



Special Meeting Agenda City Council

12:00 pm (noon) Special Meeting
Monday, April 16, 2012
Large Conference Room
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Educational Session – Coyoteopoly / South Dakota Shakespeare Festival project.**
3. **Briefing on the April 16, 2012 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
4. **Adjourn**

Access the City Council Agenda on the web – 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.

Meeting Assistance: If you require assistance, alternative formats and/or accessible locations consistent with the Americans with Disabilities Act, please contact the City Manager's Office at 677-7050 at least 3 working days prior to the meeting.

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.



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, April 16, 2012
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. April 2, 2012 Special Session; April 2, 2012 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
 - a. Arbor Day Proclamation
6. **Public Hearings**
 - a. Special permit to exceed permissible sound levels by no more than 50% for Coyoteopoly and 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.
 - b. Public progress hearing for the library expansion project partially funded by Community Development Block Grant.
7. **Old Business**
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 limit E. Main Street parking.
 - b. Phase 1 Solid Waste Strategic Planning Study.
 - c. Declaration of surplus items for City auction.
 - d. Tractor lease for Street and Solid Waste Departments with Fred Haar Company.
 - e. Resolution Correcting the Resolution Establishing Tapping Fees in Lieu of Assessment for Cherry Street Sanitary Sewer Service Laterals.
9. **Bid Openings**
 - a. Baler and conveyor for the Recycling Center.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
13. **Adjourn**

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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.

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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.



Unapproved Minutes
Council Special Session
April 2, 2012
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 2, 2012, at 12:00, noon at the Public Safety Center.

1. Roll Call

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

Absent: French

2. Educational Session - Tour of the 911 Center - Ryan Anderson

Ryan Anderson, Emergency Communications Director, provided a tour of the 911 Center located in the Public Safety Center. Ryan answered questions of the City Council members on the operation of the center. The City Council relocated to the basement of the Public Safety Center and Ryan Anderson reviewed the legislation that will be going into effect July 1, 2012. This legislation will increase the 911 surcharge fee from \$.75 per line to \$1.25 per line. Ryan stated that \$.875 per line will be remitted to the County. Of the remaining, Ryan noted that 70% will be retained by the State to fund the next generation of E911 service with the balance being available to call centers serving three counties and populations of 30,000. Ryan noted that the surcharge fee is received by the County with 10% set aside for equipment replacement and the balance for the County's half of the operating costs. Ryan answered questions on the legislation and impact on the communications center.

3. Briefing on the April 2, 2012 City Council Regular Meeting Agenda

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

4. Adjourn

104-12

Alderman Osborne moved to adjourn the Council special session at 12:50 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 2nd 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 2, 2012
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 2, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. March 19, 2012 Special Session; March 19, 2012 Regular Session

105-12

Alderman Meins moved approval of the March 19, 2012 special session minutes and the March 19, 2012 regular session minutes. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

106-12

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

5. Visitors to be Heard

A. Citizens Academy

Jordan McQuillen, Intern to the City Manager, introduced the seven citizens who have completed the Citizens Academy Program. Jordan reviewed the content of the Citizens Academy and provided certificates to the individuals. Mayor Powell thanked the members of the Citizens Academy for taking the time to learn about the workings of the City.

B. Citizens of Service Program

Maxine Johnson, Chief Service Officer for the AARP/Cities of Service Program, reviewed the content of the program, including the attendance to the training programs in New Orleans. Maxine reported that the program, for Vermillion, was energy conservation. The Vermillionbright Project was developed with the Vermillion Public School's 8th grade class of Mrs. Gault to explain energy conservation by using compact florescent light bulbs. The students will be at Jones Food Center on May 14-16 to explain to customers the benefits of the energy efficient light bulbs and provide a free light bulb. Maxine reviewed the content and goals of the Cities of Service Program, noting that the City received a grant to cover the costs of the program. Maxine thanked the Mayor, City Manager, Mrs. Gault and the 8th grade students, for their assistance with the project. Mayor Powell thanked Maxine for her volunteer service in this program.

6. Public Hearings

A. Special Permit to Exceed Allowable Sound Levels by No More Than 50% for Pi Kappa Alpha Fraternity on April 12th from 4:30 p.m. to 9:00 p.m. by the North Picnic Shelter in Prentis Park

Mike Carlson, Finance Officer, reported that a request was received from Pi Kappa Alpha Fraternity for a special permit to exceed allowable sound levels on April 12th from 4:30 p.m. to 9:00 p.m., by the north picnic shelter in Prentis Park. The application and diagram are included in the packet. Sean McCann, representing Pi Kappa Alpha Fraternity, was present to answer questions.

107-12

Alderman Zimmerman moved approval of the special permit to exceed allowable sound levels by no more than 50% for Pi Kappa Alpha Fraternity on April 12th from 4:30 p.m. to 9:00 p.m. by the north

picnic shelter in Prentis Park. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Transfer of Retail On-Sale Liquor License to Old Lumber Company, Inc. for the Old Lumber Company Bar and Grill at 15 Court Street
Transfer from John Grunewaldt, Formerly the Pressbox

Mike Carlson, Finance Officer, reported that an application was received to transfer the retail on-sale liquor license from John Grunewaldt to Old Lumber Company, Inc. for the Old Lumber Company Bar & Grill at 15 Court Street. Mike noted that the corporate ownership was listed as 100% John Grunewaldt. Mike reported that the license is currently inactive and, when renewed in December of 2011, was restricted to the interior of the building as inactive pending final inspection of the building as being suitable to be occupied for this type of business. Discussion followed on the transfer and location of this business.

108-12

Alderman Davies moved approval of the transfer of the retail on-sale liquor license to the Old Lumber Company, Inc. for the Old Lumber Company Bar & Grill at 15 Court Street from John Grunewaldt for the interior of the building, at said location, as inactive pending final inspection of the building as being suitable to be occupied for this type of business. Alderman Willson seconded the motion. Discussion followed, noting that the location is across the street from residential and noting the need to restrict alcoholic beverage sales and consumption to the inside of the building. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Retail On-Off Sale Malt Beverage License for Old Lumber Company, Inc. for the Old Lumber Company Bar and Grill at 15 Court Street

Mike Carlson, Finance Officer, reported that an application for a retail on-off sale malt beverage license was received from Old Lumber Company, Inc. for the Old Lumber Company Bar & Grill at 15 Court Street. The liquor license for the location was just considered with the requirement that it be for the interior of the building, as inactive, pending final inspection of the building as being suitable to be occupied for this type of business.

109-12

Alderman Willson moved approval of the retail on-off sale malt beverage license for Old Lumber Company, Inc. for the Old Lumber Company Bar & Grill at 15 Court Street for the interior of the

building at said location, as inactive, pending final inspection of the building as being suitable to be occupied for this type of business. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Second Reading of Ordinance No. 1274 - Amendment to the Cottage Place Planned Development District

Jose Dominguez, City Engineer, reported that this was second reading of the ordinance to amend the Cottage Place Planned Development District. Jose stated that the amendment is to increase the total district size with the addition of Tract 3 that adjoins Cottage Avenue. The plan also amends the different areas reducing the commercial portion and increasing the residential portion. Jose reported that the Planning Commission held a public hearing and approved the amendment. Jose noted that he had reported the concern raised by a citizen at the last meeting that his property could be surrounded by commercial property. Jose reviewed the conditional uses for this area noting that the Planning Commission approves the conditional uses in this district and, if appealed, would be heard by the City Council. He stated that the ordinance requires landscape screening or fencing between commercial and residential.

Lance Weatherly, from Banner Associates, representing the owners, reviewed an aerial map of the property noting that the amendment, to include the property that adjoined Cottage Avenue, will allow utilities to be extended from Cottage Avenue into the property and provides for an internal access north and south on the property. Lance noted that the amendment increases the area for multifamily and reduces that for commercial.

Discussion followed on the proposed amendment noting the allowed uses and conditional uses in the large area B that adjoins Cottage Avenue. Lance answered questions of the City Council on the amendment to the planned development district noting that the owner does not have building plans for the area at this time. Discussion followed.

110-12

Second reading of title to Ordinance No. 1274, entitled An Ordinance Amending the Cottage Place Planned Development District of 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. 1274, entitled Amendment to the Cottage Place Planned Development District 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 19th day of March, 2012, and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 2nd day of April, 2012, 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. 1274

AN ORDINANCE AMENDING ORDINANCE NO. 1274 - Zoning Ordinance for the City of Vermillion, South Dakota, Rezoning Certain Property (Old Wheeler Inn Property, Located, Approximately, at 14 West Cherry Street) from the R-2 Residential District and GB General Business District to the Cottage Place Planned Development District and Providing Regulations therefore.

BE IT ORDAINED, BY THE GOVERNING BODY OF VERMILLION, SOUTH DAKOTA:
SECTION 1. That Ordinance No. 1274, Zoning Ordinance for the City of Vermillion, is hereby amended as follows:

THAT THE WEST 225 FEET OF LOT 4 AND THE WEST 225 FEET OF THE NORTH 5 FEET OF LOT 5, BLOCK 85, ADDITION TO SNYDERS; AND THE WEST 293 FEET OF LOT 1 AND 2, EXCEPT H-1, BLOCK 85, ADDITION TO SNYDERS; AND THE WEST 293 FEET OF LOT 3, BLOCK 85, ADDITION TO SNYDERS; AND THE WEST 150 FEET OF THE SOUTH 94 FEET OF THE EAST 293 FEET OF LOT 5 AND THE WEST 150 FEET OF THE NORTHEAST 49 FEET OF THE EAST 293 FEET OF LOT 6, SUBJECT TO AN EASEMENT IN BLOCK 85, ADDITION TO SNYDERS; AND THE WEST 50 FEET OF THE SOUTH 94 FEET OF LOT 5, AND THE WEST 50 FEET OF THE NORTH 49 FEET OF LOT 6, SUBJECT TO A 20 FOOT ROAD EASEMENT ALONG THE SOUTH SIDE THEREOF, BLOCK 85, ADDITION TO SNYDERS; AND THE EAST 50 FEET OF THE WEST 100 FEET OF THE SOUTH 94 FEET OF LOT 5 AND THE EAST 50 FEET OF THE WEST 100 FEET OF THE NORTH 49 FEET OF LOT 6, SUBJECT TO A 20 FOOT ROAD EASEMENT ALONG THE SOUTH SIDE THEREOF, ALL IN BLOCK 85, ADDITION TO SNYDERS; AND THE SOUTH 50 FEET OF LOT 6, THE NORTH 58 FEET OF LOT 7, AND THE SOUTH 74 FEET, EXCEPT THE SOUTH 10 FEET OF THE EAST 165 FEET OF LOT 7, BLOCK 85, ADDITION TO SNYDERS; AND THE EAST 50 FEET OF THE

WEST 150 FEET OF THE SOUTH 94 FEET OF LOT 5 AND THE EAST 50 FEET OF THE WEST 150 FEET OF THE NORTH 49 FEET OF LOT 6, BLOCK 85, ADDITION TO SNYDERS ADDITION, EXCEPT THE SOUTH 20 FEET; DESIGNATED AS A ROADWAY; THE NORTH 58 FEET OF THE EAST FEET OF LOT 14, BLOCK 85, ADDITION TO SNYDER'S ADDITION AND THE EAST 218 FEET OF THE SOUTH 40 FEET OF LOT 4 AND EAST 218 FEET OF THE NORTH 5 FEET OF LOT 5, BLOCK 85, ADDITION TO SNYDER'S ADDITION; AND EAST 218 FEET OF THE NORTH 59 FEET OF LOT 4, BLOCK 85, ADDITION TO SNYDER'S ADDITION THEREOF, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, IS HEREBY INCLUDED IN THE COTTAGE PLACE PLANNED DEVELOPMENT DISTRICT AND THE OFFICIAL ZONING MAP IS AMENDED TO INCLUDE SUCH LAND IN THE COTTAGE PLACE PLANNED DEVELOPMENT DISTRICT.

