



Special Meeting Agenda

City Council

12:00 p.m. (noon) Special Meeting
Monday, August 1, 2016
Large Conference Room – City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Item – Update on Cherry Street banner project – Intern Derek Chancellor.**
3. **Informational Item – Discussion of design options and funding for new northeast electrical substation – Electrical Superintendent Monty Munkvold and Finance Officer Mike Carlson.**
4. **Briefing on the August 1, 2016 City Council Regular Meeting** - Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

Access the City Council Agenda on the web – www.vermillion.us

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, August 1, 2016
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. July 18, 2016 Special Meeting, July 18, 2016 Regular Meeting, July 18, 2016 Joint Special Meeting with Clay County Commission.
4. **Adoption of the Agenda**
5. **Visitors to be Heard**
 - a. Recognition of U-12 Boys State Baseball championship.
 - b. Recognition of U-14 Girls State Softball championship.
6. **Public Hearings**
 - a. Retail on-off sale malt beverage license and retail on-off sale wine license for Fire Works, Inc. for Dakota Brick House at 13 & 15 W. Main Street.
 - b. Special daily malt beverage and wine license on or about August 12 & 13, 2016 for the Clay County Agricultural Fair Association at the fairgrounds west arena.
7. **Old Business**
8. **New Business**
 - a. Street closure request for the Clay County Fair for High Street from Cherry Street to the south end of the Fairgrounds from 7:00 a.m. on Saturday, August 11, 2016 until 5:00 p.m. on Sunday, August 14, 2016.
 - b. Resolution relating to Prentis Street lift station improvements and authorizing and directing the issuance of a revenue bond to pay the cost of improvements.
 - c. Final Plat of Lot 1, Block 1, Turner's Addition to the City of Vermillion, Clay County, South Dakota (southwest corner of Jefferson and E. Clark Street).
 - d. Utilities Committee recommendation on renewing the cable franchise agreement.
 - e. Presentation of the proposed 2017 budget.
 - f. Work order for survey of proposed shared use path repair options.
9. **Bid Openings**
 - a. SCBA equipment.
 - b. Fuel Quotes.
10. **City Manager's Report**
11. **Invoices Payable**

12. Consensus Agenda

- a. Set a public hearing date of August 15, 2016 for package off-sale malt beverage and SD Farm Wine license for Casey's General Store #3525 at 1302 Princeton Street.
- b. Set a public hearing date of August 15, 2016 for a special permit to exceed permissible sound levels by no more than 50% for the University of South Dakota on Market Street south of W. Main Street from 5:00 p.m. to 9:00 p.m. on Thursday, August 25, 2016 for a DJ as part of the Welcome Back Bash.
- c. Set a public hearing date of August 15, 2016 for a special daily wine license for Vermillion Downtown Cultural Association for Coyote Twin Theater on or about September 12, 19, 26 and October 10, November 14, and December 12, 2016 at 10 E Main Street.

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
July 18, 2016
Monday 5:30 p.m.

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, July 18, 2016 at 5:30 p.m. at the City Hall council chambers.

1. Roll Call

Present: Erickson, Holland, Humphrey, Price, Sorensen, Mayor Powell

Absent: Collier-Wise, Meins, Ward

2. Pledge of Allegiance

3. Adoption of Agenda

223-16

Alderman Price moved approval of the agenda. Alderman Erickson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

4. Public Hearings

A. Ordinance 1344 - Amending Appendix A, 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2, Section 2.03(A) Zoning Map, by including certain real property in the Aquifer Protection Overlay Zone A, Aquifer Critical Impact Zones

Cindy Aden, Clay County Planning and Zoning Director, reported that the County received a request from the Lewis and Clark Regional Water System (LCRWS) to rezone parcels of land to an Aquifer Protection Overlay (APO) Zone. Cindy stated that the purpose of the zone is to protect the quality of water sources from environmental contamination. Cindy noted that a portion of the area is located within the joint jurisdictional zoning area. Cindy stated that the Joint Planning Commissions considered the amendment on March 29th and voted to table the amendment to a future meeting. The joint Planning Commissions met again on May 9th and recommended approval to the respective governing bodies. Cindy stated that County and City have both approved first reading of this ordinance change and notice was published for this joint meeting.

Jim Auen, Operations Manager for LCRWS, stated that the water system is requesting the aquifer protection overlay zone to protect the area of

the aquifer that provides water to their wells. Jim stated that LCRWS has worked with the SD Department of Environment and Natural Resources to determine the area of the protection overlay. Jim noted that the aquifer protection area is important for the protection of the ground water that serves all the customers of the LCRWS. Jim answered questions of the City Council.

224-16

Second reading of title to Ordinance No. 1334 entitled An Ordinance Amending Appendix A, 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2, Section 2.03(A) Zoning Map, by including certain real property in the Aquifer Protection Overlay Zone A - Aquifer Critical Impact Zones for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1334 entitled An Ordinance Amending Appendix A, 2012 Joint Zoning Regulations for Clay County and the City of Vermillion, Chapter 2, Section 2.03(A) Zoning Map, by including certain real property in the Aquifer Protection Overlay Zone A - Aquifer Critical Impact Zones 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 20th day of June, 2016 and that the title was again read at this meeting, being a special joint meeting of the Governing Body on this 18th day of July, 2016 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. 1344

AN ORDINANCE AMENDING APPENDIX A, 2012 JOINT ZONING REGULATIONS FOR CLAY COUNTY AND THE CITY OF VERMILLION, CHAPTER 2, SECTION 2.03(A) ZONING MAP, BY INCLUDING CERTAIN REAL PROPERTY IN THE AQUIFER PROTECTION OVERLAY ZONE A, AQUIFER CRITICAL IMPACT ZONES.

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

That Section 2.03(A) is hereby amended as follows:

That Sections 1 and 2 (South), 25, 26, 34, 35, and 36 of Vermillion Township, Clay County, South Dakota is included in the

Aquifer Protection Overlay Zone A, Aquifer Critical Impact Zones, and the official zoning map referred to in Section 2.03(A) of the 2012 Joint Zoning Regulations for Clay County and the City Of Vermillion, is amended to include such land in such zone.

Dated at Vermillion, South Dakota this 18th day of July 2016.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Erickson. 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: Erickson-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Mayor Powell-Y.

Motion carried 6 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

5. Adjourn

225-16

Alderman Erickson moved to adjourn the Council Meeting at 5:41 p.m. Alderman Holland seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of July, 2016.

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 _____.

Unapproved Minutes
Council Special Session
July 18, 2016
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, July 18, 2016 at 12:00 noon at the Public Safety Center.

1. Roll Call

Present: Erickson, Holland, Humphrey, Price, Sorensen, Mayor Powell

Absent: Collier-Wise, Meins, Ward

2. Educational Item - Tour of Police Department - Matt Betzen

Matt Betzen, Police Chief, provided a tour of the Police Department and answered questions of the City Council on the Police Department.

3. Educational Item - Tour of Clay Area Emergency Services Communications Center - Ryan Anderson

Ryan Anderson, E911 Director, provided a tour of the Telecommunications Center and answered questions of the City Council on the Telecommunications Center.

4. Briefing on the July 18, 2016 City Council Regular Meeting

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

5. Adjourn

222-16

Alderman Holland moved to adjourn the Council special session at 12:41 p.m. Alderman Erickson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of July, 2016.

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
July 18, 2016
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on July 18, 2016 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Erickson, Holland, Humphrey, Meins, Price, Sorensen, Ward, Mayor Powell

Absent: Collier-Wise

2. Pledge of Allegiance

3. Minutes

A. Minutes of July 5, 2016 Special Meeting, July 5, 2016 Regular Meeting, July 14, 2016 Special Meeting

226-16

Alderman Sorensen moved approval of the July 5, 2016 Special Meeting, July 5, 2016 Regular Meeting, and July 14, 2016 Special Meeting minutes. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

227-16

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

5. Visitors to be Heard - None

6. Public Hearings

A. Special Permit to exceed permissible sound levels by no more than 50% on W. Main Street between High and Prospect Streets on Friday, September 9, 2016 between 5:00 p.m. and midnight and on Saturday, September 10, 2016 between 5:00 p.m. and midnight for Ribs, Rods, & Rock 'n Roll for a street dance

Mike Carlson, Finance Officer, reported that Ribs, Rods & Rock 'n Roll has applied for a special permit to exceed allowable noise levels for

several bands and a street dance on Friday, September 9th and Saturday September 10th beginning at 5:00 p.m. and lasting until midnight. The request, diagram and notice of hearing are attached. Mike noted that the application and diagram appear to be the same as last year and recommended approval of the request. Mike noted that Jenny French and Scott Druecker, representing the organization, were present to answer questions.

228-16

Alderman Ward moved approval of the special permit to exceed permissible sound levels by no more than 50% for Ribs, Rods & Rock'n Roll, Inc. for a street dance on Main Street between High and Prospect Streets from 5:00 p.m. to midnight on Friday, September 9th and Saturday, September 10th. Alderman Sorensen seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Special daily malt beverage and wine license for Ribs, Rods, & Rock 'n Roll on or about September 9 & 10, 2016 on W. Main Street between Washington and Church Streets, Ratingen Platz, Market Street from W. Main to Bloomingdale Streets, Austin Street from W. Main to Kidder Streets, Kidder Street from Austin to half block east of Market Street, Court Street from W. Main to half block south, public parking lot at Market and Kidder, and Prospect from W. Main Street to half block north

Mike Carlson, Finance Officer, reported that an application has been received for a special daily malt beverage and wine license from Ribs, Rods & Rock'n Roll for their events on September 9 & 10, 2016 on Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main Street to Kidder Street, Kidder Street from Austin to half block east of Market, Court Street from Main Street to half block south, public parking lot at Market and Kidder and Prospect Street from Main Street to half block north. Mike stated that the request from Ribs, Rods, & Rock'n Roll, notice of hearing, Police Chief's report and map of the area are included in the packet. Mike stated that, from the map, the area that alcohol will be allowed will be the same as last year, noting that last year it was expanded. Mike reviewed the different times and locations for where alcohol will be allowed noting that sales will remain in the same location as previous years on Main Street by Market Street. Mike stated that City ordinance allows the City Council to set conditions and restrictions, as it may deem appropriate, in issuing a special license. In the past, these conditions were to require a Release and Indemnification releasing the City from liability for the event (already received), a Certificate of Insurance naming the City as an additional insured (already received), require clear signage at each egress from the area where alcohol is allowed, reimburse the City for overtime wages of the Police Department up to a maximum of \$1,000, provide security personnel, require a cleanup plan and provide restroom

facilities. As to hours, the request is to start at 5:00 p.m. on Friday until midnight and a start time of 11:00 a.m. on Saturday until midnight. Mike noted that Jenny French and Scott Druecker, representing the organization, were present to answer questions. Discussion followed.

