

Unapproved Minutes
Council Special Session
December 3, 2012
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, December 3, 2012 at 12:00 noon at the Vermillion Public Library.

1. Roll Call

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

Absent: Ward

2. Informational Session - Tour of the Library construction project

Jane Larson, Librarian, provided a tour of the library expansion area and of the renovation in progress of the existing building. Jane answered questions of the City Council on the project.

3. Briefing on the December 3, 2012 City Council Regular Meeting Agenda

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

4. Adjourn

415-12

Alderman Osborne moved to adjourn the Council special session at 12:38 p.m. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

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:
BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
December 3, 2012
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on December 3, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. November 19, 2012 Special Session; November 19, 2012 Regular Session; November 20, 2012 Special Session

416-12

Alderman Grayson moved approval of the November 19, 2012 Special Session minutes, November 19, 2012 Regular Session minutes and the November 20, 2012 Special Session minutes. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

417-12

Alderman Grayson 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 - None

6. Public Hearings

A. Public progress hearing for Community Development Block Grant Workforce Training

Janice Gravning, Planner with SECOG, reported that SECOG assisted the City and the VCDC as sub-applicant in applying for a Community Development Block Grant to expand the welding training program.

Janice stated that the grant was approved for \$32,500 for welding equipment, instructor and grant administration. The grant requires a local match of \$6,000, which is being provided by Masaba Mining as a partner with the VCDC, for consumable supplies for each training class. Janice stated that to date the equipment has been purchased and the first class under the grant is in process. The program is to provide welding training with the current class of 10 students will be completed in December. The equipment acquired with the grant will allow for increased class size with the next class scheduled for the first quarter of 2013. Janice stated that the public hearing is to receive any public comment on the grant program and she requested all present to sign the sheet being passed around.

Mayor Powell stated that this was a public hearing to receive any public comment on the job training program. Upon hearing no additional public comment, Mayor Powell thanked Janice and the VCDC for their assistance in expanding this training program and closed the public hearing. No formal action was taken.

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

Mike Carlson, Finance Officer, reported that an application was received from Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101. The notice of hearing and Police Chief's report are included in the packet. This license would run until June 30, 2013. Mike noted that Jose is present to answer questions of the City Council.

418-12

Alderman Davies moved approval of the retail on-off sale malt beverage license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Retail on-off sale wine license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101

Mike Carlson, Finance Officer, reported that an application was received from Jose Gonzalez for a retail on-off sale wine license for Mi Familia Mexican Restaurant at 7 Court Street Suite 101. This license would be for the calendar year 2013. The Police Chief's report was included with the previous item and notice of hearing was with the other license renewals.

419-12

Alderman Willson moved approval of the issuance of a 2013 retail on-off sale wine license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Annual liquor and wine license renewals

Mike Carlson, Finance Officer, reported that this was the time set for the public hearing for the annual liquor and wine license renewals. The notice of hearing and the Police Chief's report is included in the packet. From the police report, there are four license holders that had failed compliance checks. As required by ordinance the management plans from the Fraternal Order of Eagles, Secure Success, LLC, Blue, Inc and Bonnie Rowland are included in the packet. Mike read the list of license applications requesting renewal.

Mike noted that, for City Council actions, the Council may first want to consider the Fraternal Order of Eagles licenses to allow Alderman Osborne to participate in the discussion on the remainder of the licenses. 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 Bar and Grill 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". Farrel Christensen, Building Official, on October 4th 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. The City Council will need to determine if it wants to include the "interior of the structure" condition on the license. 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.

420-12

Alderman Willson moved approval of the reissuance of the on-sale retail liquor license for the Fraternal Order of Eagles for Eagles Club at 114 W. Main. Alderman Zimmerman seconded the motion Alderman

Osborne requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

421-12

Alderman Willson moved approval of the renewal of the on-sale retail liquor license for the Old Lumber Company, Inc for the Old Lumber Company Bar and Grill at 15 Court Street with the restriction that the license is for the interior of the building at 15 Court Street noting that the building official has issued a temporary occupancy for the first floor which may be expanded to the second floor and/or basement pending inspection by the building official that said location is suitable to be occupied for this type of business. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

