



**Special Meeting Agenda  
City Council**

12:00 p.m. (noon) Special Meeting  
Monday, July 18, 2016  
Public Safety Center  
15 Washington Street  
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Educational Item – Tour of Police Department – Matt Betzen.**
3. **Educational Item – Tour of Clay Area Emergency Services Communications Center – Ryan Anderson.**
4. **Briefing on the July 18, 2016 City Council Regular Meeting** - Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

**Access the City Council Agenda on the web – [www.vermillion.us](http://www.vermillion.us)**

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

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

**Council Meetings:** City Council regular meetings are held the first and third Monday of each month at 7:00 p.m. If a meeting falls on a City holiday, the meeting will be scheduled for the following Tuesday.

**Live Broadcasts of Council Meetings on Cable Channel:** Regular City Council meetings are broadcast live on Cable Channel 3.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

## City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, July 18, 2016

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069



### 1. Roll Call

### 2. Pledge of Allegiance

### 3. Minutes

- a. July 5, 2016 Special Meeting, July 5, 2016 Regular Meeting, July 14, 2016 Special Meeting.

### 4. Adoption of the Agenda

### 5. Visitors to be Heard

### 6. Public Hearings

- a. Special Permit to exceed permissible sound levels by no more than 50% on W. Main Street between High and Prospect Streets on Friday, September 9, 2016 between 5:00 p.m. and midnight and on Saturday, September 10, 2016 between 5:00 p.m. and midnight for Ribs, Rods, & Rock 'n Roll for a street dance.
- b. Special daily malt beverage and wine license for Ribs, Rods, & Rock 'n Roll on or about September 9 & 10, 2016 on W. Main Street between Washington and Church Streets, Ratingen Platz, Market Street from W. Main to Bloomingdale Streets, Austin Street from W. Main to Kidder Streets, Kidder Street from Austin to half block east of Market Street, Court Street from W. Main to half block south, public parking lot at Market and Kidder, and Prospect from W. Main Street to half block north.

### 7. Old Business

### 8. New Business

- a. Street closure request for Ribs, Rods, & Rock 'n Roll on or about September 9 & 10, 2016 for Main Street between Washington and Church Streets, Ratingen Platz, Market Street from W. Main to Bloomingdale Streets, Austin Street from W. Main to Kidder Streets, Kidder Street from Austin to half block east of Market Street, Court Street from W. Main to half block south, and Prospect Street from W. Main Street to half block north.
- b. Street closure request for Vermillion Food Pantry – Weekend Backpack Program's Feeding Vermillion Food Giveaway on Thursday, July 28, 2016 for Franklin Street from Princeton to 502 Franklin Street, from 2:00 p.m. to 8:30 p.m.
- c. Street closure request for Thursdays on the Platz on July 21, August 4 and 18, and September 1, 2016 for W. Main Street from Ratingen Platz to the corner of Main and Prospect Streets from 5:15 p.m. to 8:00 p.m.
- d. Permit for consumption but not sale on Friday, August 19, 2016 from 7:00 p.m. to 9:00 p.m. for Edith B. Siegrist Vermillion Public Library at 18 Church for "Books & Brews" event.
- e. Agreement with Banner Engineering for design, bidding, construction observation, and construction administration of Prentis Lift Station replacement and sanitary sewer line project.

## 9. Bid Openings

## 10. City Manager's Report

## 11. Invoices Payable

## 12. Consensus Agenda

- a. Set a public hearing date of August 1, 2016 for a public hearing for a retail on-off sale malt beverage license and retail on-off sale wine license for Fire Works, Inc for Dakota Brick House at 13 & 15 W. Main Street.
- b. Set a public hearing date of August 1, 2016 for a public hearing for a special daily malt beverage and wine license on or about August 12 & 13, 2016 for the Clay County Agricultural Fair Association at the fairgrounds west arena.

## 13. Adjourn

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**Addressing the Council:** Persons addressing the Council shall use the microphone at the podium. Please raise your hand to be recognized, go to the podium and state your name and address.

**a. Items Not on the Agenda** Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made at this time.

**b. Agenda Items:** Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only City Council members and staff may discuss the current agenda item unless a Council member moves to allow another person to speak and there is unanimous consent from the Council. Questions from Council members, however, may be directed to staff or a member of the public through the presiding officer at any time.

**Meeting Assistance:** The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

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### ***Vermillion City Council's Values and Vision***

*This community values its people, its services, its vitality and growth, and its quality of life and sees itself reinforcing and promoting these ideals to a consistently increasing populace.*



Unapproved Minutes  
City Council Regular Session  
July 5, 2016  
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, July 5, 2016 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell

2. Pledge of Allegiance

3. Minutes

A. Minutes of June 20, 2016 Special Session, June 20, 2016 Regular Session

200-16

Alderman Collier-Wise moved approval of the June 20, 2016 Special Session and June 20, 2016 Regular Session minutes. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

201-16

Alderman Willson moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Proclamation Recognizing July as Parks and Recreation Month

Alderman Clarene Meins read the proclamation designating the month of July, 2016 as Parks and Recreation Month in Vermillion. Mayor Powell presented the proclamation to Jim Goblirsch, Parks & Recreation Director and Travis Taggart with the parks department. Jim thanked the Mayor and City Council for the proclamation as well as their support for the Parks and Recreation programs in the city. Jim also wanted to thank all the other city departments that assist the Parks and Recreation Department throughout the year.

6. Old Business

A. Second reading of Ordinance 1343 - Amending Title XV Land Usage, Chapter 155 modifying Applicable Standards for the Permitted Use of an electrical substation and adding a provision to the landscaping standards required for electrical substations

Derek Chancellor, Administrative Intern, reported that the City identified the financial disadvantage of constructing a fence along the setback lines of a lot housing an electric substation noting that the cost of fencing a lot housing an electric substation constructed at the set back lines would be far greater than the fencing needed to secure an electrical substation. Derek reported that this issue was presented to the Planning Commission on June 13th who unanimously recommended the proposed zoning amendment and added provisions. Derek stated that the changes would require a fence seven feet in height to encompass the electric substation with an opaque screen for any side abutting a residential zone.

202-16

Second reading of title to Ordinance No. 1343 - Amending Title XV Land Usage, Chapter 155 modifying Applicable Standards for the Permitted Use of an electrical substation and adding a provision to the landscaping standards required for electrical substations for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1343 entitled An Ordinance Amending Title XV Land Usage, Chapter 155 modifying Applicable Standards for the Permitted Use of an electrical substation and adding a provision to the landscaping standards required for electrical substations, of the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 20<sup>th</sup> day of June, 2016 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 5<sup>th</sup> day of July, 2016 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

ORDINANCE 1343

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 155 ZONING REGULATIONS, TO MODIFY THE APPLICABLE

STANDARDS FOR THE PERMITTED USE OF AN ELECTRICAL SUBSTATION AND ADD A PROVISION TO LANDSCAPING STANDARDS WHICH INCLUDES SPECIAL REQUIREMENTS FOR ELECTRICAL SUBSTATIONS.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota and it is hereby ordained by authority of the same that each of the following sections of Chapter 155 be amended as set forth below:

- § 155.031 R-1 RESIDENTIAL DISTRICT.
- § 155.032 R-2 RESIDENTIAL DISTRICT.
- § 155.033 R-3 RESIDENTIAL DISTRICT.
- § 155.034 R-4 MANUFACTURED HOUSING DISTRICT.
- § 155.035 CB CENTRAL BUSINESS DISTRICT.
- § 155.036 GB GENERAL BUSINESS DISTRICT.
- § 155.038 GI GENERAL INDUSTRIAL DISTRICT.
- § 155.039 HI HEAVY INDUSTRIAL DISTRICT.

(A) Permitted Use.

Permitted Use	Applicable Standards
Electrical substation	§155.070, 155.077

BE IT FURTHER ORDAINED, by the Governing Body of the City of Vermillion, South Dakota and it is hereby ordained by authority of the same that the following provision be added to Chapter 155 as set forth below:

§ 155.077 LANDSCAPING STANDARDS.

- I) Special requirements for electrical substations. A fence 7 feet in height shall encompass the electrical substation. An opaque screen shall be provided for any side abutting a residential zone.

Dated at Vermillion, South Dakota this 5<sup>th</sup> day of July, 2016.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By \_\_\_\_\_

Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Willson. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Y, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-Y, Mayor Powell-Y.

Motion carried 9 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

7. Presentation to Outgoing Council Members

Mayor Powell read a Proclamation of Appreciation for Clarene Meins for her service on the City Council. Mayor Powell presented the proclamation to Clarene Meins and thanked her for her service to the city.

Mayor Powell read a Proclamation of Appreciation for Howard Willson for his service on the City Council. Mayor Powell presented the proclamation to Howard Willson and thanked him for his service to the city.

8. Adjourn

203-16

Alderman Willson moved to adjourn the Council Meeting at 7:12 p.m. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 5<sup>th</sup> day of July, 2016.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA  
BY \_\_\_\_\_

John E. (Jack) Powell, Mayor

ATTEST:

BY \_\_\_\_\_

Michael D. Carlson, Finance Officer

NEW CITY COUNCIL

1. Installation of Mayor and Alderman

Mike Carlson, Finance Officer, administered the Oath of Office to Alderman Collier-Wise, Humphrey, Sorensen and Ward.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, July 5, 2016 at 7:16 p.m. by Mayor Powell.

## 2. Roll Call

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

## 4. Adoption of Agenda

204-16

Alderman Collier-Wise moved approval of the agenda with the addition of 11B. Monthly Fuel Quotes. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

## 4. Election of Officers

### A. President

Mayor Powell opened nominations for President of the Council.

205-16

Alderman Ward nominated Alderman Collier-Wise for President. Alderman Price seconded the nomination. Alderman Erickson nominated Alderman Sorensen for President. Alderman Meins seconded the motion. Hearing no further nominations Mayor Powell called for a vote on the nominations. Collier-Wise - Collier-Wise, Erickson - Sorensen, Holland - Collier-Wise, Humphrey - Sorensen, Meins - Sorensen, Price - Collier-Wise, Sorensen - Sorensen, Ward - Collier-Wise, Mayor Powell - Collier-Wise. Mayor Powell stated that Alderman Collier-Wise was elected President of the City Council

### B. Vice President

Mayor Powell opened nominations for Vice President of the Council.

