parks and Recreation, reported that he had contacted other cities for recommendations on firms to do park master planning with the recommendation of the firm of TSP. Jim stated that they met with representatives with TSP about the process for developing a park master plan that included public input, maintaining green space, footprint for the conceptual plan for the pool including concerns about a pool parking lot proposed for the middle of the park. Jim handed out a proposal from TSP for a master plan for Prentis Park at a cost of \$12,700 plus reimbursable expenses with the project completed by December 1, 2013.

Alderman Osborne arrived at 12:04 p.m.

Discussion followed on the master plan with John Prescott stating that the picture plan for the swimming pool is just a conceptual plan developed by the Pool Committee with the assistance from the consultant. John noted that the pool consultant and committee did not review the impact to the other features of Prentis Park as part of the pool conceptual plan or the ability to finance the pool project. He stated that what is proposed is to develop a master plan for the park including how the pool facility can be integrated into the park. John noted that a concern has been raised about removing green space for a parking lot for the pool and maybe there are other alternatives that can be researched for this.

As to the financing, John reviewed the State statute that allows the City Council, by resolution, to provide for accumulation of funds for a specific capital outlay purpose. Discussion followed on the master planning process with the consensus of the City Council to proceed with the master plan for Prentis Park.

Alderman Meins requested to be excused at 12:25 p.m.

3. Informational Session - Review of new ambulance and Ambulance Department upgrades - EMS Director Lee Huber

Lee Huber, EMS Director, reported on the upgrade in computers and networking that allows the EMT's to complete trip reports from the ambulance, thus reducing the time needed after returning from a trip to complete all the paper work. Lee stated that the cardiac monitors are also connected to the remote computer connection to allow for the information to be transmitted to the hospital. He provided a tour of the new ambulance, which was just purchased by Clay County, reporting on the location of major equipment. Lee answered questions of the City Council on the ambulance and ambulance service. Lee introduced Lisa Wood who will be serving as interim director as he will be leaving the City mid September.

4. Briefing on the September 3, 2013 City Council Regular Meeting

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

5. Adjourn

269-13

Alderman Osborne moved to adjourn the Council special session at 12:42 p.m. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 3th day of September, 2013.

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 3, 2013
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, September 3, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell

Absent: Grayson

2. Pledge of Allegiance

3. Minutes

A. Minutes of August 19, 2013 Special Session and August 19, 2013 Regular Session

270-13

Alderman Meins moved approval of the August 19, 2013 Special Session and August 19, 2013 Regular Session minutes. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

271-13

Alderman Davies moved approval of the agenda with the change in order of Item 8. New Business switching the order of Items E for A and the addition of Item 13. Adjourn. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be heard

A. Proclamation of Direct Support Professionals Recognition Week

Alderman Meins read the proclamation of Direct Support Professional Recognition Week designating the week of September 8-14, 2013 as Direct Support Professionals Week in Vermillion. Mayor Powell presented the Proclamation to Direct Support Professionals from SESDAC.

6. Public Hearings

A. Resolution Approving Special Assessment Roll for Nuisance Abatement

Mike Carlson reported that on August 5th the City Council adopted a resolution setting the public hearing for tonight for consideration of the special assessment roll. The resolution was published and mailed to the property owners. The assessments are for nuisance abatement during the last year for grass/weed removal, snow removal and removal of dangerous buildings. Mike reported that, if adopted, the listed property owners will be sent the resolution allowing 30 days to pay the assessment without interest and if not paid will be certified to the County to be included on next year's taxes. Discussion followed.

272-13

Alderman Zimmerman moved approval of the Resolution Approving the Special Assessment Roll and Notice of Special Assessments for Nuisance Abatement for the listed property. Alderman Meins seconded the motion. Discussion followed on the amount of the assessment for the dangerous building removal at 23 N Harvard, for the Apostolic Faith Church and if the amount could be reduced as the Church cannot afford such a large amount. Discussion followed on the amount noting that it includes the costs of equipment, man hours and landfill fees. It was reported that the City Council has reduced assessments in the past when a plan to develop the property was brought forward but not below the landfill fees paid. Discussion followed.

A roll call vote of the Governing Body was as follows: Collier-Wise- N, Davies-N, Meins-Y, Osborne-Y, Ward-N, Willson-Y, Zimmerman-Y, Mayor Powell-N. Motion tied 4 to 4. Mayor Powell declared the motion failed.

Discussion followed on the resolution including the costs associated with the dangerous building removal at 23 N. Harvard.

