

Unapproved Minutes
Council Special Session
April 16, 2012
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 16, 2012 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Present: Davies, Grayson, Meins, Osborne, Willson, Zimmerman, Mayor Powell

Absent: French, Ward

2. Educational Session - Coyoteopoly/South Dakota Shakespeare Festival project

John Prescott, City Manager, reported that Greg Huckabee contacted him this morning stating that the student who was going to make the presentation was sick and Greg requested to postpone the presentation until such time that a representative was available. John stated that City staff has had two meetings with representatives of Coyoteopoly this past week. John reported that the public hearing for the special permit to exceed permissible sound levels is on the agenda for tonight, along with the request to close a portion of East Main Street during the performance and to remove the parking on the south side of Prentis Park. There also have been discussions for a special daily malt beverage license. Jere Chapman is working with Coyoteopoly and the Eagles on the license and it is anticipated that the request will be on the consensus agenda at the next meeting. John noted that the Electric Department has been installing upgrades to areas of the park for the event. He stated the Coyoteopoly report will be on a future agenda.

John stated that he has received an anonymous email, which was handed out to City Council members, from a citizen regarding the lack of sidewalks in the areas of Constance, Vonnie, Baylor and James. John noted that the City policy is to require sidewalks within one block around schools, one block around parks, in areas connecting pedestrian routes to the business district and in developments that are 75% developed. John reviewed areas of the community where sidewalks would be needed to meet the policy.

Discussion followed noting that this issue was reviewed last year and it was felt that during the sidewalk tripper inspection it could be expanded to include areas that need to have sidewalk installed. It was also noted that the lack of sidewalk in these areas is a pedestrian safety issue that most likely should not be postponed for up to four years for the sidewalk tripper inspection. John reviewed, with the City Council, areas that do not have sidewalks with the consensus that letters be sent to the property owners stating the need to have sidewalks installed this year or early next year and that the City Council would be considering a Resolution of Necessity for the sidewalks at a upcoming meeting. Discussion followed on the need for continuous sidewalks to improve pedestrian safety. John reported that this item would be on a future agenda for Council consideration.

3. Briefing on the April 16, 2012 City Council Regular Meeting Agenda

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

4. Adjourn

120-12

Alderman Meins moved to adjourn the Council special session at 1:00 p.m. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of April, 2012.

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 16, 2012
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 16, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: French, Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell, Student Representative Thiel

Absent: Davies

2. Pledge of Allegiance

3. Minutes

A. April 2, 2012 Special Session; April 2, 2012 Regular Session

121-12

Alderman Grayson moved approval of the April 2, 2012 special session minutes and the April 2, 2012 regular session minutes. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

122-12

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

5. Visitors to be Heard

Mayor Powell introduced Student Representative Jason Thiel.

A. Arbor Day Proclamation

Alderman Meins read the proclamation designating April 27, 2012 as Arbor Day in Vermillion to encourage citizens to plant and protect trees. Mayor Powell presented the proclamation to Aaron Baedke, representing the Parks & Recreation Department. Aaron explained the activities planned for Arbor Day, including a tree planting in Prentis Park at noon.

Alderman Osborne wanted to remind the citizens of the USD Veterans Club flag display north of Old Main representing the fallen soldiers of the Iran and Afghanistan conflicts.

Alderman French reported that there will be a BBQ judging class on Saturday, April 28th from 10:00 a.m. to 2:00 p.m. at the National Guard Armory. Jenny stated that if anyone had questions to contact her.

6. Public Hearings

A. Special permit to exceed permissible sound levels by no more than 50% for Coyoteopoly/South Dakota Shakespeare Festival on June 5-10, 2012 from 6:00 p.m. to 10:00 p.m. in Prentis Park for the Shakespeare Festival

Mike Carlson, Finance Officer, reported that an application was received for a special permit to exceed permissible sound levels by no more than 50% from Coyoteopoly/South Dakota Shakespeare Festival by the band shell in Prentis Park on June 5-10 from 6:00 p.m. to 10:00 p.m. The actual event is June 8-10 but there will be rehearsal with equipment set up and testing on June 5-7. The application including a diagram of the area is included in the packet.

