



Special Meeting Agenda
City Council
12:00 p.m. (noon) Special Meeting
Monday, January 6, 2014
Large Conference Room
City Hall-25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Landfill Construction Projects Update – Bob Iverson.**
3. **Educational Session – Water Tower Construction Project update – Randy Isaacson.**
4. **Educational Session – Proposal to update International Codes to 2012 editions – Farrel Christensen.**
5. **Briefing on the January 6, 2014 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
6. **Adjourn**

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

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

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

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

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

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

City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, January 6, 2014

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069



1. Roll Call

2. Pledge of Allegiance

3. Minutes

- a. December 16, 2013 Special Session; December 16, 2013 Regular Session.

4. Adoption of the Agenda

5. Visitors To Be Heard

6. Public Hearings

- a. Resolution of Necessity and Notice of Hearing for Sidewalk Repairs in the City of Vermillion (southwest quadrant).
- b. Resolution of Necessity and Notice of Hearing for Construction of Concrete surfacing along the North to South alley in Block 68, Bigelow's Addition from E. Clark Street to E. Cedar Street.
- c. Resolution of Necessity and Notice of Hearing for Construction of Concrete surfacing and improvements along N. Norbeck Street from Roosevelt Street to E. Clark Street.

7. Old Business

8. New Business

- a. Mid American Energy Annual Report.
- b. Minimum Standards for Operators of Commercial Activities at Harold Davidson Field Airport.
- c. Amendment No. 3 to Contract with Helms & Associates for the Parallel Taxiway Extension.
- d. Resolution amending Electric rates.
- e. Resolution for Annexation of Lot V of Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota and Waage Tract 2 in Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota.
- f. Authorization to Notify Electric Cooperative of Intent to Serve Annexed Area (Lot V of Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota and Waage Tract 2 in Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota).
- g. Agreement with Clay County and Vermillion Public Schools for a combined election.
- h. 2014 Payroll Resolution.

9. Bid Openings

- a. Fuel quotes.

10. City Manager's Report

11. Invoices Payable

12. Consensus Agenda

13. Adjourn

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

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

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

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

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Vermillion City Council's Values and Vision

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



Unapproved Minutes
Council Special Session
December 16, 2013
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, December 16, 2013 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise (arrived at 12:03 p.m.), Grayson, Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell

Absent: Davies

2. Informational Session - Prentis Park Master Plan update - Jim Goblirsch

Jim Goblirsch, Parks and Recreation Director, provided a summary of the comments received at and following the public meeting on the Prentis Park Master Plan.

Alderman Collier-Wise arrived at 12:03 p.m.

Jim reviewed the four concepts and asked the City Council for direction on what concept or combination of concepts they would like to proceed with. John Prescott, City Manager, stated that, if the City Council would settle on one concept, a resolution would be prepared for a future meeting for approval to move forward with that concept. Discussion followed on the different concepts with Jim answering questions of the City Council. The consensus of the City Council was to have staff bring a resolution to a future meeting to move forward with Concept D with reviewed parking options.

3. Educational Session - Airport Policies - Jose Dominguez

Jose Dominguez, City Engineer, stated that the airport policies were reviewed at a prior noon session which allowed Council members to review and comment before finalizing the policy. Jose reviewed the policies and answered questions of the City Council on the policies. The consensus of the City Council was to have the policies finalized for adoption at a future meeting.

4. Educational Session - Water Tower Construction Slideshow - Randy Isaacson

Randy Isaacson, Water Superintendent, provided a picture tour of the progress on the water tower construction. Randy stated that, depending upon the weather, a crane will be delivered December 26th for hanging of the water tower on December 27th that is estimated to take seven hours. Randy stated that he would provide John Prescott with any changes to this schedule. Randy answered questions of the City Council on the progress to date.

5. Briefing on the December 16, 2013 City Council Regular Meeting

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

6. Adjourn

372-13

Alderman Osborne moved to adjourn the Council special session at 12:58 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of December, 2013.

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 16, 2013
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, December 16, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of December 2, 2013 Special Session; December 2, 2013 Regular Session

373-13

Alderman Grayson moved approval of the December 2, 2013 Special Session and December 2, 2013 Regular Session minutes. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

374-13

Alderman Zimmerman moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard - None

6. Public Hearings - None

7. Old Business

A. Second Reading of Ordinance 1308 - 2013 Supplemental Budget Appropriations Ordinance

Mike Carlson, Finance Officer, reported that this is second reading of a supplemental appropriations ordinance to provide for unexpected expenditures in the General Fund, Second Penny Sales Tax Fund, Capital Projects Special Assessment Fund, Curbside Recycling Fund, Debt Service TIF 3 Fund, Debt Service TIF 4 Funds and Equipment Replacement Fund. Mike reviewed the line item changes and recommended adoption of the appropriation ordinance.

375-13

Second reading of title to Ordinance No. 1308 entitled 2013 Budget Supplemental Appropriations Ordinance for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1308 entitled 2013 Budget

Supplemental Appropriations Ordinance of the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 2nd day of December, 2013 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 16th day of December, 2013 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

ORDINANCE NO. 1308
2013 SUPPLEMENTAL APPROPRIATIONS ORDINANCE

An ORDINANCE ADOPTING a 2013 Supplemental Appropriation Ordinance for the City of Vermillion, South Dakota.

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

	<u>2013 Budget</u>	<u>Proposed Budget</u>	<u>Amount of Supplemental Budget</u>
<u>General Fund:</u>			
<u>Revenues:</u>			
Federal Grants through State	1,000	2,280	1,280
Airport Fuel Revenue	55,000	62,800	7,800
Transfer from Capital Project	13,735	20,369	6,634
Appropriation from Reserve	187,785	186,051	(1,734)
 <u>Expenditures:</u>			
Police Administration			
Other Current Expenses	3,000	2,268	(320)
Furniture and Equipment	-0-	1,600	1,600
Airport			
Fuel for Resale	45,000	51,500	6,500
Library			
Electricity	16,000	20,000	4,000
Water	1,300	1,700	400
Gas	4,500	5,400	900
Old Library			
Building Repairs & Maint.	10,000	10,900	900
 <u>Second Penny Sales Tax Fund</u>			
<u>Revenues:</u>			
Appropriation from Reserve	209,682	224,682	15,000
 <u>Expenditures:</u>			

Swimming Pool	-0-	15,000	15,000
<u>Capital Projects SA Fund</u>			
Expenditures:			
Appropriation to Reserve	26,215	19,581	(6,634)
Transfer to General Fund	13,735	20,369	6,634
<u>Curbside Recycling</u>			
Revenues:			
Appropriation from Reserve	4,180	12,097	7,917
Expenditures			
Personnel Services	71,472	79,389	7,917
<u>Debt Service TIF3</u>			
Revenues:			
Interest	-0-	150	150
Expenditures:			
Refund Fund Balance	43,518	43,668	150
<u>Debt Service TIF4</u>			
Revenues:			
Interest	60	120	60
Expenditures:			
Refund Fund Balance	25,712	25,772	60
<u>Equipment Replacement</u>			
Revenues:			
Appropriation from Reserve	412,764	414,764	2,000
Expenditures:			
Equipment Replacement	1,056,800	1,058,800	2,000

Dated at Vermillion, South Dakota this 16th day of December, 2013.

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

ATTEST:
BY _____
Michael D Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Grayson. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Y, Davies-Y, Grayson-Y, Osborne-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y

Motion carried 7 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Resolution of Necessity and Notice of Hearing for Sidewalk Repairs in the City of Vermillion (southwest quadrant)

Jose Dominguez, City Engineer, reported that the City instituted a sidewalk inspection program in 2010 which is meant to bring deficient portions of sidewalks up to proficient standard. Jose reported that the program divided the city into quadrants with the southwest (south of National Street and west of Dakota Street) quadrant being inspected this year. Jose stated that the special assessment process provides that the governing body set a public hearing date. Jose reported that this resolution will set the public hearing of January 6, 2014 for the southwest quadrant sidewalks. Jose reported that there are two sets of state statutes covering sidewalk assessments. One set of statutes requires a single publication and a mailing while the second set of statutes requires two publications but no mailing. Jose stated that if the resolution is approved it will be published twice and also mailed to the property owners to comply with both statutes. Jose noted that, due to the estimated costs of the sidewalk improvements, he has proposed providing an extra year for completion or contract for completion being June 30, 2015. Discussion followed on the resolution and the process.

376-13

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

RESOLUTION OF NECESSITY AND NOTICE OF HEARING FOR SIDEWALK REPAIRS 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 Hall at 7:00 p.m. on the 16th day of December, 2013, that the necessity has arisen for sidewalk repairs along the parcels of land hereinafter named, viz:

VIOLATION	VIOLATION LEGAL DESCRIPTION	VIOLATION	ESTIMATED
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ADDRESS		PARCEL NUMBER	COST
10 AUSTIN	S 54' OF LOT 18 BLK 29 ORIGINAL TOWN	15530-02900-180-00	\$1,947.75
15 AUSTIN	LOTS 6 & 7 BLK 30 ORIGINAL TOWN & LOT 4, 5, 6, & 7 OF 18, 19, 20, BLK 30 ORIGINAL TOWN	15530-03000-070-00 15530-03000-200-00	\$367.50
102 AUSTIN	N 1/2 OF 13 & ALL OF 14 BLK 22 ORIGINAL TOWN	15530-02200-140-00	\$1,741.95
110 AUSTIN	LOT 12 & S 1/2 OF 13 BLK 22 ORIGINAL TOWN	15530-02200-130-00	\$1,117.20
15 BLOOMINGDALE	W 80' OF 1, 2 & W 80' OF N 13.5' LOT 3 BLK 13 ORIGINAL TOWN	15530-01300-030-06	\$2,322.60
18 BLOOMINGDALE	E 50' OF N 1/2 OF 12 & E 50' OF 13 & 14 BLK 14 ORIGINAL TOWN	15530-01400-140-03	\$597.33
21 BLOOMINGDALE	COMM 80' E OF NW COR LOT 1 THEN S TO 80' E OF SW COR' LOT 3 THEN E 44' THEN N TO N LINE OF LOT 1 THEN W 44' TO POINT OF BEGINNING BLK 13 ORIGINAL TOWN	15530-01300-030-00	\$1,205.40
22 BLOOMINGDALE	W 100' OF 10, 11, 12, 13 & 14 BLK 14 ORIGINAL TOWN	15530-01400-140-00	\$489.07
32 BLOOMINGDALE	LOTS 6 & 7 EXC W 62' BLK 24 ORIGINAL TOWN	15530-02400-070-03	\$735.00
12 CENTER	N 38.5' OF LOT 25 BLK 35 SNYDERS	15720-03500-250-03	\$1,885.28
24 CENTER	S 12' OF LOT 2 BLK 35 SNYDERS	15720-03500-020-03	\$6,372.45
103 CHURCH	LOT 1 BLK 24 ORIGINAL TOWN	15530-02400-010-00	\$183.75
107 CHURCH	LOT 2 & N 15' OF LOT 3 BLK 24 ORIGINAL TOWN	15530-02400-030-00	\$735.00
111 CHURCH	S 29' OF LOT 3 & N 15' OF LOT 4 BLK 24 ORIGINAL TOWN	15530-02400-040-00	\$367.50
7 COURT	S 34' OF LOT 4 & N 14' OF LOT 5 BLK 28 ORIGINAL TOWNSITE OF VERMILLION	15530-02800-040-00	\$2,903.25
9 COURT	N 18' OF 6 & S 30' OF 5 BLK 28 ORIGINAL TOWN	15530-02800-050-00	\$2,646.00
11 COURT	S 20' OF N 38' OF LOT 6 BLK 28 ORIGINAL TOWN	15530-02800-060-00	\$1,617.00
15 COURT	S 6' OF 6 & ALL OF LOT 7 BLK 28 ORIGINAL TOWN	15530-02800-070-00	\$4,178.48
16 COURT	LOTS 8,9,10 & 11 BLK 27 ORIGINAL TOWN	15530-02700-110-00	\$4,678.28
104 COURT	W 93' OF N 1/2 OF LOT 12 & W 93' OF 13 & 14 BLK 24 ORIGINAL TOWN	15530-02400-140-00	\$1,617.00
110 COURT	N 26' OF 11 & S 1/2 OF LOT 12 BLK 24 ORIGINAL TOWN	15530-02400-120-00	\$1,052.33
111 COURT	LOTS 1, 2, 3 & 4 BLK 23 ORIGINAL TOWN	15530-02300-020-00	\$2,256.33