273-13

After reading the same once, Alderman Ward moved adoption of the following resolution approving the special assessments for the nuisance abatement costs for all the properties listed except the property at 23 N. Harvard owned by the Apostolic Faith Church, whereby the public hearing will be recessed until a future meeting to allow time to review the nuisance abatement costs:

RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL
AND NOTICE OF SPECIAL ASSESSMENTS
FOR NUISANCE ABATEMENT
IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has established a special assessment roll for defraying the cost of nuisance abatement against the several tracts of real property upon:

NUISANCE ABATEMENT

as listed at the end of this Resolution in the City of Vermillion, Clay County, South Dakota. The assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 5th day of August, 2013.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing upon the assessment roll for the 3rd day of September, 2013 and directed the City Finance Officer of the City of Vermillion, Clay County, South Dakota to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment roll, the time and place for the hearing, that the assessment roll would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment roll for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice by first-class mail, postage thereon fully prepaid, addressed to the property owners of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

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

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

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

BE IT FURTHER RESOLVED, that the approved assessment roll be filed in the office of the City Finance Officer the day after approval of the assessment roll. The City Finance Officer shall publish once in the

official newspaper of Vermillion, South Dakota, a copy of this Resolution and Notice, along with the approved assessment roll.

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

NOTICE IS HEREBY GIVEN, that the assessments mentioned in the assessment roll will be payable according to the provisions of Plan One as set forth in SDCL Sections 9-43-102 to 9-43-113.

NOTICE IS FURTHER GIVEN, that any assessment under Plan One, or any installment thereof, may be paid without interest to the City Finance Officer whose office is located in the Municipal Building at 25 Center Street in the City of Vermillion, South Dakota, at any time within thirty (30) days after the filing of the approved assessment roll in the office of said City Finance Officer. Thereafter, and prior to the due date of the first installment, the entire assessment remaining, plus interest thereon from the filing date to the date of payment may be paid to the said City Finance Officer. No installment under Plan One shall be paid to the said City Finance Officer on or after its due date, and on and after said date such installment shall be paid only to the County Treasurer with interest.

NOTICE IS FURTHER GIVEN, that the approved assessment roll will be filed with the City Finance Officer on 4th day of September, 2013. The assessment is payable in one (1) installment at ten percent (10%) per annum interest on unpaid installments. The first installment due date is January 1, 2014.

The assessment roll herein referred is as follows:

Lot: S 18" of Lots 1 & 2 & N 32' of Lot 3 Block 1, Cottage Place
Parcel Number: 15170-00100-030-00
Owner: Raymond Gill Jr
Service: remove dangerous structure \$1,145.11, sidewalk snow removal \$63.60
Total: \$1,208.71

Lot: W 71' of N ½ of Lots 8 & W 71' of Lot 9 Block 62 Bigelows Addition
Parcel Number: 15050-06200-090-00
Owner: Apostolic Faith Church contract for deed with Dennis A. Klein
Service: removal of dangerous structure
Total: Hearing continued to future meeting

Lot: Lot 1 Replat of Aud Tract A S ½ Lot 2 NW ¼ 19-92-551 Aud Tract 19-92-51 Parcel Number: 15860-09251-190-24

Owner: Peter, Mark & Karen Monzel

Service: sidewalk snow removal 1/2/13 \$84.80, sidewalk snow removal 2/27/13 \$108.65

Total: \$193.45

Lot: E 77.7' of 11, 12 & E 77.7' of S ½ of 13, Block 3, Eastside

Parcel Number: 15270-00300-130-00

Owner: Timothy N. Peterson & Elizabeth A. Goehring

Service: grass/weed removal 8/14/12 \$180.20

Dated at Vermillion, South Dakota, this 3rd day of September 2013.

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

John E. Jack Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

The amount of the assessment is payable, under Plan One, at the office of the Clay County Treasurer, in the Courthouse, in the City of Vermillion, Clay County, South Dakota, UNLESS paid to the City Finance Officer, whose office is located in the Municipal Building at 25 Center Street in the City of Vermillion, Clay County, South Dakota, within 30 days after the approved assessment roll is filed in the office of the City Finance Officer. Wherever the word "Lot" appears in this exhibit, it shall be construed to include tracts and other parcels of land.

The motion was seconded by Alderman Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. A roll call vote of the Governing Body was as follows: Collier-Wise-Y, Davies-Y, Meins-N, Osborne-Y, Ward-Y, Willson-N, Zimmerman-N, Mayor Powell-Y. Motion carried 5 to 3. Mayor Powell declared that the Resolution was adopted.

