



Special Meeting Agenda City Council

12:00 pm (noon) Special Meeting
Tuesday, February 21, 2012
Large Conference Room
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Police Department Community Survey – Matt Betzen.**
3. **Informational Session – 2013 Engineering Consultant Selection Process – Jose Dominguez.**
4. **Briefing on the February 21, 2012 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Tuesday, February 21, 2012
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. February 6, 2012 Special Session; February 6, 2012 Regular Session.
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% for Sigma Alpha Epsilon outdoor mini concert in northwest corner of Prentis Park from 4:30pm to 7:30pm on April 10, 2012.
7. **Old Business**
8. **New Business**
 - a. Resolution revising landfill electronics disposal rates.
 - b. Fireworks public display permit for Dance Marathon on March 24th, 2012 at Vermillion High School.
 - c. Resolution Amending City Truck Routes to include Jefferson Street between E. Cherry Street and E. Duke Street and the east 160 feet of E. Duke Street.
 - d. Selection of a consultant to conduct a Drainage Study.
9. **Bid Openings**
 - a. Wheel loader for Solid Waste Department.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
 - a. Set a public hearing date of March 5, 2012 for a special daily malt beverage and wine license for the Vermillion Area Arts Council at 202 Washington Street on March 17, 2012.
13. **Adjourn**

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

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

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

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

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

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Vermillion City Council's Values and Vision

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



Unapproved Minutes
Council Special Session
February 6, 2012
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, February 6, 2012 at 12:00 noon in the City Hall large conference room.

1. Roll Call

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

Absent: French

2. Informational Session - Tapping Fees for NW Vermillion Sanitary Sewer Improvements

John Prescott, City Manager, reported that, in 2003, the City installed a lift station at Princeton Street south of SD Hwy 50 that serves a large area in the northwest section of the city and adjoining property. At the same time, a gravity sanitary sewer main was installed from the lift station on Princeton Street east to 280 feet east of Dakota Street in the Shriner Street right-of-way to provide sewer service to the motel on Dakota Street. John reported that the Engineering Department has calculated the cost to each property for each of the improvements.

Jason Anderson, Assistant City Engineer, reported on the area to be served by the lift station and the properties being served by the gravity sewer. Jason noted that the contract was approved in April 2003 and was completed in June 2004. The lift station cost was \$153,396.51 and the sewer main cost was \$71,917.89. The lift station fee is calculated on area, while the gravity sewer main is on front footage. Jason provided a spreadsheet for the calculations of the tapping fee in lieu of assessment for each of the improvements, noting that the fiscal fee of 8% is added for engineering costs.

John reported that he has made contact with the three property owners that are connected to the sewer. He stated that for two of the properties, the City had outlined these costs in the developer's agreement, and for the other, it was included in a petition for the street paving. He noted that one of the properties has changed hands. John stated that the property owners requested additional time to make these payments. He asked how the City Council would want City staff to proceed with these tapping fees in lieu of

assessment. Discussion followed with the consensus that staff would develop the tapping fee in lieu of assessment for the lift station fees and gravity sewer fees for Council consideration at an upcoming meeting. This should include a provision for the property owners connected to the sanitary sewer, for up to one year, to pay the fees.

3. Informational Session - Funding Options for Water Tower Project

John Prescott, City Manager, reported that, in January 2011, the City made application to the Department of Environment and Natural Resources (DENR) for grant/loan funding for the new water tower. In March 2011 the City was notified that a \$1,532,000 State Revolving Fund loan with 10% principal forgiveness was approved for 30 years at 2.25%. Following the notification, an application was made to the Governor's Office of Economic Development for a Community Development Block grant to assist with funding the tower costs. In November 2011, the City was notified that currently there were no grant funds available, but wanted to know if the City wanted the project considered in the next funding cycle. In December, the City Council approved a resolution requesting reconsideration of CDBG funding for the tower. The City was notified, in late January 2012, that there will be no CDBG funding for the tower project. John noted that in reviewing the options for funding this project, three options were developed.

Mike Carlson, Finance Officer, stated that, in order for the City to move forward with the approved loan, a rate resolution will need to be approved adjusting water rates to a level where operating income is 1.10% of the annual debt service in the first full year of operations of the new tower. Mike noted that this would be 2015, thus any rate increase could be spread over a few years. The City will also need to approve a bond resolution for the loan.

The first option would be to proceed with the \$1,532,000 30 year loan at 2.25% with 10% principal forgiveness which will require just over a 9.5% increase in water rates by the beginning of 2015. The monthly charge for a customer using 670 cubic feet per month would be \$2.65 per month.

The second option would be to use approximately \$435,000 of reserves to pay off the 1999 SRF loan that is currently at 5% interest. The water fund currently has about \$1,100,000 of reserves of which approximately \$200,000 are budgeted for Stanford Street water main replacement. The annual debt service on this loan was \$63,139 per year that would be available for the new loan. For the debt service on the new loan for 30 years at 2.25% interest, there would need to

be an over 5% increase in water rates by the beginning of 2015. Under this option, the monthly charge for a customer using 670 cubic feet per month would be \$1.44 per month.

The third option would be the same as option two but reduce the term on the new loan to 20 years at 2.25%. The shorter life would save over \$180,000 in interest over the life of the loan. The shorter term will increase the annual debt service and the rates to the customers. The water rates would need to increase over 6.75% by the beginning of 2015. The customer monthly charge for users of 670 cubic feet would increase \$1.87 per month.

Mike noted that we would need to confirm the process for the early payoff of the 1999 loan with the DENR and the ability to change the term of the loan. Discussion followed with the consensus to request City staff to gather the information needed to implement the third option for the payoff of the 1999 loan and have the new loan be at 20 years for consideration at a future meeting.

4. Briefing on the February 6, 2012 City Council Regular Meeting Agenda

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

5. Adjourn

037-12

Alderman Ward moved to adjourn the Council special session at 1:02 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of February, 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
February 6, 2012
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on February 6, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Davies, French, Grayson, Meins, Osborne, Ward (arrived at 7:02 p.m.), Willson, Zimmerman, Mayor Powell

2. Pledge of Allegiance

3. Minutes

A. January 16, 2012 Special Session; January 16, 2012 Regular Session

038-12

Alderman Grayson moved approval of the January 16, 2012 regular session minutes and the January 16, 2012 special session minutes. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

039-12

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

5. Visitors to be Heard - None

Alderman Ward arrived at 7:02 p.m.

6. Public Hearings

A. Special Assessment Roll for Sidewalk Repairs in the City of Vermillion (northeast quadrant)

Jose Dominguez, City Engineer, reported that this was the time advertised for the public hearing for the sidewalk special assessments in the northeast section of the city. The notice was published and property owners were mailed notices. Jose stated that,

since filing with the Finance Officer, he has made adjustments to the assessment roll for sidewalk improvements completed by property owners. The adjustments reduced the amounts that property owners would be assessed.

040-12

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

RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLLS
AND NOTICE OF SPECIAL ASSESSMENTS
FOR SIDEWALK REPAIRS
IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has established special assessment rolls for defraying the cost of construction of sidewalks and related improvements against the several tracts of real property fronting and abutting upon:

<u>PARCEL NUMBER</u>	<u>PROPERTY ADDRESS</u>	<u>LEGAL DESCRIPTION</u>	<u>AMOUNT</u>
15060-01600-080-00	501 N. Pine Street	Lot 8, Except the E. 20' of the N. 25' of Blk. 6, Bigelow's University Addition	\$184.27
15060-01300-220-00	437 N. Pine Street	The N. ½ of Lot 21 and the S. 30' of Lot 22, Blk. 13, Bigelow's University Addition	\$150.70
15060-01300-070-00	424 N. Plum Street	Lot 6 & the N. ½ of Lot 7, Blk. 13, Bigelow's University Addition	\$352.11
15060-01300-090-00	414 N. Plum Street	Lot 9, Blk. 13, Bigelow's University Addition	\$352.11
15150-00000-010-00	818 Madison Street	Lot 1 with the E. 38' reserved for an easement for access to Lot 2, Calvin Center Addition	\$184.27
15020-00000-040-00	715 Brooks Drive	Lot 4, Replat of	\$217.84

		Lots G-5 & G-6, B & B Addition	
15880-09251-183-28	1011 E. Cherry Street	N. 152' of Lot 1-S of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Except the N. 33' of S18-T92-R51, Miscellaneous Entries Addition	\$184.27
15540-00100-170-02	1325 E. Cherry Street	N. 90' of the E. 173.2' of Lot 17, Blk. 1, Ouellette's Addition	\$251.41
15540-00100-170-03	612 N. Norbeck Street	S. 90' of the E. 173.2' of Lot 17, Blk. 1, Ouellette's Addition	\$251.41
15540-00100-070-00	1204 Lincoln Street	Lot 7, Blk. 1, Ouellette's Addition	\$284.98
15540-00100-080-00	1210 Lincoln Street	Lots 8 & the W. $\frac{1}{2}$ of Lot 9, Blk. 1, Ouellette's Addition	\$117.14
15690-00200-080-00	519 Adams Street	Lots 7 & 8, Blk. 2, Replat of Sammelson's 2 nd Addition	\$284.98
15080-00200-100-03	425 Adams Street	Lots 10 through 13, except the S. 33' of Lot 10, Blk. 2, Madison Manor, Replat of Blessing's Addition	\$117.14
15080-00200-100-00	411 Adams Street	N. 52' of Lot 9 & the S. 33' of Lot 10, Blk. 2 Replat of Blessing's Addition	\$486.39
15690-00100-030-00	515 Prentis Street	Lot 3, Blk. 1, Replat of Sammelson's Addition	\$117.14