206-16

Alderman Collier-Wise nominated Alderman Holland for Vice President. Alderman Price seconded the nomination. Alderman Erickson nominated Alderman Sorensen for Vice President. Alderman Meins seconded the nomination. Hearing no further nominations Mayor Powell called for a vote on the nominations. Collier-Wise - Holland, Erickson - Sorensen, Holland - Holland, Humphrey - Sorensen, Meins - Sorensen, Price - Holland, Sorensen - Sorensen, Ward - Holland, Mayor Powell - Holland. Mayor Powell stated that Alderman Holland was elected Vice President of the City Council

## 5. Appointment of Administrative Officers

### A. Finance Officer

Mayor Powell recommended the appointment of Mike Carlson as Finance Officer.

207-16

Alderman Price moved approval of the appointment of Mike Carlson as Finance Officer. Alderman Sorensen seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

### B. City Attorney

Mayor Powell recommended the appointment of James McCulloch as City Attorney. Mayor Powell noted that Mr. McCulloch has requested an increase in the hourly rate from \$90 to \$92 per hour.

208-16

Alderman Price moved approval of the appointment of James McCulloch as City Attorney with the increase in the hourly rate to \$92 per hour. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

## 6. Other Appointments and Designations

### A. City Council Committees and Other Committee Assignments

Mayor Powell read the appointments to the City Council standing committees of Labor and Finance, Policies and Procedures, Utilities and Surplus Property Appraisal as well as other City Council representation on boards.

209-16

Alderman Price moved approval of the following City Council Committee appointments: Labor and Finance - Collier-Wise/Chair, Holland, Meins and Price; Policies and Procedures - Holland/Chair, Collier-Wise, Sorensen and Ward; Utilities - Ward/Chair, Erickson, Humphrey and Powell; Surplus Property Appraisal - Price/Chair, Erickson, Humphrey and Sorensen and appointments to other City boards: Joint Powers - Meins; Library Board - Collier-Wise; Tree Board - Alderman Holland; Other City liaison/representatives: Clay County - Mayor Powell; Clay County Fair Board - Mike Carlson; Clay County Fire Company - Shannon Draper and Matt Callahan; Clay County Health Liaison - Matt Callahan; Clay County Park Board - Travis Taggart; Missouri River Energy Services - John Prescott and Shane Griese as alternate; SECOG - John Prescott and Mayor Powell as alternate; Dakota Hospital Foundation - John Prescott; University of South Dakota - Mayor Powell, Vermillion Chamber

of Commerce & Development Company - Mayor Powell and John Prescott and Vermillion NOW! - Mayor Powell. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### B. Official Depositories

Mike Carlson reported that State law requires the designation of official depositories of the City funds and requested designation for the following: CorTrust Bank, First Bank & Trust, First Dakota National Bank, Bank of the West, S.D. Public Funds Investment Trust, Wells Fargo and First National Bank in Sioux Falls.

210-16

Alderman Price moved approval of the designation of the following as official depositories: CorTrust Bank, First Bank & Trust, First Dakota National Bank, Bank of the West, S.D. Public Funds Investment Trust, Wells Fargo and First National Bank in Sioux Falls. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### C. Consolidated Board of Equalization

Mike Carlson, Finance Officer, reported that the County, School, and City have adopted a resolution to consolidate the Board of Equalization and the County requests that the entities reaffirm their intent.

211-16

Alderman Ward moved approval of the consolidation of the Board of Equalization with the County and School. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### D. Determination of Rules of Order

John Prescott, City Manager, stated that the City Council Rules and Procedures call for the City Council to designate an edition of Robert's Rules of Order. He stated that the City is currently using the 9<sup>th</sup> edition and has copies of this version available. The City Council, in 2006, developed a rules and procedures manual for the Council and now, with a new Council, it would be a good time to adopt the rules and procedures again. John stated that copies of the rules and procedures will be handed out with the orientation materials on Tuesday night.

212-16

Alderman Holland moved approval of the determination of Robert's Rules of Order 9<sup>th</sup> Edition as the rules of order for City Council meetings and to re-affirm the City Council Rules and Procedures dated March

2006. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Visitors to be Heard - None

8. Public Hearings - None

7. Old Business - None

8. New Business

A. Resolution to enter into partnership with Greening Vermillion

Jose Dominguez, City Engineer, reported that, as part of the 1990 Clean Water Act, the City is required to comply with the requirements set in the National Pollutant Discharge Elimination System (NPDES). Jose stated that the Clean Water Act and the NPDES goals are to reduce, or eliminate, the amount of pollutants and sediments entering our waters. Jose noted that, in order to meet these requirements, the City adopted a Storm Water Management Program (SWMP) that sets goals for the City to help meet the NPDES goals. Jose stated that one of the goals of the program is to enter into a partnership with a group that would assist the City to meet some control measures described in the SWMP. Jose stated that Greening Vermillion is an organization that, amongst other things, conducts programs that teach the public about environmental topics. Jose noted that in recent years they have been instrumental in coordinating the festivities for the Earth Day celebrations and also taught seminars and classes about the storm water pollution and ways to improve water quality. Jose stated that the City has been working with Greening Vermillion to increase the public's awareness regarding storm drains through the Adopt-a-Drain Program. Jose stated that this program allows the public to paint a storm drain with a motif that informs the general public of where the storm drain drains to and what not to dump in the drain. Jose recommended that the City Council approve the resolution recognizing the partnership with Greening Vermillion and have the City Engineer serve as the official City contact with the organization.

213-16

After reading the same once, Alderman Collier-Wise moved adoption of the following:

RESOLUTION FOR PARTNERSHIP WITH GREENING VERMILLION

WHEREAS, on March 16, 2015 the City adopted the City of Vermillion's Storm Water Management Program, dated March 2015, as required by the Clean Water Act; and,

WHEREAS, one of the goals of the program is to enter into a partnership with a group that would assist the City to meet some of the control measures described in the City of Vermillion's Storm Water Management Program, dated March 2015; and,

WHEREAS, the City has been fortunate to be working with Greening Vermillion on the Adopt-a-Drain program that will allow artists to paint storm drains throughout the City with art reminding the public that inlets drain to the river; and,

WHEREAS, Greening Vermillion also conducts programs that teach the public about other items covered in the City of Vermillion's Storm Water Management Program, dated March 2015, such as storm water pollution and ways to improve water quality; and,

WHEREAS, Greening Vermillion has been involved in the Earth Day celebrations that started in 2013.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Vermillion, South Dakota, pledge to enter into a civic partnership with Greening Vermillion on programs that will promote the City of Vermillion's Storm Water Management Program, dated March 2015. The City Council designates the City Engineer as the official city contact with Greening Vermillion.

Dated at Vermillion, South Dakota this 5<sup>th</sup> day of July, 2016.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

By: \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By: \_\_\_\_\_  
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Holland. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

B. Developer's Agreement between the City and Turner Excavation and Property Management, LLC

Jose Dominguez, City Engineer, reported that Turner Excavation and Property Management, LLC are constructing a four-plex on the southwest corner of the intersection of East Clark and Jefferson Streets. Jose

noted that City ordinance requires that the property owner construct sidewalks, grading, curb and gutter, street surfacing, street lights, water and sewer improvements on all streets abutting a property to be developed. Jose noted that the lot in question fronts East Clark Street and Jefferson Street and the agreement will delay the improvements on Jefferson Street until such time as the City Council requires the improvements or there is a request from property owners on Jefferson Street for improvements. Discussion followed.

214-16

Alderman Collier-Wise moved approval of the Developer's Agreement between the City and Turner Excavation and Property Management, LLC as it applies to the future improvement on Jefferson Street on the southwest corner of the intersection of East Clark and Jefferson Street and authorized the Mayor to sign. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### C. Declaring one vehicle surplus

Jose Dominguez, City Engineer, reported that the 2007 Ford Crown Victoria used in the Engineering Department can be declared surplus as a used pickup has been moved into the Engineering Department. Jose stated that there will also be a used vehicle to surplus in the Police Department later this summer and at that time he will request the Surplus Property Appraisal Committee to appraise both vehicles. Discussion followed.

215-16

Alderman Holland moved to declare the 2007 Ford Crown Victoria as surplus to be appraised at a later date. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

### 9. Bid Openings

#### A. Bid for Tire Hauling and Recycling Services

Jose Dominguez, City Engineer, reported that The South Dakota Department of Environment and Natural Resources (DENR) awarded a \$100,000 grant to the City of Vermillion for a waste tire collection program that services areas within Clay County, Yankton County and Union County. Jose stated that the grant received allowed residents to dispose of tires at locations in these counties and this bid was for the removal of the tires. Jose stated that the City would be reimbursed for any cost related to tire disposal by DENR from the grant. Jose reported that requests for bids were sent to four contractors and only one bid was received from Liberty Tire Services of Ohio LLC DBA Liberty Tire Recycling, LLC of Savage, MN in the amount of \$193 per ton, total \$115,800. Jose stated that, as the bid exceeded the amount of the

grant, DENR was contacted and they have agreed to reimburse the total amount for the tire removal. Jose recommended approval of the only bid contingent upon DENR approval. Discussion followed.

216-16

Alderman Collier-Wise moved approval of the only bid received for waste tire removal from Liberty Tire Services of Ohio LLC DBA Liberty Tire Recycling, LLC of Savage, MN in the amount of \$193 per ton, total \$115,800, contingent upon approval by DENR. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### B. Fuel Quotes

Mike Carlson, Finance Officer, read the only monthly fuel quote received from Brunick's Service and recommended acceptance.

Item 1 - 4,350 gal unleaded 10% ethanol: \$1.89; Item 2 - 1,000 gal unleaded gasoline - regular: \$2.14; Item 3 - 3,000 gal Diesel fuel dyed: \$1.78; Item 4 - 1,000 gal diesel fuel-clear: \$2.07.

217-16

Alderman Sorensen moved approval of the only fuel quote from Brunick's Service. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### 10. City Manager's Report

A. John reported that there will be a Special City Council meeting on Thursday, July 14th at 6:30 p.m. in the Large Conference room for a City Council orientations led by USD Professor Matt Fairholm.

B. John reported that the VCDC has scheduled the Bliss Pointe Park dedication for Thursday, July 14th at approximately 5:15 p.m. and will also have a Tour of homes. John invited all in the community to attend.

