Special Meeting Agenda
City Council

12:00 pm (noon) Special Meeting
Monday April 18, 2011
Large Conference Room
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**

2. **Education Session – Electric Rate Study – Missouri River Energy Services.**

3. **Briefing on the April 18, 2011 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 18, 2011
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**

2. **Pledge of Allegiance**

3. **Minutes**
   a. April 4, 2011 Special Session; April 4, 2011 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 that 50% for Tour De Kota on the grass area south of the Dakota Dome between Rose and Dakota Streets located in the 900 block of North Dakota Street.
   b. A retail on-off sale malt beverage license with video lottery for Jackpot Laundry, LLC at 847 East Cherry Street.

7. **Old Business**
   a. Second Reading of Ordinance 1251 – Ordinance Amending Title XV Chapter 154, Subdivision Regulations, Enacting Revised Subdivision Regulations for the City of Vermillion and Rural Platting Jurisdiction Area and Repealing Prior Subdivision Regulations as Amended.
   b. Resolution Delegating Plat Approval to the City Engineer.

8. **New Business**
   a. Annual Library report.
   b. Final Plat of Lots 1, 2, 3 and 4 of Bremer's Addition in the W ½ of the NE ¼ and the NW ¼ of Section 3, T92N, R52W of the 5th P.M., Clay County, South Dakota.
   c. Declaration of surplus and abandoned property for auction.
   d. Planning Commission appointment.
   e. SECOG Contract for Voter Ward Redistricting.

9. **Bid Openings**

10. **City Manager's Report**

11. **Invoices Payable**

12. **Consensus Agenda**

a. Set a bid opening date of May 11, 2011 for Bored Water Main Replacement at 12th St. Railroad Crossing and Dakota St/Hwy 50 Intersection.

13. 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 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 4, 2011
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 4, 2011 at 12:00 noon in the City Hall Council Chambers.

1. Roll Call

Present: Grayson, Meins, Osborne (arrived at 12:05 p.m.), Ward, Willson, Zimmerman, Mayor Powell

Absent: Davies, French

2. Educational Session - Coyoteopoly

Caleb Lyle, CEO of Coyoteopoly, reported that Coyoteopoly, in a joint venture with the University of South Dakota College of Fine Arts, will be producing the first ever South Dakota Shakespeare Festival in Vermillion on June 8th to 10th, 2012. Caleb introduced representatives of the College of Fine Arts who explained that the event will include three performances in the Prentis Park Amphitheater and workshops on various theater topics at the Warren M. Lee Center for Fine Arts. Representatives from Coyoteopoly explained the budget and fundraising for the event along with the marketing plan. The Fine Arts Department made a Shakespeare presentation.

Brandon Flynn, President of Coyoteopoly, reviewed the event and requested that the City co-sponsor the project as an official civic partner. As this is not an action item on the agenda, he requested the City Council amend tonight's agenda to include the request as an action item. Brandon and others answered questions of the City Council on the event with Brandon stating that there is no monetary support required as co-sponsor.

3. Educational Session - Update of City/County Joint Jurisdictional Items

Howard Willson, City Council Committee Representative on the County/City Joint Jurisdictional Committee updated the Council members on the last committee meeting.

4. Briefing on the April 4, 2011 City Council Regular Meeting Agenda

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

Alderman Ward requested to leave at 12:55 p.m.

5. Adjourn

082-11
Alderman Zimmerman moved to adjourn the Council special session at 1:07 p.m. Alderman Willson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 4th day of April, 2011.

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 4, 2011
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 4, 2011 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Osborne

2. Pledge of Allegiance

3. Minutes

A. March 21, 2011 Special Session; March 21, 2011 Regular Session

083-11
Alderman Willson moved approval of the March 21, 2011 special session minutes and the March 21, 2011 regular session minutes. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

084-11
Alderman French moved approval of the agenda with the addition of New Business Item 8E - Resolution for Co-Sponsorship of Coyoteopoly's South Dakota Shakespeare Festival. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Week of the Young Child Proclamation

Alderman Meins read the proclamation recognizing April 10-16, 2011 as "The Week of the Young Child" in Vermillion. Mayor Powell presented the proclamation to Gera Jacobs.

6. Public Hearings - None

7. Old Business

A. Second Reading of Ordinance No. 1250 - Ordinance Amending Title XV Chapter 155, Zoning Regulations, Proposed Zone Change from R-2 and GB to Cottage Place Planned Development District (old Wheeler Inn property, located approximately at 14 West Cherry Street)

José Dominguez, City Engineer, reported that this was the second reading of the ordinance to rezone the property known as the Wheeler Inn Trailer Court located at 14 West Cherry Street from R-2 and GB to the Cottage Place Planned Development District. José reviewed the different tracts and the planned use of each. He reported that the Planning Commission has reviewed the proposed zone change and recommended adoption of the ordinance.

Lance Weatherly, of Banner Associates, representing Troy Gregoire, Mike Manning and Larry Anthofer, reviewed the planned use for the property noting that they had worked with City staff and the

Planning Commission in developing the use. Lance answered questions of the City Council on the planned development.

085-11
Second reading of title to Ordinance No. 1250, entitled AN ORDINANCE AMENDING Title XV Land Use, Chapter 155 Zoning Regulations, of the 2008 Revised Ordinances 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.

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1250, entitled an Ordinance Amending Title XV Land Use, Chapter 155 Zoning Regulations, of the 2008 Revised Ordinances 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 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 21st day of March, 2011 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 4th day of April, 2011 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. 1250

AN ORDINANCE AMENDING TITLE XV LAND USE, CHAPTER 155 zoning REGULATIONS, OF THE 2008 REVISED ORDINANCES for the city of vermillion, 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 Chapter 155, Zoning Regulations for the City of Vermillion, is hereby amended to add the Cottage Place Planned Development District 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 ADDITION; AND THE WEST 293 FEET OF LOT 3, BLOCK 85, ADDITION TO SNYDERS ADDITION; 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 ADDITION; 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 ADDITION; 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 ADDITION; 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 ADDITION; 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 THEREOF DESIGNATED AS A ROADWAY, 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:

<u>Section 155.057 Cottage Place Planned Development District.</u> 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, 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)

(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)

(1) 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)

(1) 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
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	§ 155.072	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 (§ 155.082) for other specific exceptions.
#4	A conditional use permit will be required for any structure exceeding heights identified above (§ 155.095(A))
#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-or-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 4th day of April, 2011.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

_____

John E. (Jack) Powell, Mayor

ATTEST:

_____

Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Meins. 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-Y, French-Y, Grayson-Y, Meins-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y

Motion carried 8 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

B. Second Reading of Ordinance No. 1251 - Ordinance Amending Title XV Chapter 154, Subdivision Regulations, Enacting Revised Subdivision Regulations for the City of Vermillion and Rural Platting Jurisdiction Area and Repealing Prior Subdivision Regulations as Amended

José Dominguez, City Engineer, reported that this was second reading of the ordinance to repeal the existing subdivision regulations and adopt new regulations for the subdivision of land within the City of Vermillion and Rural Platting Jurisdiction Area. José stated that this ordinance was reviewed with the City Council during the March 7th noon session and that the Planning Commission has reviewed and recommended the adoption. He stated that, after the first reading of the ordinance, a copy was sent to the County and at the March 29th County Commission meeting he was present to answer questions on the ordinance. The County Commission requested that the second reading of the ordinance be delayed until April 18th to allow more time for their review. José noted that statute requires the City to adopt subdivision regulations. Discussion followed.

086-11
Alderman Grayson moved to table second reading of Ordinance No. 1251 until the April 18 meeting. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

8. New Business

A. Final Plat of Lots 4 and 5, Block 1, Mehlhaf Addition

José Dominguez, City Engineer, reported on the location of the property which is at the end of East Clark Street. The Planning Commission recommended adoption of the plat. He reported that City Staff recommended approval of the plat. José answered questions on the plat. Discussion followed.

087-11

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

WHEREAS, It appears that the owners thereof have caused a plat to be made of the following described real property: Lots 4 and 5, Block 1, Mehlhaf Addition, City of Vermillion, Clay County, South Dakota for approval.

BE IT RESOLVED, that the attached and foregoing plat has been submitted to and a report and recommendations thereon made by the Vermillion Planning Commission to the City Council of Vermillion which has approved the same.

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

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

B. Resolution to Financial Agreement with Department of Transportation for Funding of a Transportation Study

José Dominguez, City Engineer, reported that the City has been selected to receive assistance from the SD Department of Transportation to perform a transportation study. The City will reimburse the State 20% of the cost not to exceed $25,000 for the study. The last transportation study was done in 2004 with many of the recommendations being implemented. Discussion followed.

088-11
After reading the same once, Alderman Zimmerman moved adoption of the following:

Resolution
Accepting the Agreement for Funding of a Transportation Planning Study

Whereas, the City of Vermillion applied for a State Planning and Research (SPR) Funded Transportation Study through the South Dakota Department of Transportation, and;

Whereas, the City of Vermillion was notified of the approval of the application to receive assistance to perform a transportation study, and;

Whereas, the Governing Body of the City of Vermillion is required to accept the financial agreement by resolution, and;

Now, therefore, be it resolved, that the Governing Body of the City of Vermillion accepts to reimburse the State twenty percent (20%), not to exceed twenty-five thousand dollars ($25,000), of the study's final cost.

Dated at Vermillion, South Dakota this 4th day of April, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

_____
John E. (Jack) Powell, Mayor

ATTEST:

_____
Michael D. Carlson, Finance Officer

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

C. Resolution to Delegate Minor Plat Approval to the City Engineer and to Designate the City Council as the Board of Appeals for the Minor Plat Process

José Dominguez, City Engineer, reported that this item relates to Ordinance No. 1251 that will authorize the City Engineer to approve minor plats and designate the City Council as the Board of Appeals. Since the second reading was tabled until April 18th, it is recommended that this resolution be tabled until that time also.

089-10
Alderman Willson moved to table action on this resolution until April 18, 2011. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Resolution revising wastewater rates

Mike Carlson, Finance Officer, reported that wastewater rates are computed as a percentage of the average monthly water billing for the months of January, February and March with the new fee remaining in effect until the next April. As part of the State Revolving Fund loan application for the Phase II improvements, sewer rates were adopted for 2009-2011 based upon projections at that time. The rate projected for 2011 was at 132% and based upon the water sales for January-March, the rate of 129% will generate the budgeted revenue but would be a 11.5% rate increase. The Utility Committee, when reviewing the proposed rate, noted an alternative would be to reduce the amount of the rate increase to 9% which would reduce the budgeted reserve for future slip lining of sewer mains from $75,000 to $37,500. A wastewater rate of 126% would amount to a $2.78 per month increase to the customer using an average of 5,000 gallons or 668 cubic feet of water in January, February and March. The increase would be from $31.20 to $33.98 per month. The 126% rate includes the surcharge fee of 25.3% that is needed for the debt service on the Phase II SRF loan. Discussion followed.

090-10
After reading the same once, Alderman Willson 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 their 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.

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 4th day of April, 2011, that the percentage for calculating the sewer charge be established or charged as follows:

(a) Total charge: One hundred twenty six percent (126%). This rate include a surcharge fee defined in (b) below.

(b) Debt Service Surcharge Fees effective for billing after April 20, 2011: 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 five and three tenths percent (25.3%).

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, 2011.

Dated at Vermillion, South Dakota this 4th day of April, 2011.

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

E. Resolution for Co-Sponsorship of Coyoteopoly's Shakespeare Festival

John Prescott, City Manager, reported that the resolution in front of you tonight was prepared following the noon presentation by Coyoteopoly requesting co-sponsorship of the South Dakota Shakespeare Festival. John noted that the resolution reports what was said at noon that there is no monetary requirement of being a co-sponsor and that Coyoteopoly will work with the City on plans for the event. John noted that, as the event is over a year away, there is time to work with the representatives on the details.

Caleb Lyle, CEO of Coyoteopoly, reported that Coyoteopoly, in a joint venture with the University of South Dakota College of Fine

Arts, will be producing the first ever South Dakota Shakespeare Festival in Vermillion on June 8th thru 10th, 2012. Coyoteopoly is requesting that the City of Vermillion be a co-sponsor for the event. Discussion followed on the event, City involvement and the resolution.

091-11
Alderman Davies moved approval of the Resolution for Co-Sponsorship of Coyoteopoly South Dakota Shakespeare Festival as presented. Alderman French seconded the motion. Discussion followed. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

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

4,350 Gal. unleaded (10% ethanol): Stern Oil $3.4914, Brunick's Service $3.52; 1,000 Gal. unleaded: Stern Oil $3.5799, Brunick's Service $3.63; 3,000 Gal. No. 2 Diesel fuel-dyed: Stern Oil $3.5079, Brunick's Service $3.57; 1,000 Gal. diesel fuel-clear: Stern Oil $3.7444, Brunick's Service $3.82

092-10
Alderman Zimmerman moved approval of the low quotes of Stern Oil on all items. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. 2011 Golf Course parking lot and Recycling Center drive concrete paving

José Dominguez, City Engineer, reported that bids were opened on March 30th for paving around the Recycling Center and the Golf Course parking lot. Thirteen (13) bids were received with the low bidder being Slattery Construction in the amount of $157,282.34. Discussion followed.

Walker Construction $197,859.50; Masonry Components, Inc. $187,020.40; Triple R Paving, Inc. $172,752.50; D & G Concrete Construction, Inc. $208,971.00; Slattery Construction $157,282.34; Carstensen Contracting, Inc. $204,410.00; Feimer Construction $208,232.25; KP Construction, Inc. $188,951.00; TR Harris Construction, Inc. $233,445.20; Buskerud Construction $244,513.50; A Plus Concrete Construction $186,459.12; Sodbusters, Inc. $202,349.30; Carl V. Carlson Company $230,657.36

093-10
Alderman Ward moved approval of the low bid of Slattery Construction for the 2011 concrete paving project for a total project bid of $157,282.34. Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Sale of surplus utility vehicle and fairway mower

Harold Holoch, Utility Engineer, reported that the City Council has declared the utility vehicle and fairway mower surplus and they were appraised by the Surplus Property Appraisal Committee. The equipment was advertised with no bids being received. It is recommended that the City Council authorize the sale of the equipment for not less than 90% of the appraised value as advertising continues. The sale would be reported in the next Council packet.

094-10
Alderman French moved, as no sealed bids have been received, approval to authorize the sale of the surplus utility vehicle and fairway mower for not less than 90% of the appraised value. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

D. Chassis cab truck

Harold Holoch, Utility Engineer, reported that bids were opened on March 28th for a chassis cab truck to replace a 1991 dump truck. Harold read the bids and recommended the low base bid of Holcomb Freightliner of $68,290.12 plus Option 2 and 6 for $29.00 for a total contract amount of $68,319.12. Discussion followed.

Holcomb Freightliner: $68,290.12; Option #1 Standard; Option #2 $4.00; Option #3 Not available; Option #4 Not available; Option #5 Standard; Option #6 $25.00

Great Plains Intl.: $73,865.00; Option #1 $1,200.00; Option #2 $297.00; Option #3 $241.00; Option #4 $141.00; Option #5 $177.00; Option #6 Not available

095-10
Alderman Davies moved approval of the low bid of Holcomb Freightliner of $68,290.12 with Option 2 and 6 for $29.00 for a total bid amount of $68,319.12. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that the Police Department was granted CALEA recognition status on March 26th at the annual conference. He stated that there was an on-site inspection where the Department demonstrated compliance with 112 policies. John noted that there is only one other law enforcement agency in SD that has CELEA recognition or accreditation.

B. John reported that landfill vouchers are available at City Hall, the Recycling Center and Landfill. The voucher will be in the newspaper within the next week. The roll-off boxes for grass, leaves and small tree branches are not yet back at the Recycling Center due to soft soils but should be arriving shortly.

C. John reported that the Water Department will begin flushing hydrants on Monday, April 18th and reminded customers to watch for discolored water.

D. John reported that there is an opening on the Planning Commission to fill a term that runs through June 2015. Citizens interested in serving are asked to complete an Expression of Interest form available at City Hall by noon on April 18th.

PAYROLL ADDITIONS AND CHANGES

Code: Jim Balleweg $16.26./hr; Recreation: Kate Berreth $7.75/hr, Jamie Hovden $7.50/hr, Ashley Sveum $7.50/hr; Pool: Josephine Nordberg $8.25/hr; Parks: Nicole Bruns $7.25/hr; Golf Clubhouse: Anna Erickson $7.25/hr, Tom, Reynolds $7.25/hr, Justin Snyder $7.25/hr, Lucas Tanner $7.25/hr; Golf Maintenance: Paul McDonald $8.25/hr, Lane Relf $7.50/hr
11. Invoices Payable

11. Invoices Payable

096-11
Alderman Davies moved approval of the following bill:

JOHN POWELL	MRES TRAV-REFUND APPA TRIP	1,339.68

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

097-11
Alderman Zimmerman moved approval of the following bills:

AMERICAN LIBRARY ASSN	BOOKS	32.50
AMSAN	SUPPLIES	123.68

ANTIGUA GROUP, INC	MERCHANDISE	2,145.66
APPEARA	SUPPLIES	51.75
ARAMARK	UNIFORM SHIRTS	192.69
ARAMARK UNIFORM SERVICES	UNIFORMS & CLEANING	447.13
ARGUS LEADER	ADVERT-EMPLOYMENT PKG	706.50
AUDIO GO	BOOKS	163.91
AUTOMATIC BLDG CONTROL	INSPECTIONS/REPAIRS	2,133.32
AWWA	MEMBERSHIP DUES	330.00
BAG BOY CO	MERCHANDISE	236.00
BAKER & TAYLOR BOOKS	BOOKS	392.68
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	6,161.82
BARNES DISTRIBUTION	SUPPLIES	274.32
BASIN ELECTRIC POWER COOP	MAINTENANCE	442.96
BEST WESTERN RAMKOTA INN	TRAVEL	162.00
BIITTNER MASONRY	REPAIRS	816.00
BOBS CANDY SERVICE, INC	SUPPLIES	237.72
BOMGAARS	SUPPLIES	301.65
BOOK WHOLESALERS, INC	BOOKS	275.99
BROADCASTER PRESS	ADVERTISING	98.94
BUSHNELL OUTDOOR PRODUCTS	MERCHANDISE	969.68
BUTLER MACHINERY CO.	ENG. EQUIPMENT/PARTS	18,612.81
CADD/ENGIN SUPPLY, INC	SUPPLIES	94.15
CALLAWAY GOLF	MERCHANDISE	1,323.60
CAMPBELL SUPPLY	SUPPLIES	910.96
CANON FINANCIAL SERVICES	COPIER LEASE	56.16
CASK & CORK	MERCHANDISE	1,180.31
CENTURY BUSINESS PRODUCTS	COPIER CONTRACT	36.00
CHESTERMAN CO	MERCHANDISE	487.00
CITY OF VERMILLION	COPIES/POSTAGE	1,455.66
CITY OF VERMILLION	UTILITY BILLS	32,060.81
CLAY RURAL WATER SYSTEM	WATER USAGE/SODA ASH	936.20
CLAY-UNION ELECTRIC CORP	ONE CALL MTG SPONS SHARE	89.45
COBRA PUMA GOLF, INC	MERCHANDISE	242.74
COFFEE KING, INC	SUPPLIES	57.75
COLLINS BROTHERS, INC	MERCHANDISE	257.46
COLONIAL LIFE ACC INS.	INSURANCE	3,250.10
CONCRETE MATERIALS	SUPPLIES	480.48
CONTINENTAL RESEARCH CORP	SUPPLIES	1,385.35
CORY MOORE	SAFETY BOOT REIMBURSEMENT	79.49
CRYSTAL BRADY	MEALS REIMBURSEMENT	52.00
D & D PEST CONTROL	INSPECTION/TREATMENT	17.50
DAKOTA BEVERAGE	MERCHANDISE	8,282.57
DAKOTA PC WAREHOUSE	COMPUTER/REPAIRS	534.95