15100-00100-100-00	432 Jefferson Street	The N. 66.26' of Lot 10, Blk. 1, Brechtel's Addition	\$184.27
15880-09251-183-29	507 Jefferson Street	S. 242' of Lot 2-S of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, S18-T92-R51, Miscellaneous Entries Addition	\$284.98
15540-00200-040-00	1324 Roosevelt Street	Lot 4, Blk. 2, Ouellette's Addition	\$385.68
15830-00100-020-00	503 N. Norbeck Street	Lot 2, Blk. 2, Washington Square Addition	\$251.41
15206-00100-250-00	1115 Roosevelt Street	Lot 25, Blk. 1, Dakota Addition	\$117.14
15206-00100-040-00	1110 Madison Street	Lot 4, Blk. 1, Dakota Addition	\$318.55
15206-00100-050-00	1116 Madison Street	Lot 5, Blk. 1, Dakota Addition	\$251.41
15060-00900-140-00	701 E. Clark Street	Lot 14, Blk. 9, Bigelow's University Addition	\$150.70
15060-00900-120-00	215 N. Pine Street	The N. 32' of Lot 10, and all of Lots 11 & 12, Blk. 9, Bigelow's University Addition	\$150.70
15060-00800-030-00	222 N. Pine Street	Lots 1, 2 and the N. $\frac{1}{2}$ of Lot 3, Blk. 8, Bigelow's University Addition	\$251.41
15060-00800-120-00	217 Willow Street	Lot 12, Blk. 8, Bigelow's University Addition	\$725.08
15060-00800-110-00	215 Willow Street	Lot 11, Blk. 8, Bigelow's University Addition	\$352.11

15060-00500-070-00	114 N. Pine Street	Lots 5, 6 & 7, Blk. 5, Bigelow's University Addition	\$1,486.40
15060-00200-120-00	25 Willow Street	The N. ½ of Lot 11 and all of Lot 12, Blk. 2, Bigelow's University Addition	\$817.27
15060-00700-080-00	201 N. University Street	Lot 8, Blk. 7, Bigelow's University Addition	\$725.08
15060-00700-140-00	225 N. University Street	The W. 86' of Lots 13 and 14, Blk. 7, Bigelow's University Addition	\$318.55
15060-00100-010-00	20 Willow Street	The N. 142' of Lot 1, Blk. 1, Except the N. 60' of the E. 110' thereof, Bigelow's University Addition	\$50.00
15060-00100-010-06	512 E. Main Street	The W. 70' of the S. 126' of Lot 1, Blk. 1, Bigelow's University Addition	\$352.11
15050-06300-020-00	424 E. Main Street	Lot 1 and the E. 10' of Lot 2, Blk. 63, Bigelow's Addition	\$797.58
15060-06300-030-00	416 E. Main Street	The W. 40' of Lot 2 and the E. 36' of Lot 3, Blk. 63, Bigelow's Addition	\$1,848.94
15050-06300-040-00	412 E. Main Street	The W. 14' of Lot 3, and all of Lot 4, Blk. 63, Bigelow's Addition	\$654.23
15050-06300-060-00	408 E. Main Street	Lot 5 and the E. ½	\$318.55

		of Lot 6, Blk. 63 and the W. ½ of vacated alley, Bigelow's Addition	
15050-06200-030-00	314 E. Main Street	The W. 40' of Lot 2 and all of Lot 3, Blk. 62, Bigelow's Addition	\$100.71
15050-06200-050-00	308 E. Main Street	Lot 4 and the E. ½ of Lot 5, Blk. 62, Bigelow's Addition	\$318.55
15050-06100-050-00	210 E. Main Street	Lot 5, Blk. 61, Bigelow's Addition	\$284.98
15050-06900-020-00	201 N. Yale Street	Lots 1 & 2, Except the E. 50' thereof, Blk. 69, Bigelow's Addition	\$352.11
15050-06900-040-00	209 N. Yale Street	Lot 3 and the S. ½ of Lot 4, Blk. 69, Bigelow's Addition	\$352.11
15080-00100-070-00	325 Prentis Street	Lot 7, Blk. 1, Replat of Blessing's Addition	\$217.84
15080-00300-020-00	316 Prentis Street	Lot 2, Blk. 3, Replat of Blessing's Addition	\$217.84
15580-00500-010-00	1106 E. Clark Street	Lot 1, Blk. 5, Potter's Addition	\$452.82
15580-00500-020-00	1114 E. Clark Street	Lot 2, Blk. 5, Potter's Addition	\$419.25
15580-00500-030-00	1208 E. Clark Street	Lots 3 & 4, Blk. 5, Potter's Addition	\$117.14
15580-00300-050-00	229 Anderson Street	Lot 5, Blk. 3, Potter's Addition	\$251.41
15580-00300-020-00	209 Anderson Street	Lot 2, Blk. 3, Potter's Addition	\$284.98

15580-00400-110-00	214 Anderson Street	Lot 11, Blk. 4, Potter's Addition	\$117.14
15580-00400-160-00	1020 Mulberry Street	Lot 16, Blk. 4, Potter's Addition	\$184.27
15140-00100-060-00	960 E. Main Street	Lot 6, Blk. 1, S18- T92-R51, Burton's Addition	\$150.70
15680-00200-040-00	25 Prentis Street	Lot 3 and the N. ½ of Lot 4, Blk. 2, Sammelton's Addition	\$184.27

in the City of Vermillion, Clay County, South Dakota. The assessment rolls were filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 10th day of January 2012.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing, upon the assessment rolls, and directed the City Finance Officer, of the City of Vermillion, Clay County, South Dakota, to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment rolls, and the time and place for the hearing that the assessment rolls would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment rolls for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice, by first-class mail, postage thereon fully prepaid, addressed to the property owners of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

WHEREAS, it now appears that the Finance Officer has caused notice of the hearing to be given in the manner provided by the aforementioned Resolution and Notice, and by law.

WHEREAS, all persons interested have been given an opportunity to appear and show cause why the Governing Body should not approve the assessment rolls, and the assessments against the respective premises of the owners, and the Governing Body has determined that the assessment rolls are, in all respects, true and correct and according to law.

NOW, THEREFORE, IT IS RESOLVED, by the Governing Body of the City of Vermillion, Clay County, South Dakota that the special assessment rolls are hereby approved without amendment or change.

BE IT FURTHER RESOLVED, that the approved assessment rolls be filed in the office of the City Finance Officer the day after approval of the assessment rolls. The City Finance Officer shall publish once in the official newspaper of Vermillion, South Dakota, a copy of this Resolution and Notice, along with the approved assessment rolls.

BE IT FURTHER RESOLVED, that the City Finance Officer shall immediately mail to the owner, or owners, of each lot, parcel or piece of ground, as shown by the assessment rolls, a copy of this Resolution and Notice, along with the approved assessment roll for that location.

NOTICE IS HEREBY GIVEN, that the assessments mentioned in the assessment rolls will be payable according to the provisions of Plan One, as set forth in Sections 9-43-30 to 9-43-41, inclusive of the Codified Laws of 1967 of the State of South Dakota, unless superseded by a deferred assessments agreement.

NOTICE IS FURTHER GIVEN, that any assessment under Plan One, or any installment thereof, may be paid without interest to the City Finance Officer whose office is located in City Hall at 25 Center Street in the City of Vermillion, South Dakota, at any time, within thirty days after the filing of the approved assessment rolls in the office of said City Finance Officer. Thereafter, and prior to the due date of the first installment, the entire assessment remaining, or any number of installments thereof, plus interest thereon, from the filing date to the date of payment, may be paid to the said City Finance Officer. After the due date of the first installment, provided that the installments, which are due together with interest included thereon, have been paid, any or all of the remaining installments not yet due may be paid without additional interest to the said City Finance Officer. All installments paid prior to their respective due dates shall be paid in inverse order of their due dates. No installment, under Plan One, shall be paid to the said City Finance Officer on or after its due date, and on and after said date such installment shall be paid only to the County Treasurer with interest.

NOTICE IS FURTHER GIVEN, that the approved assessment rolls will be filed with the City Finance Officer on February 7, 2012. The assessment is payable in two (2) installments at ten percent (10%), per annum, interest on unpaid installments as stipulated in the assessment roll for each location. The first installment due date is

January 1, 2013. Subsequent installments are due January 1st of each succeeding year until the entire assessment is paid.

The assessment rolls herein referred to are attached.

Dated at Vermillion, South Dakota, this 6th day of February, 2012.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, CLAY COUNTY, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Meins. 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. Transfer of retail on sale liquor license and retail on-off sale malt beverage license from BeBee Street, LLC to BeBee Street II, Inc. for Carey's Bar at 18 West Main

Mike Carlson, Finance Officer, reported that an application was received for the transfer of the retail on sale liquor license and retail on-off sale malt beverage license from BeBee Street, LLC to BeBee Street II, Inc for Carey's Bar at 18 W. Main Street. The corporate owners are remaining the same but the type of corporation is changing. The Police Chief's report is included in the packet, along with the notice of hearing.

041-12

Alderman Zimmerman moved approval of the transfer of the retail on sale liquor license and the retail on-off sale malt beverage license from BeBee Street, LLC to BeBee Street II, Inc. for Carey's Bar at 18 W. Main Street. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Vacation of portion of alley running in a west-east direction, between the east right-of-way line of West Street and the east lot line of Lot 13 and Lot 2, Block 24, Van Meters Addition

Jose Dominguez, City Engineer, reported on receipt of a petition to vacate this portion of the alley. Jose provided a map of the location of the alley to be vacated between 1020 W. Main Street and 1021 W Chestnut Street. He noted that, following vacation, ownership transfers to the adjacent landowners, which, in this case, are the same owners. Jose stated that before a building permit can be issued for the vacated alley, a plat will need to be done.

