



## City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, April 15, 2013

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069

1. **Roll Call**

2. **Pledge of Allegiance**

3. **Minutes**

- a. April 1, 2013 Special Session; April 1, 2013 Regular Session.

4. **Adoption of the Agenda**

5. **Visitors To Be Heard**

- a. Proclamation – Arbor Day.

6. **Public Hearings**

- a. First Reading of Ordinance 1299 - Rezone Lot 3, Block 7, Erickson Addition to the City of Vermillion, Clay County, South Dakota from GI General Industrial District to GB General Business District (property located approximately 310 feet west of the southwest corner of Princeton Street and Bower Street).

7. **Old Business**

8. **New Business**

- a. Street Closure Request for Main, Plum and High Streets for routing and/or staging of the Dakota Days Parade on Saturday, October 5, 2013 from 7:30 to 12:30 pm.
- b. Final Plat of Lot 8 of Block 7, Erickson Addition to the City of Vermillion, Clay County, South Dakota.
- c. Resolution to create Tax Increment District Number Five on Lot 8, Block 7, Erickson Addition (formerly Lots 1, 2 and 3, Block 7, southwest corner of Princeton and Bower Streets).
- d. Consultant Selection for 2015 Mill and Overlay Project of W. Main Street.
- e. Library Change Order #6.
- f. Capital Improvement Plan.
- g. Tractor lease for Street and Solid Waste Departments with Fred Haar Company.
- h. Declaration of surplus items for City auction.

9. **Bid Openings**

- a. Street Department pickup.

10. **City Manager's Report**

11. **Invoices Payable**

12. **Consensus Agenda**

- a. Set a public hearing of May 6, 2013 for Thursdays on the Platz to exceed permissible sound levels by more than 50% for the Vermillion Chamber of Commerce and Development Company in Ratingen Platz on July 11, July 25, August 8, August 22, and September 5, 2013.

### 13. Adjourn

Access the City Council Agenda on the web – [www.vermillion.us](http://www.vermillion.us)

**Addressing the Council:** Persons addressing the Council shall use the microphone at the podium. Please raise your hand to be recognized, go to the podium and state your name and address.

**a. Items Not on the Agenda** Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made at this time.

**b. Agenda Items:** Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only City Council members and staff may discuss the current agenda item unless a Council member moves to allow another person to speak and there is unanimous consent from the Council. Questions from Council members, however, may be directed to staff or a member of the public through the presiding officer at any time.

**Meeting Assistance:** The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

**Council Meetings:** City Council regular meetings are held the first and third Monday of each month at 7:00 p.m. If a meeting falls on a City holiday, the meeting will be scheduled for the following Tuesday.

**Live Broadcasts of Council Meetings on Cable Channel:** Regular City Council meetings are broadcast live on Cable Channel 3.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

#### ***Vermillion City Council's Values and Vision***

*This community values its people, its services, its vitality and growth, and its quality of life and sees itself reinforcing and promoting these ideals to a consistently increasing populace.*





**Special Meeting Agenda  
City Council**

12:00 p.m. (noon) Special Meeting  
Monday, April 15, 2013  
Large Conference Room  
City Hall – 25 Center Street  
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session –Vermillion Chamber of Commerce and Development Company update – VCDC Executive Director Steve Howe.**
3. **Informational Session – Discussion on information to be provided for upcoming malt beverage license renewals in June – John Prescott**
4. **Briefing on the April 15, 2013 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

Access the City Council Agenda on the web – [www.vermillion.us](http://www.vermillion.us)

**Addressing the Council:** Persons addressing the Council shall use the microphone at the podium. Please state your name and address. Presentations are limited to 5 minutes. For those who do not appear on the agenda, no decision is to be expected at this time.

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Unapproved Minutes  
Council Special Session  
April 1, 2013  
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 1, 2013 at 12:00 noon in the City Hall large conference room.

1. Roll Call

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

Absent: Ward

2. Informational Session - Police Department Annual Report - Police Chief Matt Betzen

Matt Betzen, Police Chief, reviewed the Police Department 2012 annual report. The report included the organizational chart for the department along with information on the following: patrol division, investigations, tactical response preparations, Explorer Post, house parties, D-Days, special recognitions, statistics and expenses. Matt answered questions of the City Council on the report.

3. Briefing on the April 1, 2013 City Council Regular Meeting Agenda

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

4. Adjourn

084-13

Alderman Osborne moved to adjourn the Council special session at 1:02 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 1<sup>st</sup> day of April, 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  
April 1, 2013  
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 1, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell, Student Representative Jessica Peterson

2. Pledge of Allegiance

3. Minutes

A. March 18, 2012 Special Session; March 18, 2013 Regular Session

085-13

Alderman Zimmerman moved approval of the March 18, 2013 special session minutes and the March 18, 2013 regular session minutes. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

086-13

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

5. Visitors to be Heard

Mayor Powell introduced Jessica Peterson as the USD student representative to the City Council.

A. Proclamation - Mayors Day of Recognition for National Service

Alderman Collier-Wise read the proclamation designating April 9, 2013 as National Service Recognition Day in Vermillion and encouraged residents to recognize the positive impact of national service and to thank those who serve.

B. Proclamation - Recognizing Earth Day 2013

Alderman Meins read the proclamation recognizing April 23, 2013 as Earth Day in Vermillion and encouraged residents to celebrate Earth Day.

Mayor Powell reported that four high school track meets were held in the Dakota Dome over the last two weeks, where over 6,500 student athletes participated along with many spectators. He noted that over 150 volunteers are needed to conduct each meet and wanted to thank the volunteers as well as participants.

AJ Mayer, Pi Kappa Alpha Fraternity Philanthropic Chairman, reported that the fraternity has scheduled a week of service for April 2 through 9 with events planned to raise funds and service the community. He invited the community to the Pikes in the Park event on April 4<sup>th</sup> in Prentis Park, noting that the meal is \$5 and there will be many activities.

6. Public Hearings - None

7. Old Business

A. Second Reading of Ordinance 1297 - Amending Chapter 70, General Traffic and Parking Regulations of the 2008 Revised Ordinances of the City of Vermillion, adding Section 70.057, prohibiting the use of electronic communications devices while operating a motor vehicle

John Prescott, City Manager, reported that in January it was suggested that an educational session be held on a texting ban while driving. The educational session was held on March 25<sup>th</sup> after which the Governor signed SB 106 which established bans for drivers 14 -18 years of age with an instruction permit. John stated that the ordinance presented on March 18<sup>th</sup> was based upon the ordinances adopted by other South Dakota first class cities. At that meeting, there was discussion on the language "when a vehicle is in motion or part of traffic" in section 70.058 and the City Attorney has proposed slightly different language of "when the vehicle is in motion or when the motor vehicle constitutes a part of the flow of traffic or an obstruction and hazard to traffic". John noted that there was also discussion on the definition of telecommunications device to use in the ordinance. It was suggested that the definition from SB 106 be used. John stated that he has included both versions in the packet with version A being the language used by other cities ordinances that was included in the first reading and version B is the definition used in SB 106. John stated that he provided both versions so the Council can specify which definition they want to use. As to the fee, that resolution is later on the agenda.

Discussion followed on the definitions.

087-13

Second reading of title to Ordinance No. 1297, entitled AN ORDINANCE AMENDING Chapter 70 General Traffic and Parking Regulations, adding Sections 70.057 through 70.059 of the Revised Ordinances of the City of Vermillion, South Dakota to prohibit texting while operating or in physical control of a motor vehicle for the City of Vermillion, South Dakota.

Mayor Powell read the title to the above named Ordinance, and Alderman Osborne moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1297 entitled An Ordinance Amending Chapter 70 General Traffic and Parking Regulations, adding Sections 70.057 through 70.059 of the Revised Ordinances of the City of Vermillion, South Dakota to prohibit texting while operating or in physical control of a motor vehicle was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 18<sup>th</sup> day of March, 2013 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 1<sup>st</sup> day of April, 2013 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

Adoption of the Ordinance was seconded by Alderman Willson.

Discussion followed on the definitions included in option B being the State language noting the need to correct the wording from electronic communications device to wireless communication device and to include radio transmission communications.

088-13

Alderman Collier-Wise moved to amend the motion to replace in the definitions for "Electronic Message", section 70.058 and 70.059 the word "electronic" communications device with "wireless" communications device and in the electronic message definition to add in the last sentence "radio transmission communications". Alderman Zimmerman seconded the motion. Discussion followed on the wording for the amendment. The amendment to the motion passed 9 to 0. Mayor Powell declared the motion amended as follows:

ORDINANCE NO. 1297

AN ORDINANCE AMENDING CHAPTER 70 GENERAL TRAFFIC AND PARKING REGULATIONS, ADDING SECTIONS 70.057 THROUGH 70.059 OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA. TO PROHIBIT TEXTING WHILE OPERATING OR IN PHYSICAL CONTROL OF A MOTOR VEHICLE.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that Chapter 70, Sections 70.057 through 70.059 is added and it is hereby ordained by authority of the same as follows:

Sec. 70.057. Definitions.

"Wireless communication device," any wireless electronic communication device that provides for voice or data communication between two or more parties, including a mobile or cellular telephone, a text messaging device, a personal digital assistant that sends or receives messages, an audio-video player that sends or receives messages, or a laptop computer. A wireless communication device does not include a global positioning or navigation system (GPS) used to receive driving direction.

"Electronic message" means a self-contained piece of digital communication that is designed or intended to be transmitted between two wireless communication devices. An electronic message includes, but is not limited to, email, a text message, an instant message, and a command or request to access a World Wide Web page, or other data that uses a commonly recognized electronic communications protocol. An electronic message does not include the use of global positioning or navigation systems, radio transmission communications, or voice or other data transmitted as a result of making a phone call, or data transmitted automatically by a wireless communication device without the direct initiation by a person.

Sec. 70.058. Prohibition of use of electronic message.

No person may operate or be in actual physical control of a motor vehicle while using a handheld wireless communication device to compose, read, or send an electronic message when the vehicle is in motion or where the motor vehicle constitutes a part of the flow of traffic or an obstruction and hazard to traffic.

Sec. 70.059. Exceptions to prohibition of use of wireless communication devices and electronic messages.

Section 70.058 shall not apply if the wireless communication device is being used:

- a) In the reasonable belief that a person's life or safety is in immediate danger; or
- b) In an emergency vehicle while in the performance of official duties.

Dated at Vermillion, South Dakota this 1<sup>st</sup> day of April, 2013.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

BY \_\_\_\_\_  
John E. (Jack) Powell,

Mayor  
ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Thereafter the question of the adoption of the Ordinance as amended was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Yes, Davies-Yes, Grayson-Yes, Meins-Yes, Osborne-Yes, Ward-Yes, Willson-Yes, Zimmerman-Yes, Mayor Powell-Yes.

Motion carried 9 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

B. Second Reading of Ordinance 1298 - Amending Section 155.055 Countryside Planned Unit Development, Subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family dwellings and establishing Lot and yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units

Andy Colvin, Assistant to the City Manager, reported that Mr. Hertz, owner and developer of the Countryside Planned Development District, has requested to include multi-family dwellings in Area B within the district. The Planning Commission considered the amendment on March 11, 2013 at which time they recommended approval of the change but would limit structure height to 35 feet with the lot and yard regulations similar to the R-3 residential district. Andy noted that no comments have been received since first reading. Discussion followed on the amendment to the Countryside Planned Development District.

089-13

Second reading of title to Ordinance No. 1298, entitled AN ORDINANCE AMENDING section § 155.055 Countryside Planned Unit Development, subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family Dwellings and establishing Lot and Yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1298 entitled An Ordinance Amending Section 155.055 Countryside Planned Unit Development, subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family Dwellings and establishing Lot and Yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units of the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 18<sup>th</sup> day of March, 2013 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 1<sup>st</sup> day of April, 2013 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

ORDINANCE NO. 1298

An Ordinance amending section § 155.055 Countryside Planned Unit Development, subsection (B) Area B (1) permitted uses and (3) Lot and yard regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, permitting Multiple family Dwellings and establishing Lot and Yard regulations for dwellings with 3 to 8 units, dwellings with 9 to 12 units and dwellings with over 12 units.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA:

That section § 155.055 Countryside Planned Unit Development District subsection (B) Area B be amended to read as follows:

(B) Area B. The purpose of this district is to provide for low impact business, medium-density manufactured homes and residential areas within planned unit developments. All city ordinances apply to the planned unit development except for those modified below.

(1) Permitted uses.

Permitted Uses	Applicable Standards
Single-family detached dwellings	SS 155.070, 155.072, 155.076, 155.077
Single family attached dwellings	SS 155.070, 155.072, 155.076, 155.077
Two-family attached dwellings	SS 155.070, 155.072, 155.076, 155.077
Multiple family Dwellings	SS 155.070, 155.072, 155.076, 155.077
Convenience store	SS 155.070, 155.072, 155.076, 155.077
Drug store	SS 155.070, 155.072, 155.076, 155.077
Markets	SS 155.070, 155.072, 155.076, 155.077
Retail stores	SS 155.070, 155.072, 155.076, 155.077
Accessory Structures	SS 155.071, 155.082(A) (see definition)

(3) Lot and yard regulations. All measurements shall be taken from the lot line to the building line at the closest point.

	Lot Area	Frontage	Building Line	Front Yard	Side Yard	Rear Yard	Maximum Height
Business Uses	10,000 square ft	50 feet	65 feet	25 feet	8 feet	25 feet	35 feet
Single family Detached Dwellings	6,000 square ft	50 feet	65 feet	25 feet	8 feet	25 feet	35 feet
Single family attached Dwellings	2,500 square ft	25 feet	25 feet	25 feet	8 feet (0 on party wall)	25 feet	35 feet
Two family attached Dwellings	7,500 square ft	50 feet	75 feet	25 feet	8 feet	25 feet	35 feet
Multiple family 3 to 8 units	7,500 square ft	50 feet	60 feet	30 feet	10 feet	25 feet	35 feet

Multiple family 9 to 12 units	17,000 square ft	50 feet	85 feet	30 feet	10 feet	25 feet	35 feet
Multiple family over 12 units	25,000 square ft	50 feet	85 feet	30 feet	10 feet	25 feet	35 feet
Accessory building				Not Permitted	4 feet	4 feet	12 feet

Dated at Vermillion, South Dakota this 1<sup>st</sup> day of April, 2013

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Davies. Thereafter the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Yes, Davies-Yes, Grayson-Yes, Meins-Yes, Osborne-Yes, Ward-Yes, Willson-Yes, Zimmerman-Yes, Mayor Powell-Yes.

Motion carried 9 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

## 8. New Business

### A. Annual Library report

Jane Larson, Librarian, reported that State law requires the Library Board to prepare and submit an annual report to the governmental bodies that provide funding to the Library. Jane reviewed the 2012 library annual report that was included in the packet, noting the changes from last year. Jane answered questions on the Library operations. Discussion followed on the report

090-13

Alderman Osborne moved to acknowledge receipt of the 2012 Annual Report of the Library Board. Alderman Collier-Wise seconded the motion. Jane Larson reminded citizens that the Library will be closed until April 8<sup>th</sup> and even after they reopen will have some

ongoing work to complete the relocation. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Resolution Authorizing the Issuance of Revenue Bond for the Solid Waste Landfill Improvements

Mike Carlson, Finance Officer, reported that in the fall of 2011 the landfill cell 5 and the leachate collection system projects were placed on the State Water Plan. An application was submitted for a SRF loan and solid waste grant funding for the project with the anticipated construction taking place in 2013 as the existing cells reached capacity. At the same time, an application was made to change the side slope of the existing landfill cells to allow for more capacity along with increasing the cell elevation on the existing cells. The Department of Environment and Natural Resources (DENR) have approved the change in side slope for the existing landfill cells thus increasing the capacity of the existing cells to allow for the new cell construction and leachate system to be delayed. The DENR has agreed with the calculations for increasing the cell elevation and we are awaiting final approval.