229-16

Alderman Holland moved approval of the special daily malt beverage and wine license for Ribs, Rods & Rock'n Roll, Inc. on or about September 9 & 10, 2016 on Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main Street to Kidder Street, Kidder Street from Austin to half block east of Market, Court Street from Main Street to half block south, public parking lot at Market and Kidder and Prospect Street from Main Street to half block north, contingent upon the following: 1) The applicant provides a Release and Indemnification releasing the City from liability for the event; 2) The applicant provide a Certificate of Insurance naming the City of Vermillion as an additional insured, including liquor liability, for the event; 3) The applicant provide clear signage at each egress from the area where alcohol is; 4) The Organization provide personnel that are at least age 21 to serve as security for the street dance. The individuals shall be wearing shirts that state "Event Security" on the back; 5) The Organization agrees to reimburse the City of Vermillion for the overtime for police officers assigned to the event limited to \$1,000 or actual costs, whichever is lower; 6) The Organization shall have a plan for clean up and provide adequate restroom facilities; 7) The hours authorized for malt beverage and wine sales are 5:00 p.m. Friday to midnight and Saturday 11:00 a.m. until midnight in the areas as outlined in the map included with the application. Alderman Erickson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Street closure request for Ribs, Rods, & Rock 'n Roll on or about September 9 & 10, 2016 for Main Street between Washington and Church Streets, Ratingen Platz, Market Street from W. Main to Bloomingdale Streets, Austin Street from W. Main to Kidder Streets, Kidder Street from Austin to half block east of Market Street, Court Street from W. Main to half block south, and Prospect Street from W. Main Street to half block north

Derek Chancellor, Administrative Intern, stated that Ribs, Rods, & Rock 'n Roll organization is requesting a temporary street closing to host their State BBQ Championship, music festival and car show on September

9 and 10, 2016. Derek reported that the request is broken down into two sections as follows:

Section one - Proposed to be closed from Friday, September 9, 2016 at 7:00 a.m. until Sunday, September 11, 2016 at Noon: W. Main Street, from High Street to Prospect Street; Austin Street, from W. Main Street to Kidder Street; Market Street; from W. Main Street to Bloomingdale Street; Prospect Street, from W. Main Street to ½ block north of W. Main Street; and Kidder Street, from Austin Street to ½ block east of Market Street. This closing would also include Ratingen Platz and the city parking lot at the southwest corner of Market Street and Kidder Street.

Section two - Proposed to be closed on Saturday, September 10, 2016 from 6:00 a.m. until 5:00 p.m.: W. Main Street, from Washington Street to High Street; Main Street, from Prospect Street to Church Street; and Court Street from E. Main Street south for one-half block.

Derek stated that the street closing request and diagram of the streets are included in the packet noting that the proposed street closings are very similar to last year. Derek stated that Police, Fire and EMS were notified and had no safety concerns.

230-16

Alderman Erickson moved approval of the street closing as requested on September 9, 10 & 11, 2015 for the Ribs, Rods & Rock 'n Roll event. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Street closure request for Vermillion Food Pantry - Weekend Backpack Program's Feeding Vermillion Food Giveaway on Thursday, July 28, 2016 for Franklin Street from Princeton to 502 Franklin Street, from 2:00 p.m. to 8:30 p.m.

Derek Chancellor, Administrative Intern, reported that a street closing request was received from Vermillion Food Pantry - Weekend Backpack Program to close Franklin Street from Princeton to 502 Franklin Street on Thursday, July 28th from 2:00 p.m. to 7:00 p.m. Derek stated that the request and diagram are included in the packet. The application stated that the residents of Franklin Street south of the closure will be notified and will have access from the south.

Derek stated that Keith Joy with the Food Pantry was present to answer any questions.

231-16

Alderman Sorensen moved approval of the street closing request for Thursday, July 28, 2016 from 2:00 p.m. to 7:00 p.m. for Franklin Street

from Princeton to 502 Franklin Street for the Food Pantry second feeding Vermillion food giveaway. Alderman Erickson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Street closure request for Thursdays on the Platz on July 21, August 4 and 18, and September 1, 2016 for W. Main Street from Ratingen Platz to the corner of Main and Prospect Streets from 5:15 p.m. to 8:00 p.m.

John Prescott, City Manager, reported that "Thursdays on the Platz" is again planning to hold several events in downtown Vermillion. John stated that the City Council approved the use of Ratingen Platz and the closure of Market Street from W. Main Street to the East/West alley between W. Main Street and Kidder Street along with the approval of the noise permit and special daily malt beverage at the June 6th meeting. John noted that, since the initial Market Street closing was approved, a request to expand the street closing to include a portion of W. Main Street was submitted. John stated that the Thursdays on the Platz group would like to have W. Main Street closed from the west side of the intersection of Main and Prospect Streets to the west side of Ratingen Platz from 5:15 p.m. to 8:00 p.m. like the Market Street closing. John stated that the dates of the event are July 21, August 4, August 18, and September 1, 2016 with rain dates of July 28, August 11, August 25, and September 8. John stated that the events would host local and regional musical entertainment.

Laura Roof, with the Thursdays on the Platz group stated that the extra room will allow for more room, better visibility, and better sound quality.

Alderman Holland moved approval of the closing of Main Street from the west side of the intersection of Main and Prospect Streets to the west side of Ratingen Platz from 5:15 to 8:00 p.m. on July 21, August 4, August 18, and September 1, 2016 with rain dates of July 28, August 11, August 25, and September 8. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

D. Permit for consumption but not sale on Friday, August 19, 2016 from 7:00 p.m. to 9:00 p.m. for Edith B. Siegrist Vermillion Public Library at 18 Church for "Books & Brews" event

Mike Carlson, Finance Officer, reported that Susan Heggstad, on behalf of the Vermillion Public Library, has requested a permit to consume alcoholic beverages on public property for a "Books & Brew" event at the Edith B. Siegrist Vermillion Public Library garden behind the library from 7:00 p.m. to 9:00 p.m. on August 19, 2016. Mike noted that, if the weather does not cooperate, the event will be held in the Kozak Room. Mike stated that a copy of the request and information on

the event was included in the packet. Mike noted that the City Council previously approved a consumption request for May 20, June 17 and July 15 with no incidents reported. Mike reported that State statute provides that the Governing Body of a municipality may permit the consumption, but not sale, of any alcoholic beverage on property owned by the public.

232-16

Alderman Ward moved approval of the permit for consumption but not sale on public property for a "Books & Brew" event at the Edith B. Siegrist Vermillion Public Library garden behind the Library or the Kozak Room from 7:00 p.m. to 9:00 p.m. on August 19, 2016. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

E. Agreement with Banner Engineering for design, bidding, construction observation, and construction administration of Prentis Lift Station replacement and sanitary sewer line project

Jose Dominguez, City Engineer, reported that in 2015 the City Council approved Banner Associates to perform the assessment of the Prentis Street Lift Station with a recommendation to replace the lift station and the downstream sewer should be upsized. Jose noted as the project moved forward the City Council approved a Community Development Block Grant (CDBG) application and State Revolving Fund (SRF) loan application. Jose stated that the State approved a \$515,000 CDBG and \$812,000 SRF loan. Jose stated that to move forward with the project a contract with Banner Associates has been prepared. Jose stated that the Agreement has been separated into four phases. Jose reported that the design phase is not to exceed \$77,175, the Bidding phase is not to exceed \$10,175, the Construction Administration phase is not to exceed \$35,600, and the Construction Observation phase is not to exceed \$51,650, with a total cost not to exceed \$174,600. Jose stated that the CDBG award and DENR loan will provide the funding for the engineering and construction. Discussion followed.

233-16

Alderman Sorensen moved approval of the professional services agreement with Banner Associates for the Prentis Street lift station project at a total cost not to exceed \$174,500. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

A. John reported that some portions of curbside recycling collection routes currently being collected on Wednesdays are being

moved to Tuesdays and some Friday collections are being moved to Thursdays to help balance out the routes. John stated that flyers will be posted with the changes effective the week of August 1, 2016.

B. John reported that the public hearing to review the malt beverage markup will be part of the public hearings related to the 2017 budget adoption on Tuesday, September 6th.

C. John reminded citizens that Market Street will be closed from W. Main Street south for ½ block and Main Street as it abuts Ratingen Platz on Thursday, July 21, 2016 for "Thursdays on the Platz" with the closing from 5:00 p.m. to 8:00 p.m.

D. John reported that the 2017 Council budget work sessions will be on Wednesday, August 10th and Thursday, August 11th in the City Hall large conference room beginning at 5:30 p.m. each night.

E. John reported that starting July 25th there will be not be a pool admission charge during regular business hours as it is the final week of the pool and staff will be removing items as the property is being turned over to the contractor on August 1st.