042-12

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

RESOLUTION VACATING A PORTION OF UNUSED ALLEY LYING IN BLOCK 24 OF VAN METERS ADDITION, CLAY COUNTY, SOUTH DAKOTA, IN THE CITY OF VERMILLION

WHEREAS, the City of Vermillion has received a petition for the vacation of a portion of the west and east lying alley within Block 24 and adjacent to Lots 1, 2, 13 and 14, Block 24, Van Meters Addition, Clay County, South Dakota in the City of Vermillion; and

WHEREAS, notice has been published for two successive weeks in the Plain Talk; and

WHEREAS, utilities have been notified and are not opposed to the vacation; and

WHEREAS, State Statute 9-45-7 authorizes the City Council to vacate streets, alleys or public grounds,

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Vermillion that a portion of the west and east lying alley within Block 24 and adjacent to Lots 1, 2, 13 and 14, Block 24, Van Meters Addition, Clay County, South Dakota in the City of Vermillion, as shown on the attached map is hereby vacated.

Dated at Vermillion, South Dakota this 6th day of February 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 Osborne. 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.

D. Resolution adopting a Resolution of Necessity for Construction of Concrete Surfacing, Trails and Sidewalks on Stanford Street from West Main Street to West Cherry Street

Jose Dominguez, City Engineer, reported that the property owners have been notified and notice published for the public hearing for adoption of the resolution of necessity for concrete surfacing and other improvements along Stanford Street from West Main Street to West Cherry Street. The owners will be assessed at a maximum of \$28.00 per foot for the improvements. Discussion followed.

043-12

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

RESOLUTION ADOPTING RESOLUTION OF NECESSITY FOR CONSTRUCTION OF CONCRETE SURFACING, TRAILS AND SIDEWALKS ON STANFORD STREET FROM WEST MAIN STREET TO WEST CHERRY STREET IN THE CITY OF VERMILLION, SD

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regularly called meeting thereof, in the Council Chambers of said City, at 7:00 p.m. on the 6th day of February 2012, that the convenience and necessity has arisen for the construction of concrete surfacing on the portion of the public streets and in front or abutting the lot or parcel of land hereinafter named:

Lot 1, Block 1, Bliss Addition
Lot 2, Block 1, Bliss Addition
Auditors Tract 3 and 4 of SE $\frac{1}{4}$, 14-92-52
Lot 1, Replat of Block 28 and N $\frac{1}{2}$ of Lot 5 and Lot 8, Block 9, Van Meters Addition
Lot 3, Block 1, Bliss Addition
Lot 21, Replat Lots 15 & 17, E $\frac{1}{2}$ SE $\frac{1}{4}$, 14-92-52
Lot 14, NE $\frac{1}{4}$ SE $\frac{1}{4}$, 14-92-52
Lot A and B of Lot 13, Collins Addition
Lot 1D, Collins Addition

Lot 1A, Collins Addition
Lot 1B, Collins Addition
Lot 1 & W ½ of Lot 2, Larson's Subdivision
Lot 22, Replat of Lot 16, E ½ SE ¼, 14-92-52
Lot 23, Replat Lots 15 & 17, E ½ SE ¼, 14-92-52
South 103' of Lot 6, Oden Addition
North 255' of Lot 6, Oden Addition

in the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 3rd day of January 2012, is approved and that the Engineer shall proceed with the work in the manner provided by law.

Dated at Vermillion, South Dakota this 6th day of February 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 French. 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.

E. Landfill facility plan to apply for State funding

Bob Iverson, Solid Waste Director, reported that the Landfill is applying for State Revolving Fund (SRF) loan and grant funding for the construction for cell 5 and the leachate system with a pond. The SRF loan requires a Facility Plan which was completed and submitted. A public hearing was advertised but, since the environmental section of the Facility Plan was not required for this project, a hearing is not required. Since the notice of hearing was published, it was recommended to hold the hearing, list any public comments and then close the hearing.

Mayor Powell asked for public comment. Hearing no comments, the public hearing was closed.

7. Old Business - None

8. New Business

A. Final Plat of Tracts 1 and 2, of Lots 2, 3, 4, 5 and 6, Block 2, Brooks Industrial Park Subdivision (Masaba Property at 1617 317th Street)

Jose Dominguez, City Engineer, reported on the location of the property being platted. Jose stated that the application has dedicated all of the required utility easements. The Planning Commission recommended approval of the plat.

044-12

After reading the same once, Alderman French moved approval of the following plat:

WHEREAS, it appears that the owners thereof have caused a plat to be made of the following described real property: Tracts 1 and 2, of Lots 2, 3, 4, 5 and 6, Block 2, Brooks Industrial Park Subdivision in the City of Vermillion, Clay County, South Dakota for approval.

BE IT RESOLVED, that the attached and foregoing plat has been submitted to and a report and recommendations thereon made by the Vermillion Planning Commission to the City Council of Vermillion which has approved the same.

BE IT FURTHER RESOLVED, that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion which has examined the same, and it appears that the systems of streets and alleys, set forth therein, conforms to the system of streets and alleys of the existing plat of such city, and that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid and that such plat and survey thereof have been executed according to law, and the same is hereby accordingly approved.

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.

B. Stanford Street Easements

Jose Dominguez, City Engineer, reported that the three remaining easements have been acquired from the property owners for the Stanford Street reconstruction project. He stated that all the easements were \$1.00 each except the Bliss easement at \$70.00 that

provided some crop damages. The Council will need to approve the three easements for the project to keep moving forward.

045-12

Alderman Grayson moved approval of the three easements for the Stanford Street reconstruction project as presented by the City engineer and authorized the Mayor to sign. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Easement for a traffic signal pole at the corner of E. Cherry Street and Rose Street

Jose Dominguez, City Engineer, reported that the SD DOT has requested that the City and USD obtain the necessary easements, and temporary construction easements, needed for a traffic signal at Rose Street and Cherry Street. Jose noted that easements were obtained from USD and the Newman Center and the final easement from the property owner at 308 E. Cherry Street, who is requesting \$2,000. USD has agreed to pay half of the cost of the easements. Discussion followed on the easements.

046-12

Alderman Grayson moved approval of the easement for the traffic signal pole at the corner of Cherry and Rose Street at the cost of \$2,000 of which \$1,000 will be reimbursed by USD. Alderman Ward seconded the motion. Discussion followed on the cost of the easement noting that, had this signal been in the plans when Cherry Street was reconstructed, the State would be the agency footing the bill. Motion carried 8 to 1. Mayor Powell declared the motion adopted.

D. Joint Cooperative Agreement with Clay County for Building Inspection Services

Andy Colvin, Assistant to the City Manager, stated that this cooperative agreement is the final document for inspection of buildings in the joint jurisdictional area. Andy reported that the County has approved the cooperative agreement that will provide for the City Building Official to do the building inspection in this area with the County reimbursing the City.

047-12

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

RESOLUTION

A RESOLUTION TO ENTER INTO A JOINT COOPERATIVE AGREEMENT FOR BUILDING INSPECTION SERVICES BETWEEN THE CITY OF VERMILLION AND CLAY COUNTY COVERING TERRITORY DESIGNATED AS THE JOINT JURISDICTIONAL ZONING AREA.

WHEREAS, the City Council of the City of Vermillion and the Clay County Board of Commissioners believe it to be in the best interest of their citizens to enter into a Joint Cooperative Agreement providing for building inspection services within the Joint Jurisdictional Zoning Area.

BE IT RESOLVED, by the City of Vermillion, as follows:

The City of Vermillion is hereby authorized to enter into and execute the Joint Cooperative Agreement, a true and correct copy of which is attached to this resolution as "Exhibit A", and the Mayor and Finance Officer are directed to sign the Joint Cooperative Agreement in the name of the City of Vermillion as of the date of this Resolution.

Dated at Vermillion, South Dakota this 6th day of February 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 Meins. 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.

E. Purchase of a vehicle for the Police Department off of the State bid list

Jason Anderson, Assistant City Engineer, reported that the replacement of a 2009 police patrol car was budgeted in the 2012 Equipment Replacement Fund. After a presentation from Police Chief Matt Betzen at the November 21st noon session, the City Council recommended the replacement of the patrol car with a police special service vehicle being a full size 4x4 sport utility vehicle. Jason

noted that in discussions with Vermillion Ford and Rasmussen Motors, it was determined that the best option for the City is acquiring the Chevy Tahoe at the State bid price from Billion Auto. The State bid price for the base vehicle is \$27,203 and Jason noted that necessary options will be about \$2,600. Discussion followed.

048-12

Alderman Grayson moved approval of the purchase of one police special service SUV from Billion Auto of Sioux Falls at the State base bid price of \$27,203 plus the necessary options. Alderman Osborne seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Library addition and renovation

John Prescott, City Manager, reported that the library addition project has been under consideration for a number of years. In early 2010, the Library Board selected Architecture Incorporated of Sioux Falls to design a library addition and renovation. The estimated cost of the project exceeded funding available and the project was put on hold until a sizable donation from a local donor enabled the project to proceed. In December 2011, the City Council approved plans and specifications and set a bid opening date of January 19, 2012. John reported that eight bids were received. The bid tabulation and architect's recommendation are included in the packet. Welfl Construction of Yankton submitted the lowest base bid of \$2,298,000. The architects estimate was \$2,662,696. John stated that there were three alternates included in the bid: 1) add HVAC manufactured by Johnson Controls, which is found in most other city buildings, at an additional cost of \$4,900; 2) add four brick columns to the exterior of the building at an additional cost of \$28,500. The columns serve as an architectural feature and are not structurally connected to the building, but do provide some limited lighting; 3) five skylights along the south side of the new addition at an additional cost of \$44,300. The skylights would add a substantial amount of light to the new space and existing building.