116 COURT	N 1/2 OF LOT 10 & S 18' OF LOT 11 BLK 24 ORIGINAL TOWN	15530-02400-110-00	\$367.50
117 COURT	LOT 5 BLK 23 ORIGINAL TOWN	15530-02300-050-00	\$1,286.25
122 COURT	LOT 9 & S 1/2 OF LOT 10 BLK 24 ORIGINAL TOWN	15530-02400-100-00	\$1,212.75
124 COURT	LOT 8 BLK 24 ORIGINAL TOWN	15530-02400-080-00	\$1,617.00
125 COURT	LOT 7 BLK 23 ORIGINAL TOWN	15530-02300-070-00	\$551.25
203 COURT	LOTS 1 & 2 BLK 14 ORIGINAL TOWN	15530-01400-020-00	\$705.60
204 COURT	N 32' OF 13 & ALL OF 14 BLK 13 ORIGINAL TOWN	15530-01300-140-00	\$1,256.85
215 COURT	W 1/2 OF VAC COURT ST LOCATED BTWN S 34' OF LOT 5 & ALL LOTS 6 & 7 BLK 14 & S 34' OF LOT 10 & ALL OF LT 8 & 9 BLK 12 BLK 14 ORIGINAL TOWN & LOTS 3, 4, 5, 6, 7, BLK 14 ORIGINAL TOWN	15530-01400-010-00	\$367.50
		15530-01400-070-00	
2 E. MAIN	LOTS 15 & 16 BLK 34 SNYDERS	15720-03400-160-00	\$6,236.48
6 E. MAIN	LOT 17 BLK 34 SNYDERS	15720-03400-170-00	\$551.25
8 E. MAIN	LOT 18 BLK 34 SNYDERS	15720-03400-180-00	\$183.75
10 E. MAIN	LOT 19 BLK 34 SNYDERS	15720-03400-190-00	\$918.75
12 E. MAIN	LOT 20 BLK 34 SNYDERS	15720-03400-200-00	\$183.75
15 E. MAIN	LOTS 3 THRU 7 & 21 THRU 24 & LOT V1 BLK 27 ORIGINAL TOWN	15530-02700-000-00	\$3,704.17
14 E. MAIN	LOTS 21 & W 6' OF 22 BLK 34 SNYDERS E 47' OF 22 & ALL OF 23 BLK 34	15720-03400-220-00	\$367.50
20 E. MAIN	SNYDERS	15720-03400-230-00	\$1,543.50
100 E. MAIN	W 20.1' OF LOT 15 BLK 33 SNYDERS	15720-03300-150-00	\$2,315.25
101 E. MAIN	LOTS 15, 16 & 17 BLK 26 REPLAT OF LOTS 13 & 14 ORIGINAL TOWN	15530-02600-170-00	\$8,011.50
102 E. MAIN	E 9.9' OF LOT 15 & W 10' OF LOT 16 BLK 33 SNYDERS	15720-03300-160-00	\$183.75
104 E. MAIN	E 16' OF LOT 16 & W 4' OF LOT 17 BLK 33 SNYDERS	15720-03300-170-02	\$183.75
106 E. MAIN	E 23' OF LOT 17 BLK 33 SNYDERS	15720-03300-170-00	\$367.50
108 E. MAIN	LOT 18 EXC 18A BLK 33 SNYDERS	15720-03300-180-00	\$183.75
110 E. MAIN	LOT 18A BLK 33 SNYDERS	15720-03300-180-02	\$183.75

112 E. MAIN	LOT 19 & W 11' OF 20 BLK 33 SNYDERS W 31' OF LOTS 1, 2, 3 & 4 BLK 26	15720-03300-200-00	\$477.75
113 E. MAIN	ORIGINAL TOWN E 20' OF W 51' OF LOTS 1, 2, 3 & 4 BLK	15530-02600-040-12	\$183.75
115 E. MAIN	26 ORIGINAL TOWN E 15' OF W 66' OF LOTS 1, 2, 3 & 4 BLK	15530-02600-040-09	\$551.25
117 E. MAIN	26 ORIGINAL TOWN E 29.5' OF W 95.5' OF LOTS 2, 3, 4, & E	15530-02600-040-06	\$367.50
119 E. MAIN	66' OF W 32' OF LOT 1 BLK 26 ORIGINAL TOWN & E 15' OF S 90' OF LOT 20 & S 90 OF LOTS	15530-02600-040-03	\$551.25
120 E. MAIN	21, 22, 23, 24, & 25 BLK 33 SNYDERS ADDN W 41' OF VACATED DAKOTA ST	15720-03300-250-03	\$551.25
125 E. MAIN	ABUTTING LOT 1 & E 18' OF LOT 1 BLK 26 ORIGINAL TOWN E 48' OF N 20' OF LOT 13 & E 48' OF LOT	15530-02600-010-00	\$183.75
109 E. NATIONAL	14 BLK 33 SNYDERS	15720-03300-140-03	\$1,580.25
17 ELM	LOT 11 BLK 33 SNYDERS W 85' OF LOT 14 & W 85' OF N 20' OF	15720-03300-110-00	\$330.75
23 ELM	LOT 13 BLK 33 SNYDERS LOTS 14, 15, 16 & 17 BLK 29 ORIGINAL	15720-03300-140-00	\$918.75
121 KIDDER	TOWN N 70' OF 18, 19 & 20 BLK 31 ORIGINAL	15530-02900-170-00	\$1,800.75
5 LUXEMBURG	TOWN S 52' OF 18, 19 & 20 BLK 31 ORIGINAL	15530-03100-200-00	\$3,057.60
9 LUXEMBURG	TOWN N 23/4 OF S 27' 2 1/2 OF LOT 2 BLK 29	15530-03100-200-03	\$235.20
5 MARKET	ORIGINAL TOWN	15530-02900-020-03	\$1,396.50
11 MARKET	LOT 5 & 6 BLK 29 ORIGINAL TOWN LOT 10 & N 20' OF E 50' & S 24' OF LOT	15530-02900-050-00	\$2,164.58
14 MARKET	11 BLK 28 ORIGINAL TOWN	15530-02800-100-00	\$3,307.50
17 MARKET	LOTS 7, 8 & 9 BLK 29 ORIGINAL TOWN	15530-02900-070-00	\$3,770.55
19 MARKET	LOT 11 BLK 29 ORIGINAL TOWN	15530-02900-100-00	\$1,675.80
21 MARKET	LOT 11 BLK 29 ORIGINAL TOWN	15530-02900-110-00	\$404.25
23 MARKET	LOT 12 BLK 29 ORIGINAL TOWN	15530-02900-120-00	\$588.00
24 MARKET	LOT 9 BLK 28 ORIGINAL TOWN	15530-02800-090-00	\$3,381.00
26 MARKET	LOT 8 BLK 28 ORIGINAL TOWN LOTS 10, 11 & 12 BLK 23 ORIGINAL	15530-02800-080-00	\$6,438.60
116 MARKET	TOWN	15530-02300-110-00	\$595.00

5 PROSPECT	LOT HD-1 LOT 15 BLK 35 SNYDERS	15720-03500-150-03	\$1,521.45
16 PROSPECT	LOT 3 BLK 36 SNYDERS	15720-03600-030-00	\$1,102.50
25 PROSPECT	N 1/2 OF LOT 13 & ALL OF LOT 14 BLK 35 SNYDERS	15720-03500-140-00	\$441.00
111 W. KIDDER	LOT 13 BLK 29 ORIGINAL TOWN	15530-02900-130-00	\$3,351.60
121 W. KIDDER	LOTS 14, 15, 16 & 17 BLK 29 ORIGINAL TOWN	15530-02900-170-00	\$10,032.17
1 W. MAIN	S 60.5' OF LOT 25 BLK 35 SNYDERS ADDN	15720-03500-250-00	\$6,618.68
2 W. MAIN	LOT 25 BLK 28 ORIGINAL TOWN	15530-02800-250-00	\$11,502.75
3 W. MAIN	LOT 24 BLK 35 SNYDERS	15720-03500-240-00	\$771.75
4 W. MAIN	LOT 24 BLK 28 ORIGINAL TOWN	15530-02800-240-00	\$367.50
5 W. MAIN	LOTS 22 & 23 BLK 35 SNYDERS	15720-03500-230-00	\$735.00
9 W. MAIN	LOT 21 BLK 35 SNYDERS	15720-03500-210-00	\$183.75
10 W. MAIN	LOT 21 BLK 28 ORIGINAL TOWN	15530-02800-210-00	\$551.25
12 W. MAIN	LOT 20 & ALL VAC ALLEY ADJ TO LOT 20 BLK 28 ORIGINAL TOWN	15530-02800-200-00	\$955.50
13 W. MAIN	E 23 1/2' OF LOT 19 BLK 35 & ALL OF VAC ALLEY SNYDERS	15720-03500-190-03	\$661.50
16 W. MAIN	LOT 18 & W 25' OF E 50' OF LOT 12 BLK 28 ORIGINAL TOWN OF VERMILLION	15530-02800-180-00	\$367.50
15 W. MAIN	E 5.5' OF LOT 18 & W 12.5' OF LOT 19 BLK 35 SNYDERS	15720-03500-190-00	\$183.75
18 W. MAIN	W 25' OF N 20' OF E 75' OF 11 & W 25' OF E 75' OF 12 & ALL LOT 17 BLK 28 ORIGINAL TOWN	15530-02800-170-00	\$183.75
19 W. MAIN	LOT 17 & W 12.5' OF 18 BLK 35 SNYDERS	15720-03500-180-00	\$183.75
23 W. MAIN	E 25' OF LOT 15 BLK 35 SNYDERS	15720-03500-150-06	\$183.75
24 W. MAIN	W 30' OF LOTS 12 & 15 EXC W 5' & N 10' & N 3.4' OF W 31.4' LOT 11 EXC W 5' BLK 28 ORIGINAL TOWN	15530-02800-150-03	\$6,063.75
25 W. MAIN	W 25' OF LOT 15 EXC LOT HD-1 BLK 35 SNYDERS	15720-03500-150-00	\$6,004.95
101 W. MAIN	LOT 24 BLK 36 SNYDERS ADDN	15720-03600-230-00	\$4,134.38
108 W. MAIN	LOT B BLK 29 ORIGINAL TOWN	15530-02900-020-00	\$3,333.17
113 W. MAIN	LOTS 15, 16 & 17 BLK 36 SNYDERS	15720-03600-170-00	\$4,005.75

114 W. MAIN	LOTS 19 & 20 BLK 29 ORIGINAL TOWN	15530-02900-200-00	\$3,785.25
120 W. MAIN	N 78' OF LOT 18 BLK 29 ORIGINAL TOWN	15530-02900-180-03	\$477.75
200 W. MAIN	N 125' OF LOTS 18, 19, 20 BLK 30 ORIGINAL TOWN	15530-03000-200-03	\$1,433.25
211 W. MAIN	LOTS 1 TO 14 BLK 37 SNYDERS	15720-03700-140-00	\$3,675.00
212 W. MAIN	E 10' OF 16 & ALL IF 17 BLK 30 ORIGINAL TOWN	15530-03000-170-00	\$1,102.50
222 W. MAIN	LOT 15 & W 40' OF 16 BLK 30 ORIGINAL TOWN	15530-03000-160-00	\$3,439.80
301 W. MAIN	LOT PE-1 A PT OF LOTS 5 & 6 BLK 38 SNYDERS	15720-03800-000-00	\$4,998.00
309 W. MAIN	TRACT D-1 BLK 38 SNYDERS	15720-03800-000-06	\$1,653.75
315 W. MAIN	E 100' OF S 24' OF 11 BLK 38 SNYDERS & LOT 16 & 17 BLK 38 SNYDERS	15720-03800-110-06 15720-03800-170-00	\$1,929.38
317 W. MAIN	LOT 15 & W 50' OF S 24' OF LOT 11 BLK 38 SNYDER'S ADDN	15720-03800-150-00	\$1,837.50
320 W. MAIN	LOTS 4 & 5 & N 1/2 OF 6 BLK 31 ORIGINAL TOWN & LOTS 15, 16, 17 BLK 31 ORIGINAL TOWN & LOTS 8, 9, 10, & 11 BLK 31 ORIGINAL TOWN	15530-03100-060-00	\$551.25
		15530-03100-110-00	
		15530-03100-170-00	
14 WASHINGTON	LOT 4 BLK 38 SNYDERS	15720-03800-040-00	\$1,286.25
16 WASHINGTON	S 1' OF LOT 2 & ALL 3 BLK 38 SNYDERS	15720-03800-030-00	\$1,653.75
22 WASHINGTON	LOT 1 & N 43' OF LOT 2 BLK 38 SNYDERS	15720-03800-020-00	\$955.50
115 MARKET	LOTS 4, 5, 6 & 7 BLK 22 ORIGINAL TOWN	15530-02200-070-00	\$3,601.50
7 MARKET	S 3' 10.5" OF LOT 2 & N 19' 10.5" OF LOT 3 BLK 29 ORIGINAL TOWN	15530-02900-030-00	\$1,675.80

The estimate is based on 2013 estimated costs.