123-12

Alderman Grayson moved approval of the special permit to exceed permissible sound levels by no more than 50% for Coyoteopoly/South Dakota Shakespeare Festival on June 5-10, 2012 from 6:00 p.m. to 10:00 p.m. in the band shell area of Prentis Park for the Shakespeare Festival. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Public progress hearing for the library expansion project partially funded by Community Development Block Grant

Mike Carlson, Finance Officer, reported that a requirement of the Community Development Block Grant is a public progress hearing on the project. Mike noted that the hearing was advertised and a sign-in sheet is being passed around.

Mike reported that the library expansion and renovation project consists of a 6,500 square foot addition to the north with a 5,200 square foot basement, an 800 square foot addition to the south, and renovation to the existing building. Bids were opened

on January 19, 2012, with eight bids received. The City Council awarded the project to the low bidder, Welfl Construction, at their February 6, 2012 meeting for the base bid, plus the three alternates, totaling \$2,375,700. As part of the funding for the project, the City Council authorized the application for a Community Development Block Grant (CDBG) that was completed with the assistance of SECOG. The Mayor was notified on December 15, 2010, by the Governor, of the approval of a \$200,000 CDBG for the project from the Governor's Office of Economic Development. The project funding consisted of the gift from Edith Siegrist, Library Board funding, Library Foundation pass through of additional Siegrist donation, Library Foundation for furniture and City sales tax funds for total funding of \$2,824,772. The project costs are the construction contract, architect fees, grant administration, professional services, contingency and furniture totaling \$2,819,294. As to the project, Welfl Construction has started with the first payment of \$70,573 approved at the April 2nd meeting.

Mayor Powell opened the public hearing.

Alderman Osborne, who is the City Council representative to the Library Board, noted that he has received many comments from citizens excited about the expansion and renovation of the library building as well as the library employees reporting positive user comments.

Hearing no further comments, Mayor Powell closed the public hearing.

7. Old Business - None

8. New Business

A. Request from Shakespeare Festival to close E. Main Street from Plum Street to Sycamore Street on June 8, 9, and 10, 2012 during the performance and to limit E. Main Street parking.

Andy Colvin, Assistant City Manager, reported that there are two requests from the Shakespeare Festival. The first request is to close E. Main Street from Plum Street to Sycamore Street from 7:00 p.m. to 9:30 p.m. on June 8, 9, and 10, 2012 for the performance. The second request is to remove the on-street parking on E. Main Street along Prentis Park on June 8, 9, and 10, 2012 from 5:00 p.m. to 9:30 p.m. to prohibit vehicles from parking next to the production area. Andy noted that the

organization will man the street closing barricades to allow emergency vehicles access. Discussion followed.

124-12

Alderman Grayson moved approval of the request of Coyoteopoly/South Dakota Shakespeare Festival to close E. Main Street from Plum Street to Sycamore Street on June 8, 9 and 10, 2012 from 7:00 p.m. to 9:30 p.m. and to remove parking on E. Main Street along Prentis Park on June 8, 9 and 10, 2012 from 5:00 p.m. to 9:30 p.m. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Phase I Solid Waste Strategic Planning Study

Bob Iverson, Solid Waste Director, reported that an updated master plan is prepared for the department to support grant/loan applications and plan for future needs. A committee of members of the Joint Powers reviewed four proposals and recommended hiring the firm of HDR to complete the Solid Waste Master Plan. The City Council approved hiring HDR for Phase I of the Solid Waste strategic planning study. Bob stated that the public outreach meetings were held in Yankton and Vermillion in June 2011 to gather input as the study was getting underway. The draft report was presented to the Joint Powers in November 2011 and the draft report was presented to the City Council during the December 19th noon session. The final report was reviewed by the Joint Powers board in January 2012. Public meetings to present the strategic plan were held in Yankton and Vermillion in March. Matt Evans with HDR is present to review the final report with the City Council and will be making this presentation to the Yankton City Commission at their meeting next Monday night.

Matt Evans, Project Manager with HDR, reviewed the Phase I report noting the need to maximize the landfill capacity and efficiency, the need to complete a detailed rate study, the need to modify the recycling center, to consider expanding recycling, to consider privatization of recycling collection and processing and to consider City managed solid waste collection in Vermillion. Matt reviewed each item included in the recommendations and answered questions of the City Council.

