



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, December 3, 2012
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. November 19, 2012 Special Session; November 19, 2012 Regular Session; November 20, 2012 Special Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
6. **Public Hearings**
 - a. Public progress hearing for Community Development Block Grant Workforce Training.
 - b. Retail on-off sale malt beverage license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101.
 - c. Retail on-off sale wine license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101.
 - d. Annual liquor and wine license renewals.
7. **Old Business**
 - a. Request from Todd & Michele Mechling for a variance from the zoning ordinance to have a concrete slab in the front yard at 1020 W. Main Street.
8. **New Business**
 - a. 2013 Bluffs Golf course fees.
 - b. Resolution Amending Ambulance Rates.
 - c. Declaration of an Emergency for the removal of the landfill baler building.
 - d. First Reading of Ordinance 1291 – 2012 Budget Supplemental Appropriations Ordinance.
 - e. Parking removal along N. Dakota Street in front of 1st United Methodist Church.
 - f. Declaration of Surplus Police Patrol car.
9. **Bid Openings**
 - a. Fuel Quotes.
10. **City Manager's Report**
11. **Invoices Payable**

12. Consensus Agenda

- a. Set a bid opening date of December 27, 2012 for the sale of a surplus police patrol car.
- b. Set a bid opening date of December 28, 2012 for an ambulance.

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.

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.

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.





Special Meeting Agenda

City Council

12:00 p.m. (noon) Special Meeting
Monday, December 3, 2012
Vermillion Public Library
18 Church Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Tour of the Library construction project.**
3. **Briefing on the December 3, 2012 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item. The briefing will take place at the table located at the bottom of the west basement stairs following the tour of the building. Library staff can direct the public to the basement table which will be utilized for the briefing.
4. **Adjourn**

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

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please state your name and address. Presentations are limited to 5 minutes. For those who do not appear on the agenda, no decision is to be expected at this time.

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

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Unapproved Minutes
Council Special Session
November 19, 2012
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 19, 2012 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Present: Collier-Wise (arrived at 12:02 p.m.), Davies, Grayson, Meins, Ward, Willson, Zimmerman, Mayor Powell

Absent: Osborne

2. Informational Session - Coyoteopoly/Shakespeare Festival 2013
Event - Ted Cherry

John Prescott, City Manager, introduced Ted Cherry, CEO Coyoteopoly, and Chaya Gordon-Bland, Artistic Director, to update the City Council.

Alderman Collier-Wise arrived at 12:02 p.m.

Chaya Gordon-Bland provided a review of the 2012 event thanking the City Council for its support for the first year event.

Ted Cherry reported on the Coyoteopoly goals for the 2013 event scheduled for June 14-16 in Prentis Park. He stated that the group will be soliciting sponsors for the 2013 event and will be working with the City on items for the City Council consideration as it gets closer to the event.

Ted and Chaya answered questions of the City Council on the Shakespeare Festival.

3. Informational Session - Review of Joint Jurisdictional Zoning
Process - Andy Colvin

Andy Colvin, Assistant to the City Manager, reported that the County Commission and City Council will be having a joint meeting Tuesday at 5:00 p.m. to consider the zone change request at 46171 Timber Road. Andy provided a copy of the joint jurisdictional zone change ordinance, official zoning map and the information presented to the Joint Planning Commissions. Alderman Willson reported on the discussions of the committee working on the Joint Jurisdictional

Ordinance and was concerned about the precedent this request would set and suggested instead changing the ordinance to allow for a conditional use permit to allow the added structure in the agricultural zone subject to the density limits. Mayor Powell stated that this item will be discussed at the joint meeting on Tuesday.

John Prescott, City Manager, reported that there is another request for a zone change in the joint jurisdictional area from Eldon Nygaard that the Joint County Commission and City Council will need to act upon. The consensus was to check with the County to see if Tuesday, December 11th at 5:00 p.m. would work for the joint meeting.

4. Briefing on the November 19, 2012 City Council Regular Meeting Agenda

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

5. Adjourn

400-12

Alderman Zimmerman moved to adjourn the Council special session at 12:42 p.m. Alderman Davies seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of November, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
John E (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
November 19, 2012
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on November 19, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell, Student Representative Thiel

2. Pledge of Allegiance

3. Minutes

A. November 5, 2012 Special Session; November 5, 2012 Regular Session

401-12

Alderman Osborne moved approval of the November 5, 2012 special session minutes and the November 5, 2012 regular session minutes. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

402-12

Alderman Zimmerman moved to add to the agenda Old Business Item A - Reconsideration of the November 5, 2012 action on the request from Todd and Michele Mechling for a variance from the zoning ordinance to have a concrete slab in the front yard at 1020 W. Main Street. Alderman Osborne seconded the motion. Discussion followed. Motion carried 9 to 0 to add the item to the agenda. Mayor Powell declared the motion adopted.

403-12

Alderman Zimmerman moved adoption of the agenda as amended. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Resolution of Support in Joining Community Leaders in Addressing Housing Needs

Alderman Ward read the resolution of support in joining community leaders in addressing housing needs.

B. Proclamation of Appreciation for Area Fire Departments Responding to the Vermillion Landfill Fire

Alderman Meins read the proclamation of appreciation recognizing the Gayville, Volin and Wakonda Volunteer Fire Departments who responded to assist the Vermillion Fire Department at the landfill fire.

6. Public Hearings - None

7. Old Business

A. Reconsider the November 5, 2012 action on the request from Todd and Michele Mechling for a variance from the zoning ordinance to have a concrete slab in the front yard at 1020 W. Main Street

404-12

Alderman Zimmerman moved to reconsider the November 5, 2012 action on the request from Todd and Michele Meckling for a variance from the zoning ordinance to have a concrete slab in the front yard at 1020 W Main Street. Alderman Osborne seconded the motion. Mayor Powell asked Jim McCulloch, City Attorney, about what discussion would be allowable. Jim stated that discussion on the motion to reconsider would be allowed but that no discussion should take place on the variance as it was not advertised on the agenda but could be put on a future agenda for consideration.

Todd Mechling, owner of 1020 W Main Street, provided handouts of the diagram of his front yard showing the project as it is proposed to be completed as support for the motion to reconsider.

A roll call vote of the Governing Body was as follows: Collier-Wise-Y, Davies-N, Grayson-Y, Meins-Y, Osborne-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-N. Mayor Powell declared the motion to reconsider passed 7 to 2. Mayor Powell requested that this item be included on the December 3rd agenda for Council consideration.

8. New Business

A. Parade of Lights Street Closure Request - Friday, December 7, 2012

John Prescott, City Manager, reported that the Vermillion Chamber and Development Company (VCDC) is planning for their annual Parade of Lights scheduled for Friday, December 7, 2012 starting on Main Street at Elm Street proceeding west to High Street. John noted that the Fire, EMS and Police Departments have reviewed the request and have no concerns. He stated that the closing would be a rolling

street closing that will block off intersections as the parade advances.

405-12

Alderman Grayson moved approval of the closing of Main Street from Elm Street to High Street from 6:15 p.m. to 7:00 p.m. December 7, 2012 for the VCDC Parade of Lights. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Declare an Emergency due to landfill fire and authorize the purchase of Fire Department protective jackets and pants

Mike Carlson, Finance Officer, noted that at last noon meeting Bob Iverson, Solid Waste Director, showed pictures of the landfill fire damage. Bob noted that the equipment spilled considerable quantities of oil in the building. In working the fire, the fire fighters had oil contaminating the fire hoses, gloves, boots, bunker gear pants and some coats. The Fire Department insurance company has reimbursed the Department for the hose and the gloves that were contaminated.

The Department has tried cleaning the pants and coats without any success. The concern is that cleaning the fire retardant materials to remove the oil will impact the ability to certify the continued use of the gear for firefighting. The insurance company stated that, if it did reimburse the Department, it would be just for the damaged pants and coats. The problem is that the coat and pants come as a set and this model is no longer produced, so the individual pieces cannot be replaced and a new set will need to be purchased. The Department, in working with the insurance company, has obtained two quotes for the purchase of coats and pants. The low quote to replace a coat is \$1,086.58 and the pants are \$728.26 for a total of \$1,814.84 for a set. As the cost of 20 sets of bunker gear exceeds \$25,000, this purchase would need to be bid unless the City Council declares an emergency. State law allows the governing body to declare an emergency to purchase without advertising for bids if rentals are not practicable and there exists a threat to public health, welfare or safety or for other urgent and compelling reasons. The low quote was from Heiman Fire Equipment of \$1,814.84 per set and the second quote was from Danko Emergency Equipment of \$1,940.16 per set. If the order is placed right away, the protective clothing delivery is anticipated in mid January and by declaring an emergency it will save at least three weeks in the delivery of this gear. Mike noted that the amount of the insurance refund is not known at this time but it is estimated at over \$19,000 to reduce the purchase price of \$36,296.80. The 2013 budget will need to be revised for this purchase. Administration recommends that an

emergency be declared for the safety of the firefighters to replace damaged bunker pants and coats and authorize the purchase of 20 sets of gear from Heiman Fire Equipment.

406-12

Alderman Davies moved to declare that an emergency exists for the safety of the firefighters and authorize the purchase of 20 sets of firefighter pants and coats from the low quote of Heiman Fire Equipment at \$1,814.84 each total \$36,296.80 Alderman Grayson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Shared use hike/bike path easement along Hwy 19 from W. Cherry St. to Hwy 50

Jose Dominguez, City Engineer, reported that during the construction of the shared use path along SD Highway 50 from Stanford Street to Dakota Street, the DOT expressed concerns about the pedestrian traffic utilizing SD Highway 19 for travel. Jose noted that the DOT has requested that the City utilize the remainder of the Federal grant to construct a shared use path along SD Highway 19 between West Cherry Street and SD Highway 50. The path would be constructed within the DOT's right-of-way on the east side of the road. The path would be eight feet wide and be approximately four feet from the curb line. Jose stated that since the path will be within the DOT's right-of-way no permanent easements will be required. However, the City will need to acquire temporary construction easements from the adjacent property owners (Polaris and East River Properties). The temporary easements will be valid through construction and an additional year after construction is completed. The additional year will allow the City access if a portion of the path needs to be reworked. Three easements are required for the project to proceed to the bidding process. Jose stated that East River Properties has requested \$51 for the easement that is based upon the rental value received on the property. Administration recommended approval of the easements for the shared use hike/bike path as presented.

407-12

Alderman Willson moved approval of the temporary construction easements for the shared use hike/bike path along SD HWY 19 as presented with East River Properties in the amount of \$51. Alderman Zimmerman seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Library Change Order #4

John Prescott, City Manager, reported that the construction project is proceeding at the library and that, after being closed for two weeks to move the materials from the existing library into the new portion, the library opened today. As construction has progressed, items have come up that were not included in the construction contract that are addressed by change orders. John noted that change orders #1-#3 have been previously approved by the City Council and change order #4 is for four different items. The first numbered RFP #9 is to remove from the contract concrete between the sidewalk and curb in front of the west entrance along Church Street. The cost for this proposal reduced the contract by \$749.

The second RFP #11R is to provide for temporary electrical, data and communication at the interim circulation desk/work area. A provision to wire the temporary work area for these needs was not included in the bid documents. The cost for this proposal is \$4,268.

The third #12R is to revise the electrical and data outlets in the new Technical Center. The cost for this proposal reduces the overall cost by \$1,140.

The fourth #13A raises the four rows of pendant lights across the newly constructed main floor space by four inches. It was determined that the lights, as hung and specified in the bid specs, would be too close to the eight-foot book stacks. The cost for this proposal increases the contract price by \$3,188.

The total cost for the five proposals is a \$5,567 increase to the construction contract plus the architect's 8% fee, for a total project cost increase of \$6,012.

John reported that the contingency on this project was \$118,785 and was planned for items which came up during construction. Adoption of Change Orders #1 and #3 reduced the contingency balance to \$114,630. Adoption of Change Order #4 will reduce the contingency balance to \$108,618. Administration recommends approval of the change order.