SECTION 2. That the Cottage Place Planned Development District include the following regulations:

Section 155.057, Cottage Place Planned Development District. The regulations set forth in this section, or set forth elsewhere in the Vermillion Zoning Ordinance when referred to in this section, are the district regulations in the Cottage Place Planned Development District.

155.057 - COTTAGE PLACE PLANNED DEVELOPMENT DISTRICT.

(A) Purpose. The regulations set forth in this section, or set forth elsewhere in the Vermillion Zoning Ordinance when referred to in this section, are the district regulations in the Cottage Place Planned Development District. The purpose of this district is to provide for mixed use commercial and residential areas within the Planned Development District. All city ordinances apply to the Planned Development District.

(B) Area A. (mixed use commercial and residential areas) All city ordinances apply to the planned development district identified as Area A, except for those modified below.

(1) Permitted uses (Area A).

Permitted Uses	Applicable Standards
Retail trade or service	§§ 155.070 , 155.072 , 155.073 , 155.077
Office	§§ 155.070 , 155.072 , 155.073 , 155.077
Personal service	§§ 155.070 , 155.072 , 155.073 , 155.077
Mixed commercial/residential	Residential being above the ground floor

Accessory structures	§§ 155.070 , 155.095(A)
Churches	All parking lots being 8 feet from all residential properties. §§ 155.070 , 155.072 , 155.077
Drug store	§§ 155.070 , 155.072 , 155.073 , 155.077
Medical and dental clinics	§§ 155.070 , 155.072 , 155.073 , 155.077
Day care center	Adequate and safe playground area with fence 4 feet high. A safe pickup and drop off area must be provided for the children. §§ 155.070 , 155.072 , 155.073 , 155.077
Fences	§ 155.074
Neighborhood utilities	§ 155.070
Small animal veterinarian	§§ 155.070 , 155.072 , 155.073 , 155.077 , 155.095(A)
On/Off premise parking	§ 155.095(A)

(2) Conditional uses (Area A).

Conditional Use	Applicable Standards
Convenience store	§§ 155.070 , 155.072 , 155.077
Hotel/motel	§§ 155.070 , 155.072 , 155.073 , 155.077
Hospital/clinic	§§ 155.070 , 155.072 , 155.073 , 155.077
Public utility facility	§§ 155.070 , 155.072 , 155.073 , 155.077
Funeral home/mortuary	§§ 155.070 , 155.072 , 155.073 , 155.077
Private club	§§ 155.070 , 155.072 , 155.073 , 155.077
Restaurants	§§ 155.070 , 155.072 , 155.073 , 155.077
Arcade	§§ 155.070 , 155.072 , 155.073 , 155.077
On/Off-sale alcoholic beverage establishment	Located at least 500 feet from a school.* §§ 155.070 , 155.072 , 155.073 , 155.077

Motor vehicle repair shop	Subject to an adequate number of parking spots to allow temporary storage of the cars only while being repaired. §§ 155.070 , 155.072 , 155.073 , 155.077
Greenhouse/nursery	§§ 155.070 , 155.072 , 155.073 , 155.077
Car wash	Five storage spaces for each bay beyond off-street parking requirements and the water from the car wash contained on the site. §§ 155.070 , 155.072 , 155.073 , 155.077
Motor vehicle sales, display, and service	§§ 155.070 , 155.072 , 155.073 , 155.077 Subject to screening of all outdoor storage of parts from view.
Lumberyard	Subject to screening of all outdoor storage from view when abutting a residential district. §§ 155.070 , 155.072 , 155.073 , 155.077 §§ 155.070 , 155.072 , 155.073 , 155.077
Public service facility	§ 155.070
Theatre	§§ 155.070 , 155.072 , 155.077
Wholesale trade	§§ 155.070 , 155.072 , 155.073 , 155.077
* Measured from the closest point of the outside walls of both structures	

(C) Area B (commercial, multi dwelling, and mixed use)
Area B is identified to allow multi-dwelling equivalent to R-3 off of Cherry Street frontage. Area B will utilize the same permitted uses as Area A with the addition of the following. Area B will utilize the same conditional uses as Area A without any additions.

(1) Permitted uses (Area B).

Permitted Uses	Applicable Standards
Area A permitted uses	See Area A permitted uses
Multiple- dwellings	§§ 155.070 , 155.072 , 155.076 , 155.077

Accessory use (such as, garage, shed)	§§ 155.071 , 155.082 (A) (see definition)
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(2) Conditional uses (Area B).

Conditional Use	Applicable Standards
Area A conditional uses	See Area A conditional uses

(D) Area C. (storage). All city ordinances apply to the planned development district identified as Area C except for those modified below.

(1) Permitted uses (Area C).

Permitted Uses	Applicable Standards
Storage facility	§§ 155.070 , 155.072 , 155.077 , 155.095 (A)
Accessory structures	§§ 155.070 , 155.095 (A) (see definition)
Accessory use (such as, garage, shed)	§§ 155.071 , 155.082 (A) (see definition)
Fences	§ 155.074
Contractor's shop/storage yard	Subject to screening of all outdoor storage from view. No repairs or sales §§ 155.070 , 155.072 , 155.073 , 155.077
Warehouse, mini-warehouse	The materials stored on the premises shall have a level 1 or below in the Fire Protection Guide on Hazardous Materials. §§ 155.070 , 155.072 , 155.073 , 155.077
Neighborhood utilities	§ 155.070
Motor vehicle storage	
On/Off premise parking for adjacent tracts only and parking shall abut the adjacent tract	§ 155.095 (A)

(2) Conditional uses (Area C).

Conditional Use	Applicable Standards
Motor vehicle sales, display and service	§§ 155.070 , 155.072 , 155.073 , 155.077 Subject to screening of all outdoor storage of parts from view.

* Measured from the closest point of the outside walls of both structures

(E) Area D. (high density residential) This area shall provide for certain high density residential areas now developed primarily with single-family. All city ordinances apply to the planned development district identified as Area D except for those modified below.

(1) Permitted uses (Area D).

Permitted Use	Applicable Standards
Single-family detached dwellings	§§ 155.070 , 155.072 , 155.076 , 155.077
Single-family attached dwellings (up to 2)	§§ 155.070 , 155.072 , 155.076 , 155.077
Multiple dwellings	§§ 155.070 , 155.072 , 155.076 , 155.077
Neighborhood utilities	§ 155.070
Fences	§ 155.074
Accessory structure (such as, garage, shed)	§§ 155.071 , 155.082 (A) (see definition)

(2) Conditional uses (Area D).

Conditional Use	Applicable Standards
Public service facility	§ 155.070

(F) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions).

	Tract Area	Lot Width	Front Yard	Side Yard	Rear Yard	Maximum Height
Business and all other uses	7,000 square feet	50 feet	15 feet	5 feet	10 feet	45 feet
Single-family detached	7,000 square feet	60 feet	30 feet	8 feet	25 feet	45 feet
Single-family attached dwellings (2 units-1 lot)	5,000 square feet	20 feet	30 feet	0 or 10 feet on nonparty wall side	25 feet	45 feet
3 to 8 multiple dwelling units (1 lot)	7,500 square feet	60 feet	30 feet	10 feet	10 feet	45 feet
9 to 12 multiple dwelling units (1 lot)	20,000 square feet	70 feet	30 feet	10 feet	10 feet	45 feet

lot)						
Over 12 multiple dwelling units (1 lot)	30,000 square feet	85 feet	30 feet	10 feet	10 feet	45 feet
Accessory building	NA	NA	Not permitted	5 feet	5 feet	12 feet
Parking Lots	§ <u>155.072</u>	NA	10 feet	10 feet	10 feet	NA
Exceptions:						
#1	Where a side yard or rear yard is required half of the required yard must be maintained as a landscaped area.					
#2	There shall be a required front yard on each thru street side of lots.					
#3	See adjustments to yard regulations (§ <u>155.082</u>) for other specific exceptions.					
#4	A conditional use permit will be required for any structure exceeding heights identified above (§ <u>155.095(A)</u>)					
#5	The side yard will be required to be increased by 10 feet when the building is 3 stories in height or more.					
#6	There shall not be a required front yard on Cottage Place for a double frontage lot. There shall be a required front yard on Cottage Street of a corner lot.					
#7	A side or rear yard of 15 feet shall be required when a use other than residential is adjacent to or abuts a residential district.					

(G) Property re-division All future property re-division shall require a re-platting of the affected parcels. Planned Development District may be required to be amended depending on property re-division.

(1) Ingress/Egress Easements - Future transfer of ownership which creates a landlocked parcel shall require a dedicated ingress/egress easement for the issuance of a building permit.

(H) Parking regulations. Parking shall comply with § 155.072. Required parking shall be dedicated to the occupants and located as close to the building served as possible.

(I) Visibility at Intersections and Driveways. Safety zones shall comply with § 155.070.

(J) Accessory Use and Structures shall conform to the following standards:

- (1) Roofing and siding materials shall be of a type customarily used on site-constructed residence.
 - (2) Any accessory building that covers more than 120 square feet shall be secured to the ground to prevent the structure from being moved or damaged by high winds.
 - (3) Accessory buildings may not be used for dwelling purposes.
 - (4) Accessory buildings in excess of 750 square feet in area should be approved only if there is a legitimate purpose for accessory buildings.
- (K) Off Street Loading Requirements shall comply with § 155.073.
- (L) Site-built dwelling standards shall comply with § 155.076.
- (M) Landscaping standards
- (1) Within any zoning district, at least 75% of the required front yard setback shall be landscaped and maintained with living ground cover except for the portion of the front yard necessary for hard surfaced driveways and parking (§ 155.072).
 - (2) 1 tree per 50 feet of tract width is required. No more than 25% of the required trees may be deciduous ornamental, evergreen, or coniferous trees.
 - (3) Each existing tree of at least 1 3/4-inch caliper in size shall count toward the tree requirement.
 - (4) Where feasible, landscape areas must be capable of providing a substantially full expanse of foliage within 3 years after planting. All deciduous trees shall be 1 3/4 inch caliper and all deciduous ornamental shall be 1 1/4-inch caliper. Berms or other landscaping techniques may be used for all or part of the 6-foot screening if they have a maximum grade of 3 feet horizontal to 1-foot vertical and sodded or planted with other acceptable living ground cover.
 - (5) A fence, wall, or shrubbery 6 feet in height and of a character necessary for adequate screening shall be installed or planted when a commercial use is located

adjacent to residentially used property or across the right-of-way from residentially used property (unless the right-of-way is an arterial street). Berms or other landscaping techniques may be used for all or part of the 6-foot screening if they have a maximum grade of 3 feet horizontal to 1-foot vertical and sodded or planted with other acceptable living ground cover.