BE IT FURTHER RESOLVED, that the property owner shall, at their own expense, repair the sidewalk according to the specifications filed in the office of the City Engineer. The repairs must be completed by the 30th day of June, 2015, or be under contract to be completed no later than the end of 2015. A no cost permit is required to be filed at the City for any repairs performed to the sidewalks. This permit is required to be filed whether the owner is performing the work himself, hiring a contractor to complete the work or electing to have the City perform the work. The permits will be due to the City no later than June 30, 2015.

BE IT FURTHER RESOLVED, that if a property owner does not repair their sidewalk properly within the time specified, the City of Vermillion will cause the repairs to be made and assess the costs, plus a fiscal fee. The fiscal fee will be EIGHT PERCENT (8%) of the cost or FIFTY DOLLARS (\$50.00), whichever is greater.

BE IT FURTHER RESOLVED, that the assessment shall be payable in two (2) equal annual installments. Any assessment or installment not paid within THIRTY (30) days after filing the approved assessment roll in the Finance Office shall be collected under Plan One, collection by the County Treasurer, as set forth in SDCL 9-43, and that all deferred payments shall bear interest at the rate of TEN PERCENT (10%) per annum.

BE IT FURTHER RESOLVED, that any person interested may appear and show cause, before the Governing Body of the City of Vermillion, at the City Council Chambers of said City at 7:00 p.m. on the 6th day of January, 2014 why the above and foregoing resolution should not, at said time and place, be adopted and passed by the Governing Body, at which time the Governing Body will finally approve, disapprove, or modify the same in its discretion.

Dated at Vermillion, South Dakota this 16th day of December, 2013.

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 Grayson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

B. Developers Agreement with Dr. Duane Mehlhaf owner of Lot 1, Block 3, Mehlhaf Addition to the City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, reported that Duane Mehlhaf is in the process of platting a portion of his land for the construction of a 15 unit multi-family apartment building. Jose reported on the location of the property noting that city ordinance requires that the property owner construct sidewalks, grading, curb and gutter, street surfacing, street lights, water and sewer improvements on all streets abutting a

property to be developed. Jose stated that the lot in question is a corner lot that will front North Norbeck Street and East Clark Street with the agreement providing for when the improvements need to be completed. Jose recommended that the Mayor be authorized to sign the developers agreement with Duane Mehlhaf owner of Lot 1, Block 3 Mehlhaf Addition. Discussion followed on the agreement.

377-13

Alderman Osborne moved approval of the developer's agreement with Duane Mehlhaf owner of Lot 1, Block 3 Mehlhaf Addition and authorized the Mayor to execute the agreement. Alderman Davies seconded the motion. Discussion followed on the agreement. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

C. Final Plat of Lot 1, Block 3, Mehlhaf Addition to the City of Vermillion, Clay County, South Dakota.

Jose Dominguez, City Engineer, reported on the location of the property being considered for the final plat. Jose stated that the Planning Commission reviewed the plat and recommended approval contingent upon the approval of the developer's agreement. Jose stated that this agreement was just approved in the previous item and recommended approval of the plat.

378-13

After reading the same once, Alderman Zimmerman 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: Lot 1, Block 3, Mehlhaf Addition to 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 Davies. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Commercial Collectors License Renewals

Mike Carlson, Finance Officer, reported that the following have made application, including the proof of insurance, for commercial collectors licenses for 2014: Loren Fischer Disposal - Loren Fischer, Owner; Fischer Disposal, LLC - Lonnie Fischer, Operator ; Art's Garbage Service - Division of Waste Connections; Vermillion Garbage Service - Marty Johnson, Owner; Independence Waste - K & P Services Inc, Owner; Waste Management of South Dakota; Matt Mulheron, Owner of Little Garbage Guys; and Giedd Sanitation, LLC - Travis & Nicole Giedd, Owners. As part of the renewal, applicants were requested to include any violations of City ordinance and the Police Chief did a local records check on each applicant with his results included in the memo. Mike stated that Fischer Disposal, LLC had submitted their renewal with the violations blank and, as the Police Chief noted some violations, it was sent back as incomplete and a complete application was received today. Discussion followed on the license renewals, ordinance violations and the steps the City Council may consider when renewing the licenses. Upon request, Jim McCulloch, City Attorney, reported that the ordinance stated that the City Council reserves the right to terminate a license. Discussion followed on what criteria to consider in the renewal process. Mayor Powell requested that the Policy and Procedures Committee review and report on a process for addressing ordinance violations by licensed contract haulers.

379-13

Alderman Osborne moved approval of the commercial collectors licenses for 2014 for the businesses listed above. Alderman Zimmerman seconded the motion. Discussion followed on the commercial collection process. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

E. Utility Committee meeting report on electric rate adjustment

John Prescott, City Manager, reported that the Utility Committee met on December 11th to review electric rates in response to a rate increase in 2014 from our supplemental power supplier, Missouri River Energy Services (MRES). John reported that the city purchases about 40% of its power needs from MRES and the balance is purchased from Western Area Power Administration (WAPA). John noted that the City last increased electric rates in May 2011 by 2.2% and implemented the revenue neutral rates starting in 2012. John stated that the MRES is not projecting a

rate increase in 2015 and the best projection is that WAPA will have a 2% increase in 2015. John stated that City staff and MRES are proposing an overall 2.2% rate increase to provide the necessary revenue to meet the increased purchase of power costs. The rate increase of \$0.002/kWh will be uniform across all rate classes. The rate is proposed to start with the billing sent out in February that is due no later than March 10, 2014. Discussion followed on the committee report. John noted that the state statute does not allow the City Council to act on a committee report until the next meeting. The consensus was to acknowledge receipt of the report and consider the rate resolution at next meeting.

F. Public Safety Center Board appointment

Mike Carlson, Finance Officer, reported that an agreement with the County on the Public Safety Center created the Public Safety Center Board that would resolve any issue between the City and County on the use of the facility. The current Board members are Dave Thiesse (2015), Bruce Plate (2014) and John Storm (2013). As John Storm has moved, Sheriff Howe and Police Chief Betzen recommended the appointment of Robert Fuller for a three year term ending December 31, 2016. Discussion followed on the Safety Center Board.

380-13

Alderman Willson moved approval of the appointment of Robert Fuller to the Public Safety Center Board for a term that expires December 31, 2016. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

G. Resolution Authorizing the Purchase of Electric Pad-mount Switches

Jason Anderson, Assistant Engineer, reported that the City has elected to purchase electrical pad-mount switches off other governmental bids to take advantage of volume discounts, annual price increases or costs associated with preparation of bid specifications. Jason stated that the City of Watertown recently took bids on six switches meeting out standards with the bid awarded to Stuart C. Irby Co. Jason reported that Stuart C. Irby Co has agreed to sell the City four pad-mount switches at the Watertown bid amount. Jason stated that the resolution provides for the purchase of the four switches for \$55,620 and noted that the electric utility has funds budgeted for this purchase.

381-13

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

RESOLUTION
AUTHORIZING PURCHASE OF
PAD-MOUNT SWITCHES

WHEREAS, SDCL 5-18A-22 authorizes a governmental entity to purchase necessary supplies from the lowest responsible bidder of another governmental entity or State or United States at the accepted bid price and the concurrence of said bidder; and

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the City of Watertown, South Dakota for pad-mount switches from Stuart C. Irby Co. in the amount of \$13,765 each for S&C PME-9 and \$14,325 each for S&C PME-11 pad-mount switchgear offers an advantageous price to the City for said items; and

WHEREAS, the City has contacted Stuart C. Irby Co. and they have agreed to allow the City to purchase three S&C PME-9 and one S&C PME-11 pad-mount switches for the awarded prices and terms as they have contracted with the City of Watertown, South Dakota.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to purchase three (3) S&C PME-9 and one (1) S&C PME-11 pad-mount switches at the awarded prices and under the same terms as the City of Watertown, South Dakota for a total amount of \$55,620.

Dated at Vermillion, South Dakota this 16th day of December 2013.

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 Zimmerman. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

H. Declaration of Street Department surplus skid steer loader

Jason Anderson, Assistant City Engineer, reported that the new skid loader for the Street Department is scheduled for delivery the first

week of January 2014. As such, the 2001 Bobcat 773T Hi-Flow skid loader and related attachments will need to be declared surplus and appraised by the Surplus Property Appraisal Committee to be sold by sealed bids. Jason recommended that the skid loader and the breaker attachment be appraised separately.

382-13

Alderman Zimmerman moved approval of declaring the 2001 Bobcat 773T Hi-Flow skid loader and related breaker attachment as surplus and authorized the appraisal by the Surplus Property Appraisal Committee. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

I. Resolution to purchase a Chevrolet Caprice Police vehicle from State contract

Jason Anderson, Assistant City Engineer, reported the 2014 budget included the replacement of the 2011 police patrol car. Jason stated that the State Contract for police patrol cars was awarded to Billion Auto of Sioux Falls for a Chevrolet Caprice at a base price of \$25,899. Jason stated that Billion Auto will honor this price to the City for a 2014 Chevrolet Caprice patrol car plus \$820 of additional options for a total price of \$26,719. Jason reviewed the costs involved in switching from the Ford Crown Victoria cars that are no longer made to the Chevrolet Caprice. Jason answered questions on the patrol cars including the cost of outfitting a new car with the police equipment.

383-13

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

RESOLUTION
AUTHORIZING THE PURCHASE OF
A POLICE VEHICLE

WHEREAS, SDCL 5-18-18 authorizes a governmental entity to purchase necessary supplies from the lowest responsible bidder of another governmental entity or State at the accepted bid price and the concurrence of said bidder; and

WHEREAS, the City of Vermillion has reviewed and determined that the 2014 bid awarded by the State of South Dakota for a Chevrolet Caprice police vehicle from Billion Auto of Sioux Falls, South Dakota for the base bid of \$25,899 plus additional options in the amount of \$820, for a total cost of \$26,719, offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Billion Auto and they have agreed to allow the City to purchase the police vehicle for the awarded price and

terms as they have contracted with the State of South Dakota in October 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase a 2014 Chevrolet Caprice police package vehicle from Billion Auto of Sioux Falls, South Dakota at the above stated price and under the same terms as the State of South Dakota 2013 bid.

Dated at Vermillion, South Dakota this 16th day of December, 2013.

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. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

J. Professional services agreement for annual audit - Williams & Company

Mike Carlson, Finance Officer, reported that the City is required to have an annual audit as a requirement of bond resolutions. Mike noted that the Department of Legislative Audit has oversight on all municipal audits. Mike stated that the written letter has not been received from the Department of Legislative Audit but upon inquiry they have not scheduled the City for an audit this year due to their work load. The current three year agreement with Williams & Company has ended and, as we have been satisfied with their work, a request was made for a professional services agreement. Williams & Company recommended a five year agreement in order to keep the per year price more reasonable. Mike stated that at the noon meeting the City Council had asked if the requests for proposals had been sent to local auditing firms for this work and requested that local firms were to be contacted to determine their interest in the City audit. Mike stated that he had attempted contact but the individual was out of the office and, as such, this item would need to be tabled until a report could be made. Discussion followed on the annual audit along with the timing of when the yearend work would begin and if this item should be delayed until the next

meeting. Mike answered questions of the City Council on the annual audit. Discussion followed on the annual audit.

384-13

Alderman Willson moved approval of the professional services agreement with Williams & Company, P.C. for the annual City audit for 2013-2017 as presented subject to the annual approval of the Department of Legislative Audit. Alderman Davies seconded the motion. Discussion followed on the need to consider local firms in requesting proposals for professional services in the future. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

K. Letting Authorization for Shared Used Path along SD Hwy 19 from SD Hwy 50 to West Cherry Street

Jose Dominguez, City Engineer, reported that the City, in conjunction with the SD DOT, will be constructing a shared used path along the east side of SD Hwy 19 from West Cherry Street to Hwy 50. Jose stated that all the required easements and right-of-way have been acquired for the construction of the shared used path. Jose stated that the DOT is requesting a document that will allow them to bid, review and award the bid without the City's review. He stated that this process was followed with Stanford Street reconstruction project. Jose reviewed the proposed project costs stating there are grant funds to cover 81.95% of the project costs with the city share to be paid estimated at \$37,365. Jose recommended approval of the agreement with the DOT. Discussion followed on the shared used path with concerns for pedestrian safety in crossing Cherry Street.