In April 2012 the City was notified by the DENR of the approval of a grant/loan package for cell 5 and the leachate system. The funding package consisted of a SRF loan of \$1,639,000 for 20 years at 3% and a solid waste grant of \$522,210. HDR developed project estimates and the facility plan used in the grant/loan application along with the side slope amendment and change in elevation application. With the change in side slope, HDR is now recommending construction of the leachate system in 2013 and cell 5 in 2014. As HDR is working on the plans and specifications for the leachate system, the city needs to complete the loan process with the DENR for the funding. Mike stated that the enclosed resolution was prepared by Dorsey & Whitney, Bond Council, and has been reviewed by Jim McCulloch, City Attorney. Discussion followed.

091-13

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

RESOLUTION RELATING TO THE IMPROVEMENT OF THE SOLID WASTE LANDFILL FACILITY; CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF THE MONEYS DERIVED THEREFROM; AUTHORIZING AND DIRECTING THE ISSUANCE AND SALE OF A REVENUE BOND TO PAY THE COST OF SAID IMPROVEMENTS; DEFINING THE TERMS AND MANNER OF PAYMENT OF THE BOND AND THE SECURITY THEREOF AND APPROVING THE FORM OF LOAN AGREEMENT  
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH DAKOTA, AS FOLLOWS:

SECTION 1. AUTHORIZATION AND FINDINGS.

1.01. The City of Vermillion, South Dakota (the Issuer), together with the City of Yankton, South Dakota, Yankton County, South Dakota and Clay County, South Dakota (collectively, the Members), owns, administers and operates an integrated solid waste management system (the System), for municipal, industrial and domestic purposes, under a Revised Joint Powers Agreement, dated November 14, 2012, by and among the Members.

1.02. The Issuer is authorized to borrow money and issue its revenue bonds under South Dakota Codified Laws, Chapters 9-40 (the "Act") and 6-8B, in order to finance a portion of the cost of improvements to the System as set forth in Exhibit A hereto (the Improvements). The Issuer is authorized to issue its obligations in order to defray the cost thereof, and to make all pledges, covenants and agreements authorized by law for the protection of the holders of the obligations, including, without limitation, those covenants set forth in SDCL, Sections 9-40-16 and 9-40-17. The obligations are payable from the Net Revenues of the System, as defined in Section 2.03 hereof.

1.03. The execution and delivery of the Revenue Obligation Loan Agreement between South Dakota Conservancy District (the District) and the Issuer (the Loan Agreement), the form of which has been submitted to this Council, and the pledging of the loan payments there under for the security of the State Revolving Fund revenue bond of the Issuer and the interest thereon shall be, and they are, in all respects, hereby authorized, approved and confirmed, and the Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content submitted to this Council, with such changes that are not substantive as the Attorney for the Issuer deems appropriate and approves, for and on behalf of the Issuer. The Mayor and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the Issuer as set forth in or required by the Loan Agreement.

1.04. The issuance of a revenue bond of the Issuer, of not more than \$1,639,000 principal amount in the form and content set forth in Appendix B to the Loan Agreement (the Bond) is hereby authorized, approved and confirmed, and the Mayor, Finance Officer and other appropriate officials of the Issuer shall be authorized to execute and deliver the Bond to the District, for and on behalf of the Issuer, upon receipt of the purchase price and to deposit the proceeds thereof in the manner provided for in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Bond, and their execution and delivery of the Bond shall evidence such approval. The terms of the Bond, as so executed and delivered, shall be deemed to be incorporated herein by reference.

1.05. It is hereby found and determined that the principal amount of the Bond, when added to all other indebtedness of the Issuer subject to its general (5%) debt limit, will not exceed 5% of the assessed value of the taxable property in the Issuer. Therefore, an election is not required for the issuance of the Bond and the execution of the Loan Agreement under Section 9-40-15, South Dakota Codified Laws.

SECTION 2. FUNDS AND ACCOUNTS. For the purpose of application and proper allocation of the income of the System and to secure the payment of principal of and interest on the Bond, the following funds and accounts shall be used solely for the following respective purposes until payment in full of the principal of and interest on the Bond:

2.01. Solid Waste System Fund; Bond Proceeds and Revenues Pledged and Appropriated. A fund designated as the Solid Waste System Fund (the Fund) has been established and shall be maintained as a separate and special bookkeeping account on the official books of the Issuer until the Bond and any additional bonds (together referred to as the Bonds) payable from the Net Revenues of the System, as provided in Sections 3.02 through 3.04 hereof and interest, Administrative Expense Surcharge and redemption premiums due thereon have been fully paid, or the Issuer's obligation with reference to the Bond has been discharged as provided in this resolution. All proceeds of the Bond and all other funds hereafter received or appropriated for purposes of the System are appropriated to the Fund. All gross revenues of the System are irrevocably pledged and appropriated and shall be credited to the Fund as received. Such gross revenues shall include all gross income and receipts from rates and charges imposed for the availability, benefit and use of the System as now constituted and of all replacements and improvements thereof and additions thereto, and from penalties and interest thereon, and from any sales of property acquired for the System and all income received from the investment of such gross revenues; but not any taxes levied or amounts borrowed or received as grants for construction of any part of the System. The Fund shall be subdivided into separate accounts as designated and described in Sections 2.02 to 2.06, to segregate income and expenses received, paid and accrued for the respective purposes described in those sections. The gross revenues of the System received in the Fund shall be apportioned monthly or as soon as possible after the first day of each month, commencing the first calendar month following the delivery of the Bond, which apportionment is hereinafter referred to as the "monthly apportionment."

2.02. Construction Account. The Construction Account shall be used only to pay as incurred and allowed costs which under financial

and reporting standards as promulgated by the Governmental Accounting Standards Board, the Financial Accounting Standards Board, or an Other Comprehensive Basis of Accounting, as applicable (referred to herein as Financial and Reporting Standards), are capital costs of the System, and of such future reconstructions, improvements, betterments or extensions of the System as may be authorized in accordance with law; including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands and easements, interest accruing on the Bond during the first year following the date of its delivery, if and to the extent that the Revenue Bond Account is not sufficient for payment of such interest, reimbursement of any advances made from other Issuer funds, and all other expenses incurred in connection with the construction and financing of any such undertaking. To the Construction Account shall be credited as received all proceeds of the Bond, except amounts appropriated to the Revenue Bond Account under Section 2.04, all other funds appropriated by the Issuer for the System, and all income received from the investment of the Construction Account.

2.03. Operating Account. On each monthly apportionment there shall first be set aside and credited to the Operating Account, as a first charge on the gross revenues, such amount as may be required over and above the balance then held in the Operating Account to pay the reasonable and necessary operating expenses of the System which are then due and payable, or are to be paid prior to the next monthly apportionment. The term "operating expenses" shall mean the current expenses, paid or accrued, of operation, maintenance and current repair of the System, calculated in accordance with Financial and Reporting Standards, and shall include, without limitation, administrative expenses of the Issuer relating solely to the System, premiums for insurance on the properties thereof, labor and the cost of materials and supplies used for current operation and for maintenance, and charges for the accumulation of appropriate reserves for current expenses which are not recurrent monthly but may reasonably be expected to be incurred in accordance with Financial and Reporting Standards. Such operating expenses shall not include any allowance for depreciation or renewals or replacements of capital assets of the System and shall not include any portion of the salaries or wages paid to any officer or employee of the Issuer, except such portion as shall represent reasonable compensation for the performance of duties necessary to the operation of the System, nor any amount properly payable from any other account of the Fund. The Net Revenues of the System, as referred to in this resolution, are hereby defined to include the entire amount of such gross revenues remaining after each such monthly apportionment, after crediting to the Operating Account the amount required hereby,

including sums required to maintain an operating reserve equal to one month's estimated operating expenses.

2.04. Revenue Bond Account. Upon each monthly apportionment there shall be set aside and credited to the Revenue Bond Account, out of the Net Revenues of the System, an amount equal to one-third of the total sum of the principal and interest to become due on the Bond on the next succeeding Loan Payment Date (as defined in the Bond). Moneys from time to time held in the Revenue Bond Account shall be disbursed only to meet payments of principal and interest on the Bond as such payments become due; provided, that on any date when the outstanding Bond is due or prepayable by its terms, if the amount then on hand in the Revenue Bond Account is sufficient, with other moneys available for the purpose, to pay the Bond and the interest accrued thereon in full, it may be used for that purpose. If any payment of principal or interest becomes due when moneys in the Revenue Bond Account are temporarily insufficient, such payment shall be advanced out of any Net Revenues theretofore segregated and then on hand in the Replacement and Depreciation Account or the Surplus Account. In the event that sufficient moneys are not available from the aforementioned sources the Issuer, to the extent it may, at the time legally do so, may, but shall not be required to, temporarily advance moneys to the Revenue Bond Account from other revenues of the System or from other funds of the Issuer on hand and legally available for the purpose, but any such advance shall be repaid from Net Revenues of the System within 24 months.

2.05. Replacement and Depreciation Account. There shall next be set aside and credited, upon each monthly apportionment, to the Replacement and Depreciation Account such portion of the Net Revenues, in excess of the current requirements of the Revenue Bond Account (which portion of the Net Revenues is referred to herein as Surplus Net Revenues), as the City Council shall determine to be required for the accumulation of a reasonable reserve for renewal of worn out, obsolete or damaged properties and equipment of the System. Moneys in this account shall be used only for the purposes above stated or, if so directed by the City Council, to redeem Bonds which are prepayable according to their terms, to pay principal or interest when due thereon as required in Section 2.04 hereof, or to pay the cost of improvements to the System; provided, that in the event that the Issuer shall hereafter issue bonds for the purpose of financing the construction and installation of additional improvements or additions to the System, but which additional bonds cannot, upon the terms and conditions provided in Section 3, be made payable from the Revenue Bond Account, Surplus Net Revenues from time to time received may be segregated and paid into one or more separate and additional accounts for the payment of such bonds and interest thereon, in advance of payments required to be made into the Replacement and Depreciation Account.

2.06. Surplus Account. Any amount of the Surplus Net Revenues from time to time remaining after the above required applications thereof shall be credited to the Surplus Account, and the moneys from time to time in that account, when not required to restore a current deficiency in the Revenue Bond Account as provided in Section 2.04 hereof, may be used for any of the following purposes and not otherwise:

(a) to redeem and prepay principal of the Bond when and as such principal becomes prepayable according to its terms;

(b) if the balances in the Revenue Bond Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the current fiscal year, then;

(i) to pay for repairs or for the construction and installation of improvements or additions to the System; and

(ii) to be held as a reserve for redemption and prepayment of principal of the Bond which is not then but will later be prepayable according to its terms.

No moneys shall at any time be transferred from the Surplus Account or any other account of the Fund to any other fund of the Issuer, nor shall such moneys at any time be invested in warrants, special improvement bonds or other obligations payable from other funds, except as provided in this section.

2.07. Deposit and Investment of Funds. The Finance Officer shall cause all moneys pertaining to the Fund to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of Chapter 4-6A, South Dakota Codified Laws, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the Issuer, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No moneys shall at any time be withdrawn from such deposit accounts except for the purposes of the Fund as authorized in this resolution; except that moneys from time to time on hand in the Fund may at any time, in the discretion of the City Council, be invested in securities permitted by the provisions of South Dakota Codified Laws, Section 4-5-6; provided, that the Replacement and Depreciation Account may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the account from whose

moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys in that account. The investment of the moneys on deposit in the Revenue Bond Account is further restricted by the provisions of Section 6.01 hereof. Deposits and securities described in this section shall constitute "Qualified Investments."

2.08. Additional Revenues or Collateral. The Issuer reserves the right at any time to pledge additional moneys, revenues or collateral as security for the Bond and any additional bonds. Such pledge shall not be effective unless and until the Issuer receives, and provides to the bond registrar an opinion of, nationally recognized bond counsel stating that such pledge will not adversely affect the validity or tax exemption of the Bond and any additional bonds then outstanding.

2.09. Appropriation of Other Moneys. The Issuer reserves the right in any year while the Bond is outstanding to appropriate from moneys on hand and legally available for such purpose in its cash reserve accounts such amounts as this Council may specify and direct that such amounts be used to pay principal and interest on the Bond. Any such appropriation shall reduce the obligation of the Issuer to impose rates and charges under Section 3.04 hereof.

2.10. Statutory Mortgage. The Issuer covenants and agrees that pursuant to SDCL 9-40-28 and SDCL 9-40-29, the lawful holders of the Bond shall have a statutory mortgage lien upon the System and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal, interest, and Administrative Expense Surcharge on the Bond, and the Issuer agrees not sell or otherwise dispose of the System, the Improvements, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the distribution of water for municipal, industrial, and domestic purposes within the Issuer.

### SECTION 3. PRIORITIES AND ADDITIONAL BONDS.

3.01. Priority of Bond Payments. If at any time the Net Revenues of the System are insufficient to pay principal and interest then due on the Bond, any and all moneys then on hand shall be first used to pay the interest accrued on the Bond, and the balance shall be applied toward payment of the maturing principal of the Bond in order of their maturities, the earliest maturing principal to be paid first, and pro rata in payment of principal maturing on the same date.

3.02. Additional Bonds. The Issuer reserves the right to issue additional bonds, payable from the Revenue Bond Account of the Fund, on a parity as to both principal and interest with the Bond in the

manner and upon satisfaction of the conditions and subject to the limitations set forth in the Loan Agreement, and if any Prior Bonds are then outstanding, subject to the limitations contained in the resolutions under which such Prior Bonds were issued.

3.03. Compliance with Loan Agreement. The Issuer will comply, so long as the Bond is outstanding, and unpaid, with all of the provisions of the Loan Agreement, to the same extent as though such provisions were set forth in this resolution.

3.04. Rates and Charges. The Issuer will maintain, revise, charge and collect rates and other charges for all service furnished and made available by the System, according to schedules such that the gross revenues derived therefrom will be sufficient, when combined with other available funds, to pay when due all expenses of the operation and maintenance of the System, and all principal of and interest on the Bond, to provide for the establishment and maintenance of adequate reserves, to provide an allowance adequate for recurring renewals and replacements of the System, to satisfy the rate covenant provided in Section 6.4 of the Loan Agreement and to fulfill the terms of all other agreements with holders of the Issuer's bonds.

#### SECTION 4. AMENDMENTS.

4.01. Amendments without Bondholder Consent. The Issuer reserves the right to amend this resolution from time to time and at any time, for the purpose of curing any ambiguity or of curing, correcting or supplementing any defective provision contained herein, or of making such provisions with regard to matters or questions arising hereunder as this City Council may deem necessary or desirable and not inconsistent with this resolution, and which shall not adversely affect the interest of the holder of the Bond, or for the purpose of adding to the covenants and agreements herein contained, or to the gross revenues herein pledged, other covenants and agreements thereafter to be observed [and additional gross revenues thereafter appropriated to the Fund], for the purpose of surrendering any right or power herein reserved to or conferred upon the Issuer, or for the purpose of authorizing the issuance of additional bonds in the manner and subject to the terms and conditions prescribed in Section 3. Any such amendment may be adopted by resolution, without the consent of the holder of the Bond.