Alderman Ward requested to leave at 7:25 pm.

Jake Anderson of Mellennium Recycling from Sioux Falls reviewed their company's recycling operations. He noted that single stream recycling accepts more materials, thus reducing the amount that is placed in the landfill increasing the landfill life. He

suggested reviewing the option of using their business for recycling business instead of investing in expanding the current recycling operations. Jake thanked the City Council and invited them to tour his facility.

Discussion followed on the strategic plan.

125-12

Alderman Grayson moved to accept the Phase I Solid Waste Strategic Planning Study as presented. Alderman French seconded the motion. Discussion followed. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

C. Declaration of surplus items for City Auction

Mike Carlson, Finance Officer, reported that a list is included in the packet of surplus City vehicles, abandoned vehicles, unclaimed property from the Police Department and surplus City property. Before the City can dispose of property, the City Council will need to declare it surplus and authorize the sale at public auction. Hazen Bye has been contacted and can do the auction on May 11th at 5:30 pm at the Municipal Service Center.

126-12

Alderman Grayson moved to declare the following property surplus to be sold at public auction: Surplus City Vehicles: (year, make, model, miles) 1997, Ford, Ranger, 71,612 miles; 1993, Ford, F150, 54,126 miles; 1998, Chevrolet, 1500, 69,174 miles; 1998, Chevrolet, 2500, 90,042 miles; 1994, Chevrolet, 2500, 111,988 miles; Abandon Vehicles: (Year, make, model, plate, vin#) 1999, Pontiac, Grand Am, 19HL51, 1G2NE52EXXM725108; 1995, Chevrolet, Lumina, 19HM46, 2G1WN52M7S9256517; 1989, Toyota, Camry, 19KC52, 4T1SV22E9KU092991; 1991, Chrysler, New Yorker, 2UOJ132, 1C3XY66R9MD124853; 1987, Lincoln, Towncar, 7CV202, 1LNBM82F2HY613839; 1976, Dodge, Jamboree MH, None, F44CF6V069781; 1991, Buick, Century, PVS602, 1G4AH54N8M6407577; 1993, Chevrolet, Van C20, 4R69430, 1GCEG25HXPF360671; 1995, Ford, Probe, 7DE565, 1ZVLT20A9S5148269; 1989, Dodge, Omni, 19HH09, 1B3BL18D4KC515521; 1999, Mazda, Protégé, 4DZY042, JM1BJ2221X0105821; 1994, Pontiac, Trans Sport, 19JG41, 1GMDU06L0RT225873; 2000, Dodge, Neon, 19GW35, 1B3ES46C6YD746189; 1995, Ford, Windstar, 19JJ09, 2FMDA514XSBC87406; 1996, Chevrolet, Impala, 19Z746, 163376J297830; Approximately 34 Abandon Bicycles; Abandon Unclaimed Property from Police Department: Ohaus Balance Scale in Case (no weights), youth bicycle helmet, Altec Lansing Amplified Cone Speaker, HIP Box speaker, Air Jordan Drawstring Bag, 2000 Oldsmobile Intrigue Owner's Manual, (3) partially-full bottles of

perfume (Viva La Juicy, Dolce & Gabbana - light blue, Paris Hilton) & pen, 4 bags of plumbing-type fittings (1 ¼" MPT x 1' hose shank - 90 Deg, 1" MPT x ¾" FPT reducer bushing, couplers/adapters) - Banjo Corporation, "Stink Free" flashlight, MaxPedition "Neat Freak" organizer, 2560 Garmin Oregon 400i & CD Manual, Under Armour Intensity Polarized Sunglasses & Solar Bat Case, ProYo Ace Yo-Yo, Optix Classic Reader eyeglasses w/ case, Oakley Tactical Field Gear Lens cleaning kit, Shilling multi-purpose pocket knife w/ key ring case plus compass, Canon battery charger CB-4AH-NiMH, NiteIze BackBone mobile accessory, case Flip Ultra camcorder; City Surplus Property: Computers, monitors, laptops, printers, TV's, VCR's, scanner, bracket, speakers, VCR/DVD combo, misc computer parts, assorted used electronic equipment, IBM typewriter, plastic cases, 2 boxes misc library and office supplies, printer/copier/scanner, plastic water tank 500gallon, small trailer, 60 gallon day fuel tank. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