PAYROLL ADDITIONS AND CHANGES

Library Board: Gabrielle Strouse \$15.00/mtg; Planning Commission: James Wilson \$15.00/mtg; Ambulance: Rebecca Cordie \$8.55/hr-\$12.82/holiday-\$8.55/hr training, Madeline Kaufman \$8.55/hr-\$12.82/holiday-\$8.55/hr training; Recreation: Kylee Ligtenberg \$8.75/hr; Pool: Abby Larson \$8.75/hr; Library: Jeffrey Engeman \$13.72/hr; Golf Maintenance: Justin McGregor \$8.55/hr; Light: Matt Nelson \$25.49/hr

11. Invoices Payable

234-16

Alderman Ward moved approval of the following invoices:

Baker & Taylor Books	books	356.63
Bierschbach Eqpt & Supply	supplies	26.30
Bioverse, Inc	supplies	350.40
Broadcaster Press	advertising	1,098.59
Brunick's Service Inc	fuel	6,053.70
Bureau Of Administration	telephone	217.41
Campbell Supply	supplies	409.43
Cask & Cork	merchandise	661.15
Centurylink	telephone	1,495.41
City Of Vermillion	landfill vouchers	540.00

Clay Rural Water System	water usage	94.80
Clay-Union Electric Corp	electricity	1,744.79
Concrete Materials	golf sand	865.94
Dakota Beverage	merchandise	5,333.47
Dept. Environment Natl Res	landfill operations fee	3,716.80
Dust Tex	entry mats	80.00
Ernie Halverson	safety boots reimbursement	100.00
Findaway World LLC	books	315.55
GCSAA	membership	375.00
Global Dist.	merchandise	253.00
Government Finance Officer Assoc.	2015 annual report	435.00
Graybar Electric	supplies	650.75
Gregg Peters	managers profits/fee/advertising	23,076.53
Independence Waste	portable toilet rental	310.95
Ingram	books	571.84
John A Conkling Dist.	merchandise	3,211.15
Johnson Brothers Of SD	merchandise	18,417.12
Loren Fischer Disposal	haul cardboard	140.00
Matheson Tri-Gas, Inc	cylinder rental	7.95
Mead Lumber	supplies	18.99
MidAmerican	gas usage	2,763.45
Midcontinent Communication	internet/cable service	718.68
Midwest Building Maintenance	mat svc	142.00
Midwest Turf & Irrigation	parts	607.01
Olson Sod Farms	sod	232.50
Precision Lawn Care	mowing	477.50
Racom Corporation	contract coverage	447.85
Recorded Books, Inc	books	128.00
Republic National Dist.	merchandise	7,783.02
Reserve Account	postage for meter	950.00
SD Electrical Commission	apprentice's license	40.00
SD Public Assurance Alliance	insurance	842.00
Southern Wine & Spirits Of SD	merchandise	6,243.10
Staples Advantage	supplies	1,230.51
Stern Oil Co.	fuel	10,438.64
Sturdevants Auto Parts	parts	364.32
The Equalizer	advertising	373.00
True Brands	supplies	406.21
True Value	supplies	30.46
Us Postmaster	postage due	1,100.00
Valiant Vineyards	merchandise	54.00
Van Diest Supply Co	supplies	689.00
Vermillion Ace Hardware	supplies	204.62
Vermillion Area Community Found	round up program	295.88

Vermillion Ford	pickup	36,725.00
Visa/First Bank & Trust	fuel/supplies	150.00
Windows America	refund overpayment	19.50
Zimco Supply Co	chemicals	23,703.43
Nick Slattery	Bright Energy Rebate	706.00
Jones Food Center	Bright Energy Rebate	1,251.00

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

12. Consensus Agenda

A. Set a public hearing date of August 1, 2016 for a public hearing for a retail on-off sale malt beverage license and retail on-off sale wine license for Fire Works, Inc for Dakota Brick House at 13 & 15 W. Main Street.

B. Set a public hearing date of August 1, 2016 for a public hearing for a special daily malt beverage and wine license on or about August 12 & 13, 2016 for the Clay County Agricultural Fair Association at the fairgrounds west arena.

235-16

Alderman Price moved approval of the consensus agenda. Alderman Erickson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

236-16

Alderman Ward moved to adjourn the Council Meeting at 7:20 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of July, 2016.

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 _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: August 1, 2016

Subject: Retail on-off sale malt beverage license and retail on-off sale wine license for Fire Works, Inc. for Dakota Brick House at 13 & 15 W. Main Street

Presenter: Mike Carlson

Background: An application for a retail on-off sale malt beverage and retail on-off sale wine license was received from Fire Works, Inc. for Dakota Brick House at 13 & 15 West Main Street. A copy of the notice that was published for the license and the Police Chief's report are attached.

Discussion: The City Council has the ability to issue a license on basically two criteria: suitable person and suitable location. As to the suitable person, the owners of Fire Works, Inc. are Jim Waters and Monica Iverson who are the owners of Café Brule thus no background checks were requested. With respect to the location criteria, the above listed location has been issued a license previously with the last license issued to Bonnie Rowland for Raziels. A recent western South Dakota legal ruling defined that other items can impact the location criteria. The character of neighborhoods and businesses tend to change over time and a local governing body has a legitimate interest in managing the alcoholic beverage licensing in its jurisdiction to assess whether an alcohol sales location continues to be suitable. The following are the city ordinances on suitable person and suitable location.

112.20 SUITABLE PERSON.

(A) South Dakota Codified Law § 35-2-1.2 requires the City Council to determine whether retail alcohol beverage license applicants or their principals are suitable persons before issuing or renewing said licenses. This determination is required annually for each license the applicant seeks. In order to effectuate a thorough determination of suitable person eligibility for license issuance, new applicants must submit to a criminal background check to determine suitability. Each new applicant shall make arrangements with a law enforcement agency and submit to the fingerprinting process. The applicant must also provide to law enforcement payment to the South Dakota Division of Criminal Investigation in an amount necessary to cover the costs of the criminal record check. These actions must be taken by an applicant prior to publication of hearing notice required by South Dakota law. The applicant's completed application will be attached to the certification of the law enforcement agency when received.

(B) A DISQUALIFYING CRIMINAL RECORD for alcoholic beverage license purposes means any conviction for any felony, a crime of violence as defined in SDCL § 22-1-2(9), a sex

offense as defined in SDCL § 22-24B-1, or trafficking in controlled drugs or substances which when and where committed would constitute such in the state of South Dakota. Unpardoned convictions of any crime of moral turpitude as defined by SDCL § 22-1-2(25) which when and where committed would constitute such in the state of South Dakota may constitute a disqualifying record as determined by the City Council on a case-by-case basis. Any criminal conviction not disclosed by an applicant on his application form may be treated as a disqualifying record. Any criminal conviction may be considered in making license issuance decision. Suspended imposition of sentence will not be considered a conviction.

(C) An applicant subject to this policy shall provide to the law enforcement agency performing the fingerprinting process cash, check, or money order in an amount necessary to cover the costs of fingerprints for the criminal record check.

(D) An applicant or principal in any business entity that is an applicant having any indebtedness to the city must satisfy said indebtedness before the City Council will consider any application for alcoholic beverage license issuance or renewal, except for plan one or two special assessment obligations that are not in arrears.

§ 112.21 SUITABLE LOCATION.

(A) South Dakota Codified Laws § 35-2-1.2 requires the City Council to determine whether retail alcohol beverage license applications propose suitable locations before issuing or renewing said licenses. This determination is required annually for each license the applicant seeks. The following are nonexclusive criteria established to assist in determining suitable location status:

- (1) Identification of a garbage hauler to be utilized by the business and the frequency of the garbage pickup;
- (2) Zoning restrictions, and
- (3) Neighborhood characteristics.

(B) In determining suitable location, the City Council will also utilize factors developed through South Dakota case law. This includes the manner in which the business is operated; the extent to which minors frequent or are employed in such place of business; the adequacy of police facilities to properly police the proposed location, and other factors associated with the sale of alcoholic beverages, such as noise and litter.

§ 112.22 SUITABLE PERSON AND SUITABLE LOCATION CONSIDERATION.

(A) South Dakota codified laws and case law support the premise that the decision to issue an alcoholic beverage license is discretionary. Therefore, the city hereby establishes a two-tiered process to evaluate on-sale liquor applications. The first tier will assess the character of the applicant or principals and whether the location is suitable according to §§ 112.20 and 112.21 of this chapter.

(B) Upon finding evidence that the character of the applicant is acceptable and the location suitable, the City Council will consider second tier criteria. This process can include examining the best location for economic and tourism development, the best ancillary uses (restaurant, etc.) developed with the sale of liquor, the best location in accordance with the city long-range plan, the size of the facility, parking facilities, closeness to existing supplementing businesses, residences, and activities deemed important by the City Council.

As the occupancy permit has not been issued since the building is still being remodeled, it is recommended that any licenses be issued contingent upon the occupancy permit being issued by the Building Official.

Financial Consideration: The retail on-off sale malt beverage license fee is \$300 with half (\$150) retained by the city and the retail on-off sale wine license fee is \$500 which is all retained by the city. The on-off sale wine license expires on December 31, 2016 and on-off sale malt beverage license will expire on June 30, 2017.

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 and on-off sale wine license for Fire Works, Inc. for Dakota Brick House at 13 & 15 West Main Street contingent upon issuance of the occupancy permit. If a motion is made to deny, 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



July 25, 2016

From: Matt Betzen, Chief of Police 

To: Vermillion City Council

Re: New Alcohol service applications for Fire Works, Inc dba Dakota Brick House 13 & 15 West Main St.

I have received an application for both a "Retail on-off Wine License" and "Retail on-off Malt Beverage License" from Jim Waters and Monica Iverson. Both parties currently possess similar licenses for their business, Café Brule. Since, 2012 Café Brule has passed four compliance checks and failed one (2013). Neither party has any disqualifying information in their criminal records. Café Brule has always cooperated with all Law Enforcement efforts to enforce liquor laws.