DAKOTA PUMP INCORP	PARTS	4,725.89
DAKOTA RIGGERS/TOOL SUPPLY	SUPPLIES	68.06
DANKO MES, INC.	FIRE HOSE	7,858.03
DAPHNE'S HEADCOVERS	MERCHANDISE	49.91
DAVIS PHARMACY	SUPPLIES	651.95
DELTA DENTAL PLAN	INSURANCE	5,537.52
DEMCO	SUPPLIES	296.73
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	236.00
DEWILD GRANT RECKERT ASSOC	PROFESSIONAL SERVICES	1,246.00
DIVISION OF MOTOR VEHICLE	TITLE/PLATES	13.00
DUST TEX	SUPPLIES	45.26
EARTHGRAINS BAKING CO'S INC	SUPPLIES	92.26
ECHO ELECTRIC SUPPLY	SUPPLIES	197.09
ENTERSECT	USER AGREEMENT	79.00
ENVIRONMENTAL RESOURCE ASSOC	SUPPLIES	1,051.84
ERIN J. SEEP	MAINTENANCE	87.00
FARMER BROTHERS CO.	COFFEE PACKETS	32.88
FOREMAN MEDIA	COUNCIL MTG	100.00
FORESTRY SUPPLIERS, INC	SUPPLIES	684.78
FULL BLAST ENGINEERING	POLICE EQUIPMENT	2,100.00
FULLERTON LUMBER CO	SUPPLIES	106.15
GAYLORD BROS INC	SUPPLIES	42.47
GE CAPITAL	COPIER LEASE	114.48
GEAR FOR SPORTS	MERCHANDISE	5,212.84
GL SPORTS	REC SUPPLIES	201.00
GRAINGER	PARTS	91.46
GREGG PETERS	FREIGHT	1,907.75
GREGG PETERS	RENT	937.50
GUARANTEE OIL CO INC	SUPPLIES	26.45
HACH CO	PARTS	1,084.45
HANSEN LOCKSMITHING	SUPPLIES	65.00
HARLAND TECHNOLOGY SERVICE	EQUIPMENT MAINTENANCE	1,485.00
HAWKINS WATER TREATMENT	CHEMICALS	932.50
HD SUPPLY WATERWORKS	SUPPLIES	2,111.00
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	1,703.26
HEIMAN, INC.	INSPECTION	162.16
HERREN-SCHEMPP BUILDING	SUPPLIES	44.97
HOUSE OF WHITE BIRCHES	BOOKS	29.94
HY VEE FOOD STORE	SUPPLIES	66.01
IN CONTROL, INC	PROFESSIONAL SERVICES	768.00
INDEPENDENCE WASTE	WASTE HAULING	774.00
INGRAM	BOOKS	3,345.89

JACKS UNIFORM & EQPT	UNIFORM/SUPPLIES	2,109.49
JACQUELINE LOGUE	REF AMBULANCE OVERPAYMENT	368.80
JOHN A CONKLING DIST.	MERCHANDISE	6,234.59
JOHNSON BROS FAMOUS BRANDS	MERCHANDISE	29,710.04
JOHNSON CONTROLS	SERVICE AGREEMENT	1,388.22
JOHNSTONE SUPPLY	SUPPLIES	131.16
JONES ACE HARDWARE	PARTS/SUPPLIES	1,832.85
JONES FOOD CENTER	SUPPLIES	654.86
JOSE DOMINGUEZ	MEALS REIMBURSEMENT	54.00
KAISER REFRIGERATION	SUPPLIES	98.98
KALINS INDOOR COMFORT	PART	3.69
KARIAN PETERSON CONTR	TRANSMISSION LINE	50,876.90
KARSTEN MFG CORP	MERCHANDISE	2,538.50
KIRK HOGEN	MILEAGE REIMBURSEMENT	76.00
KNOLOGY	E911 CIRCUIT/DIALUP SERV	1,415.45
KOLETZKY IMPLEMENT	PARTS	282.80
LAKE REGION CONTR, INC	SNOW HAULING	386.64
LARGE PRINT OVERSTOCKS	BOOKS	14.51
LARRYS HOME REPAIR	REPAIRS	45.00
LAUREN L. TOLSMA	REIMBURSE SUPPLIES	9.98
LAWSON PRODUCTS INC	SUPPLIES	215.51
LEARNING OPPOR, INC	BOOKS	838.07
LEGGETTE/BRASHEARS/GRAHAM	PROFESSIONAL SERVICES	3,344.43
LEISURE LAWN CARE	SERVICE CENTER TREATMENT	167.20
LESSMAN ELEC. SUPPLY CO.	SUPPLIES	617.70
LIFESPAN TECH RECYCLING	TRANSPORT ELECTRONICS	5,605.40
LINCOLN MUTUAL LIFE	INSURANCE	518.91
LONGS PROPANE INC	PROPANE	4,749.20
LOREN FISCHER DISPOSAL	HAULING CARDBOARD	140.00
M.W BEVINS CO	REPAIRS	217.45
MAGNUM DEVELOPMENT	WATER HEATER REBATES	1,872.00
MARK CLARK	MEALS/MILEAGE REIMBURSE	46.40
MARK MILBRODT	SAFTETY BOOT REIMBURSE	100.00
MARKS LAWN CARE	DEBRIS REMOVAL	209.75
MART AUTO BODY	TOWING	520.00
MATHESON TRI-GAS, INC	SUPPLIES	86.75
MATTHEW BENDER & CO, INC	BOOK	31.87
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,088.00
MCLEODS PRINTING	TRAFFIC TICKETS	606.05
MEDICAL WASTE TRANS, INC	HAUL MEDICAL WASTE	55.00
MIDWEST ALARM CO	ALARM MONITORING	120.00
MIDWEST BLD MAINTENANCE	MAT SERVICE	520.90
MIDWEST TURF & IRRIGATION	MOWERS/REPAIRS	46,035.06

MISSOURI RIVER ENERGY SERV	ADVERTISING	225.00
MISSOURI VALLEY MAINTENANCE	REPAIRS	897.90
MOORE WELDING & MFG	REPAIRS	15.30
N B GOLF LLC	GOLF CARS LEASE/BEVER UNIT	4,238.40
NATIONAL MUSIC MUSEUM	CONTRIBUTION	7,500.00
NATL GOLF FOUNDATION	MEMBERSHIP DUES	199.00
NCL OF WISCONSIN, INC	SUPPLIES	651.00
NETSYS+	PROFESSIONAL SERVICES	400.00
NEW YORK LIFE	INSURANCE	95.00
NIKE INC	FREIGHT	3,375.59
NOVELTY MACHINE & SUPPLY	SUPPLIES	43.00
OFFICE SYSTEMS CO	INK CARTRIDGES/COPIER CONTR	1,348.92
PEPSI COLA	POP-RECREATION	257.75
PETE LIEN & SONS, INC	CHEMICALS	3,973.00
PITNEY BOWES	POSTAGE METER RENTAL	242.49
PKG CONTRACTING, INC	WWTF PHASE II IMPROVEMENTS	16,200.00
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
PRAIRIE BERRY WINERY	MERCHANDISE	1,581.00
PRESSING MATTERS	SUPPLIES	317.00
PRESTIGE FLAG	SUPPLIES	328.64
PRINT SOURCE	ADVERTISING	453.00
PUMP N PAK	FUEL	2,437.81
QUALITY EQUIP AND SERVICE	BLADE SHARPENING	37.50
QUEEN CITY WHOLESALE	MERCHANDISE	432.51
QUILL	SUPPLIES	769.69
QWEST	TELEPHONE	733.56
RACOM CORPORATION	MAINTENANCE CONTRACT	335.00
RANDOM HOUSE, INC	BOOKS	378.95
RECORDED BOOKS, INC	BOOKS	930.20
REINHART FOODSERVICE, LLC	SUPPLIES	833.42
REPUBLIC NATIONAL DIST	MERCHANDISE	27,638.30
RESCO	WIRE/SUPPLIES	31,495.78
RIVERSIDE HYDRAULICS & LAB	PARTS	707.08
ROBIN HOWER	MEALS REIMBURSEMENT	64.00
SANFORD CLINIC VERMILLION	SUPPLIES	57.36
SANITATION PRODUCTS	PARTS	79.94
SD RETIREMENT SYSTEM	CONTRIBUTIONS	44,339.41
SD SOLID WASTE MANAGEMENT	REGISTRATION	330.00
SENIOR CITIZEN	CONTRIBUTION	15,000.00
SENSUS METERING SYSTEMS	REPAIRS	152.25
SERVALL TOWEL & LINEN	SUPPLIES	24.96
SIOUX CITY JOURNAL	ADVERTISING	358.71
SIOUX FALLS CRANE & HOIST	CRANE INSPECTION	510.00

SIOUX FALLS TWO WAY RADIO	REPAIRS	517.39
SIOUX SALES CO.	POLICE EQUIPMENT	1,103.70
SIOUXLAND HUMANE SOCIETY	DROP OFF FEES	74.00
STAN HOUSTON EQPT CO	PARTS	102.24
STERN OIL CO.	SUPPLIES	104.54
STEWART OIL-TIRE CO	REPAIRS	121.90
STURDEVANTS AUTO PARTS	PARTS	959.77
SUN MOUNTAIN	MERCHANDISE	520.70
TEAM GOLF	MERCHANDISE	394.28
THATCHER COMPANY	SODA ASH	6,886.00
THE EQUALIZER	ADVERTISING	144.00
THE NEW SIOUX CITY IRON CO	SUPPLIES	302.94
TITLEIST DRAWER CS	MERCHANDISE	10,185.99
TODDS ELECTRIC SERVICE	INSTALL LOAD CONTROLS	420.00
TRUE VALUE	PARTS	157.92
TUBLEWEED PRESS INC	SUBSCRIPTION	399.00
TURFWERKS	PARTS	31.90
TYLER TECHNOLOGIES	MAINTENANCE	18,119.20
ULTRAMAX	SUPPLIES	545.79
UNITED WAY	CONTRIBUTIONS	285.00
UPSTART	BOOKS	677.10
USA BLUEBOOK	PARTS	342.05
UTIL PLUS ENERGY SERVICE	REPAIRS	1,875.00
VERM CHAMBER OF COMMERCE	DUES/TICKETS	190.00
VERMILLION COMMUNITY CPR	CPR CLASS	28.00
VERMILLION FORD	2011 FORD FUSION/REPAIRS	18,969.35
VGSA	SOFTBALL SPONSORSHIP	150.00
VISA/FIRST BANK & TRUST	TRAVEL/LODGING/SUPPLIES	7,228.64
WAHLTEK	SERV AGREEMENT COM CENTER	2,048.00
WAL-MART COMMUNITY	SUPPLIES	558.72
WALT'S HOMESTYLE FOODS, INC	MERCHANDISE	66.00
WESCO DISTRIBUTION, INC	SUPPLIES	2,774.65
WEST GROUP PAYMENT CENTER	SUBSCRIPTION	197.52
WESTERN STATES CABLING INC	SUPPLIES	616.00
YANKTON FIRE & SAFETY	EXTINGUISHER RECHARGE	65.00
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,693.34
ZEE MEDICAL SERVICE	SUPPLIES	34.90
ZEP SALES & SERVICE	SUPPLIES	335.35
ZIMCO SUPPLY CO	SUPPLIES	2,827.40

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

12. Consensus Agenda

A. Set a public hearing date of April 18, 2011 for a special permit to exceed permissible sound levels by no more than 50% for Tour De Kota on the grass area south of the Dakota Dome between Rose and Dakota Streets located in the 900 block of North Dakota Street

B. Set a public hearing date of April 18, 2011 for a retail on-off sale malt beverage license with video lottery for Jackpot Laundry, LLC at 847 East Cherry Street

098-11
Alderman Ward moved approval of the consensus agenda. Alderman Grayson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

099-11
Alderman Ward moved to adjourn the Council Meeting at 8:15 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 4th day of April, 2011.

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 29, 2011 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 29, 2011 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 18th day of April, 2011.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By_____
Michael D. Carlson, Finance Officer

The City of Vermillion Parks Department is proud to announce...

The celebration of Arbor Month from April 29 to May 29th.

Everyone is welcome to come celebrate.

- **April 29th @ 1 p.m. - Memorial Tree Planting in Memory of Donny Young at Prentis Park-** with area 2nd Graders and the Vermillion Garden Club.
  Tree donated by the Vermillion Garden Club.

- **Poster Contest for 3rd graders (all schools)-** The top 3 placing will receive prizes and will be displayed at City Hall and in the Equalizer.

- **A Day of Trees with the 6th graders-** Teaching them how to tap a maple tree for sap for making syrup and how to read the rings of a tree and what the rings mean.

If you would like to join us for these events, contact the Parks Dept. @ 677-7082.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: April 18, 2011

Subject: Special permit to exceed permissible sound levels by no more than 50% for Tour De Kota grass area south of the Dakota Dome between Rose and Dakota Street located in the 900 block of North Dakota Street on Thursday, June 9, 2011, from 12:00 noon to 9:00 p.m. for a live radio remote and band.

Presenter: Mike Carlson

Background: Maureen Cashin, on behalf of the Tour De Kota Committee, submitted an application for a special permit to exceed allowable noise levels for a live radio remote and band on June 9, 2011 from 12:00 noon to 9:00 p.m. in the grass area south of the Dakota Dome between Rose and Dakota Street. Included is a copy of the application, diagram of the event 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.

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 committee or permitted to continue shall constitute a separate offense and shall be punishable as such.

Discussion: As the diagram indicates, the live remote and band will be located in the north portion of the concrete parking lot with the sound projecting north towards the Dakota Dome. 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. It appears the entire event is on University property.

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 were problems related to the noise.

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 TOUR DE KOTA

Contact Person MAUREEN CASHIN, TOUR DE KOTA COMMITTEE MEMBER Phone 605-624-5571

Contact Person Address 116 MARKET STREET, #103, VERMILLION, SD 57069 (VCDC OFFICE)

Location of Event USD TAILGATE AREA (SOUTH OF DOME BETWEEN DAKOTA & ROSE STREETS) Date of Event 6/9/11

Duration of event from time 12:00 NOON to Time 9:00 P.M.

The ordinance asks if this is a suitable location with appropriate facilities:
THE TOUR DE KOTA CAMPGROUNDS WILL BE ON THE GRASSY AREA SOUTH OF THE DOME BETWEEN DAKOTA AND ROSE STREETS (USD TAILGATE AREA). THIS LOCATION WAS CHOSEN FOR ITS LARGE EXPANSE OF CAMPING SPACE AND PROXIMITY TO RESIDENCE HALLS, WHERE RIDERS WHO CHOOSE NOT TO CAMP WILL STAY OVERNIGHT. THE USD PARKING LOT JUST SOUTH OF THE CAMPSITE IS WHERE FOOD VENDORS, KVHT LIVE REMOTE, AND THE BAND WILL BE LOCATED. THE SITE WILL ALSO HAVE PORTABLE RESTROOMS BROUGHT BY TOUR DE KOTA.

The ordinance asks the applicant to demonstrate that the event for which the permit is requested be of public benefit. Describe the public benefit:
VERMILLION WAS CHOSEN AS ONE OF THE HOST CITIES FOR THIS YEAR'S TOUR DE KOTA, "THE COLLEGE CAMPUS CRUISE." THIS WILL BRING MANY VISITORS TO OUR CITY, WHICH WILL PROVIDE A POSITIVE ECONOMIC IMPACT. THE ACTIVITIES SCHEDULED WILL BE AVAILABLE NOT ONLY FOR THE ENJOYMENT OF THE VISITING BIKE RIDERS AND THEIR FOLLOWERS, BUT ALSO FOR THE GENERAL PUBLIC.

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 Maureen Cashin date 3/28/11.

NOTICE OF PUBLIC HEARING FOR SPECIAL PERMIT
TO EXCEED ALLOWABLE SOUND LEVELS

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 18th day of April, 2011 at the hour of 7:00 P.M. at the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for a special permit to exceed allowable sound levels on the date and times listed below which has been filed in the Finance Officer's Office:

Tour De Kota, Vermillion Committee, request for a special permit to exceed allowable sound levels in the grass area south of the Dakota Dome between Rose and Dakota Street located in the 900 block of North Dakota Street on Thursday, June 9, 2011, from 12:00 noon to 9:00 p.m. for a live radio remote and band.

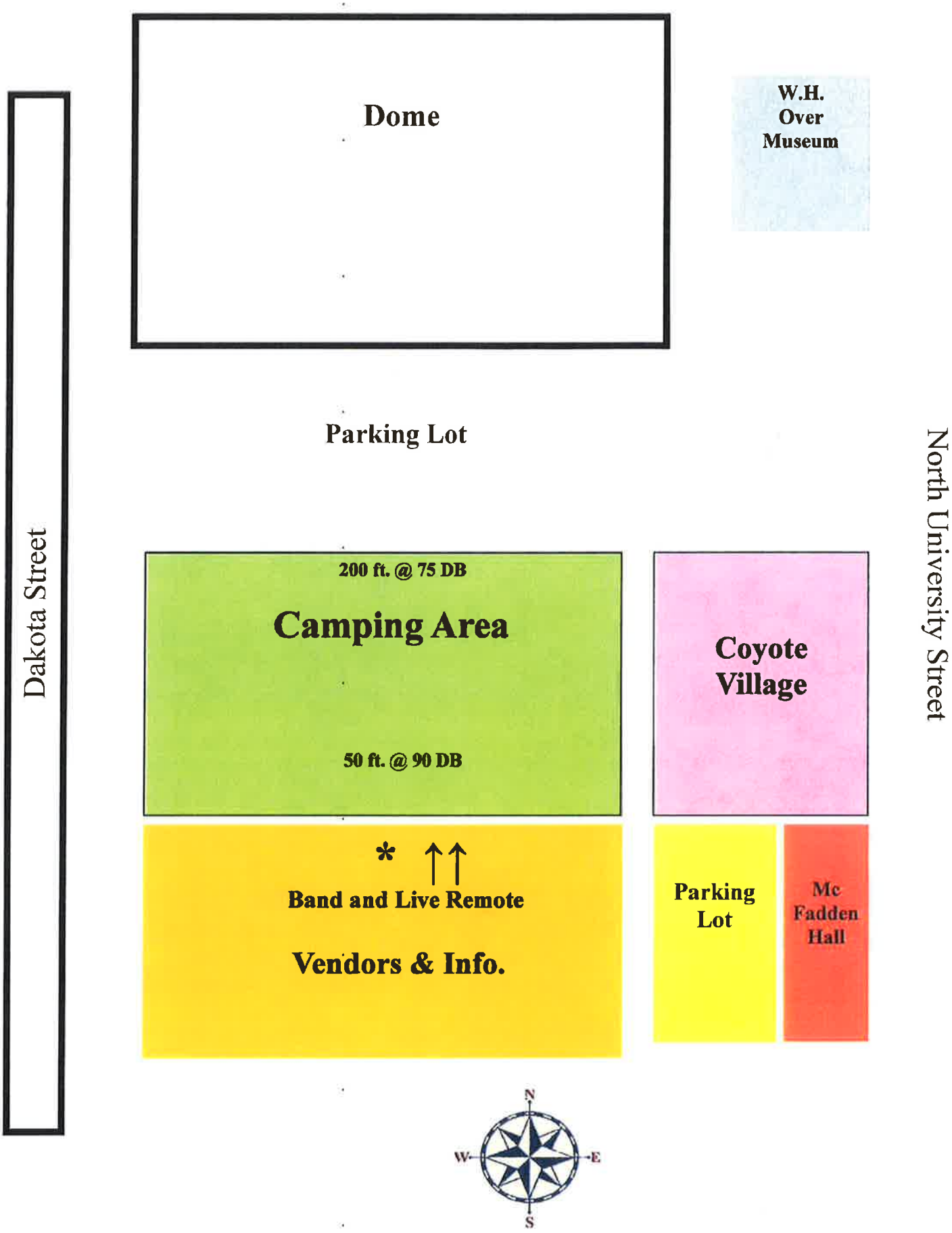
NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application for special permit.