(6) If proper screening is provided, parking lot setbacks may be reduced at City Engineer's discretion.

(N) Adjustments to Yard Regulations shall comply with § 155.082.

(O) Non-conforming Uses and Structures shall comply with § 155.083.

(P) Lighting

(1) When property is adjacent to or within 150 feet of residentially used or zoned property, the following lighting standards apply:

(a) The maximum light level shall be no greater than 3 foot candles field measured at the property line (ground level).

(b) The maximum height of light luminaries shall be 25 feet above the ground.

(c) Canopy luminaries and other on-site lighting with luminaries greater than 2000 lumens shall include a 90-degree cut-off type, deflector, refractor, or forward throw light fixture.

(d) The maximum number of canopy luminaries shall be determined by the following industry standard:
Canopy length (in feet) x canopy width (in feet)
x 3 = Maximum No. of Luminaries lamp wattage

(2) All other light luminaries shall have a maximum height of 38 feet above the ground. Submittal of photometric plans shall be required with all site plan checks for building projects on property with lighted parking lots or lighted canopies.

(3) The following structures or uses are exempt from these lighting standards: parks, pedestrian walkways, and illuminated flags or statues.

(4) Lighting for parking lots shall be constructed so as to prevent light pollution to surrounding properties.

(Q) Sign regulations. Signs shall be regulated by Chapter 152. Regulations shall be those used in the R-3 District.

(R) Fence regulations. Fences shall comply with § 155.074(A), (B) and (C), except for fences used to enclose recreational areas that may comply with § 155.074(G).

Dated at Vermillion, South Dakota this 2nd day of April, 2012.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Zimmerman. 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: Davies-No, Grayson-Yes, French-Yes, Meins-Yes, Osborne-Yes, Ward-No, Willson-No, Zimmerman-Yes, Mayor Powell-Yes

Motion carried 6 to 3. Mayor Powell declared that the Ordinance has been adopted and directed publication, thereof, as required by law.

8. New Business

A. Library Foundation fundraising report

Shirley Huber, Library Foundation President, wanted to thank the City Council for their support of the library and the library expansion project. Shirley noted that the gift of Edith Seigrist, the Library Board funding and City funding, will complete the building and that the Library Foundation would raise the \$200,000 needed for furnishing the new and renovated space. Shirley reported that she had contacted Roger Kozak and Jerry Johnson to co-chair the fundraising campaign on behalf of the Library Foundation. Shirley

asked Roger and Jerry to give the report to the City Council on behalf of the Foundation.

Roger Kozak and Jerry Johnson reported that the community worked together to see the library expansion and renovation project get to the point it is now. Roger and Jerry noted that the Foundation Board and a group of 15 to 20 volunteers helped with the capital campaign. Roger reported the goal was \$200,000 and that, as of March 12th, the campaign had received \$170,546 and have pledges outstanding of \$47,940 for a total of \$218,486, thus, exceeding their goal. Roger and Jerry noted that there was a tremendous response from the community for this project. Roger stated that a plaque will be placed in the library listing the names of all that made contributions. Mayor Powell thanked Roger, Jerry, the Library Foundation and all that made contributions to the library project.

B. 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 2011 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

111-12

Alderman Grayson moved to acknowledge receipt of the 2011 Annual Report of the Library Board. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Resolution Revising Wastewater Rates

Mike Carlson, Finance Officer, reported that wastewater rates were last adjusted in April 2011. The wastewater rates are a percentage of the average water billing for January, February and March. The current percentage is 126% and the resolution is to increase the rate to 128%. To the customer using an average of 670 cubic feet of water, this would be a \$.54 monthly increase or 1.59%. The revised fee is projected to meet the wastewater budget and surcharge required for the SRF loan. Discussion followed.

112-12

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

RESOLUTION AMENDING SEWER RATES

WHEREAS, Section 53.018 of Title V, Public Works, of the 2008 Revised Ordinances of the City of Vermillion, allows the City Council to establish and change sewer rates and reads as follows:

The monthly sewer charge to each user for ordinary use of the public sanitary sewer utility shall be equal to a percentage, set from time to time by resolution of the council, of the average monthly charges made for water during the last January, February and March period to any person occupying any premises served by the utility and to his successors in the occupancy. In cases where the premises were unoccupied during the months of January, February and March and/or where the use of the premises has significantly changed the water usage, the sewer charge may be based on the average usage during three (3) other months of the year; and

WHEREAS, the State Revolving Loan for the Phase II improvements required the creation of a surcharge fee sufficient to produce net revenues for each fiscal year at least equal to one hundred ten (110) percent of the principal and interest on the bonds coming due in such fiscal year be established; and

WHEREAS, the rates being proposed are projected to produce the revenues necessary to cover the wastewater operations and the debt service surcharge requirement of the SRF loan.

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof, in the Council Chambers of said City, at 7:00 p.m. on the 2nd day of April, 2012, that the percentage for calculating the sewer charge be established or charged as follows:

- (a) Total charge: One hundred twenty eight percent (128%).

This rate includes a surcharge fee defined in (b) below.

- (b) Debt Service Surcharge Fees effective for billing after April 20, 2012: There is hereby established and imposed, pursuant to the authority of SDCL ch. 9-40, a surcharge upon the sewer service in the City of Vermillion. The surcharge shall apply to all classes of customers. The debt service surcharges is a special charge for the use of the wastewater plant and lift station improvements and is pledged to the South Dakota Conservancy District for

the payment of the loan payments on the 2008 Clean Water State Revolving Fund Loan. The City does hereby establish the debt service surcharge fees for each customer of its System who received or benefits from the Project or services of the Project. Such allocation shall be set at a level which, assuming a ten percent (10%) delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the borrower 2008 bonds and the administrative expense surcharges and all other payments as may be required under the loan agreement. The charges shall be reviewed annually by city personnel and administratively adjusted, upwards or downwards, pursuant to SDCL 9-40-15.1 and 9-40-15 to such amounts as may be necessary to pay principal, administrative surcharge and other charges as may become due and owing under the loan agreements. The debt service surcharge percentage included in (a) above, per monthly billing shall be twenty three and seven tenths percent (23.7%).

The Debt Service Surcharge may be combined with the Meter Service Charge on the monthly billing for ease of reporting.

Effective Date of Rate:

The effective date of the rates listed in Vermillion City Ordinance 53.018 is for bills with a billing date after April 20, 2012.

Dated at Vermillion, South Dakota this 2nd 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 Meins. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Resolution Establishing a Tapping Fee for Cherry Street Sanitary Sewer Service Laterals (800-1400 Block of E. Cherry Street)

Jason Anderson, Assistant City Engineer, reported that reconstruction of Cherry Street was completed in 2009 that included the replacement of the sanitary sewer and water mains. As part of the project, sanitary sewer service laterals were extended to the outer extent of the right-of-way for future sewer services, along with a main extension requested by the property owner. Jason stated that the costs were based upon the bid amounts for the project plus an eight percent fiscal fee. Jason noted the property owner will only incur the fee upon connection to the sanitary sewer lateral. Discussion followed.

113-12

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

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

WHEREAS, the City of Vermillion has constructed sanitary sewer service laterals to serve future properties on:

East Cherry Street

at a cost of \$10,182.74, which the City has paid, and which has not been apportioned against the property which may be benefited thereby as provided by SDCL 9-47-6 and SDCL 9-48-15, as amended, and will require such property owner to pay its proportionate share of the cost of such construction, without interest, according to the benefits which the Governing Body has determined to accrue to such property before such property may be served by the facility; and

NOW, THEREFORE, BE IT HEREBY RESOLVED, that each of the lots hereinafter described in Column 2 has been benefited by the construction of the facility in the amount set forth in Column 3, opposite such description; and the owner of such lot shall pay said amount to the City before said property may be served by the sanitary sewer facility of the City of Vermillion, viz:

<u>NAME</u>	<u>LEGAL DESCRIPTION</u>	<u>AMOUNT</u>
Oma Shree, LLC	The S. 150' of the E. 234 ' of the W. 246' of Lot 1 in the NW 1/4, Section 18, Township 92,	\$ 940.31

Range 51.

Hennessey Enterprises	Lot 1, Block 2, except the E. 2', Arnold Addition	\$1,000.58
East River Properties	The East 100' of Lot B-1 in the NE 1/4 of the SW 1/4, Section 18, , Township 92, Range 51	\$ 900.14
Siouxland Concrete Co. c/o Lyman-Richey Corp.	The W. 121' of Lot 6 in Lot 1 of the NW 1/4, Section 18, Township 92, Range 51	\$ 920.23
Judith A. Gregoire, A Revocable Trust	The N. 152' of Lot 1-S of the NE 1/4 of the SW 1/4, except the N. 33', Section 18, Township 92, Range 51	\$1,060.85
Jere L. Chapman	The W. 150' of Lot 1 in the W 1/2 of the SW 1/4 of the NE 1/4, Section 18, Township 92, Range 51	\$ 940.31
SESDAC, Inc.	Lot E-3, E-4, & E-5 in the SE 1/4 of SW 1/4 of the NE 1/4, Section 18, Township 92, Range 51, and the W 9' of the S. 396.7' of Lot E-6 (West Service)	\$ 839.87
SESDAC, Inc.	Lot E-3, E-4, & E-5 in the SE 1/4 of SW 1/4 of the NE 1/4, Section 18, Township 92, Range 51, and the W 9' of the S. 396.7' of Lot E-6 (East Service)	\$ 859.96
Miguel Lopez	Lot B, Lot E-1 & Lot E-7, except the W. 47.09' of the N. 211.3' of Lot E-1, Section 18, Township 92, Range 51	\$ 920.23
Camille Clyde	The N. 281' of Lot 1, Block 1, Ouellette's Addition	\$ 940.31
Commerce Properties, LLC	The E. 1/2 of Lots 1, 2, 3, 4, 5, & 6 & the S. 1/2 Vac Spruce, Less Lot H-2 & W. 1/2 Vac Unnamed Street, BTW, Blk. 2 & 3, Parks Addition	\$3,367.51
Miguel Lopez	Lot B, Lot E-1 & Lot E-7, Exc. W. 47.09' of N. 211.3' of Lot E-1.	\$ 859.96

BE IT FURTHER RESOLVED, that each of the lots described in the above shall pay the amount of benefit which includes an eight percent (8%) fiscal fee.

Dated at Vermillion, South Dakota, this 2nd 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 Osborne. 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.

E. Assignment of Tower Lease KeyOn Communications to Skybeam Acquisition Corporation

Mike Carlson, Finance Officer, reported that KeyOn Communications has requested the assignment of their tower lease to Skybeam Acquisitions Corporation. The lease is for wireless communication equipment on the two city water towers at \$175 per tower per month. The lease calls for written consent of the landlord before it can be assigned. The assignment, as included in your packet, was reviewed by Jim McCulloch, City Attorney. Mike noted that the April lease payment has not been received and the assignment does not release KeyOn until the lease payments are current. Discussion followed.

114-12

Alderman Zimmerman moved approval of the assignment of the tower lease as presented from KeyOn Communications to Sky beam Acquisitions Corporation. Alderman Grayson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Single phase pad mount transformers

Jason Anderson, Assistant City Engineer, read the bids received and recommended the low bid of total evaluation price from Stuart Irby on single phase pad mount transformers. Discussion followed on the bid.