408-12

Alderman Osborne moved approval of change order #4 on the library construction project with Welfl Construction of \$5,567 plus the increase in architect's fee of 8% for a total project cost increase of \$6,012. Alderman Grayson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Declare Golf Course Picker surplus and authorize trade-in of equipment

John reported that the Bluffs Golf Course has a 2002 Yamaha range picker which is used to collect range balls from the driving range that is in need of replacement. John stated that the golf course staff has obtained two quotes on a new range picker with the low quote from Yamaha Golf and Utility of \$10,227 with the trade in of the 2002 model. John stated that this was included in the current year budget and recommended approval of the purchase with the old picker being declared surplus to be traded in.

409-12

Alderman Davies moved approval of the purchase of the new range picker with the 2002 picker being declared surplus to be traded in for a net purchase price of \$10,227. Alderman Willson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. Annual write off of old accounts receivable

Mike Carlson, Finance Officer, reported that annually the City Council needs to remove the old accounts receivable from the accounting records with collection efforts to continue on these accounts. Mike stated that the request is to remove 139 utility accounts totaling \$32,816.50, 8 general accounts receivable totaling \$983.69 and 4 return checks totaling \$565.00 from the accounting records. Mike noted that no ambulance accounts are being requested to be removed as the new billing company started in July and is in the process of reviewing all the old accounts. When they provide us with a list, we will bring it forward for Council action. Discussion followed.

410-12

Alderman Zimmerman moved approval of the removal from the accounting records of utility accounts totaling \$32,816.50, general accounts totaling \$983.69 and return checks totaling \$565.00. Alderman Meins seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

A. John reported that City offices will be closed on Thursday, November 22nd in observance of the Thanksgiving holiday.

B. John reported that the library reopened today. He stated that library services are being offered in the new addition while the

existing space is renovated. We appreciate the public's patience with the arrangement as the space will be tight until the renovation is complete.

C. John reported that a raffle request was approved for November 8th for Career Service Advisory Council 50-50 raffle, one ticket \$1 or 6 for \$5. Proceeds will fund programming offered by Career Services for students.

D. John reported that the joint City Council and County Commission meeting is on Tuesday, November 20th at 5:00 p.m. in the City Council Chambers for a rezoning request in the Joint Jurisdictional area.

PAYROLL ADDITIONS AND CHANGES

Police Administration: Janna Mollet \$18.95/hr; Police: Kevin Malloy \$19.76/hr; Code: Jim Balleweg \$17.47/hr

11. Invoices Payable

411-12

Alderman Ward moved approval of the following bills:

ACCENT/CIGNA	REFUND AMB OVERPAYMENT	69.80
ARCHITECTURE INC.	PROF SERVICES - LIBRARY	2,715.00
BRANDON HANSEN	MEALS REIMBURSEMENT	38.00
BROADCASTER PRESS	ADVERTISING	2,163.86
BUREAU OF ADMINISTRATION	TELEPHONE	244.17
CALLE SORENSEN	MEALS REIMBURSEMENT	38.00
CANNON TECHNOLOGIES, INC	LOAD MANAGE SUPPLIES	3,623.04
CANON FINANCIAL SERVICES	PLOTTER LEASE	196.27
CENTURYLINK	TELEPHONE	1,474.39
CHRIS NISSEN	SAFETY BOOTS REIMBURSE	100.00
CLAY CO REGISTER OF DEED	FILING FEES	60.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,084.21
DAN HANSON	SAFETY BOOTS REIMBURSE	100.00
DENR	PYMT LANDFILL/CURBSIDE	66,031.51
DEPT OF REVENUE	LICENSE RENEWAL	275.00
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,007.06
D & G CONCRETE CONSTRUCTION	STANFORD ST CONSTRUCTION	37,713.64
DIAMOND VOGEL PAINTS	TRAFFIC PAINT	3,424.44
DON LARSEN	REFUND WATER SERVICE FEE	15.00
GREGG PETERS	MANAGERS FEE	5,375.00
KNOLOGY	DIAL-UP SERVICE	49.95

LARRY BRADY	BIKE PATH EASEMENT	51.00
LEE HUBER	MEALS REIMBURSEMENT	39.00
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
MATHESON TRI-GAS, INC	CYLINDERS	635.58
MIDAMERICAN	GAS USAGE	905.43
MIDCONTINENT COMMUNICATIONS	CABLE/INTERNET SERVICE	105.95
NICOLE GULLEY	MEALS REIMBURSEMENT	38.00
RESERVE ACCOUNT	POSTAGE FOR METER	650.00
SD DEPT OF REVENUE	TRANSPORTER LICENSE	25.00
SPRINT	CELL PHONES	1,284.98
STERN OIL CO.	FUEL/OIL	22,640.67
THE EQUALIZER	ADVERTISING	682.00
TONY KLUNDER	MEALS REIMBURSEMENT	38.00
US POSTMASTER	POSTAGE FOR UTIL BILLS	1,050.00
VEOLIA ENVIRONMENTAL SERVICES	HHW COLLECTION	23,593.92
VERMILLION DEVELOPMENT CO	WELDING EQPT REIMBURSE	21,850.02
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	1,313.54
ALAN GAUER	BRIGHT ENERGY REBATE	275.00
BARB ERNST	BRIGHT ENERGY REBATE	150.00
VERMILLION CIVIC COUNCIL	BRIGHT ENERGY REBATE	324.00

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

12. Consensus Agenda

A. Set a public hearing date of December 3, 2012 for issuance of retail on-off malt beverage license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101

B. Set a public hearing date of December 3, 2012 for issuance of retail on-off sale wine license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101

C. Set a public hearing date of December 3, 2012 for annual liquor and wine license renewals

D. Set a public hearing date of December 3, 2012 for a public progress hearing for Community Development Block Grant

412-12

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

13. Adjourn

413-12

Alderman Osborne moved to adjourn the Council Meeting at 7:47 p.m. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of November, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

Unapproved Minutes
Council Special Session
November 20, 2012
Tuesday 5:00 p.m.

The special session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, November 20, 2012 at 5:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Meins, Osborne, Ward, Ward, Willson, Mayor Powell

Absent: Grayson

Mayor Powell stated that this was a joint meeting with the County Commission for a public hearing to consider first reading of an ordinance for a zone change in the Joint Jurisdictional area from the agricultural district to the rural residential at 46171 Timber Road. As the County Commission doesn't have a quorum of members present the public hearing will need to be rescheduled. The consensus of the City Council was to see if this hearing could be included with the other zone change hearing on December 11th at 5:15 p.m.

2. Adjourn

414-12

Alderman Osborne moved to adjourn the Council Meeting at 5:03 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 20th day of November, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: December 3, 2012

Subject: Public progress hearing for Community Development Block Grant Workforce Training

Presenter: Janice Gravning, SECOG

Background: Earlier this year SECOG notified the City of the availability of Community Development Block Grant (CDBG) funds for workforce development. The Vermillion Area Chamber and Development Company (VCDC) proposed to expand the welding training program with the assistance of the CDBG funding. As the CDBG funds are not available directly to the VCDC, the City made the application for the funding and then passed it along to the VCDC as a sub-applicant. In April the Governor's Office notified the Mayor that the City had been awarded a \$32,500 CDBG to assist with workforce training needs.

Discussion: The Community Development Block Grant (CDBG) requires a public progress hearing to update the public on the status of the project and receive any public comments about the project. The CDBG funding can be used for the welding equipment, instructor costs, grant administration and required a \$6,000 local match. The budget is as follows:

Grant Administration SECOG	\$3,000
Project Costs Equipment and Instructor	<u>29,500</u>
Total Grant	32,500
Local Match consumables	<u>6,000</u>
Total Program	38,500

The City of Vermillion is listed as the applicant and the VCDC is a sub-applicant. Masaba Mining Equipment is partnering with the VCDC to provide the consumables necessary for the Welding Boot Camps, and the Vermillion School District is providing the space for the training.

The grant funds will make available additional equipment to increase the class size and fund the instructor to provide four classes per year for three years. There is currently a class of 10 students that will graduate in December. The next class is scheduled for the first quarter of 2013.

To date the City has reimbursed the VCDC for equipment purchases in the amount of \$21,850.92 which has been submitted by SECOG for CDBG reimbursement. The payment to SECOG for grant administration is included in this list of bills for \$3,000 that will be submitted for CDBG reimbursement. The balance of the costs will be reimbursement for instructor costs.

Financial Consideration: This grant will be a pass through to the VCDC for their training program with no direct costs to the City with Masaba Mining Equipment providing the consumables for the grant matching.

Conclusion/Recommendations: Following an explanation of the program, any public input that the City Council receives, along with City Council input, on the program will be noted in the minutes. A sign in sheet will be passed around for all in attendance to sign. The minutes and sign in sheet will be forwarded to SECOG as part of the grant reporting process. No formal action is required of the council beyond conducting the Public Hearing and receiving any comments on the grant.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: December 3, 2012

Subject: Retail on-off sale malt beverage license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101

Presenter: Mike Carlson

Background: An application was received for an on-off sale malt beverage license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101. The notice of hearing and the Police Chief's report on the applicant is included in the packet.

Discussion: The City Council has the ability to issue a license on basically two criteria: suitable person and suitable location. With respect to the location criteria, a license has previously been approved for this location in prior years. With respect to the suitable person criteria, the City Council can also determine that an applicant is not of suitable moral character and not issue a license. The Police Chief's report lists no criminal history for either applicant on the South Dakota background check and the FBI reports have not yet been received.

Financial Consideration: The license fee is \$300 for the on-off sale malt beverage license that runs through June 30, 2013. Half of the license fee is retained by the City.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval or denial of the on-off sale malt beverage license. If a motion is made to deny the license, the reason needs to be included in the motion.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 3rd day of December, 2012 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated, which has been presented to the City Council and filed in the Finance Officer's Office:

Retail on-off sale malt beverage license until June 30, 2013:

Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101.

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 16th day of November, 2012.

Michael D. Carlson, Finance Officer

Publish: November 23, 2012

Published once at the approximate cost of _____.

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



November 26, 2012

To: Mike Carlson, Finance Director

From: Matt Betzen, Chief of Police 

Reference: Issuance of Retail On-Off Sale Wine – Mi Familia Mexican Restaurant

By law, I am not permitted to conduct a state or national criminal record check for the purpose of issuing an alcohol license. Consequently, the city has established a procedure requiring the applicant(s) to obtain and provide a copy of their criminal record check (state and national) to the city to be reviewed by the Chief of Police. On November 26, 2012, I received reports from the Division of Criminal Investigations on Jose Gonzalez the applicant for this license. The report stated no South Dakota criminal history was found for Jose Gonzalez.

A check of the Vermillion Police Department Records does not show any criminal contacts with Mr. Gonzalez.

As of this date, I have not received the FBI criminal background report which general takes 6-8 weeks or longer.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 3, 2012
Subject: Retail on-off sale wine license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101
Presenter: Mike Carlson

Background: An application was received for an on-off sale wine license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101. The notice of hearing was included with the renewals of the liquor and wine licenses and the Police Chief's report on the applicant is included in the packet. The on-off sale wine license is for the calendar year 2013.

Discussion: The City Council has the ability to issue a license on basically two criteria: suitable person and suitable location. With respect to the location criteria, a license has previously been approved for this location in prior years. With respect to the suitable person criteria, the City Council can also determine that an applicant is not of suitable moral character and not issue a license. The Police Chief's report lists no criminal history for either applicant on the South Dakota background check and the FBI reports have not yet been received.

Financial Consideration: The license fee is \$500 for the on-off sale wine license that will be for January 1, 2013 through December 31, 2013 which is retained by the city.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval or denial of the on-off sale wine license. If a motion is made to deny the license, the reason needs to be included in the motion.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 3, 2012
Subject: Public Hearing for Alcoholic Beverage License Renewals
Presenter: Mike Carlson

Background: The Police Chief has prepared a report indicating the performance of each of the establishments since January 2012. The report notes compliance checks and other activity for each of the establishments. In the letter sent to all license holders with the renewal application, the applicants were encouraged to attend the public hearing or have someone represent the business. City ordinance requires a written management plan upon reapplication for a licensee convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

112.04 UNLAWFUL TO VIOLATE LIQUOR LAWS; REAPPLICATION UPON CONVICTION.

(A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.

(B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

Management plans needed for this renewal period are from the Fraternal Order of Eagles (9-20-2012), Secure Success, LLC for Pro's (9-20-2012), Blue, Inc for Little Italy's (8-3-2012) and Bonnie Rowland for Raziell's (8-3-2012) which are included in the packet. The dates indicate the date a compliance check was not passed.