C. John reported that the joint meeting with the Clay County Commission has been scheduled for Monday, July 18th in City Hall at 5:30 p.m. in the City Hall Council Chambers. John stated that the purpose of the meeting is to consider 2nd reading of Ordinance No. 1344 for an Aquifer Protection Overlay Zone in the joint jurisdictional area.

D. John stated that he is working on setting up budget meetings for the week of August 8th, noting that he will be contacting the remaining members on their availability.

E. John reported on the receipt of the following raffle notifications:

The USD Law School Class of 2018 will be selling \$10 tickets

until December 12, 2016. They are selling \$10 tickets to raise funds for their hooding ceremony. The prize is a custom made Star quilt valued at \$500.

The Fraternal Order of Eagles is selling tickets for \$10 each or three tickets for \$25. The prize is a Green Mountain Grille/electric smoker valued at \$750. All proceeds will go to the Eagles for the charitable purposes they support. The drawing will be held on July 16th during the benefit for Tom Kruse.

PAYROLL ADDITIONS AND CHANGES

City Council: Brian Humphrey \$242.94/bi-weekly, Tom Sorensen \$242.94/bi-weekly; Street: Scott Iverson \$16.20/hr; Recreation: Hope Knedler \$9.50/hr, Owen Mechling \$9.00/hr, Avery Mollett \$9.00/hr, Dustin Valind \$8.75/hr, Brian Woodward \$8.75/hr; Pool: Courtney Johnson \$10.25/hr, Anna Van Holland \$8.75/hr; Parks: Tyler Williamson \$16.76/hr; Library: Beth Knedler \$18.78/hr

11. Invoices Payable

218-16

Alderman Price moved approval of the following invoices:

Alice Training Institute	training	595.00
Altec Industries, Inc	basket truck	215,550.00
Appeara	supplies	193.46
Aramark Uniform Services	uniform cleaning	274.02
Argus Leader Media #1085	subscription	25.00
Avera Occupational Medicine	testing	209.70
Baker & Taylor Books	books	849.61
Banner Associates, Inc	professional services	600.00
Barkley Asphalt	asphalt	1,263.72
Bhs Marketing, LLC	soda ash	6,822.86
Bierschbach Eqpt & Supply	supplies	1,014.00
Bill Brown	mowing/junk/debris	380.00
Blackstone Audio Inc	books	50.00
Border States Elec Supply	supplies	4,446.46
Bound Tree Medical, LLC	supplies	508.83
Broadcaster Press	advertising	242.00
Brock White Co	supplies	4,709.02
Brunick's Service Inc	propane	133.00
BSN Sports Inc	recreation supplies	2,115.37
Cafe' Brule	retirement cake	75.00
Callaway Golf	merchandise	160.62

Campbell Supply	supplies	1,764.31
Cask & Cork	merchandise	180.00
Century Business Products	copier contract/copies	413.12
Centurylink	telephone	743.82
Chesterman Co	supplies	2,617.98
City Of Beresford	electric materials	351.44
City Of Vermillion	copies/postage	1,545.67
City Of Vermillion	utility bills	39,686.83
Class C Solutions Group	supplies	248.73
Clay Co Director Of Equalization	pictometry fee	4,622.84
Coffee King, Inc	supplies	188.25
Colonial Life Acc Ins.	insurance	3,333.63
Convergint Technologies LLC	repairs	227.55
Corinsurance	fire dept equipment ins	1,454.00
Cornhusker International Truck	supplies	120.12
Coyote Convenience	fuel	23.65
Coyoteopoly	portable toilet rental	200.00
Crossroads Hotel & Convention	lodging	248.97
Culligan Water	drinking water cooler	69.50
Cummins Central Power, LLC	supplies	1,316.24
D-P Tools	supplies	164.44
Dakota Beverage	merchandise	9,102.16
Dakota Pc Warehouse	switch/computer/monitor	488.96
Dakota Supply Group	parts	2,803.35
Danko Emergency Equipment	supplies	146.58
Daphne's Headcovers	merchandise	428.12
Delta Dental Plan	insurance	6,586.40
Dennis Martens	maintenance	833.34
Dept Of Revenue	testing	119.00
DGR Engineering	professional services	13,475.92
Diamond Vogel Paints	paint machine/paint	16,994.50
Diamondback Truck Covers	box cover	1,599.00
Diane's Greenhouse	supplies	1,299.00
Diversified Inspections	testing	1,080.00
Division Of Motor Vehicle	title/plates	10.00
Dust Tex	entry mats	120.00
E.A Sween Company	supplies	335.14
Earthgrains Baking Co's Inc	supplies	361.62
Ebsco	subscription	2,859.70
Echo Electric Supply	supplies	3,016.88
Ecolab	supplies	587.15
Elliott Equipment Co	parts	1,851.93
Embroidery & Screen Works	embroidery	15.30
Energy Laboratories	testing	1,150.00

Environmental Products & Acc.	supplies	802.29
Erickson Solutions Group	professional services	875.00
Farmer Brothers Co.	supplies	56.90
Farner Bocken Company	supplies	917.91
Findaway World LLC	books	334.55
Foreman Media	council mtg	50.00
Gale	books	74.18
Geotek Engineering	professional services	2,531.00
Global Distributing	merchandise	325.00
Graham Tire Co.	tires	514.27
Grainger	supplies	58.92
Graybar Electric	parts	106.42
Graymont Capital Inc	chemicals	4,033.15
Gregg Peters	freight	1,706.40
Gregg Peters	rent	937.50
Hartington Tree LLC	stump removal	1,652.00
Hauff Mid-America Sports	supplies	786.06
Hauger Lawn Service	lawn service	128.00
Hawkins Inc	chemicals	3,378.87
HD Supply Waterworks	supplies	38,295.50
Helms & Associates	airport improvements	8,994.01
Hy Vee Food Store	supplies	609.20
In Control, Inc	parts	1,582.02
Independence Waste	waste hauling/toilet rent	1,485.45
Ingram	books	3,610.30
Jay's Plumbing	repairs	122.40
Jerry's Chevrolet Buick Gm	repairs	880.97
John A Conkling Dist.	merchandise	7,823.37
Johnson Brothers Of SD	merchandise	15,439.04
Johnson Controls	service agreement	2,159.50
Johnson Electric	install load mgmt	125.00
Johnson Feed, Inc	repairs	741.75
Jones Food Center	supplies	1,674.15
Karsten Mfg Corp	merchandise	966.60
Larrys Home Repair	repairs	55.91
Lawson Products Inc	supplies	136.67
Laynes World	chief award	44.82
Leggette, Brashears & Graham	professional services	1,762.05
Leisure Lawn Care	repairs/treatment	119.75
Lessman Elec. Supply Co	supplies	486.90
Locators And Supplies, Inc	supplies	214.91
Malloy Electric	parts	783.89
Mart Auto Body	towing	600.00
Mart Brothers Construction	gutter repair	119.82

Masimo	EMS equipment	4,506.00
Matheson Tri-Gas, Inc	supplies	491.14
Maxx Sunglasses	merchandise	253.84
McCulloch Law Office	professional services	3,470.10
Mead Lumber	supplies	46.47
Medical Waste Transport, Inc	haul medical waste	223.78
Medico Life & Health Insurance	life insurance	409.20
Menards	supplies	30.85
Michael Carlson	meals reimbursement	22.00
Mid-American Research Chemical	supplies	548.30
Midwest Alarm Co	alarm monitoring	500.75
Midwest Boiler Repair, Inc	repairs	839.97
Midwest Building Maintenance	mat service	404.90
Midwest Ready Mix & Equipment	concrete/rock	1,521.00
Midwest Striping	supplies	70.00
Midwest Turf & Irrigation	parts	805.04
Minitex Library	supplies	542.00
Missouri River Energy Services	registration	300.00
Missouri Valley Maintenance	repairs	2,746.26
Mobotrex Mobility & Traffic	repairs	2,930.00
Moore Welding & Mfg	supplies	287.06
Mr. Golf Car, Inc	repairs	582.40
Murphs Appliance & TV Inc	repairs	139.43
Musco Sports Lighting, LLC	softball field lighting	38,000.00
NCL Of Wisconsin, Inc	supplies	2,918.04
Nebraska Journal-Leader	advertising	317.44
Netsys+	professional services/repairs	1,919.25
New York Life	insurance	35.01
Nike Inc	merchandise	94.94
Northeast Nebraska News Co	advertising	139.68
Okoboji Wines	merchandise	1,050.96
O'Reilly Auto Parts	supplies	6.39
One Office Solution	supplies	6.00
PCC, Inc	commission	2,697.76
Pedersen Machine Inc	parts	202.76
Pitney Bowes	postage meter lease	289.71
Plain Talk Publishers	subscription	26.00
Powerphone, Inc	recertification	387.00
Precision Lawn Care	mowing	187.50
Presto-X-Company	inspection/treatment	96.11
Print Source	business cards/supplies	206.00
Proefrock Electric Inc	install controller	25.00
Pump N Pak	fuel	53.80
Qt Pod	parts	250.80

Quality Equipment And Service	repairs	34.46
Quality Telecommunications	parts	469.50
Quill	supplies	388.54
Racom Corporation	maintenance contract	465.35
Radiant Heat, Inc	parts	97.50
Reams Sprinkler Supply	parts	1,462.94
Recorded Books, Inc	books	346.60
Recreation Supply Co.	supplies	807.93
Reinhart Foodservice, LLC	merchandise	2,954.19
Republic National Distributing	merchandise	18,894.00
Resco	transformer pads	3,987.00
Rockmount Research & Alloy	supplies	188.80
Sanford Health Plan	participation fees	60.00
Schaeffer Mfg. Co	supplies	638.40
SD Golf Association	handicap	4,670.00
SD Public Assurance Alliance	insurance	161.00
SD Retirement System	contributions	51,543.64
Security Shredding Service	shredding container	35.00
Servall Towel & Linen	shop towels	16.80
Shane Griese	travel reimbursement	1,907.77
Sherwin-Williams	supplies	249.58
Sioux Falls Two Way Radio	radio's	1,020.96
Sioux Valley Environmental	supplies	1,015.00
Siouxland Humane Society	fees	37.00
Sooland Bobcat	parts	471.41
Special T's And More	uniform shirts	251.35
St. Andrews Products Co	supplies	580.42
Stern Oil Co.	oil	1,037.52
Stewart Oil-Tire Co	repairs	19.95
Stuart C. Irby Co.	supplies	2,403.00
Sturdevants Auto Parts	parts	2,219.04
Supplyworks	supplies	147.98
Taylor Made	merchandise	309.99
The Equalizer	advertising	168.00
The Walking Billboard	uniform shirts	545.95
Titleist Drawer Cs	merchandise	2,328.54
Total Flooring	professional services	3,206.72
True Value	supplies	366.62
Turner Plumbing	repairs	2,989.27
Twin City Hardware	keys	85.68
United Parcel Service	shipping	28.71
United Way	contributions	557.70
USA Bluebook	parts	1,141.76
Valiant Vineyards	merchandise/lodging	779.00