B. First Reading of Ordinance 1304 - Amending Chapter 155.074 of the 2008 revised ordinances of the City of Vermillion, adding guidelines for the installation of fences

Ted Cherry, Administrative Intern, reported that the proposed ordinance is to establish criteria to guide property owners on acceptable aesthetics for fences. Ted stated that the proposed ordinance would be an addition to the existing ordinances in place regulating residential

fences in city limits. Residents would have additional criteria to meet when installing a perimeter fence on their property which abuts City property or faces a street/alleyway. This ordinance would not only give residents direction to follow when purchasing and building fences, but will also allow the fences in neighborhoods to be more aesthetically pleasing and cohesive. Ted stated that the proposed ordinance was presented to the Planning Commission on August 12th with a recommendation for adoption. Discussion followed with Ted answering questions of the City Council on the proposed ordinance.

274-13

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1304 entitled An Ordinance Amending Chapter 155.074 to add guidelines for fence installation 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 3rd day of September, 2013 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 8 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 1305 - 2014 Appropriations

John Prescott, City Manager, reported that the proposed budget was presented to the City Council on August 5th and the Council held hearings to review the budget on August 13th 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 2014 budget ordinance. He noted that the pool project was discussed during the budget process with the topic being continued during the last two noon meeting as to the planning, timing and financing. John stated that he had provided information about the ability of the City Council to adopt a resolution to authorize the accumulation of funds for capital outlay purposes such as the pool project. He stated that he would propose the City Council consider such a resolution at an upcoming meeting. Discussion followed on the budget.

275-13

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to proposed Ordinance No. 1305 entitled An Ordinance Adopting the 2014 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 3rd day of September, 2013 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 8 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 1306 - 2013 Revised Appropriations

John Prescott, City Manager, reported that the City Council adopted the 2013 budget in September 2012 and, during the 2014 budget process adjustments, the 2013 budget amounts are proposed based upon information that is available now. Some of the major items would be the French East Addition, Bliss Pointe project, W Main mill & overlay project, the repairs to the bike path and adjustments to the Joint Powers landfill due to the effects of the fire. John answered questions on the revised budget.

276-13

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. 1306 entitled An Ordinance Adopting the 2013 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 3rd day of September, 2013 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 8 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

C. Resolution of Necessity and Notice of Hearing for construction of concrete surfacing on Kennedy Street from W. Cherry Street to Cornell Street

Jose Dominguez, City Engineer, reported on the location of the improvements noting that Kennedy Street will serve one of the accesses to the Bliss Pointe development. Jose stated that the improvements are to be assessed based upon benefit noting that part of the street already has curb & gutter and gravel base thus the improvement costs would be less for those lots. Jose stated that the resolution will set the public hearing on September 27 at 12:00 p.m. with the resolution being published and notice of the hearing sent to the property owners. Discussion followed with Jose reviewing the estimated project costs.

277-13

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

RESOLUTION OF NECESSITY AND NOTICE OF HEARING FOR CONSTRUCTION OF CONCRETE SURFACING ON KENNEDY STREET FROM WEST CHERRY STREET TO CORNELL STREET IN THE CITY OF VERMILLION, SD

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regularly called meeting thereof, in the Council Chambers of said City at 7:00 p.m. on the 3rd day of September 2013, that the convenience and necessity has arisen for the construction of concrete surfacing on the portion of the public street hereinafter named, and in front or abutting the several lots or parcels of land hereinafter named, viz.:

- KENNEDY STREET from West Cherry Street to Cornell Street
- Lot 1, 2 & 3, Block 1, O'Connor Addition
- Lot 4, Block 1, O'Connor Addition
- Lot 5, Exc. W. 10', Block 1, O'Connor Addition
- Block 1, Bliss Pointe Addition
- Block 3, Bliss Pointe Addition

BE IT FURTHER RESOLVED, that the general nature of the improvements shall be as follows:

The concrete surfacing shall be a maximum of 28-feet wide and 6-inches thick.

The concrete curb and gutter shall be 2.5-feet wide and approximately 280-feet long.

The gravel base shall be 30-feet wide and 6-inches thick.

BE IT FURTHER RESOLVED, that the materials to be used in the construction of said improvements shall be according to the specifications adopted by the City.

BE IT FURTHER RESOLVED, that the details, conceptual plans and specifications used to arrive at the estimate have been filed with the Finance Officer and may also be reviewed with the City Engineer.

BE IT FURTHER RESOLVED, that the benefit of the improvement to each lot or tract is as follows:

Any costs incurred, but not covered by the following benefits, will be paid for with City funds.

Lot: Lot 1, 2 & 3, Block 1, O'Connor Addition
Owner: Vermillion's Congregation of Jehovah's Witnesses
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$80.62 per frontage foot.

Lot: Lot 4, Block 1, O'Connor Addition
Owner: Tracye Sherrill & Debra Adams
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$80.62 per frontage foot.

Lot: Lot 5, Exc. W. 10', Block 1, O'Connor Addition
Owner: Tagney Walters
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$80.62 per frontage foot.