Base Bid: DA Davis Co, Inc \$2,436,300; Eagle Construction \$2,404,865; GA Johnson Construction \$2,407,000; Gil Haugen Construction \$2,383,000; HCI Construction \$2,476,236; Peska Construction \$2,425,000; Sunkota Construction \$2,374,000; Welfl Construction \$2,298,000

Alternate #1: DA Davis Co, Inc \$0; Eagle Construction \$15,931; GA Johnson Construction \$16,000; Gil Haugen Construction \$15,500; HCI

Construction \$5,096; Peska Construction \$15,500; Sunkato Construction \$15,000; Welfl Construction \$4,900

Alternate #2: DA Davis Co, Inc \$32,000; Eagle Construction \$27,900; GA Johnson Construction \$28,400; Gil Haugan Construction \$30,000; HCI Construction \$40,049; Peska Construction \$28,000; Sunkato Construction \$24,000; Welfl Construction \$28,500

Alternate #3: DA Davis Co, Inc \$35,000; Eagle Construction \$45,125; GA Johnson Construction \$40,700; Gil Haugan Construction \$48,000; HCI Construction \$39,933; Peska Construction \$40,000; Sunkato Construction \$37,000; Welfl Construction \$44,300

John noted that, in reviewing the funding sources available for this project and the project costs including the architect's estimated contingency of \$200,000, there was a shortfall in funding as is shown in the worksheet included in the packet. In talking to the architect this afternoon, it was suggested that the contingency be reduced to \$120,000 which would bring the base bid and all three alternates within the project funds available. John stated that his original recommendation was to exclude the alternate for the columns as the project was not within budget and the columns do not contribute to providing library services. With the revision of the contingency estimate by the architect, the project, with the alternates is within the project funding and, as such, is the policy decision of the City Council as to what alternates, if any, to include. John noted that he would recommend the base bid and alternate #1 and #3, but noted that including alternate #2 would have the project under budget with the revised contingency.

Jon Flanagan, Chairman of the Library Board, offered to answer questions on the project. As to the columns, Jon stated that they are an architectural feature that hides the transition between the existing building and the new addition as well as exterior lighting.

Discussion followed on the columns and that the amount of the contingency would be an acceptable amount for this project.

Jon stated that he felt the skylights are necessary for the users of the library. As to the columns, he felt they provided the transition between the existing building and the new addition noting the cost of \$28,500 on a project of over \$2.8 million is a small percentage. Jon stated the library board has contributed and pledged \$120,000 plus has expended over \$17,000 on the building project. He noted that fundraising for the furnishings was over \$200,000 thus far.

Mayor Powell stated that he supports the library but wanted to make sure this project was within budget.

Alderman Grayson noted the architecture of the Carnegie Library and City Hall with the clock tower.

049-12

Alderman Grayson moved approval of the low base bid of Welfl Construction of \$2,298,000 with the acceptance of all three alternates for a total of \$2,375,700 for the library addition and renovation. Alderman Ward seconded the motion. Discussion followed on the contingency and where the funds would come from if unforeseen items came up during construction. Mayor Powell called for the vote and as the voice vote was unsure Mayor Powell called for a roll call vote on the question. A roll call vote of the Governing Body was as follows: Davies-No, Grayson-Yes, French-No, Meins-No, Osborne-Yes, Ward-Yes, Willson-No, Zimmerman-No, Mayor Powell-Yes. Mayor Powell declared the motion failed 4 to 5.

Alderman Willson wanted to know where the funds would come from if the contingency was exceeded for the project.

John Prescott, City Manager, reported that he would not anticipate that this issue would come up until later this year as construction would not start until April. During the budget process, we would be able to outline if extra funding would be needed. The second penny sales tax funds or general funds would be two funding options if the cost of the project exceeded the budget. John stated that the City Council would need to approve change orders that would come out of the contingency, noting that the architect stated that these could be for safety items that would need to be addressed or if there are soil issues. John noted that discretionary items would not need to be funded. Discussion followed on the contingency.

Jon Flanagan stated that the Library Board would help where they could, noting that the fireplace, circulation desk and some other items would be funded out of the funds they have raised. Discussion followed.

050-12

Alderman Grayson moved approval of the low base bid of Welfl Construction of \$2,298,000 with the acceptance of alternates #1 and #3 for a total of \$2,347,200 for the library addition and renovation. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

051-12

Alderman Grayson moved approval of including Alternate #2 for the columns for \$28,500 in the library addition and renovation project. Alderman Ward seconded the motion. Discussion followed on the columns and the impact on the project.

052-12

Alderman Zimmerman moved and Alderman French seconded the motion to allow Carl Gutzman to address the City Council. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Carl, Vice Chairman of the Library Board, stated that he considers himself to be fiscally responsible and the columns are a small percentage of the total project. He noted that the architecture of the building sets the tone for a community and sets the tone for the significance of the building project.

Mayor Powell called for the vote on the question of including Alternate #2 and reported that the motion passed 5 to 4. He asked if anyone would request a roll call vote. Hearing none, Mayor Powell declared the motion adopted.

B. Surplus Wheel Loader

Jason Anderson, Assistant City Engineer, reported that bids were opened February 1st for the surplus 2005 Caterpillar 938G II wheel loader. This loader was used at the landfill until the new loader was received. The loader was appraised at \$78,000. Five bids were received. Jason recommended the high bid of Diamond Mowers, Inc of \$82,650.

Butler Machinery \$70,000; Milo Meyer Const, Inc \$82,100; Johnson Sand & Gravel \$72,555.55, Track II Corporation \$73,651; Diamond Mowers, Inc \$82,650

053-12

Alderman Grayson moved approval of the sale of the surplus 2005 Caterpillar 938G II wheel loader to the high bidder Diamond Mowers, Inc for \$82,650. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Water treatment and wastewater treatment chemicals

Jason Anderson, Assistant City Engineer, reported that bids were opened January 31st for the annual supply of water and wastewater chemicals. Jason recommended the low bid of Pete Lien & Sons on

Proposal #1 for quicklime at \$155 per ton and the low bid of Thatcher Company on Proposal #2 for soda ash of \$323.87 per ton.

Quicklime: Mississippi Lime \$226.80/ton, Pete Lien & Sons \$155.00/ton

Soda Ash: Thatcher Company \$323.87/ton, Brenntag Pacific \$337.80/ton

054-12

Alderman Grayson moved approval of the low bid on Proposal #1 of Pete Lien & Sons of \$155 per ton for quicklime and the low bid on Proposal #2 of Thatcher Company of \$323.87 per ton for soda ash. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Four pickup trucks

Jason Anderson, Assistant City Engineer, reported that the City has budgeted for the replacement of four pickups in 2012. Jason noted that Proposals #3 and #4 were written with the intent of purchasing one or the other. The Parks Department is replacing a ½ ton 2WD pickup and, due to increased snow removal and towing, is requesting a ¾ ton 4WD pickup. The difference between the pickups is \$4,275 and staff would recommend the 4WD pickup. Administration recommends the low bid on Proposals #1, #2, and #3 of Vermillion Ford for a total of \$96,854. No award was made on Proposal #4. Discussion followed.

Proposal #1: Rasmussen Motors \$48,292, Vermillion Ford \$47,120
Proposal #2: Rasmussen Motors \$24,281, Vermillion Ford \$23,699
Proposal #3: Rasmussen Motors \$24,281, Vermillion Ford \$23,699
Proposal #4: Rasmussen Motors \$19,424, Vermillion Ford \$20,413

055-12

Alderman Ward moved approval of the low bid of Vermillion Ford on Proposals #1, #2 and #3 for four pickups totaling \$96,854 and no award on Proposal #4. Alderman Grayson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Fuel quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil on Items 1 and 3 and the low quote of Brunick's Service on Item #2.

4,350 gal unleaded 10% ethanol: Stern Oil \$3.2514, Brunick's Service \$3.30; 1,500 gal average cost of No. 1 and No. 2 diesel fuel-dyed:

Stern Oil \$3.7214, Brunick's Service \$3.35; 500 gal average cost of No. 1 and No. 2 diesel fuel-clear: Stern Oil \$3.4964, Brunick's Service \$3.75

056-12

Alderman Ward moved approval of the low quote of Stern Oil on Items #1 and #3 and the low quote of Brunick's Service on Item #2. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that the applications are being accepted for the Citizens Academy program starting on February 28th for a series of five Tuesday nights. Participants will learn about City operations, tour facilities and meet with City Department Heads. Participation is available to those 18 and older with applications available at City Hall or the City web site. John noted that the class size will be limited to 15 to 20 participants.

B. John reported that the next City Council meeting will be on Tuesday, February 21st due to Presidents' Day holiday on Monday.

C. John reported that this week's Equalizer will feature a page of information on the City. John reported that the City Update would be done quarterly.