4.02. Amendments with Bondholder Consent. With the consent of the holder of the Bond as provided in Section 4.03, the Issuer may from time to time and at any time amend this resolution by adding any provisions hereto or changing in any manner or eliminating any of the provisions hereof, or of any amending resolution, except that no amendment shall be adopted at any time without the consent of the holder of the Bond which are then outstanding, if it would extend

the maturities of any Bond, would reduce the rate or extend the time of payment of interest thereon, would reduce the amount or extend the time of payment of the principal or redemption premium thereof, would give to any Bond any privileges over any other Bond, would reduce the sources of gross revenues appropriated to the Fund, would authorize the creation of a pledge of gross revenues prior to or on a parity with the Bond (except as is authorized by Section 3), or would reduce the percentage in principal amount of Bonds required to authorize or consent to any such amendment.

4.03. Notice and Consent. Any amendment adopted pursuant to Section 4.02 shall be made by resolution, mailed to each holder of a Bond affected thereby, and shall become effective only upon the filing of written consents with the Finance Officer, signed by the holders of not less than two-thirds in principal amount of the Bonds which are then outstanding or, in the case of an amendment not equally affecting all outstanding Bonds, by the holders of not less than two-thirds in principal amount of the Bond adversely affected by such amendment. Any written consent to an amendment may be embodied in and evidenced by one or any number of concurrent written instruments of substantially similar tenor signed by bondholders in person or by agent duly appointed in writing, and shall become effective when delivered to the Finance Officer. Any consent by the holder of any Bond shall bind the holder and every future holder of the same Bond with respect to any amendment adopted by the Issuer pursuant to such consent, provided that any bondholder may revoke his consent with reference to any Bond by written notice received by the Finance Officer before the amendment has become effective. In the event that unrevoked consents of the holders of the required amount of Bonds have not been received by the Finance Officer within one year after the mailing of any amendment, the amendment and all consents theretofore received shall be of no further force and effect.

4.04. Proof. Proof of the execution of any consent, or of a writing appointing any agent to execute the same, or of the ownership by any person of a Bond, shall be sufficient for any purpose of this resolution and shall be conclusive in favor of the Issuer if made in the manner provided in this section. The fact and date of the execution by any person of any such consent or appointment may be proved by the affidavit of a witness of such execution or by the certificate of any notary public or other officer authorized by law to take acknowledgements that the person signing such writing acknowledged to him the execution thereof. The amount of Bonds held by any person by or for whom consent is given, and the distinguishing numbers of such Bond, and the date of holding the same, shall be proved by the bond register. The fact and date of execution of any such consent may also be proved in any other manner which this Council may deem sufficient; but this City Council may

nevertheless, in its discretion, require further proof in cases where it deems further proof desirable.

#### SECTION 5. PAYMENT OF BOND.

5.01. General. When the liability of the Issuer on the Bond has been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holder of the Bond shall cease.

5.02. Payment. The Issuer may discharge its liability with reference to any Bond which is due on any date by depositing with the holder or holders thereof, or the paying agent or agents, if any, for such Bond on or before that date a sum sufficient for the payment thereof in full; or if any Bond shall not be paid when due, the Issuer may nevertheless discharge its liability with reference thereto by depositing with the holder or holders thereof, or the paying agent or agents, if any, a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

5.03. Prepayable Bond. The Issuer may also discharge its liability with reference to any prepayable Bond which is called for redemption on any date in accordance with its terms, by depositing with the holder or holders thereof, or the paying agent or agents, if any, on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due thereon, provided that notice of such redemption has been duly given as provided in the resolution authorizing the Bond.

#### SECTION 6. TAX MATTERS AND EFFECTIVE DATE.

##### 6.01. Tax Matters.

(a) Covenant. The Issuer covenants and agrees with the holders from time to time of the Bond that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bond to become subject to taxation under the Internal Revenue Code of 1986, as amended (the Code), and applicable Treasury Regulations (the Regulations).

(b) Use of System. The Issuer covenants and agrees that it will not, nor will it permit any of its officers, employees or agents, to enter into any lease, use or other agreement with any person other than a state or political subdivision or agency or instrumentality of a state, relating to the use of the System or the security for the Bond which might cause the Bond to be considered a "private activity bond" within the meaning of Section 141 of the Code.

(c) Investment of Moneys on Deposit in Revenue Bond Account. The Finance Officer shall ascertain monthly the amount on deposit in the Revenue Bond Account. If the amount on deposit therein ever exceeds by more than \$81,950 the aggregate amount of principal and interest due and payable from the Revenue Bond Account within 13 months thereafter, such excess shall either (1) not be invested except at a yield equal to or less than the yield borne by the Bond, or (2) be used to prepay and redeem principal installments of the Bond.

(d) Certification. The Mayor and Finance Officer, being the officers of the Issuer charged with the responsibility for issuing the obligations pursuant to this resolution, are authorized and directed to execute and deliver to the purchaser a certification in order to satisfy the provisions of Section 1.148-2(b) of the Regulations. Such certification shall state that on the basis of the facts, estimates and circumstances in existence on the date of issue and delivery of the Bond as therein set forth, it is not expected that the proceeds of the Bond will be used in such a manner that would cause the Bond to be an arbitrage bond, and the certification shall further state that to the best of the knowledge and belief of the officers there are no other facts, estimates or circumstances that would materially change such expectation.

6.02. Qualified Tax-Exempt Obligations. The City Council hereby designates the Bond as a "qualified tax-exempt obligation" for purposes of Section 265(b) (3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonable anticipated amount of qualified tax-exempt obligations (within the meaning of Section 265(b) (3) of the Code) which will be issued by the Issuer and all subordinate entities thereof during calendar year 2013 does not exceed \$10,000,000.

6.03. Tax-Exempt Status of the Bond and Rebate. The Issuer shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bond, including without limitation (1) requirements relating to temporary periods for investments, (2) limitations on amounts invested at a yield greater than the yield on the Bond, and (3) the rebate of excess investment earnings to the United States.

6.04. Repeal. All provisions of all other ordinances, resolutions and other actions and proceedings of the Issuer and of this City

Council which are in any way inconsistent with the terms and provisions of this resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this resolution.

Dated at Vermillion, South Dakota this 1<sup>st</sup> day of April, 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. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

C. Resolution to set a fee for violation Of Ordinance 1297

John Prescott, City Manager, reported that second reading of Ordinance 1297 to prohibit texting while operating a motor vehicle was approved earlier on the agenda. The fee schedule for violations of City ordinances was established in 2010 and is on file with the Clerk of Courts. John noted that most City traffic offenses have a fine of \$54 and with the \$60 court costs brings the total to \$114. John stated that Sioux Falls set the fee at \$95 and Huron is \$100 plus costs while Brookings is \$120 and Watertown is \$200 including costs.

Discussion followed on the fine noting the need to keep it consistent with other traffic violations.

092-13

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

RESOLUTION  
ESTABLISHING A FINE  
FOR OFFENSES IN VIOLATION  
OF ORDINANCE 1297

WHEREAS, the City of Vermillion is authorized under Section 10.99 of the City of Vermillion Code of Ordinances to set fines for City offenses by resolution; and

WHEREAS, the City wishes to establish a fine for offenses in violation of Ordinance 1297, which prohibits texting while operating or in physical control of a motor vehicle; and

WHEREAS, said fine for violation of section 70.058 shall be set at \$54 plus Court Costs of \$60 for a total of \$114; and

WHEREAS, the City will add said fine to the official City Fine Schedule, on file, for examination by the public in the City Finance Office; and

WHEREAS, the City will present the fine amount to the presiding Circuit Court Judge of the First Judicial Circuit Court for its adoption pursuant to SDCL 16-2-21(8); and

WHEREAS, the City wishes to authorize the Magistrate Clerk to update the fine schedule in accordance with the State fine schedule, as necessary, and annually present the schedule to the presiding Circuit Court Judge of the First Judicial Circuit Court for its imposition.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby authorizes the presentation of the mentioned fine to the presiding Circuit Court Judge of the First Judicial Circuit Court for its adoption and authorizes the Magistrate Clerk to update the fee schedule in accordance with State recommendations, as necessary, and annually present the fee schedule to the presiding Circuit Court Judge of the First Judicial Circuit Court for its imposition.

Dated at Vermillion, South Dakota this 1st day of April, 2013.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

\_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

\_\_\_\_\_  
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Ward. 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

### A. Surplus Greens Mower and Fairway Mower

Mike Carlson, Finance Officer, reported that the 2002 greens mower and 2005 fairway mowers were included in the equipment replacement fund for replacement in 2013. The new equipment has been delivered and the old equipment was declared surplus and appraised on February 19<sup>th</sup> and a bid opening was advertized for March 28<sup>th</sup>. No bids were received on March 28<sup>th</sup> and, as such, the property may be sold at private sale for not less than 90% of appraised value. Staff will continue to look for interested parties for these two mowers and requests to be authorized to sell the mowers at not less that 90% of appraised value with the information being included in a future Council packet.

093-13

Alderman Willson moved to acknowledge that no bids were received for the two surplus mowers and to authorize staff to continue marketing efforts to sell for not less than 90% of the appraised value and provide information of the sale back to the City Council. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

### B. Fuel Quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Brunick's Service on Item 1 and the low quote of Stern Oil on Item 2, 3 and 5.

Item 1: 4,350 gal unleaded 10% ethanol: Stern Oil \$3.3813, Brunick's Service \$3.36; Item 2: 1,000 gal unleaded gasoline regular: Stern Oil \$3.4446, Brunick's Service \$3.47; Item 3: 3,000 gal No. 2 Diesel fuel-clear: Stern Oil \$3.4137, Brunick's Service \$3.45; Item 5: 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$3.66, Brunick's Service \$3.70

094-13

Alderman Grayson moved approval of the low quote of Brunick's Service on Item 1 and the low quote of Stern Oil on Items 2, 3 and 5. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

## 10. City Manager's Report

A. John reported that the library is closed this week but is scheduled to reopen Monday, April 8<sup>th</sup>.

B. John reported that the City Council will be making two appointments to the Library Board at the June 17<sup>th</sup> meeting and requested interested individuals to complete the Expression of Interest form available at City Hall or on the City website.

C. John reported that the landfill voucher will be in the newspapers on Tuesday, April 2<sup>nd</sup> and is also available at the landfill, City Hall or recycling center. John noted that the landfill will be open from 8:00 a.m. until noon on Saturdays starting April 6<sup>th</sup>.

D. John reported that sanitary sewer rates are recalculated each April based upon a percentage of the average water billing for January, February and March. The current rate is at 128%. The rate was changed in April 2012 and staff is recommending the rate remain the same for the 2013 calculation. John noted that water rates were raised 2% in January and the new sanitary sewer calculation will be based upon the higher water rates.

#### PAYROLL ADDITIONS AND CHANGES

Golf Clubhouse: Emily Bauer \$7.25/hr, Zach Helland \$7.25/hr, Kristen Schwasinger \$7.25/hr, Tyler Husby \$8.00/hr; Golf Maintenance: Justin McGregor \$8.00/hr, Justin Norling \$8.25/hr, Lance Reif \$8.00/hr; Mitchell Lang \$9.00/hr

#### 11. Invoices Payable

095-13

Alderman Zimmerman moved approval of the following invoice:

Jack Powell	APPA TRAVEL REIMBURSEMENT	1542.71
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Alderman Collier-Wise seconded the motion. Mayor Powell requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

096-13

Alderman Davies moved approval of the following invoice:

UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	20.00
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Alderman Collier-Wise seconded the motion. Alderman Meins requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

097-13

Alderman Davies moved approval of the following invoices:

A-OX WELDING SUPPLY CO	BULK CO2	725.70
AARON BREEN	REFUND OVERPAYMENT	315.67
ACTION BATTERY WHOLESALERS	MAINTENANCE	2,370.00
AMERICAN LEGAL PUBLISHING	FOLIO SUPPLEMENT	50.00
AMSAN	SUPPLIES	299.07
ANTIGUA GROUP, INC	MERCHANDISE	2,194.82
ARAMARK	WORK SHIRTS	257.89
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	238.93
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	361.07
ASSURED LOCK TOOL & SUPPLY	PARTS	56.57
AUDIO GO	BOOKS	120.00
AUTOMATIC BUILDING CONTROL	ANNUAL INSPECTION	1,724.00
AWWA	MEMBERSHIP	340.00
BAKER & TAYLOR BOOKS	BOOKS	1,461.77
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	1,210.25
BARNES DISTRIBUTION	SUPPLIES	92.37
BOBS CANDY SERVICE, INC	SUPPLIES	130.40
BORDER STATES ELEC SUPPLY	PARTS	1,070.80
BOUND TREE MEDICAL, LLC	SUPPLIES	1,035.44
BROWN TRAFFIC PRODUCTS	SUPPLIES	95.00
BUTLER MACHINERY CO.	PARTS	2,261.77
CAMPBELL SUPPLY	SUPPLIES	640.35
CASK & CORK	MERCHANDISE	425.92
CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
CENTURY BUSINESS PRODUCTS	COPIES	69.54
CENTURYLINK	TELEPHONE	737.64
CERTIFIED POOL TRAINERS	REGISTRATION	260.00
CHEMCO, INC	SUPPLIES	56.89
CITY OF VERMILLION	COPIES/POSTAGE	3,285.56
CITY OF VERMILLION	UTILITY BILLS	31,876.87
CLAY RURAL WATER SYSTEM	PART/WATER USAGE	53.29
CLIMATE SYSTEMS, INC	REPAIRS	686.12
COFFEE KING, INC	SUPPLIES	57.75
COLONIAL LIFE ACC INS.	INSURANCE	2,856.72
COYOTE RENTALS	WATER HEATER/WIRING REBATE	200.00
CUMMINS CENTRAL POWER, LLC	PARTS	919.06
CUSTOM UPHOLSTERY BY DIANNE	LIBRARY FURNITURE	2,520.00
D-P TOOLS	SUPPLIES	28.89
DAKOTA BEVERAGE	MERCHANDISE	7,840.25
DAKOTA PC WAREHOUSE	SUPPLIES	349.97