Van Diest Supply Co	supplies	8,214.40
Vast Broadband	911 circuit/dialup service	1,415.45
Verizon Wireless	wireless communication	2,769.57
Vermeer High Plains	supplies	1,717.84
Vermillion Ace Hardware	supplies	4,308.88
Vermillion Area Arts Council	online registration	144.81
Vermillion Chamber Of Commerce	TIF #4 /All Star game	16,128.15
Vermillion Community Theatre	online registration	416.62
Vermillion Ford	repairs	87.80
Visa/First Bank & Trust	fuel/lodging/supplies	6,450.08
Wal-Mart Community	supplies	1,434.56
Walker Construction	concrete work	4,045.00
Walt's Homestyle Foods, Inc	supplies	152.60
Welfl Construction Co	Prentis park pool contract	60,927.00
Westech Engineering, Inc	parts	1,739.40
Williams & Co.	2015 audit	19,760.00
Yamaha Golf & Utility	keys	410.95
Yankton County Observer	subscription	30.00
Yankton Janitorial Supply	supplies	195.90
Yankton Medical Clinic	testing	247.00
Yankton Winnelson Co	supplies	124.34
Zee Medical Service	supplies	108.50
Jim Peterson	Bright Energy Rebate	625.00
Todd Nelson	Bright Energy Rebate	350.00
Sabine Klaus	Bright Energy Rebate	350.00
James Fowler	Bright Energy Rebate	525.00
Kalins Indoor Comfort	Bright Energy Rebate	400.00

Alderman Collier-Wise seconded the motion. Motion carried 9 to 0.  
Mayor Powell declared the motion adopted.

## 12. Consensus Agenda

A. Set a public hearing date of July 18, 2016 for a Special Permit to exceed permissible sound levels by no more than 50% on W. Main Street between High and Prospect Streets on Friday, September 9, 2016 between 5:00 p.m. and midnight and on Saturday, September 10, 2016 between 5:00 p.m. and midnight for Ribs, Rods & Rock'n Roll for a street dance.

B. Set a public hearing date of July 18, 2016 for a special daily malt beverage and wine license for Ribs, Rods & Rock'n Roll on or about September 9 & 10, 2016 on Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main to Kidder, Kidder Street from Austin to half block east of Market, Court Street from Main to half block

south, public parking lot at Market and Kidder and Prospect from Main Street half block north.

219-16

Alderman Price moved approval of the consensus agenda. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

220-16

Alderman Ward moved to adjourn the Council Meeting at 7:50 p.m. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 5th day of July, 2016.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA  
BY \_\_\_\_\_

John E. (Jack) Powell, Mayor

ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Published once at the approximate cost of \_\_\_\_\_.

Unapproved Minutes  
Council Special Session  
July 14, 2016  
Monday 6:30 p.m.

The special session of the City Council, City of Vermillion, South Dakota was held on Thursday, July 14, 2016 at 6:30 p.m. at the City Hall large conference room.

1. Roll Call

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

Absent: Collier-Wise, Erickson

2. Pledge of Allegiance

3. City Council Orientation Program - Matthew R. Fairholm, Ph.D.

Mayor Powell wanted to thank all the members for making time to attend the orientation. Mayor Powell introduced Matthew Fairholm, who was asked to lead the Council orientation. Matt reviewed the Council orientation materials.

No action was taken.

4. Adjourn

221-16

Alderman Price moved to adjourn the Council special session at 8:40 p.m. Alderman Ward seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 14<sup>th</sup> day of July, 2016.

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

ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Published once at the approximate cost of \_\_\_\_\_.

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer

**Meeting:** July 18, 2016

**Subject:** Special permit to exceed permissible sound levels by no more than 50% for Ribs, Rods, & Rock 'n Roll for a street dance on W. Main Street between High Street and one half block past Center Street on September 9 & 10, 2016

**Presenter:** Mike Carlson

**Background:** Ribs, Rods, & Rock 'n Roll has applied for a special permit to exceed allowable noise levels for several bands and a street dance on two consecutive dates. The first day is Friday, September 9 beginning at 5:00 p.m. and lasting until midnight. The second occasion begins on Saturday, September 10 at 5:00 p.m. lasting until midnight. The request, diagram and notice of hearing are attached.

The city noise ordinance is as follows.

Sec. 90.01. Noises prohibited.

- (A)General prohibitions: In addition to the specific prohibitions outlined below, it shall be unlawful for any person to make, continue, or cause to be made or continued any loud or unusual noise so as to disturb the peace of the public, any neighborhood, any business operation, family, lawful assembly of persons, or any person by committing any act or acts of disturbance within the limits of the City of Vermillion.
- (B)The following acts are declared to be in violation of this chapter.
- 1) Sound equipment prohibited: Except for emergency vehicles, it shall be unlawful for any person to operate or cause to be operated upon the streets or public places in the city a sound truck or car with sound amplification equipment in operation. "Sound truck" as used herein means any vehicle having thereon or attached thereto any sound amplification equipment. "Sound amplification equipment" as used herein means any machine or device for the amplification of the human voice, music or other sound, but shall not include radio or warning devices on vehicles used for traffic warning or control purposes.
  - 2) Stereos, radios, television sets, musical instruments and similar devices:
    - a. Using, operating or permitting the use or operation of any stereo, radio, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound, except as provided for in paragraph (1) above, in such a manner as to violate this section or cause a noise disturbance.
    - b. The operating of any such device between the hours of 11:00 p.m. and 7:00 a.m. the following day in such a manner as to be plainly audible at the property boundary of the source or plainly audible at fifty (50) feet from such device when operated within a vehicle parked on a public right-of-way or when operated from within a private residence.

6. Public Hearings; item a

- 3) Maximum permissible sound levels: It shall be unlawful for any person to operate or permit the operation of any stationary source of sound in such a manner as to create a sound pressure level during any ten-minute measurement period which exceeds the limits set forth for the following receiving land use districts when measured at the boundary or at any point within the property affected by the noise. Sound level measurements shall be made at a distance of fifty (50) feet from source with a sound level meter of type 2 or better, using the "A" weighting scale, in accordance with standards promulgated by the American National Standards Institute.

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

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

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

**Discussion:** The application and map indicate that the stage and sound system will be on W. Main Street facing toward the east. The special daily license is under public hearings and the street closure request is under new business on this agenda.

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

**Financial Consideration:** The Committee has paid the \$25 fee for the noise permit.

**Conclusion/Recommendations:** Administration recommends approval of the special permit unless information is presented at the public hearing that indicates that there were problems related to the noise at past events.

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

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

Organization Requesting Ribs Pads + Rock'n Roll

Contact Person Jenny French Phone 670-9658

Contact Person Address 302 Canby St

Location of Event Main St + Market (Plaza) Date of Event Sept 9 + 10

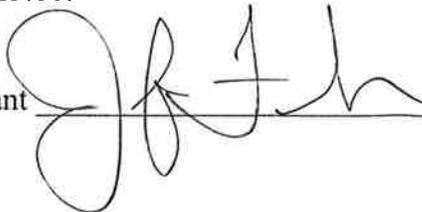
Duration of event from time 5pm to Time 2am

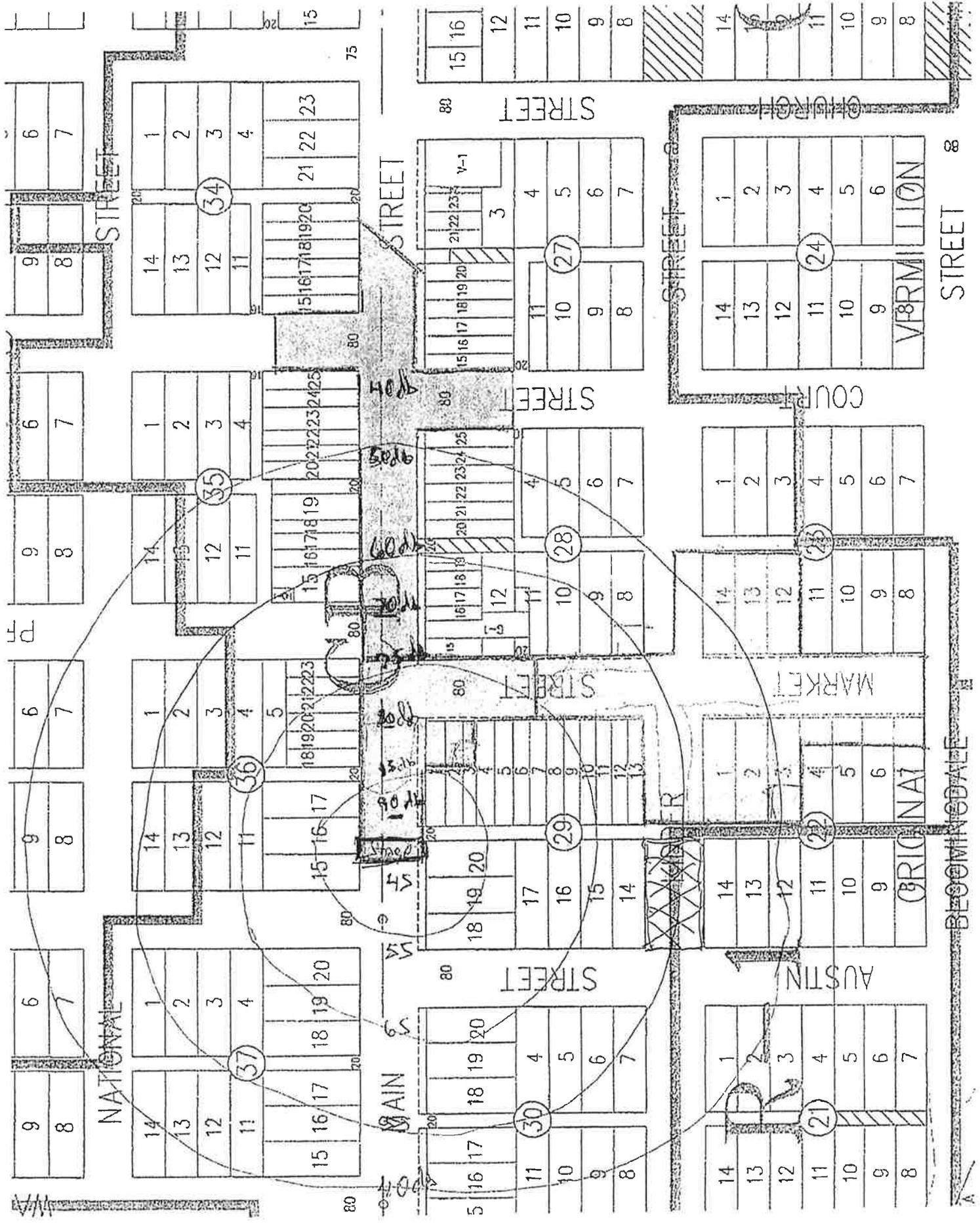
The ordinance asks if this is a suitable location with appropriate facilities: yes, stage, electricity + security