D. Tractor lease for Street and Solid Waste Departments with Fred Haar Company

Jason Anderson, Assistant City Engineer, reported that the City was approached by Fred Haar Company about leasing two tractors for six to eight months. The City is responsible for insurance and normal maintenance and repair during this lease. The lease is the same as last year and is included in the packet. The insurance cost is estimated at \$200 per tractor and maintenance would be required on City vehicles if used. The use of the leased equipment reduces the hours placed on the other vehicles in the city fleet. Discussion followed with Jim McCulloch, City Attorney, suggesting a change in the insurance language to name Fred Haar Company as loss payee on such claims relating to damage to the tractors.

126-12

Alderman Zimmerman moved approval of the lease agreement with Fred Haar Company for two tractors for up to eight months subject to the change in language suggested by the City Attorney. Alderman Willson seconded the motion. Discussion followed. Motion carried 7 to 0.

E. Resolution Correcting the Resolution Establishing Tapping Fees in Lieu of Assessment for Cherry Street Sanitary Sewer Service Laterals

Jason Anderson, Assistant City Engineer, reported that the resolution adopted April 2, 2012 assessing a tapping fee for sanitary sewer service laterals contained an error in the bedding material calculation for Commerce Properties, LLC property. The amount listed was \$138.99 too high, thus the resolution is to correct the fee from \$3,367.51 to \$3,228.52 for this property.

127-12

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

RESOLUTION CORRECTING RESOLUTION ESTABLISHING TAPPING FEE
IN LIEU OF ASSESSMENT FOR SANITARY SEWER SERVICE LATERAL FOR
CHERRY STREET

WHEREAS, the City Council, of the City of Vermillion, adopted a Resolution Establishing Tapping Fees in Lieu of Assessment for Sanitary Sewer Service Lateral for Cherry Street on April 2, 2012; and

WHEREAS, it has been determined that one lot has been incorrectly assessed for its share of the improvement costs; and

WHEREAS, the lots owned by Commerce Properties, LLC, in the E. ½ of Lots 1, 2, 3, 4, 5, & 6 & the S. ½ of Vacated Spruce, less Lot H-2 & W. ½ of Vacated unnamed street, between Blocks 2 & 3, Parks Addition, were listed as a lots that have benefited by the construction of the Cherry Street sanitary sewer improvements in the amount of \$3,367.51; and

WHEREAS, the lots owned by Commerce Properties, LLC, in the E. ½ of Lots 1, 2, 3, 4, 5, & 6 & the S. ½ of Vacated Spruce, less Lot H-2 & W. ½ Vacated unnamed street, between Blocks 2 & 3, Parks Addition, should be listed as a lots that have benefited by the construction of the Cherry Street sanitary sewer improvements in the amount of \$3,228.52; and

NOW, THEREFORE, BE IT RESOLVED, that the Resolution Establishing Tapping Fees in Lieu of Assessment for Sanitary Sewer Service Lateral for Cherry Street, adopted April 2, 2012, be corrected to change the amount owed by Commerce Properties, LLC from \$3,367.51 to \$3,228.52.

Dated at Vermillion, South Dakota this 16th day of April, 2012.

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. 7 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. Baler and conveyor for the Recycling Center

Jason Anderson, Assistant City Engineer, read the bids received on the Recycling Center baler and conveyor and recommended the low bid of Apex Equipment with trade-in of the old baler, net cost \$57,135. Jason stated that a three year warranty alternate was requested, but it was not recommended to accept the alternate.

Apex Equipment: \$82,635.00 less trade in \$25,500.00 net \$57,135.00, KVA Engineering: \$107,762.00 less trade in \$18,000 net \$89,062.00, Recovery Systems Co: \$96,269.45 less trade in \$15,000.00 net \$81,269.45, Sanitation Products: \$111,798.80 less trade in \$15,000.00 net \$96,798.80

128-12

Alderman Grayson moved approval of the low bid of Apex Equipment for the Recycling Center baler with conveyor of \$57,135 after the trade-in of the old baler and conveyor. Alderman Willson seconded the motion. Discussion followed. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report by Andy Colvin, Assistant to the City Manager in John's absence.