Dated at Vermillion, South Dakota this 31st day of March, 2010.

_____
Michael D. Carlson, Finance Officer

Publish: April 8, 2011

Published once at the approximate cost of _____.


Dome
W.H.
Over
Museum
Parking Lot
Dakota Street
North University Street
200 ft. @ 75 DB
Camping Area
50 ft. @ 90 DB
Coyote
Village
*
Band and Live Remote
Vendors & Info.
Parking
Lot
Mc
Fadden
Hall
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E
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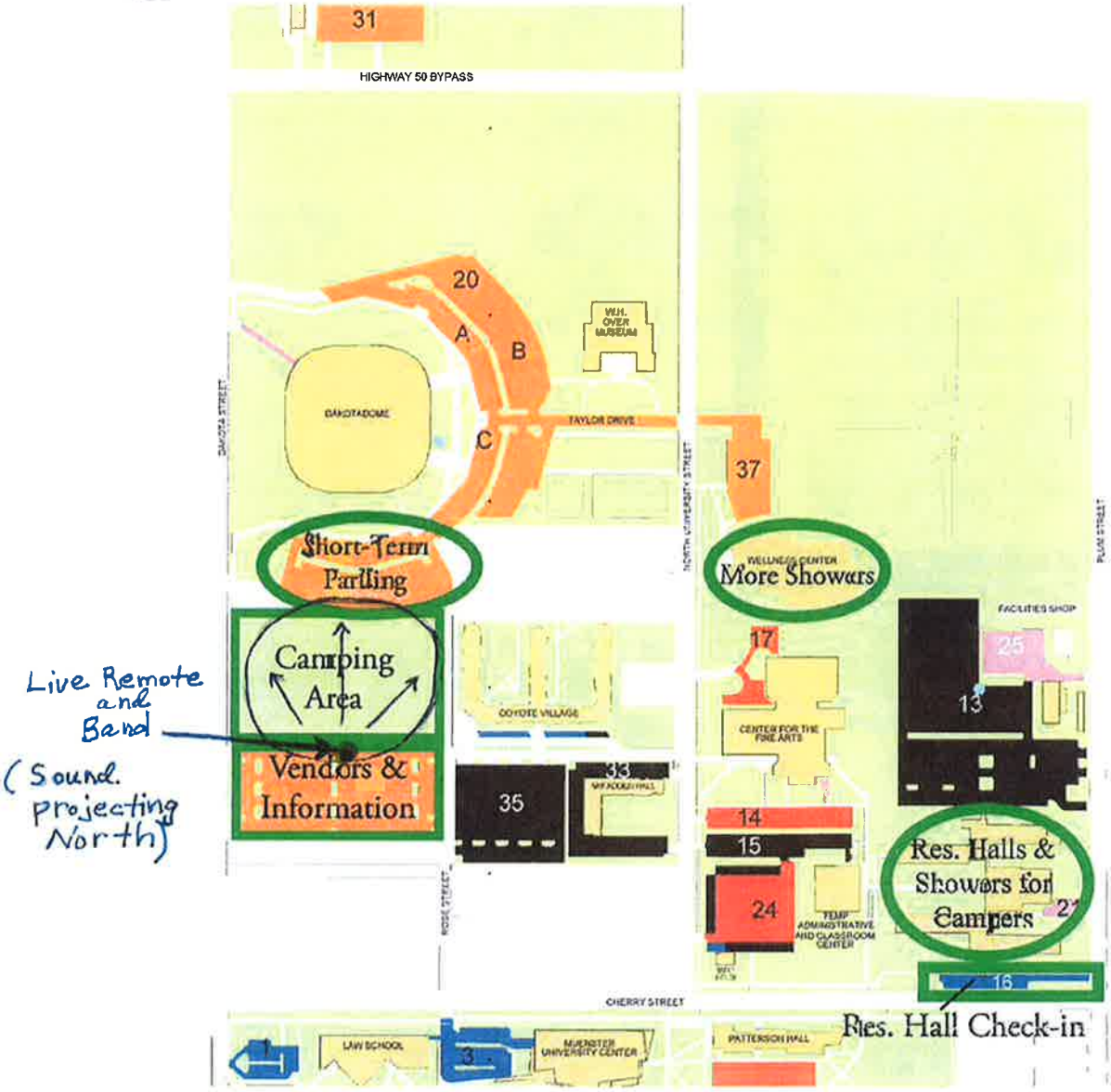
Tour de Kota Site



The University of South Dakota

N

PARKING LOT DESIGNATIONS

- A PERMIT OFF CAMPUS
- B PERMIT ON CAMPUS
- L PERMIT LAMBDA CHI
- R RESTRICTED PARKING
- VISITOR PARKING
- ALL PERMITS

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: April 18, 2011

Subject: Retail on-off sale malt beverage license with video lottery for Jackpot Laundry, LLC at 844 E Cherry

Presenter: Mike Carlson

Background: An application was received for an on-off sale malt beverage license with video lottery for Jackpot Laundry, LLC for Jackpot Laundry at 844 East Cherry Street. The notice of hearing and the Interim Police Chief's report on the applicants are included in the packet.

Discussion: The City Council has the ability to issue a license on basically two criteria: suitable person and suitable location. With respect to the location criteria, a license has not previously been approved for this location but the business is located within the strip mall where Little Italy's has been issued a malt beverage and wine license and, further to the east, The Roadhouse has been issued a liquor license. With respect to the suitable person criteria, the City Council can also determine that an applicant is not of suitable moral character and not issue a license. The Interim Police Chief's report lists a DUI in May 2010 and a number of other convictions that are over ten years ago for the applicant. The South Dakota criminal background check and the FBI reports have not yet been received.

This renovation project will require a building permit thus any motion to approve should include the contingency of final inspection by the building official before issuance of the license.

Financial Consideration: The license fee is $300 for the on-off sale malt beverage license that runs through June 30, 2011. Half of the license fee is retained by the City.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval or denial of the on-off sale malt beverage license with video lottery. A motion to approve should be

contingent upon final inspection by the building official. If a motion is made to deny the license, the reason needs to be included in the motion.

City of Vermillion
Police Department
15 Washington Street • Vermillion, SD 57069

Phone: (605) 677-7070
Fax: (605) 677-7166
www.vermillionpd.org

MEMORANDUM

To: Vermillion City Council **Date:** April 11, 2011

From: Chad Passick
Captain

Subject: Application for Retail (on-off sale) Malt Beverage license

Reference: Jackpot Laundry LLC

I have reviewed the application submitted by Sean Brady regarding a Retail on-off sale Malt Beverage License for Jackpot Laundry LLC.

An examination of a South Dakota criminal history report and the Vermillion Police Department's Records Management System was completed in reference to the owner of the establishment, Sean Brady. The following arrests and convictions were found regarding Mr. Brady:

5/16/2010 Charge: DUI 1st Offense
Disposition: Guilty, $350 fine

7/27/1997 Charge: 1.Possession less than 1/2 lb. Marijuana
2. Possession of Drug Paraphernalia
Disposition: 1. Guilty, 14 days in jail suspended, $300 fine
2. Dismissed

1/21/1995 Charge: Insufficient Funds Check – 2nd Degree ($100-$500)
Disposition: Guilty, 10 days in jail suspended, $100 fine

1/6/1995 Charge: Insufficient Funds Check – 3rd Degree ($100 or less)
Disposition: Guilty, 5 days in jail suspended, $53.50 fine

1/13/1994 Charge: Insufficient Funds Check – 3rd Degree (6 cts)
Disposition: 4 cts Dismissed, Guilty on 2 cts.
15 days in jail suspended, total $108 fine plus costs

12/2/1993 Charge: Insufficient Funds Check – 3rd Degree
Disposition: Dismissed

9/22/1991 Charge: Traffic – Eluding
Disposition: Guilty, $150 fine + costs

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 18th day of April, 2011 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated, which has been presented to the City Council and filed in the Finance Officer's Office:

Retail on-off sale malt beverage license with video lottery until June 30, 2011:
Jackpot Laundry, LLC for Jackpot Laundry at 847 East Cherry Street.

NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application.

Dated at Vermillion, South Dakota this 30th day of March, 2011.

_____
Michael D. Carlson, Finance Officer

Publish: April 8, 2011

Published once at the approximate cost of _____.

Council Agenda Memo

From: José Domínguez, City Engineer

Meeting: April 18, 2011

Subject: Second Reading of Ordinance No. 1251 - Amendment to Repeal Existing Subdivision Regulations and Adopt New Regulations for the Subdivision of Land within the City of Vermillion and Rural Platting Jurisdiction Area

Presenter: José Domínguez

Background: The current subdivision ordinance was adopted in 1967. Over the years, the ordinance has seen minor updates. Since the ordinance was adopted, new federal regulations and State statutes have been enacted which affect the ordinance. These changes in federal and state regulations have not been included into the City's ordinances. The past 44 years have also seen changes to the way communities are planned and services provided to growing areas. The City Council approved first reading of Ordinance No. 1251 at the March 21 meeting.

Discussion: As previously mentioned, the current ordinance has not been updated to reflect current federal and state regulations. For example, the platting process called out in our current ordinance is outdated. The County is not required to actively participate in the platting process but practice has been to include them. The platting jurisdiction has also changed numerous times since the original ordinance was enacted. Additionally, the requirement for development plans is weak and does not provide for different levels and classifications of plans (i.e. preliminary, conceptual, etc.). Also, the ordinance does not give any authority to enforce storm drainage standards.

In comparison, the proposed ordinance will have requirements for platting and development plans clearly defined. Platting within the City will be divided into minor and major plats, with minor plats being utilized to speed up the process for smaller, simpler, projects within the City. Major plats will require the applicant to present to the Planning Commission and to the City Council. In addition, the projects going through the major plat process will also have to complete a set of development plans prior to a building permit being issued. The major plat process

is meant to afford the public, Planning Commission, and City Council opportunities to comment on developments. However, the development plans will only be reviewed by the staff.

Plats outside of the City limits will be divided into plats falling within the Joint Jurisdictional Zoning Area or outside of the Joint Jurisdictional Zoning Area. Plats outside of the Joint Jurisdictional Zoning Area will follow a similar process as the minor plats within the City, with the addition that the County Planning Commission and Board of Commissioners will review and approve the plats. Per State statute, plats within the Joint Jurisdictional Zoning Area will have to be reviewed by the County Planning Commission, who will make a recommendation to the City Council.

On March 7th, staff presented the regulations to the City Council at an education session. The Planning Commission has also reviewed the regulations and unanimously recommends approval. The ordinance was reviewed by the City attorney and was found to comply with State statutes. Only minor language changes were made and have been incorporated into the revised draft.

We also presented the regulations to the County Commissioners at their March 29th and April 5th meetings. The majority of the comments, or suggestions, made by the Commissioners have been incorporated into the ordinance.

Conclusion/Recommendations: Administration recommends approving the second reading of the ordinance. As this is the second reading a recorded vote is required.

ORDINANCE NO. 1251

AN ORDINANCE AMENDING TITLE XV CHAPTER 154 SUBDIVISION REGULATIONS, OF THE 2008 REVISED ORDINANCES FOR THE CITY OF VERMILLION, ADOPTING REVISED SUBDIVISION REGULATIONS FOR THE CITY OF VERMILLION AND RURAL PLATTING JURISDICTION AREA AND REPEALING PRIOR SUBDIVISION REGULATIONS AS AMENDED.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA that Chapter 154 is repealed and amended to read as follows:

154.01 GENERAL

1) Title:
   a) These regulations may be referred to as the "2011 Subdivision Ordinance for the City of Vermillion".
2) Purpose:
   a) It is the purpose of this chapter to regulate the subdivision of land in order to coordinate streets with subdivisions and with other subdivisions and uses, to provide adequate open space, to efficiently distribute population and traffic, to provide water and sanitation facilities, to manage storm drainage and flood control, to prevent haphazard and premature land subdivision, to promote the harmonious development of the municipality and the area surrounding the municipality and its environment and to conform with the Comprehensive Plan.
   b) Premature subdivision of land is to be discouraged, due to unavailability of urban services, higher energy consumption, premature and excessive loss of agricultural land, and inefficient delivery of basic government services.
   c) Where rural subdivisions are allowed within the platting jurisdiction, their design standard and minimum improvements are the same as those required in the "2011 Subdivision Ordinance for the City of Vermillion", except for the exceptions contained in the following sections of this chapter.
3) Authority:
   a) In accordance with SDCL Chapters 11-3, 11-6 and any other authority provided by law, or as such statutes may be amended, the City does hereby exercise the power and authority to approve or disapprove plats for the subdivision of land within the platting jurisdiction.
4) Jurisdiction:
   a) These regulations shall apply to all subdivisions of land, as defined herein, located within the platting jurisdiction.
   b) It shall be unlawful for any person having control of any land within the platting jurisdiction to subdivide or lay out such land in lots, unless by plat, in accordance with the laws of the State of South Dakota and the regulations contained herein.
5) Definitions: The following words and phrases shall be as defined below:

   Access Easement (Ingress-Egress Easement, Mutual Access Easement): An easement granting the right to abutting property owners to use a designated portion of property for common ingress and/or egress purposes.

Alley: A public way designed to be used as a secondary means of access to the side or rear of abutting property whose principal frontage is on some other public way.

Ancillary structure: Auxiliary or subordinate elements that comprise a storm drainage system and may include ditches, curb inlets, yard inlets, channels, and pipes.

Arterial Street: A street that has the capacity to carry large volumes of traffic quickly and is designated as such on the major street plan.

Building: Any structure having a roof, supported by columns or walls, for shelter or enclosure of persons or property.

Building Line: A line between which line and a street no building or structure may be erected. This line is derived based on the current zoning regulations for each district.

City: The City of Vermillion, South Dakota.

Collector Street: A street that is a primary connector between arterial streets and is designated as such on the major street plan.

Comprehensive Plan: Any legally adopted part or element of the Comprehensive Plan of the City of Vermillion.

Contractor: The person, or entity, who contracts with an individual or developer to construct a building, structure, or ancillary structure on a parcel of land.

Cul-De-Sac: A local street with only one outlet having an appropriate terminal for safe and convenient reversal of traffic movement.

Dedication, Dedicated or Dedicate: A grant of land to the public for their perpetual use.

Detention Basin: A facility within an urban development designed to hold stormwater runoff for various periods of time.

Developer: An owner or agent of an owner of property who desires to establish, alter, change or improve the use of property.

Double Frontage: A lot which abuts a street on two opposite sides (not a corner lot).

Easement: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of the property.

Easement Area Maintenance Agreement: Agreement describing the legal responsibilities for the repair and maintenance of the easement area and the required traffic signs or striping.

Engineering Design Standards: Criteria and public right-of-way improvements of the City of Vermillion.

Frontage Road: A street, usually parallel and adjacent to an arterial street, which is used for access to abutting property.

Joint Jurisdictional Zoning Area (JJZA): Zoning area defined by the Joint Jurisdictional Zoning Ordinance.

Lateral Drainageway: Open channels or storm sewers which carry storm runoff from streets, street crossings, culverts and/or storm sewers to major drainageways.

Local Street: A street intended to provide access to other streets from individual properties and not intended to be used for through traffic.

Lot: A piece, plot or parcel of land, or group of abutting and contiguous parcels of land, established by survey, plat or deed, occupied or to be occupied by a building, or a unit group of buildings and accessory buildings thereto, and having its frontage on a dedicated public street.

Manual on Uniform Traffic Control Devices (MUTCD): Manual recognized as the national standard for all traffic control devices, and striping, installed on any street, highway, bikeway, or private road open to public travel.

Major Drainageway: The main corridor for stormwater flow through developments. Major drainageways are identified as intermittent streams on USGS quadrangle maps, or as otherwise approved by the City Engineer.

Major Storm Event: A term that describes a 100-year storm.

Major Street Plan: The major street plan adopted through the transportation planning process approved by the City Council and incorporated into the Comprehensive Plan.

Minor Storm Event: A term that describes a 5-year storm.

Monument: A boundary marker of concrete, permanently planted and firmly fixed in the ground and placed so that the top of the monument is flush with natural ground. The monument shall be 6 inches in diameter or 6 inches square and 24 inches in depth. A steel rod, 5/8" x 12", shall be placed at the center point on the monument.

Plat: A map or representation of land subdivided into lots, parcels, tracts or blocks, including streets/roads, commons and public grounds, if any, all drawn to scale and complete with all irrevocable offers of dedication.

Preliminary Plat: Drawing or drawings indicating the proposed layout of the lots, blocks and public rights-of-way within a subdivision.

Private Street/Road: A street or road that has not been dedicated, but rather reserved as public access to property. A private street/road is owned and maintained by the property owners which it serves.

Private Road Easement: An easement granting the right to the public, and the City, to use a designated portion of property for common ingress and/or egress purposes.

Reverse Frontage Lot: A lot, among a group of double frontage lots, which contains a dwelling unit that is oriented in the opposite direction from the adjacent dwellings so that its front yard abuts the adjacent rear yards and its rear yard abuts the adjacent front yards.

Right-of-Way: A strip of land occupied by a street, alley, road, railroad, pedestrian walkway or other special travel use. The use of the term right-of-way for platting purposes shall mean that every right-of-way hereafter established and shown on a plat is to be separate and distinct from the lots or parcels adjoining such right-of-way and not included within the dimensions or area of such lots or parcels.

Rural: Territory outside of the City limits.

Structures: Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, structures include buildings, walls, fences and signs.

Subdivision: The division of any tract or parcel of land into two or more lots platted for the purpose of transfer of ownership, or building development, whether future or immediate; or any division of land involving a new street or road regardless of parcel size or the number of parcels.

Urban: Territory inside the City limits.

Utility Easement: An easement granting the right to the City to use a designated portion of property for the installation, maintenance and access related to City utilities.

154.02 GENERAL INFORMATION REGARDING PLATS AND DEVELOPMENT PLANS

154.02.1 URBAN

1) Requirement:
   a) Plats will be required whenever any subdivision of land is proposed, before any contract is made for the transfer of any part thereof, and before any permit for the erection of any structure in such proposed subdivision shall be granted, the developer, owner or an authorized agent shall apply for and secure approval of such proposed subdivision plat in accordance with the procedures set forth.
2) Recording, use and selling:
   a) No owner or agent of the owner of any land located within a subdivision shall transfer or sell any land by reference to, exhibition of, or by the use of a subdivision plan before a plat of said land has been approved and recorded in the manner prescribed herein.
   b) No local agency shall issue any permit or grant any approval necessary to develop any real property which has been divided, or which has resulted from a division, in violation of the provisions of this title. The authority to deny such a permit shall apply whether the applicant was the owner of record at the time of such violation or whether the applicant is the current owner of record or a vendee of the former owner pursuant to a sale with or without actual or constructive knowledge of the violation at the time of acquisition of an interest in said real property.
   c) No local agency shall issue any permit or grant any approval necessary to construct any structures, or ancillary structures, within a development which does not have an approved final plan.
3) Types of plats and development plans:
   a) Minor Plat: With plats containing 5 or less lots, all lots shall be fronting an existing right-of-way and the area platted shall be 3 acres or less in size. The requirement of a preliminary plat will be waived with minor plats. The City Engineer will approve or disapprove the minor plats. The City Council will serve as the Board of Appeal in the instance that a minor plat is disapproved by the City Engineer.
   b) Major Plat: Plats containing any number of lots, but there is no existing right-of-way; typically contain 6 or more lots. Major plats require a preliminary and final plat prior to approval by the City Council. Both plats will be reviewed first by the City's Planning Commission and they will in turn make a recommendation to the City Council.
   c) Replat: May contain any number of lots. If the replat contains less than 5 lots, and all lots front an existing right-of-way and the area to be platted is 3 acres or less, then the approval process is the same for as the minor plat; otherwise, procedures for the major plat will be followed.
   d) Conceptual Plans: Conceptual plans will be required of all major plats. Depending on size and planned development, a conceptual plan may also be required by the City Engineer in concurrence with a minor plat or replat. A conceptual plan shall depict the concept of the proposed development. The plan shall show the general layout of streets/roads, street improvements, parks, trails, open spaces, sewerage, water

systems, and any other utilities. A conceptual storm drainage study shall also be submitted as per the storm drainage design criteria or as required by the City Engineer. The conceptual plan shall be reviewed and approved by the City Engineer prior to the development being allowed to continue.

e) Preliminary Plans: As with conceptual plans, preliminary plans will be required of all major plats. This requirement may be waived for minor plats or replats. The preliminary plan shall consist of a general layout plan, grading plan, drainage plan, utility plan and a ground water control plan. These plans will be reviewed and approved by the City Engineer prior to the development being allowed to continue.

f) Final Plans: Final plans will be required when a major plat is filed with the City. This requirement may be waived for minor plats or replats. The final plans shall consist of a general layout plan, grading plan, drainage plan, street/road plan, utility plan, ground water control plan, typical cross section sheets, construction detail sheets, road cross section sheets and specifications. These plans will be reviewed and approved by the City Engineer prior to the development being allowed to continue.

g) Filling Fee: A filling fee shall be deposited at the City Engineer's department for all minor plats, major plats and replats. The filling fee shall be set by City Council resolution.