The ordinance asks the applicant to demonstrate that the event for which the permit is requested be of public benefit. Describe the public benefit: Annual rib contest + car show. Benefits include poles for revenue, up to 12,000 people in town, Showcase  
Jerusalem

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

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

Signature of applicant  date 6/16/16



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

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 18<sup>th</sup> day of July, 2016 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for a special permits to exceed allowable sound levels which has been filed in the Finance Officer's Office:

Ribs, Rods & Rock'n Roll, Inc request for a special permit to exceed allowable sound levels for a street dance on Main Street between High and Prospect on Friday, September 9, 2016 between 5:00 p.m. and midnight and on Saturday, September 10, 2016 between 5:00 pm and midnight.

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

Dated at Vermillion, South Dakota this 1<sup>st</sup> day of July, 2016.

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Michael D. Carlson, Finance Officer

Publish: July 8, 2016

Published once at the approximate cost of \_\_\_\_\_.

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer

**Meeting:** July 18, 2016

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

**Presenter:** Mike Carlson

**Background:** Ribs, Rods, & Rock 'n Roll has submitted an application for a special daily malt beverage and wine license for the Ribs, Rods & Rock 'n Roll event on September 9 and 10, 2016 on W. Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main to Kidder, Kidder Street from Austin to half block east of Market, Court Street from Main to half block south, public parking lot at Market and Kidder and Prospect from Main Street half block north.

City ordinance on special daily licenses reads as follows:

§ 112.18 SPECIAL ALCOHOLIC BEVERAGE LICENSES ISSUED IN CONJUNCTION WITH SPECIAL EVENTS.

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

State Statute for the special daily licenses is as follows:

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

## 6. Public Hearings; item b

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (12) or chapter 35-12 in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4) or (6) in addition to any other licenses held by the special events license applicant; or
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

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

**Discussion:** The notice of public hearing, report from Police Chief, event explanation, and diagram are attached. As the event will be held on a City street and City property, ordinance allows the City to include “*such conditions and restrictions, as the governing body may deem appropriate and consistent with state law.*” The street closure request is under new business and the request to exceed noise levels was earlier on this agenda. Ribs, Rods & Rock ’n Roll request is to sell the beer and wine on the City streets.

A Release and Indemnification releasing the City from liability for the event and the Certificate of Insurance that names the City of Vermillion as an additional insured, including liquor liability, have been received from the organization.

Below are the special conditions required by the City Council for past Ribs, Rods & Rock ’n Roll events. Adjustments may be appropriate for the last two conditions but staff recommends the City Council attach the following conditions:

- State law provides if an organization conducts a street dance in conjunction with a special event, the organization shall provide qualified security personnel as deemed necessary by the governing body, which issued the license to maintain order during the street dance. In past years, the organization has reimbursed the City for Police Department wages to monitor the dance. Staff proposes that the organization again reimburse the Police Department for officers assigned to the event but limit the overtime wage reimbursement to \$1,000 or actual costs, whichever is lower. For 2014 the overtime costs were \$689.48. The organization was also required to provide security personnel.
- Require a plan for the cleanup and disposal of the cups and other materials after the event each day.

6. Public Hearings; item b

- Restroom facilities will also need to be provided. In past years, port-a-potties were brought in for similar events.
- The Police Chief's report requests that clear signage at each egress from the area where alcohol is allowed advising "No Alcohol Beyond this Point".
- The motion should include the hours that alcohol will be allowed. The request this year is for Friday from 5:00 p.m. to midnight and Saturday from 11:00 a.m. until midnight which is the same as last year.

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

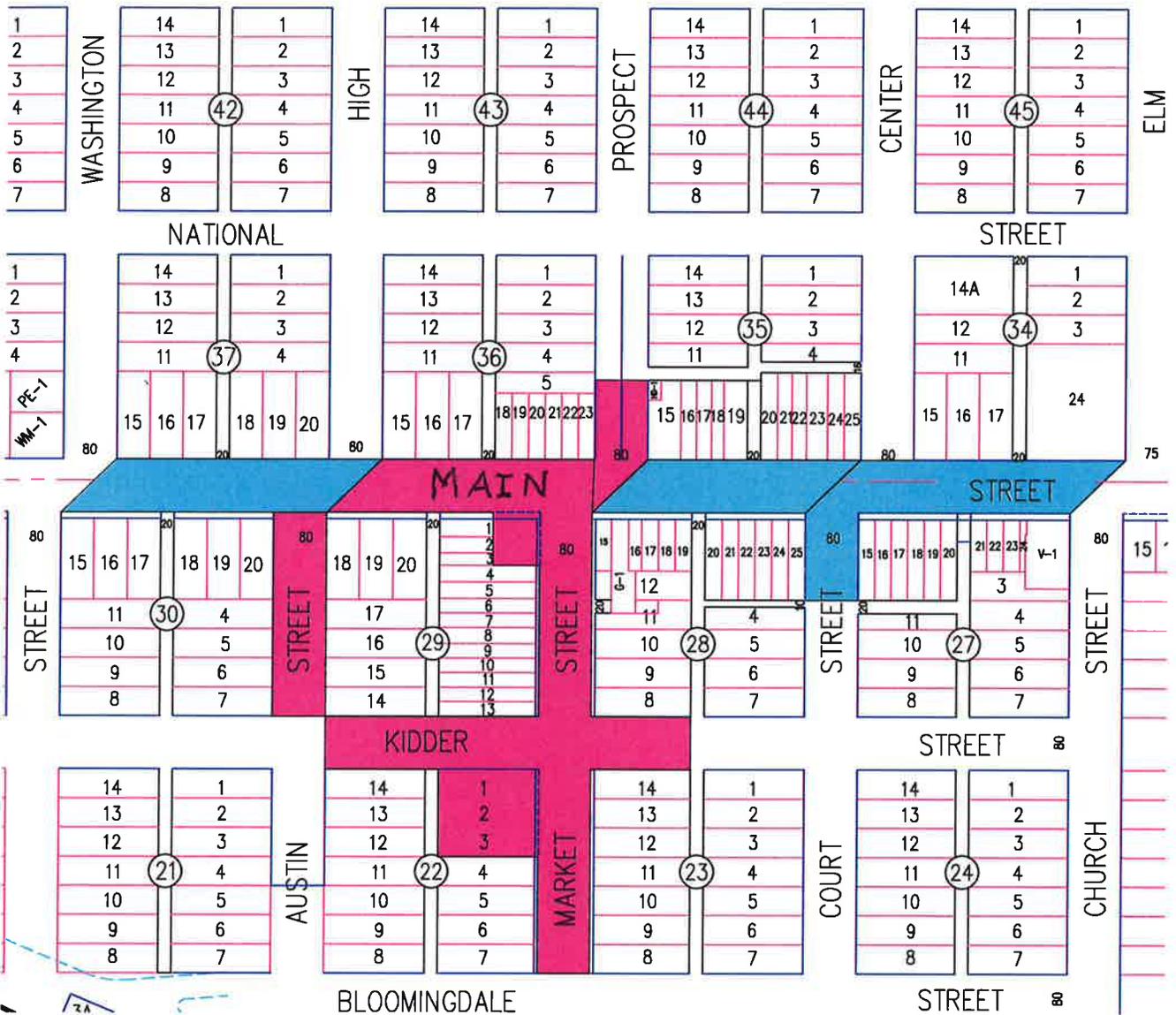
**Conclusion/Recommendations:** Administration recommends approval of the September 9 and 10, 2016 special daily malt beverage and wine license, contingent upon the establishment of hours that sales will be allowed for each day, the City Council is comfortable that the applicant holding the license can properly distribute malt beverages and regulate the event, and there is complete understanding and agreement by the applicant with regard to any conditions and restrictions the City Council may require after further information is provided at the public hearing.

# **Ribs, Rods & Rock 'n Roll**

**September 9 & 10, 2016**

Beer Garden Hours: Friday, Sept 9 - 5:00pm-12:00am  
Saturday Sept 10 - 11:00am-12:00am

The Beer Garden Tent will be located in front of Mead Lumber on Main Street. Customers will be carded and have a wrist band placed on them in a separate area where they can also purchase beer tokens. Beer is only dispensed out of the beer tent but patrons may consume it within the designated area. Signage is posted at all entrances/exits and security will be present to prevent beer from leaving the area. They are also monitoring the crowds and making sure all people consuming alcohol have a wristband on. There are also security people roaming through out the event.



(blue)

CLOSED SEPT. 10 AT 6:00 A.M. UNTIL 5 P.M.

(pink)

CLOSED SEPT. 9 AT 7 A.M. UNTIL SEPT. 11 AT NOON

# STREET CLOSURE PLAN

RIBS, RODS AND ROCK & ROLL		1.0	
CITY OF VERMILLION, SD 57069		SCALE: NTS	JULY 2016



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



06/30/16

To: Vermillion City Council

From: Matthew Betzen, Chief of Police 

Subject: Ribs, Rods, & Rock'n Roll Road Closure and Liquor License Application.

I have reviewed the application for "Special Daily License (On-Sale) Malt Beverage and Wine License" submitted by Ribs Rods & Rock'n Roll, Inc. reference their event in downtown Vermillion on September 9, 10, and 11th of this year. A check of the Vermillion Police Records does not reveal any felonies with regards to the applicants. This is an annual event that involves much of downtown, a large beer garden, and multiple entertainment venues.