I believe these owners to be responsible persons and have no reason to believe they will not abide by the regulations governing the sale and service of alcoholic beverages.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 1st day of August, 2016 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 Wine license until December 31, 2016:

Fire Works, Inc for Dakota Brick House at 13 & 15 West Main Street.

Retail on-off Malt Beverage license until June 30, 2017:

Fire Works, Inc for Dakota Brick House at 13 & 15 West Main 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 15th day of July, 2016.

Michael D. Carlson, Finance Officer

Publish: July 22, 2016

Published once at the approximate cost of _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: August 1, 2016
Subject: Special Daily Malt beverage and Wine License for the Clay County Agricultural Fair Association on August 12 and 13, 2016 at the Clay County Fairgrounds open area
Presenter: Mike Carlson

Background: The Clay County Agricultural Fair Association has submitted an application for a special daily malt beverage and wine license on August 12 and 13, 2016 in the west arena for the Demolition Derby on Friday and Ranch Rodeo on Saturday.

City Statute for the special daily licenses is as follows:

§112.18 Special Alcoholic Beverage Licenses Issued In Conjunction with Special Events.

- (A) The City Council may grant, after public hearing, a special on-sale malt beverage and/or a special on-sale wine license to a civic, charitable, educational, veterans, or fraternal organization in conjunction with a special event.
- (B) The City Council may grant, after public hearing, a special off-sale package wine dealers license to a civic, charitable, educational, veterans, or fraternal organization in conjunction with a special event. A special off-sale package wine dealer's licensee may only sell wine manufactured by a farm winery that is licensed pursuant to SDCL Ch. 35-12.
- (C) Any license issued pursuant to this section shall be issued to the person and the location specified on the application. Any license issued pursuant to this section may be issued for a period of time established by the municipality. However, no period of time may exceed 15 consecutive days. The granting of the special license shall be subject to such conditions and restrictions as the City Council may deem appropriate and consistent with state law.
- (D) The fee for such special licenses shall be set by resolution of the City Council.

State Statute for the special daily licenses is as follows:

35-4-124. Special alcoholic beverage licenses issued in conjunction with special events. Any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;

6. Public Hearings; item b

- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (12) or chapter 35-12 in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4) or (6) in addition to any other licenses held by the special events license applicant; or
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealer's licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. No public hearing is required for the issuance of a license pursuant to this section if the person applying for the license holds an on-sale alcoholic beverage license or a retail malt beverage license in the municipality or county or holds an operating agreement for a municipal on-sale alcoholic beverage license, and the license is to be used in a publicly-owned facility. The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any person within any calendar year.

Discussion: The notice of public hearing and the report from the Police Chief are attached.

Financial Consideration: The City has received the \$15 per day licensing fee and the \$15 advertising fee from the applicant for a sum total of \$45.

Conclusion/Recommendations: Administration recommends approving the issuance of the special daily malt beverage and wine license for August 12 and 13, 2016 unless additional information is provided at the public hearing.

City of Vermillion
Police Department
15 Washington Street
Vermillion, SD 57069
Phone: (605)677-7070
FAX: (605)677-7166
www.vermillionpd.org



Date: 07/25/16

To: Vermillion City Council

A handwritten signature in blue ink, appearing to be "M", is written over the text "Vermillion City Council".

From: Matthew Betzen
Chief of Police

Subject: Clay County Agricultural Fair Assoc., Clay County Fair Alcohol License

I have reviewed the application for the "Special Daily License (On-Sale) Malt Beverage and Wine License" submitted by the Clay County Agricultural Fair Association, Inc. for service at the Clay County Fair on August 12-13 of this year.

A check of department records does not reveal any felonies for the applicants. Additionally, this is an annual event and there are no records regarding behavior in the past that would cause me hesitation in supporting this application.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 1st day of August, 2016 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 below, which has been presented to the City Council and filed in the Finance Officer's Office:

Special Daily License (On-Sale) Malt Beverage and Wine License:

Clay County Agricultural Fair Association, Inc on or about August 12-13, 2015 at the Clay County Fair Grounds west arena.

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 15th day of July, 2016.

Michael D. Carlson, Finance Officer

Publish: July 22, 2016

Published once at the approximate cost of _____.

Council Agenda Memo

From: Derek Chancellor, Administrative Intern
Meeting: August 1, 2016
Subject: High Street Closing – August 11 - 14, 2016
Presenter: Derek Chancellor

Background: The Clay County Agricultural Fair Association is hosting the annual Clay County Fair from August 11 to 13, 2016. The group is requesting the temporary closure of a portion of High Street as it abuts the fairgrounds. The fairgrounds are located on both sides of High Street. Closing the street enhances the safety of fairgoers and provides additional space for the fair to utilize for events.

Discussion: The Clay County Agricultural Fair Association is requesting that High Street be closed along the fairgrounds, from Cherry Street to the south end of the fairgrounds, from 7:00 a.m. on Thursday, August 11, 2016 until 5:00 p.m. on Sunday, August 14, 2016. The August 14, 2016 street closure is for clean-up activities once the fair has concluded.

The request form indicates that all residents or businesses affected by the street closure have been notified of the request. The Police, Fire, and EMS Departments have all been notified of the closure request and have found no safety concerns.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends authorizing the closure of High Street, from Cherry Street to the south end of the fairgrounds, from 7:00 a.m. on Thursday, August 11, 2016 until 5:00 p.m. on Sunday, August 14, 2016 to accommodate the Clay County Fair.

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

CITY OF VERMILLION REQUEST TO CLOSE CITY STREET

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

Organization Requesting Clay County Agrucultural Fair Association

Contact Person Missy O'Connor Phone 677-7111

E-Mail Address sdclaycountyfair@gmail.com

Contact Person Address 515 High Street

Event Clay County Fair Date(s) of Event Aug 11-13

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

Street High Street from Cherry to south end of Fair Grounds

Street Closing Times ~~8-6~~ at 7:00 am to 8-14 at 5:00 p.m.

Thursday 8-11 at 7:00 am

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

If approved, the contact person will need to make arrangements with the Street Department for barricades to properly denote the street closing. Have arrangements been made for clean up after the event and other facilities? Please describe:

Fair cleanup is August 14 and the street will be opened after clean up is complete.

Signature of Applicant Sharon Jensen Date 7-7-2016

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: August 1, 2016

Subject: Resolution relating to Prentis Street lift station improvements and authorizing and directing the issuance of a revenue bond to pay the cost of improvements

Presenter: Mike Carlson

Background: In 2015, the City Council approved Banner Associates to perform an assessment of the Prentis Lift Station and downstream sanitary sewer to determine its useful life after a boom of residential growth in its service area. That assessment showed that the lift station was deteriorating and undersized for future growth and the downstream sewer was undersized for current conditions. Recommendations were made to replace the lift station. The City Council approved including the lift station project on the State Water Plan (first step in process for applying for grant and loan funding). Banner Associates completed the facility plan in March that is required for the State Revolving Fund (SRF) loan and Community Development Grant (CDBG) applications. SECOG completed the SRF loan and CDBG applications that were filed with Department of Environment and Natural Resources (DENR) and Governor's Office of Economic Development.

Discussion: In June the City was approved for an \$812,000 SRF loan and awarded a \$515,000 CDBG to help fund the lift station and downstream sewer. The next step in the SRF loan process is adopting the attached resolution. The resolution was prepared by Dougherty & Company, Bond Counsel, and has been reviewed by the DENR attorney and City Attorney, Jim McCulloch. The SRF loan is for 20 years at 3% interest with the funds to be provided to the city upon documentation of expenditure for qualifying expenses.

Financial Consideration: The lift station replacement and downstream sewer replacement is estimated at \$1,327,000 that will be funded by the CDBG and SRF loan.

Conclusion/Recommendations: Administration recommends approval of the Resolution relating to Prentis Street lift station improvements and authorizing and directing the issuance of a revenue bond to pay the cost of improvements.

RESOLUTION NO. _____

RESOLUTION RELATING TO THE IMPROVEMENT OF THE WASTEWATER COLLECTION SYSTEM AND TREATMENT FACILITIES; CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF THE MONEYS DERIVED THEREFROM; AUTHORIZING AND DIRECTING THE ISSUANCE AND SALE OF A REVENUE BOND TO PAY THE COST OF SAID IMPROVEMENTS; DEFINING THE TERMS AND MANNER OF PAYMENT OF THE BOND AND THE SECURITY THEREOF AND APPROVING THE FORM OF LOAN AGREEMENT

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH DAKOTA, AS FOLLOWS:

SECTION 1. AUTHORIZATION AND FINDINGS.

1.01. The City of Vermillion, South Dakota (the Issuer) currently operates a wastewater collection system and wastewater treatment facilities (collectively, the Utility), for municipal, industrial and domestic purposes.

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

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

1.04. The issuance of a revenue bond of the Issuer, of not more than \$812,000 principal amount in the form and content set forth in Appendix B to the Loan Agreement (the Bond) is hereby authorized, approved and confirmed, and the Mayor, Finance Officer and other appropriate officials of the Issuer shall be authorized to execute and deliver the Bond to the District, for and on behalf of the Issuer, upon receipt of the purchase price and to deposit the proceeds thereof in the manner provided for in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Bond, and their execution and

delivery of the Bond shall evidence such approval. The terms of the Bond, as so executed and delivered, shall be deemed to be incorporated herein by reference.

1.05. The Issuer hereby determines that because the Bond is issued in connection with a financing agreement described in SDCL 46A-1-49, pursuant to SDCL 9-40-15, no election is required to issue the Bond. It is hereby found and determined that the principal amount of the Bond, when added to all other indebtedness of the Issuer subject to its general (5%) debt limit, will not exceed 5% of the assessed value of the taxable property in the Issuer.