DAKOTA PUMP INCORP	SUPPLIES	175.23
DAKOTA SENIOR MEALS	CONTRIBUTION	3,500.00
DAKOTA SUPPLY GROUP	SUPPLIES	809.76
DANKO EMERGENCY EQUIPMENT	PARTS	262.11
DELTA DENTAL PLAN	INSURANCE	5,926.80
DEMCO	SUPPLIES	89.95
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	260.00
DGR ENGINEERING	PROFESSIONAL SERVICES	4,549.05
DUST TEX	SUPPLIES	82.30
DYNAMIC BRANDS	MERCHANDISE	486.00
ECHO ELECTRIC SUPPLY	SUPPLIES	3,705.86
ELECTRIC PUMP, INC	PARTS	4,145.48
ELECTRONIC ENGINEERING	BATTERIES	82.00
ENVIRONMENTAL RESOURCE ASSOC	SUPPLIES	1,113.94
FAR FROM NORMAL	SUPPLIES	73.00
FARMER BROTHERS CO.	SUPPLIES	40.67
FARREL CHRISTENSEN	MEALS/TRAVEL REIMBURSEMENTS	301.95
FASTENAL COMPANY	SUPPLIES	109.43
FEDEX.	SHIPPING	11.47
FILTERTEC	FILTERS	957.18
FLAGS UNLIMITED	FLAGS	183.84
FOREMAN MEDIA	COUNCIL MTG	100.00
GEAR FOR SPORTS	MERCHANDISE	2,561.63
GOLFBALLSONLY.COM	MERCHANDISE	1,440.00
GRAHAM TIRE CO.	TIRES	215.34
GRAINGER	SUPPLIES	1,801.10
GRAYMONT CAPITAL INC	CHEMICALS	3,682.80
GREGG PETERS	FREIGHT	1,534.00
GREGG PETERS	RENT	937.50
H2 GOLF COMPANY, LLC	MERCHANDISE	292.95
HARLAND TECHNOLOGY SERVICE	MAINTENANCE	1,606.00
HATCH FURNITURE & FLOORING	LIBRARY FURNITURE	867.00
HAWKINS INC	CHEMICALS	1,035.36
HD SUPPLY WATERWORKS	SUPPLIES	6,615.82
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	19,970.42
HEIMAN, INC.	INSPECTION	121.00
HEINE ELECTRIC & IRRIGATION	REPAIRS-WELL #4	8,517.00
HELMS & ASSOCIATES	AIRPORT TAXIWAY	1,763.67
HERREN-SCHEMPP BUILDING	SUPPLIES	109.72
HILLYARD FLOOR CARE SUPPLY	SUPPLIES	61.14
HORNUNGS PRO GOLF	MERCHANDISE	129.69
HY VEE FOOD STORE	SUPPLIES	77.72

ID CARDS UNLIMITED	PATRON ID CARDS	614.40
INDEPENDENCE WASTE	WASTE HAULING	765.00
INGRAM	BOOKS	2,722.65
INTERNATIONAL CODE COUNCIL	MANUALS	512.00
INTERNATIONAL CODE COUNCIL	MEMBERSHIP	125.00
JACKS UNIFORM & EQPT	UNIFORMS	3,215.35
JAY'S PLUMBING	REMODEL-GOLF COURSE	817.62
JOHN A CONKLING DIST.	MERCHANDISE	5,789.23
JOHN C. PRESCOTT	MEALS/TRAVEL REIMBURSEMENT	46.00
JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	17,830.03
JOHNSON CONTROLS	REPAIRS	775.71
JOHNSTONE SUPPLY	PARTS	556.49
JONES FOOD CENTER	SUPPLIES	886.70
JOSE DOMINGUEZ	MEALS REIMBURSEMENT	43.00
KAISER REFRIGERATION	PARTS	92.99
KALINS INDOOR COMFORT	REPAIRS	85.00
KAREN HARRIS	SAFETY GLASSES REIMBURSEMENT	150.00
KARSTEN MFG CORP	MERCHANDISE	1,019.20
KINETICO QUALITY WATER SYSTEMS	SOFTENER	6,390.00
KNOLGY	911 CIRCUIT	1,365.50
KOMLINE-SANDERSON	PARTS	951.07
LAKESIDE EQUIPMENT	PARTS	247.00
LAYNES WORLD	SUPPLIES	18.61
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	1,147.65
LEISURE LAWN CARE	PROFESSIONAL SERVICES	167.20
LESSMAN ELEC. SUPPLY CO	SUPPLIES	638.00
LEUPOLD & STEVENS, INC	MERCHANDISE	547.15
LIBRARY & EDUCATIONAL SERVICE	BOOKS	59.11
LINCOLN MUTUAL LIFE	INSURANCE	456.81
LONGS PROPANE INC	PROPANE	2,042.98
MAGUIRE IRON, INC	WATER STORAGE TANK	13,500.00
MALL OF AMERICA SECURITY DEPT	REGISTRATION	150.00
MALLOY ELECTRIC	PARTS	467.22
MARK KOLLER	MEAL REIMBURSEMENT	9.00
MART AUTO BODY	TOWING	450.00
MATHESON TRI-GAS, INC	OXYGEN	95.36
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,496.00
MEAD LUMBER	SUPPLIES	517.34
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	85.53
MENARDS	SUPPLIES	39.94
MIDWEST ALARM CO	ALARM MONITORING	141.75
MIDWEST BUILDING MAINTENANCE	MAT SVC	485.60
MIDWEST TURF & IRRIGATION	PARTS	1,185.61

MIKKELSEN LIBRARY	BOOK REPLACEMENT COSTS	115.69
MINN MUNICIPAL UTILITY ASSOC	SAFETY MANUALS	189.00
MOORE WELDING & MFG	WIND SCREENS	2,307.00
MURPHS APPLIANCE & TV	REFRIGERATOR/WASHER	1,258.00
N B GOLF LLC	GOLF CARS/BEVERAGE UNIT LEASE	3,824.46
NATL GOLF FOUNDATION	MEMBERSHIP	225.00
NATL REC & PARK ASSOC	MEMBERSHIP	260.00
NCL OF WISCONSIN, INC	SUPPLIES	460.20
NEBR WATER ENVIR. ASSOC	REGISTRATION	540.00
NETSYS+	PROFESSIONAL SERVICES	375.00
NEW YORK LIFE	INSURANCE	94.02
NICHOLAS MARCUS	MEAL/MILEAGE REIMBURSEMENT	126.00
NIKE INC	MERCHANDISE	8,653.91
NORTH CENTRAL RENTAL & LEASING	EQUIPMENT RENTAL	420.00
NORTHERN TRUCK EQPT CORP	PARTS	135.04
NOVELTY MACHINE & SUPPLY	INSPECTION	234.50
OFFICE SYSTEMS CO	COPIER CONTRACT/COPIES	1,429.46
OLSON MEDICAL CLINIC	PRE-EMPLOYMENT PHYSICAL	153.00
OPTICS PLANET INC	SOLAR RADAR SIGN	3,772.00
OTIS ELEVATOR COMPANY	SERVICE CONTRACT	1,063.20
PITNEY BOWES	MAINTENANCE	242.49
PITNEY BOWES, INC	INK CARTRIDGE	122.38
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POSITIVE PROMOTIONS	T-SHIRTS - LIBRARY	88.95
POTOMAC AVIATION TECHNOLOGY	MONITORING FEES	250.00
PRAIRIE BERRY WINERY	MERCHANDISE	870.00
PRESSING MATTERS	ADVERTISING	355.00
PRINT SOURCE	SUPPLIES	1,016.00
PUMP N PAK	FUEL	2,412.77
QUALITY EQUIPMENT AND SERVICE	BLADE SHARPENING	37.50
QUILL	SUPPLIES	1,409.39
RACOM CORPORATION	MAINTENANCE CONTRACT	386.75
RADIANT HEAT, INC	PARTS	130.34
RANDOM HOUSE, INC	BOOKS	127.50
RECORDED BOOKS, INC	BOOKS	531.80
RECYCLING EQUIPMENT MANUF	PARTS	140.99
REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	28,809.88
RESCO	SUPPLIES	242.40
RIVERSIDE HYDRAULICS & LAB	PARTS	449.44
ROB PICKENS	SAFETY BOOTS REIMBURSEMENT	100.00
ROBERT LITKE	AMB PAYMENT REFUND	73.03
RODNEY TIEMAN	MEALS REIMBURSEMENT	9.00
S & S WORLDWIDE, INC	SUPPLIES	32.89

SCHADE'S VINEYARD	MERCHANDISE	432.00
SCHAEFFER MFG. CO	SUPPLIES	595.20
SD ARBORISTS ASSOCIATION	MEMBERSHIP DUES	35.00
SD ASSOC. OF CODE ENFORCEMENT	REGISTRATION	50.00
SD ASSOC. OF RURAL WTR SYSTEMS	REGISTRATION	600.00
SD FEDERAL PROPERTY AGENCY	SUPPLIES	600.00
SD MUNICIPAL STREET MAINT	REGISTRATION	50.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	71,307.47
SD SOLID WASTE MANAGEMENT	REGISTRATION	300.00
SDWWA-	REGISTRATION	130.00
SECURITY SHREDDING SERVICE	SHREDDING SERVICES	350.00
SERVALL TOWEL & LINEN	SHOP TOWELS	29.40
SHORTYS HVAC SUPPLIES LLC	PARTS	810.00
SIOUX FALLS TWO WAY RADIO	SPEAKER MIC	86.64
SIOUXLAND HUMANE SOCIETY	FEES	37.00
SIOUXLAND SCALE SERVICE	REPAIRS	1,006.52
SOOLAND BOBCAT	PARTS	76.04
SPECIAL T'S AND MORE	T-SHIRTS - ELECTRIC DEPT	782.80
STEFFEN	PARTS	98.95
STERN OIL CO.	OIL	744.66
STEVE'S HEATING & A/C INC	REMODEL-GOLF COURSE	397.77
STURDEVANTS AUTO PARTS	PARTS	1,980.89
TAYLOR MADE	MERCHANDISE	5,602.48
THATCHER COMPANY	SODA ASH	7,123.60
THE BOULDER COMPANY	SUPPLIES	88.31
THE EQUALIZER	ADVERTISING	882.35
THE NEW SIOUX CITY IRON CO	SUPPLIES	107.98
THE SUPPLY CACHE	FIREFIGHTER EQUIPMENT	1,417.00
TIGERT ART GALLERY	FRAMING	336.00
TITLEIST DRAWER CS	MERCHANDISE	7,618.06
TONY GLASS	WATER HEATER REBATE	150.00
TOTAL TOOL SUPPLY, INC	PARTS	153.21
TRAF-O-TERIA SYSTEM, INC	PARKING TICKETS	403.77
TREASURER-CLAY COUNTY	STORM TAX	8.03
TRUE VALUE	SUPPLIES	163.35
TUMBLEWEED PRESS INC	SUBSCRIPTION	399.00
TURNER PLUMBING	REPAIRS	2,250.00
UNITED OFFICE SUPPLY	TONER	499.85
UNITED PARCEL SERVICE	SHIPPING	12.00
UNITED WAY	CONTRIBUTIONS	547.80
USD	SPONSOR	100.00
VERIZON WIRELESS	POLICE COMMUNICATIONS	212.11
VERMEER HIGH PLAINS	PARTS	1,121.83

VERMILLION ACE HARDWARE	SUPPLIES	2,350.22
VERMILLION CHAMBER OF COMMERCE	REGISTRATION	90.00
VERMILLION FORD	PARTS	66.41
VERMILLION HIGH SCHOOL	VOLLEYBALL POLE SET	1,500.00
VERMILLION HOUSING AUTHORITY	SUPPORT	7,043.00
VGSA	SPONSOR	200.00
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	7,832.34
WAL-MART COMMUNITY	SUPPLIES	532.58
WALKER CONSTRUCTION	SNOW REMOVAL	486.00
WALKER PROCESS EQUIPMENT	REPAIRS	8,249.84
WELFL CONSTRUCTION CO	LIBRARY EXP/REMODEL	69,807.00
WESCO DISTRIBUTION, INC	SUPPLIES	289.50
WESTECH ENGINEERING, INC	PROFESSIONAL SERVICES	4,372.00
WESTERN IOWA TECH	FIRE SCHOOL REGISTRATION	65.00
WESTERN OFFICE TECHNOLOGIES	SUPPLIES	279.79
WIGMAN CO	PARTS	27.64
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,361.84
YANKTON MEDICAL CLINIC	TESTING	19.00
ZEE MEDICAL SERVICE	SUPPLIES	145.15

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

12. Consensus Agenda - None

13. Adjourn

098-13

Alderman Osborne moved to adjourn the Council Meeting at 8:08 p.m. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 1<sup>st</sup> day of April, 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 \_\_\_\_\_.



# Celebrate Arbor Day

## Proclamation

### Recognizing April 26, 2013 as Arbor Day

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify the community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, BE IT RESOLVED, that we, the governing body of the City of Vermillion, do hereby proclaim April 26, 2013 as **Arbor Day** in Vermillion and urge all citizens to celebrate Arbor Day and support efforts to protect our trees and woodlands.

BE IT FURTHER RESOLVED, that all citizens are urged to plant trees to gladden the heart and promote the well-being of current and future generations.

Dated at Vermillion, South Dakota this 15<sup>th</sup> day of April, 2013.

FOR THE GOVERNING BODY OF THE  
CITY OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer

## *Council Agenda Memo*

**From:** Andrew Colvin, Assistant City Manager

**Meeting:** April 15, 2013

**Subject:** First Reading of Ordinance 1299 – Rezoning Lot 3, Block 7, Erickson Addition to the City of Vermillion from GI General Industrial to GB General Business

**Presenter:** Andrew Colvin

**Background:** The Vermillion Area Chamber and Development Company is planning to construct a building for Eagle Creek Software. The building will be located within the Riverbend Business Park at the corner of Princeton and Bower Streets. Currently, the site for the proposed building is composed of three lots; lots 1 and 2 are adjacent to Princeton Street, lot 3 fronts Bower Street. Lots 1 and 2 are currently zoned General Business, which is the City's general commercial zoning district, and Lot 3 is zoned General Industrial. The proposed office use is permitted in both districts. However, in order to keep a consistent zoning designation for the entire property as one parcel, a rezone is necessary for lot 3.

**Discussion:** Office uses are permitted in both the Industrial and General Business districts, which means this zone change is proposed for consistency. A parcel with split zoning designations could have issues with respect to incompatible uses, title searches, future sale options or even expansion possibilities. Later on tonight's agenda the City Council will consider a plat to combine lots 1-3 into a single parcel. That, in addition to this zone change, would create a single site with a uniform zoning designation.

The Planning Commission considered the zone change on April 8<sup>th</sup> and unanimously recommended approval. Enclosed is a map of the area and notice of public hearing.

**Financial Consideration:** Costs would be incurred for the required legal publications.

**Conclusion/Recommendations:** Administration recommends approval of the first reading of Ordinance 1299.

ORDINANCE NO. 1299

AN ORDINANCE AMENDING TITLE 15 CHAPTER 155 SECTION 155.026, OFFICIAL ZONING MAP FOR THE CITY OF VERMILLION, SOUTH DAKOTA, BY REZONING CERTAIN REAL PROPERTY FROM THE GI GENERAL INDUSTRIAL DISTRICT TO THE GB GENERAL BUSINESS DISTRICT.

BE IT ORDAINED, BY THE GOVERNING BODY OF VERMILLION, SOUTH DAKOTA:

*That Section 155.026 is hereby amended as follows:*

That the following parcel is hereby rezoned from the GI General Industrial District to the GB General Business District and the official zoning map referred to in Section 155.026 of the 2008 Revised Ordinances of the City of Vermillion is amended to include such land in the GB General Business District:

Lot 3 of Block 7, Erickson Addition to the City of Vermillion Clay County, South Dakota

Dated at Vermillion, South Dakota this 6<sup>th</sup> day of May, 2013

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

\_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

\_\_\_\_\_  
Michael D. Carlson, Finance Officer

First Reading: April 15, 2013  
Second Reading: May 6, 2013  
Publication: May 17, 2013  
Effective Date: June 6, 2013

## *Council Agenda Memo*

**From:** John Prescott, City Manager  
**Meeting:** April 15, 2013  
**Subject:** Street closure request for Dakota Days parade  
**Presenter:** Marysa Wilson, USD Dakota Days Committee

**Background:** Every year, the University of South Dakota holds a parade on the streets of Vermillion to celebrate Dakota Days, the University's homecoming. The parade requires closing portions of several streets for most of the morning on the day of the parade.