422-12

Alderman Osborne moved approval of the renewal of the following licenses: On-Sale-Retailer Liquor: Bebee Street II, LLC for Carey's Bar at 18 West Main; Charcoal Lounge, Inc. for Charcoal Lounge at 6 & 8 East Main; Leo's Sports Bar & Grill, LLC for Leo's Lounge at 11 South Market; Fraternal Order of Eagles for Eagles Club 2421 at 114 West Main; Bunyans, LLC for Bunyans at 1201 West Main; Main Street Pub, Inc. for Main Street Pub at 11 West Main; City of Vermillion for The Bluff's Golf Course at 2021 East Main; Maya Jane's, Inc. for Maya Jane's at 9 W Main; J.N.J. Management, Inc. for The Road House at 911 East Cherry; Red Steakhouse, Inc for Red Steakhouse at 1 East Main Street; Secure Success, LLC for Pro's Sports Bar at 912 North Dakota; Retail On-Off Sale Wine: Spanrex, Inc. for Chae's at 8 West Main; Mexico Viejo, Inc. for Mexico Viejo Mexican Restaurant 432 E Cherry; Blue Inc, for Little Italy's at 831 East Cherry; Bonnie K. Rowland for Raziel's at 13 West Main Street; HyVee Food Stores Inc. for HyVee at 525 West Cherry Street; Silk Road Café, Inc. for Silk Road Café at 12 West Main Street; Wal-Mart Stores, Inc. for Wal-Mart #3734 at 1207 Princeton Street; Café Brule, Inc. for Café Brule at 24 West Main; Red Steakhouse, Inc. for Red Steakhouse at 1 East Main Street; Package Wine (Farm Winery): Valiant Vineyards, Inc. for Valiant Vineyards at 1500 West Main; Municipal Off-Sale Package Liquor: City of Vermillion for Municipal Liquor Store at 826 Cottage. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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

Farrel Christensen, Building Official, stated that 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.

Farrel reported that a 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.

Farrel noted that 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.

Farrel stated that 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.

Farrel noted that the City Ordinance indentifies 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. Farrel stated that a list of variances granted since 2006 demonstrating circumstances unique to a property and the permissible uses was included in the packet.

Farrel stated that the ordinance states that 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.

Farrel stated that 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. Farrel noted that the main concern of City staff is not the 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.

Farrel noted that 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. Farrel stated that City 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.

Todd Mechling, 1020 W. Main Street, stated that all he ever wanted was a basketball court noting that the front yard was the only level place on the lot that is screened by the house and hedges. Todd stated that the driveway slopes and the side yard will require considerable fill and both would require fencing to keep the ball from rolling away. He stated that the plan, as shown, is to promote development that is aesthetically pleasing to improve the property and the neighborhood. He stated that his neighbors are all in support of the variance. As to the landscape ordinance, he stated that no one knows such an ordinance existed. The basketball court was built for his sons and their friends to play in a safe environment. He requested approval of the variance as the improvements are aesthetically pleasing and promote development.

Austin Reno, resident of 1029 W Main, stated that he lives across the street from the property and sees the basketball court as a place where neighborhood children can safely play. He stated that Todd and Michelle have complete support of the neighborhood for the variance.

Liam Mechling, son of Todd and Michelle at 1020 W. Main, stated that he has practiced basketball on the court and that this will allow his friends to come and play basketball.

Thor Gesteland, resident of 1009 W. Main, stated that he saw children playing basketball there yesterday. The court promotes healthy activities and requested approval of the variance.

Kay Miller, resident of 1001 W Main, stated that to have her children at home with friends they are playing video games. The basketball court would provide a safe healthy alternative and requested approval of the variance.

Mark Daniels, resident of 401 S Pine, but friend of the family, asked the City Council to work together with the citizens to resolve the issue without following hard and fast rules.

Nick Koster, 46718 315th Street, stated that the variance is within the spirit of the law noting that we all want a nice town that is aesthetically pleasing.

Discussion followed by the City Council on the variance request, the precedence this variance may establish, including how the ordinance was developed through the Planning Commission, including the need to maybe review the ordinance and the review previous variances approved by the City Council.