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

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

2.02. Construction Account. The Construction Account shall be used only to pay as incurred and allowed costs which under financial and reporting standards as promulgated by the Governmental Accounting Standards Board, the Financial Accounting Standards Board, or an Other Comprehensive Basis of Accounting, as applicable (referred to herein as Financial and Reporting Standards), are capital costs of the Utility, and of such future reconstructions, improvements, betterments or extensions of the Utility as may be authorized in accordance with law; including but not limited to payments due for work and materials performed and delivered under construction contracts, architectural, engineering, inspection, supervision, fiscal and legal expenses, the cost of lands and easements, interest accruing on the Bond during the first year following the date of its delivery, if and to the extent that the Revenue Bond Account is not sufficient for payment of such interest, reimbursement of any advances made from other Issuer

funds, and all other expenses incurred in connection with the construction and financing of any such undertaking. To the Construction Account shall be credited as received all proceeds of the Bond, except amounts appropriated to the Revenue Bond Account under Section 2.04, all other funds appropriated by the Issuer for the Utility, and all income received from the investment of the Construction Account.

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

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

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

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

- (a) to redeem and prepay principal of the Bond when and as such principal becomes prepayable according to its terms;
- (b) if the balances in the Revenue Bond Account and the Replacement and Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made therefrom prior to the end of the current fiscal year, then;
 - (i) to pay for repairs or for the construction and installation of improvements or additions to the Utility;
 - (ii) to be held as a reserve for redemption and prepayment of principal of the Bond which is not then but will later be prepayable according to its terms; and
 - (iii) with the written consent of the District, transferred to one or more specified funds of the Issuer.

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

2.07. Deposit and Investment of Funds. The Finance Officer shall cause all moneys pertaining to the Fund to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of Chapter 4-6A, South Dakota Codified Laws, in a deposit account or accounts, which shall be maintained so long as any of the Bonds and the

interest thereon shall remain unpaid. The deposit and investment of all moneys pertaining to the Fund must, on the books and records of the Issuer, be maintained separate and apart from all other funds of the Issuer. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No moneys shall at any time be withdrawn from such deposit accounts except for the purposes of the Fund as authorized in this resolution; except that moneys from time to time on hand in the Fund may at any time, in the discretion of the City Council, be invested in securities permitted by the provisions of South Dakota Codified Laws, Section 4-5-6; provided, that the Replacement and Depreciation Account may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys in that account. The investment of the moneys on deposit in the Revenue Bond Account is further restricted by the provisions of Section 6.01 hereof. Deposits and securities described in this section shall constitute "Qualified Investments."

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

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

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

SECTION 3. PRIORITIES AND ADDITIONAL BONDS.

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

3.02. Additional Bonds. The Issuer reserves the right to issue additional bonds, payable from the Revenue Bond Account of the Fund, on a parity as to both principal and interest with the Bond in the manner and upon satisfaction of the conditions and subject to the limitations set forth in the Loan Agreement, and if any Prior Bonds are then outstanding, subject to the limitations contained in the resolutions under which such Prior Bonds were issued.

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

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

SECTION 4. AMENDMENTS.

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

4.02. Amendments With Bondholder Consent. With the consent of the holder of the Bond as provided in Section 4.03, the Issuer may from time to time and at any time amend this resolution by adding any provisions hereto or changing in any manner or eliminating any of the provisions hereof, or of any amending resolution, except that no amendment shall be adopted at

any time without the consent of the holder of the Bond which are then outstanding, if it would extend the maturities of any Bond, would reduce the rate or extend the time of payment of interest thereon, would reduce the amount or extend the time of payment of the principal or redemption premium thereof, would give to any Bond any privileges over any other Bond, would reduce the sources of gross revenues appropriated to the Fund, would authorize the creation of a pledge of gross revenues prior to or on a parity with the Bond (except as is authorized by Section 3), or would reduce the percentage in principal amount of Bonds required to authorize or consent to any such amendment.

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

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

SECTION 5. PAYMENT OF BOND.

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

5.02. Payment. The Issuer may discharge its liability with reference to any Bond which is due on any date by depositing with the holder or holders thereof, or the paying agent or agents,

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

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

SECTION 6. TAX MATTERS AND EFFECTIVE DATE.

6.01. Tax Matters.

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

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

(c) Investment of Moneys on Deposit in Revenue Bond Account. The Finance Officer shall ascertain monthly the amount on deposit in the Revenue Bond Account. If the amount on deposit therein ever exceeds by more than \$40,600 the aggregate amount of principal and interest due and payable from the Revenue Bond Account within 13 months thereafter, such excess shall either (1) not be invested except at a yield equal to or less than the yield borne by the Bond, or (2) be used to prepay and redeem principal installments of the Bond.

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

6.02. Qualified Tax-Exempt Obligations. The City Council hereby designates the Bond as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code relating to

the disallowance of interest expense for financial institutions, and hereby finds that the reasonable anticipated amount of tax-exempt obligations (within the meaning of Section 265(b)(3) of the Code) which will be issued by the Issuer and all subordinate entities thereof during calendar year 2016 does not exceed \$10,000,000.

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

6.04. Repeal. All provisions of all other ordinances, resolutions and other actions and proceedings of the Issuer and of this City Council which are in any way inconsistent with the terms and provisions of this resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this resolution.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

(SEAL)

By: _____
John E. (Jack) Powell, Mayor

Attest: _____
Michael D. Carlson, Finance Officer

Adopted: August 1, 2016
Published: August 12, 2016
Effective: September 1, 2016

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: August 1, 2016

Subject: Final Plat of Lot 1, Block 1, Turner's Addition (SW corner of Jefferson Street and E. Clark Street) to the City of Vermillion, Clay County, South Dakota

Presenter: Jose Dominguez

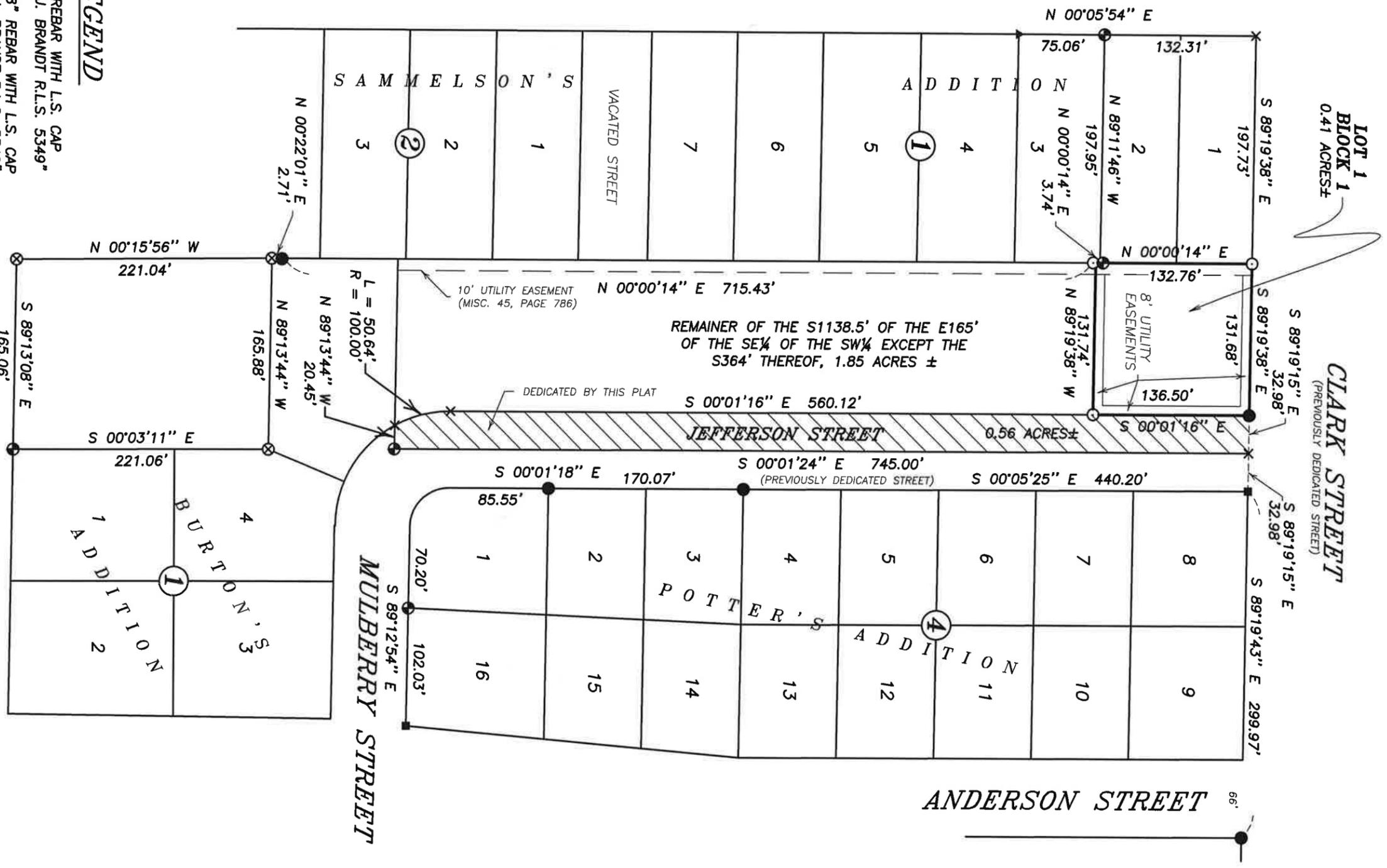
Background: Brandt Land Surveying has submitted a final plat for a lot in Turner's Addition. The area to be final platted is roughly 0.41-acres in area. The lot is located at the southwest corner of Jefferson Street and E. Clark Street.

Discussion: Staff reviewed the final plat and find that it complies with all code provisions. The applicant will also be dedicating all of the required utility easements around the lot. In addition, the developer will also be platting the west half of Jefferson Street, south of East Clark Street. The final plat was unanimously approved by the Planning Commission at their meeting on Monday, July 25, 2016.