Bar owners have taken a more active role in monitoring their patrons, during the last four parades, which has helped to minimize past concerns. While it is not a charge of the Dakota Days Committee, it is hoped that bar owners will again actively participate, when possible and appropriate, in controlling their patrons during the parade.

**Discussion:** This year's parade is set to take place on Saturday, October 5, 2013. The route request submitted by the Dakota Days Committee remains relatively similar to previous years. The Dakota Days committee is requesting that the following streets be closed for the duration of the parade, scheduled to last from 8:00 am to 12:30 pm:

- Main Street from Walnut to High Streets (7:30 am – 12:30 pm)
- Main Street from High to Plum Streets (8:00 am – 12:30 pm)
- Plum Street from Main to Clark Streets (9:00 am – 12:30 pm)
- High Street from Main to Clark Streets (9:00 a.m. – 12:30 pm)

In past years, Franklin Street was used as the staging area for bands. For the 2013 parade, the Dakota Days Committee is requesting the closing of High Street for band staging in place of Franklin Street. The 2012 Dakota Days parade chair suggested that High Street would work better than Franklin Street. The 2013 Dakota Days Committee is going to experiment with the suggestion.

The importance of cleaning up after the parade has been made to the applicants. At the time of City Council packet preparation, a student organization responsible for cleanup has not been identified as has been done with past applications. Many years the City Council has made approval conditional upon providing proper clean up after the parade.

The Dakota Days parade request this year also includes a request for No Parking on Austin Street and Kidder Street. City staff asked for information as to why No Parking was needed on Austin and Kidder during the parade when the route does not include these streets. Marysa noted that the No Parking was being requested on these streets so that those helping with the parade or dignitaries could park closer to the parade start.

The police, fire departments, and EMS departments have been notified of the street closings.

**Financial Consideration:** In preparing the 2013 budget, Police Department overtime wages for monitoring this parade route and Street Department overtime wages for setting up and removing barricades for the street closure were included.

**Conclusion/Recommendations:** Administration recommends that the City Council approve a parade route and times which best meet the needs of the community.

Administration does not recommend approval of the No Parking request to remove parking from the general public to provide parking for a particular group of individuals. Clearing the parade route of parked cars, policing needs during the parade, and the ability to determine which cars should and shouldn't be parked on Austin and Kidder Street make it difficult to recommend approval of the No Parking request.

Request to Close Public Street

Requests to close a public street for an event or activity are taken to the City Council for approval. The following application is requested to be submitted to the City Managers office for a street closing one week prior to the Council Meeting.

**REQUEST TO CLOSE CITY STREET  
CITY OF VERMILLION**

This application shall be completed in time to be submitted to the City Council for consideration. City Council meetings are the first and third Mondays of each month. Requests are to be submitted to the City Managers office one week prior to the meeting to be included on the meeting agenda. The proposal shall contain all applicable information relative to the nature and purpose of the event the street closing is requested for, if additional space is needed please attach additional sheets or application letter with the required information.

Organization Requesting Dakota Days Executive Board

Contact Person Marysa Wilson Phone 6052162274

Contact Person Address 118 N Plum St. Vermillion, SD 57069

Event DDays Parade Date(s) of Event October 5, 2013

Street(s) Requesting to be closed (Include a map if needed.) See Attached.

Street \_\_\_\_\_ from ~~\_\_\_\_\_~~ to \_\_\_\_\_

Street Closing Times \_\_\_\_\_ to \_\_\_\_\_

If the street closing requested would affect other residents or businesses have they been notified of the request. Yes  No

Have arrangements been made for clean up after the event and other facilities? Please describe:  
The Dakota Days Committee will be in charge of clean-up.

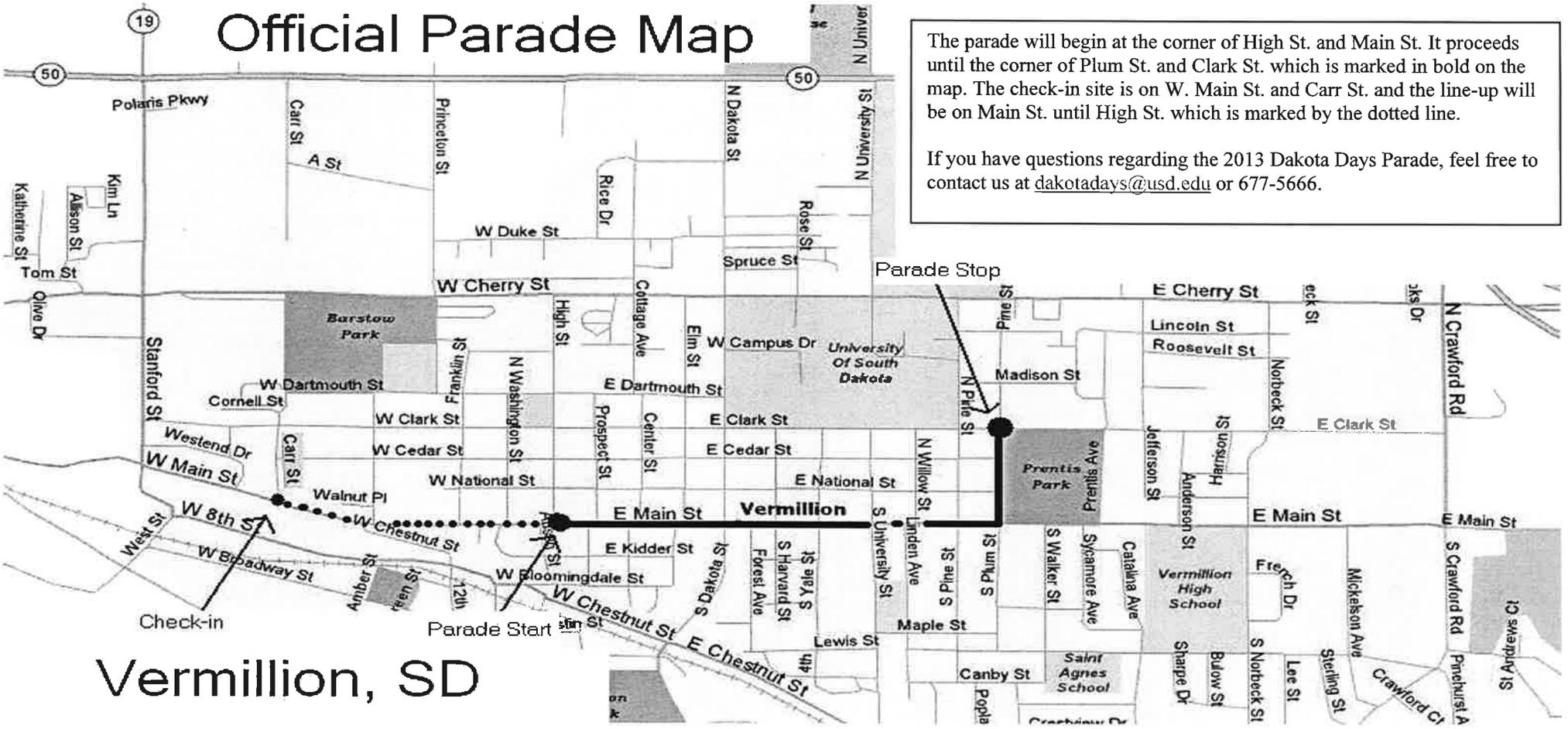
If approved the contact person will need to make arrangements with the Street Department for barricades to properly denote the street closing.

Signature of applicant Marysa Wilson date 4/8/13

# Official Parade Map

The parade will begin at the corner of High St. and Main St. It proceeds until the corner of Plum St. and Clark St. which is marked in bold on the map. The check-in site is on W. Main St. and Carr St. and the line-up will be on Main St. until High St. which is marked by the dotted line.

If you have questions regarding the 2013 Dakota Days Parade, feel free to contact us at [dakotadays@usd.edu](mailto:dakotadays@usd.edu) or 677-5666.



## Vermillion, SD

### Streets that will be closed:

- Main from Walnut to High (7:30 AM – 12:30 PM)
- Plum from Main to Clark (9:00 AM – 12:30 PM)
- High Street from Main to Clark (9 AM – 12:30 PM)
- Main Street From High to Plum St. (8 AM- 12:30 PM)

### Request No Parking:

- On Austin Street (9 AM- 12:30 PM)
- Kidder St. From Washington and Market (9AM- 12:30 PM)

## *Council Agenda Memo*

**From:** Jose Dominguez, City Engineer

**Meeting:** April 15, 2013

**Subject:** Final Plat of Lot 8, Block 7, Erickson Addition to the City of Vermillion, Clay County, South Dakota

**Presenter:** Jose Dominguez

**Background:** Banner Associates has submitted a final plat for Lot 8, Block 7 on behalf of the owner (Vermillion Chamber of Commerce and Development Company). The area to be final platted is roughly 6.12-acres in area and is bordered on the north by Bower Street, on the east by Princeton Avenue and on the south by West Duke Street. The proposed plat will create one lot. This lot is planned for a general-business use.

This plat was reviewed and approved by the Planning Commission at their April 8<sup>th</sup> meeting.

**Discussion:** Staff reviewed the final plat and find that it complies with all code provisions. The applicant will also be dedicating all of the required utility easements around the lot.

Since this is a replat of three existing lots (Lots 1, 2 and 3 of Block 7) all of the existing internal utility easements will need to be vacated. The applicant has contacted the utilities in the area. All of the utilities have replied saying that they are not occupying the easements.

**Financial Consideration:** All associated platting fees have been paid.

**Conclusion/Recommendations:** Administration finds that the final plat meets all of the ordinance requirements and recommends approval of the final plat.

PLAT OF  
LOT 8 OF BLOCK 7 OF ERICKSON ADDITION TO THE CITY  
OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE

I, Nathan W. Nielson, Registered Land Surveyor in the State of South Dakota, do hereby certify that at the direction of VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY, have surveyed and re-platted a tract of land in: LOTS 1, 2 AND 3 OF BLOCK 7; ERICKSON ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

This tract of land shall hereafter be known as LOT 8 OF BLOCK 7 OF ERICKSON ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

I certify that the locations and dimensions as shown on the plat are true and correct to the best of my knowledge, Information and belief and that monuments were set at the corners so indicated. Said survey was surveyed and platted by me or under my direct personal supervision, following generally accepted Professional Standards for Surveying and Platting in the State of South Dakota.

IN WITNESS WHEREOF, I have set my hand and seal the \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

Nathan W. Nielson  
Registered Land Surveyor  
Registration No. 9924  
Banner Associates, Inc.  
14 W. Main St., Suite A  
Vermillion, South Dakota 57069  
Telephone (605) 624-6342

CERTIFICATE OF OWNER

We, VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY, do hereby certify that we are the owners of all land included in the above plat and that the plat has been made at my request and in accordance with my Instructions for the purposes indicated herein.

We, VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY, certify that said plat was made at our request and direction for the purpose of locating, marking, and platting the same, and that said property is free of all encumbrances. We also certify that development of this land shall conform to all existing applicable zoning, subdivision, and erosion and sediment control regulations. It is further provided that any streets, roads, alleys, and/or other easements shown on this plat are hereby, or have been previously, dedicated for the purpose indicated thereon.

We, VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY, certify that this replat will not place any existing lot or building in violation of any applicable ordinance, code, regulation, law including but not limited to zoning, building, subdivision, and flood prevention.

Pursuant to SDCL 11-3-20.1, We further certify that this platting of said described LOT 8 OF BLOCK 7 OF ERICKSON ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA does hereby vacate the following platting:

LOTS 1, 2 AND 3 OF BLOCK 7; ERICKSON ADDITION, AS PLATTED IN THE PLAT OF BLOCK 4; LOTS 2-5 & OUTLOT B, BLOCK 6; & LOTS 1-7, BLOCK 7; ERICKSON ADDITION, TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, FILED ON JUNE 20, 2008 IN BOOK 7 OF PLATS ON PAGE 589 THEREOF.

IN WITNESS WHEREOF, I have set my hand the \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_.

GERALD TRACY, PRESIDENT  
VERMILLION CHAMBER OF COMMERCE & DEVELOPMENT COMPANY

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } SS

On the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before the undersigned officer, personally appeared GERALD TRACY, PRESIDENT, VERMILLION CHAMBER OF COMMERCE AND DEVELOPMENT COMPANY, known to me or satisfactorily proven to be the person(s) whose name are subscribed to the within instrument and acknowledged that he/she executed the same for the purposes therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public My Commission Expires \_\_\_\_\_

VERMILLION CITY COUNCIL RESOLUTION

WHEREAS, it appears that the owner(s) thereof has/have caused a plat to be made of the following described real property: Plat of LOT 8 OF BLOCK 7 OF ERICKSON ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

BE IT RESOLVED, that the attached and foregoing plat has been submitted to and a report and recommendation hereon, made by the Vermillion Planning Commission to the Vermillion City Council and has recommended approval.

BE IT FURTHER RESOLVED, that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion, which has examined the same; that it appears the system of streets and alleys set forth therein conforms to the system of streets and alleys of Vermillion; that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid; that such plat and survey thereof have been executed according to law; the same is hereby accordingly approved. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Mayor, City of Vermillion, South Dakota

I, the undersigned Finance Officer of the City of Vermillion, South Dakota, do hereby certify that the within and foregoing is a true copy of the resolution passed by the City Council of the City of Vermillion, South Dakota on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Finance Officer, City of Vermillion, South Dakota

CERTIFICATE OF COUNTY TREASURER

The undersigned, County Treasurer of Clay County, South Dakota, hereby certifies that all taxes that are liens upon the land included in the above plat, as shown by the records of this office, have been fully paid. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Treasurer, Clay County, South Dakota

CERTIFICATE OF DIRECTOR OF EQUALIZATION

The undersigned, Director of Equalization of Clay County, South Dakota, hereby certifies that I have received a copy of the foregoing plat. Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Director of Equalization, Clay County, South Dakota

CERTIFICATE OF REGISTER OF DEEDS

Filed for record this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, \_\_\_\_\_ o'clock \_\_\_\_\_ M, and recorded in Book \_\_\_\_\_ of Plats, on page \_\_\_\_\_.

\_\_\_\_\_  
Register of Deeds, Clay County, SD

PREPARED BY:  
BANNER ASSOCIATES, INC.  
VERMILLION, SOUTH DAKOTA  
(605) 624-6342  
MARCH 2013

# PLAT OF LOT 8 OF BLOCK 7 OF ERICKSON ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

  
 GRID BEARING  
 SCALE: 1" = 100'

**VACATION NOTICE:**  
 THIS PLAT SHALL VACATE LOTS 1, 2 AND 3 OF BLOCK 7; ERICKSON ADDITION, AS PLATTED IN THE PLAT OF BLOCK 4; LOTS 2-5 & OUTLOT B, BLOCK 6; & LOTS 1-7, BLOCK 7; ERICKSON ADDITION, TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, FILED ON JUNE 20, 2008 IN BOOK 7 OF PLATS ON PAGE 589 THEREOF.