Border States Electric: base price \$24,969.75, evaluation price \$44,037.75; Wesco: base price \$27,060.00, evaluation price \$45,420.00; RESCO: base price \$22,425.00, evaluation price \$36,942.00; Stuart Irby: base price \$24,300.00, evaluation price \$36,423.00

115-12

Alderman Grayson moved approval of the low bid of total evaluation price from Stuart Irby - initial cost \$24,300.00, total evaluation cost \$36,423.00. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Fuel quotes

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

4,350 gal unleaded 10% ethanol: Stern Oil #3.5173, Brunick's Service \$3.67; 1,000 gal unleaded: Stern Oil \$3.6179, Brunick's Service \$3.75; 3,000 gal No. 2 diesel fuel-dyed: Stern Oil \$3.4587, Brunick's Service \$3.60; 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$3.6952, Brunick's Service \$3.85

116-12

Alderman Ward moved approval of the low quote of Stern Oil on all four items. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported on the receipt of two raffle notifications:

1. Clay County Historical Society: \$5 a ticket or 3 for \$12. Tickets sold May 1, 2012 until drawing on December 1, 2012. Prize is a full size vintage quilt (1930) valued at \$350. Proceeds from the raffle go to Clay County Historical Society.
2. St. Agnes School: Tickets are \$50. Tickets will be sold until the drawing at the St. Agnes School Classic event on April 14th. Prize is \$1,500 in AAA travel vouchers. Proceeds go to St. Agnes School.

B. John reported that the Board of Water and Natural Resources awarded the City a grant of \$522,000 and a loan of \$1,639,000 for the landfill project consisting of the construction of cell 5, a leachate pond and collection system

PAYROLL ADDITIONS AND CHANGES

Street: Scott Slotten \$8.50/hr; Recreation: Jessica Graupmann \$7.75/hr, Jeff Mettler \$7.75/hr; Pool: Brooke Kemnitz \$8.50/hr, Bill Lane \$9.75/hr, Ashlie Moore \$8.50/hr, Morgan Wiebenga \$8.50/hr; Parks: Alexa Regnerus \$7.25/hr, Nathan Garrett \$7.50/hr; Mosquito Control: Grant Sjaarda \$9.00/hr; Golf Clubhouse: Nealy Pesicka \$7.25/hr, Eric Wiedenman \$7.25/hr; Golf Maintenance: Paul McDonald \$8.50/hr, Justin Norling \$8.00/hr, Lance Reif \$7.75/hr, Kyle Wheeler \$7.50/hr; Golf Maint/Clubhouse: Chad Pinkelman \$8.00/hr

11. Invoices Payable

117-12

Alderman Davies moved approval of the following invoices:

3D SPECIALTIES INC	SAFETY T-SHIRTS	69.33
A-OX WELDING SUPPLY CO	SUPPLIES	11.68
ACCENT WIRE PRODUCTS	SUPPLIES	668.07
AHEAD, INC	MERCHANDISE	1,854.66
ANTIGUA GROUP, INC	MERCHANDISE	2,628.45
APPEARA	SUPPLIES	63.14
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	238.03
ARAMARK-WEARGUARD	UNIFORMS	214.16
ARGUS LEADER	ADVERTISING	7.50
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	294.75
ASSURED LOCK TOOL & SUPPLY	PARTS	382.16
ATCO INTERNATIONAL	SUPPLIES	153.00
AUDIO GO	BOOKS	195.94
AUTOMATIC BUILDING CONTROL	ANNUAL MAINTENANCE	1,658.00
AWWA	MEMBERSHIP DUES	340.00
BAKER & TAYLOR BOOKS	BOOKS	355.49
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	784.64
BARNES DISTRIBUTION	SUPPLIES	110.52
BIERSCHBACH EQPT & SUPPLY	SUPPLIES	867.43
BOOK WHOLESALERS, INC	BOOKS	449.91
BORDER STATES ELEC SUPPLY	SUPPLIES	1,219.34
BOUND TREE MEDICAL, LLC	SUPPLIES	626.77

BROADCASTER PRESS	ADVERTISING	281.82
BROWN TRAFFIC PRODUCTS	SUPPLIES	285.00
BUTCH'S PROPANE INC	PROPANE	3,423.97
BUTLER MACHINERY CO.	PARTS/WHEEL LOADER	118,831.18
CAMPBELL SUPPLY	SUPPLIES	985.67
CANNON TECHNOLOGIES, INC	SUPPLIES	11,829.96
CANON FINANCIAL SERVICES	COPIER LEASE	56.16
CASK & CORK	MERCHANDISE	1,281.77
CENTER POINT LARGE PRINT	BOOKS	309.89
CENTURY BUSINESS PRODUCTS	COPIER CONTRACT	40.00
CENTURYLINK	TELEPHONE	734.89
CHESTERMAN CO	MERCHANDISE	730.28
CITY OF VERMILLION	COPIES/POSTAGE	3,786.87
CITY OF VERMILLION	UTILITY BILLS	32,465.42
CLAY RURAL WATER SYSTEM	WATER USAGE	42.20
CLAY-UNION ELECTRIC CORP	ON CALL BREAKFAST	86.94
COFFEE KING, INC	SUPPLIES	115.50
COLONIAL LIFE ACC INS.	INSURANCE	3,216.26
CONCRETE MATERIALS	SUPPLIES	866.45
CONTINENTAL RESEARCH CORP	SUPPLIES	1,371.44
COYOTE CHEMICAL COMPANY	PARTS	118.85
D-P TOOLS	SUPPLIES	104.87
DAKOTA BEVERAGE	MERCHANDISE	10,185.30
DAKOTA PC WAREHOUSE	COMPUTER/MONITOR/REPAIRS	959.93
DAKOTA SECURITY SYSTEMS, INC	REPAIRS	223.01
DALE HUSBY	SAFETY BOOTS REIMBURSE	84.79
DANKO MES, INC.	SERV AGREEMENT/SUPPLIES	3,403.69
DAVIS PHARMACY	SUPPLIES	177.00
DEER CREEK CONSTRUCTION	REPAIRS	1,831.64
DELTA DENTAL PLAN	INSURANCE	5,643.30
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	195.00
DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	4,601.40
DUST TEX	SUPPLIES	58.25
EARTHGRAINS BAKING	MERCHANDISE	41.48
ECHO ELECTRIC SUPPLY	PARTS	3,091.04
ELECTRIC PUMP, INC	PARTS	2,610.00
ENGINEERING AMERICA, INC	PARTS	4,254.74
ENVIRONMENTAL RESOURCE ASSOC	SUPPLIES	1,083.58
ERIN J. SEEP	MAINTENANCE	58.00
ERNST FLOW INDUSTRIES	SUPPLIES	328.15
FAR FROM NORMAL	SUPPLIES	264.60
FARMER BROTHERS CO.	COFFEE PACKETS	78.76

FASC	EVIDENCE LOCKERS	5,191.00
FEDEX.	SHIPPING	22.35
FEIMER CONSTRUCTION CO	REFUND HYDRANT DEPOSIT	209.47
FLAGS UNLIMITED	FLAGS	229.44
FRED SAVOIE	SAFETY GLASSES REIMBURSE	150.00
GALE	BOOKS	163.93
GE CAPITAL	COPIER LEASE	114.48
GIS WORKSHOP	WARRANTY	325.00
GOLFBALLSONLY.COM	GOLF BALLS	1,512.00
GRAHAM TIRE CO.	TIRES	275.83
GRAINGER	PARTS	201.90
GRAYBAR ELECTRIC	SUPPLIES	1,214.30
GREGG PETERS	FREIGHT	2,492.75
GREGG PETERS	RENT	937.50
GUARANTEE OIL CO INC	SUPPLIES	89.89
H.K SCHOLZ CO.	TESTING	300.00
HACH CO	SUPPLIES	1,265.65
HANSEN LOCKSMITHING	REPAIRS	1,605.00
HARLAND TECHNOLOGY SERVICE	MAINTENANCE AGREEMENT	1,544.00
HAWKINS WATER TREATMENT	CHEMICALS	780.42
HEIMAN, INC.	ANNUAL INSPECTION	207.88
HERREN-SCHEMPP BUILDING	SUPPLIES	240.98
HILLYARD FLOOR CARE SUPPLY	SUPPLIES	244.53
HOLIDAY INN EXPRESS	LODGING	77.00
HOUSE OF WHITE BIRCHES	BOOKS	25.91
HY VEE FOOD STORE	SUPPLIES	159.22
ID CARDS UNLIMITED	PATRON CARDS	463.35
INDEPENDENCE WASTE	PORTABLE TOILET RENTAL	988.89
INGRAM	BOOKS	4,509.61
INTERNATIONAL CODE COUNCIL	MEMBERSHIP	125.00
INTERSTATE BATTERIES	BATTERIES	90.00
INTL. ASSOC FOR PROP & EVIDENCE	MEMBERSHIP	50.00
JACKS UNIFORM & EQPT	UNIFORMS	1,131.80
JAY'S PLUMBING	REPAIRS	1,142.45
JOHN A CONKLING DIST.	MERCHANDISE	9,164.95
JOHN C. PRESCOTT	TRAVEL REIMBURSEMENT	47.00
JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	26,677.25
JOHNSON CONTROLS	REPAIRS/AGREEMENT	3,242.11
JONES ACE HARDWARE	SUPPLIES	1,152.95
JONES FOOD CENTER	SUPPLIES	687.25
KALINS INDOOR COMFORT	REPAIRS	202.50
KARSTEN MFG CORP	MERCHANDISE	1,671.76
LAWSON PRODUCTS INC	DUST MASKS	59.49

LAYNES WORLD	MAYOR AWARD PLAQUE/LETTERING	68.84
LEARNING OPPORTUNITIES, INC	BOOKS	625.30
LEISURE LAWN CARE	LAWN CARE SERVICE	167.20
LESSMAN ELEC. SUPPLY CO	SUPPLIES	2,032.24
LINCOLN MUTUAL LIFE	LIFE INSURANCE	494.21
LOCATORS AND SUPPLIES, INC	SUPPLIES	231.96
LOUIES CARPET CLEAN, INC	CARPET CLEANING	956.77
MALLOY ELECTRIC	SUPPLIES	260.78
MARK CLARK	MEALS REIMBURSEMENT	191.00
MARKS MACHINERY	PARTS	219.42
MART AUTO BODY	TOWING FEES	1,440.00
MATHESON TRI-GAS, INC	CARBON DIOXIDE	517.61
MATTHEW BENDER & CO, INC	BOOKS	34.69
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,536.45
MDS MANUFACTURING CO., INC	OIL STORAGE TANK	1,456.00
MEAD LUMBER	SUPPLIES	35.00
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	166.21
MEMPHIS NET & TWINE	PARKS EQUIPMENT	1,200.33
MERRICK INDUSTRIES	POWER SUPPLY UPGRADE	3,771.85
MICHAEL TODD	PARTS	234.93
MICRO MARKETING ASSOC	BOOKS	54.08
MIDWEST ALARM CO	ALARM MONITORING	135.00
MIDWEST BUILDING MAINTENANCE	MAT SVC	360.30
MIDWEST RADIATOR & EXHAUST	REPAIRS	357.40
MIDWEST TURF & IRRIGATION	PARTS	796.63
MINITEX LIBRARY	SUPPLIES	162.00
MINN MUNICIPAL UTILITY ASSOC	TESTING MATERIALS	506.00
MISSOURI VALLEY MAINTENANCE	REPAIRS	1,100.25
MURPHS APPLIANCE & TV	REPAIRS	150.77
NATL GOLF FOUNDATION	MEMBERSHIP DUES	199.00
NCL OF WISCONSIN, INC	SUPPLIES	547.24
NEBR WATER ENVIR. ASSOC	REGISTRATION	405.00
NEBRASKA JOURNAL-LEADER	ADVERTISING	34.92
NETSYS+	MONITORS/PROF SERVICES	1,592.53
NEW YORK LIFE	INSURANCE	95.00
OFFICE SYSTEMS CO	COPIER CONTRACTS	1,278.37
OKOBOJI WINES-WEST	MERCHANDISE	632.00
OVERDRIVE INC	MAINT/PARTICIPATION FEE	2,500.00
OVERHEAD DOOR OF SIOUX CITY	ROLLING DOORS	33,974.00
PAUL'S PLUMBING	PARTS	6.65
PETE JAHN	SAFETY BOOTS REIMBURSEMENT	100.00
PETE LIEN & SONS, INC	CHEMICALS	4,662.40
PITNEY BOWES	POSTAGE METER RENTAL	242.49