Discussion: The City Council has the ability to renew a license on basically two criteria: suitable person and suitable location. With respect to the location criteria, licenses have previously been approved for all of the locations. 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. With respect to the suitable person criteria, the City Council can also determine that an applicant is not of suitable moral character and not renew a license. If an application is denied, the motion must state the reasoning for denial. A denial of a liquor license would mean the loss of a liquor license to the city, as the city is now two licenses over the number provided by state statute. As to the denial of a wine license, the applicant cannot reapply for this type of license for one year.

The liquor license for the Old Lumber Company, Inc was transferred from John Grunewaldt to the Old Lumber Company, Inc in April 2012. For the transfer as well as the previous renewals the license had the following condition "interior of the building, at said location, as inactive pending final inspection of the building as being suitable to be occupied for this type of business". Farrel completed the inspection of the main floor and issued a temporary occupancy permit on October 4, 2012, limited to the main floor only, at which time I released the alcoholic beverage licenses. Farrel stated that there is to be no occupancy on the second floor or basement until he completes an inspection. When Chad was in with the license renewal application he asked if the license would be limited to the interior of the building as he would like to make an area on the roof top for a patio to accommodate smokers. I suggested that he outline what he wanted to do in a letter to the Council stating it would be good to include the plans so everyone knew what he intended for this area. He asked why he was being treated differently than Carey's that has an outside area in the same block. I said that Carey's adjoined businesses while his location was diagonal from residential uses and that when he adjoined residential on National Street there was noise issues with the neighbors. As of the writing of this memo no information has been received.

Financial Consideration: The City receives \$1,500 for each on-off retailer liquor license, \$500 for a retailer wine license, \$150 for package farm winery license and \$500 for the off-sale municipal package license. For those businesses with video lottery machines, the fee is \$50 per machine, unless this fee was paid with their malt beverage license renewal in June.

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 renewal of the liquor and wine licenses. On the renewals, the City Council might want to break it down into these separate actions:

1. The first action would be to consider the reissuance of the retail on-sale liquor license for the Fraternal Order of Eagles for Eagles Club 2421 at 114 W Main separately to allow Alderman Osborne to participate in the discussion on the remainder of the licenses.
2. The second action would be to consider the renewal of the retail on-sale liquor license for the Old Lumber Company, Inc for the Old Lumber Company at 15 Court Street. When the license was transferred from John Grunewaldt to the Old Lumber Company, Inc., on April 2, 2012, the motion to approve included the following condition “approval of the transfer of the on-sale liquor license to the Old Lumber Company, Inc. for the Old Lumber Company, at 15 Court Street for the interior of the building, at said location, as inactive pending final inspection of the building as being suitable to be occupied for this type of business”. As stated above Farrel on October 4 issued a temporary occupancy permit limited to the main floor only and as such the business is currently limited to just the main floor not the second floor or basement and has not received a building permit with supporting plans for anything on the roof. The City Council will need to determine if it wants to include the “interior of the structure” condition on the license.
3. The third action would be to consider the renewal of the balance of the on-sale retail liquor licenses, on-off sale wine licenses, package wine (Farm Winery) license and municipal package off sale license.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 3rd day of December 2012 at the hour of 7:00 P.M. at the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following applications for an alcoholic beverage license to operate within the municipality for the January 1, 2013 through December 31, 2013 licensing period, which have been presented to the City Council and filed in the Finance Officer's Office:

Re-issuance of On-Sale-Retailer Liquor:

Bebee Street II, LLC.	Careys Bar at 18 West Main
Charcoal Lounge, Inc.	Charcoal Lounge at 6 & 8 East Main
Leo's Sports Bar & Grill, LLC	Leo's Lounge at 11 South Market
Fraternal Order of Eagles	Eagles Club 2421 at 114 West Main
Bunyans, LLC	Bunyans at 1201 West Main
Main Street Pub, Inc.	Main Street Pub at 11 West Main
City of Vermillion	The Bluff's Golf Course at 2021 East Main
Maya Jane's, Inc.	Maya Jane's at 9 W Main
J.N.J. Management, Inc.	The Road House at 911 East Cherry
Red Steakhouse, Inc	Red Steakhouse at 1 East Main Street
Old Lumber Company, Inc.	Old Lumber Company Bar & Grill at 15 Court St
Secure Success, LLC	Pro's Sports Bar at 912 North Dakota

Re-issuance of Retail On-Off Sale Wine:

Spanrex, Inc.	Chae's at 8 West Main
Mexico Viejo, Inc	Mexico Viejo Mexican Restaurant 432 E Cherry
Blue Inc	Little Italy's at 831 East Cherry
Bonnie K. Rowland	Raziel's at 13 West Main Street
HyVee Food Stores Inc	HyVee at 525 West Cherry Street
Silk Road Café, Inc	Silk Road Café at 12 West Main Street
Wal-Mart Stores, Inc.	Wal-Mart #3734 at 1207 Princeton Street
Café Brule, Inc	Café Brule at 24 West Main
Red Steakhouse, Inc	Red Steakhouse at 1 East Main Street

Issuance of Retail On-Off Sale Wine:

Jose Gonzalez	Mi Familia Mexican Restaurant at 7 Court St
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Re-issuance of Package Wine (Farm Winery):

Valiant Vineyards, Inc	Valiant Vineyards at 1500 West Main
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Re-issuance of Municipal Off-Sale Package Liquor:

City of Vermillion	Municipal Liquor Store at 826 Cottage
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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 16th day of November, 2012.

Michael D. Carlson, Finance Officer

Publish: November 23, 2012

Published once at the approximate cost of _____.

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



November 19, 2012

To: Vermillion City Council

From: Matt Betzen, Chief of Police

Subject: Alcohol License Renewals/Jan. 2013 – Dec. 2013

So far in 2012, the Vermillion Police Department has conducted twenty-seven Alcohol compliance checks. The results of those checks along with other law enforcement actions involving alcohol license violations or offenses tied to the consumption of alcohol on a license holder's premise are detailed below.

Re-issuance of On-Sale-Retailer Liquor:

Bebee Street II, LLC – Careys Bar at 18 West Main Street

- On 04/12/2012, Careys Bar passed an alcohol compliance check.
- On 01/16/2012, Officers contacted an employee drinking alcohol in the bar after closing, a warning was given.
- Two assaults were investigated at this location; the license holder fully cooperated with police investigative efforts.

Charcoal Lounge, Inc. - Charcoal Lounge at 6 & 8 East Main

- On 04/12/2012, The Charcoal Lounge passed an alcohol compliance check.
- On 2/4/2012, bar employee contacted police regarding a minor using a false id to obtain alcohol.
- Three assaults were investigated at this location; the license holder fully cooperated with police investigative efforts.
- On 09/09/2012, A minor was found drinking on the premise; the license holder cooperated with police investigative efforts.

Leo's Sports Bar & Grill, LLC – Leo's Lounge at 11 South Market

- On 04/12/2012, Leo's Lounge passed an alcohol compliance check.
- On 07/28/2012, bar employee was assaulted while stopping a minor from entering the bar.
- No other police investigations have occurred at this location.

Fraternal Order of Eagles – Eagles Club 2421 at 114 West Main

- On 09/20/2012, the Eagles Club failed an alcohol compliance check.
- On 13 occasions Eagles Club employees have contacted the Police Department regarding minors attempting to purchase or consume alcohol at the club. On all occasions employees fully cooperated with police investigative efforts.

City of Vermillion
Police Department
15 Washington Street
Vermillion, SD 57069
Phone: (605)677-7070
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- One vandalism was investigated at this location; the license holder cooperated with police investigative efforts.

Bunyans, LLC – Bunyans at 1201 West Main

- On 09/20/2012, Bunyans passed an alcohol compliance check.
- Officers investigated two disturbance calls at Bunyans; the license holder cooperated with police investigative efforts.

Main Street Pub, Inc. – Main Street Pub at 11 West Main

- On 04/12/2012, The Main Street Pub passed an alcohol compliance check.
- Officers investigated seven assault calls at the Main Street Pub; the license holder cooperated with police investigative efforts.

City of Vermillion – The Bluff’s Golf Course at 2021 East Main

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Maya Jane’s, Inc. – Maya Jane’s at 9 W. Main

- On 09/20/2012, Maya Jane’s passed an alcohol compliance check.
- On 2/12/2012, Officers found three minors consuming alcohol inside Maya Jane’s.
- On 10/5/2012, Officers served a search warrant at Maya Jane’s and an employee was arrested for possession/consumption of marijuana and narcotics.
- Officers investigated four assault calls at Maya Jane’s; the license holder cooperated with police investigative efforts.

J.N.J. Management, Inc – The Road House at 911 East Cherry

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Red Steakhouse, Inc. – Red Steakhouse at 1 East Main Street

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Old Lumber Company, Inc. – Old Lumber Company Bar & Grill at 15 Court Street

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Secure Success, LLC – Pro’s Sports Bar and Prairie Lanes Bowling at 912 North Dakota

- On 04/12/2012, Pro’s passed an alcohol compliance check.

City of Vermillion
Police Department
15 Washington Street
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- On 09/20/2012, Prairie Lanes failed an alcohol compliance check.
- Officers investigated one assault call at Pro's; the license holder cooperated with police investigative efforts.

Spanrex, Inc. – Chae's at 8 West Main

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Mexico Viejo, Inc. – Mexico Viejo Mexican Restaurant 432 E. Cherry

- On 08/03/2012, Mexico Viejo passed an alcohol compliance check.
- No alcohol related criminal investigations occurred at this location.

Blue Inc. – Little Italy's at 831 E. Cherry

- On 08/03/2012, Little Italy's failed an alcohol compliance check.
- No alcohol related criminal investigations occurred at this location.

Bonnie K. Rowland – Raziell's at 13 West Main Street

- On 08/03/2012, Raziell's failed an alcohol compliance check.
- Officers investigated two assault calls at Raziell's; the license holder cooperated with police investigative efforts.

HyVee Food Store Inc. – HyVee at 525 West Cherry Street

- On 08/18/2012, HyVee passed an alcohol compliance check.
- No alcohol related criminal investigations occurred at this location.

Silk Road Café, Inc. – Silk Road Café at 12 West Main Street

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Wal-Mart Stores, Inc. – Wal-Mart #3734 at 1207 Princeton Street

- On 08/17/12, Wal-Mart passed an alcohol compliance check.
- No alcohol related criminal investigations occurred at this location.

Café Brule, Inc. – Café Brule at 24 West Main

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Red Steakhouse, Inc. – Red Steakhouse at 1 East Main Street

- No alcohol license related offenses were investigated.

City of Vermillion
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- No alcohol related criminal investigations occurred at this location.
Re-issuance of Package Wine (Farm Winery):

Valiant Vineyards, Inc. – Valiant Vineyards at 1500 West Main

- No alcohol license related offenses were investigated.
- No alcohol related criminal investigations occurred at this location.

Reissuance of Municipal Off-Sale Package Liquor:

City of Vermillion – Municipal Liquor Store at 826 Cottage

- On 08/17/2012, The Municipal Liquor Store passed an alcohol compliance check.
- No alcohol related criminal investigations occurred at this location.

To: Mayor and City Council

Date: November 26, 2012

Subject: Management Plans for Liquor and Wine License Renewals

From: Mike Carlson

City ordinance requires a written management plan with the reapplication if convicted of a violation of any law, rule, regulation or ordinance relevant to alcoholic beverage control. The following business submitted a management plan for compliance check violations since the last license renewal with the date of the compliance check.

Fraternal Order of Eagles for Eagles Club at 114 W Main – September 20, 2012
Secure Success, LLC for Pro's Sports Bar at 912 N Dakota – September 20, 2012
Blue, Inc for Little Italy's at 831 E Cherry – August 3, 2012
Bonnie K. Rowland for Raziels at 13 W Main – August 3, 2012

The public hearing will be December 3rd for consideration of the license renewals.

Management Plan Form

City of Vermillion

25 Center Street Vermillion SD 57069



City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.

(B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly.

License Holder Name: Rick Sr or Julia Blue Inc Inc
Local Business Name: Little Italy's
Local Business Address: 831 E Cherry St., Vermillion
Contact Name: Rick Sr or Julia Phone: 624-8000
Title: DW hcrs

Please describe the violation(s) since the last renewal:

Sold to one under age.