154.02.2 RURAL

1) Requirement:
   a) Requirements shall be the same as those required on 154.02.1.(1.).
2) Recording, use and selling:
   a) Requirements shall be the same as those required on 154.02.1.(2.).
3) Types of plats and development plans:
   a) Outside of JJZA: The requirement of a preliminary plat will be waived with these plats. The City Engineer will approve these plats. The City Council will serve as the Board of Appeal in the instance that the plat is disapproved by the City Engineer. After the City has approved the plat, the plat will be presented to the County's Planning Director for the County's approval. Any additional requirements of the County will also require approval by the City prior to a plat being filed.
   b) Inside the JJZA: Plats will require a preliminary and final plat prior to approval by the City Council. Preliminary plats will be reviewed and approved by the City's Planning Commission. Final plats will be reviewed by the County's Planning Commission prior to approval of the City Council.
   c) Replat: May contain any number of lots. Replat may follow the process described in 154.02.2(3)(a) or 154.02.2(3)(b).
   d) Conceptual Plans: Requirements shall be the same as those in 154.02.1(3)(d) except that the City Engineer may waive this requirement depending on the proposed use. The requirement will not be waived if the area is anticipated to become a portion of a larger development.
   e) Preliminary Plans: Requirements shall be the same as those required in 154.02.1(3)(e) except that the City Engineer may waive this requirement depending on the proposed use. The requirement will not be waived if the area is anticipated to become a portion of a larger development.

f) Final Plans: Requirements shall be the same as those in 154.02.1(3)(f) except that the City Engineer may waive the requirement depending on the proposed use. The requirement will not be waived if the area is anticipated to become a portion of a larger development.
g) Filling Fee: Requirements shall be the same as those in 154.02.1(3)(g) except that the applicant in addition will also have to pay any associated County platting fees.

154.03 URBAN PLATS

154.03.1 MINOR

1) Scale, Size and Submittals:
   a) The plat shall be at a scale of 50, 60, 100 or 200 feet to one inch.
   b) The plat shall be drawn on an 11"x17" sheet.
   c) The developer shall submit four (4) sheet copies and one (1) Mylar copy to the City Engineer. All copies shall be signed by the owners and be sealed and signed by a registered land surveyor in the State of South Dakota.
2) Information Required:
   a) The proposed name of the subdivision. The name shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said recorded subdivision.
   b) The names of all adjacent subdivisions, all lot and block lines, types of easements and rights-of-way. Adjoining unplatted property shall be labeled as such.
   c) A systematic lot and block numbering pattern, lot lines and street names, and the square footage of all lots.
   d) The location and width of all proposed and existing rights-of-way, alleys, and easements, as well as the location of any parks. A final storm drainage study as required by the storm drainage design and technical criteria manual shall be submitted for final approval.
   e) The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest established street line, section corner, other previously described subdivision or a City recognized permanent monument which shall be accurately described on the plat.
   f) The correct legal description, notation stating acreage, scale and north arrow.
   g) Location of all monuments and permanent control points, and all property pins, either set or located.
   h) The identification of any portions of the property intended to be dedicated or granted for public use such as school or parkland.
   i) All dimensions, linear and angular, necessary for locating the boundaries of the subdivision lots, streets/roads, alleys, easements and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot. All bearings and angles must be expressed in degrees, minutes and seconds.
   j) The radii, chords, length or curve, point of tangency and central angles for all curvilinear streets/roads and radii for rounded corners.
   k) The boundary lines of the floodway and 100-year flood zones, along with the base flood elevation on each lot as delineated on the flood insurance rate maps (FIRM).

l) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all pins and monuments shown.
m) Acknowledgement of the owner or owners of the plat of any restrictions, including dedication to public use of all streets/roads, alleys, parks or other open spaces shown thereon and the granting of easements required.
n) All formal irrevocable offers of dedications for all streets/roads, alleys, parks and other uses as required.
o) City Staff certificate recommending approval.
p) Certificates for the director of equalization, county treasurer and register of deeds.
q) Certificate for the owner attesting that they are the absolute owners of the property being platted.

3) Approval Process:
   a) The plat shall be submitted to and approved by the City Engineer. The City Council shall serve as the Board of Appeals in the instance that the plat is denied by the City Engineer.

154.03.2 MAJOR

1) Scale, Size and Submittals:
   a) The plat shall be at a scale of 50, 60, 100 or 200 feet to one inch.
   b) The plat shall be drawn on an 11"x17" sheets.
   c) The developer shall submit four (4) copies and one (1) Mylar copy to the City Engineer. All copies shall be signed by the owners and be sealed and signed by a registered land surveyor in the State of South Dakota.
2) Information Required (this information shall be required for both preliminary and final plats):
   a) The proposed name of the subdivision. The name shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said recorded subdivision.
   b) The names of all adjacent subdivisions, all lot and block lines, types of easements and rights-of-way. Adjoining unplatted property shall be labeled as such.
   c) A systematic lot and block numbering pattern, lot lines and street names, and the square footage of all lots.
   d) The location and width of all proposed and existing rights-of-way, alleys, and easements, as well as the location of any parks. A final storm drainage study as required by the storm drainage design and technical criteria manual shall be submitted for final approval.
   e) The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest established street line, section corner, other previously described subdivision or a City recognized permanent monument which shall be accurately described on the plat.
   f) The correct legal description, notation stating acreage, scale and north arrow.
   g) Location of all monuments and permanent control points, and all property pins, either set or located.
   h) The identification of any portions of the property intended to be dedicated or granted for public use such as school or parkland.

i) All dimensions, linear and angular, necessary for locating the boundaries of the subdivision lots, streets/roads, alleys, easements and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot. All bearings and angles must be expressed in degrees, minutes and seconds.
j) The radii, chords, length or curve, point of tangency and central angles for all curvilinear streets/roads and radii for rounded corners.
k) The boundary lines of the floodway and 100-year flood zones, along with the base flood elevation on each lot as delineated on the flood insurance rate maps (FIRM).
l) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all pins and monuments shown.
m) Acknowledgement of the owner or owners of the plat of any restrictions, including dedication to public use of all streets/roads, alleys, parks or other open spaces shown thereon and the granting of easements required.
n) All formal irrevocable offers of dedications for all streets/roads, alleys, parks and other uses as required:
o) City Council resolution recommending approval.
p) Certificates for the director of equalization, county treasurer and register of deeds.
q) Certificate for the owner attesting that they are the absolute owners of the property being platted.

3) Approval Process:
   a) All major plats will follow preliminary and final plat procedures.
   b) Preliminary Plat:
      i) The preliminary plat will be subject to review and approval of the City Planning Commission. Prior to submittal to the City Planning Commission, the plat will be reviewed by the City Engineer. An approved preliminary plat shall be kept on file in the office of the City Engineer. Approval of the preliminary plat indicates approval of the development concept only, and it does not constitute an acceptance or approval of the subdivision plan or final plat. Therefore, no building permits shall be issued based upon approval of the preliminary plat.
   c) Final Plat:
      i) The final plat shall be submitted to the City Planning Commission for review and recommendation to the City Council. The City Planning Commission shall act upon the final plat within 30 days after the submission of the final plat to the City Engineer. If no action is taken within 30 days of submission, said final plat shall be deemed to have been recommended for approval and forwarded to the City Council for action. Building permits may only be issued once the plat has been recorded at the Register of Deeds.
4) Effective Period of Preliminary Plat:
   a) The approval of a preliminary plat shall remain effective for a period of three (3) years, at the end of which time approval of the plat or a portion thereof must again be obtained from the City. Any preliminary plat which has not received full approval for all its content within three (3) years may be declared void and the applicant will be required to resubmit a new preliminary plat for review and approval subject to any new subdivision regulations.
5) Revisions to Preliminary Plat:

a) Amendments to an approved preliminary plat may be submitted at any time, during its effective period, by the developer. Minor changes, such as street or subdivision names, lot lines, easements, drainage or lot and block number, may be approved by the City Engineer. Major changes, such as a change in street layout, open space or parkland dedication, number of lots or perimeter boundaries, will follow the procedure for approval of a preliminary plat as required in this section.

154.04 RURAL PLATS

154.04.1 OUTSIDE OF JJZA

1) Scale, Size and Submittals:
   a) Requirements are as those in 154.03(1)(1) except that:
      (i) The developer shall submit five (5) sheet copies and one (1) Mylar copy to the City Engineer.
      (ii) All copies shall be signed by the owners and be sealed and signed by a registered land surveyor in the State of South Dakota.
2) Information Required:
   a) Requirements as those in 154.03(1)(2) with the following additions:
      i) Certificate for Clay County Planning Commission approval.
      ii) Clay County Commissioners' resolution recommending approval.
      iii) Certificate of Township Street Authority.
      iv) Certificate of Approval by the Highway Authority.
3) Approval Process:
   a) The City Engineer shall submit a copy of the plat to the County Zoning Administrator within five (5) working days of receipt.
   b) The plat shall be submitted to and approved by the City Engineer. The City Council shall serve as the Board of Appeals in the instance that the plat is denied by the City Engineer. Once the City has approved the plat, the developer shall submit the plat to the County's Planning and Zoning Director. The Planning and Zoning Director shall present the plat to the County's Planning Commission and to the County Commissioners. Once the County has approved the plat, the developer may record the plat document. In the event that the County has any additional requirements, the developer will need to resubmit the plat to the City for re-approval.

154.04.2 INSIDE OF JJZA

1) Scale, Size and Submittals:
   a) Requirements shall be the same as those required in 154.03.2(1) except:
      i) The developer shall submit five (5) sheet copies and one (1) Mylar copy to the City Engineer.
      ii) All copies shall be signed by the owners and be sealed and signed by a registered land surveyor in the State of South Dakota.
2) Information Required:
   a) Requirements shall be the same as those required in 154.03.2(2) with the following additions:

i) Certificate for Clay County Planning Commission approval.
ii) Certificate of Township Street Authority.
iii) Certificate of Approval by the Highway Authority.

3) Approval Process:
   a) All plats will follow preliminary and final plat procedures.
   b) The City Engineer shall submit a copy of the preliminary plat to the County Zoning Administrator within five (5) working days of receipt.
   c) Preliminary Plat:
      i) The preliminary plat will be subject to review and approval of the City Planning Commission. The approved preliminary plat shall be kept on file in the office of the City Engineer. Approval of the preliminary plat indicates approval of the development concept only, and it does not constitute an acceptance or approval of the subdivision plan or final plat. Therefore, no building permits shall be issued based on the approval of the preliminary plat.
   d) Final Plat:
      i) The final plat shall be submitted to the County Planning Commission for its review and recommendation to the City Council. The County Planning Commission shall act upon the final plat within 45 days after the submission of the final plat to the City Engineer. If no action is taken within 45 days of submission, said final plat shall be deemed to have been recommended for approval and forwarded to the City Council for action. If the County Planning Commission recommends disapproval, a two-thirds vote of the entire membership of the City Council is required to approve the plat. Building permits may only be issued once the plat has been recorded at the Register of Deeds and a Final Development Plan has been approved by the City Engineer.
4) Effective Period of Preliminary Plat:
   a) Requirements shall be the same as those required in 154.04.4.
5) Revisions to Preliminary Plat:
   a) Requirements shall be the same as those required in 154.04.5.

154.05 REPLAT

154.05.1 URBAN

1) A replat will only be required in specific situations. Circumstances, such as:
   a) An existing lot will be further divided into multiple buildable lots.
   b) Two or more existing lots, either defined by legal descriptions or plats, will be utilized for proposed construction. The building line shall not cross an existing lot.
   c) If the depth of the lot allows for a portion of the property to be built without the front of the property being utilized, or without the dedication of a mutual access easement and agreement.
   d) If a building permit is required for construction on a parcel that has been purchased by legal description, but not properly platted.
   e) An application is made for building permits, if the description given for the lots on the building permit application shows the property lines to be different from the platted lot lines.

2) Scale, Size and Submittals:
   a) The plat shall be at a scale of 50, 60, 100 or 200 feet to one inch.
   b) The plat shall be drawn on an 11"x17" sheets.
   c) The developer shall submit all required copies to the City Engineer. All copies shall be signed by the owners and be sealed and signed by a registered land surveyor in the State of South Dakota.
3) Information Required:
   a) The proposed name of the subdivision. The name shall not duplicate, be the same in spelling or alike in pronunciation with the name of any other recorded subdivision, unless it is an extension of or adjacent to said recorded subdivision.
   b) The names of all adjacent subdivisions, all lot and block lines, types of easements and rights-of-way. Adjoining unplatted property shall be labeled as such.
   c) A systematic lot and block numbering pattern, lot lines and street names, and the square footage of all lots.
   d) The location and width of all proposed and existing rights-of-way, alleys, and easements, as well as the location of any parks. A final storm drainage study as required by the storm drainage design and technical criteria manual shall be submitted for final approval.
   e) The boundary lines of the area being subdivided with accurate angles or bearings and distances tying the perimeter boundaries to the nearest established street line, section corner, other previously described subdivision or a City recognized permanent monument which shall be accurately described on the plat.
   f) Location of all monuments and permanent control points, and all property pins, either set or located.
   g) The identification of any portions of the property intended to be dedicated or granted for public use such as school or parkland.
   h) All dimensions, linear and angular, necessary for locating the boundaries of the subdivision lots, streets/roads, alleys, easements and other areas for public or private use. Linear dimensions are to be given to the nearest 1/100 of a foot. All bearings and angles must be expressed in degrees, minutes and seconds.
   i) The radii, chords, length or curve, point of tangency and central angles for all curvilinear streets/roads and radii for rounded corners.
   j) The boundary lines of the floodway and 100-year flood zones, along with the base flood elevation on each lot as delineated on the flood insurance rate maps (FIRM).
   k) Any replat containing lots which contain an existing structure into separate lots shall include existing building outlines to verify setback requirements. Any other replat of lots containing existing structures shall certify that the replat meets all requirements including adequate setbacks and lot area.
   l) The certificate of the surveyor attesting to the accuracy of the survey and the correct location of all pins and monuments shown.
   m) Acknowledgement of the owner or owners of the plat of any restrictions, including dedication to public use of all streets/roads, alleys, parks or other open spaces shown thereon and the granting of easements required.
   n) All formal irrevocable offers of dedications for all streets/roads, alleys, parks and other uses as required.
   o) City Council resolution recommending approval.

p) Certificates for the director of equalization, county treasurer and register of deeds.
q) Certificate for the owner attesting that they are the absolute owners of the property being platted.

4) Approval Process:
   a) The plat shall be submitted to the City Engineer for review. Based upon the number of lots contained in a replat, the approval process will either follow the minor plat procedure or the major plat procedure.

154.05.2 RURAL

1) A Replat will be required as follows:
   a) Requirements as those in 154.05.1(1).
2) Scale, Size and Submittals:
   a) Requirements as those in 154.05.1(2).
3) Information Required:
   a) Requirements as those in 154.05.1(3), with the following additions:
      i) Certificate for Clay County Planning Commission approval.
      ii) Clay County Commissioners' resolution recommending approval.
      iii) Certificate of Township Street Authority.
      iv) Certificate of Approval by the Highway Authority.
4) Approval Process:
   a) The plat shall be submitted to the City Engineer for review. Depending on the location, either the outside of JJZA or inside of JJZA platting procedures will be followed.

154.06 CONCEPTUAL PLANS

154.06.1 URBAN

1) Conceptual Plans are required:
   a) In conjunction with a major plat
   b) In conjunction with minor plats or replats, depending on the size of the lots and the anticipated planned development expected to occur within the area planned to be developed, the conceptual plan is at the discretion of the City Engineer.
   c) In conjunction with a Planned Development District.
2) Scale, Size and Submittals:
   a) The conceptual plans shall be at a scale of 50, 60, 100 or 200 feet to one inch.
   b) The plans shall be drawn on an 11"x17" sheets.
   c) The developer shall submit all required copies to the City Engineer. All copies shall be signed and be sealed by a registered professional engineer in the State of South Dakota.
3) Information Required:
   a) General layout of the streets and roads.
   b) Proposed street improvements.
   c) Proposed sanitary sewer, water system, storm sewer, street lighting improvements.
   d) Proposed parks, open spaces and trails.

4) Approval Process:
   a) The Conceptual Plans shall be reviewed and approved by the City Engineer before the proposed development proceeds to the Preliminary Plan stage.

154.06.2 RURAL

1) Conceptual plans are required:
   a) As in 154.06.1(1), with the following exception:
      i) In conjunction with a plat located in the JJZA.
2) Scale, Size and Submittals:
   a) As in 154.06.1(2).
3) Information Required:
   a) As in 154.06.1(3).
4) Approval Process:
   a) As in 154.06.1(4).

154.07 PRELIMINARY PLANS

154.07.1 URBAN

1) Preliminary plans are required:
   a) Following the City Engineer's approval of a Conceptual Plan, in conjunction with a preliminary plat stage of the major plat procedure.
   b) In conjunction with minor plats or replats, depending on the size of the lots and anticipated planned development, preliminary plans are at the discretion of the City Engineer. The preliminary plans are to be submitted to the City Engineer after the conceptual plan has been approved.
   c) In conjunction with a planned development district.
2) Scale, Size and Submittals:
   a) The preliminary plans shall be at a scale of 50, 60, 100 or 200 feet to one inch.
   b) The plans shall be drawn on an 11"x17" sheets.
   c) The developer shall submit all required copies to the City Engineer. All copies shall be signed and be sealed by a registered professional engineer in the State of South Dakota.
3) Information Required:
   a) Preliminary Plans shall consist of the following plan sheets:
      i) *General Layout Plan.* The general layout plan shall show the proposed road alignments along with the sidewalks curb and gutter, proposed lots and any existing features that will remain in place after development is completed.
      ii) *Grading Plan.* The grading plan shall show the existing contours with intervals acceptable to the City Engineer's office. Any proposed cut and fill operations must also be shown if they will substantially alter existing land elevations.
      iii) *Utility Plan.* The utility plan shall show all sanitary sewer locations, size, flow direction, approximate manhole locations and invert elevations, lift stations and connection to the existing system. The water main layout shall show the pipe location and size, hydrant and valve location and connection to the existing

system. The street lighting layout shall show the street light pole locations and street light wattage.

iv) *Drainage Plan.* A preliminary storm drainage study as required by the storm drainage design and technical criteria manual, or by the City Engineer, shall be submitted for preliminary approval. The drainage plan shall also indicate which downstream drainageways or detention basins will be affected by the full development of the subdivision.

v) *Groundwater Control Plan.* Groundwater elevations shall be required wherever it is deemed necessary by the City Engineer to establish a finished grade for the proper development of the subdivision. When elevations are required, the method of groundwater collection shall be indicated for all lots prior to development. Dewatering for the purposes of establishing a lower finished grade is prohibited. Buildings with crawl spaces or slab- on- grade construction are exempt from groundwater collection requirements.