PITNEY BOWES, INC	SUPPLIES	103.47
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POMPS TIRE SERVICE, INC.	TIRES	16,000.00
PRAIRIE BERRY WINERY	MERCHANDISE	1,077.00
PRESSING MATTERS	ENVELOPES	53.00
PRESTO-X-COMPANY	INSPECTION/TREATMENT	47.00
PRINT SOURCE	SUPPLIES	149.03
PROSOURCE SPECIALTIES	SUPPLIES	228.00
PUMP N PAK	FUEL	2,289.04
QUALITY BOOKS INC.	BOOKS	20.67
QUALITY EQUIPMENT AND SVC	BLADE SHARPENING	37.50
QUEEN CITY WHOLESALE	MERCHANDISE	133.57
QUILL	SUPPLIES	1,098.43
RACOM CORPORATION	MAINTENANCE CONTRACT	368.50
RANDOM HOUSE, INC	BOOKS	235.00
RECORDED BOOKS, INC	BOOKS	592.55
REINHART FOODSERVICE, LLC	SUPPLIES	682.67
REPUBLIC NATIONAL DIST.	MERCHANDISE	35,378.45
RESCO	SUPPLIES	36,214.80
ROBIN HOWER	MEALS REIMBURSEMENT	33.00
ROY JOHNSON ROOFING, INC	REPAIRS	185.03
SANFORD CLINIC VERMILLION	REGISTRATION	300.00
SCHADE'S VINEYARD	MERCHANDISE	63.00
SD FEDERAL PROPERTY AGENCY	RADIO CHARGERS	71.74
SD MUNICIPAL STREET MAINTENANCE	REGISTRATION	40.00
SD PARK & RECREATION ASSOC	MEMBERSHIP	20.00
SD POLICE CHIEFS ASSOCIATION	REGISTRATION	65.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	68,741.94
SD SOLID WASTE MANAGEMENT	REGISTRATION	300.00
SEBCO BOOKS	BOOKS	402.63
SERVALL TOWEL & LINEN	SHOP TOWELS	37.80
SIOUX CITY WINTRONIC	SUPPLIES	13.53
SIOUXLAND HUMANE SOCIETY	FEES	37.00
SIOUXLAND SCALE SERVICE	INSPECTION/REPAIRS	2,401.10
SPECIAL T'S AND MORE	UNIFORMS	285.05
SPORTS MANAGEMENT ALLIANCE	SPONSORSHIP	100.00
STANLEY SECURITY SOLUTIONS	KEYS/CORES	586.16
STERN OIL CO.	SUPPLIES	3,256.96
STRACHAN SALES, INC	REPAIRS	285.85
STUART C. IRBY CO.	SUPPLIES	14,756.29
STURDEVANTS AUTO PARTS	PARTS	2,272.80
T&R SERVICE	TRANSFORMER DISPOSAL	459.50
TAYLOR MADE	MERCHANDISE	3,937.47

THATCHER COMPANY	SODA ASH	7,123.60
THE EQUALIZER	ADVERTISING	355.20
TITLEIST DRAWER CS	MERCHANDISE	5,757.68
TOTAL TOOL SUPPLY, INC	PARTS	310.81
TRI TECH SALES	PARTS	452.36
TRUE VALUE	SUPPLIES	169.41
TUMBLEWEED PRESS INC	SUBSCRIPTION	399.00
UNITED WAY	CONTRIBUTIONS	499.20
US GOLF ASSOCIATION	MEMBERSHIP	110.00
VALIANT VINEYARDS	MERCHANDISE	132.00
VERIZON WIRELESS	POLICE COMMUNICATIONS	227.95
VERMILLION CHAMBER OF COMMERCE	ANNUAL BANQUET TICKETS	90.00
VERMILLION COMMUNITY CPR	CPR CARDS	40.00
VERMILLION FORD	PARTS	53.30
VERMILLION HOUSING AUTHORITY	SUPPORT	1,423.00
VGSA	SPONSOR	200.00
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	5,552.45
WAHLTEK	CONTRACT	2,148.00
WAL-MART COMMUNITY	SUPPLIES	656.85
WALKER CONSTRUCTION	ABATEMENT EXPENSES	180.00
WALT'S HOMESTYLE FOODS, INC	SUPPLIES	168.20
WEAVER ELECTRIC COMPANY	PARTS	201.00
WELFL CONSTRUCTION CO	LIBRARY EXPANSION	70,573.00
WESCO DISTRIBUTION, INC	PARTS	7,139.00
WEST GROUP PAYMENT CENTER	SUBSCRIPTION	221.04
WESTERN IOWA TECH	REGISTRATION	225.00
WINTER EQUIPMENT COMPANY	SUPPLIES	338.92
YANKTON JANITORIAL SUPPLY	SUPPLIES	728.86
ZIMCO SUPPLY CO	SUPPLIES	1,375.90
JASON HUSKA	BRIGHT ENERGY REBATE	175.00
MAURICES INC STORE #1659	BRIGHT ENERGY REBATE	675.00
RICK ERICKSON	BRIGHT ENERGY REBATE	25.00

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

12. Consensus Agenda

A. Set a public hearing date of April 16, 2012 for a special permit to exceed permissible sound levels by no more than 10% for Coyoteoply and South Dakota Shakespeare Festival on June 5-10 from 6:00 p.m. to 10:00 p.m. in Prentis Park for the Shakespeare Festival

B. Set a quote opening date of May 3, 2012 for the Service Center Concrete project

C. Set a bid opening date of May 2, 2012 for the Barstow Park Skate Park project

D. Set a quote opening date of May 1, 2012 for the 2012 Chip Seal project

E. Set a quote opening date of May 1, 2012 for the 2012 Miscellaneous Concrete project

118-12

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

13. Adjourn

119-12

Alderman Osborne moved to adjourn the Council Meeting at 8:20 p.m. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 2nd 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 _____.



Celebrate Arbor Day



Proclamation Recognizing April 27, 2012 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 27, 2012 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 16th day of April, 2012.

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: Mike Carlson, Finance Officer

Meeting: April 16, 2012

Subject: Special Permit to Exceed Permissible Sound Levels by No More than 50% for Coyoteopoly and the South Dakota Shakespeare Festival in the Band Shell Area of Prentis Park on June 5-10, 2012 from 6:00 p.m. to 10:00 p.m. for the Shakespeare Festival

Presenter: Mike Carlson

Background: Morgan Boettcher, on behalf of Coyoteopoly and the South Dakota Shakespeare Festival, has applied for a special permit to exceed allowable noise levels for the Shakespeare Festival on June 5-10, 2012 from 6:00 p.m. until 10:00 p.m. in the band shell area of Prentis Park. Included is a copy of the application and published notice of the hearing.

The city noise ordinance is as follows:

Sec. 90.01. Noises prohibited.

- (a) General prohibitions: In addition to the specific prohibitions outlined below, it shall be unlawful for any person to make, continue, or cause to be made or continued any loud or unusual noise so as to disturb the peace of the public, any neighborhood, any business operation, family, lawful assembly of persons, or any person by committing any act or acts of disturbance within the limits of the City of Vermillion.
- (b) The following acts are declared to be in violation of this chapter.
 - 1) Sound equipment prohibited: Except for emergency vehicles, it shall be unlawful for any person to operate or cause to be operated upon the streets or public places in the city a sound truck or car with sound amplification equipment in operation. "Sound truck" as used herein means any vehicle having thereon or attached thereto any sound amplification equipment. "Sound amplification equipment" as used herein means any machine or device for the amplification of the human voice, music or other sound, but shall not include radio or warning devices on vehicles used for traffic warning or control purposes.
 - 2) Stereos, radios, television sets, musical instruments and similar devices:
 - a. Using, operating or permitting the use or operation of any stereo, radio, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound, except as provided for in paragraph (1) above, in such a manner as to violate this section or cause a noise disturbance.

6. Public Hearings; item a

- b. The operating of any such device between the hours of 11:00 p.m. and 7:00 a.m. the following day in such a manner as to be plainly audible at the property boundary of the source or plainly audible at fifty (50) feet from such device when operated within a vehicle parked on a public right-of-way or when operated from within a private residence.
- 3) Maximum permissible sound levels: It shall be unlawful for any person to operate or permit the operation of any stationary source of sound in such a manner as to create a sound pressure level during any ten-minute measurement period which exceeds the limits set forth for the following receiving land use districts when measured at the boundary or at any point within the property affected by the noise. Sound level measurements shall be made at a distance of fifty (50) feet from source with a sound level meter of type 2 or better, using the "A" weighting scale, in accordance with standards promulgated by the American National Standards Institute.

Use District	11:00 p.m.-6:00 a.m.	6:00 a.m.-11:00 p.m.
Residential	50 dB(A)	55dB(A)
Commercial	55 dB(A)	60dB(A)
Industrial & Agricultural	75 dB(A)	80dB(A)

- (c) It shall be a violation of this section if the sound which is measured creates a sound pressure level greater than the levels set forth for the receiving land use district for ninety (90) per cent of the time in any measurement period, such as the level exceeded for nine (9) minutes of a ten-minute period.
- (d) Special Permit The City Council may, following a Public Hearing, issue a Special Permit to exceed allowable sound levels by not more than 50% of the allowable limit within the Use District, in a suitable location with appropriate facilities, during the allowable time. It shall be required of any applicant for a Special Permit to demonstrate that the event for which the permit is requested be of public benefit. An applicant shall submit a diagram clearly showing the sound level projections beginning at a point fifty (50) feet from the source, and continuing out through a radius of two hundred (200) feet from the source. Application for a Special Permit shall be made with the City Finance Officer, and shall be accompanied with an application fee of \$25.00. Application for a Special Permit shall be completed no later than 30 days prior to the proposed event, and it shall contain all applicable information relative to the nature and purpose of the event. (Ord. No. 1100, 10-1-01)
- (e) Semi-tractors; prohibited noises: It shall be unlawful for any person within the city limits of Vermillion, to make, or cause to be made, loud or disturbing or offensive noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor, except for the aversion of imminent danger. (Ord. No. 1102, 10-15-01)

Violation: Any person violating any provision of this section may be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Discussion: As the diagram indicates, the band shell will serve as the stage with the speakers facing out from the band shell. The sound level projections are indicated on the attached map noting that the sound levels will not be above the 150% in the audience area and drop off outside this area. It should be noted the request is from June 5 – 10 while the actual event is June 8 – 10 but rehearsal will be during June 5 – 7 and there will be some testing of the sound equipment during the rehearsal day.