What changes to management plan policies have been **implemented** since the violation(s) listed above?

have had meeting with the staff
Very next day - told them the importance of selling to
a underage. They need to look more. ~~more~~

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

How have the changes addressed the defect(s) that resulted in the violation?

Staff is more aware of what is happening. Sometimes
a second person will check id also

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

they have a great chance of losing
their jobs.

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

talked about at every staff
meeting, which we have one at least a month - some times
more.

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

Other Comments:

Signature: Julia A. Blue

Date: 11/15/12

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069

Blue, Inc for Little Italy's at 831 E Cherry – August 3, 2012

Management Plan Form

City of Vermillion

25 Center Street Vermillion SD 57069



City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.

(B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly.

License Holder Name: Fraternal Order of Eagles
Local Business Name: Eagles # 2421
Local Business Address: 114 W. Main Street
Contact Name: Bred Campbell Phone: 605-624-9934
Title: Manager

Please describe the violation(s) since the last renewal:

A bartender served an underage individual

What changes to management plan policies have been **implemented** since the violation(s) listed above?

We re-trained the individual as well as training with
Other Bartenders

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

No

How have the changes addressed the defect(s) that resulted in the violation?

Going over that is OK to say "no" worked with
her confidence level.

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

All Fines ever paid by the individual not by the business

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

In the original training as well as many reminders on signs
around the Bar.

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

We put her through TAM training again as well as an updated ID Book

Other Comments:

Signature: Paul Groll

Date: 10-22-12

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069

Fraternal Order of Eagles for Eagles Club at 114 W Main – September
20, 2012

Management Plan Form

City of Vermillion

25 Center Street Vermillion SD 57069



City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.

(B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly.

License Holder Name: Bonnie Rowland
Local Business Name: Raziel's Rest
Local Business Address: 13 W Main Vermillion SD 57069
Contact Name: Bonnie Rowland Phone: 6059419139
Title: Owner

Please describe the violation(s) since the last renewal:

There was a sting and had server
get customer a Beverage

What changes to management plan policies have been **implemented** since the violation(s) listed above?

ADVISED Employees all of them
Cand - Cand - Cand I don't care
if you know them you do NOT
know them ~~Brooklyn~~

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

How have the changes addressed the defect(s) that resulted in the violation?

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

They pay their own fine & will be
on a 30 day
prohibition

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

Doing a team training

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

She is NOT

Other Comments:

Signature: Bonnie Rowland

Date: 11-15-12

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069

Razif's

Bonnie K. Rowland for Raziél's at 13 W Main – August 3, 2012

Management Plan Form

City of Vermillion

25 Center Street Vermillion SD 57069



City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

- A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.
- (B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly.

Sept 21 2012

License Holder Name: Pro's Secure Services, LLC

Local Business Name: Pro's

Local Business Address: 912 N. Dakota, Vermillion SD

Contact Name: Lisa Pyle Phone: 624-2657

Title: Owner

Please describe the violation(s) since the last renewal:

A female under the age of 21 came into Pros asking for an alcoholic beverage and the employee served her without checking her id, and resulting in violation of serving alcohol to someone under the age of 21.

What changes to management plan policies have been *implemented* since the violation(s) listed above?

TO ID EVERYONE under the presumption of under the age of 45.
• If sold to an underage, there is termination of employment.
- Strongly encourage other co-workers how important it is to ID.

Have any changes in management plan policies been *discontinued* from current use? (Please include a copy of changes to policies)

NA

How have the changes addressed the defect(s) that resulted in the violation?

NA

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

• We start with a verbal disciplinary action with the employee.
• Followed by termination of the employee.

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

Policies are both verbal + written

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

NA

Other Comments:

Signature:

Hazen Bye

Date:

11-20-12

When all information has been prepared, please submit the information with your license renewal to:

Finance Office City of Vermillion 25 Center Street Vermillion, SD 57069
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Council Agenda Memo

From: Farrel Christensen and John Prescott

Meeting: December 3, 2012

Subject: Todd and Michelle Mechling request for a variance for a concrete slab at 1020 W. Main Street

Presenter: Farrel Christensen

Background: At the November 5, 2012 Council Meeting the City Council acting as the Board of Adjustment heard a variance request from Todd & Michele Mechling. A 5-3 vote to approve the variance failed to meet the required 2/3 votes needed to pass, resulting in denial of the variance. At the November 19, 2012 Council meeting a motion to reconsider was made and approved.

The new public hearing has been advertised and posted to consider a variance to allow a 20 x 25.5 concrete pad in the required front yard set aside for landscaping and living ground cover.

Since the variance application was presented, a number of questions have been raised about front yard parking allowed in multi-family developments. The applicant has presented several pictures demonstrating front yard parking. While none of the pictures have demonstrated the same circumstances as the variance request, the applicant's point appears to have been about the amount of concrete at these properties in comparison to what he proposes. If the Council desires, staff can explain the particulars of each property and how it represents a different situation than the one at hand. While the initial notice was sent to the applicant when a vehicle was observed parked on the newly poured concrete, the proposal has been modified to eliminate parking.

Required parking in commercial type residential properties is exempt from both the front yard parking ordinance and the landscaping standards and should not be considered when making decisions regarding one and two family dwelling. It is worth noting that the City Council has made a conscious decision to allow front yard parking in multi-family developments to minimize on-street parking brought about by more concentrated living developments. The City Council has the ability to modify parking requirements for multi-

family developments and other business or commercial developments to limit or eliminate front yard parking.

It is important to remember the City's landscaping ordinance promotes development, which is environmentally sensitive and aesthetically pleasing and requires at least 90% of the required front yard setback be landscaped and maintained with living ground cover. The remaining 10% is set aside for necessary stoops, steps and sidewalks connecting the front doors to the driveways and the like.

Discussion: City Ordinance identifies the City Council as the Board of Adjustment and gives them the jurisdiction to hear and decide upon petitions for variances to vary the strict application of the height, area, setback, yard, parking or density requirements as will not be contrary to the public interest. For purposes of these regulations, *public interest shall include the interests of the public at large within the city, not just neighboring property owners*. This is a particularly important point with this variance request as every property has a front yard. The attached list of variances granted since 2006 demonstrate circumstances unique to a property and the permissible uses.

At all times, the burden shall be on the applicant to prove the need for a variance. An unnecessary hardship must be established by the applicant who applies for the variance, an unnecessary hardship is a situation where, in the absence of a variance, an owner can make no feasible or reasonable use of the property. Convenience, loss of profit, financial limitations, or self-imposed hardship shall not be considered as grounds for approving a variance by the Board of Adjustment.

In this case a hardship does not exist. The owner has other locations for the basketball court that are not prohibited. Only the first 25 feet of the yard is required to have and be maintained with living ground cover which is environmentally sensitive and aesthetically pleasing. In this case several locations are available for a basketball court. The first is the existing driveway; almost all residential basketball courts are located in this area. Additional space is also available to the west of the home behind the required front yard. Either place would allow the owner a reasonable use of the property without the need for a variance.

The owner provided information at the November 19 meeting where the concrete slab is proposed to be 20' x 23'. The materials indicate that this would be 460 sq feet or just over 15% of the front yard in nonliving ground cover vs. the maximum allowed by ordinance of 310 sq feet of nonliving ground cover for the size of the front yard. Staff would suggest that an extra 150 sq feet of concrete is a significant deviation from code.

The only hardship presented by the petitioner is financial and clearly a self-imposed hardship and by ordinance shall not be considered as grounds for approving a variance by the Board of Adjustment. The City Attorney noted at the original hearing on November 5 that the City Council would not have a solid reason for granting the variance if the variance is challenged by an aggrieved individual. The main concern of city staff is not an aggrieved person for this particular situation as the current owner has a track record of taking care of things. The main concern is the impact on the integrity of the ordinances of the City.

The burden to prove the need for a variance is with the applicant and in this case not one of the regulations or hardships has been established. The simple act of reconsidering the board previous decision has led to a request for other variances that could negatively impact the public interest.

Financial Consideration: None that isn't covered by the variance fee.

Conclusion/Recommendations: Staff believes that issuance of a variance is not needed and that if granted would set a bad precedence and be harmful to the public by reducing landscaped areas and promoting the expansion of concrete pads in front yards throughout the City.

VARIANCE HISTORY SINCE 2006

June 2011- 917 Cottage Ave, Jim Sinkie requested a 4 ft side yard Variance, from the currently required 8 foot side yard setback. At time of original neighborhood construction side yard setbacks were 6 foot. Property to the North would be 10 foot away, which meets fire code.

February 2010- 1710 Baylor Street, SESDAC group home for six residents versus permissible R-1 density of four unrelated residents. Federal law regarding reasonable accommodation directed City Council action.

October 2009- 1811 Vonnie Street, Nick Slattery requested an 11.5 side yard setback from the required 25 foot setback for a new home on a uniquely shaped corner lot.

January 2008-1137 Ridgecrest Drive, Dagan Filipovic requested a 4 foot side yard variance for a garage addition. Option of building in the backyard was not available due to a slope in the yard which fed the City storm drain structure.

June 2008-311 Sycamore, Miles and Kerry Kuppang requested a reduction in the required 8 foot side yard setback to 5 feet, for a garage addition. Owner believed the shape of the lot to be exceptional and unusual.

June 2008- 1524 Brandon Drive. Error in communication between builder and City on location of which house was built on lot, led to a request for a 3 foot side yard Variance. City recommended Variance as only option would have been to remove 3 feet of house.

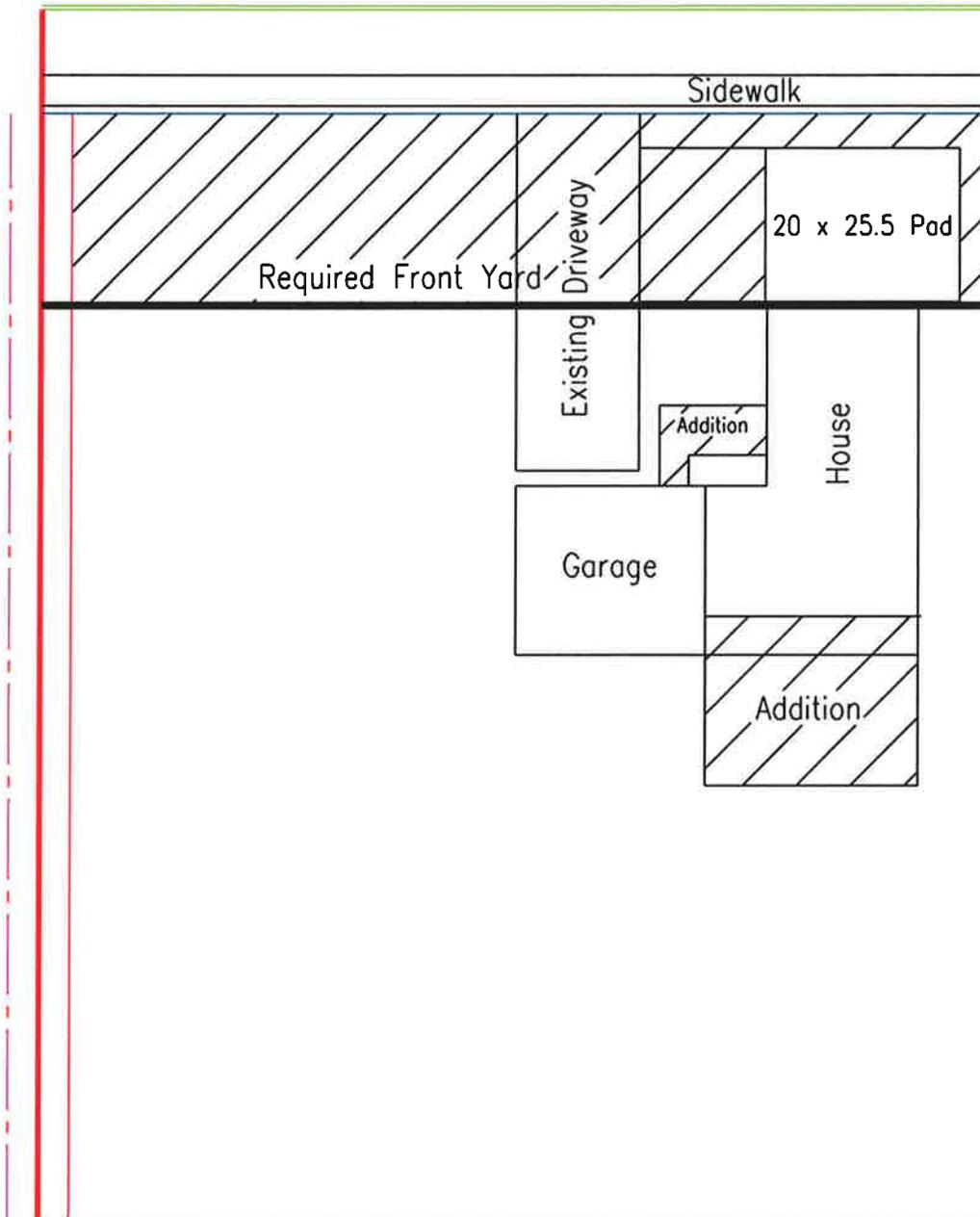
May 2007-1025 Cottage Ave., Jill Schaffer requested a 4 foot side yard Variance for a garage with a living space above it. Option of building in the backyard was not available due to the City storm drainage structure.