Lot: Block 1, Bliss Pointe Addition
Owner: Vermillion Chamber of Commerce and Development Company
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$111.89 per frontage foot.

Lot: Block 3, Bliss Pointe Addition
Owner: Vermillion Chamber of Commerce and Development Company
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$111.89 per frontage foot.

The estimated benefit is based on 2012 estimated costs.

BE IT FURTHER RESOLVED, that the benefit shall be divided into ten (10) equal annual installments, which shall be payable under Plan One, collection by the County Treasurer, as set forth in 2012 SDCL 9-43 etc. e.g., and that all deferred installments shall bear interest at the rate of not more than ten (10%) percent per annum.

BE IT FURTHER RESOLVED, that the contractors who undertake to perform the work of construction, herein provided for, shall be paid, in cash, from the sale of special assessment bonds.

BE IT FURTHER RESOLVED, that any person interested may appear and show cause, before the Governing Body of the City of Vermillion, at the City Council Chambers of said City at 12:00 p.m. on the 27th day of September, 2013 why the above and foregoing resolution should not, at said time and place, be adopted and passed by the Governing Body, at which time the Governing Body will finally approve, disapprove, or modify the same in its discretion.

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 Osborne. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Resolution in support of maintaining Tax Exempt Financing

John Prescott, City Manager, reported that there have been some discussions at the federal level of discontinuing the tax exempt financing for other than federal bonds as part of the solution to solve the federal budget issues. John noted that the City is able to issue tax exempt bonds at a lower interest rate as they are exempt from federal taxes. John noted that the SDML and APPA have encouraged Cities to contact their federal delegation to express the importance of tax exempt financing for the city. Discussion followed.

278-13

Alderman Osborne moved approval of the Resolution in Support of the Preservation of Tax-Exempt Financing and authorize the Mayor to sign. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

E. Commercial Haulers License - Giedd Sanitation

Mike Carlson, Finance Officer, reported that a commercial collector's license application was received from Giedd Sanitation, LLC which included the required certificate of insurance and \$300 fee. The application lists the owners as Travis Giedd and Nicole Mundy. The applicant noted that they had purchased the TJP Waste Hauling business. Mike noted that the Police Chief reported that there are no local records for either of the owners. Discussion followed with Travis and Nicole answering questions of the City Council on the business operations.

279-13

Alderman Osborne moved approval of the Commercial Collectors License for Giedd Sanitation, LLC for the balance of 2013. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

F. Resolution Authorizing the Purchase of a Wheel Loader

Jason Anderson, Assistant City Engineer, reported that the 2014 budget for the equipment replacement fund included the replacement of the 2007 Caterpillar 928G wheel loader. Jason stated that, to replace this loader and capitalize on an advantageous price, the City may purchase from the bid awarded to Butler Machinery from the State of South Dakota Department of Transportation for a 2014 CAT 924K wheel loader for the bid price of \$149,654. The purchase price includes a Grabtec grapple and warranty coverage for 5,000 hours or 60 months, whichever comes first. Jason reported that the state contract wheel loader includes a Ryland coupler that is not compatible with the current City attachments which require a Fusion quick coupler. After presenting this concern, Butler Machinery has agreed to allow the City to exchange the Ryland coupler for a Fusion quick coupler to match current City attachments (buckets, etc.). Jason noted that for a total of \$4,398, the City may also add a few necessary attachments including a 48" pallet fork and 24 additional months of warranty, being the most significant. Jason reported that total expense for the loader and attachments is \$154,052 and that delivery will not be until in 2014. Discussion followed.

280-13

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

RESOLUTION
AUTHORIZING THE PURCHASE OF
WHEEL LOADER

WHEREAS, SDCL 5-18A-22 authorizes a governmental entity to purchase necessary supplies from the lowest responsible bidder of another

governmental entity or State at the accepted bid price and the concurrence of said bidder, and;

WHEREAS, the City of Vermillion has reviewed and determined that the January 24, 2013 bid awarded by the State of South Dakota Department of Transportation to Butler Machinery for a Caterpillar 924K wheel loader for the base bid of \$149,654 offers an advantageous price to the City for said item, and;

WHEREAS, the City has contacted Butler Machinery and they have agreed to allow the City to purchase a wheel loader for the awarded price and terms as they have contracted with the State of South Dakota, and;

WHEREAS, the City has determined the need for \$4,398 in additional attachments not included on State bid, and;

WHEREAS, the City will not take delivery or make payment for the new, 2014 wheel loader until January 1, 2014.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase a new 2014 Caterpillar 924K wheel loader from Butler Machinery of Sioux Falls, South Dakota for a total purchase price of \$154,052.