**VICINITY MAP**

**LEGEND**

- MONUMENT SET THIS SURVEY (5/8" REBAR WITH STAMPED PLASTIC CAP)
- MONUMENT FOUND
- ~~~~~ PROPERTY LINE VACATED BY THIS PLAT
- ////// EXISTING 8' UTILITY EASEMENT NOT VACATED BY THIS PLAT
- - - - - EXISTING 8' UTILITY EASEMENT TO BE VACATED BY THIS PLAT



PREPARED BY:  
 BANNER ASSOCIATES, INC.  
 VERMILLION, SOUTH DAKOTA  
 (605) 624-6342  
 MARCH 2013

## *Council Agenda Memo*

**From:** John Prescott, City Manager

**Meeting:** April 15, 2013

**Subject:** Resolution to Create Tax Increment District Number Five on Lot 8, Block 7, Erickson Addition

**Presenter:** John Prescott

**Background:** With the previous agenda item, the City Council may approve the plat of Lot 8, Block 7 Erickson Addition. The Vermillion Area Chamber and Development Company is planning to construct a building for Eagle Creek Software on this lot. The building will be located within the Riverbend Business Park at the southwest corner of the intersection of Princeton and Bower Streets. In order to assist the VCDC with development costs, the city is creating a tax increment district for site development costs.

**Discussion:** The first step in the process is a public hearing before the Planning Commission. The hearing was advertised and notice was sent to the School Board and County Commission as required by statute. The Planning Commission considered the creation of the tax increment district on April 8<sup>th</sup> and unanimously forwarded a recommendation of approval. Enclosed is a map of the area listed in the notice of public hearing.

The City Council is only creating the TIF district with this resolution. If the district is created, a TIF plan will be developed and presented to the Planning Commission and City Council. The TIF plan will detail the proposed funding uses and timeframe.

**Financial Consideration:** None

**Conclusion/Recommendations:** Administration recommends approval of the resolution creating Tax Increment District 5.

**RESOLUTION CREATING CITY OF VERMILLION  
TAX INCREMENTAL DISTRICT NUMBER FIVE**

**WHEREAS**, on April 8, 2013, the Vermillion Planning Commission, in accordance with the requirements of SDCL 11-9-3, held a Public Hearing on the creation of a Tax Increment District in a portion of the Riverbend Business Park; and

**WHEREAS**, the proposed new tax increment district is located in a portion of Tax Incremental District Number Three that was dissolved by resolution on March 18, 2013; and

**WHEREAS**, on April 8, 2013, the Vermillion Planning Commission did adopt for recommendation a motion designating a tax incremental district defined by the following boundary:

Lots 1, 2 & 3 Block 7 Erickson Addition to the City of Vermillion, Clay County, South Dakota, that was replatted to Lot 8, Block 7 Erickson Addition to the City of Vermillion, Clay County, South Dakota; and

**WHEREAS**, the City Council finds that:

- (1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11; and
- (2) The improvement of the area is likely to significantly enhance the value on all of the other real property in the district.

**WHEREAS**, the City Council finds that the aggregate assessed value of the taxable property in this district plus all other existing districts does not exceed 10% of the total assessed value of the taxable property within the City of Vermillion, Clay County, South Dakota; and

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Vermillion, that Tax Incremental District Number Five is hereby created in the City of Vermillion, and that such District boundary shall be designated as:

Lot 8, Block 7 Erickson Addition to the City of Vermillion, Clay County, South Dakota.

Dated at Vermillion, South Dakota this 15<sup>th</sup> day of April, 2013.

FOR THE GOVERNING BODY OF THE  
CITY OF VERMILLION, SOUTH DAKOTA

ATTEST:

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer

## *Council Agenda Memo*

**From:** Jose Dominguez, City Engineer  
**Meeting:** April 15, 2013  
**Subject:** Consultant Selection for the 2015 Mill and Overlay Project  
**Presenter:** Jose Dominguez

**Background:** West Main Street from High to Stanford Street was last overlaid in 1984, and chip sealed in 2004. The City is proposing a project which would mill and overlay this portion of West Main Street during the 2015 construction season.

At the January 21, 2013 meeting the City Council approved a resolution which placed the 2015 Mill and Overlay project in the STP fund program with the SDDOT. This allows a portion of the STP fund to be utilized for the project, while the other portion used to pay for the project would be City 2<sup>nd</sup> Penny funds.

**Discussion:** In order to keep the project on schedule, the DOT requested that the City choose a consultant for the project. Staff sent a request for proposals (RFP) to five engineering firms from the area that had already been prequalified by the DOT for DOT type work. The RFP sent out required that the consultants send a proposal to the City and that the consultant would be chosen based on a Qualification Based Selection (QBS). This selection process doesn't take into consideration any cost factors and only looks at qualifications, scheduling, past experiences, etc. This method was used due to the fact that once the City chooses the consultant the DOT requests a project cost from the consultant. This would be the cost used when creating the contract.

From the RFP's sent, the City received four proposals. The proposals were rated on the ability of the personnel, past performances and willingness to meet the schedule. The consultant could only get so many points per category, and whoever received the most points would be the recommended consultant. The proposals were reviewed by four staff members.

**Financial Consideration:** At this point there is no cost associated with the project. The project will be budgeted for 2015 construction season.

**Conclusion/Recommendations:** Administration recommends that the City Council select Sayre Associates for the 2015 Mill and Overlay project. Staff will contact the DOT with the City Council's decision.

## *Council Agenda Memo*

**From:** John Prescott, City Manager

**Meeting:** April 15, 2013

**Subject:** Library Change Order #6

**Presenter:** John Prescott

**Background:** On February 6, 2012, the City Council awarded a \$2,375,000 contract to Welfl Construction of Yankton for the addition and renovation of the Vermillion Public Library. Construction began in April 2012 and should be completed by April 1, 2013. The City Council has approved five previous change orders. The change orders, price adjustments and descriptions are:

- #1 Correct size south entrance doors at a cost of \$507 but not the architect's 8% fee
- #2 Different carpet in the Young Adult room and fireplace tile at a cost of \$1,457 plus the 8% architect's fee. This change order was funded by the Library Board.
- #3 Changing from carpet to sheet vinyl in one area and a custom color for exterior column covers which did not impact the contract cost; Additional steel for the east stairwell added \$436, removal of an old foundation added \$1,958 and raising a ceiling added \$984. Only the foundation would have included the architect's fee.
- #4 Removal of a section of sidewalk which decrease the contract by \$749; Revision of electric and data in the tech center which decreased the contract by \$1,140; provision of temporary electric and data at the interim circulation desk increased the contract by \$4,268; and raising the four rows of pendant lights which added \$3,188 to the contract price.
- #5 Deduct replacing cedar soffit for a \$1,100 contract decrease; replace window glazing for a contract increase of \$4,613; and replace duct board in original building with insulated metal ducts for a contract increase of \$17,052.

**Discussion:** Change Order #6 is for one item. The original contract included patching of the freestanding wall on which the current bike racks are located. The freestanding wall is located just south of the southwest corner (community room) of the original building.

Over the last couple of months, the City, Library architect and contractor have been evaluating options to replace the wall and bike racks in an affordable manner. The contractor has provided a cost estimate on at least three different proposals. The initial option was approximately \$20,000. Changes have been made to the plan to develop Change Order #6 which has a cost of \$8,623.

The proposal includes the use of bike racks which were constructed and donated by Masaba at the direction of the downtown merchant's group. Unfortunately, the bike racks are slightly larger than the space typically available on downtown sidewalks for non-pedestrian uses.

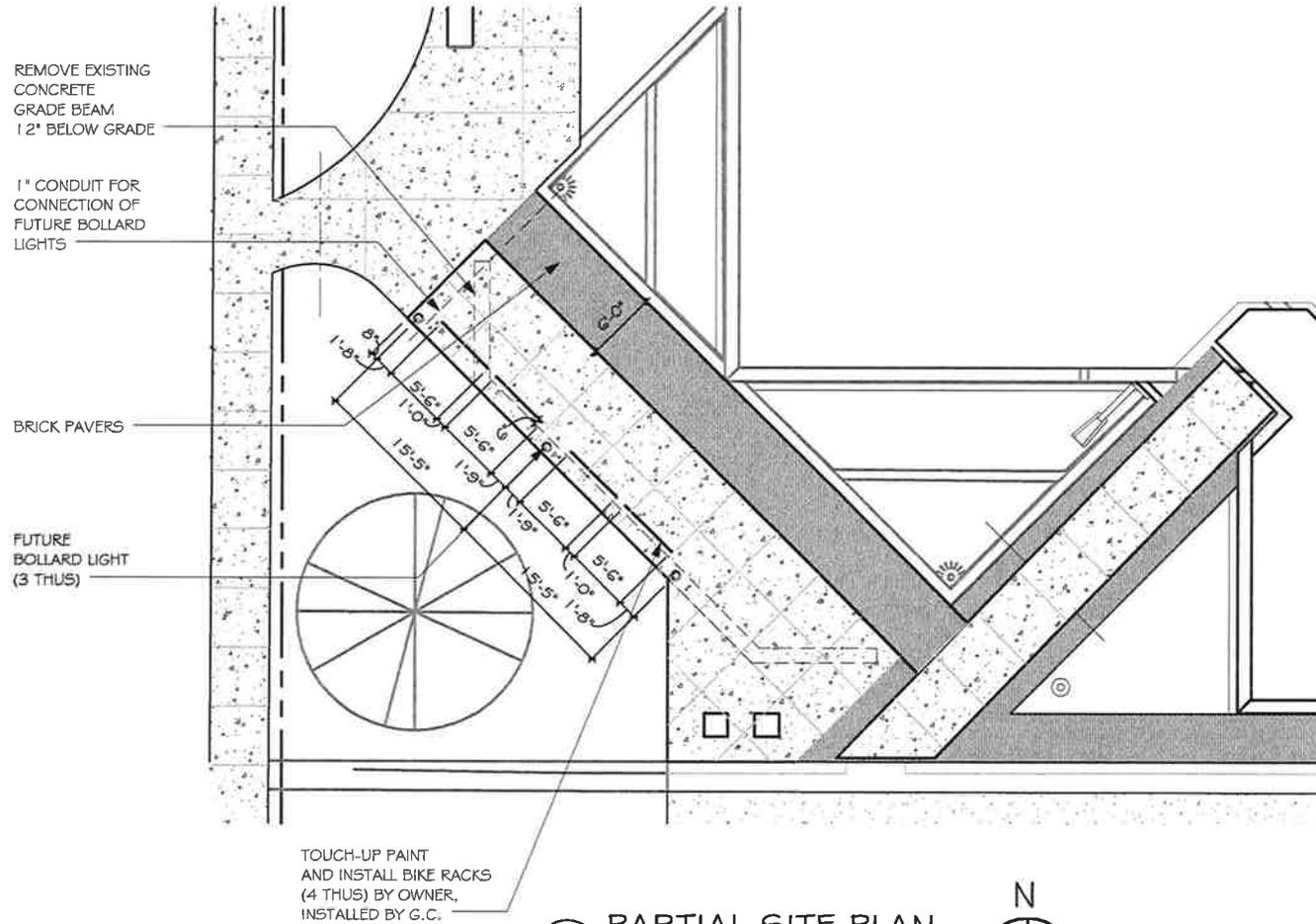
Removal of the existing wall and installation of the new bike racks are not needed from a construction standpoint to complete the project. Replacement of the current wall is being suggested as the existing wall will be in poor condition after is it patched and the proposal will help open up the appearance of the library. Removing the wall will also remove a dark spot that could potentially create an unsafe environment at some point.

The total cost for Change Order #6 with the architect's 8% fee included is \$9,312. The Library Board discussed bike rack change orders during their February 21, 2013 meeting. The Board voted to provide \$5,000 of funding to the City for a Change Order to remove the wall and install new bike racks. A drawing of the proposed project is included.

**Financial Consideration:** The construction project is funded by \$1.4 million of 2<sup>nd</sup> Penny Sales tax funds, a \$200,000 CDBG award, CDs from the Library Board and over \$1 million in contributions from Edith Siegrist. The architect's fee, site testing and other items are outside of the bid amount but are project costs that have to be funded. The Library Foundation has also raised approximately \$200,000 for furnishings that are also outside the bid package.

The contingency fund on this project was \$118,785 and is for items that arise during construction. Adoption of Change Orders #1, 3, 4 and 5 have reduced the contingency balance to \$86,408. Adoption of Change order #6 will reduce the contingency balance to \$77,096. The remaining project contingency fund will provide adequate funding for landscaping, and other items that are being considered such as irrigation, sod, an automated exterior door system like City Hall, and other miscellaneous costs that might arise in completing the building.

**Conclusion/Recommendations:** Administration recommends adoption of Change Order #6 to remove the existing wall and replace it with a series of bike racks.



DRAWING

SD 12

Project Vermillion Public Library Addition and Remodel

number	0412.2256.10	drawn	RAG	checked	ESS
date	8/27/12	revision	1/28/12	12/10/12	3/28/13

Architecture Incorporated

415 south main avenue, sioux falls, south dakota 57101 (605)339-1711



# WCC Welfl Const. Corp.

800 West 23rd, P.O. Box 60 □ Yankton, SD 57078-0060  
□ Phone: 605-665-3258 □ Fax: 605-665-9384  
□ E-mail: welfl@iw.net



March 29, 2013

Architecture Inc.  
ATTN: Liz Squyer  
PO Box 2140  
Sioux Falls, SD 57101-2140

Re: Vermillion Library Addition, Vermillion, SD  
Welfl Project No. 32-299

Dear Liz:

Attached you will find our breakdown for RFC #08R1 for the above referenced project, costs associated with modifications to the bike rack area, in the amount of Eight Thousand, Six Hundred Twenty-Three Dollars (\$8,623.00).

If you have any questions, please contact our office. Thank you.

Sincerely,

Welfl Construction Corp.

A handwritten signature in black ink, appearing to read "K. Schulz".

Kevin Schulz

Attachments

RECEIVED

APR 01 2013

ARCHITECTURE



**RFP**

**To:** Liz Squyer  
Architecture Inc.  
335 N. Main  
PO Box 2140  
Sioux Falls, SD 57101-2140  
Ph: (605)339-1711 Fax: (605)339-2331

**Number:** RFC 08R1  
**Date:** 3/29/13  
**Job:** 32-299 Vermillion Library  
**Phone:**

**Description:** Bike Rack Area Modifications

We are pleased to offer the following specifications and pricing to make the following changes:

This is a revision from RFP's 10 and 17.

This revision leaves 6'-0" wide by 50'-0" length of existing pavers in place.  
The wall will be removed.  
The wall foundation will remain.  
New concrete to be installed at the wall area.  
4 bike racks installed, bike racks provided by owner  
Electrical conduit stubbed out past the wall area for future lighting.

The total amount to provide this work is ..... \$8,623.00

The schedule is not affected by this change.

If you have any questions, please contact me at (605)665-3258.

Submitted by: Kevin Schulz  
Welfl Construction Corporation

Approved by: \_\_\_\_\_  
Date: \_\_\_\_\_

Cc:

32-299 Vermillion Library

RFP - RFC 08R1  
 Bike Rack Area Modifications

Welfl Construction Corporation

Print Date 3/29/2013

<u>Number</u>	<u>Date</u>	<u>Description</u>	<u>Labor</u>	<u>Material</u>	<u>Sub</u>	<u>Total</u>
RFC 08R1	3/29/13	<b>Bike Rack Area Modifications</b>				
		<i>Demolition</i>	650.00	290.00		940.00
		<i>Unit Pavers</i>	550.00	125.00		675.00
		<i>Concrete</i>	500.00	1,565.00		2,065.00
		<i>Unit Masonry</i>			-1,200.00	-1,200.00
		<i>Misc Steel work</i>	200.00	250.00		450.00
		<i>Painting</i>			300.00	300.00
