

Unapproved Minutes
Council Special Session
August 29, 2011
Monday 5:15 p.m.

The special session of the City Council, City of Vermillion, South Dakota was called to order on Monday, August 29, 2011 at 5:15 p.m. by Mayor Powell in the city hall large conference room.

1. Roll Call

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

Absent: Grayson, Ward

2. Pledge of Allegiance

3. Adoption of Agenda

260-11

Alderman French moved approval of the agenda. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

4. New Business

A. Resolution adjusting landfill rates

Bob Iverson, Solid Waste Director, provided background of the Joint Powers Operations and reported that the Joint Powers Board, at their July 28, 2011 meeting, recommended a 10% increase in landfill rates. The recommendation followed the report on the operating loss for the first six months and the report of HDR, the consulting engineer, on the cost of the leachate system needed for cell 5 thru 10 along with the cost of constructing cell 5. The resolution will increase landfill fees by \$4.00 per ton for garbage, \$5.00 per ton for asbestos, \$.70 per ton for contaminated soil, \$.50 per ton for wood and tree branches and 10% for the tire disposal fee. White goods and electronics will remain the same. Bob reported that the Yankton City Commission adopted a resolution increasing the fees at the Yankton Transfer Station at their August 22nd meeting. The increase is projected to generate \$54,660 of additional revenue for the Vermillion operations and \$90,000 for the Yankton operations based upon the estimated 2012 tonnage.

Discussion followed on the rate resolution that includes the electronics recycling fees. Bob noted that Goodwill in Yankton is accepting electronics but the electronics recycling program in Yankton

has not been established. John Prescott, City Manager, noted that he has been working with the Yankton City Manager on the need to implement a program for non residential electronics recycling for Yankton and it is anticipated that the HDR study will report this deficiency in operations. John noted that this item has been discussed at the Joint Powers meetings. Discussion followed on the need to have the rates the same between both cities.

261-11

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

RESOLUTION REVISING DISPOSAL RATES
AT THE MUNICIPAL LANDFILL AND RECYCLING CENTER

WHEREAS, at the July 28th, 2011, Joint Powers Advisory Board meeting in Vermillion, the board voted to recommend that each city increase the tipping fees at each municipality's respective facility; and

WHEREAS, it has been almost 10 years (2002) since an increase in tipping fees was last enacted and the cost to operate per ton has exceeded the revenue per ton that is being charged; and

WHEREAS, the Joint Powers member cities desires to provide solid waste services on a self-sustaining user fee basis; and,

WHEREAS, Section 52.07 of the 2008 Revised Ordinance of the City of Vermillion allows the City Council to establish and charge fees and service charges for the commercial and non-commercial deposits of receivable solid waste at the landfill.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of City of Vermillion, South Dakota, at a special meeting thereof, in the Council Chambers of said City, at 5:15 p.m., on the 29th day of August, 2011, to amend the following Landfill and Recycling fees to be effective for October 3, 2011

	<u>Per ton</u>	<u>Minimum</u>
1. Garbage for Licensed Haulers	\$40.00	\$12.00
2. Garbage for Un-Licensed Haulers	\$43.00	\$12.00
3. Authorized asbestos materials prepared for disposal in conformance with the EPA and SDDENR	\$55.00	
Plus a \$25 gate fee		
4. Petroleum contaminated soils	\$7.40	
Plus a \$100 gate fee		
5. Wood / tree branches and		

- | | | |
|---|---------|--------|
| untreated wood | \$5.50 | \$5.50 |
| 6. Scrap metals, white goods and appliances w/o Freon *** | \$10.00 | \$5.50 |
| 7. Tires: Car tires-\$2.50, Truck tires (17-22.5")-\$5.00, Truck tires greater than 22.5"-\$10.00, Construction equipment tires-\$15.00, bulk tires-\$180.00 per ton. | | |
| 8. Electronics recycling fees for disposal of commercial and non-household electronics shall be as follows: | | |

CHARGES ARE BY ITEM UNLESS OTHERWISE STATED

tv's	\$15 /\$20 /\$25	small / medium / large
monitors	\$ 10.00	
cpu (towers)	\$ 6.00	
printers/small	\$ 5.00	
printers large	\$ 8.00	
laptops	\$ 10.00	
scanners	\$ 6.00	
fax machines	\$ 6.00	
keyboards	no charge	
cell phone	no charge	
misc small low wattage	\$ 0.25 per lb	
vcr	\$ 6.00	
stereos (cpu size)	\$ 5 /\$ 10 / \$ 20	small / medium / large
ups back-ups	\$ 0.25 per lb	
copiers(table top)	\$15.00	
copiers(floor)	\$ 65.00	
microwave	\$ 5.00	
fluorescent bulbs and related items (determined by latest bid)		
cpu (compact florescent)	\$.65 - \$1.00	
3' tube bulb	\$ 1.50	
4' tube bulb	\$ 1.75	
capacitors	\$ 1.50	
other small electric	\$.30 per lb	

***White goods with Freon, or other gasses removed, must be accompanied by a certificate from a licensed dealer verifying removal. If a certificate is not provided, the fee charges will be \$55.00 per unit.