Dated at Vermillion, South Dakota this 3rd day of September, 2013.

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 Willson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 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

A. Fuel quotes

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

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$3.4568, Brunick's Service \$3.60; Item 2 - 1,000 gal unleaded gasoline regular: Stern Oil \$3.5214, Brunick's Service \$3.70; Item 3 - 3,000 gal No. 2 Diesel fuel-clear: Stern Oil \$3.4118, Brunick's Service \$3.55; Item 5 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$3.6483, Brunick's Service \$3.84
281-13

Alderman Zimmerman moved approval of the low quote of Stern Oil on all four items. Alderman Meins seconded the motion. Discussion followed. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reminded citizens that Market Street for one half block south of Main Street will be closed on Thursday, September 5th for Thursdays on the Platz from 5:30 p.m. to 8:00 p.m. to facilitate the event.

B. John reminded citizens that the Ribs, Rods & Rock'N Roll event is this Friday and Saturday and that downtown streets will be closed for the event starting on Friday morning.

C. John reported that a raffle request was received from St Agnes PTSA who is selling 100 tickets at \$120 each starting last month. Monthly drawing of three numbers with a \$300 prize for first number and two \$100 prizes for next two numbers. Profits from the sale go to help the PTSA with hospitality, fulfill teacher requests and for professional development.

PAYROLL ADDITIONS AND CHANGES

General: John Prescott \$54.83/hr; Finance: Mike Carlson \$44.47/hr, Lisa Terwilliger \$12.21/hr; Ambulance: Nick Ashley \$30.60/1st-\$17.34/2nd, Patrick Farrens \$6.00/1st-\$6.00/2nd-\$9.00/FTO, Merritt Groh \$6.00/1st-\$6.00-2nd-\$9.00/FTO, Brandon Hansen \$6.00/1st-\$6.00/2nd-\$9.00/FTO, Jordyn Larson \$30.00/1st-\$17.00/2nd, Tara Rohan \$30.00/1st-\$17.00/2nd, Dominick Santa Maria \$35.70/1st-\$22.40/2nd, Alex Sherlock \$35.70/1st-\$22.40/2nd, Matt Sutura \$6.00/1st-\$6.00/2nd, Abby Wolf \$30.00/1st-\$17.00/2nd; Library: Kristopher Basham \$7.25/hr, Maggie Malathip \$7.25/hr, Samantha Riley \$7.25/hr; Communications: Wendy Carroll \$17.70/hr; Golf Maintenance: Zach Hueners \$7.50/hr, Matt Kramer \$7.25/hr; Landfill: Joseph Ensminger \$14.59/hr; Recycling: Jim Zimmerman \$17.12/hr

11. Invoices Payable

282-13

Alderman Davies moved approval of the following invoice:

JOHN POWELL

APPA MEETING REIMBURSEMENT

1,067.36

Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell requested to abstain. Mayor Powell declared the motion adopted.

283-13

Alderman Davies moved approval of the following invoice:

UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	23.00
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Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Alderman Meins requested to abstain. Mayor Powell declared the motion adopted.

284-13

Alderman Collier-Wise moved approval of the following invoices:

A & B BUSINESS, INC	SUPPLIES	140.86
ALERT-ALL CORPORATION	SUPPLIES	53.97
ALLEGIANT EMERGENCY SERVICE	REPAIRS	265.43
AMERICAN BUS CORP.	TRAVEL -OUT AND ABOUT	238.29
AMERICAN LEGAL PUBLISHING	ONLINE RENEWAL	275.00
ANIMAL CARE EQUIPMENT & SVC	SUPPLIES	117.40
APPEARA	SUPPLIES	283.16
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	122.64
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	47.58
BAKER & TAYLOR BOOKS	BOOKS	739.52
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	6,359.55
BARKLEY ASPHALT	HOT MIX	793.00
BARNES DISTRIBUTION	PARTS	307.36
BIERSCHBACH EQPT & SUPPLY	PARTS	1,208.35
BLACKSTONE AUDIO INC	BOOKS	150.00
BLAKE CARVER	WEB HOSTING	104.00
BORDER STATES ELEC SUPPLY	SUPPLIES	32.00
BOUND TREE MEDICAL, LLC	SUPPLIES	1,205.46
BROADCASTER PRESS	ADVERTISING	1,842.41
BROCK WHITE CO	SUPPLIES	4,916.72
BROWN TRAFFIC PRODUCTS	SUPPLIES	108.00
BRUNICKS SERVICE INC	PROPANE	133.00
BSN SPORTS INC	SUPPLIES	322.12
BULLBERRY SYSTEMS, INC	SOFTWARE SUPPORT	10,100.00
BUTLER MACHINERY CO.	SUPPLIES	1,054.46
BW INSURANCE AGENCY, INC	NOTARY BOND	100.00
CAMPBELL SUPPLY	SUPPLIES	974.39