		<i>Electrical</i>			3,325.00	3,325.00
		<i>Labor Burden</i>				779.00
		<i>Sales Tax</i>				134.00
		<i>Bond</i>				63.00
		<i>Builders Risk</i>				12.00
		<i>Overhead- Gen</i>				255.00
		<i>Overhead - Sub</i>				73.00
		<i>Indirect Cost &amp; Fee-Gen</i>				428.00
		<i>Indirect Cost &amp; Fee -Sub</i>				151.00
		<i>Excise Tax</i>				173.00

Total Price RFP - RFC 08R1

**\$8,623.00**

## *Council Agenda Memo*

**From:** John Prescott, City Manager

**Meeting:** April 15, 2013

**Subject:** Capital Improvement Plan

**Presenter:** John Prescott

**Background:** At the March 18, 2013 Noon City Council meeting, staff presented a Capital Improvement Plan for City Council discussion and review. Since the presentation, typographical and other errors have been corrected.

**Discussion:** The Capital Improvement Plan does not allocate funding for any particular project. One of the goals of the Capital Improvement Plan is to present ideas to the City Council and community about projects that may be undertaken in the next five years. For example, some of larger projects in the 2013-17 CIP which are proposed to be included in the 2014 budget are:

- Fire Department breathing apparatus replacement - \$70,000
- Street Maintenance work - \$118,000
- Electrical system breakers and system upgrades - \$900,000
- Additional electrical system circuit - \$335,000
- Begin swimming pool replacement - \$5,000,000

There are many other projects included in the CIP for 2014 which are not as costly but will also be beneficial to the community. It may or may not be possible to fund all of the projects included in the CIP in the given budget year. Nonetheless, it is important for the City Council to identify projects for staff to work toward accomplishing. The Capital Improvement Plan will than assist the City Council and staff with planning future budgets. In some instances, the document may help with grant applications as it shows the City is planning for projects to take place.

**Financial Consideration:** None at this time.

**Conclusion/Recommendations:** Administration recommends adoption of the Capital Improvement Plan.

# **City of Vermillion**

## **Capital Improvement Plan**

**March 2013**

## POLICY AND ADMINISTRATION

### GENERAL GOVERNMENT, FINANCE, ENGINEERING, CODE & COMMUNITY



	2013	2014	2015	2016	2017	TOTAL
<b><u>ENGINEERING</u></b>						
Wayfinding Signs (BBB)	\$25,000					
<b>TOTAL</b>	<b>\$25,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$25,000</b>
<b><u>FINANCE</u></b>						
Computer Network and Email Server		\$5,500				
Computer Accounting Server				\$6,000		
<b>TOTAL</b>	<b>\$0</b>	<b>\$5,500</b>	<b>\$0</b>	<b>\$6,000</b>	<b>\$0</b>	<b>\$11,500</b>
<b>TOTAL POLICY AND ADMINISTRATION</b>						<b>\$36,500</b>

# SAFETY AND SECURITY

## EMERGENCY COMMUNICATIONS, EMERGENCY MANAGEMENT, FIRE & POLICE

### EMERGENCY COMMUNICATIONS

	2013	2014	2015	2016	2017	TOTAL
Third Dispatch Station	\$55,000					
Phone and Radio recording system		\$26,000				
New Raised Flooring Tiles		\$7,000				
<b>TOTAL</b>	<b>\$55,000</b>	<b>\$33,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$88,000</b>

### FIRE

Fire Department Equipment	\$16,000	\$16,000	\$16,000	\$16,000	\$16,000	
Personal Protective Clothing	\$16,300	\$40,000				
Breathing Apparatus		\$70,000	\$70,000			
SCBA Air Compressor/Fill Station				\$35,000		
Thermal Camera		\$10,000	\$10,000			
<b>TOTAL</b>	<b>\$32,300</b>	<b>\$136,000</b>	<b>\$96,000</b>	<b>\$51,000</b>	<b>\$16,000</b>	<b>\$331,300</b>

### POLICE PATROL

	2013	2014	2015	2016	2017	TOTAL
Police Dept Equipment	\$28,500					
Tactical Response Upgrade		\$34,500				
Digital Evidence Server			\$12,000			
Tazer Upgrade			\$12,000			
Covert Recording Equipment *	\$5,000					
Training Room Update		\$6,000				
In Car-Video Upgrade			\$15,000			
Mobile Digital Speed Signage *	\$3,700		\$7,500			
Notebook Transition				\$15,000		
Land Acquisition/Design for New Bldg					\$200,000	
<b>TOTAL</b>	<b>\$37,200</b>	<b>\$40,500</b>	<b>\$46,500</b>	<b>\$15,000</b>	<b>\$200,000</b>	<b>\$339,200</b>

\* Possible Grant Funding

**TOTAL SAFETY AND SECURITY**

**\$758,500**

## MAINTENANCE AND TRANSPORTATION

### AIRPORT, SERVICE CENTER & STREET

#### AIRPORT

	2013	2014	2015	2016	2017	TOTAL
Airport Improvements (7% City Share)	\$4,500	\$6,000	\$1,200	\$23,700	\$3,000	
<b>TOTAL</b>	<b>\$4,500</b>	<b>\$6,000</b>	<b>\$1,200</b>	<b>\$23,700</b>	<b>\$3,000</b>	<b>\$38,400</b>

#### SERVICE CENTER

Annex Building					\$250,000	
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$250,000</b>	<b>\$250,000</b>

#### STREET

Street Maintenance	\$117,500	\$118,000	\$118,000	\$120,000	\$125,000	
Concrete Projects	\$75,000	\$60,000	\$60,000	\$60,000	\$60,000	
West Main Street Mill & Overlay			\$900,000			
Main Street Traffic Signals				\$500,000		
Walk Behind Paint Striper			\$15,000			
Vinyl Lettering Machine			\$6,000			
Snow Plow for Dump Truck				\$15,000		
Snow Box for Dump Truck				\$11,000		
Asphalt Router				\$10,000		
Storage Building					\$25,000	
Grapple Forks		\$8,500				
Pallet Forks		\$4,500				
<b>TOTAL</b>	<b>\$192,500</b>	<b>\$191,000</b>	<b>\$1,099,000</b>	<b>\$716,000</b>	<b>\$210,000</b>	<b>\$2,408,500</b>

#### MECHANICS GARAGE

Used Sweeper			\$5,000			
Gas Pumps, Readers and Software				\$16,000		
Tool Box					\$7,000	
<b>TOTAL</b>	<b>\$0</b>	<b>\$0</b>	<b>\$5,000</b>	<b>\$16,000</b>	<b>\$7,000</b>	<b>\$28,000</b>

**TOTAL MAINTENANCE AND TRANSPORTATION**

**\$2,724,900**

# UTILITIES

## ELECTRIC, WATER, & WASTEWATER

### ELECTRIC

	2013	2014	2015	2016	2017	TOTAL
New Construction & Conversion	\$215,000	\$215,000	\$225,000	\$225,000	\$225,000	
AMR & Meter Disconnects & Billing			\$350,000	\$350,000		
One Vista Style Switch	\$35,000	\$35,000				
115 KV Breakers & Substation Upgrades	\$236,000	\$900,000	\$28,000	\$28,000		
New Substation NE Side of Town					\$3,596,000	
Load Management Upgrade			\$20,000			
Street Lighting Upgrade				\$250,000	\$250,000	
Add Circuit B-5 (SE of Main St.)		\$335,000				
Add Circuit C-5 (SW - Cherry & Stanford)				\$257,000		
Trouble Spot Work System			\$100,000			
<b>TOTAL</b>	<b>\$486,000</b>	<b>\$1,485,000</b>	<b>\$723,000</b>	<b>\$1,110,000</b>	<b>\$4,071,000</b>	<b>\$7,875,000</b>

**TOTAL ELECTRIC**

**\$7,875,000**

## HUMAN DEVELOPMENT AND LEISURE

### LIBRARY, ARMORY, PARKS & RECREATION

#### LIBRARY

	2013	2014	2015	2016	2017	TOTAL
New Library Materials	\$94,000	\$96,000	\$98,000	\$100,000	\$102,000	
Addition/Renovation Construction	\$640,000					
Library Parking Lot Expansion		\$310,000				
<b>TOTAL</b>	<b>\$734,000</b>	<b>\$406,000</b>	<b>\$98,000</b>	<b>\$100,000</b>	<b>\$102,000</b>	<b>\$1,440,000</b>

#### ARMORY

New Boiler	\$50,000					
<b>TOTAL</b>	<b>\$50,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$50,000</b>

#### PARKS AND RECREATION

	2013	2014	2015	2016	2017	
Renovate South Barstow Restroom		\$30,000				
Swimming Pool Replacement		\$5,000,000				
Parks Garage			\$60,000			
Softball Complex Lights					\$225,000	
Prentis Park Restroom/House removal		\$110,000				
Cotton Park Restroom			\$100,000			
Lions Park Restroom				\$100,000		
Barstow Park Restroom					\$100,000	
Soccer Complex				\$200,000		
<b>TOTAL</b>	<b>\$0</b>	<b>\$5,140,000</b>	<b>\$160,000</b>	<b>\$300,000</b>	<b>\$325,000</b>	<b>\$5,925,000</b>

**TOTAL HUMAN DEVELOPMENT & LEISURE** **\$7,415,000**

## WASTEWATER

### WASTEWATER COLLECTION

	2013	2014	2015	2016	2017	TOTAL
Manhole rehab	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000	
Lift Station Assessment	\$5,000					
Recoat Lift Station #2		\$50,000				
Slip Lining Under W. Main			\$375,000			
NE Pump Station				\$300,000		
Transfer Switches for Generators	\$12,000					
<b>TOTAL</b>	<b>\$57,000</b>	<b>\$90,000</b>	<b>\$415,000</b>	<b>\$340,000</b>	<b>\$40,000</b>	<b>\$942,000</b>

### WASTEWATER TREATMENT

Install Back-Up Boiler	\$190,000					
Four Oxygen Meters/Analyzers for Basins		\$20,000				
Replace Digester Bldg Lower Roof		\$25,000				
Natural Gas to Treatment Plant			\$75,000			
Phosphorus Removal					\$275,000	
Plant Generator Replacement					\$125,000	
Replace Boiler/Heat Exchanger				\$200,000		
<b>TOTAL</b>	<b>\$190,000</b>	<b>\$45,000</b>	<b>\$75,000</b>	<b>\$200,000</b>	<b>\$400,000</b>	<b>\$910,000</b>

**TOTAL WASTEWATER**

**\$1,852,000**

## WATER

### WATER TREATMENT

	2013	2014	2015	2016	2017	TOTAL
Softeners for Soda Ash Makeup water	\$8,000					
Replace Roof Membrane on Org. WTP		\$30,000				
Reservoir Painting (Inside Ceiling)			\$35,000			
Install Air-Wash System on WTP Filters			\$50,000			
W. Broadway St. Water Main Replace	\$28,000					
Carr Street Water Main Replace		\$15,000				
Franklin Street Water Main Replace				\$8,000		
Cornell, Olive, Kennedy, Main Replace	\$24,000					
Luxemburg St. Water Main Replace				\$8,000		
100,000 Gallon Tower Demolition			\$75,000			
Radio Read System for Meter Reading					\$270,000	
New Well			\$50,000			
New Water Tower	\$1,040,000					
New Water Meters	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
New Fire Hydrants	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	
<b>TOTAL</b>	<b>\$1,145,000</b>	<b>\$90,000</b>	<b>\$255,000</b>	<b>\$61,000</b>	<b>\$315,000</b>	<b>\$1,866,000</b>

**TOTAL WATER**

**\$1,866,000**

## SPECIAL FUNDS



### GOLF COURSE

	2013	2014	2015	2016	2017	TOTAL
Maintenance Shop Re-Roof	\$22,000					
<b>TOTAL</b>	<b>\$22,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$22,000</b>

### STORMWATER

Miscellaneous System Repairs	\$25,000	\$25,000	\$25,000	\$25,000		
Storm Drainage Study	\$30,000	\$15,000				
<b>TOTAL</b>	<b>\$55,000</b>	<b>\$40,000</b>	<b>\$25,000</b>	<b>\$25,000</b>	<b>\$0</b>	<b>\$145,000</b>

**TOTAL SPECIAL FUNDS**

**\$167,000**

# SOLID WASTE

## CURBSIDE & JOINT POWERS

### CURBSIDE RECYCLING

	2013	2014	2015	2016	2017	TOTAL
Hydraulic Trailer			\$38,000			
Replace 4x4 pickup		\$30,000				
Replace Truck **		\$125,000				
<b>TOTAL</b>	<b>\$0</b>	<b>\$155,000</b>	<b>\$38,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$193,000</b>

### JOINT POWERS LANDFILL/RECYCLING CENTER

Replace 4x4 pickup			\$32,000			
Replace 2010 4x4 pickup				\$38,000		
AWS Landfill Program		\$5,000				
Replace Scraper			\$850,000			
Replace Roll off truck			\$145,000			
Roll Off Container	\$10,000			\$15,000		
Replace Loader					\$220,000	
Replace Dozer with GPS			\$750,000			
Roll Off Truck ***	\$50,000			\$125,000		
Mower ***	\$5,500					
Loader (2012) ***	\$135,000					
Replace 2012 Motor Grader					\$320,000	
Loader (2009) ***	\$95,000					
Equipment Rental	\$30,000	\$30,000	\$30,000	\$30,000		
Landfill Baler ***	\$850,000					
Landfill Baler Building ***	\$650,000					
Cell 5 Construction/Leachate Pond *	\$522,200	\$1,839,000				
Closure Cell 2/3 Testing		\$9,000				
Replace 2003 Pickup			\$31,000			
Replace 2011 4x4 pickup				\$32,000		
Replace Recycling Center Bobcat	\$35,000					
Recycling Center Sort Line **		\$150,000				
Recycling Trailer			\$9,000		\$10,000	
Recycling Center Remodel **		\$200,000				
Forklift (Recycling)			\$25,000			
<b>TOTAL</b>	<b>\$2,382,700</b>	<b>\$2,233,000</b>	<b>\$1,872,000</b>	<b>\$240,000</b>	<b>\$550,000</b>	<b>\$7,277,700</b>
Not Fire Related	\$595,210					
Fire Related	\$1,785,500					

\* Grant funding

\*\* Expenses pending future recycling options discussions

\*\*\* Expenses include Insurance Company funding

**TOTAL SOLID WASTE**

**\$7,470,700**

## *Council Agenda Memo*

**From:** Jason Anderson, Assistant City Engineer

**Meeting:** April 15, 2013

**Subject:** Tractor Lease for Street and Solid Waste - Fred Haar Co.

**Presenter:** Jason Anderson

**Background:** The City has again been approached by Fred Haar Co., a John Deere dealership in Yankton, South Dakota, about leasing two (2) tractors to the City for approximately eight months. John Deere has a governmental lease program that will lease the tractors to a governmental agency for up to eight (8) months or two hundred fifty (250) hours with the hourly lease payment being made by the local John Deere dealership. The dealership can purchase the tractors at governmental discount pricing and, after the lease is up, has a nearly new low hour tractors for their inventory. The City would be responsible only for insurance and normal maintenance and repairs during the lease period.

**Discussion:** The tractors, one of which has a front end loader, would be used by the Street and Solid Waste departments. The Street Department would primarily use the tractor for mowing and the landfill would primarily use the tractor for working in the compost pile. By using the leased tractors, hours would not be put on other city owned tractors or wheel loaders. Fred Haar Co. has used this program with the SD Department of Transportation, counties, and other cities including the City of Vermillion for the last two years.

**Financial Consideration:** The cost of insurance has been estimated at \$200 for each tractor. Routine maintenance, such as an oil changes, may be necessary depending on the hours put on each tractor.

**Conclusion/Recommendations:** Administration recommends approval of the lease agreement with Fred Haar Co. for the lease of two John Deere tractors for eight (8) months or two hundred fifty (250) hours.

# SOUTH DAKOTA JOHN DEERE TRACTOR AGREEMENT WITH FRED HAAR CO

CITY OF VERMILLION, South Dakota agrees to rent 6170R TRACTOR , H380 LOADER from John Deere Company through Fred Haar Co., Inc. for a term of **8 months** with delivery to begin approximately 30 APRIL 2013 through 20NOVEMBER 2013 with a base payment of \$0.00 for up to 250 hours.\* Any other payments will be the responsibility of Fred Haar Co your servicing John Deere dealer.