4) Approval Process:
The preliminary plans shall be reviewed and approved by the City Engineer before the proposed development continues to the final plan stage.

154.07.2 RURAL

1) Preliminary plans are required:
   a) As in 154.07.1(1), with the following exception:
      i) In conjunction with a plat located in the JJZA.
2) Scale, Size and Submittals:
   a) As in 154.07.1(2).
3) Information Required:
   a) As in 154.07.1(3).
4) Approval Process:
   a) As in 154.07.1(4).

154.08 FINAL PLANS

154.08.1 URBAN

1) Final plans are required:
   a) Following the City Engineer's approval of the conceptual and preliminary plans, and in conjunction with the final plat stage of the major plat process.
   b) In conjunction with minor plats or replats, depending on the size of the lots and anticipated planned development, the final plan is at the discretion of the City Engineer Final plans are to be submitted to the City Engineer after the conceptual and preliminary plans have been approved.
   c) In conjunction with a planned development district.
2) Scale, Size and Submittals:
   a) The final plans shall be at a scale of 50, 60, 100 or 200 feet to one inch. Profile views shall be a tenth of the plan view scale (i.e. 1"=50' plan view requires a 1"=5' profile view).

b) The plans shall be drawn on an 11"x17" sheets.
c) The developer shall submit all required copies to the City Engineer. All copies shall be signed and be sealed by a registered professional engineer in the State of South Dakota.

3) Information Required:
   a) Final plans are to be utilized during construction of the development, as such, they must provide the contractor sufficient information for construction of all infrastructure (locations, elevations, and any pertinent notes). Final plans shall, at a minimum, consist of the following plan sheets and supplemental plan sheets may be required depending on specific circumstances of a development::
      i) *General Layout Plan.* The general layout plan shall show the proposed road alignments along with the sidewalks curb and gutter, proposed lots and any existing features that will remain in place after development is completed.
      ii) *Grading plan.* The grading plan shall show the existing contours with intervals acceptable to the City Engineer's office. Any proposed cut and fill operations must also be shown if they will substantially alter existing land elevations.
      iii) *Drainage plan.* A final storm drainage study as required by the storm drainage design and technical criteria manual, or the by the City Engineer, shall be submitted for final approval. The drainage plan shall also indicate which downstream drainageways or detention basins will be affected by the full development of the subdivision. A plan and profile of the proposed storm sewer system shall also be included. The storm sewer shall be in relation to the centerline of the street.
      iv) *Street/Road Plan:* The street/road plan shall show the proposed street alignments along with curb and gutter and sidewalks. The centerline shall be stationed at critical locations. The curb and gutter shall be stationed and offset based on the stationing used on the centerline. Elevations shall also be included for the curb and gutter at critical locations (i.e. intersections crest and sag vertical curves). Along with the plan view of the street or road, plans shall also depict the centerline profile along with the curb and gutter flow line profile at intersections and at crest and sag vertical curves. Existing and proposed centerline elevations shall be included on the plan sheets.
      v) *Utility plans.* Separate plans for all municipal utilities (water, sanitary and street lighting) will be required. The plans shall show the proposed utility in relation to the centerline of the proposed street. The plan view shall show the proposed utility line, all of the structures associated with such utility and the location of all services. The profile view shall show the elevations of the proposed utility along with the location, and elevations, of any intersecting utility. A separation distance shall be shown on the profile view for all conflicts between utilities. The street lighting plan shall be completed as per current city standards.
      vi) *Typical Cross Section Sheets.* Typical cross section sheets shall show the proposed typical cross section's width along with the right-of-way and the proposed pavement section. The existing street cross section will also be shown along with the existing pavement section. Any dimensions will be in relation to the proposed street centerline. Developer may only use an already approved typical cross section.

vii) *Construction Detail Sheets:* Construction detail sheets shall show all details needed for construction of all infrastructure improvements. The developer shall utilize the approved details, as well as additional details required by the City Engineer prior to construction.

viii) *Road Cross Section Sheets:* Road cross sections shall be shown every 50 feet based on the centerline stationing. In addition, cross sections shall be shown at the start and end of any horizontal and vertical curves along with cross sections every 25 feet. A cross section shall also be placed at intersections, driveways and culverts.

ix) *Groundwater control plan.* Groundwater elevations shall be required where it is deemed necessary by the City Engineer to establish a finished grade for the proper development of the subdivision. When elevations are required, the method of groundwater collection shall be indicated for all lots prior to development. Dewatering for the purposes of establishing a lower finished grade is prohibited. Buildings with crawl spaces or slab-on-grade construction shall be exempt from groundwater collection requirements.

x) *Construction Specifications:* Construction specifications shall be in accordance with the City, the South Dakota Department of Transportation or any other previously approved construction specification.

4) Approval Process:
   a) The Final Plans shall be reviewed and approved by the City Engineer prior to the proposed development being constructed. No building permit shall be issued until a final plan has been approved by the City Engineer.

154.08.2 RURAL

1) Final plans are required:
   a) As in 154.08.1(1), with the following exception:
      i) In conjunction with a plat located in the JJZA.
2) Scale, Size and Submittals:
   a) As in 154.08.1(2).
3) Information Required:
   a) As in 154.08.1(3).
4) Approval Process:
   a) As in 154.08.1(4).

154.09 GENERAL INFORMATION REGARDING DESIGN STANDARDS

1) Design Standards to be Used:
   a) Unless otherwise specified within these regulations, the developer shall utilize the following recognized standards:
      i) AASHTO.
      ii) MUTCD.
      iii) SD DOT.
      iv) SD DENR.
      v) Clay County Design Standards.

b) The City Engineer may require additional standards to be utilized depending on the circumstances of the development.

154.10 DESIGN STANDARDS – LAND DESIGN

154.10.1 URBAN

1) Blocks:
   a) The lengths, widths and shapes of blocks shall be determined with regard to the following:
      i) Provision of adequate building sites suitable to the special needs of the type of use contemplated.
      ii) The need for convenient access, circulation, control and safety of traffic and utilities.
      iii) Limitations and opportunities of topography.
   b) Block lengths shall not exceed 1,000-feet and shall normally be wide enough to allow two tiers of lots of an appropriate depth.
2) Lots:
   a) Lot dimensions shall be appropriate for the location of the subdivision and conform to the requirements of the city zoning regulations.
   b) Corner lots for residential use shall have extra width to permit appropriate building setbacks from both sides.
   c) All interior lot lines shall be a straight line or a series of straight lines. Curved interior lot lines are prohibited.
   d) Side lot lines shall be at right angles to the street.
   e) Each lot shall abut to a dedicated street right-of-way, or shall include an approved private street, or shall include a mutual access easement.
   f) Whenever residential lots abut an existing or proposed arterial street, they shall be double frontage lots.
   g) Lot development that creates reverse frontage lots is prohibited.
   h) Lots abutting major drainageways, detention basins or a railroad right-of-way shall be designed with an increased depth to allow for extra setback.
3) Public Parks and Open Spaces:
   a) Where a proposed park, playground, school or other public use, shown in the comprehensive development plan, is located in whole or in part in a subdivision, the City Planning Commission may require the reservation or option acquisition by the appropriate public agency of the right to purchase such an area within the subdivision. Necessary information related to the possible sale or transfer of land to a public agency shall be as follows:
      i) The size and location of the parcel and its relationship to the subdivision design and purpose.
      ii) The topography of the parcel to include elevations, drainage, wetlands, floodplains, soil suitability, tree cover and other vegetation.
4) Utility Easements.
   a) All easements for utilities shall be shown on the final plat.

b) Standard utility easements shall be 8 feet in total width. Each lot shall have an 8 foot easement around the perimeter of the property and within the lot.
c) Easements wider than 8 feet shall be noted on the final plat.
d) Easements along lot lines shall be arranged in such a manner as to eliminate unnecessary jogs or offsets and to facilitate the distribution of all utilities.
e) Easements shall conform substantially to the boundaries of watercourses, drainageways, channels and streams and shall have adequate width for proper access and maintenance.

5) Maintenance Agreements. Where a subdivision contains sewers, lift stations, water supply systems, park areas, road systems or other facilities or services which are necessary to the area, and which are of common use or benefit and which are not accepted for maintenance by an existing public agency, provisions shall be made by written agreement for the proper and continuous maintenance and supervision of such facilities. A signed copy of the agreement shall accompany every plat having a facility or service covered by such an agreement.
6) Final Drainage Plan. The final drainage plan for the subdivision shall conform to the City approved master drainage plan. If a master drainage plan is not available for a proposed subdivision location, and, if the City deems it necessary, a drainage study will be conducted by the City for the drainage basin of which the proposed subdivision is part. All drainage facilities including storm sewers, on-site detention, drainageways, detention ponds and detention channels shall be designed in compliance with approved engineering design standards and are subject to approval of the City Engineer.
7) Final Grading Plan. The final grading plan shall, as much as possible, be designed to conform to the natural contours of the land. The plan shall be submitted to and approved by the City Engineer.
8) Erosion: Wherever possible, development plans should coincide with the existing topography in order to create the least erosion potential. Stripping of vegetation, duration of exposure, regrading and cut and fill operations should be kept to a minimum. Erosion from developments or individual building sites shall be prevented from being deposited on public streets or other adjacent property. Public ditches and drainageways shall not be disturbed without prior approval of the City Engineer.
9) Preservation of Natural Landscape. Existing natural features such as trees, water courses or similar amenities, which would add value to a development or to the community as a whole, should, to the extent possible and practical, be preserved and integrated into the design of the subdivision. Sensitive environmental areas shall be reviewed with regard to promoting harmonious design.

154.10.2 RURAL

1) Blocks:
   a) As in 154.10.1(1).
2) Lots:
   a) As in 154.10.1(2) except any of the following:
      i) Lot dimensions shall be appropriate for the location of the subdivision and conform to the requirements of the Joint Jurisdictional Zoning Ordinance and the most current Clay County Zoning Ordinance.

ii) Whenever a plat or preliminary plan is proposed having lots which are 1-acre or larger in size, plat or plan shall show how such lots can be resubdivided into urban sized lots.

3) Public Parks and Open Space:
   a) As in 154.10.1(3).
4) Utility Easements:
   a) As in 154.10.1(4).
5) Maintenance agreements:
   a) As in 154.10.1(5).
6) Final drainage plan:
   a) As in 154.10.1(6).
7) Final grading plan:
   a) As in 154.10.1(7).
8) Erosion:
   a) As in 154.10.1(8).
9) Preservation of natural landscape:
   a) As in 154.10.1(9).

154.11 DESIGN STANDARDS – STREETS

154.11.1 URBAN

1) All public street improvements, including pavement width, street grades, alignment and visibility, intersections and access shall be designed in accordance with standard accepted engineering practices and are subject to the approval of the City Engineer.
2) Street System Coordination and Arrangement:
   a) The arrangement of streets in new subdivisions shall conform to the major street plan or the Comprehensive Plan.
   b) Provisions shall be made for the continuation of existing streets in adjoining areas or their proper extension where adjoining land is not subdivided.
   c) Whenever new streets are proposed which have not been included in the major street plan in the Comprehensive Plan, amendment of the major street plan to include these new streets is required first
   d) As a general rule, collector streets shall be located every half mile, and there should be a street connecting adjacent subdivisions at appropriate intervals where topographical and land use considerations permit.
   e) The arrangement of all streets and alleys shall be such as to minimize hardship to owners of adjoining property when they plat their own land and seek to provide for convenient access to it.
   f) In undeveloped or vacant areas, streets shall be identified and classified through the transportation planning process. The location of major streets shall conform to the major street plan.
3) Street Names:
   a) Streets in alignment with existing streets shall bear the names of those streets.

b) No street names shall be used which will duplicate, be the same in spelling or alike in pronunciation with any other existing streets. All street names should be kept as short as possible to permit signs to be no longer than 30 inches.

c) Street name suffixes shall be applied as follows:

i) *Street and Road:* These suffixes shall be used for roads running either east and west or north and south.

ii) *Avenue:* A road running north to south.

iii) *Lane:* A road running northeast to southwest.

iv) *Drive:* A road running northwest to southeast.

v) *Trail:* A road that wanders in different directions.

vi) *Circle:* All cul-de-sacs.

vii) *Court:* A road with two openings that enter and exit onto the same road.

viii) *Place:* All private roads.

ix) *Parkway:* Limited access roads that are divided by a median.

x) *Boulevard:* A local street divided by a median.

d) The prefix of all cul-de-sacs shall, whenever possible, match the prefix of the intersecting road.

e) When, due to topography, offsets cause streets to become interrupted, sixteenth-line, quarter-line and section line streets shall retain the same name on either side of the irregularities.

f) Subdivision names shall not duplicate, be the same in spelling or alike in pronunciation with any existing subdivision names, and shall be subject to the approval of the City Engineer.

4) Design Standards:

a) The developer shall be responsible for dedication of all right-of-way widths according to the major street plan.

b) A tangent at least 100 feet long shall be placed between reverse curves on arterial and collector streets; on all other streets the tangent shall be at least 50 feet long.

c) Alleys are permitted in commercial and industrial districts when no other reasonable provision is made for service access, such as off-street loading, unloading, and parking consistent with the requirements set forth in the zoning ordinance.

d) Alleys are permitted in residential districts when conditions warrant an alternative means of access. However, an alley shall never be proposed as a primary form of access.

e) Dead-end alleys shall be avoided, but if unavoidable, they shall be provided with a turnaround as determined by the City Engineer.

f) Whenever an existing half-street is adjacent to a tract being subdivided, the other half of the street shall be platted within said subdivision.

g) A subdivision may show one-half of a street along adjoining property which has not been subdivided, but no lot abutting on such half-street shall have a building permit issued for it until such time as the other half street is dedicated.

h) Cul-de-sacs and eyebrows will be allowed where they are necessary for the reasonable development of a subdivision. The maximum length of a cul-de-sac should not exceed 500 feet measured along the centerline, between the radius point of the turnaround and the right-of-way line of the abutting street. The maximum length of a cul-de-sac may be extended where no other practical alternative is available for the

reasonable development of a subdivision. Temporary turnarounds may also be required by the City Engineer on dead-end streets that will eventually be continued. No more than 50 dwellings will be allowed on a cul-de-sac of 500 feet in length.

i) Where street jogs are unavoidable, the right-of-way offset shall not be less than 100-feet.

j) Streets shall be laid out in such a manner that they intersect, as nearly as possible, at right angles and no street shall intersect any other street at less than 80 degrees.

k) Private streets or roads, if allowed, shall meet the following requirements:

   i) Private streets shall be paved by the developer to a width of not less than 26 feet measured from back-of-curb to back-of-curb, and maintained in a passable condition. Greater width may be required when necessary. All private streets/roads must provide a minimum height clearance of 14' 6" and are subject to the same grade and construction material requirements as public streets.

   ii) The property owner(s) or agent shall place street signs on all private streets or compensate the City to place street signs for private streets at the locations the City Engineer deems necessary for the safety and convenience of the public. Street signs shall meet all current MUTCD standards and are subject to the approval of the City Engineer.

   iii) Buildings located adjacent to a private street or road shall be addressed in accordance with City of Vermillion Code of Ordinance and zoning regulations.

   iv) Private streets or roads shall be indicated on the plat as a private roadway easement and shall not be included as part of any required lot area or setback.

   v) Any private street or road approved by the City shall provide permanent unobstructed access to the area it serves. The erecting of any structure within or adjacent to the private street or road which would in any way interfere with the use of such private street or road by the public or any governmental agency will not be permitted.

   vi) Any plat presented for City approval which shows a private street or road as a means of access shall include language in the owner's certificate providing for private maintenance and reserving the private street or road as a permanent unobstructed access.

   vii) The City will not subsequently accept a private street or road for dedication unless and until it is compliant with the City standards, providing adequate rights-of-way without requiring variances for setbacks.

l) When the traffic impact of one or more proposed property developments indicates that the public safety can be better served by the use of mutual access easements, the following requirements shall be observed:

   i) Any mutual access easement accepted by the City must provide for perpetual unobstructed access to the area it serves, and shall prohibit the erection of any structure within or adjacent to the access area which would interfere with the use of the mutual access easement by the public or any governmental agency.

   ii) Mutual access easements shall be indicated on the plat.

   iii) Any plat presented for City approval which shows a mutual access easement as a means of access shall provide language in the owner's certificate reserving the mutual access easement as a perpetual unobstructed access easement.

iv) Mutual access easement areas shall be paved by the developer and maintained in passable condition. Designs for mutual access easements must be approved by the City Engineer. An easement area maintenance agreement among property owners who will use the mutual access easement for access shall be filed with the plat. The agreement shall describe the legal responsibilities for the repair and maintenance of the easement area and the required signs.

m) The developer/owner may be required to place traffic control signs, or striping, on mutual access easements or to compensate the City for traffic control signs, placement, for mutual access easements, and striping at the locations the City Engineer deems necessary for the safety and convenience of the public. Traffic control signs and striping shall be approved by the City Engineer and in accordance with the current MUTCD standards.

n) Sidewalks shall be constructed in accordance with Chapter 96 of the City of Vermillion's Code of Ordinances.

o) The Developer shall submit a geotechnical report to the City. The study shall include soil boring information; laboratory results for moisture content; dry density and Atterberg limits; opinions and recommendations regarding utility excavation procedures, site preparation and excavation/filling procedures; comments regarding constructability and final performance of the project, and recommendation for Portland cement pavement sections.

p) The roadway shall consist of Portland cement pavement. At no point will the pavement section be less than 6 inches on local streets and 8 inches on collector or arterial streets. The base course shall be, at a minimum, 6 inches thick for either a local, collector or arterial street.

DESIGN ELEMENTS	ARTERIALS	COLLECTORS	LOCAL	FRONTAGE ROAD	PRIVATE ROAD EASEMENT	CUL-DE-SAC	ALLEY
RIGHT-OF-WAY (FT)	80 – 100	80	66 – 80	50	66 –100	66 – 80 (SEE NOTE 1 & 2)	20
DESIGN SPEED (MPH)	50	50	25	25	25	25	25
PARKING ALLOWED	NONE	SEE NOTE 1	SEE NOTE 1	SEE NOTE 1	SEE NOTE 1	SEE NOTE 1	NONE

Note:

1. On-street parking will be determined based on zoning and neighborhood characteristics.
2. Minimum radius right-of-way of 55 feet.

5) Access to Streets and Roads:

a) *Street Access for Streets within City Jurisdiction*

i) Permit: Before any new driveway is connected to a street or an existing driveway approach is modified, a permit shall be obtained from the City. The permit shall

be signed by the property owner or owner representative. All access permits must be obtained prior to building permits being issued.

ii) Specifications: All driveways shall be constructed according to the current details and specifications on file with the City Engineer. The City Engineer, if necessary, may vary them, as long as safety and traffic capacity are not compromised.

iii) Access point location:

(1) Each single-family residential lot is allowed up to one access point per street frontage.

(2) Access to multi-family residential, commercial, industrial and institutional construction will be determined on a case-by-case basis. It is desired that these mentioned types of property fronting an arterial or collector street have shared access points.

(3) If the property is a corner lot where one street is a higher classification than the other street, the property owner will be required to place the access point on the street with the lower classification.

(4) Driveways on corner lots shall be a minimum of 40 feet from the right-of-way of the cross street for all properties, except single-family residential. On arterial streets, the distance shall be increased to 60 feet. Single-family residential driveways must be a minimum of 30 feet from the cross street right-of-way.