PAYROLL ADDITIONS AND CHANGES

Police: Mark Foley \$18.18/hr., Anthony Klunder \$19.28/hr; Ambulance: Travis Bjordahl \$30.60 1st - \$17.34/2nd, Patrick Farrens \$30.60/1st - \$17.34/2nd, Nicole Gulley \$8.00/call - \$6.00/1st - \$6.00/2nd, Neil Melby \$30.60/1st - \$17.34/2nd, Matthew Sutera \$8.00/call - \$6.00/1st - \$6.00/2nd; Recreation: Paul Pederson \$25.00/game, Daniel Tharp \$25.00/game

11. Invoices Payable

057-12

Alderman Davies moved approval of the following invoice:

JOHN POWELL	MILEAGE REIMBURSEMENT	202.40
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Alderman Ward seconded the motion. Mayor Powell requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

058-12

Alderman Ward moved approval of the following invoice:

UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	5.00
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Alderman French seconded the motion. Alderman Meins requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

059-12

Alderman Osborne moved approval of the following invoices:

AHEAD, INC	SUPPLIES	100.00
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	147.87
ARCHITECTURE INC.	PROFESSIONAL SERVICES	7,478.29
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	112.93
ATCO INTERNATIONAL	SUPPLIES	91.95
AUDIO GO	BOOKS	231.90
BAKER & TAYLOR BOOKS	BOOKS	581.45
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	1,243.00
BARNES DISTRIBUTION	SUPPLIES	327.19
BATTERIES PLUS	BATTERIES	203.76
BEST WESTERN RAMKOTA HOTEL	LODGING	643.93
BLUE SQUARE PARTNERS, LLC	EASEMENT	1.00
BOMGAARS	SUPPLIES/BATTERIES	569.39
BOOK WHOLESALERS, INC	BOOKS	819.88
BOOKPAGE	SUBSCRIPTION	282.00
BOUND TREE MEDICAL, LLC	SUPPLIES	810.26
BRUNICKS SERVICE INC	DIESEL	561.10
BUTCH'S PROPANE INC	PROPANE	7,135.75
BUTLER MACHINERY CO.	PARTS	1,616.79
CADD/ENGINEERING SUPPLY, INC	SUPPLIES	134.50
CAMPBELL SUPPLY	SUPPLIES	392.89
CANON FINANCIAL SERVICES, INC	COPIER LEASE	56.16
CARYL CROZIER	BOOK	30.00
CASK & CORK	MERCHANDISE	370.40
CBCINNOVIS, INC	TESTING MATERIALS	12.98
CENTER CHILDREN & FAMILIES	EASEMENT	1.00
CENTURY BUSINESS PRODUCTS	COPIER CONTRACT	362.50
CENTURYLINK	TELEPHONE	734.89
CITY OF VERMILLION	COPIES/POSTAGE	1,821.81
CITY OF VERMILLION	UTILITY BILLS	33,917.66
CLAY CO REGISTER OF DEED	FILING FEES	50.00
CLAY RURAL WATER SYSTEM	WATER USAGE	42.20

COLLINS BROTHERS, INC	MERCHANDISE	701.96
COLONIAL LIFE ACC INS.	INSURANCE	1,609.63
CONCERNS OF POLICE SURVIVORS	MEMBERSHIP	200.00
CURT HAAKINSON	MEALS REIMBURSEMENT	82.00
D-P TOOLS	PARTS	312.23
DAKOTA BEVERAGE	MERCHANDISE	6,349.10
DAKOTA FLUID POWER INC	PARTS	526.47
DAKOTA LOCK & KEY	REPAIRS	48.76
DAKOTA PC WAREHOUSE	COMPUTER/SUPPLIES	539.95
DANKO MES, INC.	SUPPLIES	584.00
DELTA DENTAL PLAN	INSURANCE	5,617.94
DEMCO	SUPPLIES	525.59
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	179.00
DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	6,237.58
DICK BROWN	MEALS REIMBURSEMENT	42.00
DOUG BRUNICK	MEALS REIMBURSEMENT	40.00
DUST TEX	SUPPLIES	46.60
EBSCO	SUBSCRIPTIONS	3,222.21
ECHO ELECTRIC SUPPLY	SUPPLIES	550.99
ENVIRONMENTAL PRODUCTS	PARTS	166.82
ERIN J. SEEP	MAINTENANCE	36.25
FAIR MANUFACTURING, INC	SNOW BODY INSERT	8,908.00
FASTENAL COMPANY	SUPPLIES	4.11
FIRE ENGINEERING	SUBSCRIPTION	36.00
FOREMAN MEDIA	COUNCIL MTG	100.00
GCSA OF SD	REGISTRATION	360.00
GE CAPITAL	COPIER LEASE	114.48
GOULD & GOODRICH LEATHER	UNIFORM	179.37
GRAHAM TIRE CO.	TIRES	543.86
GRAINGER	PARTS	308.19
GREGG PETERS	FREIGHT/ADVERTISING	2,609.25
GREGG PETERS	RENT	937.50
GUARANTEE OIL CO INC	SUPPLIES	65.16
HACH CO	FLOW SENSOR/SUPPLIES	19,977.85
HARLAND TECHNOLOGY SERVICE	SUPPLIES	101.96
HAWKINS WATER TREATMENT	CHEMICALS	741.00
HD SUPPLY WATERWORKS	SUPPLIES	4,700.94
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	16,696.59
HERCULES HARDWARE	SUPPLIES	142.21
HERREN-SCHEMPP BUILDING	SUPPLIES	199.57
HILL HOUSE PUBLISHING, LLC	SUBSCRIPTION	12.95
HILLYARD FLOOR CARE SUPPLY	SUPPLIES	374.76

HOLIDAY INN EXPRESS	EASEMENT	1.00
HY VEE FOOD STORE	SUPPLIES	78.23
HYDRO TECH SERVICE	WATER MAIN TAP	663.00
INA CHERINGTON	BOOKS	15.95
INDEPENDENCE WASTE	WASTE HAULING	888.75
INGRAM	BOOKS	2,084.68
INTL ASSOC OF FIRE CHIEFS	MEMBERSHIP DUES	204.00
ISTATE TRUCK CENTER	PARTS	304.84
JACKS UNIFORM & EQPT	UNIFORM	2,242.55
JEFF MART	SAFETY GLASSES REIMBURSE	150.00
JOHN A CONKLING DIST.	MERCHANDISE	4,315.15
JOHN WALKER	MEALS/SAFETY BOOTS REIMB	213.00
JOHNSON BROS FAMOUS BRANDS	MERCHANDISE	23,875.55
JOHNSON CONTROLS	SERVICE AGREEMENT/REPAIRS	2,719.52
JONES ACE HARDWARE	PARTS	800.54
JONES FOOD CENTER	SUPPLIES	438.08
JORDAN HELMING	SAFETY BOOTS REIMBURSEMENT	89.96
JOYCE MOORE	MILEAGE REIMBURSEMENT	36.26
JWR, INC	SUPPLIES	419.36
KAIROI, INC	WEBSITE HOSTING/MAINTENANCE	275.00
KALINS INDOOR COMFORT	REPAIRS	90.92
KEITH THOMPSON	MEALS REIMBURSEMENT	40.00
KNOLOGY	911 CIRCUIT/DIALUP SERVICES	1,415.45
LAYNE STEWART	MEALS REIMBURSEMENT	40.00
LAYNES WORLD	PLAQUE	58.84
LEADSONLINE	SOFTWARE MAINTENANCE	1,428.00
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	3,556.46
LESSMAN ELEC. SUPPLY CO	SUPPLIES	630.00
LIBRARY & EDUC SERVICES	BOOKS	74.86
LINCOLN MUTUAL LIFE	INSURANCE	489.50
LOCATORS AND SUPPLIES, INC	SUPPLIES	174.98
LOGIN/IACP NET	ANNUAL FEE	500.00
LONG RIDER BOOKS	BOOKS	537.92
LONGS PROPANE INC	PROPANE	25.00
LUDEY'S READY MIX	SAND	172.13
LYLE SIGNS	SUPPLIES	704.00
MALLOY ELECTRIC	PARTS	2,113.01
MANUFACTURERS NEWS, INC	BOOKS	88.45
MARK KOLLER	MEALS REIMBURSEMENT	33.00
MARKS MACHINERY	PARTS	138.92
MART AUTO BODY	TOWING	1,370.00
MATHESON TRI-GAS, INC	SUPPLIES	38.19
MC2, INC	SUPPLIES	7,292.24

MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,680.00
MEAD LUMBER	SUPPLIES	3.09
MICHAEL STARK	MILEAGE REIMBURSEMENT	17.76
MID-STATES ORG. CRIME	MEMBERSHIP DUES	150.00
MIDWEST ALARM CO	ALARM MONITORING	120.00
MIDWEST BUILDING MAINTENANCE	MAT SVC	339.25
MIDWEST RADIATOR & EXHAUST	REPAIRS	193.00
MIKE MANNING	ROSE STREET EASEMENT	2,000.00
MIRACLE RECREATION EQPT CO	SUPPLIES	133.00
MISSOURI VALLEY MAINTENANCE	REPAIRS	439.00
MIZUNO USA, INC	MERCHANDISE	486.30
MOUNTAIN PLAINS LIB ASSN	MEMBERSHIP DUES	65.00
MUNICIPAL ELEC. ASSOC.	CONFERENCE REGISTRATION	120.00
NATL EMERGENCY NUMBER ASSOC	MEMBERSHIP DUES	130.00
NCL OF WISCONSIN, INC	SUPPLIES	497.18
NEBRASKA JOURNAL-LEADER	ADVERTISING	64.42
NETSYS+	PROFESSIONAL SERV/REPAIRS	306.25
NORTHLAND	SUPPLIES	1,108.50
PAUL & GAYLE BLISS	CONSTRUCTION EASEMENT	70.00
PAUL BRUNICK	MEALS/MILEAGE REIMBURSEMENT	158.00
PETE JAHN	MEALS REIMBURSEMENT	40.00
PETE LIEN & SONS, INC	CHEMICALS	3,860.66
PETER BULLENE	REFUND RENTAL REG. FEE	40.00
PLAIN TALK PUBLISHERS	SUBSCRIPTION	26.00
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POLARIS INDUSTRIES	EASEMENT	1.00
PRAIRIE BERRY WINERY	MERCHANDISE	1,938.00
PRESSING MATTERS	SUPPLIES	171.49
PRESTO-X-COMPANY	INSPECTION/TREATMENT	47.00
PROGRESSIVE BUSIN PUBLICATION	SUBSCRIPTION	299.00
QUALITY BOOKS INC.	BOOKS	145.12
QUEEN CITY WHOLESALE	MERCHANDISE	325.01
QUILL	SUPPLIES	2,099.52
RACOM CORPORATION	MAINTENANCE	368.50
RANDOM HOUSE, INC	BOOKS	210.94
RANDY ISAACSON	MEALS REIMBURSEMENT	82.00
RASMUSSEN MOTORS, INC	PARTS	163.52
RECORDED BOOKS, INC	BOOKS	6.95
RECYCLING EQUIPT MFG	CONVEYOR PARTS	857.25
REPUBLIC NATIONAL DIST	MERCHANDISE	20,400.66
RESERVE ACCOUNT	POSTAGE	1,892.00
ROB PICKENS	SAFETY BOOTS REIMBURSEMENT	100.00
RODNEY TIEMAN	MEALS REIMBURSEMENT	30.00