This type of celebration unfortunately lends itself to some violation involving alcohol and public disorder. However, the event planners, as in previous years, have security personnel and alcohol control measures planned for as a part of the application. Additionally, the event has budgeted \$1000 towards overtime for additional police coverage. These preventative measures should mitigate the dangers associated with this event.

The road closure and noise permits are reflective of previous years. The alcohol permit allows for the public to review the car show with an open alcohol container, and allows for interaction with the barbeque contestants and the public while drinking alcohol. Control of these areas has been discussed with organizers of the event and I believe the following control measures will be adequate to mitigate any potential problems.

- 1) The alcohol purchase area will be controlled as in previous years with physical barriers at Main and Prospect, Main and High St, and Market and Kidder. At these barriers, ages will be verified; fees collected and people over 21 will be given a bracelet.
- 2) During the hours of the car show on Saturday (11:00am – 5:00pm), open consumption of alcohol will be allowed outside the purchase area along Main between Washington St. and Church St. with clear signage at each egress from the area advising, "No Alcohol Beyond This Point".
- 3) During the course of the event, the areas used by the vendors to prepare food and stage for "People's Choice" events, which included Austin between Main and Kidder, Kidder from Austin to the Alley between Market and Court St., Market between Kidder and Bloomingdale, and the public parking lot on the southwest corner of Market and Kidder, open consumption of alcohol will be allowed with clear signage at each egress from the area advising, "No Alcohol Beyond This Point".

NOTICE OF PUBLIC HEARING OF APPLICATIONS  
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 18<sup>th</sup> day of July, 2016 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Ribs Rods & Rock'n Roll, Inc on or about September 9 & 10, 2016 on Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main to Kidder, Kidder Street from Austin to half block east of Market, Court Street from Main to half block south, public parking lot at Market and Kidder and Prospect from Main Street half block north.

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 1<sup>st</sup> day of July, 2015.

Michael D. Carlson, Finance Officer

Publish: July 8, 2016

Published once at the approximate cost of \_\_\_\_\_.

## *Council Agenda Memo*

**From:** Derek Chancellor, Administrative Intern

**Meeting:** July 18, 2016

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

**Presenter:** Derek Chancellor

**Background:** The Ribs, Rods, & Rock 'n Roll organization is requesting a temporary street closing to host their State BBQ Championship, music festival, and car show on September 9 and 10, 2016.

**Discussion:** The street closure request is broken down into two sections as follows:

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

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

The street closing request and a map of the requested street closings are both attached. The noise permit and special daily malt beverage and wine license were also considered earlier on this agenda. The Police, Fire, and EMS Departments have been notified of the closure request and have found no safety concerns. The proposed street closings are very similar to last year.

**Financial Consideration:** None.

**Conclusion/Recommendations:** While there are a number of street closings and some of the street closings are for a fairly lengthy time period, Administration did not receive any complaints on the closings for this event last year. Administration recommends approval of the street closings for this year's Ribs, Rods, & Rock 'n Roll events.

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

**CITY OF VERMILLION REQUEST TO CLOSE CITY STREET**

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

Organization Requesting Ribs, Rods, & Rock N' Roll

Contact Person Rich Job Phone 605-670-9913

E-Mail Address richard.job@hubinternational.com

Contact Person Address 815 W Clark St - Vermillion, SD 57069

Event SD BBQ Championship Date(s) of Event Sept 9th & 10th

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

Street See Street Map from \_\_\_\_\_ to \_\_\_\_\_

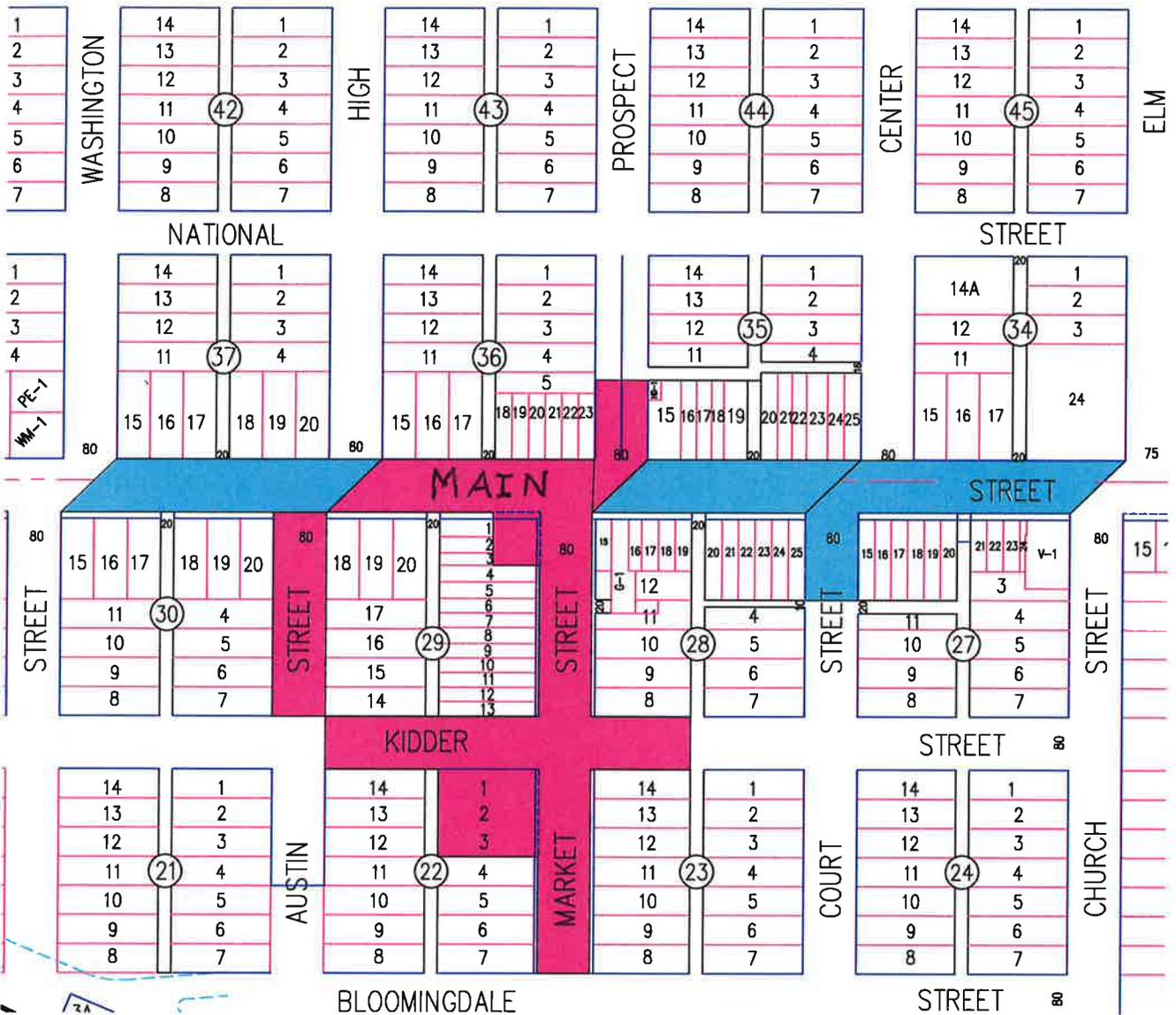
Street Closing Times \_\_\_\_\_ to \_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Applicant  Date 7-8-16



(blue)

CLOSED SEPT. 10 AT 6:00 A.M. UNTIL 5 P.M.

(pink)

CLOSED SEPT. 9 AT 7 A.M. UNTIL SEPT. 11 AT NOON

# STREET CLOSURE PLAN

RIBS, RODS AND ROCK & ROLL		1.0	
CITY OF VERMILLION, SD 57069		SCALE: NTS	JULY 2016



## *Council Agenda Memo*

**From:** Derek Chancellor, Administrative Intern

**Meeting:** July 18, 2016

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

**Presenter:** Derek Chancellor

**Background:** The Vermillion Food Pantry is requesting a temporary street closing of a portion of Franklin Street to host their 2<sup>nd</sup> Feeding Vermillion Food Giveaway on Thursday, July 28, 2016. The event will last from 4:00 p.m. until approximately 7:00 p.m.

**Discussion:** The street closing request and a map of the requested closing of a portion of Franklin Street are both attached. The street closure is requested for Franklin Street from the intersection of Franklin Street and Dartmouth Street to the intersection of Franklin Street and Princeton Street, from 2:00 p.m. to 8:30 p.m. on Thursday, July 28, 2016. The street closing is to allow elderly and disabled individuals to have a safe, accessible location for participating in the event.

Franklin Street residents will be notified of the closure, but will still have access to their property during the proposed street closure. Only Franklin Street through traffic will be limited during the street closure. Members of the Vermillion Food Pantry/Weekend Backpack Program along with other volunteers will be in charge of clean-up.

Harold Holoch with the Food Pantry program will be present to address questions. The public safety departments have been notified of the closure.

**Financial Consideration:** None.

**Conclusion/Recommendations:** Administration recommends approval of the Franklin Street closure for the Feeding Vermillion Food Giveaway event on Thursday, July 28, 2016 from 2:00 p.m. to 8:30 p.m.

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

### CITY OF VERMILLION REQUEST TO CLOSE CITY STREET

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

Organization Requesting Vermillion Food Pantry - Weekend Backpack Program

Contact Person Harold Holoch Phone 605-638-0977

E-Mail Address heroldo23@yahoo.com

Contact Person Address 510 S. Norbeck St. Vermillion SD 57069

Event 2nd Feeding Vermillion Food Giveaway Date(s) of Event July 28, 2016  
4:00 p.m. to 7:00 p.m.