(5) Access to arterial and collector streets shall be limited and strictly enforced. Properties fronting these roads shall be require to either have right-of-way dedicated for the construction of a frontage road or have a shared access point with the adjacent lots. In addition, the City Engineer could require a limited movement driveway in special situations.

iv) Access size: The maximum driveway width shall be 36 feet. This does not include the tapers at the access cut.

b) *Street Access for Streets within State Jurisdiction*

i) Permit: Before any new driveway is connected to a street or an existing driveway approach is modified, an access permit shall be obtained from the State of South Dakota. The City permit shall be obtained after the State permit is awarded. The permit shall be signed by the property owner or owner representative. All state permits must be obtained prior to final plat approval, while all City access permits must be obtained prior to issuance of the building permit.

ii) Specifications: All driveways shall be constructed according to the current details and specifications on file with the City Engineer. The City Engineer, if necessary, may vary them, as long as safety and traffic capacity are not compromised.

iii) Access point on South Dakota Highway 50 Loop (Cherry Street between North Crawford Road and James Street):

(1) Each single-family residential lot is allowed up to one access point per street frontage.

(2) Access to multi-family residential, commercial, industrial and institutional construction will be determined on a case-by-case basis. It is desired that these mentioned types of property fronting an arterial or collector street have shared access points. At no point, will a new access point be allowed when

there are more than two accesses per block face. Limited movement driveways will be required on special situations. Connections to the frontage road shall be made at the minimum rate of 1 access point per each 2 lots and at a maximum rate of 1 access point per each 4 lots.

(3) If the property is a corner lot where one street is a higher classification, or within City or State jurisdiction the property owner will be required to place the access point on the street within the City's jurisdiction or on the street with lower classification.

iv) Access point on South Dakota Highway 50 (By-Pass), South Dakota Highway 50 (east of North Crawford Road and West of James Street), South Dakota Highway 19 (north of South Dakota Highway 50 and south of West Cherry Street):

(1) Each single-family residential lot is allowed up to one access point per street frontage.

(2) Access to multi-family residential, commercial, industrial and institutional construction will be determined on a case-by-case basis. It is desired that these mentioned types of property fronting an arterial or collector street have shared access points. At no point, will a new access point be allowed when there are more than two accesses per block face. Limited movement driveways will be required in special situations. Connections to the frontage road shall be made at the minimum rate of 1 access point per each 2 lots and at a maximum rate of 1 access point per each 4 lots.

(3) If the property is a corner lot where one street is a higher classification, or within City or State jurisdiction the property owner will be required to place the access point on the street within the City's jurisdiction or on the street with lower classification.

v) Access size: The maximum driveway width shall be 36 feet. This does not include the tapers at the access cut.

154.11.2 RURAL

1) All public street improvements, including pavement width, street grades, alignment and visibility, intersections and access shall be designed in accordance with standard accepted engineering practice and are subject to the approval of the City Engineer.
2) Street System Coordination and Arrangement:
   a) Requirements are as in 154.11.1(2).
3) Street Names:
   a) Requirements are as in 154.11.1(3).
4) Design Standards:
   a) Requirements are as in 154.11.1(4) except as follows:
      i) Developer shall submit a geotechnical report to the City. The study shall include soil boring information, laboratory results for: moisture content, dry density and Atterberg limits, opinions and recommendations regarding: utility excavation procedures, site preparation and excavation/filling procedures, comments regarding constructability and final performance of the project, and recommendation for Portland cement, asphalt and gravel pavement sections.

ii) Roadway shall consist of gravel, asphalt or Portland cement. Geotechnical recommendation shall be used for pavement section. At no point will the pavement section be less than the following:

SURFACE TYPE	ROAD SURFACE	BASE COURSE	SUB-BASE	SUB-GRADE
Portland Cement	6" on Local streets, See Note #1	6" Gravel Cushion	See Note #2	See Note #2
Asphalt	3" on Local streets, See Note #3	8" Gravel Cushion	12" Sand	See Note #2
Gravel	3" on Local streets, See Note #4	9" Gravel Cushion	See Note #2	See Note #2

Notes:

1) All other streets shall have a pavement thickness of at least 8".
2) Refer to geotechnical recommendation for minimum.
3) All other streets shall have a pavement thickness of at least 5". All asphalt pavements shall be laid in at least two lifts.
4) All other streets shall have a gravel thickness of at least 4".

iii) Gravel streets will only be allowed on developments, or portions of development, that will expect to see traffic volumes less than 200 vehicle per day.

b) Private streets or roads, if allowed, shall meet the following requirements:
   i) Requirements shall be the same as those in 154.11.1.4.l.
c) When the traffic impact of one or more proposed property developments indicates that the public safety can be better served by the use of mutual access easements, the following requirements shall be observed:
   i) Requirements shall be the same as those in 154.11.1.4.m.
d) The developer/owner may be required to place traffic control signs, or striping, on mutual access easements or to pay the City to place traffic control signs and striping for mutual access easements at the locations the City Engineer deems necessary for the safety and convenience of the public. Traffic control signs and striping shall be approved by the City Engineer and in accordance with the current MUTCD standards.
e) If sidewalks are required, they shall be constructed in accordance with the City of Vermillion's Code of Ordinance.

5) Access to Streets and Roads:
   Requirements shall be the same as those in 154.11.1.5.

154.12 DESIGN STANDARDS – WATER FACILITIES

154.12.1 URBAN

1) The developer shall take the action necessary to create or extend a water supply system capable of providing domestic water use and fire protection to the entire subdivision.

2) Where a public water main is accessible, the developer shall install adequate water facilities (including fire hydrants) subject to the specifications of the City Engineering Department.
3) Water main extensions shall be approved by the City Engineering Department. If the water main is extended adjacent to property that will not participate in the initial construction cost of the water main, the developer shall submit to the department a cost recovery study. The study shall be based upon the actual construction costs showing the amount due from each property when a connection is made to the extended water main. To facilitate the study, the location of all fire hydrants, all water supply improvements, and the boundary lines of proposed districts shall be shown on the preliminary water and sewer plan.
4) Land, which is located over or adjacent to a water bearing stratum or water supply reservoir that is designated as an area providing or supplementing the municipal water supply, shall remain undeveloped and unsubdivided unless public water and sewer systems are provided.
5) All water facilities including water mains, valves, fire hydrants, storage facilities and pumping stations shall be subject to the approval of the City's Engineering Department.

154.12.2 RURAL

Requirements shall be the same as those in 154.12.1.

154.13 DESIGN STANDARDS – SANITARY SEWER FACILITIES

154.13.1 URBAN

1) Each lot within a subdivision area shall be provided with a connection to an approved public sanitary sewer.
   Exception: In areas where a public sanitary sewer is not reasonably accessible, but such area is included in the Comprehensive Plan, the developer shall install sewage systems in conformance to the wastewater regulations of the State of South Dakota and all other local applicable rules and regulations.
2) In cases where a connection to an existing public sanitary sewer may not be immediately practical, a connection may be made to a gravity sewer system by the use of a lift station constructed in accordance with the regulations and requirements set forth by the City Engineering Department.
3) All sanitary sewer facilities, including gravity sewers, manholes, lift stations and force mains, shall be designed in accordance with standard accepted engineering practices and are subject to the approval of the City Engineering Department.

154.13.2 RURAL

Requirements shall be the same as those in 154.13.1.

154.14 DESIGN STANDARDS – SUMP PUMPS

154.14.1 URBAN

1) The following provisions pertain to structures built after June 2011 and to any construction on an existing structure that affects the drainage system of that structure.
2) New construction with basements, or a usable crawl space, shall have a drain tile placed around the inside or outside perimeter of the foundation connected to a sump pit. All baseboard seepage collection systems shall be discharged to the sump pit. The sump pit shall be located at least 10 feet away from the inside sanitary floor drain.
3) Buildings with existing sump pumps or drain lines shall construct a discharge line. The line shall be installed to the outside wall of the building with rigid plastic pipe. The discharge pipe must have a check valve within 1 foot of the floor grade and union or other approved coupling for easy disconnection for repair or replacement. The discharge line shall extend at least 3 feet outside of the foundation wall, and no closer than 5 feet from any sidewalk.
4) Alternate method of installation:
   a) The discharge pipe may be connected directly to the public storm sewer system provided the discharge is at a higher elevation than the normal flow level and that an approved backflow prevention device is installed. A permit is required for the construction of a discharge pipe which is connected directly to the storm sewer system.
5) At no point shall the discharge line discharge 10 feet from an adjacent property. No discharge shall be directed so as to impact neighboring properties.
6) Discharging into the street, alley or over the sidewalk will not be allowed during the months of November through March of the year.
7) Curb cuts for discharge lines will only be allowed in situations where there is no public storm sewer system within 100 feet of the property. The discharge line shall be placed under the sidewalk and through the back of the curb. If a storm sewer system is constructed at a later date the owner shall be required to connect to new sewer during construction or within a year. The cost for connecting to storm sewer will be borne by the property owner.

154.14.2 RURAL

Requirements shall be the same as those in 154.14.1.

154.15 GENERAL PROVISIONS AND ASSURANCES

154.15.1 URBAN

1) Conformity with other Plans and Ordinances:
   a) All subdivision plans and plats shall comply with the following additional laws, ordinances and regulations:
      i) The Comprehensive Plan of the City and the policies set forth therein.
      ii) The zoning regulations of the City.

iii) The major street plan.
iv) SDCL 11-3-12.1. Approval of access to street or highway prerequisite to filing plat.
v) Other plans which may be or have been adopted that would affect the subdivision and use of land, such as those contained in SDCL Ch. 11-3 and 11-6.

2) Interpretation, Abrogation and Severability:
   a) In interpreting and applying the provisions of this chapter, these regulations are the minimum requirements for the promotion of public safety, health and general welfare. It is not the intent of this chapter to repeal, abrogate or impair any existing easement, covenant or deed restriction. Where these provisions conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
3) Amendments:
   a) For the purpose of providing for the health, safety and general welfare of the community, the City Council may from time to time amend the provisions imposed by these subdivision regulations in the manner prescribed by law.
4) Variances:
   a) The City Council may reduce or otherwise vary the requirements of these regulations whenever it encounters a situation described below. In granting such variances, the City Council may require whatever conditions deemed necessary to secure the basic objectives of the particular regulations. The variances and waiver may be granted by the vote of three-fourths (¾) of the City Council. Any variance granted by the City Council shall be noted in its official minutes.
   b) *Unwarranted Hardship.* Whenever the City Council finds that unwarranted hardships or particular difficulties may result from strict compliance with these regulations, it may, after written application by the developer, grant variances to the regulations subject to specified conditions so that substantial justice may be done and the public interest secured. Such variances shall not have the effect of nullifying the intent and purpose of these regulations or the Comprehensive Plan. The City Council shall not grant variances to these regulations unless it makes findings based upon the evidence presented in each specific case on the following criteria:
      i) Because of unusual surroundings, shape or topographical conditions of the specific property, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were adhered to.
      ii) The conditions upon which the request for a variance is based are unique to the property and are not applicable, generally, to other property and have not been created by any person having an interest in the property.
      iii) The purpose of the variance is not based exclusively upon a desire for financial gain.
      iv) The granting of the variance will not be detrimental to the public's health, safety or welfare or injurious to property or improvements in the neighborhood in which the property is located.
   c) *Large scale residential developments.* The standards and requirements of these regulations may be modified by the City Council Planning Commission in the case of a plan for a new residential neighborhood which, in the judgment of the City Council, complies with the objectives of the Comprehensive Plan and City zoning regulations.

d) *Design innovations.* From time to time subdivisions may be designed to provide unusual amenities and at the same time fail to conform strictly to the provisions of these regulations. The City Council may waive certain requirements of these regulations in approving subdivisions involving detailed and workable design innovations that would yield an enhanced living environment for future occupants.

5) Development Agreements:
   a) No plat or plats of any subdivision shall be approved unless the improvements required by this chapter have been installed prior to such approval or unless the developer shall have signed a development agreement to establish the responsibility for the construction of such improvements in a satisfactory manner as specified by the City Engineering Department and the City Council. This development agreement shall be recorded with the register of deeds at the time of the filing of the plat.

154.15.2 RURAL

General Provision and Assurances

1) Conformity with other Plans and Ordinances:
   a) Requirements as in 154.15.1.1 with the addition of :
      i) Joint Jurisdictional Zoning Ordinance
      ii) Clay County Zoning Ordinance
2) Interpretation, Abrogation and Severability:
   a) Requirements are as in 154.15.1(2).
3) Amendments:
   a) Requirements are as in 154.15.1(3).
4) Variances:
   a) Requirements are as in 154.15.1(4).
5) Development Agreements:
   a) Requirements are as in 154.15.1(5).

154.16 ENFORCEMENT

154.16.1 URBAN

1) Authority:
   a) The City Engineering Department shall have the authority to make interpretations of this chapter and to implement policies that clarify the application of its provisions.
   b) No building permit shall be issued for the construction of any building or structure located on a lot or plat subdivided or sold in violation of the provisions of this chapter.
   c) Whenever any work or use is being done contrary to the provisions of this chapter, the City Engineer may order the work or use stopped by notice in writing served on any person engaged in the doing or causing the work to be done, and any persons forthwith stop the work or use until authorized by the City Engineer to proceed with the work or use.
   d) Penalty language requirements are as in 155.999.

154.16.2 RURAL

1) Authority:
   a) Requirements shall be the same as those in 154.16.1.

Dated at Vermillion, South Dakota this 18th day of April, 2011.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

_____
John E. (Jack) Powell, Mayor

ATTEST:

_____
Michael D. Carlson, Finance Officer

First Reading:	March 21, 2011
Second Reading:	April 18, 2011
Publication:	April 29, 2011
Effective Date:	May 19, 2011

Council Agenda Memo

From: José Domínguez, City Engineer

Meeting: April 18, 2011

Subject: Resolution to Delegate Plat Approval to the City Engineer and to Designate the City Council as the Board of Appeals

Presenter: José Domínguez

Background: Proposed Ordinance No. 1251 will have several platting processes for developers. Platting within the City will be divided into minor and major plats. It is proposed that the major plats will follow the typical process of a Planning Commission recommendation and then a City Council decision. However, the minor plat process is proposed to follow a different avenue. The minor plats are proposed to be approved, or disapproved, by the City Engineer with the City Council acting as the Board of Appeals.

Similar to plats within the City, plats outside of City limits will also be divided into two categories; those outside of the Joint Jurisdictional Zoning Area and those within the Joint Jurisdictional Zoning Area. The plats outside of the Joint Jurisdictional Zoning Area but within the platting jurisdiction will follow a similar process as the minor plats with the addition of the County Planning Commission and County Commission approving the plats. This method is allowed by State statute 11-3-6, which reads:

> "...The governing body may be resolution designate an administrative official of the municipality to approve plats in lieu of approval by the governing body. The auditor or finance officer shall endorse on the face of the plat a copy of the resolution or the designated administrative official's approval and certify the same. No plat of any such addition or subdivision so situated may be recorded unless the plat bears on its face a copy of the resolution or approval and certificate of the auditor or finance officer. If the designated administrative official denies the plat request, the person requesting the plat may appeal to the governing body."

Discussion: By delegating approval of minor plats and plats outside of the Joint Jurisdictional Zoning Area to the City Engineer, the platting process will be expedited. The approval time is shortened by eliminating the Planning Commission and City Council meetings. It is estimated that this will eliminate at least two

weeks from the approval process. In the event that either a minor plat in the City, or a plat outside of the Joint Jurisdictional Zoning Area, is disapproved by the City Engineer, the applicant will have the opportunity to approach the Board of Appeals (which will be the City Council). At this point, the City Council will either approve or disapprove the plat.

Financial Consideration: The platting fee is not impacted by the resolution.

Conclusion/Recommendations: Administration recommends approval of the Resolution.

RESOLUTION
DELEGATING PLAT APPROVAL TO THE CITY ENGINEER

WHEREAS, SDCL 11-3-6 authorizes a governmental entity to designate an administrative official to approve plats, and;

WHEREAS, SDCL 11-3-6 authorizes a governmental entity to act as a Board of Appeals when an administrative official is designated to approve plats, and;

WHEREAS, in order to expedite the platting process and maintain an orderly and sustained growth;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Engineer is hereby authorized to approve, or disapprove, Minor Plats within the City and plats outside of the Joint Jurisdictional Zoning Area, and that the City Council will act as the Board of Appeals for Minor Plats and for plats outside of the Joint Jurisdictional Zoning Area commencing on May 19th, 2011.

Dated at Vermillion, South Dakota this 18th day of April 2011.

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: Jane Larson, Vermillion Public Library Director

Meeting: April 18, 2011

Subject Annual Report for the Vermillion Public Library

Presenter: Jane Larson

Background: State law requires the Library Board to prepare and submit an annual report (using a federally dictated template) to the governmental bodies that provide funding to the library.

SDCL 14-2-40.Duties of trustees. Each board of public library trustees shall:

(1) Appoint a librarian to serve at the pleasure of the board. Any paid librarian shall receive any employee benefits provided all other employees of the local governmental unit and shall be compensated at rates determined by the governing body's compensation schedule, if such schedule exists. If no such schedule exists, the salary shall be set by the local governing body;

(2) Adopt bylaws for the conduct of their business and adopt policies for the selection of public library materials, the governance of the library, and the use of public library services and materials;

(3) Prepare and submit an annual budget request to its governing body;

(4) Adopt a final annual budget within those funds certified to it as being appropriated in the annual budget of its governing body;

(5) Meet at least once during each quarter of the year;

(6) Prepare and submit an annual report to its governing body and to the South Dakota State Library on such forms as may be provided by the State Library.

Discussion: The report has been presented and accepted by the Library Board of Trustees. The report is compiled electronically, thus the format in the print version. The report is typically presented in the spring.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends that the City Council acknowledge receipt of the 2010 Annual Report for the Vermillion Public Library.

VERMILLION PUBLIC LIBRARY
South Dakota Public Library Survey - Fiscal Year 2010

SECTION A. GENERAL INFORMATION #A01-A27

To begin survey, PRINT SDSL Certificate NOW

A01	Library	VERMILLION PUBLIC LIBRARY
A02	County	CLAY
MAILING ADDRESS		
A03	Mailing Address	18 CHURCH STREET
A04	Street Address	18 CHURCH STREET
A05	City	VERMILLION
A06	Zip Code	57069
A07	Zip Extension	3093
A08	Librarian	Jane A. Larson
A09	Phone (Library)	(605) 677-7060
A10	Fax	(605) 677-7160
A11	Email address of director	jlarson@sdln.net
A12	Fiscal year being reported	Jan - Dec
A13	Was there a change in the boundaries of the legal service area during reporting period?	No
A14	Governmental unit under which library is legally established	CITY
A15	Year legally established	1903
A16	Total Population Chartered or Contracted to serve most recent	N/A
A17	ESTIMATED population of total service area	13,605
A18	What do you charge for a nonresident library card?	$15.00
A19	Are you the central library?	Yes
A20	Number of branch libraries	0
A21	Number of bookmobiles	0
A22	Was your library involved in building or remodeling program during the year?	No
A23	If yes, please explain. If no, please enter N/A	n/a
A24	Total square footage	11,000
A25	Legal basis code	CI - Municipal Government(city, town or village)
A26	Geographic code	CO2 - County(most nearly)
A27	Has the data in any of the grayed out questions above changed in the past year? (Yes or No) If you answer "Yes," staff from the State Library may contact you to verify the information.	Yes

SECTION B. LIBRARY HOURS #B01-B52

MAIN LIBRARY HOURS (Place an N/A on each line or date not used.)