SCHAEFFER MFG. CO	SUPPLIES	595.20
SD CHAPTER APWA	REGISTRATION	105.00
SD ENGINEERING SOCIETY	MEMBERSHIP DUES	115.00
SD LIBRARY ASSOCIATION	MEMBERSHIP DUES	520.00
SD REDBOOK FUND	BOOKS	75.00
SD RETIREMENT SYSTEM	CONTRIBUTION	23,620.71
SD SOCIETY OF FIRE SERVICE	DUES	175.00
SERVALL TOWEL & LINEN	SUPPLIES	29.40
SHEEHAN MACK SALES & EQPT	PARTS	307.89
SIOUX CITY INSULATION	REPAIRS	181.39
SIOUX FALLS TWO WAY RADIO	REPAIRS	70.00
SPECIAL T'S AND MORE	UNIFORM LOGOS	59.65
STANLEY M. SLOWIK, INC	REGISTRATION	325.00
STATE RADIO COMMUNICATION	TELETYPE SERVICE	3,500.00
STUART C. IRBY CO.	SUPPLIES	160.65
STURDEVANTS AUTO PARTS	PARTS	1,285.45
TESTAMERICA LABORATORIES, INC	PROFESSIONAL SERVICES	4,014.50
THATCHER COMPANY	CHEMICALS	6,886.00
THE BAG CONNECTION, INC	RECYCLING BAGS	225.30
THE EQUALIZER	ADVERTISING	43.20
THE WALKING BILLBOARD	SHIRTS	62.00
TITAN ACCESS ACCOUNT	PARTS	625.85
TODDS ELECTRIC SERVICE	INSTALL LOAD CONTROLLER	25.00
TOM SORENSEN	MEALS REIMBURSEMENT	40.00
TRAVIS TARR	SAFETY GLASSES REIMBURSE	150.00
TRI TECH SALES	PARTS	210.97
TRUE VALUE	SUPPLIES	147.50
TYLER TECHNOLOGIES	MAINTENANCE/SUPPORT	17,975.17
ULTRAMAX	SUPPLIES	8,894.00
UNITED WAY	CONTRIBUTIONS	166.40
USD ATHLETIC DEPARTMENT	SOFTBALL COMPLEX ENHANCE	20,000.00
VEOLIA ENVIRONMENTAL SERVICES	HAUL ELECTRONICS	183.23
VERIZON WIRELESS	POLICE COMMUNICATIONS	227.99
VERMEER HIGH PLAINS	SUPPLIES	466.27
VERM CHAMBER OF COMMERCE	MEMBERSHIP DUES	750.00
VERMILLION COMMUNITY CPR	HEARTSAVER CPR CLASS	48.00
VERMILLION PUBLIC TRANSIT	CONTRIBUTION	7,500.00
VERMILLION ROTARY CLUB	MEALS/DUES	131.75
VISA/FIRST BANK & TRUST	TRAVEL/LODGING/SUPPLIES	8,159.20
VS VISUAL STATEMENT INC	MAINTENANCE	1,194.30
WAL-MART COMMUNITY	SUPPLIES	413.69
WESCO DISTRIBUTION, INC	SUPPLIES	645.20
WIGMAN CO	PART	25.24

WINTER EQUIPMENT COMPANY	REPAIRS	277.52
YANKTON FIRE & SAFETY	EXTINGUISHER	540.00
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,946.48
ZEE MEDICAL SERVICE	SUPPLIES	52.50
DERRICK WALTER	BRIGHT ENERGY REBATE	150.00
JENNIFER STROEH	BRIGHT ENERGY REBATE	250.00
LINDA ISEMAN	BRIGHT ENERGY REBATE	275.00
SUSAN GRAY	BRIGHT ENERGY REBATE	275.00
THOMAS ODENBRETT	BRIGHT ENERGY REBATE	175.00
ELDEAN WEVIK	BRIGHT ENERGY REBATE	150.00
GREGG RADIGAN	BRIGHT ENERGY REBATE	275.00
ANDY SYKES	BRIGHT ENERGY REBATE	275.00

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

12. Consensus Agenda

A. Set a public hearing date of February 21, 2012 for a special permit to exceed permissible sound levels by no more than 50% for Sigma Alpha Epsilon outdoor mini concert in the northwest corner of Prentis Park from 4:30 p.m. to 7:30 p.m. on April 10, 2012

060-12

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

13. Adjourn

061-12

Alderman Osborne moved to adjourn the Council Meeting at 8:33 p.m. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of February, 2012.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: February 21, 2012

Subject: Special permit to exceed permissible sound levels by no more than 50% for Sigma Alpha Epsilon Fraternity for an outdoor mini concert in northwest corner of Prentis Park from 4:30pm to 7:30pm on April 10, 2012

Presenter: Mike Carlson

Background: Andrew Boyd, on behalf of the Sigma Alpha Epsilon Fraternity, has applied for a special permit to exceed allowable noise levels for a mini concert on Tuesday, April 10, 2012 from 4:30 p.m. until 7:30 p.m., in the northwest corner of Prentis Park. Included is a copy of the application and published notice of the hearing.

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: As the diagram indicates, the stage will be located south of the picnic shelter by Clark Street facing south towards the pool. Staff is not aware of any problems related to the issuance of the noise permit.

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

Mr. Boyd has indicated that he was going to contact the neighbors with information on the proposed event.

Financial Consideration: The \$25 fee for the special permit has been paid.

Conclusion/Recommendations: Administration recommends issuance of the special permit, unless information is presented at the public hearing that indicates that there will be problems related to the noise.

**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 Sigma Alpha Epsilon
Contact Person Andrew Boyd Phone (605) 999-1030
Contact Person Address 856 Main Street, Vermillion, SD 57069
Location of Event Prentiss Park Date of Event Apr. 10, 2012
Duration of event from time 4:30 pm to Time 7:30 pm

The ordinance asks if this is a suitable location with appropriate facilities:

Yes, we will be bringing all musical supplies
& gear.

The ordinance asks the applicant to demonstrate that the event for which the permit is requested be of public benefit. Describe the public benefit:

We will be hosting a grill/out & outdoor mini-concert
the proceeds from the event will be donated to
a charity not yet decided (likely MDA). This
event is strictly planned in nature.

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

Andrew Boyd date 4/20/12



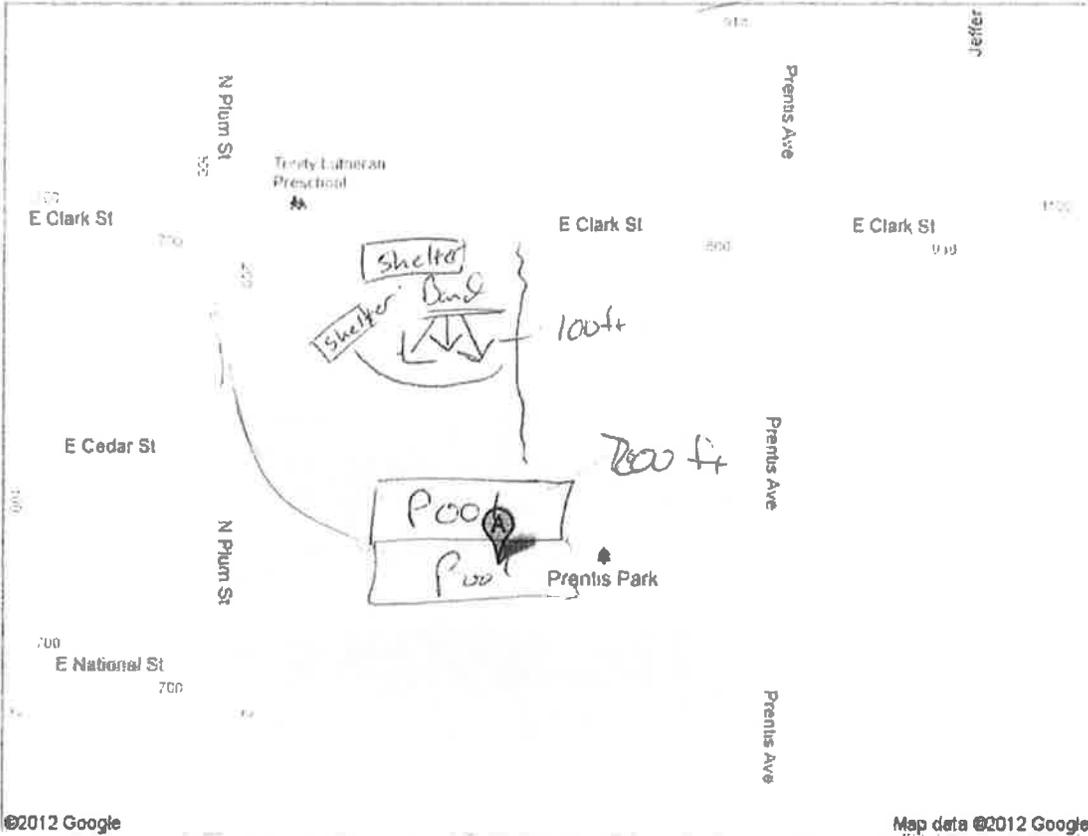
prentis park

Get Google Maps on your phone
Text the word "GMAPS" to 466453



A. **Prentis Park**
Vermillion, South Dakota

Band = sound source



ΣAE Bat Feed Event

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

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 21th day of February, 2012 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for a special permits to exceed allowable sound levels which has been filed in the Finance Officer's Office:

Sigma Alpha Epsilon Fraternity request for a special permit to exceed allowable sound levels for a mini concert in the northwest corner of Prentis Park on Tuesday, April 10, 2012 between 4:30 p.m. and 7:30 p.m.