385-13

Alderman Grayson moved approval of the letting authorization for shared used path along SD Hwy 19 from SD Hwy 50 to West Cherry as required by the DOT and authorized the Mayor to sign the document. Alderman Collier-Wise seconded the motion. Discussion followed on ways to increase motorist awareness of pedestrians crossing the streets in this area. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. 115 kV breakers and CVT's for 115 kV substation improvement project
Jason Anderson, Assistant City Engineer, reported bids were opened on December 10 for the furnishing of materials for the upcoming 115kV substation improvements. Jason stated there were three bids for the 115kV breakers with the low bid of ABB of \$98,800. Jason stated that two bids were received for CVT's and one alternate bid for PTs was received. Jason stated that the option to bid the PTs as a comparison to CVT's was to obtain the price difference. Jason stated that the PTs

provide greater metering accuracy over CVT's. Based upon the price difference, DGR, the consulting engineer, and City staff recommend the alternate of PTs for \$39,955. Jason recommended approval of the low bid of ABB on Item 1 for breakers of \$98,800 and the only bid of ABB on alternate Item 2 of \$39,955 total of \$138,755, as it is below the engineer's estimate.

Item 1 - 115 kV breakers: ABB, Inc \$98,800; Alstom Grid \$101,300; Mitsubishi Electric \$121,260

Item 2 - CVT ABB, Inc \$35,955; Alstom Grid \$36,990

Item 2 alternate - PT ABB, Inc \$39,955

386-13

Alderman Willson moved approval of the low bid of ABB on Item 1 for 115 kV breakers of \$98,800 and the only bid of ABB on alternate Item 2 for PTs of \$39,955 total of \$138,755. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

B. Golf Cart lease

Jim Goblirsch, Parks and Recreation Director, reported that on December 11th the City opened bids for a five year golf cart lease for the Bluffs Golf Course. Jim reported that the Bluffs typically leased forty golf carts for a five year period and one beverage cart. The lease includes the maintenance of the carts. Jim stated that there were three proposals: 1) for forty golf carts, 2) for up to two beverage carts if awarded Proposal 1 and 3) for up to two beverage carts if not awarded Proposal 1. Four bids were received from three bidders with the two low bids from Yamaha Golf & Utility on Proposals 1 and 2. The low bid of Yamaha Golf & Utility did not meet specifications as it required the City to enter into a third party lease/purchase agreement with Yamaha that included a balloon payment at the end of the fifth year. Administration would recommend rejecting the Yamaha Golf & Utility Bid 2 and award the bid to Yamaha Golf & Utility on the Bid 1 for a total on Proposal 1 of \$552.12 per cart per year and Proposal 2 of \$553.01 per cart per year for a total annual cost of \$23,190.82 per year. Jim reported that the cart lease price is \$364.80 less per year. Jim reviewed the options included on the new carts and answered questions on the golf carts and golf operations.

Mr. Golf Car: Proposal 1 \$569.22 total \$22,768.80, Proposal 2 no bid, Proposal 3 no bid; NB Golf Cars: Proposal 1 \$573.00 total \$22,920.00, Proposal 2 \$510.00 total \$1,020.00, Proposal 3 \$1,500.00 total \$3,000.00; Yamaha Golf & Utility Bid 1: Proposal 1 \$552.12 total

\$22,084.80, Proposal 2 \$553.01 total \$1,106.02, Proposal 3 \$570.90 total \$1,141.80; Yamaha Golf & Utility Bid 2: Proposal 1 \$534.90 total \$21,396.00, Proposal 2 \$535.07 total \$1,070.14, Proposal 3 \$538.50 total \$1,077.00

387-13

Alderman Zimmerman moved to reject the low bid of Yamaha Golf & Utility (Bid 2) as it did not meet specifications and award the bid to the low acceptable bid of Yamaha Golf & Utility (Bid 1) Proposal 1 \$552.12 each total \$22,084.80, Proposal 2 \$553.01 each total \$1,106.02. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported on a raffle request from the Eagles who will be selling \$20 tickets until March 29, 2014. The prizes are 75 guns with the proceeds to be used for local and state charities supported by the Eagles.

B. John reported that the Christmas Tree collection site is open and accepting real trees until mid January. The site is located on the south side of Broadway Street just west of Dakota Street. John requested that all plastic and decorations be removed from the trees.

C. John reported that Shriner Street between Cottage and the Wal-Mart parking lot will be closed the last part of December while the new water tower is completed.

D. John reported that the Parks and Recreation Department is hosting a Holiday Skate at the ice rink in Barstow Park on Monday, December 23rd from 6 p.m. to 8 p.m. He stated that there will be skating, holiday music, cookies and hot chocolate.

E. John reported that City offices will be closed on Wednesday, December 25th and Wednesday, January 1st in observance of the Christmas and New Years Day holidays. John reminded residents with Wednesday curbside collection that collection will take place on the Monday following the holidays.

PAYROLL ADDITIONS AND CHANGES

Police: Jacy Nelsen \$22.86/hr, Isaac Voss \$19.19/hr; Ambulance: Jordana Neeman \$30.00/1st-\$17.00/2nd; Light: Doug Brunick \$.25/meter

11. Invoices Payable

388-13

Alderman Grayson moved approval of the following invoices:

BOUND TREE MEDICAL, LLC	SUPPLIES	277.54
BRANDON HANSEN	REGISTRATION REIMBURSEMENT	100.00
BROADCASTER PRESS	ADVERTISING	6,577.28
BRUNICKS SERVICE INC	FUEL	11,083.79
BUREAU OF ADMINISTRATION	TELEPHONE	332.26
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CENTURYLINK	TELEPHONE	1,485.99
CITY OF VERMILLION	LANDFILL VOUCHER	240.00
CLAY CO REGISTER OF DEED	FILING FEE	30.00
CLAY COUNTY AUDITOR	TIF 3 & TIF 4 REFUND	12,576.67
CLAY-UNION ELECTRIC CORP	ELECTRICITY	788.16
CUSTOM UPHOLSTERY BY DIANNE	LIBRARY FURNISHINGS	1,020.00
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,677.89
DIVISION OF MOTOR VEHICLE	TITLE/PLATES	10.00
ERIC RUPE	REGISTRATION REIMBURSEMENT	100.00
GREGG PETERS	MANAGERS FEE	5,375.00
INSURANCE BENEFITS INC.	AIRPORT LIABILITY POLICY	2,431.00
JONES LIBRARY SALES, INC	LIBRARY FURNISHINGS	1,140.00
KINETIC LEASING	MOTOR GRADER LEASE	27,818.62
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
MATHESON TRI-GAS, INC	SUPPLIES	210.89
MICHAEL HEINE	SAFETY BOOTS REIMBURSEMENT	100.00
MIDCONTINENT COMMUNICATIONS	CABLE/INTERNET SERVICE	118.55
PRESSING MATTERS	SUPPLIES	23.00
RESCO	TRANSFORMER	10,893.00
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
STERN OIL CO.	OIL	4,646.28
THE EQUALIZER	ADVERTISING	896.50
THE HIGHSMITH CO.	SUPPLIES	374.99
UNITED PARCEL SERVICE	SHIPPING	47.32
USD	WELLNESS CENTER	68,000.00
US POSTMASTER	UTILITY BILLS POSTAGE	1,050.00
VERIZON WIRELESS	WIRELESS COMMUNICATIONS	122.53
VERMILLION BASIN WATER DIST	TIF 3 & TIF 4 REFUND	98.89
VERMILLION NOW!	CONTRIBUTION	105,991.41
VERMILLION SCHOOL DISTRICT	TIF 3 & TIF 4 REFUND	41,589.37
WOW! BUSINESS	DIALUP SERVICES	49.95
KOLLY FOSTVEDT	BRIGHT ENERGY REBATE	21.00
BRENDA FERGEN	BRIGHT ENERGY REBATE	150.00
TODD AXTELL	BRIGHT ENERGY REBATE	250.00

TODD MECHLING	BRIGHT ENERGY REBATE	125.00
2014 INVOICES PAYABLE		
SDML WORKERS COMP FUND	WORKERS COMP INSURANCE	97,401.00
SD PUBLIC ASSURANCE ALLIANCE	BOILER INSURANCE	12,682.00

Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a bid opening date of January 14, 2014 for electric wire and transformers.

B. Set a bid opening date of January 28, 2014 for water and wastewater chemicals.

C. Set a bid opening date of January 29, 2014 for Street Department surplus skid loader.

389-13

Alderman Osborne moved approval of the consensus agenda. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

390-13

Alderman Osborne moved to adjourn the Council Meeting at 8:14 p.m. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of December, 2013.

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: Jose Dominguez, City Engineer
Meeting: January 6, 2014
Subject: Resolution Adopting a Resolution of Necessity for Sidewalk Repairs
(Southwest Quadrant)
Presenter: Jose Dominguez

Background: The City instituted a new Sidewalk Inspection Program in 2010 which is meant to bring deficient portions of sidewalks up to a proficient standard. Prior to this program, the City's sidewalk repair/replacement policy was complaint-based. The previous program was reactive and costly. The City's liability insurance carrier had recommended the City begin a sidewalk inspection program to address hazards before accidents occur and claims are presented. The sidewalk inspection program is intended to protect property owners because insurance claims are often presented against property owners and the City.

The new Sidewalk Inspection Program was first presented to the City Council in 2010 and comments and discussion helped create the program used today. The program divided the City into quadrants with the southwest (south of National Street and west of Dakota Street) quadrant being inspected in 2013. During City inspections, staff looks for a couple of deficiencies; trippers and surface conditions. In addition, sidewalk tiles were inspected more closely to verify that they were functioning as originally constructed. If the panels were found to be deficient, they were also marked for replacement.

On December 16, 2013 the City Council passed a Resolution of Necessity and Notice of Hearing setting the public hearing on the sidewalk repairs for January 6, 2014.

Discussion: The property owners were notified by mail and the notice of hearing has been published twice in the Plain Talk. An information packet has also been placed on the City's website for public review. This packet was also mailed to several people upon their request.

The property owners will be given until June 30, 2015 to demonstrate they have the work under contract to be completed by the end of 2015. If the property owners do not

demonstrate that they either have the work under contract or that the work has been completed then the work will be completed by the City.

Following the completion of repairs completed by a City hired contractor, the City Council will adopt a resolution approving the special assessment roll with any added adjustments in the amounts. Some property owners have already responded to the notification mailing that they prefer to have the City hire the contractor and assess them for repairs.

Financial Consideration: Costs for the City have included postage and the publication of the notice.

Using 2013 prices, the cost for all of the repairs was estimated at \$213,601.73. In addition to the construction cost, an administration fee of either eight (8%) percent or \$50.00, whichever is greater, will be added to the project. The assessment would be placed on the tax rolls and the property owner given two years at ten (10%) percent interest to pay the cost. The owner has the option to pay the entire assessment before it's placed on the tax rolls without any interest accrual.

Conclusion/Recommendations: Administration recommends adoption of the resolution adopting a resolution of necessity for sidewalk repairs.