423-12

Alderman Osborne moved approval of the variance from the zoning ordinance to have a 20' X 25.5' concrete slab in the front yard at 1020 W. Main Street. Alderman Collier-Wise seconded the motion. Discussion followed. A roll call vote of the Governing Body was as follows: Collier-Wise-Y, Davies-N, Grayson-N, Meins-Y, Osborne-Y, Ward-N, Willson-N, Zimmerman-N, Mayor Powell-N. Motion failed 3 to 6. Mayor Powell declared the motion failed.

8. New Business

A. 2013 Bluffs Golf Course fees

Kirk Hogen, Golf Pro, reviewed the proposed rates noting that during the August budget sessions the rates were presented and included in the adopted budget. Kirk noted that the rates proposed are a 3% increase on membership, green fees and all other charges. Kirk stated that the memberships have not been increased the past few years but these rates are in line with other comparable golf courses in the area. Kirk stated the food and beverage prices will be adjusted to reflect the increased cost of the merchandise. Kirk noted that they will continue to work on promotions to increase usage of the course and have ideas to promote usage in off peak times. Kirk and John Prescott answered questions of the City Council on the proposed rates and golf course operations.

424-12

Alderman Grayson moved approval of the following rates for Bluffs golf course for 2013:

The Bluffs Golf Course Fees
2013

Season Fees do not include tax

<u>SEASON GOLF PASSES</u>	<u>SEASON RANGE PASSES</u>	
2 Person Family	\$679 Family	\$269
(+ one child \$709 +2 or more	\$739 Adult	\$199
Adult	\$519 Junior	\$92
College(full time) or under 25	\$259	
Junior	\$129	
<u>PRIVATE CARTS</u>	<u>SEASON CART PASSES</u>	
Cart Storage	\$339 2 Person Family	\$659
Trail Fee (homeowners)	\$169 Adult	\$479

ALL DAILY RATES INCLUDE TAXES

GREEN FEES

9-hole Monday-Friday	\$17.00
18-hole Monday-Friday	\$23.00
9-hole Saturday-Sunday & Holidays	\$20.00
18-hole Saturday -Sunday & Holidays	\$31.00
9-hole punch card (10 rounds)	\$153.00 Mon-Fri
9-hole punch card (10 rounds)	\$166.50 Any day
9-hole punch card (15 rounds)	\$221.00 Mon-Fri
9-hole punch card (15 rounds)	\$240.50 Any day

CART RENTAL

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

DRIVING RANGE

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

Corporate Punch Card (18 holes & 1/2 cart) 30 rounds \$999.00
HANDICAP \$26.00 plus tax

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

B. Resolution Amending Ambulance Rates

Lee Huber, EMS Director, reported that the current rate schedule has been in effect since the beginning of 2010. He stated that, as the department's billing process has been reviewed, areas of financial loss were identified. Lee stated the proposed changes are to cover these areas as well as to position the City to be able to recover the costs of disposable supplies. Lee reviewed the changes proposed and answered questions of the City Council.

425-12

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

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
ECG 3-Lead	\$35.00	ASL.BLS Mileage	\$12.00

ECG 12-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.

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 Willson. 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.

C. Declaration of an Emergency for the removal of the landfill baler building

Mike Carlson, Finance Officer, reported that the landfill building and contents were destroyed by a fire on October 22, 2012. The insurance company adjustor obtained quotes for the damaged equipment and arranged to have it removed. The insurance company adjuster contacted an engineering firm about a proposal to have the building demolition specifications developed but, in a conference call on November 26th, the insurance company said that it was up to the City to contract for the demolition of the building. As the cost of demolition will be reimbursed by the insurance company, the adjustor requested to have a review of the specifications and review of the proposals before the City issues any contract. During the conference call, Bob Iverson, Solid Waste Director, stated his concern about the structural ability of the building to withstand snow and ice

load as it is adjacent to the office building. Gary Hawkes, building inspector for the insurance company, agreed with Bob and suggested that the building be removed as soon as possible. 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 obtaining quotes for the building removal. Mike recommended 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 needs to be authorized to obtain 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.

Discussion followed with Bob Iverson, Solid Waste Director, noting that the specifications will include the salvaging of the metal and other materials to reduce the cost and that the concrete will not be removed at this time.