Financial Consideration: Granting approval of the final plat will provide additional housing in the community and would encourage development within the undeveloped areas inside City limits. The fee has been paid by the applicant.

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

PLAT OF LOT 1, BLOCK 1, TURNER'S ADDITION TO THE CITY OF VERMILLION,
CLAY COUNTY, SOUTH DAKOTA.



LOT 1
BLOCK 1
0.41 ACRES±

CLARK STREET
(PREVIOUSLY DEDICATED STREET)

ANDERSON STREET

SAMMELSON'S
VACATED STREET

REMAINDER OF THE S1138.5' OF THE E165'
OF THE SE¼ OF THE SW¼ EXCEPT THE
S364' THEREOF, 1.85 ACRES ±

JEFFERSON STREET

POTTER'S
ADDITION

MULBERRY STREET

BURTON'S
ADDITION

MAIN STREET

LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- ⊗ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- ⊕ FOUND 5/8" SMOOTH BAR STAMPED "GILLEN LS 1342"
- FOUND 5/8" REBAR
- FOUND IRON PIPE
- ▲ FOUND 3/4" REBAR
- x CALCULATED CORNER



NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455

Council Agenda Memo

From: John Prescott, City Manager

Meeting: August 1, 2016

Subject: Utilities Committee recommendation on renewing the cable franchise agreement

Presenter: John Prescott

Background: In September 1999, the City Council adopted Ordinance 1078. This ordinance provided for a 15-year nonexclusive franchise agreement for cable television services. The original franchise agreement was signed with Zylstra Communications Corporation but has been transferred several times since 1999 and is currently held by Midcontinent Communications.

Section 10 of the ordinance addresses the term of the franchise agreement. While the original franchise term is for fifteen years commencing on the effective date of the ordinance (October 21, 1999), section 10.2 provides for “two (2) additional twelve-month (12) periods by the Manager with the approval of the Municipality notifying the Company of the same in writing.” At the September 2, 2014 meeting, the City Council authorized the notification by the City Manager to Midcontinent Communications of the first twelve-month extension. In September 2015, the City Council again authorized the notification of the second one-year renewal extension.

Discussion: Discussions were held with Midcontinent Communications regarding the extension of the current franchise, but the cable company did not like the existing franchise document and, through these discussions, a proposed draft franchise has been developed. A draft of the franchise was presented to the Utilities Committee at their meeting on Wednesday, July 20, 2016 and major points were reviewed and discussed.

The proposed franchise is for 10 years and there are no system improvement payments included. Most of the free services have been removed except for City Hall, the Library, and the Vermillion public schools. Also, the required number of PEG channels are reduced from three to two. Presentations to the City Council were included in the new franchise agreement. The cable franchise fee will remain at 5% on gross revenue and the requirement to install service to new developments will be changed to new service within 150 feet of existing lines or 10 subscribers within a quarter mile of existing service.

City Attorney Jim McCulloch has reviewed the proposed franchise.

Financial Consideration: None at this time.

Conclusion/Recommendations: Administration, as well as the Utilities Committee, recommends that the City Council move forward in adopting the cable TV franchise agreement as presented to the Utilities Committee subject to language on the outstanding items being resolved and questions identified by the Utilities Committee being addressed.

Council Agenda Memo

From: John Prescott, City Manager
Meeting: August 1, 2016
Subject: Presentation of the 2017 Proposed Budget
Presenter John Prescott

Background: Each year, the City staff prepares a proposed budget for the next fiscal year. The proposed budget documents for 2017 will be presented at the City Council meeting on Monday evening. The actual discussion and presentation of the respective departmental budgets will take place on August 10 and 11, 2016 after the City Council has had a chance to review the documents.

Discussion: The budget utilizes conservative fiscal principals to develop a plan of action for 2017. The first penny of sales tax, along with the General Fund, is utilized primarily for operating costs while the second penny funds capital expenses pursuant to the locally adopted ordinance. Several key projects will make a long-term difference for the community. Construction of the new Prentis Park swimming pool, replacement of the Prentis Street lift station and sanitary sewer lines, and construction of the northeast electrical substation are a few key projects for the upcoming budget year. A considerable amount of the proposed 2017 budget reflects the same level of expenditures as the 2016 budget year, but also includes a number of cuts to address a large fiscal challenge.

A series of proposed budget review sessions are planned beginning with Wednesday, August 10, 2016 at 5:30 p.m. in the large conference room on the second floor of City Hall. City departments will be presenting their proposed budget during the meetings. Outside agencies, if requested, will also present their budget requests during this session scheduled for August 10. The budget was prepared with the assistance of all Departments. Mike Carlson, Andy Colvin, Jen Olson, and Derek Chancellor were instrumental in the development of the proposed 2017 budget.

Financial Consideration: The budget that the City Council ultimately adopts will determine the revenue streams and expenditures for 2017.

Conclusion/Recommendations: The City Council is asked to review the budget document, make any needed changes during the budget hearings, and ultimately adopt a budget for 2017 in September.

Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: August 1, 2016
Subject: Work Order for Survey for Proposed Shared Use Path Repair Options
Presenter: Jose Dominguez

Background: Currently, portions of the shared use path between 12th Street and the west terminus of the Vermillion River hike/bike trail have fallen into the river. Because of the missing portions or dangerous conditions, the trail has been closed since 2012. A section of the trail was reopened in 2014 after it was reconstructed farther away from the Vermillion River.

The repair/construction of the shared use path repairs is planned for 2017. However, this depends on conversations with the adjacent landowners due to the fact that the City has to acquire easements for the shared use path.

Discussion: A work order for the project will allow Banner Engineering to complete the survey work and prepare plan sheets showing options connecting the shared use path completing the route. The work to be covered by the work order is described, in detail, in the attached scope of services provided by the DOT. The scope of services also sets January 7, 2017 as the deadline for the project.

Financial Consideration: The cost associated work order will be paid by the DOT through the Federal Grant received by the City in 2006. The cost for this work order will be \$3,300.

Conclusion/Recommendations: Administration recommends that the City Council approve and sign the Work Order for the survey work along the proposed shared use path.



Department of Transportation

Division of Planning and Engineering

Office of Administration

700 East Broadway Avenue

Pierre, South Dakota 57501-2586

OFFICE: 605/773-3574

FAX: 605/773-4870

M E M O R A N D U M

DATE: July 7, 2016

TO: Rich Uckert, PE
Banner Engineering

FROM: Paula Huizenga, Grant Program Engineer
Local Government Assistance

SUBJECT: Survey for EM 8014(36), PCN 05NK– Connecting Existing Shared Use Path along Broadway Avenue in Vermillion, SD.

The City of Vermillion has requested that your firm be employed to complete the work as defined in the following scope of services. Please prepare a breakdown of the estimated costs required to accomplish this work and submit it to Local Government Assistance in care of Jennie Weingart, Consultant Services Specialist, for preparation of the work order under the State's retainer contract.

SCOPE OF SERVICES - Design

1. Survey:

- Identify project limits and scoping details as established through consultation with the City Engineer.
- Perform field survey as necessary to establish project stationing, control data, and horizontal alignment data.
- Perform legal survey as required to establish easements and generate right-of-way plats (if necessary) for use by the city.
- Prepare plan sheets showing the options available to connect the path to complete the path route.

The overall completion date for this work order will be January 7, 2017.

All information and data shall be submitted, and all questions and requests shall be directed to the Local Government Assistance office.

cc: Jennie Weingart
File

Topographic Survey, Legal Survey and Option Layouts

ATTACHMENT II

Vermillion Shared Use Path Relocation

Vermillion, SD

LGA-114-15 05NK EM 8014(36) Vermillion
410604

1. DIRECT LABOR SALARY COST:

Rich Uckert - Project Manager - Highways	8 hrs.	x	\$37.01	=	\$296.08
Nathan Nielson - Survey Coordinator	2 hrs.	x	\$32.70	=	\$65.40
Austin Johnson - Surveyor	16 hrs.	x	\$24.00	=	\$384.00
Clay Jorgensen - Survey Technician	16 hrs.	x	\$12.00	=	\$192.00
Yelena Romanyuk - CADD Technician	8 hrs.	x	\$18.75	=	\$150.00
TOTAL DIRECT LABOR COST	50 hrs.				\$1,087.48

2. LABOR OVERHEAD COST:

Employee Benefits	42.345 %	x	\$1,087.48	=	\$460.49
G & A Overhead	110.192 %	x	\$1,087.48	=	\$1,198.32
TOTAL LABOR OVERHEAD COST					\$1,658.81

3. TRANSPORTATION COST:

Vehicle	280 mi.	x	\$0.551	=	\$154.28
TOTAL TRANSPORTATION COST					\$154.28

4. MATERIALS & SUPPLIES COST:

Photocopies	20 ea.	x	\$0.0720	=	\$1.44
Postage	at cost			=	
Miscellaneous	at cost			=	\$51.69
TOTAL MATERIALS AND SUPPLIES COST					\$53.13

5. TOTAL COST:

= \$2,953.70

6. FIXED FEE:

12.0 % x (\$1,087.48 + \$1,658.81) = \$329.55

7. CAPITAL COST OF MONEY:

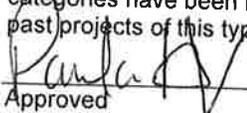
1.54 % x \$1,087.48 = \$16.75

8. TOTAL COST-PLUS-FIXED FEE:

= \$3,300.00

The total hours shown, and their distribution among the staff categories have been reviewed by me and are reasonable based on past projects of this type.