**RESOLUTION ADOPTING RESOLUTION OF NECESSITY FOR SIDEWALK
REPAIRS 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 Hall at 7:00 p.m. on the 6th day of January, 2014, that the necessity has arisen for sidewalk repairs along the parcels of land hereinafter named, viz:

VIOLATION ADDRESS	VIOLATION LEGAL DESCRIPTION	VIOLATION PARCEL NUMBER
10 AUSTIN	S 54' OF LOT 18 BLK 29 ORIGINAL TOWN	15530-02900-180-00
	LOTS 6 & 7 BLK 30 ORIGINAL TOWN & LOT 4, 5 ,6, & 7 OF 18, 19, 20, BLK 30 ORIGINAL TOWN	15530-03000-070-00 15530-03000-200-00
15 AUSTIN	N 1/2 OF 13 & ALL OF 14 BLK 22 ORIGINAL TOWN	15530-02200-140-00
102 AUSTIN	LOT 12 & S 1/2 OF 13 BLK 22 ORIGINAL TOWN	15530-02200-130-00
110 AUSTIN	W 80' OF 1, 2 & W 80' OF N 13.5' LOT 3 BLK 13 ORIGINAL TOWN	15530-01300-030-06
15 BLOOMINGDALE	E 50' OF N 1/2 OF 12 & E 50' OF 13 & 14 BLK 14 ORIGINAL TOWN	15530-01400-140-03
18 BLOOMINGDALE	COMM 80' E OF NW COR LOT 1 THEN S TO 80' E OF SW COR' LOT 3 THEN E 44' THEN N TO N LINE OF LOT 1 THEN W 44' TO POINT OF BEGINNING BLK 13 ORIGINAL TOWN	15530-01300-030-00
21 BLOOMINGDALE	W 100' OF 10, 11, 12, 13 & 14 BLK 14 ORIGINAL TOWN	15530-01400-140-00
22 BLOOMINGDALE	LOTS 6 & 7 EXC W 62' BLK 24 ORIGINAL TOWN	15530-02400-070-03
32 BLOOMINGDALE	N 38.5' OF LOT 25 BLK 35 SNYDERS	15720-03500-250-03
12 CENTER	S 12' OF LOT 2 BLK 35 SNYDERS	15720-03500-020-03
24 CENTER	LOT 1 BLK 24 ORIGINAL TOWN	15530-02400-010-00
103 CHURCH	LOT 2 & N 15' OF LOT 3 BLK 24 ORIGINAL TOWN	15530-02400-030-00
107 CHURCH	S 29' OF LOT 3 & N 15' OF LOT 4 BLK 24 ORIGINAL TOWN	15530-02400-040-00
111 CHURCH	S 34' OF LOT 4 & N 14' OF LOT 5 BLK 28 ORIGINAL TOWNSITE OF VERMILLION	15530-02800-040-00
7 COURT	N 18' OF 6 & S 30' OF 5 BLK 28 ORIGINAL TOWN	15530-02800-050-00
9 COURT	S 20' OF N 38' OF LOT 6 BLK 28 ORIGINAL TOWN	15530-02800-060-00
11 COURT	S 6' OF 6 & ALL OF LOT 7 BLK 28 ORIGINAL TOWN	15530-02800-070-00
15 COURT	LOTS 8,9,10 & 11 BLK 27 ORIGINAL TOWN	15530-02700-110-00
16 COURT	W 93' OF N 1/2 OF LOT 12 & W 93' OF 13 & 14 BLK 24 ORIGINAL TOWN	15530-02400-140-00
104 COURT		

110 COURT	N 26' OF 11 & S 1/2 OF LOT 12 BLK 24 ORIGINAL TOWN	15530-02400-120-00
111 COURT	LOTS 1, 2, 3 & 4 BLK 23 ORIGINAL TOWN	15530-02300-020-00
116 COURT	N 1/2 OF LOT 10 & S 18' OF LOT 11 BLK 24 ORIGINAL TOWN	15530-02400-110-00
117 COURT	LOT 5 BLK 23 ORIGINAL TOWN	15530-02300-050-00
122 COURT	LOT 9 & S 1/2 OF LOT 10 BLK 24 ORIGINAL TOWN	15530-02400-100-00
124 COURT	LOT 8 BLK 24 ORIGINAL TOWN	15530-02400-080-00
125 COURT	LOT 7 BLK 23 ORIGINAL TOWN	15530-02300-070-00
203 COURT	LOTS 1 & 2 BLK 14 ORIGINAL TOWN	15530-01400-020-00
204 COURT	N 32' OF 13 & ALL OF 14 BLK 13 ORIGINAL TOWN	15530-01300-140-00
	W 1/2 OF VAC COURT ST LOCATED BTWN S 34' OF LOT 5 & ALL LOTS 6 & 7 BLK 14 & S 34' OF LOT 10 & ALL OF LT 8 & 9 BLK 12 BLK 14 ORIGINAL TOWN & LOTS 3, 4, 5, 6, 7, BLK 14	15530-01400-010-00
215 COURT	ORIGINAL TOWN	15530-01400-070-00
2 E. MAIN	LOTS 15 & 16 BLK 34 SNYDERS	15720-03400-160-00
6 E. MAIN	LOT 17 BLK 34 SNYDERS	15720-03400-170-00
8 E. MAIN	LOT 18 BLK 34 SNYDERS	15720-03400-180-00
10 E. MAIN	LOT 19 BLK 34 SNYDERS	15720-03400-190-00
12 E. MAIN	LOT 20 BLK 34 SNYDERS	15720-03400-200-00
15 E. MAIN	LOTS 3 THRU 7 & 21 THRU 24 & LOT V1 BLK 27 ORIGINAL TOWN	15530-02700-000-00
14 E. MAIN	LOTS 21 & W 6' OF 22 BLK 34 SNYDERS	15720-03400-220-00
20 E. MAIN	E 47' OF 22 & ALL OF 23 BLK 34 SNYDERS	15720-03400-230-00
100 E. MAIN	W 20.1' OF LOT 15 BLK 33 SNYDERS	15720-03300-150-00
101 E. MAIN	LOTS 15, 16 & 17 BLK 26 REPLAT OF LOTS 13 & 14 ORIGINAL TOWN	15530-02600-170-00
102 E. MAIN	E 9.9' OF LOT 15 & W 10' OF LOT 16 BLK 33 SNYDERS	15720-03300-160-00
104 E. MAIN	E 16' OF LOT 16 & W 4' OF LOT 17 BLK 33 SNYDERS	15720-03300-170-02
106 E. MAIN	E 23' OF LOT 17 BLK 33 SNYDERS	15720-03300-170-00
108 E. MAIN	LOT 18 EXC 18A BLK 33 SNYDERS	15720-03300-180-00
110 E. MAIN	LOT 18A BLK 33 SNYDERS	15720-03300-180-02
112 E. MAIN	LOT 19 & W 11' OF 20 BLK 33 SNYDERS	15720-03300-200-00
113 E. MAIN	W 31' OF LOTS 1, 2, 3 & 4 BLK 26 ORIGINAL TOWN	15530-02600-040-12
115 E. MAIN	E 20' OF W 51' OF LOTS 1, 2, 3 & 4 BLK 26	15530-02600-040-09

	ORIGINAL TOWN	
117 E. MAIN	E 15' OF W 66' OF LOTS 1, 2, 3 & 4 BLK 26 ORIGINAL TOWN	15530-02600-040-06
119 E. MAIN	E 29.5' OF W 95.5' OF LOTS 2, 3, 4, & E 66' OF W 32' OF LOT 1 BLK 26 ORIGINAL TOWN &	15530-02600-040-03
120 E. MAIN	E 15' OF S 90' OF LOT 20 & S 90 OF LOTS 21, 22, 23, 24, & 25 BLK 33 SNYDERS ADDN W 41' OF VACATED DAKOTA ST ABUTTING LOT 1 & E 18' OF LOT 1 BLK 26 ORIGINAL TOWN	15720-03300-250-03
125 E. MAIN	E 48' OF N 20' OF LOT 13 & E 48' OF LOT 14 BLK 33 SNYDERS	15530-02600-010-00
109 E. NATIONAL	LOT 11 BLK 33 SNYDERS	15720-03300-140-03
17 ELM	W 85' OF LOT 14 & W 85' OF N 20' OF LOT 13 BLK 33 SNYDERS	15720-03300-110-00
23 ELM	BLK 33 SNYDERS	15720-03300-140-00
121 KIDDER	LOTS 14, 15, 16 & 17 BLK 29 ORIGINAL TOWN	15530-02900-170-00
5 LUXEMBURG	N 70' OF 18, 19 & 20 BLK 31 ORIGINAL TOWN	15530-03100-200-00
9 LUXEMBURG	S 52' OF 18, 19 & 20 BLK 31 ORIGINAL TOWN N 23'4 OF S 27' 2 1/2 OF LOT 2 BLK 29 ORIGINAL TOWN	15530-03100-200-03
5 MARKET	ORIGINAL TOWN	15530-02900-020-03
11 MARKET	LOT 5 & 6 BLK 29 ORIGINAL TOWN LOT 10 & N 20' OF E 50' & S 24' OF LOT 11 BLK 28 ORIGINAL TOWN	15530-02900-050-00
14 MARKET	LOTS 7, 8 & 9 BLK 29 ORIGINAL TOWN	15530-02800-100-00
17 MARKET	LOT 11 BLK 29 ORIGINAL TOWN	15530-02900-070-00
19 MARKET	LOT 11 BLK 29 ORIGINAL TOWN	15530-02900-100-00
21 MARKET	LOT 11 BLK 29 ORIGINAL TOWN	15530-02900-110-00
23 MARKET	LOT 12 BLK 29 ORIGINAL TOWN	15530-02900-120-00
24 MARKET	LOT 9 BLK 28 ORIGINAL TOWN	15530-02800-090-00
26 MARKET	LOT 8 BLK 28 ORIGINAL TOWN	15530-02800-080-00
116 MARKET	LOTS 10, 11 & 12 BLK 23 ORIGINAL TOWN	15530-02300-110-00
5 PROSPECT	LOT HD-1 LOT 15 BLK 35 SNYDERS	15720-03500-150-03
16 PROSPECT	LOT 3 BLK 36 SNYDERS N 1/2 OF LOT 13 & ALL OF LOT 14 BLK 35 SNYDERS	15720-03600-030-00
25 PROSPECT	SNYDERS	15720-03500-140-00
111 W. KIDDER	LOT 13 BLK 29 ORIGINAL TOWN	15530-02900-130-00
121 W. KIDDER	LOTS 14, 15, 16 & 17 BLK 29 ORIGINAL TOWN	15530-02900-170-00
1 W. MAIN	S 60.5' OF LOT 25 BLK 35 SNYDERS ADDN	15720-03500-250-00
2 W. MAIN	LOT 25 BLK 28 ORIGINAL TOWN	15530-02800-250-00
3 W. MAIN	LOT 24 BLK 35 SNYDERS	15720-03500-240-00
4 W. MAIN	LOT 24 BLK 28 ORIGINAL TOWN	15530-02800-240-00
5 W. MAIN	LOTS 22 & 23 BLK 35 SNYDERS	15720-03500-230-00
9 W. MAIN	LOT 21 BLK 35 SNYDERS	15720-03500-210-00
10 W. MAIN	LOT 21 BLK 28 ORIGINAL TOWN	15530-02800-210-00

12 W. MAIN	LOT 20 & ALL VAC ALLEY ADJ TO LOT 20 BLK 28 ORIGINAL TOWN	15530-02800-200-00
13 W. MAIN	E 23 1/2' OF LOT 19 BLK 35 & ALL OF VAC ALLEY SNYDERS	15720-03500-190-03
16 W. MAIN	LOT 18 & W 25' OF E 50' OF LOT 12 BLK 28 ORIGINAL TOWN OF VERMILLION	15530-02800-180-00
15 W. MAIN	E 5.5' OF LOT 18 & W 12.5' OF LOT 19 BLK 35 SNYDERS	15720-03500-190-00
18 W. MAIN	W 25' OF N 20' OF E 75' OF 11 & W 25' OF E 75' OF 12 & ALL LOT 17 BLK 28 ORIGINAL TOWN	15530-02800-170-00
19 W. MAIN	LOT 17 & W 12.5' OF 18 BLK 35 SNYDERS	15720-03500-180-00
23 W. MAIN	E 25' OF LOT 15 BLK 35 SNYDERS	15720-03500-150-06
24 W. MAIN	W 30' OF LOTS 12 & 15 EXC W 5' & N 10' & N 3.4' OF W 31.4' LOT 11 EXC W 5' BLK 28 ORIGINAL TOWN	15530-02800-150-03
25 W. MAIN	W 25' OF LOT 15 EXC LOT HD-1 BLK 35 SNYDERS	15720-03500-150-00
101 W. MAIN	LOT 24 BLK 36 SNYDERS ADDN	15720-03600-230-00
108 W. MAIN	LOT B BLK 29 ORIGINAL TOWN	15530-02900-020-00
113 W. MAIN	LOTS 15, 16 & 17 BLK 36 SNYDERS	15720-03600-170-00
114 W. MAIN	LOTS 19 & 20 BLK 29 ORIGINAL TOWN	15530-02900-200-00
120 W. MAIN	N 78' OF LOT 18 BLK 29 ORIGINAL TOWN	15530-02900-180-03
200 W. MAIN	N 125' OF LOTS 18, 19, 20 BLK 30 ORIGINAL TOWN	15530-03000-200-03
211 W. MAIN	LOTS 1 TO 14 BLK 37 SNYDERS	15720-03700-140-00
212 W. MAIN	E 10' OF 16 & ALL IF 17 BLK 30 ORIGINAL TOWN	15530-03000-170-00
222 W. MAIN	LOT 15 & W 40' OF 16 BLK 30 ORIGINAL TOWN	15530-03000-160-00
301 W. MAIN	LOT PE-1 A PT OF LOTS 5 & 6 BLK 38 SNYDERS	15720-03800-000-00
309 W. MAIN	TRACT D-1 BLK 38 SNYDERS	15720-03800-000-06
315 W. MAIN	E 100' OF S 24' OF 11 BLK 38 SNYDERS & LOT 16 & 17 BLK 38 SNYDERS	15720-03800-110-06 15720-03800-170-00
317 W. MAIN	LOT 15 & W 50' OF S 24' OF LOT 11 BLK 38 SNYDER'S ADDN	15720-03800-150-00
320 W. MAIN	LOTS 4 & 5 & N 1/2 OF 6 BLK 31 ORIGINAL TOWN & LOTS 15, 16, 17 BLK 31 ORIGINAL TOWN & LOTS 8, 9, 10, & 11 BLK 31 ORIGINAL TOWN	15530-03100-060-00 15530-03100-110-00 15530-03100-170-00
14 WASHINGTON	LOT 4 BLK 38 SNYDERS	15720-03800-040-00
16 WASHINGTON	S 1' OF LOT 2 & ALL 3 BLK 38 SNYDERS	15720-03800-030-00
22 WASHINGTON	LOT 1 & N 43' OF LOT 2 BLK 38 SNYDERS	15720-03800-020-00
115 MARKET	LOTS 4, 5, 6 & 7 BLK 22 ORIGINAL TOWN	15530-02200-070-00
7 MARKET	S 3' 10.5" OF LOT 2 & N 19' 10.5" OF LOT 3 BLK	15530-02900-030-00

