

Unapproved Minutes
Council Special Session
November 17, 2014
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 17, 2014 at 12:00 noon at the Water Treatment Plant.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Price, Willson

Absent: Clarene Meins, Holly Meins, Ward, Mayor Powell

2. Briefing on the November 17, 2014 City Council Regular Meeting

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

3. Educational Session Tour of Water Treatment Plant

Randy Isaacson, Water Superintendent, provided a tour of the Water Treatment Plant.

4. Adjourn

388-14

Alderman Collier-Wise moved to adjourn the Council special session at 12:44 p.m. Alderman Price seconded the motion. Motion carried 5 to 0. President Willson declared the motion adopted.

Dated at Vermillion, South Dakota this 17th day of November, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
Howard Willson, President

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
November 17, 2014
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, November 17, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Ward

2. Pledge of Allegiance

3. Minutes

A. Minutes of November 3, 2014 Special Session; November 3, 2014 Regular Session; November 6, 2014 Special Session.

389-14

Alderman Collier-Wise moved approval of the November 3, 2014 Special Session, November 3, 2014 Regular Session and November 6, 2014 Special Session minutes. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

390-14

Alderman Holland moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Mayor Powell wanted to thank the citizens for their support for the General Obligation Bond for Prentis Park improvements including the swimming pool.

6. Public Hearings - None

7. Old Business - None

8. New Business

A. Business Improvement District #1 reappointments

Mayor Powell reported that in September 2013 the City established the Business Improvement District #1 Board. The initial five member board was appointed with two members with one year terms, two members with two year terms and one with a three year term. Mayor Powell stated that Dan Kenton and Jim Peterson terms are expiring and they both have expressed interest in continuing on the board for a three year term. Mayor Powell recommended their reappointment to the Business Improvement District #1 Board.

391-14

Alderman Willson moved the reappointment of Dan Kenton and Jim Peterson for three year terms on the Business Improvement District #1 Board. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Vermillion Now! 2 Governance Council appointment

Mayor Powell reported that, in late October, the Vermillion Chamber of Commerce and Development Company announced that their economic development fundraising program known as Vermillion Now! 2 had reached \$1.67 million in pledges for the work plan over the next five years. Mayor Powell stated that the Vermillion Now! 2 Program includes an Advisory Governance Council consisting of major cash investors as was done for Vermillion Now! 1. Mayor Powell stated that the Advisory Governance Council provides campaign oversight, accountability, and transparency for campaign dollars. Mayor Powell noted that he was the City representative for Vermillion Now! 1 and would be willing to serve as the City representative for Vermillion Now! 2.

392-14

Alderman Willson moved to appointment Mayor Powell as the City representative to the Vermillion Now! 2 Governance Council. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Repairs

Jose Dominguez, City Engineer, reported that the resolution adopting the resolution of necessity for sidewalk repairs was adopted August 6, 2012. This resolution was for the sidewalks in the northwest quadrant of the city. Jose stated that the repairs have been completed and the assessment roll has been calculated and filed in the Finance Office. The resolution is to set a public hearing date of December 15, 2014 and the property owners to be assessed will be sent notice of the hearing.

393-14

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

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR SIDEWALK REPAIRS IN THE CITY OF VERMILLION, SD

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 12th day of November, 2014, for the repair of sidewalks in front or abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and

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; and

WHEREAS, said assessment roll shows as follows:

1. The name of the owner(s) of each lot to be assessed, as shown by the assessment rolls, of the Director of Equalization.
2. 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;
3. The amount assessed against each lot;
4. 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;
5. Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, BE IT RESOLVED, that Monday, the 15th day of December, 2014, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 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 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 construction of said improvement.

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 improvement 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 17th day of November, 2014.

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

By: _____

John E. (Jack) Powell

ATTEST:

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. 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 Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for PCC Paving, Alley in Block 68, Bigelow's Addition

Jose Dominguez, City Engineer, reported that the resolution adopting the resolution of necessity for the alley paving was adopted January 6, 2014. This resolution was for the north south alley from East Clark Street to East Cedar Street between Harvard Street and Yale Street in Block 68 Bigelow's Addition. Jose stated that the paving has been completed and the assessment roll has been calculated and filed in the Finance Office. The resolution is to set a public hearing date of December 15, 2014 and the property owners to be assessed will be sent notice of the hearing.

394-14

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

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR CONSTRUCTION OF CONCRETE SURFACING ALONG THE NORTH TO SOUTH ALLEY
IN BLOCK 68, BIGELOW'S ADDITION FROM EAST CLARK STREET TO EAST CEDAR
STREET, IN THE CITY OF VERMILLION, SD

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 12th day of November, 2014, for the concrete paving of an alley in front or abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and

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; and

WHEREAS, said assessment roll shows as follows:

1. The name of the owner(s) of each lot to be assessed, as shown by the assessment rolls, of the Director of Equalization.
2. 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;
3. The amount assessed against each lot;
4. 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;
5. Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, BE IT RESOLVED, that Monday, the 15th day of December, 2014, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 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 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 construction of said improvement.