Approved



Date

7-26-16

JW'



Department of Transportation
Division of Planning and Engineering
Office of Local Government Assistance
700 E Broadway Avenue
Pierre, South Dakota 57501-2586
Phone: 605/773-8148 FAX: 605/773-4870

July 26, 2016

Mr. Rich Uckert, PE
Banner Associates, Inc.
409 22ND Ave S PO Box 298
Brookings, SD 57006

RE: Work Order for Project EM 8014(36), PCN 05NK, City of Vermillion, LGA-114-15

Dear Mr. Uckert:

Enclosed are three copies to be signed for the above referenced work order. Please sign all copies, then forward to the City of Vermillion. When all signatures have been obtained, I will return a completed copy to your office.

These are to be performed under the terms of Agreement Number 410604 between your firm and the South Dakota Department of Transportation.

Sincerely,

LOCAL GOVERNMENT ASSISTANCE

A handwritten signature in cursive script that reads "Jennie Weingart".

Jennie Weingart, Consultant Contract Specialist

Enclosures

cc: Work Order file

**WORK ORDER FOR CONSULTANT SERVICES
LOCAL GOVERNMENT PROJECTS**

DOT 917-B
08/19/2015

GENERAL

1 **Work Order No.** LGA-114-15 2 **Ag. No.** 410604 3 **Date** 07/26/2016

5 **Consultant** Banner Associates, Inc.

PROJECT INFORMATION

6 **Project No.** EM 8014(36) 7 **PCN** 05NK 8 **City** Vermillion

9 **Project Description** The shared use path located along Broadway Ave. in Vermillion was completed in 2010. However due to flooding, portions of the path were unusable. The path could not be repaired/relocated due to additional flooding and adjacent land owner issues.

10 **Project Location** Connecting Existing Shared Use Path along Broadway Avenue in Vermillion

11 **Work Type** Design
For Specifics on the Scope of Work, See Attachment I

SERVICES REQUIRED See Attachment II

REIMBURSEMENT FOR TRAVEL See Attachment II

12 **MAXIMUM LIMITING AMOUNT** \$3,300.00 13 **FIXED FEE** \$329.55

14 **COMPLETION DATE** 01/07/2017

See Attachment I for interim dates and deliverables.

CONTACT PERSONS

Consultant Rich Uckert, PE

City City of Vermillion, Official

SDDOT Paula Huizenga, Project Manager

INSURANCE REQUIREMENTS

20 Type of Insurance	Expiration Date	On File
General Liability	11/01/2016	Yes
Automobile Liability	11/01/2016	Yes
Workers Compensation	11/01/2016	Yes
Errors and Omissions	10/03/2016	Yes

APPROVAL BY:

Consultant: Richard Uckert 7/26/16
Date

City: _____
Date

21 **DOT:** _____
Date

DISTRIBUTION:

- (3) Originals - 1 Consultant, 1 Finance Office, 1 Originating Office
- (1) Copy - Local Government Agency
- (1) Copy - Internal Audits

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: August 1, 2016

Subject: Bid for Fire Department SCBA

Presenter: Jose Dominguez

Background: The City received an Assistance to Firefighters Grant in July 2016. The grant amount was for \$149,715. This grant is intended to assist fire departments in protecting the health and safety of the public. The City would utilize the grant to purchase new self-contained breathing apparatus (SCBA) used during fire fighting.

Bids will be opened on August 1, 2016 at 2:00 p.m. The City sent bid specifications to four suppliers.

Discussion: Bidding is required by State law when the cost of the project is estimated to exceed \$50,000. The City estimated the cost for the SCBA's to be \$150,000.

Due to the fact that the bids were not received prior to the memo being written Staff will modify the memo prior to the meeting. The modified memo will offer one of three options; the bids may be accepted, the bids could be denied, or the bid award could be tabled to the following meeting. The option proposed by Staff will depend on the bids received.

Financial Consideration: The Assistance to Firefighters Grant requires that the City provide a 5% matching fund. This means that the City will receive the \$149,715 grant and will have to provide \$7,485 as a match. Funding is available in the Second Penny fund to provide the local 5% match that is required.

Conclusion/Recommendations: Administration will be modifying the memo with a recommendation for the evening meeting.

CITY OF VERMILLION
 INVOICES PAYABLE-AUGUST 1, 2016

1 JOHN POWELL	TRAVEL REIMBURSEMENT APPA	1,701.19
2 RICH HOLLAND	FUEL REIMBURSEMENT	27.75
3 A & A REFRIGERATION	REPAIRS	430.60
4 ACE REFRIGERATION CO	REPAIRS	253.33
5 AMS BUILDING SYSTEM LLC	WATER HEATER REBATE	150.00
6 APPEARA	SUPPLIES	108.85
7 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	335.61
8 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	25.00
9 AVERA OCCUPATIONAL MEDICINE	TESTING	279.60
10 BAKER & TAYLOR BOOKS	BOOKS	460.39
11 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	4,932.65
12 BARKLEY ASPHALT	ASPHALT	440.63
13 BHS MARKETING, LLC	SODA ASH	13,335.59
14 BIERSCHBACH EQPT & SUPPLY	SUPPLIES	482.75
15 BLACKSTONE AUDIO INC	BOOK	100.00
16 BLICK ART MATERIALS	SUPPLIES	45.37
17 BORDER STATES ELEC SUPPLY	SUPPLIES	3,055.40
18 BOUND TREE MEDICAL, LLC	SUPPLIES	1,586.96
19 BROCK WHITE CO	SEALANT	4,365.00
20 BRUNICKS SERVICE INC	FUEL	3,341.38
21 BSN SPORTS INC	SUPPLIES	138.10
22 BUTLER MACHINERY CO.	PARTS/PLOW	11,991.85
23 CALIFORNIA CONTRACTORS SUPPLY	GLOVES/HAND CLEANER	300.18
24 CAMPBELL SUPPLY	SUPPLIES	1,782.77
25 CASK & CORK	MERCHANDISE	980.07
26 CDW GOVERNMENT, INC	COMPUTERS/MONITORS	2,593.08
27 CENTURYLINK	TELEPHONE	745.77
28 CERTIFIED LABORATORIES	SUPPLIES	604.49
29 CHESTERMAN CO	MERCHANDISE	1,045.33
30 CITY OF VERMILLION	COPIES/POSTAGE	1,453.26
31 CITY OF VERMILLION	UTILITY BILLS	48,588.30
32 CLASS C SOLUTIONS GROUP	SUPPLIES	111.23
33 CLAY CO REGISTER OF DEED	FILING FEE	30.00
34 COFFEE KING, INC	SUPPLIES	62.75
35 COLONIAL LIFE ACC INS.	INSURANCE	3,333.63
36 CONFLUENCE	PROFESSIONAL SERVICES	5,282.71
37 COYOTE CONVENIENCE	FUEL	11.00
38 CULLIGAN WATER	WATER COOLER BOTTLES	153.50
39 DAKOTA BEVERAGE	MERCHANDISE	5,569.80
40 DAKOTA PUMP INCORP	REPAIRS	1,033.17
41 DAKTRONICS, INC	SCOREBOARD	7,239.32
42 DAPHNE'S HEADCOVERS	DISPLAY RACK	10.00
43 DELTA DENTAL PLAN	INSURANCE	6,727.68
44 DEMCO	SUPPLIES	266.90
45 DENNIS MARTENS	MAINTENANCE	833.34
46 DGR ENGINEERING	PROFESSIONAL SERVICES	9,992.54

47 DIAMOND VOGEL PAINTS	SUPPLIES	2,000.00
48 DIVISION OF MOTOR VEHICLE	TITLE	5.00
49 DON'S DUST CONTROL	WATER APPLICATION	10,200.60
50 E.A SWEEN COMPANY	SUPPLIES	78.70
51 EARTHGRAINS BAKING CO'S INC	SUPPLIES	185.55
52 EBSCO	SUBSCRIPTION	21.47
53 ECHO ELECTRIC SUPPLY	SUPPLIES	3,346.04
54 ELECTRONIC ENGINEERING	PAGERS	1,801.00
55 EVER GREEN LANDSCAPE NURSE	PLAY AREA WOOD CHIPS	2,688.00
56 FARMER BROTHERS CO.	SUPPLIES	115.55
57 FARNER BOCKEN COMPANY	SUPPLIES	936.25
58 FOREMAN MEDIA	COUNCIL MTG	100.00
59 FRED HAAR CO, INC	PARTS	114.88
60 GRAHAM TIRE CO.	TIRES	237.70
61 GRAYMONT CAPITAL INC	CHEMICALS	7,991.40
62 GREGG PETERS	FREIGHT	1,056.00
63 GREGG PETERS	RENT	937.50
64 GREY HOUSE PUBLISHING	BOOKS	163.00
65 HANSEN LOCKSMITHING	REPAIRS	816.00
66 HAUGER LAWN SERVICE	MOWING	96.00
67 HAWKINS INC	CHEMICALS	6,135.16
68 HD SUPPLY WATERWORKS	SUPPLIES	7,563.68
69 HEARTLAND AG-BUSINESS GROUP	SUBSCRIPTION	20.00
70 HELMS & ASSOCIATES	PROFESSIONAL SERVICES	2,374.30
71 HENDERSONS ULTIMATE CAR WASH	CAR WASH CARD	50.00
72 HERREN-SCHEMPP BUILDING	SUPPLIES	89.84
73 HILLYARD FLOOR CARE SUPPLY	SUPPLIES	212.17
74 HY VEE FOOD STORE	SUPPLIES	715.33
75 INDEPENDENCE WASTE	PORTABLE TOILET/WASTE HAULING	1,444.95
76 INGRAM	BOOKS	1,673.25
77 INTERSTATE ALL BATTERY CENTER	BATTERY	87.60
78 IOWA LEAGUE OF CITIES	ADVERTISING	65.00
79 JACKS UNIFORM & EQPT	UNIFORM	1,195.55
80 JERRY'S CHEVROLET BUICK GM	REPAIRS	171.68
81 JIM MCCULLOCH	UNDERGROUND REIMBURSEMENT	415.00
82 JOHN A CONKLING DIST.	MERCHANDISE	1,910.15
83 JOHNSON BROTHERS OF SD	MERCHANDISE	7,534.66
84 JOHNSON FEED, INC	SUPPLIES	1,491.60
85 JOHNSTONE SUPPLY	SUPPLIES	141.94
86 JONES FOOD CENTER	SUPPLIES	948.99
87 JUDY WIESELER	WEED CONTROL	212.50
88 KALINS INDOOR COMFORT	REPAIRS	507.23
89 KNIFE RIVER MIDWEST, LLC	ASPHALT	340.00
90 LAWSON PRODUCTS INC	SUPPLIES	57.74
91 LAYNES WORLD	NAME PLATES/BANNERS/DECALS	870.00
92 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	5,104.89
93 LEISURE LAWN CARE	REPAIRS/TREATMENT	230.30
94 LESSMAN ELEC. SUPPLY CO	SUPPLIES	112.00
95 LINDA CALLEJA	MILEAGE REIMBURSEMENT	69.30
96 LIVING HERE	SUBSCRIPTION	19.00