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

Street Franklin from Princeton to Northside of 502 Franklin

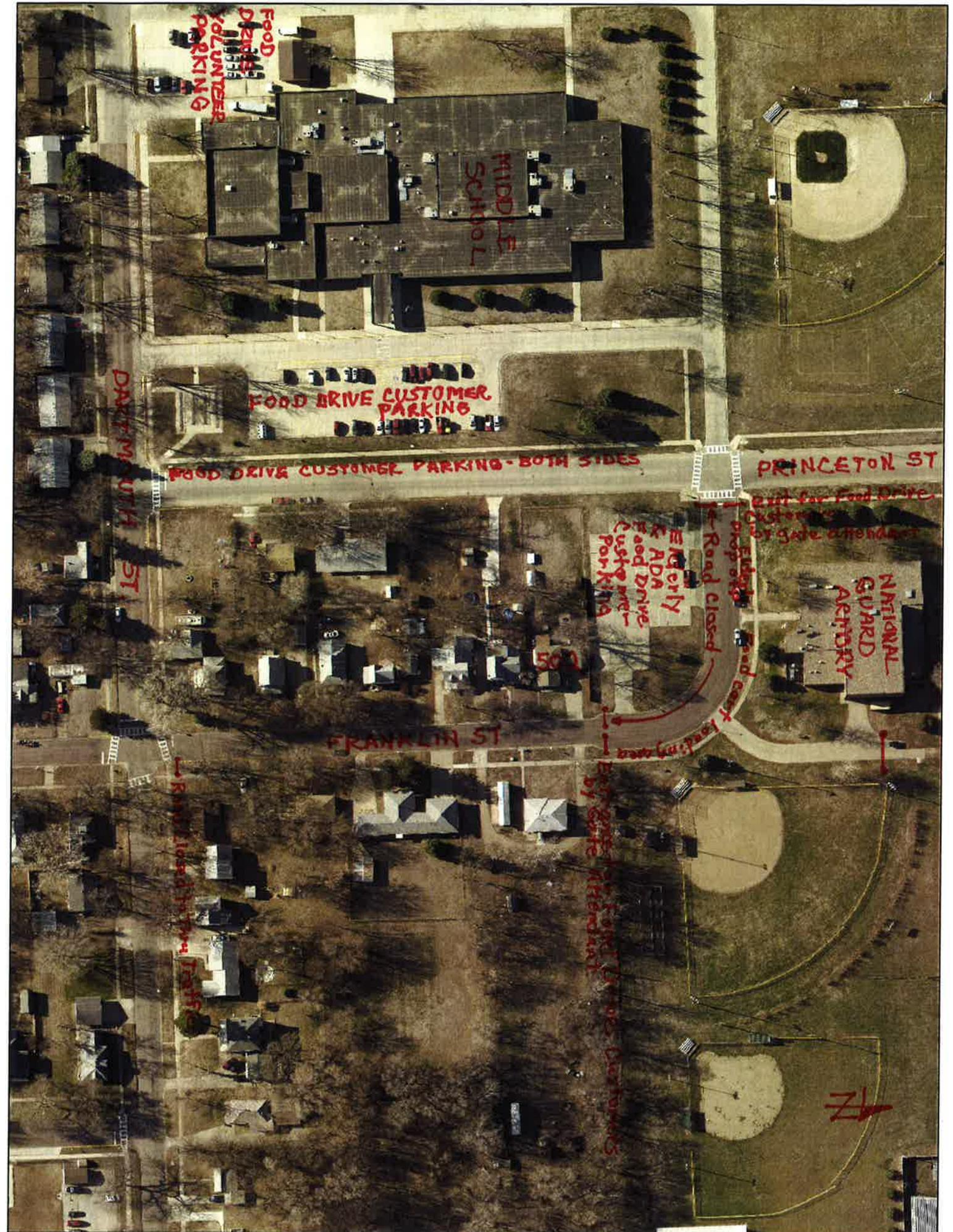
Street Closing Times 2:00 p.m. to 8:30 p.m.

If the street closing requested would affect other residents or businesses have they been notified of the request? Yes  No  Street closing will not include any residential or business properties.

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

Yes. Vermillion Food Pantry/Weekend Backpack Program volunteers along with specific cleanup detail volunteers scheduled from 7:00 p.m. to 8:30 p.m. will be in charge of cleanup.

Signature of Applicant Harold Holoch Date 7-13-16  
VFP Board Member



Food Drive  
Volunteer  
Parking

MIDDLE SCHOOL

DARTMOUTH ST

FOOD DRIVE CUSTOMER PARKING

FOOD DRIVE CUSTOMER PARKING - BOTH SIDES

PRINCETON ST

Drop off for Food Drive  
customers  
by gate attendant

Drop off  
zone  
for elderly  
& ADA  
Food Drive  
customers -  
parking

Road closed

Road east  
loading area

NATIONAL  
GUARD  
ARMORY

561

FRANKLIN ST

Road closed to two lanes

Drop off for Food Drive customers  
by gate attendant



## *Council Agenda Memo*

**From:** John Prescott, City Manager

**Meeting:** July 18, 2016

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

**Presenter:** Elijah Bonde, VCDC Economic Development Assistant

**Background:** “Thursdays on the Platz” is again planning to hold several events in downtown Vermillion. The events are scheduled for July 21, August 4, August 18, and September 1, 2016. The dates of July 28, August 11, August 25, and September 8 are rain dates which will only host an event if an earlier date is cancelled. The events would host local and regional musical entertainment.

The City Council approved the use of Ratingen Platz and the closure of Market Street from W. Main Street to the East/West alley between W. Main Street and Kidder Street for the dates listed above at the June 6<sup>th</sup> meeting. A noise permit and special daily malt beverage for the Thursdays on the Platz events were also approved at the same meeting.

**Discussion:** Since the initial Market Street closing was approved, a request to expand the street closing to include a portion of W. Main Street was submitted. The group would like to have W. Main Street closed from the west side of the intersection of Main and Prospect Streets to the west side of Ratingen Platz. This additional street closing would be from 5:15 p.m. to 8:00 p.m. like the Market Street closing. The rain dates of July 28, August 11 and 25, and September 8, 2016 are also requested.

Fire, Police and EMS have been contacted about the W. Main Street closing for the Thursdays on the Platz events. They had no concerns. The only concern may be that while it is a relatively short street closure in length and for a limited time period, closure of Main Street for different events have been more limited than other streets.

**Financial Consideration:** None.

**Conclusion/Recommendations:** Administration recommends the City Council approve the closure of W. Main Street from Market Street thru Ratingen Platz from 5:15 p.m. to 8:00 p.m. on July 21, August 4, August 18, and September 1, and, if needed due to weather cancellations, July 28, August 11, August 25, and September 8, 2016 for the “Thursdays on the Platz” events. A motion to include should also reference the expansion of the consumption area approved as part of the special daily beer and wine license.

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

### CITY OF VERMILLION REQUEST TO CLOSE CITY STREET

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

Organization Requesting Vermillion Area Chamber and Development Company

Contact Person Elijah Bonde Phone (605)624-5571

E-Mail Address elijah@vermillionchamber.com

Contact Person Address 6 W. Main St. Vermillion, SD 57069

Event Thursdays on the Platz Date(s) of Event July 21, Aug. 4, Aug. 18, Sept. 1

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

Street Main Street from Just West of the Ratingen Platz to Corner of Main and Prospect St.

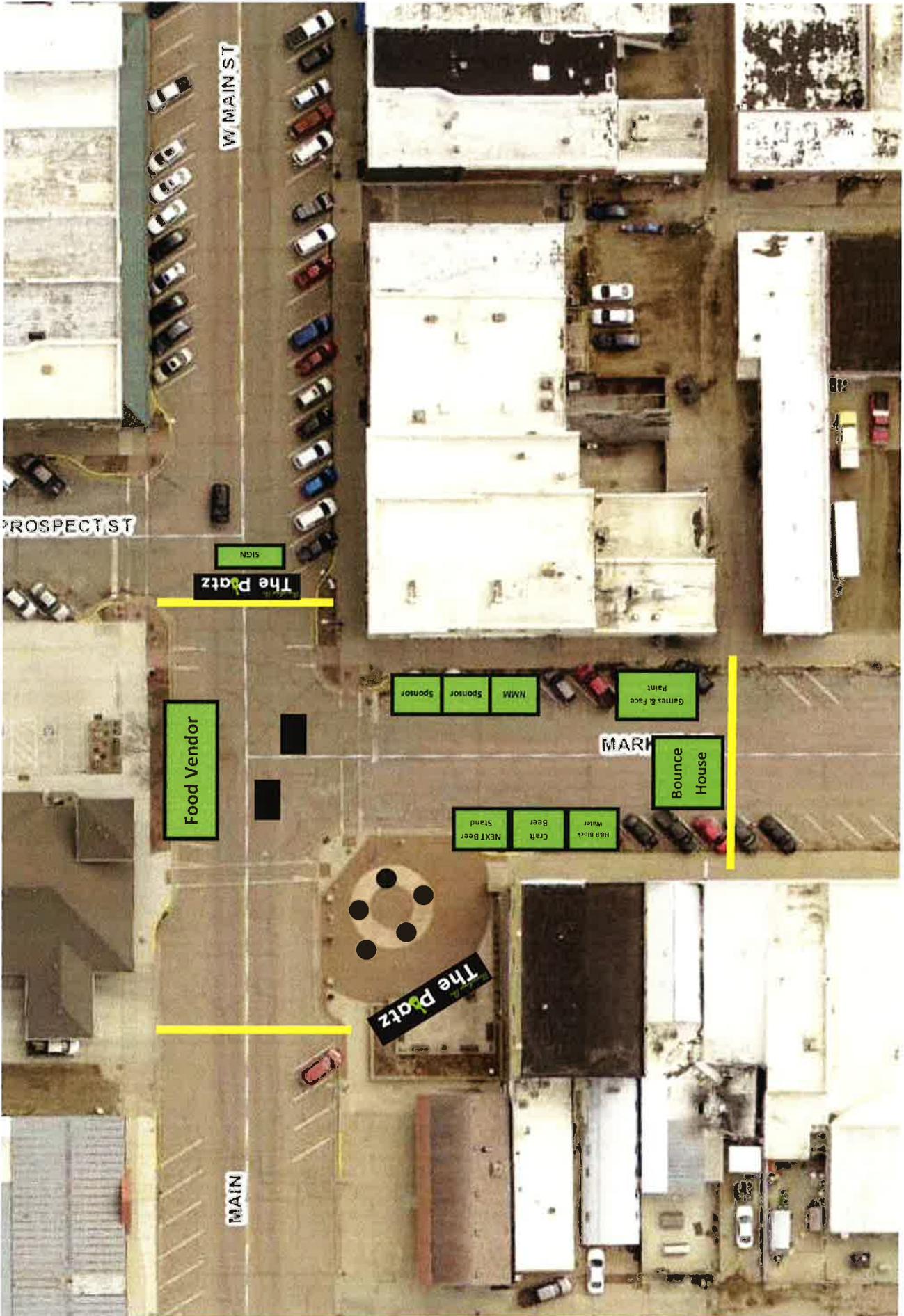
Street Closing Times 5:15 pm to 8:00 pm

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

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

Yes. There is a volunteer committee of approximately 12  
people to help with set up and tear down of the entire  
event

Signature of Applicant  Date 7/14/16



W MAIN ST

PROSPECT ST

SIGN  
The Patz

Food Vendor

Games & Face Paint  
MMM Sponsor  
Sponsor

Bounce House

H&B Block  
Water  
Craft Beer  
NEXT Beer Stand

MARK

The Patz

MAIN

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer

**Meeting:** July 18, 2016

**Subject:** Permit for consumption but not sale at the Edith B. Siegrist Vermillion Public Library at 18 Church Street on August 19, 2016 from 7:00 to 9:00 p.m. for “Books & Brew” event

**Presenter:** Mike Carlson

**Background:** Susan Heggstad, on behalf of the Vermillion Public Library, has requested a permit to consume alcoholic beverages on public property for a “Books & Brew” event at the Edith B. Siegrist Vermillion Public Library garden behind the library from 7:00 p.m. to 9:00 p.m. on August 19, 2016. If the weather doesn’t cooperate the event will be held in the Kozak room. A copy of the requests and information on the event are attached.