426-12

Alderman Grayson moved to declare that an emergency exists for safety at the landfill site to remove the damaged building and declare an emergency whereby administrative staff is authorized to obtain quotes without advertising for bids and award a contract for the building removal subject to the approval of the insurance company. Alderman Davies seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. First Reading of Ordinance 1291 - 2012 Budget Supplemental Appropriations Ordinance

Mike Carlson, Finance Officer, reported that the supplemental appropriations ordinance is needed to adjust the budget for items that have changed since the budget was adopted in September 2012. Mike reviewed the amounts of the changes proposed in the General Fund, Second Penny Sales Tax Fund, E911 Fund, Library Fine and Gift Fund, Library Capital Projects Fund, Electric, Water, Wastewater and Landfill Utility Funds. Discussion followed.

427-12

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to proposed Ordinance No. 1291 entitled 2012 Budget Supplemental Appropriations Ordinance of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for

the first time in its present form and content, at this meeting, being a regularly called meeting, of the Governing Body of the City on this 3rd day of December, 2012 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Meins. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

E. Parking removal along N. Dakota Street in front of First United Methodist Church

Jose Dominguez, City Engineer, reported on the receipt of a letter from First United Methodist Church to restrict parking along Dakota Street for access to the handicapped ramp. Jose stated to sign this area would require the removal of three parking stalls leaving four parking stalls. Jose noted that he has talked to the adjoining property owners about removing the parking. Jose recommended approval of the resolution to remove parking along N. Dakota Street in front of First United Methodist Church handicapped ramp. Jose answered questions of the City Council.

428-12

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

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:

BY _____
Michael D Carlson, Finance Officer

The motion was seconded by Alderman Ward. 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.

F. Declaration of Surplus Police Patrol car

Jason Anderson, Assistant City Engineer, reported that at the August 6, 2012 meeting the City Council declared a 2009 Ford Crown Victoria as surplus, had it appraised at \$5,000 and bids were opened on August 28th. 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 and forfeited their \$500 bid security. It is recommended that the City Council authorize the Surplus Property Appraisal Committee to reappraise the vehicle and authorize it for sale by sealed bids. Discussion followed.

429-12

Alderman Willson moved approval to authorize the reappraisal of the 2009 Ford Crown Victoria police car by the Surplus Property Appraisal Committee to be sold by sealed bids. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

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

4,350 gal. unleaded 10% ethanol: Stern oil \$3.01, Brunick's Service \$3.09; 1,500 gal average cost of No. 1 and No. 2 diesel fuel-dyed: Stern Oil \$3.44, Brunick's Service \$3.48; 500 gal average cost of No. 1 and No. 2 diesel fuel-clear: Stern Oil \$3.67, Brunick's Service \$3.74

430-12

Alderman Grayson moved approval of the low quote of Stern Oil on all three items. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that City offices will be closed on Tuesday, December 25th and Tuesday, January 1st in observance of the Christmas and the New Year's holidays. John reminded citizens that curbside recycling that is normally collected on those Tuesdays will be collected on the Monday following the holiday.

B. John reported on the receipt of a raffle request from the Fraternal Order of Eagles selling tickets for \$20 each from November 28 through March 23, 2013. The prizes will be 50 different guns. Proceeds from the raffle benefit the many different causes supported by the Eagles.

C. John reported that the City Council and County Commission will be having a joint meeting on Tuesday, December 11th at 5:15 p.m. in the City Council Chambers for two rezoning requests in the Joint Jurisdictional Area.

PAYROLL ADDITIONS AND CHANGES

Police: Jacy Nelsen \$21.81/hr; Ambulance: Matt Sutera \$35.00/1st-
\$22.00/2nd; Water: Shane Griese \$16.16/hr; Landfill: Dan Goeden
\$17.52/hr

11. Invoices Payable

431-12

Alderman Ward moved approval of the following bills:

A & B BUSINESS, INC	MAINTENANCE CONTRACT	439.67
AMERICAN ENGINEERING TESTING	AIRPORT TAXIWAY TESTING	2,110.00
AQUA-PURE INC	CHEMICALS	8,995.60
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	251.38
ARAMARK-WEARGUARD	UNIFORMS	141.48
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	50.87