CANFIELD BUSINESS INTERIOR	LIBRARY FURNITURE	12,863.96
CANNON TECHNOLOGIES, INC	SOFTWARE SUPPORT	900.00
CASK & CORK	MERCHANDISE	786.83
CBCINNOVIS, INC	REPORT FEES	26.80
CCP INDUSTRIES INC.	SUPPLIES	393.50
CENTURY BUSINESS LEASING	LEASE	138.25
CENTURY BUSINESS PRODUCTS	SUPPLIES	101.79
CENTURYLINK	TELEPHONE	746.19
CERTIFIED LABORATORIES	SUPPLIES	384.78
CHEMCO, INC	SUPPLIES	70.00
CHESTERMAN CO	MERCHANDISE	1,299.42
CITY OF VERMILLION	COPIES/POSTAGE	1,585.19
CITY OF VERMILLION	UTILITY BILLS	45,838.01
CLEMET BOSTUCK	MOWING	375.00
CLIA LABORATORY PROGRAM	CERTIFICATE FEE	150.00
CLIMATE SYSTEMS, INC	REPAIRS	415.15
COFFEE KING, INC	MERCHANDISE	57.75
COLONIAL LIFE ACC INS.	INSURANCE	3,074.44
CONTINENTAL RESEARCH CORP	SUPPLIES	1,598.55
CRAIG DEAN	ELECTRONICS DISPOSAL	499.00
CULLIGAN WATER	SUPPLIES	102.00
CUSTOM TRUCK EQUIPMENT INC	SNOW PLOW/LIFT GATE	6,893.00
CUSTOM UPHOLSTERY BY DIANNE	LIBRARY FURNITURE	2,630.00
D & D PEST CONTROL	INSPECTION/TREATMENT	17.50
DAKOTA BEVERAGE	MERCHANDISE	10,177.12
DAKOTA PC WAREHOUSE	REPAIRS/MONITOR	259.97
DAKOTA SECURITY SYSTEMS	ALARM MONITORING	360.00
DAKOTA SUPPLY GROUP	SUPPLIES	178.58
DALE HUSBY	SAFETY GLASSES	150.00
DARIN HARVEY	REFUND SERVICE FEES	40.60
DAVIS PHARMACY	SUPPLIES	46.27
DELTA DENTAL PLAN	INSURANCE	6,193.94
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	377.00
DEREK RONNING	MEALS	100.20
DGR ENGINEERING	PROFESSIONAL SERVICES	3,234.00
DORSEY & WHITNEY	BOND COUNSEL SRF LOAN	12,000.00
DUST TEX	SUPPLIES	144.80
E.A SWEEN COMPANY	MERCHANDISE	247.66
EARTHGRAINS BAKING CO'S INC	MERCHANDISE	170.64
EBERLE DESIGN INC	REPAIRS	178.00
ECHO ELECTRIC SUPPLY	SUPPLIES	1,055.08

ELECTRONIC ENGINEERING	POLICE CAR EQUIPMENT	6,644.90
ELLIOTT EQUIPMENT CO	PARTS	352.34
ENERGY LABORATORIES	TESTING	1,253.00
EPIGATE SOFTWARE LLC	SOFTWARE SUPPORT	1,200.00
FAR FROM NORMAL	SUPPLIES	41.24
FARMER BROTHERS CO.	MERCHANDISE	40.67
FAST AUTO GLASS	REPAIRS	240.00
FASTENAL COMPANY	SUPPLIES	45.87
FOUR WINDS INTERACTIVE	MAINTENANCE	4,379.90
GALE	BOOKS	64.10
GARYS TREE SERVICE, INC	STUMP GRINDING	1,990.00
GLOBAL EQUIPMENT COMPANY	SUPPLIES	48.28
GRAHAM TIRE CO.	TIRES	1,343.80
GRAINGER	PARTS	220.39
GRAYMONT CAPITAL INC	CHEMICALS	11,408.00
GREGG PETERS	FREIGHT	1,274.00
GREGG PETERS	RENT	937.50
GUARANTEE OIL CO INC	OIL	97.26
HANSEN LOCKSMITHING	REPAIRS	665.00
HARTINGTON TREE LLC	TREE TRIMMING	1,000.00
HAUGER YARD/SNOW SERVICE	MOWING	116.60
HAWKINS INC	CHEMICALS	2,580.89
HD SUPPLY WATERWORKS	SUPPLIES	14,081.84
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	30,000.00
HEALTH CARE LOGISTICS	SUPPLIES	305.72
HELMS & ASSOCIATES	PROFESSIONAL SERVICES	2,749.28
HERREN-SCHEMP BUILDING	SUPPLIES	344.70
HIGMAN SAND & GRAVEL	SAND	324.33
HILLYARD FLOOR CARE SUPPLY	SUPPLIES	32.44
HY VEE FOOD STORE	SUPPLIES	202.46
IMPERIAL HEADWEAR, INC	MERCHANDISE	251.90
IN CONTROL, INC	PROFESSIONAL SERVICES	1,348.38
INDEPENDENCE WASTE	HAULING/TOILET RENTAL	1,969.90
INGRAM	BOOKS	469.17
JACKS UNIFORM & EQPT	UNIFORMS	165.80
JAYMAR	SUPPLIES	712.50
JESSICA WADE	BOOT REIMBURSEMENT	100.00
JOHN A CONKLING DIST.	MERCHANDISE	5,041.53
JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	18,993.16
JOHNSON CONTROLS	REPAIRS	2,099.28
JONES FOOD CENTER	MERCHANDISE	1,167.76
JONES LIBRARY SALES, INC	LIBRARY FURNITURE	1,835.00
JULIE MCCAHCEN	REFUND POOL FEES	37.50