State statute 35-1-5.5 provides that provides that the Governing Body of a municipality may permit the consumption, but not sale, of any alcoholic beverage on property owned by the public. The statute is as follows:

35-1-5.5. Permit for consumption of alcoholic beverage on property owned by public or nonprofit corporation. The board of county commissioners or the governing body of a municipality may permit the consumption, but not the sale, of any alcoholic beverage on property owned by the public or by a nonprofit corporation within its jurisdiction. The permit period may not exceed twenty-four hours and the hours of authorized consumption may not exceed those permitted for on-sale licensees. However, a municipality or county may permit the sale of alcoholic beverages on publicly owned property or property owned by a nonprofit corporation if it is during a special event for which a temporary license has been issued pursuant to § 35-4-124.

**Discussion:** The City Council may permit the consumption, but not the sale, of alcoholic beverage on property owned by the public.

**Financial Consideration:** None

**Conclusion/Recommendations:** Administration recommends approval of the special permit to allow the consumption but not sale of alcoholic beverages in the Edith B. Siegrist Vermillion Public Library garden behind the library or the Kozak room from 7:00 p.m. to 9:00 p.m. on August 19, 2016.

## *Council Agenda Memo*

**From:** Shane Griese

**Meeting:** July 18, 2016

**Subject:** Engineering Agreement with Banner Associates for Prentis Avenue Lift Station

**Presenter:** Jose Dominguez

**Background:** In 2015 the City Council approved Banner Associates to perform an assessment of the Prentis Lift Station and downstream sanitary sewer to determine its useful life after a boom of residential growth in its service area. That assessment showed that the lift was deteriorating and undersized for future growth and the downstream sewer was undersized for current conditions. Recommendations were made to replace the lift station within five years while the downstream sewer should be upsized right away.

**Discussion:** Banner has continued to move forward with the Implementation Plan and Schedule. In March of 2016 the facility plan was completed. In June the City was approved for a loan and awarded a \$500,000 CDBG grant to help fund the repairs. At this point in the implementation plan, Banner is in need of approval to proceed with the design of the improvements. The compensation for the Agreement has been separated into four phases. Design phase, Bidding phase, Construction Administration phase and Construction Observation phase.

**Financial Consideration:** The Design phase is not to exceed \$77,175, the Bidding phase is not to exceed \$10,175, the Construction Administration phase is not to exceed \$35,600, and the Construction Observation phase not to exceed \$51,650, with a total cost not to exceed \$174,600. The CDBG grant award and DENR loan will provide the funding. The project will be split between the revised 2016 budget and the 2017 budget according to the proposed work schedule.

**Conclusion/Recommendations:** Administration recommends approval of the agreement with Banner to proceed with the project. The agreement is 60+ pages and hasn't been included here. If you would like a copy, please let staff know.

This is **EXHIBIT C**, consisting of [ 7 ] pages, referred to in and part of the **Agreement between Owner and Engineer for Professional Services** dated [ ] .

**Payments to Engineer for Services and Reimbursable Expenses**  
**COMPENSATION PACKET BC-2: Basic Services – Standard Hourly Rates**

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Article 2 of the Agreement is supplemented to include the following agreement of the parties:

**ARTICLE 2 – OWNER’S RESPONSIBILITIES**

**C2.01 Compensation For Basic Services (other than Resident Project Representative) – Standard Hourly Rates Method of Payment**

- A. Owner shall pay Engineer for Basic Services set forth in Exhibit A, as follows:
1. An amount equal to the cumulative hours charged to the Project by each class of Engineer’s personnel times Standard Hourly Rates for each applicable billing class for all services performed on the Project, plus Reimbursable Expenses and Engineer’s Consultants’ charges, if any.
  2. The Standard Hourly Rates charged by Engineer constitute full and complete compensation for Engineer’s services, including labor costs, overhead, and profit; the Standard Hourly Rates do not include Reimbursable Expenses or Engineer’s Consultants’ charges.
  3. Engineer’s Reimbursable Expenses Schedule and Standard Hourly Rates are attached to this Exhibit C as Appendices 1 and 2.
  4. The total compensation for services under Paragraph C2.01 is estimated to be \$174,600 based on the following estimated distribution of compensation:

a. Design Phase	\$77,175
b. Bidding Phase	\$10,175
c. Construction Administration Phase	\$35,600
d. Construction Observation Phase	\$51,650
  5. Engineer may alter the distribution of compensation between individual phases of the work noted herein to be consistent with services actually rendered, but shall not exceed the total estimated compensation amount unless approved in writing by Owner. See also C2.03.C.2 below.
  6. The total estimated compensation for Engineer’s services included in the breakdown by phases as noted in Paragraph C2.01.A.3 incorporates all labor, overhead, profit, Reimbursable Expenses, and Engineer’s Consultants’ charges.

CITY OF VERMILLION  
 INVOICES PAYABLE-JULY 18, 2016

1 BAKER & TAYLOR BOOKS	BOOKS	356.63
2 BIERSCHBACH EQPT & SUPPLY	SUPPLIES	26.30
3 BIOVERSE, INC	SUPPLIES	350.40
4 BROADCASTER PRESS	ADVERTISING	1,098.59
5 BRUNICKS SERVICE INC	FUEL	6,053.70
6 BUREAU OF ADMINISTRATION	TELEPHONE	217.41
7 CAMPBELL SUPPLY	SUPPLIES	409.43
8 CASK & CORK	MERCHANDISE	661.15
9 CENTURYLINK	TELEPHONE	1,495.41
10 CITY OF VERMILLION	LANDFILL VOUCHERS	540.00
11 CLAY RURAL WATER SYSTEM	WATER USAGE	94.80
12 CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,744.79
13 CONCRETE MATERIALS	GOLF SAND	865.94
14 DAKOTA BEVERAGE	MERCHANDISE	5,333.47
15 DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,716.80
16 DUST TEX	ENTRY MATS	80.00
17 ERNIE HALVERSON	SAFETY BOOTS REIMBURSEMENT	100.00
18 FINDAWAY WORLD LLC	BOOKS	315.55
19 GCSAA	MEMBERSHIP	375.00
20 GLOBAL DIST.	MERCHANDISE	253.00
21 GOVERNMENT FINANCE OFFICER ASSOC.	2015 ANNUAL REPORT	435.00
22 GRAYBAR ELECTRIC	SUPPLIES	650.75
23 GREGG PETERS	MANAGERS PROFITS/FEE/ADVERTISING	23,076.53
24 INDEPENDENCE WASTE	PORTABLE TOILET RENTAL	310.95
25 INGRAM	BOOKS	571.84
26 JOHN A CONKLING DIST.	MERCHANDISE	3,211.15
27 JOHNSON BROTHERS OF SD	MERCHANDISE	18,417.12
28 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
29 MATHESON TRI-GAS, INC	CYLINDER RENTAL	7.95
30 MEAD LUMBER	SUPPLIES	18.99
31 MIDAMERICAN	GAS USAGE	2,763.45
32 MIDCONTINENT COMMUNICATION	INTERNET/CABLE SERVICE	718.68
33 MIDWEST BUILDING MAINTENANCE	MAT SVC	142.00
34 MIDWEST TURF & IRRIGATION	PARTS	607.01
35 OLSON SOD FARMS	SOD	232.50
36 PRECISION LAWN CARE	MOWING	477.50
37 RACOM CORPORATION	CONTRACT COVERAGE	447.85
38 RECORDED BOOKS, INC	BOOKS	128.00
39 REPUBLIC NATIONAL DIST.	MERCHANDISE	7,783.02
40 RESERVE ACCOUNT	POSTAGE FOR METER	950.00
41 SD ELECTRICAL COMMISSION	APPRENTICE'S LICENSE	40.00
42 SD PUBLIC ASSURANCE ALLIANCE	INSURANCE	842.00
43 SOUTHERN WINE & SPIRITS OF SD	MERCHANDISE	6,243.10
44 STAPLES ADVANTAGE	SUPPLIES	1,230.51
45 STERN OIL CO.	FUEL	10,438.64
46 STURDEVANTS AUTO PARTS	PARTS	364.32
47 THE EQUALIZER	ADVERTISING	373.00

48 TRUE BRANDS	SUPPLIES	406.21
49 TRUE VALUE	SUPPLIES	30.46
50 US POSTMASTER	POSTAGE DUE	1,100.00
51 VALIANT VINEYARDS	MERCHANDISE	54.00
52 VAN DIEST SUPPLY CO	SUPPLIES	689.00
53 VERMILLION ACE HARDWARE	SUPPLIES	204.62
54 VERMILLION AREA COMMUNITY FOUNDATION	ROUND UP PROGRAM	295.88
55 VERMILLION FORD	PICKUP	36,725.00
56 VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	150.00
57 WINDOWS AMERICA	REFUND OVERPAYMENT	19.50
58 ZIMCO SUPPLY CO	CHEMICALS	23,703.43
59 NICK SLATTERY	BRIGHT ENERGY REBATE	706.00
60 JONES FOOD CENTER	BRIGHT ENERGY REBATE	1,251.00
	GRAND TOTAL	\$170,045.33