AUDIO GO	BOOKS	183.91
AUTOMATIC BUILDING CONTROLS	BATTERIES	154.91
AVERA QUEEN OF PEACE HEALTH	TESTING	69.90
BAKER & TAYLOR BOOKS	BOOKS	370.79
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	3,258.40
BARNES DISTRIBUTION	SUPPLIES	389.26
BEST WESTERN RAMKOTA INN	LODGING	275.97
BIERSCHBACH EQPT & SUPPLY	PARTS	1,018.04
BILL SAUNDERS	WATER HEATER/WIRING REBATE	200.00
BOOK WHOLESALERS, INC	BOOKS	99.38
BOUND TREE MEDICAL, LLC	SUPPLIES	274.10
BROADCASTER PRESS	ADVERTISING	126.00
BROWN TRAFFIC PRODUCTS	REPAIRS	195.20
BSN SPORTS INC	SOCCER NET	85.00
BURKE ENGINEERING SALES CO	REPAIRS	60.00
BUTLER MACHINERY CO.	PARTS/WHEEL LOADER	172,755.36
CALLAWAY GOLF	MERCHANDISE	107.46
CAMPBELL SUPPLY	SUPPLIES	5,039.16
CASK & CORK	MERCHANDISE	2,014.97
CDW GOVERNMENT, INC	COMPUTER	495.00
CENTER POINT LARGE PRINT	BOOKS	127.22
CENTURY BUSINESS LEASING	COPIER LEASE	138.25
CENTURYLINK	TELEPHONE	738.03
CHEMCO, INC	SUPPLIES	116.00
CHERRY STREET GRILLE	ROLLS	36.00
CHESTERMAN CO	MERCHANDISE	263.57
CHRISTENSEN RADIATOR & REPAIR	PARTS	155.56
CITY OF VERMILLION	POSTAGE/COPIES	1,109.97
CITY OF VERMILLION	UTILITY BILLS	35,734.26
CLAY RURAL WATER SYSTEM	REPAIRS/WATER USAGE	712.84
CLIMATE SYSTEMS, INC	MAINTENANCE AGREEMENT	1,450.00
CMOORE PIT SERVICE	PROF SERVICES - LANDFILL	4,000.00
COLONIAL LIFE ACC INS.	INSURANCE	2,953.17
CRYSTAL & BRYAN DETTREY	WATER HEATER/WIRING REBATE	200.00
D & D PEST CONTROL	INSPECTION/TREATMENT	35.00
DAKOTA BEVERAGE	MERCHANDISE	7,950.65
DAKOTA LOCK & KEY	PROFESSIONAL SERVICES	35.00
DAKOTA PC WAREHOUSE	COMPUTER/PARTS	1,706.86
DAKOTA RIGGERS & TOOL SUPPLY	SUPPLIES	54.00
DANKO EMERGENCY EQUIPMENT	PARTS	3,142.91
DELTA DENTAL PLAN	INSURANCE	5,900.44
DELUXE ADVERTISING	CALENDARS	366.97
DENNIS MARTENS	MAINTENANCE	833.34

DEPT OF REVENUE	TESTING	1,832.00
DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	6,843.48
DISPLAY SALES COMPANY	SUPPLIES	79.00
DUECO, INC	REPAIRS	3,463.64
DUST TEX	SUPPLIES	34.95
ECHO ELECTRIC SUPPLY	SUPPLIES	2,654.49
FARMER BROTHERS CO.	SUPPLIES	40.67
FASTENAL COMPANY	PARTS	56.79
FILTERTEC	FILTERS	87.79
FLAGS UNLIMITED	FLAGS	123.12
GEAR FOR SPORTS	MERCHANDISE	36.67
GRAHAM TIRE CO.	TIRES	1,111.93
GRAINGER	PARTS	368.40
GRAYBAR ELECTRIC	PARTS	115.02
GREGG PETERS	FREIGHT	3,620.50
GREGG PETERS	RENT	937.50
HACH CO	PARTS	2,072.95
HARTINGTON TREE LLC	STUMP REMOVAL	90.00
HAUGER YARD/SNOW SERVICE	PROFESSIONAL SERVICES	26.50
HAWKINS INC	SUPPLIES	1,588.30
HD SUPPLY WATERWORKS	SUPPLIES	6,027.48
HELMS & ASSOCIATES	AIRPORT TAXIWAY	7,977.74
HERC-U-LIFT	REPAIRS	314.09
HERREN-SCHEMPP BUILDING	SUPPLIES	30.35
HIGMAN SAND & GRAVEL	ICE SAND	3,462.28
HY VEE FOOD STORE	SUPPLIES	316.97
INDEPENDENCE WASTE	WASTE HAUL/PORT TOILET RENTAL	999.04
INGRAM	BOOKS	95.56
INTERSTATE POWER SYSTEMS	REPAIRS	926.40
JACKS UNIFORM & EQPT	UNIFORM	399.65
JAMAR TECHNOLOGIES INC	RADAR RECORDER KIT	4,640.00
JOHN A CONKLING DIST.	MERCHANDISE	5,818.47
JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	32,075.03
JOHNSON CONTROLS	REPAIRS/SERVICE AGREEMENT	3,006.76
JOHNSON ELECTRIC	REPAIRS	827.25
JOHNSTONE SUPPLY	SUPPLIES	497.64
JON COLE	GYM MEMBERSHIP REIMBURSEMENT	72.53
JONES ACE HARDWARE	SUPPLIES	2,027.90
JONES FOOD CENTER	SUPPLIES	371.64
JP COOKE CO	DOG LICENSE TAGS	76.18
JUNIOR LIBRARY GUILD	SUPPLIES	855.00
KARL BOTTESINI	SAFETY BOOTS REIMBURSEMENT	90.09
KNOLOGY	911 CIRCUIT	1,365.50