KARSTEN MFG CORP	MERCHANDISE	734.83
KIRBY BUILT QUALITY PRODUCTS	SUPPLIES	40.00
KNOLOGY, INC	911 CIRCUIT	1,365.50
KOLETZKY IMPLEMENT	PARTS	165.00
LARSON DATA COMMUNICATIONS	REPAIRS	799.95
LAWSON PRODUCTS INC	SUPPLIES	76.34
LAYNES WORLD	AWARDS	325.34
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	4,699.33
LEISURE LAWN CARE	TREATMENT/REPAIRS	699.04
LIFETIME GALLERIES	BOOKS	971.00
LINCOLN MUTUAL LIFE & CASUALTY	INSURANCE	425.20
LOCATORS AND SUPPLIES, INC	SUPPLIES	305.42
LP GILL, INC	TIRE DISPOSAL	427.00
MAGUIRE IRON, INC	WATER TOWER	135,558.00
MALLOY ELECTRIC	PARTS	149.52
MARKS MACHINERY	PARTS	158.08
MART AUTO BODY	TOWING	75.00
MATHESON TRI-GAS, INC	OXYGEN	358.79
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,432.86
MEAD LUMBER	SUPPLIES	1,268.40
MEDICAL WASTE TRANSPORT	HAUL MEDICAL WASTE	85.53
MEDMEDIA INC	MAINTENANCE	380.00
MENARDS	SUPPLIES	309.40
MICROFILM IMAGING SYSTEMS	SERVICE AGREEMENT	360.00
MIDWEST ALARM CO	ALARM MONITORING	63.00
MIDWEST BUILDING MAINTENANCE	MAT SERVICE	329.90
MIDWEST READY MIX & EQUIPMENT	SUPPLIES	3,316.20
MIDWEST TURF & IRRIGATION	PARTS	412.33
MINITEX LIBRARY	SUPPLIES	378.00
MISSOURI VALLEY MAINTENANCE	REPAIRS	1,190.00
MOBILE ELECTRONIC SERVICE	INSTALL EQUIPMENT	247.50
MOORE WELDING & MFG	REPAIRS	64.50
N B GOLF LLC	MERCHANDISE	4,083.66
NATIONAL FIRE PROTECTION ASSOC	SUPPLIES	225.25
NCL OF WISCONSIN, INC	SUPPLIES	204.69
NETSYS+	REPAIRS/SERVICE	8,766.97
NEW YORK LIFE	INSURANCE	94.02
NEWMAN TRAFFIC SIGNS	SUPPLIES	726.81
NIKE INC	MERCHANDISE	269.51
NORTHERN TRUCK EQPT CORP	PARTS	499.00
OFFICE SYSTEMS CO	MAINTENANCE AGREEMENT	431.89
OLSON MEDICAL CLINIC	EMPLOYMENT SERVICES	259.00
OVERHEAD DOOR OF SIOUX CITY	REPAIRS	281.00