July 2007-401 W Cherry Street, Troy Gregoire, requested a 5 foot rear yard setback. Quality Motors was building an addition; area was rezoned in 1996 from old zoning district B-1 to I-O. I-O has larger setback requirements in comparison to B-1. Other car dealerships were already built closer to the north line or the alley way, with previous zoning.

April 2006-510 W. Dartmouth Street, a 4 foot side yard variance was requested to build a garage; backyard was not buildable due to the City storm drainage structure and elevation changes. Owner was required to build to specific standards due to distance of neighboring structure.

April 2006-224 University Street, 15 foot setback Variance for Jolley Elementary School addition.

W Main Street



Council Agenda Memo

From: John Prescott, City Manager

Meeting: December 3, 2012

Subject: Bluffs Golf Course Fees

Presenter: John Prescott

Background: In 2007, city staff was given direction to look at smaller, more frequent increases vs. larger percentage increases to the Bluffs Golf Course rates. Almost every type of golf course rate has been raised at least 3% most years since 2007. The golf course has had a good 2012. The mild winter allowed for an earlier start to the golf season. The dry weather led to few outings being cancelled due to rain.

Discussion: During the 2013 budget review process, staff recommended a 3% increase in season passes. Staff recommended a 3% increase in all other fees to include green fees and cart rental fees. Season pass rates were increased at least 3% every year 2007-2010. One concern, at this point, is that the cost of a season pass is reaching the point where too large of increases in the cost will drive more pass holders away. Total pass holder numbers have been fairly consistent while fluctuations in the individual types have occurred.

The bulk of revenue at the Bluffs comes from three main sources: season passes, outings and green fees. For 2012, a total of 290 memberships were sold (Juniors – 19; University – 90; Adult – 110; Family – 71). This is nine more total memberships in comparison to 2011. Staff continues to work on increasing the number of outings. Overall, the total rounds of golf are up by approximately 930 rounds in comparison to 2011. For 2012, there have been 22,639 rounds of golf through October.

Financial Consideration: Raising fees is not the only answer to solving the financial challenge at the golf course. Golf course staff and administration continually monitor expenses and operations to help reduce costs without sacrificing the quality of the golf experience.

Conclusion/Recommendations: Administration recommends the adoption of the fee structure as proposed.

The Bluffs Golf Course Fees

2013 Proposed

Season Fees do not include tax

SEASON GOLF PASSES

2 Person Family	\$659(\$679)
(+ one child \$689(\$709) +2 or more	\$719(\$739)
Adult	\$499(\$519)
College(full time)or under 25	\$249(\$259)
Junior	\$124(\$129)

SEASON RANGE PASSES

Family	\$259(\$269)
Adult	\$194(\$199)
Junior	\$89(\$92)

PRIVATE CARTS

Cart Storage	\$329(\$339)
Trail Fee (homeowners)	\$164(\$169)

SEASON CART PASSES

2 Person Family	\$639(\$659)
Adult	\$464(\$479)

ALL DAILY RATES INCLUDE TAXES

GREEN FEES

9-hole Monday-Friday	\$16.50 (\$17.00)
18-hole Monday-Friday	\$22.50 (\$23.00)
9-hole Saturday-Sunday & Holidays	\$19.00 (\$20.00)
18-hole Saturday -Sunday & Holidays	\$30.00 (\$31.00)
9-hole punch card (10 rounds)	\$148.50 Mon-Fri (\$153.00)
9-hole punch card (10 rounds)	\$162.00 Any day (166.50)
9-hole punch card (15 rounds)	\$214.50 Mon-Fri (\$221.00)
9-hole punch card (15 rounds)	\$234.00 Any day (\$240.50)

CART RENTAL

9-hole car rental	\$10.50 (\$11.00)
9-hole car rental punch card (10 rounds)	\$189.00 (\$198.00)
18-hole car rental (per person)	\$15.50 (\$16.00)

DRIVING RANGE

Bag of balls	\$4.00 (same)
Punch cards (10 bags)	\$36.00 (same)

Corporate Punch Card (18 holes & ½ cart) 30 rounds \$999.00

HANDICAP \$24.00(~~\$26.00 includes tax~~)

The Bluffs Pro Shop 677-7058

Council Agenda Memo

From: Lee Huber, EMS Director
Meeting: December 3, 2012
Subject: Ambulance Rate & Fee Changes
Presenter: Lee Huber

Background: The current ambulance rate schedule has been in effect since the beginning of 2010. Changes in pay rates from major health insurance carriers adjust at a minimum on an annual basis and some of our existing rates are no longer adequately covering the costs incurred on calls. Our rates have traditionally been in excess of allowed rates by most major payers, specifically Medicare, which means that the City has written off a portion of each bill sent to those payers. The Department's billing practices were improved in July through the hiring of Physician's Claims Company. Amending the rate schedule will complete the billing process revision.

Discussion: As the Department's billing processes have been updated and reviewed, areas of financial loss have been identified. The proposed changes cover those areas as well as position the City to recover adequate compensation for the services provided. The fee types being added to the original list will not necessarily be used regularly, however in specific circumstances they will significantly add to the recovery of costs incurred in patient treatment. Attached is a table outlining current allowed rates for Medicare, SD Medicaid, Wellmark BC/BS, and a comparable SD EMS service as well as current and proposed rates for VCC EMS.

Some insurance carriers, Medicaid for example, have very low reimbursement rates. The added itemized rate classifications assist in reducing the loss on these, and other, claims. The "treat, no-transport" and "on-scene care" rate classifications will allow attempted reimbursement for situations that are currently not billable in our system.

Financial Consideration: Any increases in revenue would go into the general fund. These increases and additions to the rate schedule, in conjunction with current billing practices, will position the City to maximize cost recovery while maintaining compliance with current billing standards in order to continue providing the highest level of care possible for our patients.

Conclusion/Recommendations: Administration recommends adopting the rate schedule outlined below which amends current rates and adds new rate classifications, effective January 1, 2013.

Ambulance Rates 2012

	Current VCC Rates	Wellmark BC/BS	Medicare	SD Medicaid	Comparison of SD like-service	Proposed VCC Rates
93005 - ECG - 12-lead	-	-	-	-	\$48.00	\$45.00
93041 - ECG - 3-lead	-	-	-	-	\$40.00	\$35.00
A0384 - Defibrillation BLS	-	-	-	\$24.81	\$50.00	\$45.00
A0392 - Defibrillation ALS	-	-	-	\$24.81	\$60.00	\$45.00
A0394 - IV Fluids/Supplies	-	-	-	\$35.00	\$58.00	\$50.00
A0396 - Esophageal Intubation	-	-	-	\$43.71	\$100.00	\$75.00
A0422 - Oxygen Supplies	-	-	-	\$18.96	\$44.00	\$35.00
A0424 - Extra Attendant ALS/BLS	-	-	-	\$35.25	\$35.00	\$35.00
A0425 - ALS/BLS Mileage	\$11.00	\$12.00	\$7.03	-	\$12.00	\$12.00
A0426 - ALS Non Emergency	\$500.00	\$415.00	\$262.51	-	\$420.00	\$500.00
A0427 - ALS Emergency	\$550.00	\$657.00	\$415.64	\$217.27	\$665.00	\$660.00
A0428 - BLS Non Emergency	\$425.00	\$346.00	\$218.76	-	\$350.00	\$425.00
A0429 - BLS Emergency	\$450.00	\$553.00	\$350.02	\$97.35	\$560.00	\$560.00
A0433 - ALS2	\$650.00	\$951.00	\$601.59	-	\$962.00	\$800.00
A0999 - On Scene Care-ALS					\$665.00	\$500.00
A0999 - On Scene Care-BLS					\$550.00	\$400.00
A0998/A0999 - Treat, No Transport BLS					\$75.00	\$75.00
A0998/A0999 - Treat, No Transport ALS					\$125.00	\$125.00
A0398 - Disposable Supplies						
	Cardiac Monitoring					\$75.00
	Bag-Valve Mask					\$20.00
	C-Collar					\$20.00
	Endotracheal Intubation					\$75.00
	Combi-Tube					\$75.00
	Blood Glucose Check					\$10.00
	Oral/Nasal Airway					\$7.50
	Pulse Oximeter					\$10.00
	SAM Splint					\$20.00
	Disposable Splints					\$10.00
	Spinal Immobilization					\$20.00
	Suction Supplies					\$25.00

RESOLUTION AMENDING AMBULANCE RATES

WHEREAS, the City of Vermillion operates the ambulance service that serves the local area; and

WHEREAS, the City Council has established rates to recover the costs of providing the ambulance service; and

WHEREAS, due to increased operating costs of providing the ambulance service the City Council finds it necessary to adjust the rates in an effort to recover the costs of providing the ambulance service.

BE IT HEREBY RESOLVED by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 3rd day of December, 2012, that effective January 1, 2013 the following EMS Rates be established or changed as follows:

Vermillion/Clay County EMS Rates

On Scene Care BLS	\$400.00	Combi-Tube	\$75.00
Treat, No Transport BLS	\$75.00	Blood Glucose Check	\$10.00
ECG3-Lead	\$35.00	ALS/BLS Mileage	\$12.00
ECG12-Lead	\$45.00	Oral/Nasal Airway	\$7.50
Treat, No Transport ALS	\$125.00	ALS Non Emergency	\$500.00
Defibrillation BLS	\$45.00	Pulse Oximeter	\$10.00
Defibrillation ALS	\$45.00	ALS Emergency	\$660.00
Cardiac Monitoring	\$75.00	SAM Splint	\$20.00
IV Fluids/Supplies	\$50.00	BLS Non Emergency	\$425.00
Bag-Valve Mask	\$20.00	Disposable Splints	\$10.00
Esophageal Intubation	\$75.00	BLS Emergency	\$560.00
C-Collar	\$20.00	Spinal Immobilization	\$20.00
Oxygen Supplies	\$35.00	ALS2	\$800.00
Endotracheal Intubation	\$75.00	Suction Supplies	\$25.00
Extra Attendant ALS/BLS	\$35.00	On Scene Care-ALS	\$500.00

Dated at Vermillion, South Dakota this 3rd day of December, 2012.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: December 3, 2012

Subject: Declare an Emergency for Landfill Building Removal

Presenter: Mike Carlson

Background: The landfill building and contents were destroyed by the fire on October 22, 2012. Thereafter, the site was investigated by the State Fire Marshal's Office and the insurance companies representing the city. A cause for the fire is unlikely to be determined. One of the insurance adjustors requested the name of the engineering firm that had designed the building in order to have the company develop building demolition specifications. The adjustor also contacted salvage companies to obtain quotes on removing the damaged equipment and has authorized the removal by the company that paid the highest salvage price.

Concerns about how the building demolition process was proceeding were raised as staff was unsure of the structural ability of the building to withstand snow and ice load. A conference call was arranged with the insurance adjustor for Monday, November 26th. During the call it was determined that the City would need to contract for the demolition of the building subject to the approval of the insurance adjustor. Gary Hawkes, building inspector for the insurance company, also had concerns about the structural ability of the building suggesting that we get it removed as soon as possible so that it doesn't fall onto the adjoining office building or cause any further damage. To proceed with the project Jose and Jason are going to work with Gary Hawkes on the specifications for the building demolition. To reduce the time required with the bidding process it was suggested that the City Council declare an emergency to avoid the delays with advertising and obtain quotes for the building removal. Before any quote is accepted the approval of the insurance adjustor is needed.