The application asked if this is a suitable location with appropriate facilities which was answered “yes”. I requested additional information and received the following by e-mail:

I have a meeting with operations at 1, but what I do know is parking will be at the high school, and they have a cleaning crew set up. I will hopefully know about the sound levels and bathroom arrangements after this meeting.

I just found out that they are planning on bringing in extra porta-pots (sp). Rachel is going to talk to Scott about the decibels

Staff is not aware of any problems related to the issuance of the noise permit.

The City Council will need to determine, at the public hearing, if the event is in a suitable location with appropriate facilities during the allowable time, and if the applicant can demonstrate the public benefit of the event. Relevant questions for a public gathering when a noise permit is sought are the availability of restroom facilities, clean-up of the area, parking and disposal of waste.

Financial Consideration: The \$25 fee for the special permit has been paid.

Conclusion/Recommendations: Administration recommends issuance of the special permit unless information is presented at the public hearing that indicates that there will be problems related to the noise.

Boettcher 605 677-9051
Nancy Boettcher@usd.edu

**REQUEST FOR SPECIAL PERMIT
TO EXCEED PERMISSIBLE SOUND LEVELS
BY NO MORE THAN 50%
OF CITY NOISE ORDINANCE**

This application shall be completed no later than thirty (30) days prior to the proposed event and shall contain all applicable information relative to the nature and purpose of the event.

Organization Requesting Coyoteopoly and South Dakota Shakespeare Festival

Contact Person Scott Mollman Phone 605-677-5738

Contact Person Address P.O. Box 30, Vermillion, SD 57069

Location of Event Prentiss Park Date of Event June 5-10, 2012

Duration of event from time 6:00 pm to Time 10:00 pm

The ordinance asks if this is a suitable location with appropriate facilities:
yes

The ordinance asks the applicant to demonstrate that the event for which the permit is requested be of public benefit. Describe the public benefit:

Yes, the Shakespeare festival is put on for the public and it will consist of a play in the evening. This is a learning opportunity for the community to learn about the fine arts and bring the community together.

Setting up and rehearsal will be on the 5th and the play will be the nights of the 8th, 9th, and 10th

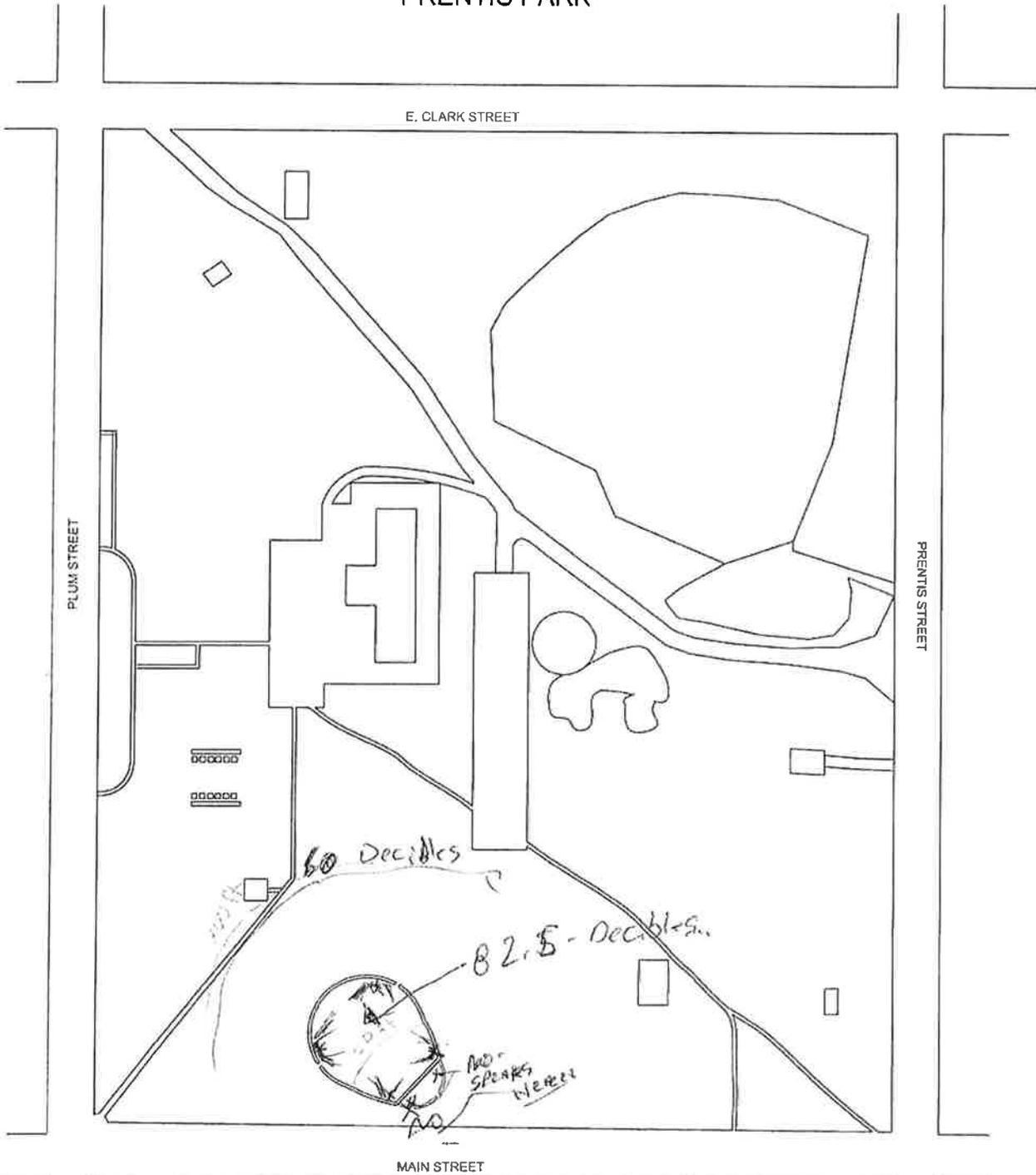
Please attach a diagram clearly showing the sound level projections beginning at a point fifty (50) feet from the source, and continuing out through a radius of two hundred (200) feet from the source.

File this application along with the diagram with the finance officer accompanied with an application fee of \$25.00.

Signature of applicant Nancy M. Boettcher date 3/13/12

Coyote.org and SD Shakespeare Festival

PRENTIS PARK



- INSIDE THE Audience AREA -
they will NOT have dB Levels Above
82.5 Decibels.

X = Speakers

OUTSIDE OF Grove Area
Levels will drop off.

Scott Johnson



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: April 16, 2012

Subject: Progress Hearing for Library Expansion Community Development Block Grant

Presenter: Mike Carlson

Background: 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 11,427 square foot building. Bids were opened on January 19, 2012, with eight bids received, all under the architects estimate. 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.

Welfl Construction has started the project and the first contractor payment request was approved at the April 2, 2012 meeting in the amount of \$70,573. 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 from the Governor's Office of Economic Development.

The projected project costs are as follows:

Construction contract	\$ 2,375,700
Architect Fees	180,056
Architect out of pocket	7,750
Architect fee on contingency	9,503
SECOG grant administration	7,500
Professional Services Testing	20,000
Contingency	118,785
Furniture & Fixtures	<u>100,000</u>
Total projected project cost	\$ 2,819,294

Project Funding:

Community Development Block Grant	\$ 200,000
Edith Siegrist Donation	804,772
City Sales Tax	1,400,000
Library Board	120,000
Library Foundation (Siegrist estate passthrough)	200,000
Library Foundation (furniture & fixtures)	<u>100,000</u>
Total Project Funding	\$2,824,772

Discussion: The Community Development Block Grant (CDBG) requires a public progress hearing to update the public on the status of the project and receive any public comments about the project. The CDBG funding can be used for the construction contract and grant administration. As such, grant drawdown requests will be made for the April 10, 2012 payment to the contractor and again for the future payments until the grant funds are all used.

Financial Consideration: The estimated project costs and funding are listed above. It should be noted that the Library Foundation has raised more funds for the furniture and fixtures, thus, the project costs for furniture and fixtures and the revenue from Library Foundation furniture and fixtures will need to be adjusted. As the project progresses, we will see if all the contingency is needed to determine the source of the \$5,478 shortfall in the funding over the costs.

Conclusion/Recommendations: Following an explanation of the project, Any public input that the City Council receives, along with City Council input, on the project will be noted in the minutes. A sign in sheet will be passed around for all in attendance to sign. The minutes and sign in sheet will be forwarded to SECOG as part of the grant reporting process.



Council Agenda Memo

From: John Prescott, City Manager
Meeting April 16, 2012
Subject: Shakespeare Festival Street closing
Presenter: Andy Colvin, Assistant City Manager

Background: Coyoteopoly is working with the South Dakota Shakespeare Festival to produce “As You Like It” in Prentis Park on June 8, 9 and 10, 2012. The production will take place each evening at 7:00 pm in the amphitheater located just north of E. Main Street.

Discussion: Coyoteopoly has submitted the attached street closing. They would like to close E. Main Street from Plum Street to Sycamore Street during the production to limit traffic noise impacting the production. The production begins at 7:00 pm and will end at approximately 9:30 pm. East Main Street would only be closed during this time on those three nights. The intersection of East Main and Plum Street would remain open during the production. Barricades would be used to close East Main Street and would be staffed so that emergency vehicles could get through as needed.

Coyoteopoly is also requesting to remove parking on E. Main Street along Prentis Park on June 8, 9, and 10, 2012 from 5:00 pm to 9:30 pm. This would be to help remove cars parking too close to the production area. The Shakespeare Festival would have an RV used for cast members and a support vehicle or two parked along this area.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends the City Council approve the closing of E. Main Street from Plum Street to Sycamore Street on June 8, 9 and 10, 2012 from 7:00 p.m. to approximately 9:30 p.m. and the removal of parking along the south side of Prentis Park on June 8, 9, and 10, 2012 from 5:00 p.m. to 9:30 p.m..

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 Coyoteopoly
Contact Person Anya Point Phone 605-759-7876
Contact Person Address 414 E Clark St Vermillion, SD 57069
Event South Dakota Shakespeare Festival Date(s) of Event June 8-10th

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

Street Main St from Plum to Sycamore

Street Closing Times 7:00 pm to 9:30 pm

If the street closing requested would affect other residents or businesses have they been notified of the request. Yes No We will notify - Sanford + residents

Have arrangements been made for clean up after the event and other facilities? Please describe:

Yes. We have a team of volunteers who
will ensure the park is cleaned up and
Restored to its proper state.