A. Andy reported that, as part of the information gathering stage to develop a conceptual drawing of the new aquatic facility, our pool consultant has prepared a survey about possible features that could be included in a new swimming pool. The survey is

administered by Survey Monkey and is available on the City's Facebook site or through a link on the Parks and Recreation website. Community members are asked to complete the survey this week. More information from the survey should be available at the May 7th meeting with a public meeting to be held later in May.

B. Andy reported that the summer program sign-up will be Wednesday, May 2nd from 3:30 p.m. to 6:30 p.m. at the Armory. Please mark your calendars to sign-up for summer programs and purchase pool passes at that time. The swimming pool is scheduled to open Friday, May 25th at noon, weather permitting.

C. Andy reported that, as the National Guard will be using the Armory the week of June 4-8, the combined Primary/City/School election polling place will be at the 4-H building at 515 High Street for all City registered voters.

PAYROLL ADDITIONS AND CHANGES

General: Andrew Colvin \$24.01/hr; Engineering: Todd Nordyke \$17.00/hr; Police: Jonathan Cole \$18.81/hr, Ryan Hough \$27.10/hr, Chad Passick \$30.72/hr; Ambulance: Robin Hower \$31.84/1st-\$18.04/2nd; Pool: Levi James \$7.75/hr, Erin Rasmussen \$8.75/hr; Parks: Travis Harford \$7.50/hr; Golf Maintenance: Tyler Husby \$7.75/hr, Anthony Leber \$7.25/hr; Wastewater: Thomas Walker \$8.50/hr; Landfill: Jonathan Tayborn \$8.50/hr

11. Invoices Payable

129-12

Alderman French moved approval of the following bill:

KENT OSBORNE	DOMAIN NAME RENEWAL	39.95
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Alderman Willson seconded the motion. Alderman Osborne requested to abstain. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

130-12

Alderman French moved approval of the following bills:

ARCHITECTURE INC.	PROFESSIONAL SERVICES	2,724.50
BROADCASTER PRESS	ADVERTISING	2,057.44
BUREAU OF ADMINISTRATION	TELEPHONE	292.41
CENTURYLINK	TELEPHONE	1,086.55
CITY OF VERMILLION	LANDFILL VOUCHERS	24.00

CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,317.12
D & D PEST CONTROL	INSPECTION/TREATMENT	17.50
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,701.97
FIRST NATIONAL BANK	CITY HALL DEBT SERVICE	79,926.88
FOREMAN MEDIA	COUNCIL MTG	100.00
GEOTEK ENGINEERING	PROFESSIONAL SERVICES	1,437.00
GREGG PETERS	MONTHLY FEE/QUARTER PROFITS	26,768.16
INTERNAT PUBLIC MGMT ASSOC	MEMBERSHIP DUES	149.00
KNOLOGY	DIAL-UP SERVICE	49.95
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
MATHESON TRI-GAS, INC	SUPPLIES	137.08
MEAD LUMBER	SUPPLIES	31.02
MIDAMERICAN	GAS USAGE	2,832.12
MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	105.95
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
SD PUBLIC ASSUR ALLIANCE	PROPERTY COVERAGE	46,599.20
SDWWA	REGISTRATION	390.00
STERN OIL CO.	FUEL	15,557.57
SPRINT	CELL PHONE	1,168.48
THE EQUALIZER	ADVERTISING	598.40
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,025.00
VERMILLION DEVELOPMENT CO	BBB FUND	46,350.00
VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	952.96
WATER'S EDGE AQUATIC DESIGN	PROFESSIONAL SERVICES	2,500.00
GRETCHEN RICHARDSON	BRIGHT ENERGY REBATE	50.00
BRIAN MOLYNEAUZ	BRIGHT ENERGY REBATE	25.00

Alderman Zimmerman seconded the motion. Motion carried 7 to 0.
 Mayor Powell declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

131-12

Alderman Osborne moved to adjourn the Council Meeting at 8:00 p.m. Alderman French seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of April, 2012.

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 _____.