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 6th day of February, 2012.

Michael D. Carlson, Finance Officer

Publish: February 10, 2012

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: February 21, 2012
Subject: Resolution revising electronics disposal rates
Presenter: Bob Iverson, Solid Waste Director

Background: The City adopted rates for the disposal of electronics at the landfill in February, 2009. The rates were based on what was being charged to the city for the disposal of the different electronic items at that time. This was done in response to the EPA and SD DENR requirement that all electronics disposed of by commercial entities must be recycled or handled as hazardous waste. The requirement doesn't apply to residential or household items.

Discussion: A new vendor has been located that only charges for TV's and monitors. This vendor will accept the balance of the electronic items except ups backups, fluorescent bulbs and capacitors at no cost to the City. A second vendor who charges the City is needed for the removal of ups backups, fluorescent bulbs, and capacitors.

The proposed resolution is to adjust the charges for TV's and monitors to \$15 each. The resolution will also remove the charge for other electronics that are recycled at the landfill with the exception for ups backups, fluorescent bulbs and capacitors that should remain the same.

The electronics recycling was discussed at the last Joint Powers board meeting. The Board agrees with the idea of adjusting the charges to reflect the current costs and promote recycling by adjusting fees.

Financial Consideration: The revised fee for TV's and monitors will meet the charge by the vendor and removed the fees for all but ups backups, fluorescent bulbs and capacitors.

Conclusion/Recommendations: Administration recommends the adoption of the resolution revising the rates for disposal of electronics at the landfill.

**RESOLUTION REVISING ELECTRONICS DISPOSAL RATES
AT THE MUNICIPAL LANDFILL**

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

WHEREAS, in 2009, the City of Vermillion established a program for the recycling of electronics and related items at the landfill generated by commercial and household facilities in accordance with South Dakota DENR regulations; and

WHEREAS, the fees established in 2009 were based upon the disposal costs for the electronic items; and

WHEREAS, the charge to the City to dispose of different electronics items has decreased and, as such, the fees charged at the landfill for electronics recycling need to be adjusted accordingly.

NOW, THEREFORE, BE IT 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 21st day of February, 2012, that the fee for individuals, commercial establishments, public institutions or non-licensed contract haulers, with separated electronics waste, which falls under the Universal Waste rule, is established as follows:

Charges are by item unless otherwise stated

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

The City of Vermillion reserves the right to impose additional fees on loads or items deemed to be not

in keeping with the above rates. This fee will be set in accordance with the final recycling cost, transportation costs and operations cost affected.

Dated at Vermillion, South Dakota this 21th day of February, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D Carlson, Finance Officer



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: February 21, 2011
Subject Fireworks Public Display Permit
Presenter: Mike Carlson

Background: The USD Dance Marathon Committee is requesting City Council approval for a fireworks public display permit, to be held as part of the Dance Marathon activities at the Vermillion High School. Mike Weckman, Dance Marathon Co-Entertainment Director, has notified the City that Tom Taylor will be conducting the fireworks show, which will be between 7:30 – 8:00 p.m. on Saturday, March 24, 2012.

Discussion: State law requires approval from the governing body of the municipality where the public display is to be fired.

SDCL: 34-37-13. Public display of fireworks. Nothing in this chapter prohibits the use of public display of fireworks. However, any person, association, organization, municipality, county, firm, partnership, or corporation, before making such public display of fireworks, shall secure a written permit from the governing board of the municipality, township, or county where the public display is to be fired, and shall have purchased fireworks for the display from a licensed wholesaler under this chapter. Any public display shall comply with the National Fire Protection Association Standard 1123, 1995 edition.

City staff verified, with Jason Huska at the High School, that the school had authorized the use of the facility, including the fireworks display. The display will be south of the high school in the same location that is used for homecoming. John will send emails to the local Veterans groups to inform them of the permit date and time.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends the City Council authorize the Mayor to sign the Fireworks Public Display permit for March 24, 2012 as submitted by the USD Dance Marathon Committee for the display at the Vermillion High School.

FIREWORKS PUBLIC DISPLAY PERMIT
A PERMIT TO OPERATE A DISPLAY OF FIREWORKS

Name of Applicant USD Dance Marathon Phone (605) 670-0757
Address 703 Valley View Dr. City Vermillion State SD Zip 57069

PERSONS ACTUALLY IN CHARGE OF FIRING THE DISPLAY:

Name Tom Taylor Address 703 Valley View City Vermillion State SD Zip 57069

Name Jim Taylor Address 703 Valley View City Vermillion State SD Zip 57069

Date of Display March 24th 2012 Time of Day 7:30-8:00 pm

Exact Location of Display

field southwest of Vermillion High school by tennis court.

TYPES OF FIREWORKS:

U.S. Consumer Product Safety Commission CFR Title 16-1507-1998
American Pyrotechnics Association STD 87-1-1993

Display Fireworks

Consumer Fireworks

I, Thomas J. Taylor, declare and affirm under the penalty of perjury that this
Fireworks Display Permit has been examined by me and to the best of my knowledge and belief is true and correct.

Date this 17th day of Feb, 2012

Thomas J. Taylor
Signature of Applicant

Subscribed and sworn to (or affirmed)

Before me this 17 day of
February, 2012.

Michael Plachinski
Notary Public

My Commission Expires 7-5, 2017.

Permit Authorized By: _____

Title _____

Location of Issuing Authority _____

Date _____

Issued subject to all applicable laws and regulations, SDCL 34-36, SDCL 34-37 and National Fire Protection Association Pamphlet #1123 (1995 Edition). This permit may not be reassigned or transferred.

COPIES: WHITE-Permit Holder; YELLOW-Fireworks Wholesaler; PINK-Issuing Authority



Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: February 21, 2012
Subject: Resolution amending the truck route map
Presenter: Jose Dominguez

Background: During a cursory review of the City's existing truck route map, it was noted that the area zoned industrial and commercial, north of East Duke Street, along extended Jefferson Street, would not have a direct truck route to East Cherry Street. Recently, through the VCDC, the City received an inquiry about Ludey's better utilizing their Duke Street access if Jefferson Street were a truck route.

Discussion: As mentioned, the area north of East Duke Street along Jefferson Street is currently zoned either commercial or industrial. To accommodate future truck traffic, it is planned that any new roadway construction will be built to withstand truck traffic. By extending the truck route, the City is giving another option for truck traffic to arrive to one of the City's main traffic routes. In addition, by moving the truck route to Jefferson Street, if Ludey's wanted to redevelop their E. Cherry Street frontage, they would still have an entrance for the trucks to utilize.

Although the existing pavement section of Jefferson Street between East Duke Street and East Cherry Street is not designed for truck traffic, it is estimated that, if made into a truck route, it will endure another 5 to 10-years before needed to be reconstructed.

Financial Consideration: There is no financial consideration at this time.

Conclusion/Recommendations: Administration recommends approving the Resolution Amending the City of Vermillion's Truck Route Map.

RESOLUTION AMENDING THE VERMILLION TRUCK ROUTE MAP

WHEREAS, the City of Vermillion has established truck routes, as shown on a map on file in the City Manager's Office, in accordance with Section 77.112 of the Ordinances of the City of Vermillion; and

WHEREAS, City staff recommends adding Jefferson Street, between East Cherry Street and East Duke Street, and adding East Duke Street, between Jefferson Street to a point 160-feet east of the intersection with Jefferson Street, to promote orderly development; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vermillion, that the Truck Route Map be amended adding Jefferson Street, between East Cherry Street and East Duke Street and adding East Duke Street, between Jefferson Street to a point 160-feet east of the intersection with Jefferson Street.

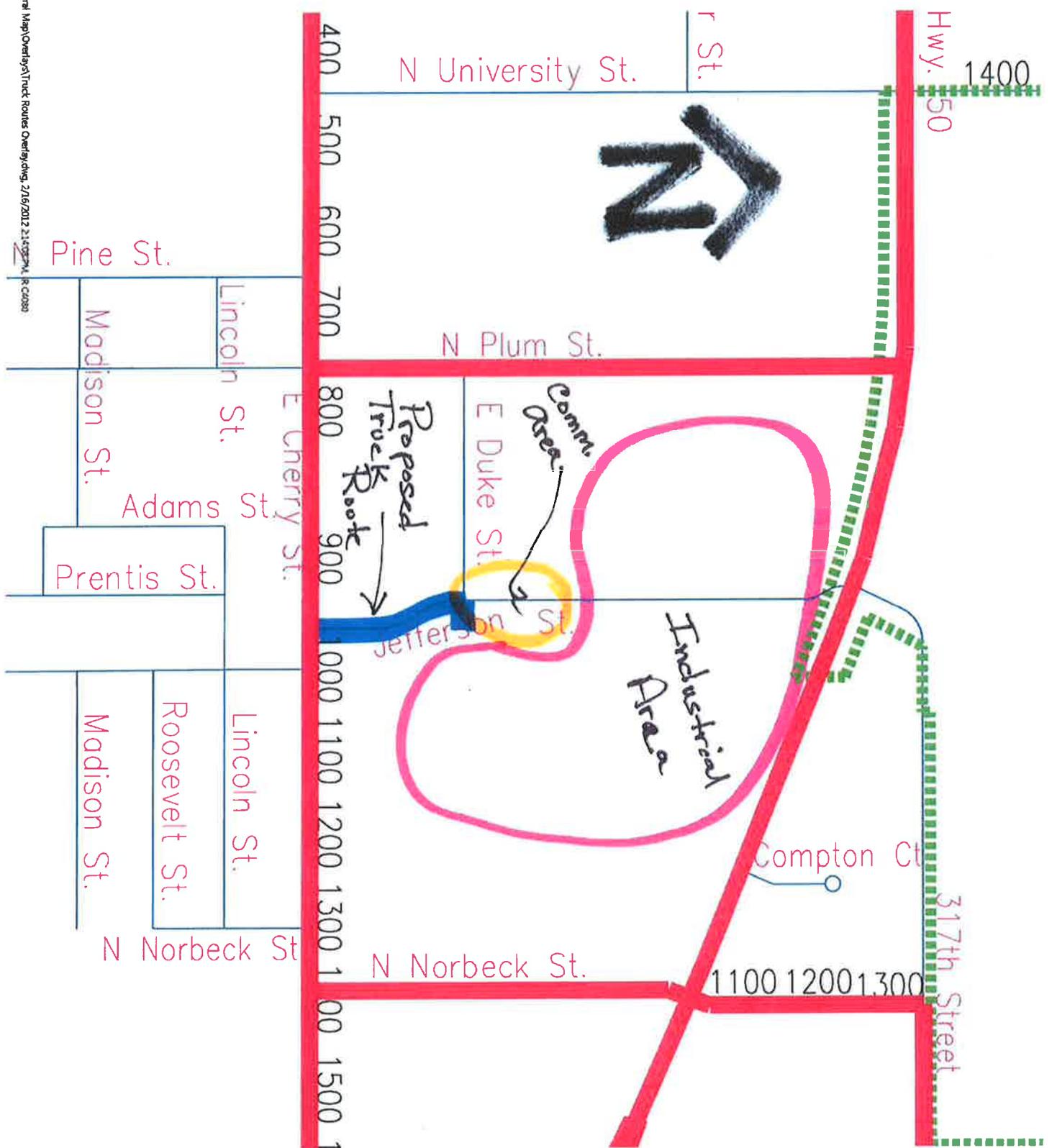
Adopted by the Vermillion City Council this 21st day of February 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer



400 500 600 700 800 900 1000 1100 1200 1300 1400 1500

Hwy. 50

1400

317th Street

N University St.

N Plum St.

E Duke St.

Jefferson St.

N Norbeck St.

Pine St.

Adams St.

Prentis St.

Lincoln St.
Roosevelt St.
Madison St.

Compton Ct

1100 1200 1300

Proposed
Truck
Route

Comm.
Area

Industrial
Area



Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: February 21, 2012

Subject: Drainage Study

Presenter: Jose Dominguez

Background: Over the last several years drainage issues have become apparent through the community. Factors such as topography, soil and hydrological conditions, development and design standards affect drainage problems.

Discussion: The City of Vermillion solicited the services of an engineering consultant to work with City staff to accomplish the following:

1. Determine the major drainage basins within the City.
2. Determine the modeling and design methods to be used by the City.
3. Inventory and model two drainage areas.
4. Provide a capital improvement plan to complete the modeling of the remaining drainage basins.
5. Provide a capital improvement plan to construct drainage improvements within the two drainage basins modeled; and
6. Supply the City with an implementation strategy which will be used to locate funding for the improvements and also define triggers that will require the construction of a drainage improvement.

Eight consultants provided proposals to be reviewed by the City. The proposals were reviewed by a committee and rated based on qualifications and cost. After reviewing the proposals, the committee recommended that S.E.H., Inc. from Sioux Falls be contracted to complete the drainage study.

Financial Consideration: The City of Vermillion has \$70,000 budgeted for the completion of the study. It is estimated that the S.E.H., Inc. will complete the tasks in the scope of work within \$51,000.

Conclusion/Recommendations: Administration recommends that the City Council contract with S.E.H., Inc., to complete the drainage study.



Council Agenda Memo

From: Jason Anderson, Assistant City Engineer

Meeting: February 21, 2012

Subject: Purchase of Landfill Wheel Loader

Presenter: Jason Anderson

Background: A 2007 wheel loader, to be replaced in 2012, was provided in the Solid Waste Department's landfill budget. Two bid proposals were received and opened on February 15, 2012 (see attached bid tabulation). Both bids contained the property bid security.

Discussion: The basic bid proposal includes guaranteed total cost of repairs for 5000 hours/5 years. The alternate bid proposal includes guaranteed total cost of repairs and a guaranteed bid price at the end of the five year period. This type of bidding has been used on snow removal and landfill equipment since the start of the equipment replacement fund. The specifications state that in evaluating the bids the City will consider, amongst other things, the needs of the City, the quality of the equipment, resale value, availability of service and parts, compatibility with other city-owned equipment, and operation and maintenance costs in determining the lowest "responsible" bid.

After evaluating all bids, the Butler Machinery bid is the lowest "responsible" bid on both the basic and alternate bid proposals due to lower initial cost and high resale value. Additionally, if the award is made on the alternate bid proposal the City will have a guaranteed minimum bid price at the end of 5 years.

The Butler Machinery basic bid proposal is identical to the alternate bid proposal without a guaranteed bid price after 7 years. Administration recommends the deduct-option of -\$1,601 for the performance bond.

Financial Consideration: The purchase will come from the 2012 Joint Powers Landfill Fund, line item 3600, after delivery and acceptance. The existing wheel loader will be considered surplus and sold by sealed bids after delivery of the new wheel loader. Revenue from the sale of the surplus wheel loader will be returned to the Joint Powers Fund.

Conclusion/Recommendations: After evaluation of the bids, the Butler Machinery proposal is the lowest responsible bid on both the basic proposal and alternate proposal after taking initial cost, resale value, compatibility with other city-owned equipment, etc. into account. Administration recommends the award be made to Butler Machinery Co. on the alternate bid proposal for the total initial cost of \$118,775.00, which includes -\$1,601 for the performance bond delete-option.

BID TABULATION

PROJECT: New Wheel Loader

DATE: February 15, 2012

BIDDER ADDRESS		Butler Machinery Co. PO Box 1210 Sioux Falls, SD 57101	Murphy Tractor Co. PO Box 5349 Sioux City, IA 51102
BID SECURITY		10% bid bond	10% bid bond
ITEM	DESCRIPTION		
1	<u>BASIC PROPOSAL</u> New Wheel Loader	\$119,876.00	\$121,920.00
Make & Model		Caterpillar 914G	John Deere 344J
2	Guaranteed Total Cost of Repairs for 5000 hrs/5 years	\$500.00	\$0.00
3	Total Guaranteed Maximum Cost	\$120,376.00	\$121,920.00
1	<u>ALTERNATE PROPOSAL</u> New Wheel Loader	\$119,876.00	
2	Guaranteed Total Cost of Repairs for 5000 hrs/5 years	\$500.00	
3	Guaranteed Bid Price at end of 5000 hrs/5 years	\$58,641.00	
4	Guaranteed Bid Price at Net Present Value at 2.0% interest	\$53,111.00	
5	Total Guaranteed Maximum Cost of Ownership at Net Present Value(#1 + #2 - #4)	\$67,265.00	
Equipment Delivery ARO		30-60 days	120 days

CITY OF VERMILLON
 INVOICES PAYABLE-FEBRUARY 21, 2012

1 ARCHITECTURE INC.	PROFESSIONAL SERVICES	3,134.87
2 BROADCASTER PRESS	ADVERTISING	1,511.75
3 BUREAU OF ADMINISTRATION	TELEPHONE	294.82
4 BUTLER MACHINERY CO.	PARTS	325.64
5 CENTURYLINK	TELEPHONE	1,460.99
6 CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,574.09
7 DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,478.46
8 FIRST NATIONAL BANK	TRUSTEE FEE	2,000.00
9 GREGG PETERS	MANAGERS FEE	5,375.00
10 HACH CO	SUPPLIES	500.00
11 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
12 MATHESON TRI-GAS, INC	OXYGEN/CYLINDER RENTAL	87.54
13 MIDAMERICAN	GAS USAGE	7,117.21
14 MIDCONTINENT COMMUNICATIONS	CABLE/INTERNET SERVICE	105.95
15 RESERVE ACCOUNT	POSTAGE FOR METER	950.00
16 SPRINT	CELL PHONES	1,051.12
17 STERN OIL CO.	FUEL	14,908.83
18 STUART C. IRBY CO.	PARTS	4,898.55
19 THATCHER COMPANY	SODA ASH	6,886.00
20 THE BOULDER COMPANY	PARTS	745.70
21 UNITED PARCEL SERVICE	SHIPPING	69.05
22 US POSTMASTER	POSTAGE FOR UTILITY BILLS	975.00
23 VERMEER HIGH PLAINS	REPAIRS	2,151.65
24 VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	616.94
	GRAND TOTAL	\$59,359.16

Date: January 12, 2012

To: Mayor and City Council

From: Finance Officer

Subject: City Election and Nominating Petitions

The combined primary, school and city election is set for June 5, 2012. Nominating petitions can be circulated starting March 1, 2012 and must be filed in the City Finance Office by 5:00 p.m. on March 27, 2012. The term for these offices will be four-years until July 2016.

The following offices will be vacant due to the expiration of the present term of office:

- Alderman Central Ward (French)
- Alderman Northeast Ward (Meins)
- Alderman Northwest Ward (Willson)
- Alderman Southeast Ward (Ward)

Nominating petitions can be picked up at the City Finance Office during regular office hours.

Number of Signatures

If the candidate is to be voted for by the voters of a ward of a municipality of the first or second class having more than one ward, a nominating petition shall be signed by at least five percent of the registered voters of the ward. The percentage shall be based on the total number of registered voters voting in the ward at the last preceding general election. No petition need be signed by more than fifty voters.

Based upon the number of voters at the November 2010 general election petitions will need to be signed by at least:

Central Ward	24
Northeast Ward	25
Northwest Ward	42
Southeast Ward	50

Ward boundary maps are available at the finance office or on the city web page. Any questions about circulating a nominating petition please contact the City Finance Officer. When the petition is filed the candidate must also complete a Statement of Financial Interest