LAYNES WORLD	AWARD	67.53
LEAGUE OF MINNESOTA CITIES	ADVERTISING	225.00
LEARNING OPPORTUNITIES, INC	BOOKS	2,036.08
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	242.51
LEISURE LAWN CARE	LAWN TREATMENT	283.80
LESSMAN ELEC. SUPPLY CO	SUPPLIES	74.00
LINCOLN MUTUAL LIFE	INSURANCE	517.61
LOCATORS AND SUPPLIES, INC	SUPPLIES	1,075.48
LYLE SIGNS	SUPPLIES	2,844.05
MARKS MACHINERY	PARTS	2,321.17
MART AUTO BODY	TOWING	615.30
MATHESON TRI-GAS, INC	OXYGEN	41.56
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,384.45
MEAD LUMBER	SUPPLIES	87.45
MEDICAL WASTE TRANSPORT	HAUL MEDICAL WASTE	99.44
MES-MIDAM	PARTS	15.45
MIDWEST ALARM CO	ALARM MONITORING	60.00
MIDWEST BUILDING MAINTENANCE	MAT SVC	532.20
MIDWEST READY MIX & EQUIPMENT	FLOWABLE FILL	336.00
MILLS & MILLER, INC	DEICING SALT	4,672.80
MISSOURI VALLEY MAINTENANCE	REPAIRS	746.90
MONTY MUNKVOLD	SAFETY BOOTS REIMBURSEMENT	100.00
MOORE WELDING & MFG	REPAIRS	3,709.01
NCL OF WISCONSIN, INC	SUPPLIES	950.80
NETSYS+	REPAIRS/PROFESSIONAL SERVICES	1,579.66
NEW YORK LIFE	INSURANCE	94.02
NOVELTY MACHINE & SUPPLY	PARTS	335.80
OKOBOJI WINES-WEST	MERCHANDISE	830.00
OLLIS BOOK CORP	BOOKS	226.20
ORIENTAL TRADING CO	SUPPLIES	209.00
OVERHEAD DOOR OF YANKTON	STEEL DOORS	1,650.00
OXMOOR HOUSE	BOOKS	42.91
PAUL CARNES	PROFESSIONAL SERVICES	425.00
PAULS PLUMBING	REPAIRS	777.51
PCC, INC	AMBULANCE FEE COMMISSION	1,252.70
PETE LIEN & SONS, INC	CHEMICALS	4,459.35
PITNEY BOWES, INC	SUPPLIES	88.48
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
PRAIRIE BERRY WINERY	MERCHANDISE	1,391.25
PRESSING MATTERS	SUPPLIES	173.00
PRESTO-X-COMPANY	INSPECTION/TREATMENT	96.10
PRINT SOURCE	SUPPLIES	126.00
PUMP N PAK	FUEL	2,798.46