B01	Sunday, open AM	0
B02	Sunday, close AM	0
B03	Sunday, open PM	1300
B04	Sunday, close PM	1700
		4

B05	Sunday, total hours	
B06	Monday, open AM	1000
B07	Monday, close AM	NA
B08	Monday, open PM	NA
B09	Monday, close PM	2100
B10	Monday, total hours	11
B11	Tuesday, open AM	1000
B12	Tuesday, close AM	NA
B13	Tuesday, open PM	NA
B14	Tuesday, close PM	2100
B15	Tuesday, total hours	11
B16	Wednesday, open AM	1000
B17	Wednesday, close AM	NA
B18	Wednesday, open PM	NA
B19	Wednesday, close PM	2100
B20	Wednesday, total hours	11
B21	Thursday, open AM	1000
B22	Thursday, close AM	NA
B23	Thursday, open PM	NA
B24	Thursday, close PM	2100
B25	Thursday, total hours	11
B26	Friday, open AM	1000
B27	Friday, close AM	NA
B28	Friday, open PM	NA
B29	Friday, close PM	1800
B30	Friday, total hours	8
B31	Saturday, open AM	1000
B32	Saturday, close AM	NA
B33	Saturday, open PM	NA
B34	Saturday, close PM	1700
B35	Saturday, total hours	7
B36	Grand total Main Library hours (B5+B10+B15+B20+B25+B30+B35)	63.00
B37	Total ALL branchs' hours per week	N/A
B38	Total ALL bookmobiles' stop hours where public is serviced per week	N/A

BRANCH HOURS (If you do not have a Branch Library, place N/A on each line.)

B39	Branch Library's name	NA
B40	Address	NA
B41	City	NA
B42	Zip Code	N/A
B43	Zip Extension	N/A
B44	Phone Number	N/A
B45	Branch librarian	NA
B46	Total days open during a typical week	N/A
B47	Total Public Service Hours Per Year (actual hours; collected & reported out at the outlet level)	N/A
B48	Total hours open during a typical week	N/A

B49	Total Number of Weeks Per Year this branch library is Open (actual weeks; collected & reported out at the outlet level)	N/A
B50	Square footage of branch	N/A
B51	Branch Staff paid	NA
B52	Has the data in any of the grayed out questions above changed in the past year? (Yes or No) If you answer "Yes," staff from the State Library will contact you to verify the information.	No

SECTION C. PERSONNEL # C01-C20

Head Librarian

C01	Head Librarian	1
C02	Current Annual Salary	$53,264
C03	Total Hours Worked Per Week	40

Other Librarians

C04	Total number of OTHER Paid Librarians	2
C05	Total number of OTHER Paid Librarian hours worked per week	70
C06	Total number of hours worked by the Head Librarian AND all other Paid Librarians (C03 + C05)	110.00
C07	Total Paid Librarians FTE	2.75

All Other Paid Staff

C08	Total Number of All Other Paid Staff	10
C09	Total Number of All Other Paid Staff hours worked per week	216
C10	All Other Paid Staff FTE	5.40
C11	Total Paid Employees FTE (C07+C10)	8.15
C12	How many of the Librarians from LINES C01 and C04 have an ALA Accredited Masters of Library Science Degree?	2
C13	Total number of hours worked per week by Librarians from LINE C12 with an ALA Accredited Masters of Library Science Degree	70
C14	Total FTE Librarians with ALA Accredited Masters of Library Science Degree	1.75
C15	Educational Level Achieved by Head Librarian	Masters Degree
C16	Number of Volunteers	2
C17	Avg. Hours/Week provided by Volunteers	6
C18	Number of Staff Paid from Other Sources	1
C19	List Sources	Green Thumb
C20	Average Hours/Week Provided by Staff Paid by Non-Library Source	18

SECTION D. INCOME (OPERATING) # D01 - D22

Total Income Received During Fiscal Year

D01	City/Town	$502,771
D02	County	$3,000
D03	School District	$0
D04	Tribal Appropriation	$0

D05	College Appropriation	$0
D06	Contracts With Other Libraries	$0
D07	LOCAL GOVERNMENT INCOME (D01 + D02 + D03 + D04 + D05 + D06)	$505,771
D08	State Appropriations	$0
D09	Federal income (Excluding LSTA grants)	$0
D10	LSTA Grants	$0
Miscellaneous Funds for Operating Expenses		
D11	Fines (If Kept as Income)	$3,937
D12	Gifts and Endowments	$3,469
D13	Income from Trust Funds	$0
D14	Income from Sale of Library Cards	$377
D15	Other	$2,411
D16	SUBTOTAL MISCELLANEOUS FUNDS (D11 + D12 + D13 + D14 + D15)	$10,194
D17	TOTAL OPERATING INCOME FISCAL YEAR 2010 (D07 + D08 + D09 + D10 + D16)	$515,965
Capital Income		
D18	Local Government Capital Income	$0
D19	State Government Capital Income	$0
D20	Federal Government Capital Income	$0
D21	Other Capital Income	$0
D22	Total Capital Income (D18 + D19 +D20 +D21)	$0

SECTION E. EXPENDITURES # E01-E20

Total Expenditures During Fiscal Year For: (Round to nearest dollar)

E01	Salaries and Wages for Library Staff (includes Maintenance, Custodial, and Security staff)	$262,779
E02	Total Employee Benefits (Including Group Insurance)	$76,171
E03	TOTAL ALL SALARIES AND BENEFITS (E01 + E02)	$338,950
Library Materials:		
E04	Print Materials	$65,498
E05	Electronic Materials	N/A
E06	Other Materials Expenditures	$20,439
E07	TOTAL EXPENDITURES FOR LIBRARY MATERIALS (E04 + E05 + E06)	$85,937
E08	Other Operating Expenditures	$78,484
E09	TOTAL OPERATING EXPENDITURES (E03 + E07 + E08)	$503,371
Capital Expenditures:		
E10	Land	$0
E11	Buildings	$0
E12	Remodeling	$0
E13	Computer Hardware	$3,707
E14	Audio-Visual Equipment	$0
E15	Other Library Equipment includes shelving, desks, etc.	$475

E16	Automotive Vehicles including bookmobiles	$0
E17	Debt Payment	$0
E18	Other Capital Expenditures (Specify)	$0
E19	TOTAL CAPITAL EXPENDITURES (E10 + E11 + E12 + E13 + E14 + E15 + E16 + E17 + E18)	$4,182
E20	TOTAL EXPENDITURES DURING FISCAL YEAR (E09 + E19)	$507,553

SECTION F. LIBRARY HOLDINGS # F01-F15

PRINTED MATERIALS

Books

F01	Total Owned at End of Year	78,591

Serial Back Files

F02	Total Owned at End of Year	10,047
F03	TOTAL PRINTED MATERIALS (F01 + F02)	88,638

Current Print Serial Subscriptions

F04	Total Owned at End of Year	111

Current Electronic Serial Subscriptions

F05	Total Owned at End of Year	0

DATABASES OWNED END OF YEAR

Number of Licensed Databases acquired through payment or formal agreement:

F06	Local	0
F07	State (state government or State library)	41
F08	OTHER cooperative agreements (or consortia) within state or region (ex: SDLN)	28
F09	Total (F06+F07+F08)	69

OTHER ELECTRONIC MATERIALS

Video - Physical Units

F10	Total Owned at End of Year	2,883

Video - Downloadable titles

F11	Total Owned at End of Year	0

Electronic Books (E-Books)

F12	Total Owned at End of Year	5,511

Audio - Physical Units

F13	Total Owned at End of Year	4,300

Audio - Downloadable titles

F14	Total Owned at End of Year	3,141

Other (films, multimedia kits, maps, etc.)

F15	Total Owned at End of Year	470

SECTION G. SERVICES ACTIVITIES # G01-G45

LIBRARY SERVICE INDICATORS

G01	Annual Public Service Hours/Year (Average weekly hours x 52 wks)	3,276
G02	Annual Total Attendance in Library (Typical week x 52)	37,829

G03	Annual Total Reference Transactions Completed (average reference transactions per week x 52)	7,189

CIRCULATION AND OTHER LIBRARY USAGE

Total Circulation (Books Loaned for Year):

From Main Library		
G04	Adult (over 18)	36,798
G05	Juvenile	28,017
G06	SUB-TOTAL (G04 + G05)	64,815
From Branches and Deposit Stations		
G07	Adult (over 18)	N/A
G08	Juvenile	N/A
G09	SUB-TOTAL (G07 + G08)	0
From Bookmobile Stops		
G10	Adult (over 18)	N/A
G11	Juvenile	N/A
G12	SUB-TOTAL (G10 + G11)	0
TOTAL CIRCULATION FOR YEAR		
G13	ADULT (G04 + G07 + G10)	36,798
G14	JUVENILE (G05 + G08 + G11)	28,017
G15	SUB-TOTAL (G13 + G14)	64,815
G16	Total magazines and other items not included above	546
G17	Total Nonprint Materials Loaned	13,807
G18	TOTAL LOANS FOR ALL TYPES OF MATERIALS (G15 + G16 + G17)	79,168
G19	Total Number of Registered Borrowers (If you do not have a registry, record A16 population here.)	7,158

RESOURCE SHARING / InterLibrary Loan

Note: The statistics reported here (should be) included in the circulation count reported in the last section.

Provided to Other Libraries (includes State Library)		
G20	In-State	2,271
G21	Out-of-State	107
G22	TOTAL PROVIDED TO (G20 + G21)	2,378
Received from Other Libraries (includes State Library)		
G23	In-State	2,546
G24	Out-of-State	548
G25	TOTAL RECEIVED FROM (G23 + G24)	3,094
LIBRARY PROGRAMS		
G26	Annual Number of Young Adult Programs	38
G27	Annual Young Adult Program Attendance	485
G28	Annual Number of programs held for Children	457
G29	Annual Children's Program attendance (total attendance for all children's programs)	9,897
G30	Annual number of Adult programs (book clubs, speakers, etc.)	21
G31	Annual number of Adult attendance	222
G32	TOTAL ANNUAL NUMBER OF ALL LIBRARY PROGRAMS (G26+G28+G30)	516

G33	TOTAL ANNUAL ATTENDANCE AT ALL LIBRARY PROGRAMS (G27+G29+G31)	10,604

INTERNET

G34	Does your library have Internet access?	Yes
G35	Does your library provide public access to the Internet?	Yes
G36	If "yes" to G35, how is this access provided?	both
G37	Number of Internet terminals available for use by general public	6
G38	Number of laptop computers available for public circulation	0
G39	Annual Number of Public Internet Users	10,489

LIBRARY POLICIES AND PRACTICES

G40	What is your standard circulation period for books?	3 weeks
G41	Do you have a written policy for non residents?	Yes
G42	What do you charge/day for over due books?	..10 FOR ADULT TITILES, .05 FOR CHILDREN'S TITLES
G43	Is your catalog automated?	Yes
G44	What Automation System Do You Use? If the answer is "other," please define using a state note.	SDLN/Aleph

G45 Our library serves the following disability groups. Select one or more of these.

Blind	Yes
Seeing Impaired/Large print	Yes
Physically disabled	Yes
Learning disabilities	Yes
Deaf	Yes
None of the above	No

SECTION H. TRUSTEES (Current) # H01-H14

TRUSTEES

H01	Name	Jon Flanagin
H02	Complete Mailing Address Including PO Box Number or Street	404 Cottage, Vermillion SD 57069
H03	Home Telephone	(605) 624-8987
H04	Business Telephone	N/A
H05	Office Held	President
H06	Term Expires	2013
H07	E-Mail address	jtflanag@usd.edu
H01	Name	Carl Gutzman
H02	Complete Mailing Address Including PO Box Number or Street	1140 Ridgecrest, Vermillion SD 57069
H03	Home Telephone	(605) 624-5404
H04	Business Telephone	(605) 677-5671
H05	Office Held	Vice-President
H06	Term Expires	2013
H07	E-Mail address	cgutzman@usd.edu
H01	Name	Cyndy Chaney
H02	Complete Mailing Address Including PO Box Number or Street	111 Center Street, Apt. 2 Vermillion SD 57069
H03	Home Telephone	(605) 624-6260

H04	Business Telephone	(605) 624-5550
H05	Office Held	Trustee
H06	Term Expires	2011
H07	E-Mail address	dcc700@willinet.net
H01	Name	Kent Osborne
H02	Complete Mailing Address Including PO Box Number or Street	314 N. Plum, Vermillion SD 57069
H03	Home Telephone	(605) 677-8582
H04	Business Telephone	(605) 677-4401
H05	Office Held	City Council Rep.
H06	Term Expires	2011
H07	E-Mail address	KentOsborne.state.sd.us
H01	Name	Janet Hoff
H02	Complete Mailing Address Including PO Box Number or Street	430 Oakmont Drive, Vermillion SD 57069
H03	Home Telephone	(605) 624-3372
H04	Business Telephone	N/A
H05	Office Held	Trustee
H06	Term Expires	2011
H07	E-Mail address	jkhoffq@msn.com
H01	Name	Fern Kaufman
H02	Complete Mailing Address Including PO Box Number or Street	818 Valley View Dr. Vermillion SD 57069
H03	Home Telephone	(605) 624-4898
H04	Business Telephone	N/A
H05	Office Held	Trustee
H06	Term Expires	2012
H07	E-Mail address	fjeanette13@hotmail.com
H08	Number of trustees' meetings held during the calendar year	Monthly
H09	Who appoints these trustees?	City Council
H10	Indicate the usual scheduled date and hour of meetings (for example, Second Tuesday of the month at 8 p.m., or give specific dates)	Third Thursday of the month at 6:00 pm
H11	Does your library have a formally organized Friends of the Library (FOL) group?	Yes
H12	Friends of the Library President's name and address	Mary Waller 417 E. Lewis, Vermillion SD 57069
H13	Does your library have a library foundation?	Yes
H14	Foundation President's name and address	Jim Wilson 1101 James St. Vermillion SD 57069

SECTION I CERTIFICATION/ACCREDITATION # I01-I05

I01	Is your library accredited according to South Dakota accreditation Standards?	Yes
I02	Renewal Year	2013
I03	Is the library director certified according to South Dakota Certification Standards?	Yes
I04	Renewal Year	2013

I05	Do you have on file with the SDSL a copy of the local governmental ordinance or minutes authorizing your public library's existence?	Yes

SECTION J. SPECIAL SERVICES

J01	Narrative Listing of Any Special Events	A Building Project Committee was appointed by the City Manager to explore ideas, funding,location, etc. for a building expansion and renovation. An architect was hired and worked with the committee to develop a plan and drawings of the proposed project. Half the funding is available in 2011 and city and library staff are exploring avenues for the balance of the funding.
J02	Librarian or staff member completing the survey (print or type name)	Jane Larson
J03	Chairman of Board of Trustees/or Director of Institution (print or type name)	Jon Flanagin

To Complete Your Survey:

1) Locate the Gold Bar at the top/Select STATUS Tab.
2) Certificate Form must be Printed off and SIGNED by both the head librarian and the Chairman of the Board of Trustees and mailed to the South Dakota State Library before it will be considered the "official" report from your library.
3) When ready to submit your electronic report you must click the Green SUBMIT Button (Top Gold Bar>Status Tab>Submit Tab>scroll down>Green Submit Button).
4) You will receive a Confirmation notice on your screen when you have successfully submitted your report.
5) Now select and click on the STATUS tab on the Gold Bar and proceed.

Note: if a Section goes to a second screen (page), the section title (example: CIRCULATION AND OTHER LIBRARY USAGE) will be at the top of the second and any subsequent screen pages.

Print

Public Library Survey 2010

I certify that all the information contained herein is correct to the best of my knowledge.

Name of Library: Vermillion Public Library City: Vermillion

Librarian: Jane M Larson Date Signed: February 28, 2011

Chairman of the Board of Trustees/or Director of the Institution:

_____ Date Signed: _____

Print this form out, sign it and return it (one-page form) directly to:

Daria Bossman, Assistant State Librarian
South Dakota State Library
800 Governors Drive,
Pierre, South Dakota 57501

Council Agenda Memo

From: José Domínguez, City Engineer

Meeting: April 18, 2011

Subject: Final Plat of Lots 1, 2, 3 and 4 of Bremer's Addition in the W ½ of the NE ¼ and the NW ¼ of Section 3, T92N, R52W of the 5th P.M., Clay County, South Dakota

Presenter: José Domínguez

Background: Ron Peterson, surveyor, has filed a plat to subdivide a portion of land located along Bluff Road south of 315th Street. This land is currently owned by the Robert and Viola Bremer Living Trust. This area is within the City's 3-mile platting jurisdiction. The land is being subdivided into four lots ranging in size from 4.3-acres to 45.41-acres. The intention of the landowner is to split the land for inheritance purposes and not for development. Currently, lots 3 and 4 have single-family dwellings. The remaining lots are farm ground.

The applicant will also be dedicating the required 8-foot easements and the additional 7-foot right-of-way along the south side of 315th Street east of Bluff Road.

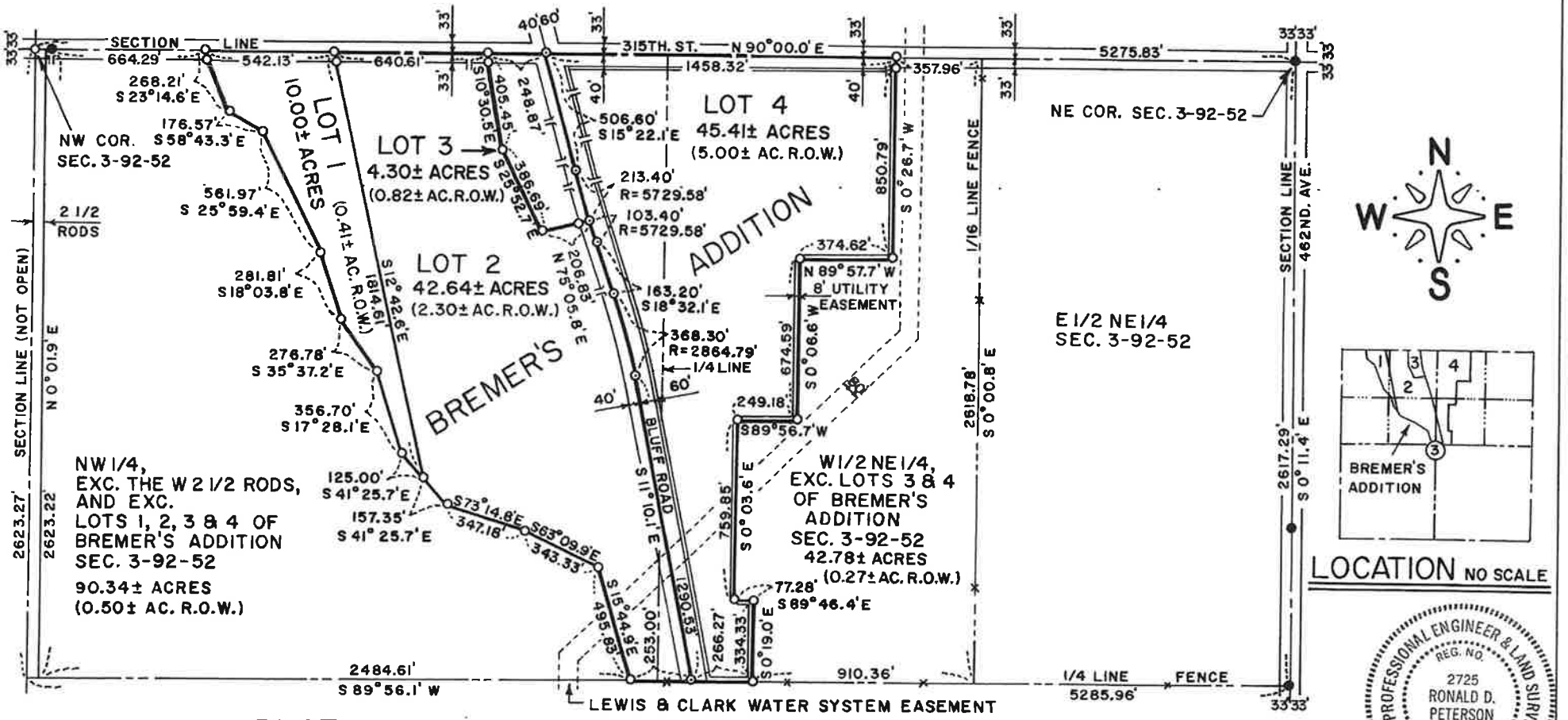
The City Planning Commission reviewed the plat at their April 11th meeting and recommended approval of the plat without any conditions.