97 LOCATORS AND SUPPLIES, INC	SUPPLIES	2,914.79
98 MALLOY ELECTRIC	REPAIRS	315.00
99 MARLON HANSON	REPAIRS	314.78
100 MART AUTO BODY	TOWING	375.00
101 MASIMO	SUPPLIES	450.00
102 MATHESON TRI-GAS, INC	MEDICAL OXYGEN/CYLINDER RENTAL	388.44
103 MATTHEW R. FAIRHOLM, PH.D	CITY COUNCIL ORIENTATION	250.00
104 MC2, INC	PARTS	823.82
105 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	2,511.00
106 MEAD LUMBER	SUPPLIES	48.27
107 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	265.47
108 MEDICO LIFE & HEALTH INSURANCE	INSURANCE	407.70
109 MERRICK INDUSTRIES	PARTS	4,440.10
110 MICHELLE KOLLER	MILEAGE REIMBURSEMENT	143.80
111 MIDWEST ALARM CO	FIRE ALARM MONITORING	213.00
112 MIDWEST BOILER REPAIR, INC	REPAIRS	6,830.43
113 MIDWEST BUILDING MAINTENANCE	MAT SVC	332.90
114 MIDWEST READY MIX & EQUIPM	CONCRETE/ROCK	3,480.61
115 MIDWEST TURF & IRRIGATION	SPRAYER	27,962.64
116 MINN MUNICIPAL UTILITY ASSOC	3RD QTR SAFETY MGMT PROGRAM	6,560.00
117 MOORE WELDING & MFG	SUPPLIES	439.09
118 MOTION INDUSTRIES, INC	PARTS	89.93
119 MYRL & ROY'S PAVING, INC	CHIPS	8,725.79
120 NBS CALIBRATIONS	CALIBRATION	441.00
121 NCL OF WISCONSIN, INC	SUPPLIES	833.55
122 NETSYS+	PROFESSIONAL SERVICES/REPAIRS	1,520.00
123 NEW YORK LIFE	INSURANCE	35.01
124 NEWMAN TRAFFIC SIGNS	SUPPLIES	308.14
125 NIKE INC	MERCHANDISE	164.94
126 NORTH CENTRAL INTERNATIONAL	DUMP TRUCK	77,592.00
127 O'REILLY AUTO PARTS	PARTS	192.69
128 OFFICE OF WEIGHTS & MEASUREMENT	TESTING	254.00
129 OFFICE SYSTEMS CO	COPIER CONTRACT/COPIES	1,863.38
130 PAULS PLUMBING	REPAIRS	119.90
131 PCC, INC	COMMISSION	1,971.87
132 PEDERSEN MACHINE INC	PARTS	80.91
133 PENWORTHY COMPANY	BOOKS	234.61
134 PILGER SAND & GRAVEL, INC	BUNKER SAND	1,320.16
135 POMPS TIRE SERVICE, INC.	REPAIRS	373.00
136 PRAIRIE BERRY WINERY	MERCHANDISE	687.00
137 PRECISION LAWN CARE	MOWING	225.00
138 PRESSING MATTERS	SUPPLIES	838.00
139 PRESTO-X-COMPANY	TREATMENT	194.75
140 PRINT SOURCE	ADVERTISING	65.00
141 PRO AUTO INC	REPAIRS	1,800.00
142 PUMP N PAK	FUEL	65.00
143 QUILL	SUPPLIES	599.10
144 RANDY ISAACSON	REIMBURSEMENT	105.52
145 RECORDED BOOKS, INC	BOOKS	396.00
146 REINHART FOODSERVICE, LLC	SUPPLIES	564.26

147 RELIABLE TOWING & ROADSIDE	REPAIRS	50.00
148 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	4,481.09
149 RI-TECH INDUSTRIAL PRODUCT	SUPPLIES	159.00
150 RIBS, RODS & ROCK N' ROLL	CONTRIBUTION	5,000.00
151 RICCHIO INCORPORATED	POOL CONTRACT	150,390.00
152 SANFORD HEALTH PLAN	PARTICIPATION FEES	54.00
153 SCOTT IVERSON	CDL DRIVING TEST	95.00
154 SD ELECTRICAL COMMISSION	INSPECTION FEE/WIRING PERMIT	60.00
155 SD MUNICIPAL LEAGUE	REGISTRATION	100.00
156 SD ONE CALL	LOCATES	439.95
157 SD PUBLIC ASSURANCE ALLIANCE	VEHICLE INSURANCE	321.00
158 SD RETIREMENT SYSTEM	CONTRIBUTIONS	77,613.73
159 SEH, INC	DRAINAGE STUDY	267.00
160 SENSUS METERING SYSTEMS	SOFTWARE SUPPORT	1,665.98
161 SERVALL TOWEL & LINEN	SUPPLIES	29.40
162 SEWER MATIC	TELEVISION SEWER	1,110.00
163 SIOUXLAND HUMANE SOCIETY	FEES	37.00
164 SMITH MANUFACTURING	REPAIRS	768.59
165 SOUTHERN GLAZER'S OF SD	MERCHANDISE	240.20
166 SPECIAL T'S AND MORE	UNIFORM T-SHIRTS	105.00
167 STERN OIL CO.	SUPPLIES	442.92
168 STEWART OIL-TIRE CO	REPAIRS	399.65
169 STRYKER SALES CORPORATION	MAINTENANCE AGREEMENT	3,954.40
170 STUART C. IRBY CO.	SUPPLIES	19,631.11
171 STURDEVANTS AUTO PARTS	PARTS	1,514.11
172 TASER INTERNATIONAL	MAINTENANCE AGREEMENT	5,323.50
173 TAYLOR MADE	MERCHANDISE	398.55
174 TEAM GOLF	MERCHANDISE	1,336.61
175 TESTAMERICA LABORATORIES	TESTING	3,132.31
176 THE GROWLER STATION, INC	MAINTENANCE AGREEMENT	749.97
177 TITLEIST DRAWER CS	MERCHANDISE	3,136.29
178 TRI-B-TRIM SHOP	REPAIRS	195.00
179 TRUCK-TRAILER SALES	PARTS	81.10
180 TRUE VALUE	SUPPLIES	157.55
181 TURNER PLUMBING	REPAIRS	6,380.26
182 TWIN CITY HARDWARE	REPAIRS	2,516.55
183 UNITED WAY	CONTRIBUTIONS	776.55
184 USA BLUEBOOK	SUPPLIES	400.85
185 UTILITY EQUIPMENT CO.	PARTS	304.32
186 VALIANT VINEYARDS	MERCHANDISE	186.00
187 VAST BROADBAND	E911 CIRCUIT/DIALUP SERVICE	1,415.45
188 VERIZON WIRELESS	WIRELESS COMMUNICATION	1,839.30
189 VERMEER HIGH PLAINS	PARTS	304.61
190 VERMILLION ACE HARDWARE	SUPPLIES	2,473.32
191 VERMILLION AREA ARTS COUNCIL	ONLINE REGISTRATION	45.08
192 VERMILLION CHAMBER OF COMMERCE	2ND QTR 2016 B.I.D	11,830.30
193 VERMILLION COMMUNITY THEATRE	ONLINE REGISTRATION	30.70
194 VERMILLION ROTARY CLUB	DUES/MEALS	147.25
195 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	8,796.74
196 WAL-MART COMMUNITY	SUPPLIES	1,362.99

197 WALKER CONSTRUCTION	LIONS PARK BATHROOM BLDG	5,902.94
198 WALT'S HOMESTYLE FOODS, INC	SUPPLIES	102.80
199 WEEDCOPE, INC	PROFESSIONAL SERVICES	440.00
200 WELFL CONSTRUCTION CO	POOL CONTRACT	46,677.00
201 WESCO DISTRIBUTION, INC	PARTS	822.00
202 WEST GROUP PAYMENT CENTER	SUBSCRIPTION	194.00
203 YAMAHA GOLF & UTILITY	GOLF CAR LEASE	7,544.34
204 YANKTON JANITORIAL SUPPLY	SUPPLIES	693.65
205 YON CHOUGH	REFUND SWIM LESSONS	10.00
206 ZEE MEDICAL SERVICE	SUPPLIES	638.62
207 MARTY NYGREN	BRIGHT ENERGY REBATE	44.00
208 RYAN ANDERSON	BRIGHT ENERGY REBATE	64.00
209 BILL WOOD	BRIGHT ENERGY REBATE	132.00
210 JAY HENNIES	BRIGHT ENERGY REBATE	500.00
211 RAYMOND LYNN	BRIGHT ENERGY REBATE	500.00
212 ROBERT HANSON	BRIGHT ENERGY REBATE	350.00
213 KALINS INDOOR COMFORT	BRIGHT ENERGY REBATE	300.00
	GRAND TOTAL	\$769,286.25