\*The hourly rate is \$0.00 up to 250 Hours, (\$45.00 per hour after 250 hours to be paid by the City of Vermillion).

CITY OF VERMILLION, South Dakota will be responsible for excessive wear or damage to tires, glass and finish, and any abuse or neglect of units will be the Agency's responsibility.

CITY OF VERMILLION, South Dakota is responsible for normal maintenance and repairs not covered under manufacturer's standard warranty, (such as but not exclusive to) oil and filters at required maintenance intervals.

CITY OF VERMILLION, South Dakota is responsible for liability, and property insurance. Fred Haar Co will be the loss payee for claims related to tractor damages. Equipment will only be used for business, commercial, state, county or municipality purposes. No personal use is permitted. Dealer agrees to provide loaner tractor if the unit is unavailable for use for more than 7 calendar days.

Please sign and date below to acknowledge the terms and conditions of this rental agreement.

(Agency name) CITY OF VERMILLION\_\_\_\_\_

(Signature) \_\_\_\_\_

(Date) \_\_\_\_\_

**Delivery and Billing**      **Location:**  
(Address)                      25 CENTER ST  
(Address line 2)              VERMILLION, SD 57069  
(Contact Name)                BOB IVERSON  
(Contact Phone)                605-677-7076  
(Contact Fax)

**Dealer Information:**      Fred Haar Co., Inc.  
(Address)                      2200 E Hwy 50  
(Address line 2)                Yankton, SD 57078  
(Address line 3)  
(Contact Name)                WAYNE HUBER  
(Contact Phone)                605-665-3762  
(Contact Fax)                    605-665-0809

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer  
**Meeting** April 15, 2013  
**Subject:** Declaration of Surplus and Abandoned Property for Auction  
**Presenter:** Mike Carlson

**Background:** When a vehicle is placed in the impound lot, a notice is sent to the registered owner that the vehicle can be claimed by paying the fine, towing fee and impound fee. If the property is not claimed within 60 days, ownership of the vehicle reverts to the City.

The bicycles that have been abandoned in different public places around the city are kept in the Police Department basement for the owners to claim. The abandoned property, from the Police Department property room, is typically lost-and-found property or evidence that was not claimed. If the owner is known, attempts are made to notify the individual that they can pick up their property. The items on the list either have unknown owners or the known owner has been notified and failed to respond to claim the property. The other surplus properties are made up of items that are no longer needed by a City department.

The state statutes that apply to surplus property are as follows:

6-13-1. Determination of surplus property. The governing board of a political subdivision may sell, trade, destroy, or otherwise dispose of any land, structures, equipment, or other property which the governing board has, by appropriate motion, determined is no longer necessary, useful, or suitable for the purpose for which it was acquired. No motion is required to sell, trade, destroy, or otherwise dispose of consumable supplies, printed text, or subscriptions.

6-13-6. Sale by auction--Notice by publication. In lieu of sealed bids, the governing board of a political subdivision may sell surplus property at auction. Such governing board shall advertise such auction by publication pursuant to §6-13-4. Surplus property may be sold to the highest bidder at such auction.

**Discussion:** The City normally has an auction in the spring to empty the impound lot of abandoned vehicles accumulated since the previous fall auction, sell the bicycles accumulated by the Police Department that are stored in the basement of the Public Safety Center, and to sell any surplus property of the different City departments. Each

department has listed surplus property for which a City use no longer exists. Hazen Bye has agreed to conduct the auction on May 10, 2013.

The abandon vehicles marked with an \* will not be sold at the auction but will be used by the Fire Department for training. When they are done with the vehicles they will be sold as scrap iron.

**Financial Consideration:** This is not a major moneymaker, but a legal way to dispose of abandoned and surplus property. The proceeds will pay the tow fees on the impounded cars, advertising fees and the auctioneer fees. The balance of proceeds goes into either the general fund or equipment replacement fund for the surplus City vehicles sold.

**Conclusion/Recommendations:** Administration recommends the City Council declare the attached property list surplus for disposal at public auction.

Date: April 11, 2013

To: Mayor and City Council

From: Mike Carlson, Finance Officer

Subject: Surplus and Abandoned Property to be sold at Auction

The following list of surplus and abandoned property will need to be declared surplus and authorize the sale at public auction on May 10, 2013:

Abandon Vehicles

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vin</u>	<u>Plate</u>
1995*	Chevrolet	Lumina	2G1WN52MXS9123444	17DB32
1992*	Oldsmobile	Regency	1G3CX53L7N4312666	17J831 NE
1998	Chevrolet	Cavalier	1G1JC5244W7188569	1AHC98
1988	Jeep	4WCHK	1JCMU7447JT035578	730BPW
2002	Isuzu	Axiom	4S2CE58X324616031	553YLT AZ
1978	Honda	CB500	CB55OK2116823	ML 9401 SD
1993	Pontiac	Grand AM	1G2NW54N1PC740838	19HM70
1994	Jeep	Grand Cherokee	1J4GZ58S4RC189233	9ED636 SD
1999	Chrysler	LHS	2C3HC56G4XH658023	7DF016
1999	Ford	Taurus	1FAFP53U2XG172085	7CL857
1997*	Chevrolet	Monte Carlo	2G1WW12M2V9245483	1ZX282
2000	Chevrolet	Blazer	1GNDDT13W4Y2401556	7DJ402

\* Vehicles to be used by Fire Department for training

Approximately 40 Abandon Bicycles

Abandon Unclaimed Property from Police Department: Assorted Sunglasses, assortment of tools – pliers, hammer, ratchets, multi-purpose, wrenches, several backpacks, men’s Reeboks, sz 9.5, set of vehicle headrests, set of automobile floor mats’ garden hose, jewelry, flashlights, knives, Magellan GPS unit (untested), ICar Play wireless plus (Monster brand) (untested), Coca Cola logo binoculars w/case, 4 boxes of Sunbeam LED rope lights, 2 Planet Audio 350 w. speakers (untested), Classic Deluxe Snow thrower cab (in box), Whistler 1500 radar detector (untested), Passport 8500 Escort radar detector (untested), Pioneer GM-5400T amp (untested), Craftsman 19.2 volt cordless drill (untested), miscellaneous items: Blackberry case, business card case, clip, cards, dice, cigarette adapters, iPod cord

Surplus City Property:

1997 Kawasaki Mule 1500 w/dump box

Police Department: bulletin board, 2 - black wire inbox baskets, stand alone upright document holder for typing, letter clip board, 33 - VCR tapes, 4 drawer metal filing cabinet, 2 - 3 drawer

metal filing cabinet, 6' x 3' - open shelved cabinet, hanging key box, 24 slot mail box, 3 - workstation office panels, plastic top table, 6 drawer metal office desk, 8' x 4' Bookcase, monitor, keyboard, scanner, computer desk, NOAA weather radio, 2 - Millennium battery charger, 3 - plastic wall mount inbox, 8 mm tape tray, 9 - various size photo frames, holiday cards -40

Ambulance: 2 – 2 drawer filing cabinets, Magnavox 13” TV with DVD player, RCA stereo, chalk board

Electric Department: Telog voltage recorder, 4 - modems, 3- computers, 2-monitors, keyboards, corner desk, printer stand, desk, computer speakers

Library: literature display unit, 3 – desks, monitor, 2 loveseats, rocking chair, typewriter, dorm refrigerator, 3 – white cabinets, white browser bin, typing table, garden bench, credenza, folding table, office chair, display rack, misc library furniture & fixtures

Park & Golf: Kenmore refrigerator, Frigidaire freezer, Vulcan grill convection oven, Poulan 22" cut push mower, 2- 2001 Chevy tailgates, 2004 Chevy tailgate, 1994 Chevy tailgate, 2- 2001 Chevy rear bumpers, 2004 Ford rear bumper, 1994 Chevy rear bumper, “Mosquito Magnet” mosquito trap, Bi Turbo T2 pool vacuum, TORO 3 gallon electric sprayer, Electric salt spreader, metal spike drag

Shop: Coats 700 tire balancer, light bulbs, assorted vehicle service books, 2 – 205/72R14 tires

Communications: Racal wordnet logging recorder, Compaq laptop

Water: 20 – 55 gallon plastic drums

Waste Water: hand grinder, 3 – small compressors, 2 - small tanks

## *Council Agenda Memo*

**From:** Jason Anderson, Assistant City Engineer

**Meeting:** April 15, 2013

**Subject:** Purchase of a ¾ Ton Pickup Truck

**Presenter:** Jason Anderson

**Background:** The replacement of a 1995 street department pickup truck is budgeted for in the 2013 Equipment Replacement Fund. Sealed bids were opened on April 10, 2013 at 2:00 p.m. A copy of the bid tabulation sheet is attached.

**Discussion:** The notice was published and bid specifications for a ¾ ton 4x4 pickup were sent to the local Chevy and Ford dealerships, and one bid was received from Vermillion Ford. The bid was \$24,490 with an option to include a switch panel for \$125, bringing the total to \$24,615. In 2012, the City paid \$23,699 for a similar pickup, with a \$125 adder for the switch panel.

**Financial Consideration:** The 2013 Equipment Replacement Fund has \$26,000 budgeted for the purchase of this pickup.

**Conclusion/Recommendations:** Administration recommends awarding the bid for the purchase of one ¾ ton 4x4 pickup including the auxiliary switch panel to the only bidder, Vermillion Ford, for a total amount of \$24,615.

**BID TABULATION**

**3/4 Ton Pickup Truck**

Date: April 10, 2013

BIDDER: ADDRESS:	Vermillion Ford 101 West Cherry St. Vermillion, SD 57069			
BID SECURITY:				
<b><u>PROPOSAL NO. 1</u></b>	<b>Unit Price</b>	<b>Total</b>	<b>Unit Price</b>	<b>Total</b>
Two New 9500 GVWR Pickup Truck	\$24,490.00	\$24,490.00		
Make	Ford			
Model	F250			
ADD/OPTION--Auxillary Switch Panel	\$ 125.00	<b>\$24,615.00</b>		

CITY OF VERMILLION  
 INVOICES PAYABLE-APRIL 15, 2013

1	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	51.10
2	ARCHITECTURE INC.	PROFESSIONAL SERVICES	2,741.00
3	BROADCASTER PRESS	ADVERTISING	1,866.01
4	BRUNICKS SERVICE INC	FUEL	13,463.75
5	BUREAU OF ADMINISTRATION	TELEPHONE	257.10
6	CANON FINANCIAL SERVICES	COPIER LEASE	196.27
7	CENTURYLINK	TELEPHONE	1,486.35
8	CLAY-UNION ELECTRIC CORP	ELECTRICITY	718.19
9	DENNIS MARTENS	TRAVEL REIMBURSEMENTS	103.60
10	DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,370.26
11	FIRST NATIONAL BANK	CITY HALL DEBT SERVICE	76,316.88
12	GREGG PETERS	MANAGERS FEES/PROFIT	21,761.42
13	KNOLOGY	DIAL UP SERVICE	49.95
14	LINCOLN CITY LIBRARIES	STACK MOVER RENTAL	1,000.00
15	LOREN FISCHER DISPOSAL	HAUL CARDBOARD	210.00
16	MATHESON TRI-GAS, INC	OXYGEN	193.31
17	MIDAMERICAN	GAS USAGE	7,025.65
18	MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	71.87
19	RESERVE ACCOUNT	POSTAGE FOR METER	950.00
20	SD PUBLIC ASSURANCE ALLIANCE	INSURANCE COVERAGE	54,501.36
21	SPRINT	CELL PHONE	1,280.68
22	THATCHER COMPANY	SODA ASH	7,123.60
23	UNITED PARCEL SERVICE	SHIPPING	168.79
24	US POSTMASTER	POSTAGE FOR UTILITY BILLS	950.00
25	VERMILLION ACE HARDWARE	PARTS	14.98
26	VERMILLION AREA COMMUNITY	ROUND UP FIRST QUARTER	177.47
27	VERMILLION CHAMBER OF COMMERCE	BBB FUND	46,350.00
28	VERMILLION NOW!	VERMILLION NOW FUNDS	437.62
29	VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	214.08
30	Keith BROOKS	BRIGHT ENERGY REBATE	85.00
		GRAND TOTAL	\$242,136.29

**City of Vermillion** (See reverse side of form for state laws regarding raffles and lotteries)  
**RAFFLE AND LOTTERY NOTIFICATION FORM**

- Date: 4-3-13
1. Name of organization/group Career Service Advisory Council  
Contact person: Name: Heidi Bennett - 677-5865 or heidi.bennett@usd.edu
  2. Date(s) that tickets/chances will be sold: from 5-9-13 to 5-9-13  
Cost of tickets/chances: 1/\$1 or 6/\$5 - chances depend on the number of tickets sold
  3. Date(s) of drawing(s): 5-9-13
  4. Can anyone purchase tickets? All CSA employees at USD
  5. Will the prize winner(s) be selected at random? Yes  No
  6. Description and approximate value of top prize: 50 % of the gross

In the space below, please provide a brief, general summary of the event. Be sure to include information such as the location and reason for the event.

The CSA Spring Meeting will be held on May 9th in the Muenster University Center Ballroom from 11 am to 1 pm. The Career Service Advisory Council serves as advisors to help guide Career Service employees with concerns in the workplace, holds meetings to provide updates and information about events taking place on campus, celebrates the work that Career Service employees do every day by hosting a fall meeting and an annual spring picnic in conjunction with the Office of the President and provides scholarships to Career Service employees and their families to help with the cost of higher education. The proceeds from the 50/50 drawing will probably either go towards the CSA Council's general fund or be put into the scholarship fund at the Foundation.

Heidi Bennett  
Applicant's Signature

Approval: John Prescott 4-16-13  
City Manager Date