Discussion: The following state law allows the governing body to declare an emergency to purchase without advertising for bids if rentals are not practicable and there exists a threat to public health, welfare or safety or for other urgent and compelling reasons.

5-18A-9. Emergency Procurement. A purchasing agency may make or authorize others to make an emergency procurement without advertising the procurement if rentals are not practicable and there exists a threat to public health, welfare, or safety or for other urgent and compelling reasons. Failure to abide by the bid provisions of this chapter and chapters 5-18B, 5-18C, and 5-18D in a timely manner is not an emergency. An emergency procurement shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file.

Jose and Jason will develop specifications for the building removal, which after approval by the insurance company, will be used to solicit quotes from contractors without advertising if the City Council declares an emergency. The quotes will be reviewed by the insurance company and their recommendation will be used for issuing a contract.

Financial Consideration: The City insurance policy provides coverage up to \$250,000 for debris removal so this cost would be reimbursable up to that amount.

Conclusion/Recommendations: Administration recommends that the City Council recognize the need to remove the damaged building and declare that an emergency exists, for safety at the landfill site. To accomplish this building removal, administrative staff is authorized to obtain at least two quotes and, subject to the approval of the insurance company, award a contract for the removal of the damaged landfill building with all such documentation included in the contract file.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: December 3, 2012

Subject: First Reading of Ordinance No. 1291 - 2012 Supplemental Appropriations

Presenter: Mike Carlson

Background: The City Council adopted a revised budget for 2012 as part of the budget process in September 2012. Since that time, some expenses have taken place resulting in the need to revise the budget and accounting requirement.

To adjust for these items, the City needs to supplement the budget as provided by statute.

SDCL 9-21-7. Supplemental appropriation ordinance for indispensable functions or discharge of municipal duties. In the event of the failure to provide by the annual appropriation ordinance, sufficient revenue to enable the municipality to conduct the indispensable functions of government, in any department, or to discharge any duty which it is the lawful duty of the municipality to discharge, and which requires the incurring of liabilities or expenditures of funds for a purpose or object for which no provision has been made in the annual appropriation ordinance for such fiscal year and, when any of such occasions arise, the governing body of such municipality may make, approve and adopt a supplemental appropriation ordinance, providing therein for appropriations for any or such purposes in such amounts as said governing body may determine necessary and such supplemental appropriation ordinance shall set out in detail each item for which an appropriation is made and the amount thereof. The adoption of such supplemental appropriation ordinance shall be governed by the same laws pertaining to the adoption of the annual appropriation ordinance.

Discussion: The proposed budget adjustments are as follows:

General Fund Revenues:

Federal Grants through State \$48,700 – \$16,200 is a Highway Safety grant for Police Department equipment and \$32,500 is a Community Development Block Grant (CDBG) to be passed through to the VCDC for the welding program.

Contributions and Donations \$27,200 - The grant is from the American Heart Association, Inc for a defibrillator for the Ambulance Department. The grant will cover all the cost of this equipment.

8. New Business; item d

Transfer in from Library Fund \$250 – The Library Board has agreed to reimburse the city for extra staff hours for the November move which amounted to \$250.

Appropriation from Reserve increased \$6,090 – Additional revenues needed to fund the general fund increased expenses.

General Fund Expenses:

Finance Office Equipment Repair and Maintenance – The increase is to upgrade the server software from small business server 2008 to small business server 2011 at a total cost of \$7,000 which is divided between General fund finance and the utility funds. The \$1,000 for general fund will come from the reserve.

Police Patrol Personnel Services and Capital Expenditures – The Police Department was awarded a Highway Safety Grant of \$16,200 which is an 80% grant for the purchase of \$20,250 of equipment (Replacement of aging radar equipment, digital speed sign and radar recorder). Salary savings of \$4,050 from when an officer's position was vacant for part of the year will be used as the 20% grant match.

Ambulance Capital Expenditures – This is for the purchase of the ambulance department defibrillator with the grant funds.

Library Personnel Services – Represents the increased hours for library outreach employee not included in the 2012 budget of \$1,590 plus \$250 for extra hours during the move to be reimbursed by the Library Board.

Library Electricity – Increase due to the added usage for the new addition and for the contractor during construction increased \$1,650.

VCDC Job Training Grant – Is the pass through of the CDBG award to the VCDC for the welding class of \$32,500.

Transfer to the E911 Fund – The tac repeater used for radio communication between the communications center and the officers was in need of replacement at the cost of \$3,700. This equipment is included in the E911 Fund with the City paying half of the cost to be transferred from the General Fund.

Second Penny Sales Tax Fund:

Parks Equipment – The skate park at Barstow Park was budgeted at \$80,000. The actual expenses to date were \$80,338 so an additional \$500 was budgeted.

Transfer to Library Capital Projects - The City had set aside \$1.4 million for the library project and had budgeted \$920,375 for 2012 as the contractor is progressing on the project it is estimated that an additional \$225,000 will be needed for the 2012 portion of the project.

Both these amounts will be transferred from the Second Penny Tax reserve.

E911 Special Revenue Fund:

Capital Expenditures – The need to replace the tac repeater used for radio communication between the communications center and the officers at a cost of \$3,700. The repeater was having problems and the technician used a loaner repeater to determine the exact problem. A new repeater needs to be purchased to replace the loaner equipment. This is funded half from Clay County and half transfer from General Fund.

Library Fine and Gift Special Revenue Fund:

Transfer to Library Building Fund – The Library Board agreed to reimburse the costs of change order #2 to the Library Capital Projects fund so the transfer was increased \$1,574.

Transfer to General Fund – The Library Board is reimbursing the extra hours of library staff during the move of \$250. Both items will be funded from Library Board reserves.

Library Capital Projects Fund:

Building and Structure – The library expansion and renovation project is proceeding. The estimated amount for 2012 portion of the project need to be adjusted by \$225,000 from second penny sales tax and \$1,582 from the Library Board increasing the total for 2012 to \$2,220,582.

Electric Utility Fund:

Finance Office Equipment Repair and Maintenance – Electric portion of the server software upgrade which is funded from electric reserve.

Water Utility Fund:

Finance Office Equipment Repair and Maintenance – Water portion of the server software upgrade funded from water reserve.

Water Distribution Other Capital Expenditures – At the preconstruction meeting, the water tower contractor projected to get started by the end of November on the piles and foundation estimating \$509,000 of work by year end. This line item was increased \$550,000 which is offset by the Grant funding and SRF loan proceeds.

Wastewater Utility Fund:

Finance Office Equipment Repair and Maintenance – Wastewater portion of the server software upgrade which is funded from wastewater reserve.

Landfill Utility Fund:

Machinery and Auto – Increased \$200,000 for the purchase of the wheel loader approved by the City Council at \$170,000 and the replacement of other items that will come up before year end.

Fire related expenses – As a result of the fire there will be expenses such as the removal of the building that will come up before year end that will need to be addressed. I estimated \$150,000 with any unspent funds going to the insurance reserve.

Insurance Reserve – This is the balance of the insurance proceeds received to date that were not appropriated in the above two line items that will be reserved for building, equipment and contents replacement next year. The insurance company has paid the City \$750,000 as progress payment on the insurance claim until a further cost estimated can be refined.

Financial Consideration: The general fund reserve will be reduced \$6,090 over what was planned with the budget was adopted. The General fund reserve balance projected for year-end 2012 is \$1,782,840.

Conclusion/Recommendations: Administration recommends adoption of first reading of Ordinance No. 1291 Supplemental Appropriations Ordinance for 2012.

PROPOSED ORDINANCE NO. 1291
2012 SUPPLEMENTAL APPROPRIATIONS ORDINANCE

AN ORDINANCE ADOPTING a 2012 Supplemental Appropriations Ordinance for the City of Vermillion, South Dakota.

BE IT ORDAINED, BY THE GOVERNING BODY of the City of Vermillion, that the following sums are appropriated to meet the obligations of the municipality.

	<u>2012 Budget</u>	<u>Proposed Budget</u>	<u>Amount of Supplemental Budget</u>
<u>General Fund:</u>			
Revenues:			
Federal Grants through State	-0-	48,700	48,700
Contributions and Donations	3,385	27,200	30,585
Transfer from Library Fund	-0-	250	250
Appropriation from Reserve	222,424	228,514	6,090
Expenditures:			
Finance Office			
Equipment Repairs & Main	6,080	7,080	1,000
Police Patrol			
Personnel Services	1,055,113	1,051,063	(4,050)
Capital Expenditures	-0-	20,250	20,250
Ambulance			
Capital Expenditures	-0-	27,200	27,200
Library			
Personnel Services	337,033	338,873	1,840
Electricity	11,700	13,350	1,650
Community Services			
VCDC Job Training Grant	-0-	32,500	32,500
Transfer to E911 Fund	239,853	241,703	1,850
<u>Second Penny Sales Tax Fund</u>			
Revenues:			
Appropriation from Reserve	758,407	983,907	225,500
Expenditures:			
Parks Equipment	80,000	80,500	500
Transfer to Library Building	920,375	1,145,375	225,000
<u>E911 Special Revenue Fund</u>			
Revenues:			
County Payments	239,853	241,703	1,850
Transfer from General Fund	239,853	241,703	1,850
Expenditures:			
Capital Expenditures	2,685	6,385	3,700
<u>Library Special Revenue Fund</u>			
Revenues:			
Appropriation from Reserve	90,268	92,092	1,824
Expenditures			
Transfer to Library Building	90,268	91,842	1,574
Transfer to General Fund	-0-	250	250

Library Capital Projects Fund

Revenues:

Sales Tax Transfer In	920,375	1,145,375	225,000
Library Board Transfer In	90,260	91,842	1,582

Expenditures:

Building and Structures	1,994,000	2,220,582	226,582
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Electric Utility Fund

Expenditures:

Finance Equipment Repairs	9,728	12,728	3,000
Appropriation to Reserve	40,945	37,945	(3,000)

Water Utility Fund

Revenues:

Grants	3,200	58,200	55,000
State Revolving Loan	28,800	523,800	495,000
Reserve	575,380	576,880	1,500

Expenditures:

Finance Equipment Repairs	8,512	10,012	1,500
Distribution Other Capital	125,000	675,000	550,000

Wastewater Utility Fund

Revenues:

Reserve	140,612	141,612	1,000
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Expenditures:

Finance Equipment Repairs	6,080	7,080	1,000
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Landfill Utility Fund

Revenues:

Insurance Proceeds	-0-	750,000	750,000
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Expenditures:

Machinery and Auto	403,282	603,282	200,000
Fire Related Expenditures	-0-	150,000	150,000
Insurance Reserve	-0-	400,000	400,000

Dated at Vermillion, South Dakota this 17th day of December, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY

John E. (Jack) Powell, Mayor

ATTEST:

BY

Michael D Carlson, Finance Officer

First Reading: December 3, 2012

Second Reading: December 17, 2012

Council Agenda Memo

From: Jose Dominguez, P.E.

Meeting: December 3, 2012

Subject: Resolution to remove parking along a portion of North Dakota Street between East Main and East National Streets.

Presenter: Jose Dominguez

Background: Recently, the City was contacted by the First United Methodist Church to see if the City could remove parking along North Dakota Street between East Main and East National Streets. The church would like the parking removed in front of the existing handicap ramp to provide for access and so that the ramp is not blocked by parked vehicles.

Discussion: Vehicles are currently allowed to park along the west side of North Dakota Street between East Main and East National Streets. Along this section of North Dakota Street there are seven parking stalls. After the parking is removed there will be a total of four parking stalls remaining.

Financial Consideration: The City will only incur the costs of placing two signs on two new posts and the publication of the resolution to make this change.

Conclusion/Recommendations: Administration recommends the adoption of the resolution removing parking along a portion of North Dakota Street between East Main and East National Streets.