Any operator desiring to deposit garbage, trees, rubbish, or other waste materials where the contents are not covered or tied down shall be charged a \$15.00 additional fee.

The City of Vermillion reserves the right to impose additional fees on loads or items deemed to be not in keeping with the above rates. This fee will be set in accordance with the final recycling cost, transportation costs and operations cost affected.

9. The fee charged for selling excess clay and black dirt from the Vermillion landfill is set at: Clay: \$.70 per ton if buyer loads, \$.90 per ton if Landfill Personnel loads; Black dirt \$8.00 per ton loaded by Landfill Personnel. This fee may be negotiated with the Solid Waste Director, with the approval of the City Manager, for large quantity sales that would benefit the landfill construction costs.

The effective date of this resolution shall be October 3, 2011.

Dated at Vermillion, South Dakota this 29th day of August, 2011.

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. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

5. First Reading of Ordinance 1258 titled Mobile Food Vendors, providing for licensing and regulation to use the public streets in the general business and central business districts.

John Prescott, City Manager, reported that, upon inquiry of a local business and research of other cities, a new ordinance section is being proposed to license mobile food vendors to sell on the public streets in the general business and central business districts. John reviewed the restrictions placed on the mobile food vendor noting that they will also be licensed by the SD Department of Health. John stated that the City Council will need to set the fee for the license by resolution at

the September 6th meeting if second reading is approved. John reported that Jere Chapman was present to address questions.

Jere Chapman, local business owner, wanted to thank the City Council for the timely consideration of this ordinance as there are only so many months before winter. Jere stated that he had reviewed the ordinance and wanted to know if the vehicle could be located on the bump outs at Main and Center, Court, Prospect and Market.

Discussion followed on the proposed ordinance with the location in section 119.04 A to be approved by the City Manager or his designee, in section 119.04 B that permit holders shall, upon request by the City or emergency staff, move the vehicle and section 119.04 B 5 change should to shall.

262-11

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1258 entitled amending Title XI, adding Chapter 119, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota entitled mobile food vendors providing for licensing and regulation to use the public street in the general business and central business districts has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a special called meeting of the Governing Body of the City on this 29th day of August, 2011 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Willson. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 7 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

6. Addendum to the Agreement with the University of South Dakota for the Softball Complex

Dave Nelson, Parks Director, reported that the City has been working with the University on developing a softball field at the complex for the University Softball Program. The addendum provides for the University to build a permanent homerun fence with an outfield warning track and replace the existing chain link fence dugouts with concrete block dugouts on the northeast non-lighted field. Jeanette Hubert, representing the University Athletic Department, answered questions of the City Council on the addendum. Discussion followed.

263-11

Alderman French moved approval of the Addendum to the Joint Powers Agreement between the University of South Dakota and City of Vermillion originally adopted in March, 1998 as it applies to the softball complex to allow the University to build a permanent homerun fence with an outfield warning track and replace the existing chain link fence dugouts with concrete block dugouts on the northeast non-lighted field. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

7. Presentation by County Director of Equalization Director Gene Lunn on Pictometry software.

Gene Lunn, Clay County Director of Equalization, introduced Ina Peterson, Assistant Director of Equalization, and reported that the County Equalization office will be establishing a website that will have information on all property in the county. An option to be added to the website would be provided by the Pictometry software to allow for the ability to view property from all four sides. This is provided by aerial photos that the company recommends be updated every three years. Gene provided sample pictures that would be available and Ina demonstrated the software showing examples of Brookings County that is currently using the software. The Pictometry software provides several levels of access in the website based upon a subscription service but, if the City participated in the software purchase, full access will be provided to all City departments. Gene stated that the Development Company felt this software would be useful for business recruitment and has agreed to participate. Gene noted that departments like Police, Fire, Engineering and Code would find the software beneficial. He stated that the cost for six years is \$79,442 which he proposed would be shared between the County, City and Development Company at \$4,413 per year each. Discussion followed on the proposal with Gene answering questions of the City Council.

264-11

Alderman Davies moved to table action on the Director of Equalization request for assistance in acquiring the Pictometry software until City staff can review the software before a final decision can be made on or before September 19, 2011. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

8. Adjourn

265-11

Alderman Zimmerman moved to adjourn the Council Meeting at 6:32 p.m. Alderman Meins seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 29th day of August, 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 _____.