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 improvement 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 17th day of November, 2014.

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

By: _____
John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

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. 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 - None

10. City Manager's Report

A. John reported that City offices will be closed on Thursday, November 27th for Thanksgiving Day. The recycling pickup scheduled for that Thursday will be on Monday, December 1st.

B. John reported that there is a special meeting of the City Council and County Commission to consider a rezoning for property on north side of 317th Street on Tuesday, November 25th at 11:15 a.m. in the large conference room of City Hall. There will also be a presentation by Dakota Hospital Foundation.

C. John reminded citizens that sidewalks are to be cleared 24 hours after the end of a snow event. He noted that snow should be stored on your property - not across the street on neighbor's yard without permission or piled up in the street in front of neighbor's property. If the snow is moved across the street, windrows of snow should not be left in the street.

D. John reported that a change order for the Wastewater Treatment Plant boiler project was provided. John noted that this will very likely be the only change order on this project. The total is \$7,656.91 that fits within the Change Order policy that is also attached.

PAYROLL ADDITIONS AND CHANGES

Electric: Mark Podany \$.25/meter

11. Invoices Payable

395-14

Alderman Collier-Wise moved approval of the following invoices:

ANDY COLVIN	MEALS REIMBURSEMENT	24.00
AVERA QUEEN OF PEACE HEALTH	TESTING	69.90
BOUND TREE MEDICAL, LLC	SUPPLIES	190.48
BROADCASTER PRESS	ADVERTISING	2,001.78
BRUNICKS SERVICE INC	FUEL	509.35
BUREAU OF ADMINISTRATION	TELEPHONE	248.69
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CENTURYLINK	TELEPHONE	1,492.61
CITY OF VERMILLION	LANDFILL VOUCHERS	360.00
CLAY CO REGISTER OF DEED	FILING FEES	90.00
CLAY RURAL WATER SYSTEM	WATER USAGE	86.60
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,480.69
DEPT OF ENVIRONMENT & NATURAL RESOURCES	LOAN PAYMENT	66,031.51
DEPT OF ENVIRONMENT & NATURAL RESOURCES	LANDFILL OPERATIONS FEE	3,005.58
DEPT OF REVENUE	MALT BEVERAGE LICENSE	150.00
DIVISION OF MOTOR VEHICLE	TITLE/PLATES	10.00
DUCKS UNLIMITED	SPONSOR FEE	60.00
GREGG PETERS	MANAGERS FEE	5,375.00
INDEPENDENCE WASTE	WASTE HAULING	18.00
INTERSTATE ALL BATTERY CENTER	BATTERIES	153.90
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	210.00
MATHESON TRI-GAS, INC	OXYGEN	279.05
PEDERSEN MACHINE INC	GATOR UTILITY VEHICLE	8,500.00
REPUBLIC NATIONAL DISTRIBUTION	MERCHANDISE	16,436.84
RELIABLE TOWING	TOW FEES	306.20
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
SD MUNICIPAL LEAGUE	REGISTRATION	50.00
STERN OIL CO.	AVIATION FUEL	41,857.00
TRAVIS TARR	BREAKER PANEL	75.00
UNITED PARCEL SERVICE	SHIPPING	20.81

US POSTMASTER	POSTAGE FOR UTILITIES	1,050.00
VERMILLION CHAMBER OF COMMERCE	TIF 6 GRANT	31,631.02
GABRIEL PICIOROAGA	BRIGHT ENERGY REBATE	75.00
TROY GREGOIRE	BRIGHT ENERGY REBATE	1,050.00
DERRY HOCHHOLTER	BRIGHT ENERGY REBATE	300.00
BARB WEYHRICH	BRIGHT ENERGY REBATE	275.00
MARCH FILMS	BRIGHT ENERGY REBATE	100.00

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

12. Consensus Agenda

A. Set a public hearing date of December 1, 2014 for annual liquor and wine license renewals

B. Set a public hearing date of December 1, 2014 for a site transfer of the City of Vermillion Liquor Store municipal off-sale package liquor license from 826 Cottage to 820 Cottage on or about January 6, 2015

C. Set a public hearing date of December 1, 2014 for a retail on-off sale malt beverage license for the City of Vermillion Liquor Store at 820 Cottage for video lottery room

396-14

Alderman Collier-Wise moved approval of the consensus agenda. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

397-14

Alderman Collier-Wise moved to adjourn the Council Meeting at 7:11 p.m. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 17th day of November, 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 _____.