QUILL	SUPPLIES	868.20
RACOM CORPORATION	MAINTENANCE CONTRACT	368.50
RADIANT HEAT, INC	REPAIRS	2,308.00
RANDOM HOUSE, INC	BOOKS	161.21
RASMUSSEN MOTORS, INC	REPAIRS	51.79
RDJ SPECIALTIES, INC	SUPPLIES	237.77
RECORDED BOOKS, INC	BOOKS	1,089.90
REGENT BOOK CO.	BOOKS	13.74
REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	20,785.90
RESCO	SUPPLIES	252.00
RICHARD DRAPER	LODGING REIMBURSEMENT	114.58
SANFORD PATIENT FINANCIAL SERV	TESTING	35.00
SCHADE'S VINEYARD	MERCHANDISE	324.00
SCHWEITZER ENGINEERING LAB	SUPPLIES	959.00
SD ELECTRICAL COMMISSION	WIRING PERMITS	275.00
SD GOLF ASSOCIATION	HANDICAP FEE	54.00
SD GOVERN FINANCE OFFICERS ASSOC	MEMBERSHIP DUES	70.00
SD MUNICIPAL STREET MAINT ASSOC	MEMBERSHIP DUES	35.00
SD POLICE CHIEFS ASSOC	MEMBERSHIP DUES	134.80
SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	248.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	46,100.83
SD SECRETARY OF STATE	NOTARY APPLICATION	30.00
SECOG	GRANT ADMINISTRATION	3,000.00
SEH, INC	PROFESSIONAL SERVICES	17,365.65
SERVALL TOWEL & LINEN	SUPPLIES	29.40
SIOUX VALLEY ENVIRONMENTAL	SUPPLIES	633.72
SIOUXLAND PARAMEDICS, INC	AMLS CLASS/BOOKS	231.00
SIOUXLAND SCALE SERVICE	REPAIRS	1,945.70
STANDARD & POOR'S	PROFESSIONAL SERVICES	2,500.00
STERN OIL CO.	OIL	1,173.98
STEWART OIL-TIRE CO	REPAIRS	2,305.95
STUART C. IRBY CO.	PARTS	332.00
STURDEVANTS AUTO PARTS	PARTS	1,003.30
TASTE OF HOME BOOKS	BOOKS	31.98
THATCHER COMPANY	SODA ASH	13,923.40
THE EQUALIZER	ADVERTISING	377.40
THE RETROFIT COMPANIES, INC	BULB DISPOSAL	617.29
TODDS ELECTRIC SERVICE	INSTALL LOAD MGMT	25.00
TOM KRUSE	MEALS REIMBURSEMENT	18.00
TRI TECH SALES	PARTS	1,404.31
TRUE VALUE	SUPPLIES	239.32
TYLER TECHNOLOGIES	SOFTWARE MAINTENANCE	411.40
UNITED PARCEL SERVICE	SHIPPING	10.11

UNITED WAY	CONTRIBUTIONS	330.80
UNIVERSITY OF SD	COMMUNITY PROMOTION	10,000.00
USA BLUEBOOK	SUPPLIES	73.23
USD	WELLNESS CENTER CONTRIBUTION	68,000.00
VALIANT VINEYARDS	MERCHANDISE	384.00
VANDERPOL DRAGLINE, INC	AIRPORT TAXIWAY CONTRACT	183,580.95
VERIZON WIRELESS	POLICE COMMUNICATIONS	212.13
VERMILLION CONCRETE	SIDEWALK REPAIRS	21,092.09
VERMILLION FORD	REPAIRS	382.37
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	2,363.20
WAL-MART COMMUNITY	SUPPLIES	1,108.68
WALKER PROCESS EQUIPMENT	PARTS	194.20
WELFL CONSTRUCTION CO	LIBRARY EXP/REMODEL	164,658.00
WESCO DISTRIBUTION, INC	SUPPLIES	1,660.08
WEST GROUP PAYMENT CENTER	SUBSCRIPTION	87.00
YANKTON JANITORIAL SUPPLY	SUPPLIES	582.50
ZEE MEDICAL SERVICE	SUPPLIES	257.25
ZIMCO SUPPLY CO	SUPPLIES	7,031.00
GENE IVERSON	BRIGHT ENERGY REBATE	275.00

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

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

432-12

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

13. Adjourn

433-12

Alderman Osborne moved to adjourn the Council Meeting at 8:27 p.m. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.