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

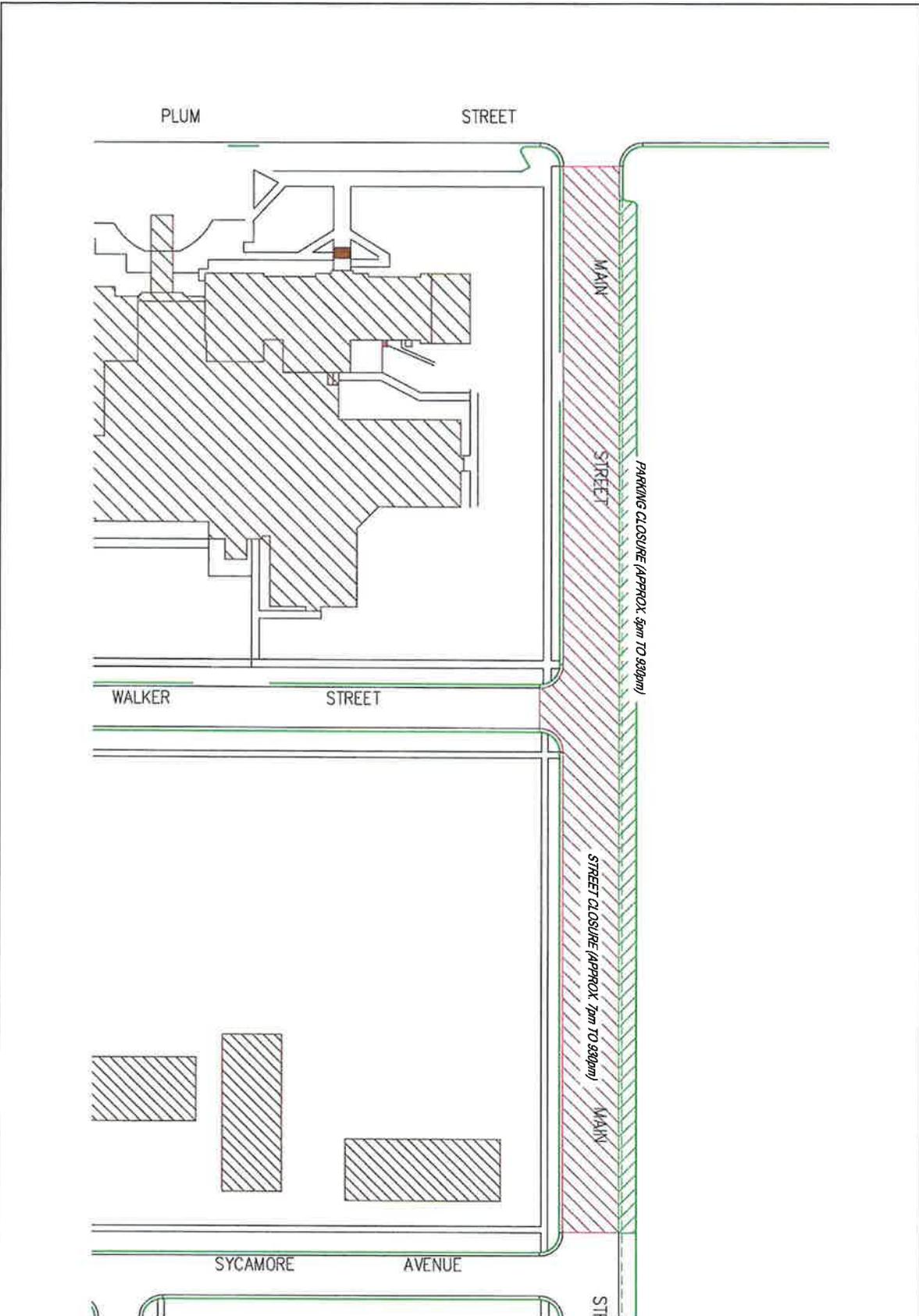
Signature of applicant Anya Point date 04/13/12

Request to Close Parking Area

5pm - 9:30 pm

June 8, 9, 10th

North side of Main Street - will notify Sanford Vermillion.
Will have "event passes" for event vehicles.



ROAD AND PARKING CLOSURES

SHAKESPEARE FESTIVAL		1.0	
CITY OF VERMILLION, SD	57069	SCALE: 1:60	APRIL 2012





Council Agenda Memo

From: John Prescott, City Manager
Meeting: April 16, 2012
Subject: Solid Waste Strategic Master Plan
Presenter: Bob Iverson, Solid Waste Director and Matt Evans, HDR

Background: Periodically, an updated Master Plan is prepared for the Solid Waste operations to support for grant/loan applications and plan for future needs. The opening and closing of landfill cells, as well as the equipment utilized at the Yankton Transfer Station, recycling center and landfill, are costly items which need to be planned in advance.

A committee of members from the Joint Powers Board reviewed proposals from four firms and recommended the hiring of HDR to complete the Solid Waste Master Plan. Joint Powers concurred with this recommendation and the Vermillion City Council approved the hiring of HDR to complete the strategic planning study. Matt Evans is the lead project engineer on the strategic plan.

Discussion: A public outreach meeting was held in Vermillion and Yankton in June 2011 to gather input as the study was getting underway. The consultant presented a draft of the strategic plan to Joint Powers in November, 2011. City staff reviewed the draft of the strategic plan with City Council members at the December 19, 2011 Noon meeting. The Joint Powers Board reviewed the final draft of the Strategic Plan on January 19, 2012.

A public meeting, to present the strategic plan recommendations, was held on March 14th in Yankton and March 15th in Vermillion. A copy of the cover letter, which is part of the strategic plan recommendation, is attached. The discussion at the March public meeting in Vermillion tended to focus on two main topics – recycling and garbage collection. There was discussion about different ways to collect recycling, processing and sale of collected recyclables, and what materials should or could be collected as part of the recycling program. The garbage collection discussion tended to focus around a proposal to reduce the number of

garbage collectors operating in residential areas. This would be achieved through bidding out residential collection in the community.

This same presentation will be made to the Yankton City Commission on April 23rd.

Financial Consideration: Consultant costs for the work in preparing the strategic plan were included in the 2011 and 2012 budget.

Conclusion/Recommendations: Administration recommends the City Council accept the strategic planning study. The next step will be to consider a cost analysis and rate study to support the operation long-term.

January 25, 2012

Vermillion Solid Waste
Attn: Mr. Bob Iverson
25 Center Street
Vermillion, SD 57069

Re: Phase I Strategic Planning Study
Vermillion/Yankton Joint Integrated Solid Waste **Management** System
Summary and Recommendations

Dear Mr. Iverson:

HDR is pleased to provide the attached technical memorandums related to Phase I of the Solid Waste Strategic Master Plan for the Joint Powers. The **technical** memorandums cover the following solid waste management topics:

- Solid Waste Disposal Alternatives
- Recycling in Vermillion and Yankton
- Vermillion Landfill Assessment
- Yankton Transfer Station Assessment
- "In-Town" Multi-Purpose **Solid** Waste Facility Assessment
- Yard Waste **Handling** and Processing
- Cost of Service

Summary of Recommended Operational Strategy

As part of **the Study**, HDR looked at the technical memorandums as a whole. From that, an overarching **solid** waste operational strategy was developed. The following is a bulleted summary of the key elements of the strategy. The items are listed in order of recommended priority.

1. Continue to operate a Landfill. Waste-to-energy technologies are either too expensive or not commercially proven. Long haul disposal of the waste to another landfill will likely cost more and will result in the Joint Powers losing partial control of their waste disposal.
2. Maximize the existing Landfill's capacity by re-permitting it to allow for higher waste placement and steeper sideslopes.
3. Re-permit the landfill's liner design requirements to allow for an insitu liner construction. This will reduce the cost of future cell constructions.
4. Complete a detailed rate design study.

5. Consider privatization of recycling programs in Vermillion and Yankton. This could lower cost and help manage uncertainties inherent to the recyclable market.
6. Modify the Vermillion Recycling Center to improve efficiency and safety. Modifications need to be done in consideration with potential expansion of recycling programs.
7. Consider franchise solid waste collection in Vermillion. This should lower the cost of collection, reduce the number of haul trucks going down residential street, and save on the wear and tear of City streets.

The following is a more detailed summary of the recommended strategy for the Joint Powers going forward.

Recycling

Both the City of Vermillion and the City of Yankton have curbside recycling collection programs for their residents. Both programs utilize the Vermillion Recycling Center for processing recyclables, which is in need of improvements. Ventilation and lighting, as well as the overall building layout need to be upgraded to improve the efficiency and safety of the building. In addition, some of the equipment in the Recycling Center is old and needs to be replaced.

Both communities have also expressed an interest in expanding their curbside recycling programs. Expanding recycling collection in both communities would likely require additional modifications to the Recycling Center due to the increase in the quantity of recyclables being processed there. Therefore, expansion of the recycling programs should be done with consideration to the operations of the Recycling Center and potential improvements that may be needed.

The cost of service review completed as part of this study found that the two communities spend a combined total of approximately \$450,000 on processing recyclables. The communities received approximately \$240,000 in combined revenue from the sale of recyclables in 2010, which results in a net processing cost of approximately \$210,000. The community's service approximately 6,500 households, resulting in a \$2.69 per household per month cost to process recyclables. It is important to note that this does not include the cost of collecting recyclables or recognize the value of diversion.

As an alternative improving and possibly expanding the Recycling Center operation, the City of Vermillion and the City of Yankton could privatize recycling collection and processing. This can be done in a number of ways that fit the needs of the communities. For example, it could be for both collection and processing, or just one or the other. In Mitchell, South Dakota, the entire recycling process is contracted out to a private

company that charges less than \$4 per household per month. It is also possible to include diversion requirements, or incentives to encourage the private contractor to divert more waste, in the recycling contract.

To summarize the recycling recommendations, the Joint Powers appears to have the following three recycling options. Further study of these options should be completed before finalizing the direction of the recycling programs in the Joint Powers region.

1. Continue with the recycling program as is and make necessary improvements to the Recycling Center facility. Approximate Cost: \$200,000 to \$400,000
2. Expand recycling collection and make necessary improvements to the Recycling Center. Approximate Cost: \$300,000 to \$500,000 to improve the Recycling Center. Plus the cost to collect from expanded customer base.
3. Privatize collection and processing of recyclables.

Landfill

To increase the life of the Vermillion Landfill, it is recommended that the City of Vermillion apply for a permit modification to allow for higher fill placement and steeper sideslopes. Currently the Landfill is permitted with shallow sideslopes (10:1, horizontal to vertical) which limit the overall height of the landfill and subsequently the overall capacity of the Landfill. As discussed in the Landfill technical memorandum, there are several factors in determining the allowable height increase, including slope stability, impacts to leachate collection, stormwater control, and erosion control, as well as impacts to surrounding lines of sight and other aesthetic considerations.

As currently permitted, the landfill has approximately 40+ years of capacity remaining. Depending on the ultimate final height of a vertical expansion, the landfill could gain an additional 20 to 35 years of life with a vertical expansion, resulting in a remaining landfill life of approximately 60 to 75 years. Also, in the short term, an increase in the maximum height of the landfill could extend the life of existing Trenches 1 through 4 and subsequently delay the construction of Cell 5 by 1 to 6 years.

The cost to permit the higher elevations would be approximately \$40,000. In addition, it is also recommended to include in the application a request to construct future cells with an alternative, in-situ clay liner system which will reduce the construction cost of upcoming cells. The request for an alternative liner permit modification would cost approximately \$20,000. Making the total permit application cost approximately \$60,000.