29 ORIGINAL TOWN

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 16th day of December 2013 is approved and that the Engineer shall proceed with the work in the manner provided by law.

BE IT FURTHER RESOLVED, that the property owner shall, at their own expense, repair the sidewalk according to the specifications filed in the office of the City Engineer. The repairs must be under contract by the 30th day of June 2015 for completion by December 31, 2015.

Dated at Vermillion, South Dakota this 6th day of January, 2014.

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: Jose Dominguez, City Engineer

Meeting: January 6, 2014

Subject: Resolution Adopting a Resolution of Necessity for Construction of Concrete Surfacing along the North to South Alley in Block 68, Bigelow's Addition from East Clark Street to East Cedar Street

Presenter: Jose Dominguez

Background: In 2012 Mrs. Teresa Gilbertson approached the City regarding the paving of the alley located in Block 68 of Bigelow's Addition. Mrs. Gilbertson, along with her north and south neighbor, were concerned with the damage to the alley due to the high traffic utilizing the alley. Mrs. Gilbertson was given a petition, with an estimate, to circulate among the fronting property owners.

Mrs. Gilbertson returned the petition with signatures of over 45-percent of the property owners requesting the resolution. The petition was returned to the City the week of November 4, 2013. Mrs. Gilbertson, and her neighbors, would like the alley to be paved during the 2014 construction year.

On December 16, 2013 the City Council passed a Resolution of Necessity and Notice of Hearing setting the public hearing on the sidewalk repairs for January 6, 2014.

Discussion: The property owners were notified by mail and the notice of hearing has been published once in the Plain Talk.

Following the completion of the project by the City hired contractor, the City Council will adopt a resolution approving the special assessment roll with any added adjustment in the amounts.

Financial Consideration: The cost will include postage and the publication of the notice. The City has not budgeted for this improvement. The budget will have to be revised during the 2014 budget sessions.

Using 2011 prices provided at the time the petition was given to Mrs. Gilbertson, the cost for the proposed improvements was estimated at \$33,941.60. This amount also includes

the eight (8%) percent administrative fee. The assessment would be placed on the tax rolls and the property owner given ten years at ten (10%) percent interest to pay the cost. The owner will have the option to pay the entire assessment before it's placed on the tax rolls without any interest being accrued.

Conclusion/Recommendations: Administration recommends adoption of the resolution adopting a resolution of necessity for the construction of the alley.

**RESOLUTION ADOPTING RESOLUTION OF NECESSITY FOR CONSTRUCTION OF
CONCRETE SURFACING ALONG THE NORTH TO SOUTH ALLEY IN BLOCK 68,
BIGELOW'S ADDITION FROM EAST CLARK STREET TO EAST CEDAR STREET**

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 Hall at 7:00 p.m. on the 6th day of January, 2014, that the necessity has arisen for the construction of a concrete alley along the parcels of land hereinafter named, viz:

AFFECTED ADDRESS	AFFECTED LEGAL DESCRIPTION	AFFECTED PARCEL NUMBER
225 N. HARVARD	N ½ OF 6 & ALL OF 7, BLK 68, BIGELOWS	15050-06800-070-00
221 N. HARVARD	LOT 5 & S ½ OF 6, BLK 68, BIGELOWS	15050-06800-060-00
215 N. HARVARD	LOT 4, BLK 68, BIGELOWS	15050-06800-040-00
209 N. HARVARD	N ½ OF LOT 2 & ALL OF LOT 3, BLK 68, BIGELOWS	15050-06800-030-00
205 N. HARVARD	LOT 1 & S ½ OF 2, BLK 68, BIGELOWS	15050-06800-020-00
222 N. YALE	LOTS 8 & 9, BLK 68, BIGELOWS	15050-06800-090-00
218 N. YALE	LOTS 10 & 11, BLK 68, BIGELOWS	15050-06800-110-00
204 N. YALE	LOTS 12, 13 & 14, BLK 68, BIGELOWS	15050-06800-140-00

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 16th day of December 2013 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 January, 2014.

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: Jose Dominguez, City Engineer

Meeting: January 6, 2014

Subject: Resolution Adopting a Resolution of Necessity for construction of Concrete Surfacing and other improvements along North Norbeck Street from Roosevelt Street to East Clark Street

Presenter: Jose Dominguez

Background: North Norbeck Street has been designated as a collector street since at least the Comprehensive Plan adopted by the City in 2000. A collector street, as per the Comprehensive Plan, is a street that carries traffic between the local street networks to the arterial streets. Collector streets tend to be two lanes of through traffic with turn lanes at major intersections.

For over a year there have been discussions between the City and developers regarding the construction of apartment buildings fronting North Norbeck Street. Due to the type of development that was being proposed (high density multi-family), the number of high density dwellings already in the area, and the importance to the City for this road to be constructed we approached the majority of the property owners along the street to explain the importance of constructing the street at this time.

Due to all of those factors staff believes that this would be the most opportune time to construct North Norbeck Street from Roosevelt to East Clark Street. This would provide a continuous corridor for a significant amount of traffic to East Cherry Street; which is the main artery of the city.

On December 16, 2013 the City Council passed a Resolution of Necessity and Notice of Hearing setting the public hearing on the sidewalk repairs for January 6, 2014.

Discussion: The property owners were notified by mail and the notice of hearing has been published once in the Plain Talk.

Following the completion of the project by the City hired contractor, the City Council will adopt a resolution approving the special assessment roll with any added adjustment in the amounts.

Financial Consideration: The cost will include postage and the publication of the notice. The City has not budgeted for this improvement. The cost for the improvements has not been budgeted for in 2014. The 2014 budget will have to be revised during the September budget sessions.

We anticipate that the construction cost, and the consultant fee, will be in the range of \$460,000 with \$307,800 of that cost being assessed to the fronting property owners. The difference in the amounts will be the cost to the City for the oversized items and storm sewer improvements.

Conclusion/Recommendations: Administration recommends adoption of the resolution adopting a resolution of necessity for the construction of the alley.

RESOLUTION ADOPTING A RESOLUTION OF NECESSITY FOR CONSTRUCTION OF CONCRETE SURFACING AND OTHER IMPROVEMENTS ALONG NORTH NORBECK STREET FROM ROOSEVELT STREET TO EAST CLARK STREET

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 Hall at 7:00 p.m. on the 6th day of January, 2014, that the necessity has arisen for the construction of a concrete street and other improvements along the parcels of land hereinafter named, viz:

AFFECTED ADDRESS	AFFECTED LEGAL DESCRIPTION	AFFECTED PARCEL NUMBER
1321 ROOSEVELT	LOT 15 BLK 1 DAKOTA ADDN	15206-00100-150-00
1326 MADISON	LOT 13A BLK 1 DAKOTA ADDN	15206-00100-130-00
1325 MADISON	LOT 10 BLK 2 DAKOTA ADDN	15206-00200-100-00
	OUTLOT B BLK 2 DAKOTA ADDN	15206-00200-000-00
1322 E. CLARK NONE ISSUED (PORTION OF THE 300 BLOCK OF NORTH NORBECK)	LOT 1 BLK 2 MEHLHAF ADDN	15435-00200-010-00
NONE ISSUED (PORTION OF THE 300 BLOCK OF NORTH NORBECK)	NE ¼ SW ¼ SE ¼ EXC E 33' & MEHLHAF ADDN 18-92-51 MISC	15880-09251-184-12
	LOT 1 BLK 1 MADISON PARK ADDN	21417-00100-010-00
	E 16 RDS OF NW ¼ SE ¼ & W 58 RDS OF NE ¼ SE ¼ EXC N 219' & EXC WASHINGTON SQUARE & EXC LOT 13 BLK 1 MEISENHOLDER EAST ADDN & EXC MADISON PARK ADDN 19-92-51	21000-09251-184-04
401 N. NORBECK		

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 16th day of December 2013 is approved and that the City Engineer shall proceed with the work in the manner provided by law.

Dated at Vermillion, South Dakota this 6th day of January, 2014.

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: John Prescott, City Manager
Meeting: January 6, 2014
Subject: Annual MidAmerican Energy Report
Presenter: MidAmerican Energy Representatives

Background: The City Council adopted Ordinance No. 1164 on January 15, 2007. This ordinance renewed the natural gas franchise with MidAmerican Energy Company for fifteen years, with an option to extend the agreement for an additional five years. Section 15 of the agreement provides for an annual presentation by MidAmerican Energy to the City Council. Since 2007, several MidAmerican Energy representatives have attended the first Council meeting of the calendar year to talk about different aspects of their service.

Discussion: This is an opportunity for the City Council to ask MidAmerican Energy questions about their operations in the area. At the time of renewal, in January 2007, the City Council did inquire about staffing levels in Vermillion and the area. This presentation would again provide an opportunity for MidAmerican Energy to update the City Council on this issue.

Over the last couple of years, MidAmerican Energy representatives have also provided information on natural gas pricing, the number of leaks and response time, number of new services, projects in the area, customer relations scoring, local partner funding opportunities, and economic development activities.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends providing MidAmerican Energy representatives the opportunity to present information on their services in Vermillion. No action is required.

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: January 6, 2014

Subject: Minimum Standards for Operators of Commercial Activities at Harold Davidson Field Airport

Presenter: Jose Dominguez

Background: The City has owned, and operated, the airport since 1957. For a majority of that time there has been some type of commercial activity at the airport. These activities have ranged from aircraft maintenance to aerial applicators. In 2013 the City received a request from a user wanting to become the Fixed Based Operator (FBO). The FBO at an airport provides several services ranging from fueling, aircraft rentals, aircraft maintenance, flight instruction, etc.

The attached minimum criteria were presented to the City Council for discussion at the November 4 and December 16, 2013 Noon meetings.

Discussion: Currently the City does not have minimum standards in place for commercial users. From conversations with the FAA, and DOT, if we do not have minimum standards in place we would have to fall back on the requirements set by the FAA. Those standards allow for the FBO to perform the services listed above. Additionally, the FBO would have to run his business from an area with a waiting room, office space and bathrooms. It should be noted that the FAA's main concern is that the airport is run in a fair, and equitable, manner. This is why the FAA likes to see minimum standards in place so that all users are treated fairly.

Using the FAA minimum requirements would affect the City negatively in two ways. First of all, the City would not be able to be the only provider of fuel at the airport. The new FBO would be able to provide fuel to users. This is an issue since the City would likely see a cut on the money generated by the sale of fuel. The money generated by the City from the sale of fuel is used on airport improvements. Secondly, the City would have to construct a sanitary sewer and water line to the hangar where the FBO might be located. This would then require the City to provide the same utilities to all of the hangars within the airport. This project would not receive federal funds since the City already

provides bathrooms, opened all day every day, to the public. These bathrooms are located in the terminal building.