1st United Methodist Church

Home of the Welcome Table

16 North Dakota St.

Vermillion, SD 57069

605-624-2179

www.vermillionumc.com

13 November, 2012

Jose Dominguez, P.E.
City Engineer
City of Vermillion
25 Center St.
Vermillion, SD 57069

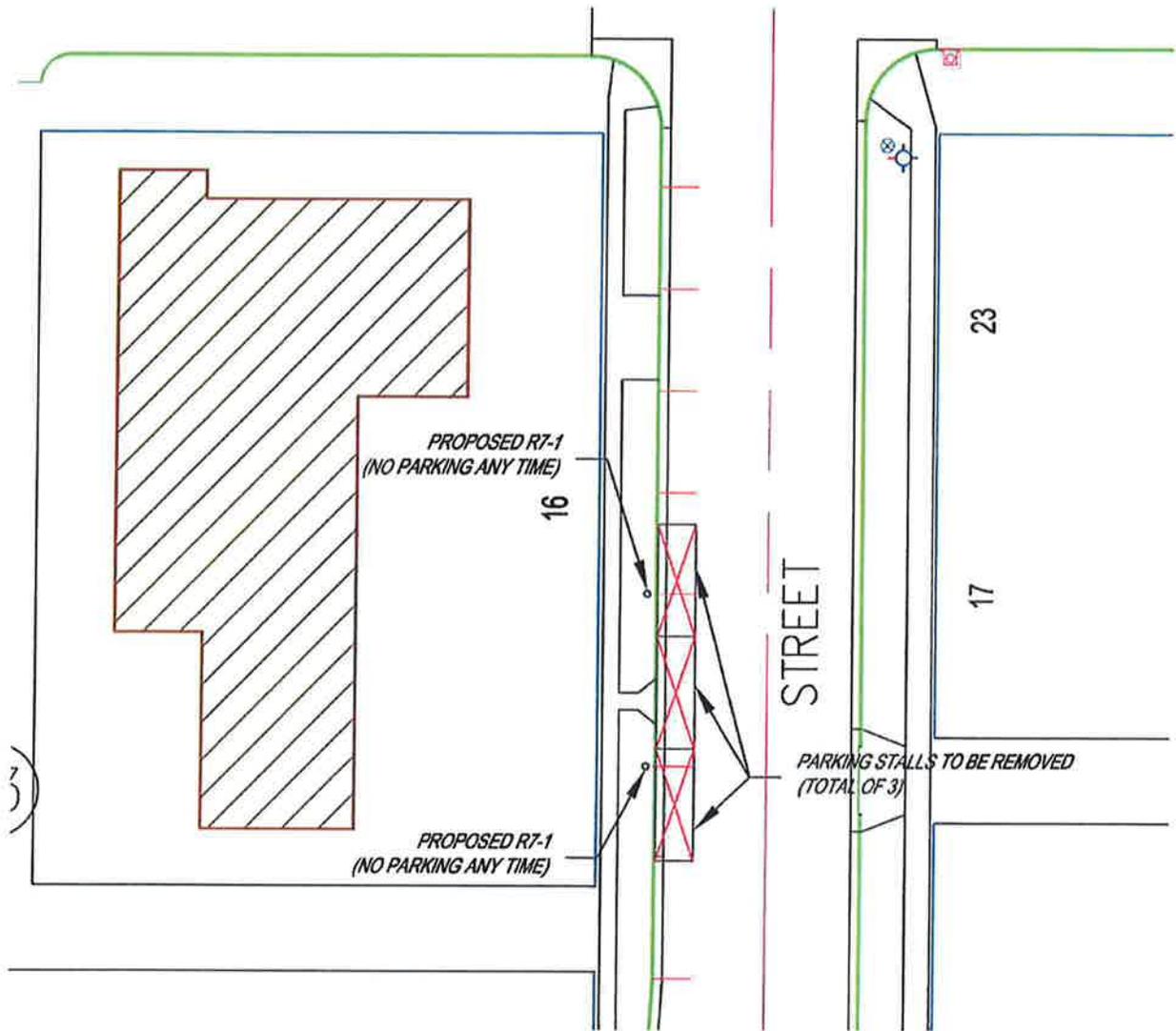
Dear Mr. Dominguez:

I am writing at the request of the Pastor of the United Methodist Church here in Vermillion. He had spoken to you on the phone about the creation of a drop-off zone in front of the church, in front of 16 N. Dakota Street, where there is a curb cut for limited mobility access. The zone would extend, as he understood it, ten feet to the north and south of the curb cut, and marked as they City requires so that no one could park in front of the curb cut. This would ensure that those with limited mobility would always have un-blocked access to the curb cut and would be especially useful when Vermillion transit picks up and drops off people.

We were asked to write up a proposal to this effect. If this letter is sufficient, please consider this the proposal. If not, please advise as to the procedure you would like us to follow.

Sincerely,

Royce Miller
Office Manager
First United Methodist Church



NOTES:

1. CURRENTLY THERE ARE 7 PARKING STALLS ALONG NORTH DAKOTA STREET BETWEEN EAST MAIN AND EAST NATIONAL STREETS.
2. AFTER THE PROPOSED REMOVAL THERE WILL BE A TOTAL OF 4 PARKING STALLS ALONG NORTH DAKOTA STREET BETWEEN EAST MAIN AND EAST NATIONAL STREETS.

PARKING REMOVAL

16 NORTH DAKOTA STREET		1.0	
CITY OF VERMILLION, SD	57069	SCALE: 1:40	NOV. 2012



RESOLUTION TO REMOVE PARKING ALONG A PORTION OF NORTH DAKOTA STREET BETWEEN EAST MAIN AND EAST NATIONAL STREETS

WHEREAS, pursuant to City of Vermillion Code of Ordinances, section 70.071, the City Council may establish, and cause to be designated and marked, streets, and parts thereof, where vehicles may be parked for limited periods of time only or similarly may establish no-parking areas; and

WHEREAS, the City is responsible for the safety, security, and general welfare of drivers along city streets; and

WHEREAS, there is a need for some of the parking along North Dakota Street to be removed for the safe use of an existing handicap ramp.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota that three (3) parking stalls be removed along the west side of North **Dakota** Street between East Main and East National Streets fronting the First United Methodist Church.

Dated at Vermillion, South Dakota this 3rd day of December, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

(SEAL)

Approved: December 3, 2012
Publish: December 14, 2012
Effective: January 4, 2013

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: December 3, 2012

Subject: Declaration of Surplus Police Car

Presenter: Jason Anderson

Background: At the August 6, 2012 meeting, the City Council declared a 2009 Ford Crown Victoria police car as surplus property, having it appraised at \$5,000. Bids were opened on August 28, 2012, and only one insufficient bid of \$2,907 was received. Pursuant to SDCL 5-18A-5 (9), the City negotiated a contract with Bismarck-Mandan Auto for the appraised value of \$5,000. Bismarck-Mandan Auto has since requested reprieve from their award. They cited a loss of a contract with a vendor which resulted in an inability to turn a profit at the purchase price. Bismarck-Mandan forfeited their \$500 bid security to the City. Staff suggests that the City Council reappraise the vehicle and authorize the sale by sealed bids.

Discussion: Staff would like the City Council to have the Surplus Property Appraisal committee meet to reappraise the item. Staff recommends appraising the vehicle at \$3,000. The proposed reduction in appraised value from \$5,000 to \$3,000 is a reflection of the loss of interest in the Crown Victoria by the taxi industry due to the vehicle being discontinued. The item will be advertised and sold on sealed bids with a proposed bid opening date of December 27, 2012 to be set on the Consensus Agenda.

Financial Consideration: The revenue from the sale of the surplus police car will go to the Equipment Replacement Fund.

Conclusion/Recommendations: Administration recommends authorizing the appraisal of the surplus vehicle by the Surplus Property Appraisal Committee to be advertised for sale by sealed bids.

APPRAISAL

The following surplus equipment:

1. 2009 Ford Crown Victoria 4 dr. sedan
appraised value \$ _____

The forgoing appraisal made this _____ day of December, 2012 pursuant to City Council action to surplus property on the 3rd day of December, 2012 with the appointment of the appraisers duly passed by the governing body of the City of Vermillion, South Dakota, on the 2nd day of July, 2012 is a true and correct appraisal of the fair market value of said property on the date thereof.

Dated in Vermillion, South Dakota this _____ day of December, 2012.

Clarene Meins

John Grayson

Kent Osborne

Dennis Zimmerman

Attest _____
Michael D. Carlson

CITY OF VERMILLION
 INVOICES PAYABLE-DECEMBER 3, 2012

1 A & B BUSINESS, INC	MAINTENANCE CONTRACT	439.67
2 AMERICAN ENGINEERING TESTING	AIRPORT TAXIWAY TESTING	2,110.00
3 AQUA-PURE INC	CHEMICALS	8,995.60
4 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	251.38
5 ARAMARK-WEARGUARD	UNIFORMS	141.48
6 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	50.87
7 AUDIO GO	BOOKS	183.91
8 AUTOMATIC BUILDING CONTROLS	BATTERIES	154.91
9 AVERA QUEEN OF PEACE HEALTH	TESTING	69.90
10 BAKER & TAYLOR BOOKS	BOOKS	370.79
11 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	3,258.40
12 BARNES DISTRIBUTION	SUPPLIES	389.26
13 BEST WESTERN RAMKOTA INN	LODGING	275.97
14 BIERSCHBACH EQPT & SUPPLY	PARTS	1,018.04
15 BILL SAUNDERS	WATER HEATER/WIRING REBATE	200.00
16 BOOK WHOLESALERS, INC	BOOKS	99.38
17 BOUND TREE MEDICAL, LLC	SUPPLIES	274.10
18 BROADCASTER PRESS	ADVERTISING	126.00
19 BROWN TRAFFIC PRODUCTS	REPAIRS	195.20
20 BSN SPORTS INC	SOCCER NET	85.00
21 BURKE ENGINEERING SALES CO	REPAIRS	60.00
22 BUTLER MACHINERY CO.	PARTS/WHEEL LOADER	172,755.36
23 CALLAWAY GOLF	MERCHANDISE	107.46
24 CAMPBELL SUPPLY	SUPPLIES	5,039.16
25 CASK & CORK	MERCHANDISE	2,014.97
26 CDW GOVERNMENT, INC	COMPUTER	495.00
27 CENTER POINT LARGE PRINT	BOOKS	127.22
28 CENTURY BUSINESS LEASING	COPIER LEASE	138.25
29 CENTURYLINK	TELEPHONE	738.03
30 CHEMCO, INC	SUPPLIES	116.00
31 CHERRY STREET GRILLE	ROLLS	36.00
32 CHESTERMAN CO	MERCHANDISE	263.57
33 CHRISTENSEN RADIATOR & REPAIR	PARTS	155.56
34 CITY OF VERMILLION	POSTAGE/COPIES	1,109.97
35 CITY OF VERMILLION	UTILITY BILLS	35,734.26
36 CLAY RURAL WATER SYSTEM	REPAIRS/WATER USAGE	712.84
37 CLIMATE SYSTEMS, INC	MAINTENANCE AGREEMENT	1,450.00
38 CMOORE PIT SERVICE	PROFESSIONAL SERVICES - LANDFILL	4,000.00
39 COLONIAL LIFE ACC INS.	INSURANCE	2,953.17
40 CRYSTAL & BRYAN DETTREY	WATER HEATER/WIRING REBATE	200.00
41 D & D PEST CONTROL	INSPECTION/TREATMENT	35.00
42 DAKOTA BEVERAGE	MERCHANDISE	7,950.65
43 DAKOTA LOCK & KEY	PROFESSIONAL SERVICES	35.00
44 DAKOTA PC WAREHOUSE	COMPUTER/PARTS	1,706.86
45 DAKOTA RIGGERS & TOOL SUPPLY	SUPPLIES	54.00
46 DANKO EMERGENCY EQUIPMENT	PARTS	3,142.91
47 DELTA DENTAL PLAN	INSURANCE	5,900.44
48 DELUXE ADVERTISING	CALENDARS	366.97
49 DENNIS MARTENS	MAINTENANCE	833.34