It is also recommended that the City of Vermillion continue to pursue purchasing adjacent property to the Landfill. As described in the Landfill technical memorandum, there are many benefits to owning more property at the Landfill site.

Rate Study

It is recommended that a rate study be completed. The rate study should take into account the costs identified in the cost of service study, the probable costs of future projects (as determined by the results of the Phase 1 Strategic Planning Study), the variability in the recycling market, and the projected growth in waste from the communities. The rate study should also develop a plan that has a strategy going forward that covers costs and limits loans. The cost of a rate study for this type of project would likely range from \$15,000 to \$20,000.

Franchise Waste Collection in Vermillion

The City of Vermillion currently has garbage collection performed by private haulers that are individually contracted by citizens of the City. As an alternative, the City of Vermillion could franchise solid waste collection. Rather, the City could organize the collection of waste into different regions that could be competitively bid to hauling companies. Each region would then have one hauler. This should lower the cost of collection, reduce the number of trucks going down a street each week, and save on wear and tear of City roads.

The cost to institute franchise waste collection would depend on the amount of outside consulting the City needs. Outside consulting could assist with writing of new ordinances, as well as facilitating public meetings and city council meetings, writing request for proposals, managing the proposal process, and reviewing the proposals.

Sincerely,

HDR ENGINEERING, INC.

Matthew J. Evans, P.E.
Project Manager

J. Mike Coleman, P.E.
Vice President

cc: John Prescott, City of Vermillion
Mike Carlson, City of Vermillion
Doug Russell, City of Yankton
Al Viereck, City of Yankton



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting April 16, 2012

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 surplus City vehicles are from the purchase of replacement vehicles. 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. Notices have been sent to the registered owners and the vehicles have gone unclaimed for more than 60 days. Property is also auctioned for those known owners that have not claimed the other abandoned property, or there is not a known owner and the property has been unclaimed. Each department may also surplus property for which a City use no longer exists. Hazen Bye has agreed to conduct the auction on May 11, 2012.

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 13, 2012

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 11, 2012:

Surplus City Vehicles:

1997	Ford	Ranger	1FTCR10A0VTA33541	71,612
1993	Ford	F150	2FTEF15YXPCA63893	54,126
1998	Chev	1500	1GCEK14R6WZ200481	69,174
1998	Chev	2500	1GCGK24R9WZ201607	90,042
1994	Chev	2500	1GCFC24G9RE275329	111,988

Abandon Vehicles:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Plate</u>	<u>VIN#</u>
1999	Pontiac	Grand AM	19HL51	1G2NE52EXXM725108
1995	Chevrolet	Lumina	19HM46	2G1WN52M7S9256517
1989	Toyota	Camry	19KC52	4T1SV22E9KU092991
1991	Chrysler	New Yorker	2U0J132	1C3XY66R9MD124853
1987	Lincoln	Towncar	7CV202	1LNBM82F2HY613839
1976	Dodge	Jamb. MH	None	F44CF6V069781
1991	Buick	Century	PVS602	1G4AH54N8M6407577
1993	Chevrolet	Van	4R69430	1GCEG25HXP360671
1995	Ford	Probe	7DE565	1ZVLT20A9S5148269
1989	Dodge	Omni	19HH09	1B3BL18D4KC515521
1999	Mazda	4D	4DZY042	JM1BJ2221X0105821
1994	Pontiac	Trans Sport	19JG41	1GMDU06L0RT225873
2000	Dodge	Neon	19GW35	1B3ES46C6YD746189
1995	Ford	Windstar	19JJ09	2FMDA514XSBC87406
1966	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

Surplus City Property:

- Fire: HP printer, 19" TV, VHS player, scanner
- Light: gateway laptop, bracket, 19" RCA TV, speakers, RCA VCR, VCR/DVD combo
- Finance: computer, 2 printers
- Police: 2 Panasonic tough book computers, 3 Dell computers, 4 Dell laptop computers, misc computer parts, assorted used electronic equipment
- Library: 3 monitors, 3 computers, IBM typewriter, plastic cases, 2 boxes misc library and office supplies, misc computer parts, HP printer/copier/scanner
- Wastewater: Plastic water tank 500gallon, HP laser printer, Small trailer, 60 gallon day fuel tank, Computer & monitor
- Custodial: 3 monitors, 2 computers, keyboard
- General Government: computer



Council Agenda Memo

From: Jason Anderson, Assistant City Engineer

Meeting: April 16, 2012

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) 140 horsepower tractors to the City for approximately eight months. John Deere has a governmental lease program that will lease the tractor 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 tractor at governmental discount pricing and, after the lease is up, has a nearly new low hour tractor 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., in the past, has used this program with the SD Department of Transportation. Last year the program was expanded to include cities and counties. Vermillion, the City of Yankton, the City of Elk Point, and Union County are a couple of area entities that are taking advantage of the program.

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.



Council Agenda Memo

From: Jason Anderson, Assistant City Engineer

Meeting: April 16, 2012

Subject: Resolution Correcting the Resolution Establishing Tapping Fees in Lieu of Assessment for Sanitary Sewer Service Lateral for Cherry Street

Presenter: Jason Anderson

Background: The Resolution establishing Tapping Fees in Lieu of Assessment for Sanitary Sewer Service Laterals for Cherry Street was adopted at the April 2, 2012 City Council meeting. The resolution established the tapping fee for each lot or parcel that may eventually be served by the sanitary sewer system, as well as one location that is currently served.

Discussion: After adoption of the April 2, 2012 Resolution, it was discovered that an incorrect rate was utilized in determining the bill for sanitary sewer bedding materials for the Commerce Properties, LLC property. Due to grant funding on the project, the unit cost for these materials should have been reduced from \$3.38/ft to \$2.33/ft. The failure to reflect this reduction would result in a \$138.99 assessment in excess of the City final costs. The error was discovered after the Resolution was adopted by the City Council but before a bill was mailed to the property owner. The property owned by Commerce Properties, LLC is the only parcel currently using the sanitary sewer lateral. To correct this error, the attached Resolution was prepared for City Council consideration.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends the adoption of the Resolution to correct the calculation error in the tapping fee in lieu assessment resolution for the Cherry Street sanitary sewer improvements adopted April 2, 2012.

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



Council Agenda Memo

From: Jason Anderson, Assistant City Engineer

Meeting: April 16, 2012

Subject: Baler and Conveyor for Recycling Center

Presenter: Jason Anderson

Background: A new horizontal baler, scheduled to be replaced in 2012, was provided for in the Joint Powers Recycling Center budget. Bids were opened on April 11, 2012 and four proposals with proper bid securities were received.

Discussion: The proposal includes trade-in for our current baler and an option to include a 3 year parts warranty. Total 1 is the baler cost minus the trade-in value, while Total 2 includes the additional cost of the 3 year parts warranty. Apex Equipment is the low bidder on both Totals 1 and 2. The IBC baler bid, by Apex, meets or exceeds all critical specifications, and the baler includes a standard one year parts and labor warranty. Excluding the add option for a 3 year parts warranty, the bids ranged in price from \$57,135 to \$96,798.80.

Financial Consideration: The purchase will come from the 2012 Joint Powers Recycling Center Fund, line item 3600, after delivery and acceptance. Within this line, \$85,000 was budgeted for the purchase of the new baler.

Conclusion/Recommendations: Administration recommends the award be made to Apex Equipment, on Total 1—no additional warranty, for a total cost of \$57,135.

BID TABULATION

PROJECT: New Horizontal Baler

DATE: April 11, 2012

BIDDER ADDRESS		Apex Equipment 2601 Granger Lane Mound, MN 55364	KVA Engineering 6504 Valley View Rd Corcoran, MN 55340	Recovery Systems Co. 1617 5th Street South Hopkins, MN 55343	Sanitation Products 901 E 48th St North Sioux Falls, SD 57118
BID SECURITY		\$ 3,106.75	\$ 4,650.00	10% B.B.	10% B.B.
ITEM	DESCRIPTION				
A	<u>PROPOSAL</u> Closed Door Baler w/Conveyor	\$82,635.00	\$107,762.00	\$ 96,269.45	\$ 111,798.80
	Make	International	Maren	American Baler	Marathon
	Model	Titan 6-EC	ProPak 60	PW 3560	Gemini Xtreme
	Warranty	1 year parts/labor	1 yr labor/2 yr parts	1 year parts/labor	1 yr parts/labor
B	<u>TRADE-IN</u> Excel EX60 Baler & Excel E-4815 rear load conveyor	\$25,500.00	\$ 18,000.00	\$ 15,000.00	\$ 15,000.00
C	<u>ADD OPTION</u> 3 year parts warranty	\$5,000.00	--	\$ 2,950.00	\$ 8,502.92
TOTAL 1: No Add Option (A-B)		\$57,135.00	\$ 89,062.00	\$ 81,269.45	\$ 96,798.80
TOTAL 2: Including Add Option (A-B+C)		\$62,135.00	--	\$ 84,219.45	\$ 105,301.72
Equipment Delivery ARO		14 weeks	90 days	70 days	8-10 weeks

CITY OF VERMILLION
 INVOICES PAYABLE-APRIL 16, 2012

1 ARCHITECTURE INC.	PROFESSIONAL SERVICES	2,724.50
2 BROADCASTER PRESS	ADVERTISING	2,057.44
3 BUREAU OF ADMINISTRATION	TELEPHONE	292.41
4 CENTURLINK	TELEPHONE	1,086.55
5 CITY OF VERMILLION	LANDFILL VOUCHERS	24.00
6 CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,317.12
7 D & D PEST CONTROL	INSPECTION/TREATMENT	17.50
8 DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,701.97
9 FIRST NATIONAL BANK	CITY HALL DEBT SERVICE	79,926.88
10 FOREMAN MEDIA	COUNCIL MTG	100.00
11 GEOTEK ENGINEERING	PROFESSIONAL SERVICES	1,437.00
12 GREGG PETERS	MONTHLY FEE/QUARTER PROFITS	26,768.16
13 INTERNATIONAL PUBLIC MGMT ASSOC	MEMBERSHIP DUES	149.00
14 KENT OSBORNE	DOMAIN NAME RENEWAL	39.95
15 KNOLOGY	DIAL-UP SERVICE	49.95
16 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
17 MATHESON TRI-GAS, INC	SUPPLIES	137.08
18 MEAD LUMBER	SUPPLIES	31.02
19 MIDAMERICAN	GAS USAGE	2,832.12
20 MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	105.95
21 RESERVE ACCOUNT	POSTAGE FOR METER	950.00
22 SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	46,599.20
23 SDWWA	REGISTRATION	390.00
24 STERN OIL CO.	FUEL	15,557.57
25 SPRINT	CELL PHONE	1,168.48
26 THE EQUALIZER	ADVERTISING	598.40
27 US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,025.00
28 VERMILLION DEVELOPMENT CO	BBB FUND	46,350.00
29 VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	952.96
30 WATER'S EDGE AQUATIC DESIGN, LLC	PROFESSIONAL SERVICES	2,500.00
31 GRETCHEN RICHARDSON	BRIGHT ENERGY REBATE	50.00
32 BRIAN MOLYNEAUZ	BRIGHT ENERGY REBATE	25.00
	GRAND TOTAL	\$238,105.21