Discussion: Staff reviewed the final plat and find that it complies with all requirements.

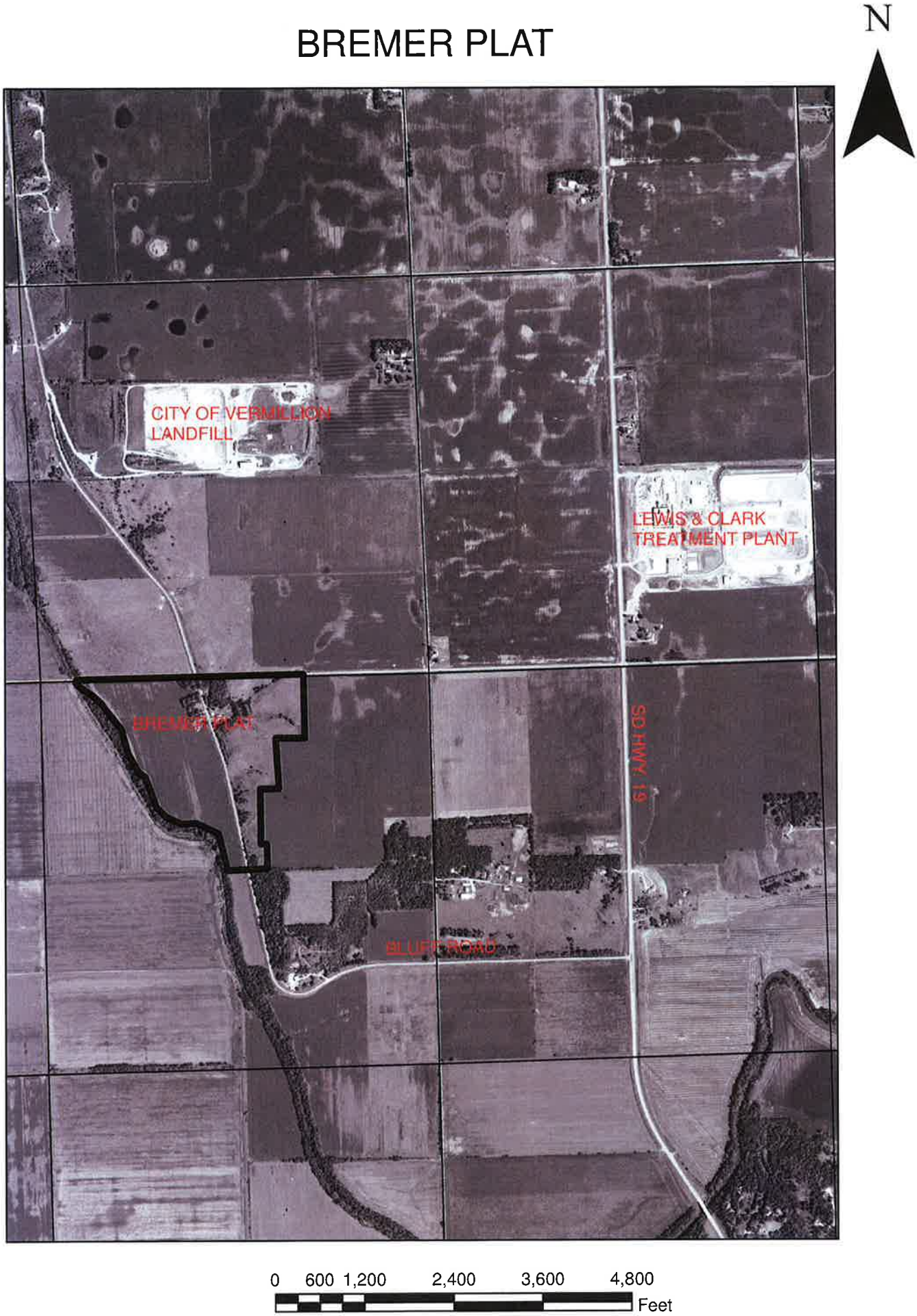
Financial Consideration: All associated platting fees have been paid.

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

PLAT OF LOTS 1, 2, 3 AND 4 OF BREMER'S ADDITION IN THE W1/2 NE1/4 AND THE NW1/4 OF SECTION 3, T92N, R52W OF THE 5TH. P.M., CLAY COUNTY, SOUTH DAKOTA.



BREMER PLAT


N
CITY OF VERMILLION
LANDFILL
LEWIS & CLARK
TREATMENT PLANT
BREMER PLAT
SD HWY 19
BLUFF ROAD
0 600 1,200 2,400 3,600 4,800
Feet

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting April 18, 2011

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 it is not claimed within 60 days, ownership of the vehicle reverts to the City.

The surplus City vehicles are from the purchase of a replacement vehicle. The bicycles have been abandoned in different public places around the city and 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 is no longer needed after a period of time. 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 property and vehicles 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 has normally held 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 owner and the vehicles have gone unclaimed for over 60 days. The known owner has not claimed the other abandoned property or there is not a known owner and it 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 13, 2011.

The School District and County have been contacted to see if they would want to bring surplus property to the auction.

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 and the auctioneer. The balance of proceeds goes into either the general fund or equipment replacement fund, if surplus City vehicles are sold.

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

Date: April 14, 2011

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 13, 2011:

Surplus City Vehicles:

Year	Make	Model	VIN	
1991	Chevy	Lumina	2G1WL54R8M9197253	67,600 miles

Abandon Vehicles:

Year	Make	Model	Plate	VIN
2006	Chrysler	PT Cruiser	No Plates	3A8FY68B36T284076
1997	Ford	Thunderbird	19H616	1FALP62W6VH161612
2001	Dodge	Stratus	27BY78	AB3AG42H01E162984
1995	Ford	Winstar SE Sport	KF6NFW	2FMDA5146SBD12107
1984	Pontiac	Firebird	19GG54	1G2AW87GXEL258136
1991	Pontiac	Grand Prix	No Plates	1G2WJ14T5MF286954
1990	Honda	Accord	24P639	JHMCB755XLC077397
1997	Saturn	SC	19HR98	168ZG1277VZ365226
1999	Chevrolet	Monte Carlo	21X167	2G1WW12M0X9116757
1991	Pontiac	Grand Prix	7DE597	1G2WJ54T3MF207143
1996	Chevrolet	Blazer CT 105	7DE427	1GNCT18W0TK175206
1990	Buick	Park Avenue	No Plates	1G4CW52K9SH628890

Approximately 35 Abandon Bicycles

Abandon Unclaimed Property from Police Department:
Cell phone case, sunglasses, bean bag game board, ice chest, multi plier rool, music CD's, assortment of DVD's, backpacks, walker, tote, garden supplies, cigarette lighters, IPod

Surplus City Property:
Com Center: metal desk
Fire: 2 ceiling mount natural gas heaters, 3M overhead projector, RCA VHS player, Olympus 3500 DLX camera
Light: stackable steel bins, electric fan, old portable beam scale, Electric Materials: pallet of weather heads, ridged galvanized pipe, wire mold and boxes, wood cross arms, misc electric parts
Finance: 2 computers

Police: bulletin board, Carl rotary trimmer, GBC classic paper cutter, Gloss Boss Buffer, burnisher Bullman Holt, 10 photo frames, metal shelf, 6 new and 1 used Goodyear Eagle 225/60/16 tires
Shop: 2 welding torch carts, 4 used Goodyear tires 255/70/16
Library: 2 office chairs, HP scanner 6200C, 2 Gateway monitors, 3 Gateway computers, Desk Jet HP 890 printer, Sharp cash register, 20+ plastic magazine storage boxes, box of miscellaneous computer parts-keyboards, cables, etc.
Code: 2 computers
Golf: 2 computers, 2 monitors
Ambulance: 2 computers
Recreation: Nobles speed scrub walk behind scrubber
Street: computer monitor, three drawer file cabinet, drafting desk
Wastewater: 19in tv, 2-computers, 3-monitors, pallet of electric motors various hp, 3-small electric air compressors, chlorinator, sulphonator, small parts sand blaster and small parts solvent tank cleaner

Council Agenda Memo

From: John Prescott, City Manager

Meeting: April 18, 2011

Subject: Planning Commission Appointments

Presenter: Mayor Jack Powell

Background: By State Statute, the City Council is charged with appointing members of the City Planning Commission.

> 11-4-11. Appointment of planning and zoning commission--Same as city planning and zoning commission. In order to avail itself of the powers conferred by this chapter, the governing body shall appoint a commission to be known as the planning and zoning commission to recommend the boundaries of the zoning districts and appropriate regulations to be enforced therein. The planning and zoning commission provided herein shall be the same planning and zoning commission provided under the provisions of chapter 11-6.

The commission is comprised of nine citizens appointed by the City Council. The terms are for five years and expire in June.

Discussion: The current members of the Planning Commission and term expiration year are: Ted Muenster (2015), Steve Howe (2015), Don Forseth (2015), Doug Tuve (2015), Bob Iverson (2012), Matt Fairholm (2012), Tom Reasoner (2012), and Debbie Gruhn (2012).

There is one vacancy, for a partial term, as Mitch Flanagan recently informed the City that he will not be completing his term (2015) due to moving out of state.

The Planning Commission opening was advertised on the local cable channel, the City website, and at the Library. Interested applicants were asked to complete an Expression of Interest Form. Applications are due Monday, April 18 by Noon and will be presented to the City Council members at the Noon meeting or emailed out. City Council members are asked to indicate their preferences to the Mayor.

Financial Consideration: Each member of the Planning Commission is paid $15 per meeting.

Conclusion/Recommendations: Administration recommends appointing one individual to fill the unexpired term vacated by Mitch Flanagan .

Council Agenda Memo

From: John Prescott, City Manager

Meeting: April 18, 2011

Subject: SECOG Agreement on Voter Ward Redistricting

Presenter: John Prescott

Background: With the 2010 census data, the city will need to review the population per ward to determine if redistricting is needed. Statute requires that the individual ward populations are to be within, plus or minus, 5% of each other. SECOG has proposed to assist its members with the redistricting process by using their software to provide maps with the populations, redistricting training and onsite services.

Discussion: SECOG has provided a "Third Party Services Agreement for Voter Ward Redistricting" to assist the City with the process of redistricting following the 2010 census. The redistricting will need to be done before petitions are circulated in March 2012 for City Council seats. The agreement provided that SECOG will provide the first four hours of service at no charge and $50 for each hour thereafter. We will request that they use the four hours to prepare the maps so that staff can use that time to work with a City Council committee in reviewing the options to redistrict the city wards.

Financial Consideration: It is anticipated that we will use the SECOG service to develop the population maps by existing wards and that the cost will be small, if nothing.

Conclusion/Recommendations: Administration recommends approval of the Third Party Services Agreement for Voter Ward Redistricting.

THIRD PARTY SERVICES AGREEMENT FOR VOTER WARD REDISTRICTING

This Third Party Services Agreement for Voter Ward Redistricting, hereinafter referred to as the AGREEMENT, is made and entered into this ____ day of _____, 2011, by and between CITY OF VERMILLION, South Dakota, hereinafter referred to as SECOG MEMBER, and the South Eastern Council of Governments, Sioux Falls, South Dakota, hereinafter referred to as SECOG.

WITNESSETH:

WHEREAS, SECOG MEMBER, is interested in utilizing Geographic Information Systems (GIS) for assistance with redistricting its voting wards using the 2010 Census data (the "REDISTRICTING PROJECT"); and

WHEREAS, SECOG has the expertise to aid in completing REDISTRICTING PROJECT for SECOG MEMBER.

NOW THEREFORE, and in consideration of the mutual covenants hereinafter set forth, the parties do hereby agree as follows:

SECTION ONE. PURPOSE OF THIRD PARTY SERVICES AGREEMENT

SECOG MEMBER has determined that SECOG has the staff expertise to assist it with redistricting its voting wards using the 2010 Census data. SECOG is willing to provide assistance to SECOG MEMBER in that regard in accordance with the terms and conditions of this AGREEMENT and any attachments hereto.

SECTION TWO. DUTIES OF SECOG

A. SECOG agrees to assist SECOG MEMBER with redistricting its voting wards using the 2010 Census data. In that regard, SECOG shall perform the following:

   1. Use ArcGIS Districting Extension to record possible population changes in existing voting wards.
   2. Providing a map and/or GIS files of proposed voting wards as equal in population as practicable.
   3. Redistricting training and onsite support as needed.
   4. Attend Board of County Commissioners/City Council meeting(s) to present redistricting results, if requested.
   5. Provide such other services as may be reasonably necessary to complete the REDISTRICTING PROJECT in a timely manner.

SECTION THREE. DUTIES OF SECOG MEMBER

A. In order to aid SECOG in the preparation of the REDISTRICTING PROJECT, SECOG MEMBER agrees to provide such information to SECOG as may be needed for completion of the REDISTRICTING PROJECT in an expeditious manner including a current map of voting boundaries/wards from 2000 Census.

B. SECOG MEMBER agrees to engage its legal counsel to review all redistricting options prepared by SECOG prior to adopting the final voter ward.

SECTION FOUR. COMPENSATION

SECOG agrees to provide four hours of service at no cost to SECOG MEMBER towards completing the REDISRICTING PROJECT. For any time over four hours related to the REDISTRICTING PROJECT, SECOG MEMBER agrees to pay to SECOG its normal member rate of $50 per hour. Payment shall be made to SECOG upon the final completion of REDISTRICTING PROJECT.

SECTION FIVE. GENERAL TERMS

A. This AGREEMENT shall commence upon approval by both SECOG and SECOG MEMBER.

B. Upon acceptance of this proposal, SECOG will commence work on the REDISTRICTING PROJECT.

C. This AGREEMENT may be terminated upon thirty (30) days written notice, by either party. If terminated by SECOG MEMBER, SECOG shall be entitled to compensation for work performed up to the termination notice date.

D. SECOG MEMBER will retain ultimate responsibility for selecting and adopting voter wards based on the 2010 Census, and SECOG will maintain only the role of administrative assistant.

E. This AGREEMENT constitutes the entire agreement between the parties. No amendment or modification shall be binding unless reduced to writing and endorsed by both parties.

F. SECOG MEMBER agrees to indemnify and hold SECOG, its officers, agents, and employees, harmless from and against any and all actions, suits, damages, liability, or other proceedings that may arise as the result of performing services hereunder. This section does not require SECOG MEMBER to be responsible for or defend against claims or damages arising from errors or omissions of SECOG, its officers, agents, or employees. It is further agreed that any and all employees of either party, while engaged in the performance of any work or services, shall not be considered employees of the other party, and that any and all claims that may or might arise under the South Dakota Workers' Compensation Act on behalf of said employees, while so engaged on any of the work or services provided to be rendered herein, shall in no way be the obligation or responsibility of the other party. This Agreement shall be binding upon the parties hereto and their successors in interest.

G. This Agreement shall be governed by and construed in accordance with the laws of the State of South Dakota. Any lawsuit pertaining to or affecting this Agreement shall be venued in Circuit Court, Second Judicial Circuit, Minnehaha County, South Dakota.

H. In the event that any court of competent jurisdiction shall hold any provision of this Agreement unenforceable or invalid, such holding shall not invalidate or render unenforceable any other provision hereof.

IN WITNESS WHEREOF, the parties have hereunto set their hands and official seals on the day and date first above written.

VERMILLION	SOUTH EASTERN COUNCIL OF GOVERNMENTS
By _____	By _____
John E. Powell	Lynne Keller Forbes
Its Mayor	Its Executive Director

CITY OF VERMILLION
INVOICES PAYABLE-APRIL 18, 2011

1	ALLTEL	POLICE COMMUNICATIONS	211.00
2	AVERA QUEEN OF PEACE HEALTH	TESTING	349.50
3	BNSF RAILWAY COMPANY	PIPELINE LICENSE-INS. POLICY	1,000.00
4	BROADCASTER PRESS	ADVERTISING	1,296.12
5	BUREAU OF ADMINISTRATION	TELEPHONE	306.41
6	CHASE HOME FINANCES	REFUND OVERPAYMENT-SNOW REMOVAL	84.80
7	CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,162.19
8	DENNIS MARTENS	TRAVEL REIMBURSEMENTS	116.89
9	DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,540.06
10	GREGG PETERS	MANAGERS PROFIT/FEE	20,939.43
11	JOHN C. PRESCOTT	MEALS REIMBURSEMENT	58.00
12	JONES FOOD CENTER	SUPPLIES	60.95
13	LOREN FISCHER DISPOSAL	HAUL CARDBOARD	141.00
14	MATHESON TRI-GAS, INC	SUPPLIES/CYLINDER RENTAL	125.23
15	MIDAMERICAN	GAS USAGE	5,367.28
16	MIDCONTINENT COMMUNICATION	INTERNET/CABLE SERVICE	91.75
17	NETSYS+	REPAIRS	66.25
18	NORTH CENTRAL AMBULANCE SALES	PART	37.61
19	OFFICE OF WEIGHTS & MEASURE	TESTING	254.00
20	QWEST	TELEPHONE	1,548.49
21	RESERVE ACCOUNT	POSTAGE FOR METER	950.00
22	SD DEPT OF LABOR	UNEMPLOYMENT BENEFITS	3,555.00
23	SD LOTTERY	VIDEO LOTTERY LICENSE RENEWAL	100.00
24	SD MUNICIPAL STREET MAINTENANCE	REGISTRATION FEE	40.00
25	SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	46,018.29
26	SDWWA	REGISTRATION	130.00
27	SPRINT	CELL PHONES	971.30
28	STERN OIL CO.	AVIATION FUEL/FUEL	35,184.37
29	TODDS ELECTRIC SERVICE	INSTALL LOAD MGMT	25.00
30	UNITED PARCEL SERVICE	SHIPPING	27.17
31	US POSTMASTER	POSTAGE FOR UTILITY BILLS	975.00
32	YANKTON JANITORIAL SUPPLY	SUPPLIES	128.91
		GRAND TOTAL	$123,862.00

Unapproved Minutes
Vermillion Planning Commission
Monday April 11, 2011 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on April 11, 2011 at 5:30 p.m.

1. Roll Call
   Present: Fairholm, Forseth, Muenster, Tuve and Iverson. Absent: Howe, Gruhn and Reasoner.

   Also present was José Dominguez, City Engineer and Andy Colvin, Assistant to the City Manager.

2. Minutes
   a. March 28, 2011 Regular Meeting.

   Moved by Forseth to approve the March 28, 2011 Regular Meeting minutes, seconded by Tuve. Motion carried 5-0.

3. Adoption of the Agenda
   Moved by Fairholm to adopt the agenda as printed, seconded by Forseth. Motion carried 5-0.

4. Visitors to be Heard

5. Public Hearing

6. Old Business

7. New Business
   a. José reported that the plat meets city ordinance requirements and has been presented to divide the land for inheritance purposes. José noted that the plat will also dedicate the required 8-foot easement and additional 7 foot right-of-way along 315th Street. Discussion followed.

      Muenster asked if it was possible to meet jointly with the County Planning Commission to shorten the approval process for plats. José reported that it is possible, but it is not the way the process has been completed in the past. José also noted that the County Planning Commission does get to review and approve plats before they come to the City.

   Moved by Tuve to recommend approval of the plat to the City Council, seconded by Muenster. Motion carried 5-0.

8. Staff Reports
   Staff fielded questions pertaining to the City's property Maintenance Code.

9. Adjourn
   Moved by Forseth to adjourn, seconded by Tuve. Motion carried 5-0.

   Chairman Iverson declared the meeting adjourned 5:40 p.m.