50 DEPT OF REVENUE	TESTING	1,832.00
51 DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	6,843.48
52 DISPLAY SALES COMPANY	SUPPLIES	79.00
53 DUECO, INC	REPAIRS	3,463.64
54 DUST TEX	SUPPLIES	34.95
55 ECHO ELECTRIC SUPPLY	SUPPLIES	2,654.49
56 FARMER BROTHERS CO.	SUPPLIES	40.67
57 FASTENAL COMPANY	PARTS	56.79
58 FILTERTEC	FILTERS	87.79
59 FLAGS UNLIMITED	FLAGS	123.12
60 GEAR FOR SPORTS	MERCHANDISE	36.67
61 GRAHAM TIRE CO.	TIRES	1,111.93
62 GRAINGER	PARTS	368.40
63 GRAYBAR ELECTRIC	PARTS	115.02
64 GREGG PETERS	FREIGHT	3,620.50
65 GREGG PETERS	RENT	937.50
66 HACH CO	PARTS	2,072.95
67 HARTINGTON TREE LLC	STUMP REMOVAL	90.00
68 HAUGER YARD/SNOW SERVICE	PROFESSIONAL SERVICES	26.50
69 HAWKINS INC	SUPPLIES	1,588.30
70 HD SUPPLY WATERWORKS	SUPPLIES	6,027.48
71 HELMS & ASSOCIATES	AIRPORT TAXIWAY	7,977.74
72 HERC-U-LIFT	REPAIRS	314.09
73 HERREN-SCHEMPP BUILDING	SUPPLIES	30.35
74 HIGMAN SAND & GRAVEL	ICE SAND	3,462.28
75 HY VEE FOOD STORE	SUPPLIES	316.97
76 INDEPENDENCE WASTE	WASTE HAULING/PORTABLE TOILET RENTAL	999.04
77 INGRAM	BOOKS	95.56
78 INTERSTATE POWER SYSTEMS	REPAIRS	926.40
79 JACKS UNIFORM & EQPT	UNIFORM	399.65
80 JAMAR TECHNOLOGIES INC	RADAR RECORDER KIT	4,640.00
81 JOHN A CONKLING DIST.	MERCHANDISE	5,818.47
82 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	32,075.03
83 JOHNSON CONTROLS	REPAIRS/SERVICE AGREEMENT	3,006.76
84 JOHNSON ELECTRIC	REPAIRS	827.25
85 JOHNSTONE SUPPLY	SUPPLIES	497.64
86 JON COLE	GYM MEMBERSHIP REIMBURSEMENT	72.53
87 JONES ACE HARDWARE	SUPPLIES	2,027.90
88 JONES FOOD CENTER	SUPPLIES	371.64
89 JP COOKE CO	DOG LICENSE TAGS	76.18
90 JUNIOR LIBRARY GUILD	SUPPLIES	855.00
91 KARL BOTTESINI	SAFETY BOOTS REIMBURSEMENT	90.09
92 KNOLOGY	911 CIRCUIT	1,365.50
93 LAYNES WORLD	AWARD	67.53
94 LEAGUE OF MINNESOTA CITIES	ADVERTISING	225.00
95 LEARNING OPPORTUNITIES, INC	BOOKS	2,036.08
96 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	242.51
97 LEISURE LAWN CARE	LAWN TREATMENT	283.80
98 LESSMAN ELEC. SUPPLY CO	SUPPLIES	74.00
99 LINCOLN MUTUAL LIFE	INSURANCE	517.61
100 LOCATORS AND SUPPLIES, INC	SUPPLIES	1,075.48
101 LYLE SIGNS	SUPPLIES	2,844.05

102 MARKS MACHINERY	PARTS	2,321.17
103 MART AUTO BODY	TOWING	615.30
104 MATHESON TRI-GAS, INC	OXYGEN	41.56
105 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,384.45
106 MEAD LUMBER	SUPPLIES	87.45
107 MEDICAL WASTE TRANSPORT	HAUL MEDICAL WASTE	99.44
108 MES-MIDAM	PARTS	15.45
109 MIDWEST ALARM CO	ALARM MONITORING	60.00
110 MIDWEST BUILDING MAINTENANCE	MAT SVC	532.20
111 MIDWEST READY MIX & EQUIPMENT	FLOWABLE FILL	336.00
112 MILLS & MILLER, INC	DEICING SALT	4,672.80
113 MISSOURI VALLEY MAINTENANCE	REPAIRS	746.90
114 MONTY MUNKVOLD	SAFETY BOOTS REIMBURSEMENT	100.00
115 MOORE WELDING & MFG	REPAIRS	3,709.01
116 NCL OF WISCONSIN, INC	SUPPLIES	950.80
117 NETSYS+	REPAIRS/PROFESSIONAL SERVICES	1,579.66
118 NEW YORK LIFE	INSURANCE	94.02
119 NOVELTY MACHINE & SUPPLY	PARTS	335.80
120 OKOBOJI WINES-WEST	MERCHANDISE	830.00
121 OLLIS BOOK CORP	BOOKS	226.20
122 ORIENTAL TRADING CO	SUPPLIES	209.00
123 OVERHEAD DOOR OF YANKTON	STEEL DOORS	1,650.00
124 OXMOOR HOUSE	BOOKS	42.91
125 PAUL CARNES	PROFESSIONAL SERVICES	425.00
126 PAULS PLUMBING	REPAIRS	777.51
127 PCC, INC	AMBULANCE FEE COMMISSION	1,252.70
128 PETE LIEN & SONS, INC	CHEMICALS	4,459.35
129 PITNEY BOWES, INC	SUPPLIES	88.48
130 PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
131 PRAIRIE BERRY WINERY	MERCHANDISE	1,391.25
132 PRESSING MATTERS	SUPPLIES	173.00
133 PRESTO-X-COMPANY	INSPECTION/TREATMENT	96.10
134 PRINT SOURCE	SUPPLIES	126.00
135 PUMP N PAK	FUEL	2,798.46
136 QUILL	SUPPLIES	868.20
137 RACOM CORPORATION	MAINTENANCE CONTRACT	368.50
138 RADIANT HEAT, INC	REPAIRS	2,308.00
139 RANDOM HOUSE, INC	BOOKS	161.21
140 RASMUSSEN MOTORS, INC	REPAIRS	51.79
141 RDJ SPECIALTIES, INC	SUPPLIES	237.77
142 RECORDED BOOKS, INC	BOOKS	1,089.90
143 REGENT BOOK CO.	BOOKS	13.74
144 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	20,785.90
145 RESCO	SUPPLIES	252.00
146 RICHARD DRAPER	LODGING REIMBURSEMENT	114.58
147 SANFORD PATIENT FINANCIAL SERVICES	TESTING	35.00
148 SCHADE'S VINEYARD	MERCHANDISE	324.00
149 SCHWEITZER ENGINEERING LAB	SUPPLIES	959.00
150 SD ELECTRICAL COMMISSION	WIRING PERMITS	275.00
151 SD GOLF ASSOCIATION	HANDICAP FEE	54.00
152 SD GOVERNMENTAL FINANCE OFFICERS ASSOC	MEMBERSHIP DUES	70.00
153 SD MUNICIPAL STREET MAINTENANCE ASSOC	MEMBERSHIP DUES	35.00

154 SD POLICE CHIEFS ASSOC	MEMBERSHIP DUES	134.80
155 SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	248.00
156 SD RETIREMENT SYSTEM	CONTRIBUTIONS	46,100.83
157 SD SECRETARY OF STATE	NOTARY APPLICATION	30.00
158 SECOG	GRANT ADMINISTRATION	3,000.00
159 SEH, INC	PROFESSIONAL SERVICES	17,365.65
160 SERVALL TOWEL & LINEN	SUPPLIES	29.40
161 SIOUX VALLEY ENVIRONMENTAL	SUPPLIES	633.72
162 SIOUXLAND PARAMEDICS, INC	AMLS CLASS/BOOKS	231.00
163 SIOUXLAND SCALE SERVICE	REPAIRS	1,945.70
164 STANDARD & POOR'S	PROFESSIONAL SERVICES	2,500.00
165 STERN OIL CO.	OIL	1,173.98
166 STEWART OIL-TIRE CO	REPAIRS	2,305.95
167 STUART C. IRBY CO.	PARTS	332.00
168 STURDEVANTS AUTO PARTS	PARTS	1,003.30
169 TASTE OF HOME BOOKS	BOOKS	31.98
170 THATCHER COMPANY	SODA ASH	13,923.40
171 THE EQUALIZER	ADVERTISING	377.40
172 THE RETROFIT COMPANIES, INC	BULB DISPOSAL	617.29
173 TODDS ELECTRIC SERVICE	INSTALL LOAD MGMT	25.00
174 TOM KRUSE	MEALS REIMBURSEMENT	18.00
175 TRI TECH SALES	PARTS	1,404.31
176 TRUE VALUE	SUPPLIES	239.32
177 TYLER TECHNOLOGIES	SOFTWARE MAINTENANCE	411.40
178 UNITED PARCEL SERVICE	SHIPPING	10.11
179 UNITED WAY	CONTRIBUTIONS	330.80
180 UNIVERSITY OF SD	COMMUNITY PROMOTION	10,000.00
181 USA BLUEBOOK	SUPPLIES	73.23
182 USD	WELLNESS CENTER CONTRIBUTION	68,000.00
183 VALIANT VINEYARDS	MERCHANDISE	384.00
184 VANDERPOL DRAGLINE, INC	AIRPORT TAXIWAY CONTRACT	183,580.95
185 VERIZON WIRELESS	POLICE COMMUNICATIONS	212.13
186 VERMILLION CONCRETE	SIDEWALK REPAIRS	21,092.09
187 VERMILLION FORD	REPAIRS	382.37
188 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	2,363.20
189 WAL-MART COMMUNITY	SUPPLIES	1,108.68
190 WALKER PROCESS EQUIPMENT	PARTS	194.20
191 WELFL CONSTRUCTION CO	LIBRARY EXP/REMODEL	164,658.00
192 WESCO DISTRIBUTION, INC	SUPPLIES	1,660.08
193 WEST GROUP PAYMENT CENTER	SUBSCRIPTION	87.00
194 YANKTON JANITORIAL SUPPLY	SUPPLIES	582.50
195 ZEE MEDICAL SERVICE	SUPPLIES	257.25
196 ZIMCO SUPPLY CO	SUPPLIES	7,031.00
197 GENE IVERSON	BRIGHT ENERGY REBATE	275.00
	GRAND TOTAL	\$989,083.01



ACADEMICS/AWARDS

Spring 2012: Sorority GPA: 3.356 Non-Sorority GPA: 3.093
Fraternity GPA: 3.027 Non-Fraternity GPA: 2.915

- Panhellenic Council was awarded the **SD Board of Regents Award for Academic Excellence**
- \$110,000 dollars are given out in **scholarships** to sorority and fraternity students
- Association of Fraternal Leadership & Values awarded Panhellenic Council awards in the following areas: **Council Management, Leadership & Educational Development, Membership Recruitment, Self-Governance & Judicial Affairs**
- Association of Fraternal Leadership & Values awarded Interfraternity Council an award in the following area: **Self-Governance and Judicial Affairs**

PHILANTHROPY

- Heartland Humane Society **Tails and Trails Dog walk**
- Each sorority and fraternity has their **own philanthropic cause** that they support
- **\$29,000 dollars** were raised for various causes throughout this past year

COMMUNITY SERVICE

- Summer 2012: A group of sorority and fraternity students volunteered at the **Heartland Humane Society**
- **7,333 hours** of community service were donated to various causes by sorority and fraternity students

EDUCATION

- Panhellenic Council provided an **Eating Disorder Presentation** for the four sororities
- Required that sorority and fraternity members attend an **alcohol education presentation by Mike Green**
- Co-Sponsored **Girls Fight Back**: This presentation equipped women with skills to protect themselves from an attacker.
- Organized a **Confrontation Presentation** by Dr. Bardoshi
- Hosted **Greek 101** for new members
- Organized **roundtables** throughout the year to educate individuals that hold leadership positions in their Chapter

GREEK UNITY

- Sorority and Fraternity life organized a **Back to School Bash**, which was a non-alcoholic event, where current and new members could get to know each other in a safe environment
- Panhellenic Council organized various **sorority socials** such as a murder mystery game, movie social, all-sorority dinner, and capture the flag event

IMPROVEMENTS

- A **Strollers Contract** was composed by the Presidents Council members
- We are also **surveying** USD faculty, staff, and alumni to discover areas of improvement
- All Chapters now have **faculty staff advisors**
- Panhellenic Council members, Interfraternity Council members, and Presidents attended a Spring and Fall **retreat to develop common goals**