PCC, INC	JULY COMMISSION	1,325.40
PEDERSEN MACHINE INC	PARTS	73.36
PENNINGTON COUNTY SHERIFF	PROFESSIONAL SERVICES	300.00
PFEIFER IMPLEMENT CO.	PARTS	229.28
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POSITIVE PROMOTIONS	OPEN HOUSE SUPPLIES	805.59
PRAIRIE BERRY WINERY	MERCHANDISE	1,044.00
PRESSING MATTERS	NOTARY SEAL	31.00
PRESTO-X-COMPANY	INSPECTION/TREATMENT	92.27
PRINT SOURCE	ADVERTISING	450.00
PUMP N PAK	FUEL	2,078.26
QUEEN CITY WHOLESALE	MERCHANDISE	863.63
QUILL	SUPPLIES	618.46
RACOM CORPORATION	MAINTENANCE CONTRACT	386.75
RAGNASOFT, INC	SOFTWARE SUBSCRIPTION	1,225.00
RANDOM HOUSE, INC	BOOKS	153.75
RASMUSSEN MOTORS, INC	REPAIRS	51.79
RECORDED BOOKS, INC	BOOKS	1,381.75
RECREATION SUPPLY CO.	SUPPLIES	25.35
REINHART FOODSERVICE, LLC	MERCHANDISE	1,480.39
REPUBLIC NATIONAL DISTRIBUTOR	MERCHANDISE	23,698.98
RESCO	PARTS	299.70
RIBS, RODS & ROCK N' ROLL	COMMUNITY PROMOTION	5,000.00
ROCKMOUNT RESEARCH & ALLOY	SUPPLIES	129.32
SALINA VORTEX CORPORATION	PARTS	236.69
SAMUAL LEIDHOLT	REFUND SERVICE FEES	40.60
SANITATION PRODUCTS	PARTS	1,006.70
SD ASSOC. OF RURAL WTR SYSTEM	ANNUAL DUES	1,000.00
SD PUBLIC ASSURANCE ALLIANCE	INSURANCE	383.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	69,806.49
SD SECRETARY OF STATE	NOTARY BOND	30.00
SDWWA	REGISTRATION	140.00
SERVALL TOWEL & LINEN	SUPPLIES	16.80
SIOUX FALLS TWO WAY RADIO	REPAIRS	1,863.32
SOOLAND BOBCAT	EQUIPMENT	257.34
STERN OIL CO.	FUEL	5,700.22
STEWART OIL-TIRE CO	REPAIRS	292.85
STURDEVANTS AUTO PARTS	PARTS	692.84
TAYLOR MADE	MERCHANDISE	62.70
TEAM GOLF	MERCHANDISE	510.19
THATCHER COMPANY	CHEMICALS	6,837.60
THE EQUALIZER	ADVERTISING	106.75
THE KNOX COMPANY	AMBULANCE EQUIPMENT	3,260.00

THOMSON WEST	SUBSCRIPTION	181.00
TIGERT ART GALLERY	FRAMING	260.00
TITAN MACHINERY	PARTS	115.28
TITLEIST DRAWER CS	MERCHANDISE	548.13
TOPKOTE INC	CHIP SEALING	39,124.82
TRI STATE INSULATION CO INC	REPAIRS	1,210.49
TRI TECH SALES	SUPPLIES	455.87
TRI-B-TRIM SHOP	REPAIRS	155.00
TRUE VALUE	SUPPLIES	481.92
ULTRAMAX	SUPPLIES	2,462.00
UNITED PARCEL SERVICE	SHIPPING	35.26
UNITED WAY	CONTRIBUTIONS	522.80
US POSTAL SERVICE	POSTAGE	286.55
VAN DIEST SUPPLY CO	CHEMICALS	1,433.10
VERIZON WIRELESS	TELEPHONE	432.55
VERMILLION ACE HARDWARE	PARTS	1,298.35
VERMILLION CONCRETE	CONSTRUCTION CONTRACT	4,888.44
VERMILLION FORD	PARTS	536.23
VESSCO, INC	PARTS	376.27
VISA/FIRST BANK & TRUST	CHARGES	3,754.68
WAL-MART COMMUNITY	SUPPLIES	1,087.35
WALT'S HOMESTYLE FOODS, INC	MERCHANDISE	120.00
WAM USA, INC	SUPPLIES	404.79
WELFL CONSTRUCTION CO	LIBRARY EXP/REMODEL FINAL	4,614.00
WESCO DISTRIBUTION, INC	PARTS	4,178.87
WITTEK	MERCHANDISE	252.28
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,118.36
YANKTON MEDICAL CLINIC	EMPLOYMENT SERVICES	19.00
ZEE MEDICAL SERVICE	SUPPLIES	67.10
ZIMCO SUPPLY CO	SUPPLIES	185.00
ZUERCHER TECHNOLOGIES LLC	SUBSCRIPTION	12,705.00
FRANCIS HEINE	BRIGHT ENERGY REBATE	275.00
CLG LLC	BRIGHT ENERGY REBATE	5,290.00

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

12. Consensus Agenda - None

13. Adjourn

285-13

Alderman Osborne moved to adjourn the Council Meeting at 7:57 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 3rd day of September, 2013.

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 _____.