The proposed minimum criteria would specify the types of services that would be allowed at the airport. The criteria would then go through all of the other requirements for each use (leased space requirements, hours of operations, personnel required, insurance, fueling, etc.). The proposed criteria would split all of the commercial uses into a two tier system. The tiers would be 1st Entry Level and 2nd Entry Level. All of the allowed commercial uses would be in the 1st Entry Level tier (aircraft sales, aircraft maintenance, aircraft rental, pilot training, aircraft charter, specialized flight services, avionics, instruments and/or propeller services, and aerial applicators), with the exception of the Limited Service Fixed Based Operator (LSFBO). The LSFBO would be within the 2nd Entry Level tier. The LSFBO would need to be able to do at least two of the commercial activities within the 1st Entry Level tier to become an LSFBO.

Financial Consideration: There is no cost to the City associated with the adoption of this policy.

Conclusion/Recommendations: Administration recommends approval of the Minimum Standards for Operations of Commercial Activities at Harold Davidson Field Airport.

SECTION 1 – GENERAL PROVISIONS

1.01 Introduction

The City of Vermillion City Council adopts these minimum standards for the Harold Davidson Field Airport herein after the Airport in order to protect and promote the best interests of the public with regard to development and provision of aeronautical services and activities and other commercial activities at the airport.

The City of Vermillion City Council hereby vests power and authority in the Vermillion City Manager or his/her designee to enforce these Minimum Standards and otherwise to perform all acts which may be necessary and proper for the safe and efficient operation of the Airport. Failure on the part of any person to immediately comply with any reasonable request and direction of the City Manager or his/her designee shall be grounds for the removal of such persons from the Airport in any lawful and reasonable manner.

1.02 Required Conditions

Any person desiring to engage in one or more commercial activities at the Airport must adhere to these applicable minimum standards as a condition to establishing and providing the permitted activity and must be a party to a written lease and/or agreement with the Airport.

1.03 Commercial Services Defined

Commercial services are defined as certain commercial activities conducted at or from the Airport for the purpose of securing earnings, income, compensation, or profit, whether or not such activities are actually accomplished.

1.04 Non-Discrimination

A fair and reasonable opportunity, without discrimination, shall be afforded all applicants to qualify, or otherwise compete, for available Airport facilities; or to engage in selected commercial activities, subject to the Minimum Standards and requirements as may be established and amended from time to time by the Airport.

The Airport, through its Minimum Standards, attempts to maintain a “level playing field” on which all commercial operators of similar classifications or Aeronautical activity are to conduct business on a fair and equal basis for the benefit of the aviation public. In developing these Minimum Standards, the Airport intends neither to block competition between service providers nor to protect any existing or incumbent provider from competition. Commercial Operators on the Airport are required to (1) furnish services on a fair, equal, and not unjustly discriminatory basis to all customers, and (2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service, provided that the Operator is allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

No Commercial Operator shall exclude from employment in participation, access to, benefits of its operations or otherwise discriminate against persons on the grounds of race, color, national origin, handicap, age, sex or veteran status. Commercial Operators shall be responsible for compliance with all applicable local, state and Federal rules, regulations, ordinances or laws regarding nondiscrimination.

1.05 Development of Additional Minimum Standards

Authorized commercial services are not limited to those listed in these minimum standards. In the event a prospective operator desires to conduct a commercial activity not listed in these standards, the minimum standards for that activity may be identified as part of the application process. Additional activities may be subject to minimum standards. In developing new minimum standards for aeronautical services, the following guidelines are to be considered:

- A. The minimum hangar space, office space, land, equipment, personnel, operating hours, and other standards required of a commercial operator shall be those appropriate for the services provided and shall be sufficient to facilitate good customer service.
- B. The Airport is not obligated to provide or construct public ramp/apron or connecting taxiways for commercial operators. Further, the Airport's ability to construct such ramp/apron or taxiway facility is limited to the availability of funds, which may be dedicated to higher priority projects at the Airport. If funds are apportioned for the construction of a public ramp/apron or connecting taxiway, the City funds shall not exceed 5% of the total cost of the construction project. Thus, the prospective operator should expect to fund all facility needs (building, parking lots, ramps/apron, connecting taxiways) as part of the total plan.

1.06 Pre-Qualification Requirements

The prospective Operator shall submit, in written form, to the City Manager or his/her designee at the time of application, the following information as may be requested by the Airport.

A. Intended Scope of Activities

As a condition precedent to the granting of the operation privilege on the Airport, the prospective Operator must submit a detailed description of the intended activity (ies), and the means and methods to be employed to accomplish the applicable operating standard and requirements, in order to provide high quality service to aviation and the general public in the Vermillion area, including the following:

- i. Applicants name, mailing address and phone number
- ii. If an incorporation, or partnership, list the name, mailing address and phone number of all of the owners of 10% or more.
- iii. The services to be offered.
- iv. The amount of land to be leased or subleased.
- v. The building space to be constructed leased or subleased.
- vi. The number of aircraft (or vehicles) to be provided, if applicable.
- vii. The number of qualified and/or certified employees.
- viii. The hours of proposed operation.
- ix. Evidence of required minimum insurance coverage as established by the Airport.
- x. Evidence of the operator's level of competency and experience in successfully performing the proposed service.

B. The Written Agreement

With the approval of the application by the City Manager or his/her designee prior to the commencement of commercial operations, the prospective Operator will be required to enter into a written agreement with the Airport. The agreement will detail the terms and conditions under which the Operator will conduct business on the Airport, including, but not limited to, the term of agreement; the rentals, fee, and charges; the rights, privileges, and obligations of the respective parties; and other relevant covenants. The conditions contained in the schedule

of Minimum Standards and Requirements do not represent a complete recitation of the provisions to be included in the written agreement. Agreement provisions, however, will not change, modify, or be inconsistent with, the Minimum Standards and Requirements.

C. Site Development Standards

- i. The minimum space requirements hereinafter provided may be satisfied by the lease, construction or sublease of single abutting, or separate parcels having one building, attached buildings, or separate buildings. The use of mobile home type buildings to satisfy space requirements is prohibited. A minimum 5-foot setback from the aviation apron areas is required for new construction. For construction of any new facilities not already contained on the Airport, the Operator shall be subject to all applicable Federal, State, and local laws, ordinances, codes, rules and regulations.
- ii. No person shall make any alterations of any nature whatsoever to any buildings, aprons, or other airport space, nor shall any building or other structure be erected without prior submission of a written request, including detailed plans and specifications, and the receipt of written permission from the City Manager or his/her designee. Prospective Operators shall comply with all building codes of the City of Vermillion and shall deliver to the City Manager or his/her designee, “as-built” plans upon completion.
- iii. Further, a notice of alterations or construction must be submitted to the Federal Aviation Administration by the prospective Operator, FAA Form 7460-1 (Notice of Proposed Construction and/or Alteration) and a finding of “no-hazard” must be received prior to commencement of any construction.

D. Personnel

- i. The prospective Operator shall have in his employ, and on duty during the required operating hours, such numbers and types of trained personnel with proper FAA credentials, certificates, and ratings as applicable to provide adequate and efficient services.
- ii. Operator must demonstrate that procedures have been established to assure that all persons employed, or to be employed, who have unescorted access to any area on the airport controlled for security reasons, have background checks to the extent required by law, or regulation.
- iii. Operator’s employees shall be neat, clean, and courteous. Operators shall not permit its agents, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business outside the space assigned as stated in lease or operating agreement.

1.07 Indemnity and Insurance

A. Indemnification

- i. Prospective Operator’s must agree to indemnify, save, hold harmless, and defend the Airport, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all reasonable expenses incidental to the investigation and defense thereof, in any way arising out of or resulting from any acts, omissions or negligence of the Operator, its agents, employees, licensees, successors, and assigns, or those under its control; in, on or about leased premises; or in connection with its use and occupancy of leased premises or use of airport; provided, however, that the Operator shall not be liable for any injury, damage, or loss occasioned by the negligence or willful misconduct of the Airport, its agents and employees.

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ACTIVITIES

- ii. The Operator must also agree to indemnify, save, hold harmless, and defend Airport, its agents and employees, its successors, and assigns, individually or collectively, from and against all liability for any claims and actions and all expenses incidental to the investigation and defense thereof, in any way arising from or based upon the violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Operators agents, employees, licensees, successors, and assigns, or those under its control. The Operator shall not be liable for any claims and actions and expenses incidental to the investigation and defense thereof, in any way arising from or based upon violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Airport, its agents, employees, licensees, successors, and assigns, or those under its control.

B. Minimum Liability/Auto Insurance Requirements

- i. Without limiting the Operator’s obligation to indemnify the Airport, the Operator shall provide, pay for, and maintain in force at all times during the term of the Operator’s agreement a policy of:
 - 1. Comprehensive general liability insurance to protect against bodily injury liability and property damage in an aggregate amount of not less than:
 - a. Single Service Operator - \$1,000,000 per occurrence
 - b. Limited Service Fixed Based Operator - \$1,000,000 per occurrence
 - 2. Comprehensive automobile liability insurance in a combined single limit of not less than \$1,000,000 per occurrence for all vehicles that will be operating in the aviation areas of the airport, or the maximum coverage available under the laws of the State of South Dakota for publicly owned vehicles, whichever is lesser.
 - 3. Statutory Workman’s Compensation insurance; and any other policies of insurance reasonably required by the Airport.
- ii. The above mentioned insurance amounts and types of insurance shall be reviewed from time to time by the Airport, if in a review there is a reasonable determination that such adjustments are necessary to protect the Airport interests. The Operator shall furnish the Airport, as evidence that such insurance certificate including the Airport as additional insured within 30 days after the policy is issued. Said policies shall be in a form and content satisfactory to the Airport and shall provide for thirty (30) days written notice to the Airport the cancellation of or any material change in such policies.

C. Environmental Impairment

Operators must agree to comply with any environmental regulations affecting its operations, including furnishing insurance or other security against environmental impairment risks as required by the Airport, State of South Dakota or agencies of the Federal Government.

SECTION 2 – AERONAUTICAL SERVICES

2.01 Introduction

The following Minimum Standards for Commercial Aeronautical Services Incorporated using, as a reference, FAA Advisory Circular 150/5190-7 (current edition), Minimum for Commercial Aeronautical Activities, and the Airport rules and regulations, as may be adopted or amended. The Airport does not certify that the required minimum land, and building areas, personnel or equipment levels are adequate for the successful operations of the commercial activities described. Additional land and building space, personnel and equipment exceeding the minimums, may be necessary for the operator to ensure that services are effectively provided to meet the needs of the

public. All Aeronautical services and uses of the Airport shall be conducted in strict compliance with federal regulations and state and local laws.

2.02 Development of Quality Services

It is the intent of the Airport to ensure that the airport, through its authorized commercial operators, provides a full range quality service to the aviation public. To accomplish this objective the Airport, has established a Limited Service Fixed Based Operator (LSFBO) development process. The development process is founded on the principle that only experienced, well capitalized; operators have the greatest chance of successfully providing these quality services. The process also provides opportunities for interested parties, with limited experience, to establish aviation service businesses, to gain the necessary experience, and to grow in the LSFBO service levels of greater responsibility to the public.

2.03 Exclusive Rights

No private aeronautical service provider will be granted an exclusive right to solely provide any aeronautical service on the airport. Any interested party meeting the Minimum Standards may qualify for authorization to begin business.

2.04 Single Service Operator

A person or organization meeting the appropriate minimum standards may apply to the Airport, in accordance with Section 1.06, for permission to operate as a Single Service Operator (1st Entry Level- Exhibit A). Single service operators are prohibited from retail sales of fuel and providing aviation line services. Fuel/petroleum retail sales and line services are privileges reserved for City of Vermillion. Single service operations are considered “entry level” business activities and thus no actual experience in operating such a business is required. Some experience, is however, recommended. A single service operator may conduct business “under the umbrella of” an authorized limited service fixed base operator. When supporting “under the umbrella” activities, the LSFBO must meet the minimum standards associated with the additional aviation service.

All Single Service Operators will meet the following minimum standards:

A. Leased Space Requirement

Each Single Service Operator shall operate out of a building located on the Airport. The building must provide adequate space for properly heated and lighted offices, hangar storage, maintenance, and public waiting areas.

B. Hours of Operation

Business shall operate during normal working hours (8:00 am to 5:00 pm) and during the work week (Monday through Friday) for at least 20-hours per month. Operators shall provide emergency on-call service during nights, weekends, non-scheduled hours, and holidays.

C. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the Manufacturer’s maintenance standards.

2.05 Single Service Operator – Aircraft Sales

In addition to section 2.04 any operator desiring to engage in the sale of new, or used, aircraft must also meet the following requirements:

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A. Services

Operator is prohibited from performing aircraft maintenance and repair work for the general public.

B. Personnel

In addition to 1.06D, Operators must provide one or more persons holding a current commercial pilot certificate with ratings appropriate for the type of aircraft to be demonstrated or for sale. They must also employ one person currently certified by the FAA to perform aircraft maintenance work on the aircraft being sold, if the operator intends to do their own maintenance.

C. Dealership

A new aircraft dealer shall be an authorized factory dealership or subdealership having a license or permit as required by the State, and knowledge of all South Dakota applicable statutes concerning sales, contracts and warranties. A dealer in new aircraft shall own or have exclusive lease on minimum of one current model demonstrator, not more than 12-months old.

D. Part and Service

Dealer shall have adequate servicing facilities and access to parts to provide maintenance service to customer's aircraft during the warranty period.

2.06 Single Service Operator – Airframe and Power Plant Repair (Aircraft Maintenance and Repair)

In addition to section 2.04 any operator desiring to engage in airframe and/or power plant repair services must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operators shall employ a minimum of one person currently certified by the FAA with ratings appropriate for work to be performed.

B. Equipment

Maintain sufficient equipment, supplies, or have the availability to acquire parts to perform maintenance in accordance with manufacturer recommendations or equivalent on various types of based aircraft.

2.07 Single Service Operator – Aircraft Rental

In addition to section 2.04 any operator desiring to engage in the rental of aircrafts to the public must also meet the following requirements:

A. Aircraft

Operator shall own or have an exclusive lease in writing for one air worthy single engine, or multi-engine, aircraft equipped for flight under both visual and instrument conditions.

B. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.

2.08 Single Service Operator – Flight Training

In addition to section 2.04 any operator desiring to engage in commercial flight instructions must also meet the following requirements:

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ACTIVITIES

A. Personnel

In addition to 1.06 D, Operator must employ one person qualified to provide ground and flight instruction in accordance with FAA regulations.

Note: If an Operator under this section furnishes or otherwise provides the aircraft used for flight training, that Operator is also required to meet the minimum standards for aircraft rental service.

2.09 Single Service Operator – Air Taxi and Charter Service

In addition to section 2.04 any operator desiring to engage in air taxi or charter service must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ a minimum of one FAA certified commercial pilot appropriately rated to conduct air service offered.

B. Aircraft

A minimum of one single engine aircraft capable of carrying four passengers, and equipped for flight under instrument conditions, shall be owned or exclusively leased by the operator.

C. Certification

Operator and all pilots must meet all provisions of FAR Part 135.

D. Ground Transportation Services

The operator may make provisions for the transportation of pilots and passengers of transient General Aviation Aircraft to and from the Operator's facilities across the Airport's Apron areas as a part of his/her business operations. The Operator performing this service with motor vehicles driven on the Airport property shall do so only in strict compliance with any Airport rules and regulations, applicable, federal, state and municipal laws, ordinances, codes, or other similar regulatory measures as may be hereafter added, modified, or amended.

E. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.

2.10 Single Service Operator – Specialized Commercial Flight Services

In addition to section 2.04 any operator desiring to engage in specialized commercial flight services including, but not limited to: banner towing and aerial advertising; aerial photography or survey; fire fighting or fire patrol; power line or pipeline patrol; any other operations specifically excluded from Part 135 of the FAA Regulations must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ one person having a current commercial certificate with appropriate ratings for the aircraft to be flown.

B. Aircraft

A minimum of one properly certified aircraft owned or leased by written agreement.

C. Maintenance

Aircraft must be maintained in accordance with FAA regulations and the manufacturer's maintenance standards.

2.11 Single Service Operator – Avionics, Instruments, and/or Propeller Services

In addition to section 2.04 any operator desiring to provide avionics, instrument, or propeller service must hold the appropriate FAA repair station certificates and ratings for same. The operator must also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ a minimum of one FAA certified repairman, qualified in terms of the applicable FAA repair station certificate.

2.12 Single Service Operator – Aerial Applicators

In addition to section 2.04 any Operator must hold an Agricultural Aircraft Operator Certificate issued by the FAA under Part 137. The Operator must also comply with the requirements of the State and Political subdivisions thereof; and also meet the following requirements:

A. Personnel

In addition to 1.06D, Operator shall employ a minimum of one person holding a current FAA commercial certificate, properly rated for the aircraft to be used, and meeting the requirements of Part 137 of the FAA Regulations and applicable regulations of the State of South Dakota. A copy of their Part 137 certificate, commercial applicators certificate, and pilot certificate shall be file with the City Manager or his/her designee before commencing operations. A review of the South Dakota State Department of Agriculture applicant's history will also be reviewed for each applicator prior to commencing operations.

B. Aircraft

A minimum of one aircraft meeting all of the requirements of Part 137 of the FAA Regulations and applicable regulations of the State. This aircraft shall be owned or leased by agreement in writing.

C. Facilities

A segregated chemical storage area with secondary containment, protected from the public access, and safety equipment as to comply with the minimum standards as required by all local, city, state and federal regulations and ordinances. All present and future federal and state hazardous material and environmental protection acts and regulations will be complied with.

2.13 Self Fueling of Private Aircraft

A person or organization owning aircraft shall be permitted, personally or using the organization's employees, to fuel their own aircraft. The Aircraft owner is not permitted to contract with an off-airport company to enter upon the airport to refuel his aircraft. Further, the Airport prohibits the use of a "CO-OP" (an organization formed by several aircraft owners for the purpose of self fueling) as a single aircraft owner's purpose of self fueling. Self fueling operators may not dispense fuel from their privately owned fueling equipment into aircraft not directly owned by the operator. Further, the operator's fuels may not be sold, given, or ownership otherwise transferred, to other aviation Operators.

The City of Vermillion shall retain the exclusive right to provide all fuel sales on the Airport to other individuals or other organizations.

2.14 Multiple Commercial Aeronautical Services

The prospective Operator of multiple commercial activities may select a combination of services covered in sections 2.04 through 2.12 of these Minimum Standards and request Airport approval to

provide services as a LSFBO as defined below. Where more than one activity is proposed, the actual building, land, equipment and personnel requirements may have to exceed the minimum space requirements that would be required for a single service. The City Manager or his/her designee will determine if the proposed structure is adequate in order to ensure that safe and comfortable services are provided for the customer. Actual space requirements will also be dependent upon:

1. The combination and nature of proposed individual commercial services to be operated, and
2. The design and configuration of the proposed building, and
3. The Operator's expansion plans, and
4. The proposed geographic location on the airport, and
5. What has been required of other operators on the airport who provide a similar combination of services?

Because of the above variables, the applicable Minimum Standards on combinations of service will be discussed with the prospective Operator at the time of this application.

2.15 Multiple Commercial Aeronautical Services – LSFBO

A person or organization meeting the Minimum Standards of any two or more aeronautical services described in sections 2.04 through 2.12, may apply for permission to conduct business as a LSFBO on Airport. The LSFBO is prohibited from selling fuel.

A. Leased Space Requirement

Each LSFBO shall operate out of a building located on the airport. The building must be properly heated and lighted and provide adequate space for offices, hangar storage, and maintenance. The building must also be accessible to those requiring service, and to be marked with appropriate external signage. The actual dimensions of the leased area may vary, but they must be adequate for the services being provided. The City Manager or his/her designee will determine the adequacy of the proposed structure at the time the land lease and structure design are being developed.

B. Hours of Operation

Business shall operate during normal working hours (8:00 am to 5:00 pm) and during the work week (Monday through Friday) for at least 20-hours per month. Operators shall provide emergency on-call service during nights, weekends, non-scheduled hours and holidays.

C. Termination or Modification of Multiple Commercial Aeronautical Services

Airport's prime objective in granting permission to conduct commercial services at the airport is to meet the aviation needs of the public. Airport reserves the right to immediately terminate the Operator's commercial authority, or reduce the Operator's operating authority to that of a lower operating classification, as detailed in Exhibit A, if the Operator reduces its service activities to a level that is less than the required services of the quality and/or quantity of required services deteriorates to a level at which the services fail to meet the operating needs of the aviation public, in the City Manager's or his/her designee's opinion. The Operator may appeal the City Manager's or his/her designee's opinion to the City Council within 30-days.

SECTION 3 – GROUND TRANSPORTATION SERVICES

Any commercial operator desiring to provide transportation for passengers, baggage, or freight from the Airport shall comply with the following minimum standards:

3.01 Off-Airport Car Rental Concession

Any operator desiring to provide rental cars to the traveling public from an off-airport site and to pick-up and drop-off its customers at the Airport must meet the following minimums:

A. Fleet Size

Have a car rental fleet of at least two cars. Rental cars must be less than ten years old.

B. Services

The operator shall furnish good, prompt, and efficient service, adequate to meet all reasonable demands for automobile rental service at the Airport, on a fair and reasonable basis, and to charge prices for such services, in accordance with its usual standards, on a basis substantially similar to that charged for similar size automobiles, within the State of South Dakota.

C. Vehicle Maintenance

Operator shall maintain rental vehicles in good operative order, free from known or reasonable ascertainable, mechanical or physical defects, and in clean neat and attractive condition, inside and outside.

D. Operating Hours

Car rental offices shall remain open for such periods during each day and such days during each week as may be necessary to meet reasonable demands for car rental services.

E. Phone Services

So long as the operator has a valid agreement with the airport, the operator shall have the privilege of placing a direct line phone to its place of business in the Airport Terminal building in the same manner and to the same extent offered to the public by the Airport or its advertising agent.

F. Car Drop-off/Parking

Operator is not authorized to drop off rental cars at the Airport for customers. Operator must perform all paperwork and the transfer of all vehicles at the Operator's place of business.

G. Personnel

In addition to 1.06D, Operator's employees shall be neat, clean, and courteous. Operator shall not permit its agents, servants, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business on the Airport except through the use of signs as herein above set forth.

H. Terminal Area Solicitation

Operators and their employees are prohibited from soliciting business in any manner whatsoever upon Airport property unless specific Airport approval is received. Operator, drivers, or other employees may enter the Airport Terminal building only for the purpose of locating the customer requesting service and assisting a customer in moving his or her luggage from the baggage claim area to the courtesy vehicle.

SECTION 4 – PENALTIES FOR FAILURE TO MAINTAIN COMPLIANCE

4.01 Failure to Comply with Minimum Standards

All persons upon Airport property, except those whose presence is specifically authorized and/or mandated by federal or state law, shall be considered as business invitees or guests of the Airport. In the event a failure to maintain compliance with any of these minimum Standards, the authorization of any and all commercial activities may be terminated by the City Manager or his/her designee. The Operator may appeal the City Manager's or his/her designee's decision to the City Council within 30-days.

4.02 Termination of Lease

The Airport, at its discretion, reserves the right to terminate the lease of any tenant found to be in violation of the Minimum Standards.

4.03 Civil Remedy or Criminal Prosecution

The Airport, in its discretion, reserves the right to commence any civil action or suit or file a complaint for criminal prosecution against any person or persons violating any Minimum Standard which cause injury or damage to person or property of if such violation appears to constitute the commission of a criminal act.

4.04 Liability for Fines

Any person whose act, or failure to act, results in a fine or penalty being assessed against the Airport or by any governmental agency having jurisdiction including security, safety, and environmental, or the FAA shall be fully liable for the payment or reimbursement of such fine or penalty in addition to the costs associated with the restitution, repair, or clean-up of conditions resulting from such violations.

SECTION 5 – FEES

The City Council will establish fees by resolution.

This document replaces all previous versions of the Harold Davidson Field Airport Minimum Standards for Operators of Commercial Activities, effective as of the date below. All changes to this document shall be made by an approved motion of the City of Vermillion City Council.

John E. (Jack) Powell, Mayor

Date: _____

Michael D. Carlson, City Finance Officer

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: January 6, 2014

Subject: Amendment No. 3 to Contract with Helms & Associates for the Parallel Taxiway Extension

Presenter: Jose Dominguez

Background: The City entered into a contract with Helms & Associates for the design of the parallel taxiway extension at Harold Davidson Field. The extension of the taxiway has been planned since the 2005 airport capital improvement plan.

Discussion: Because of the length of time for the project to be completed, two grants were used to complete the project. Because of this situation, part of the construction administration was covered under the first grant, while the rest was under the second grant. The proposed amendment shifts the overrun/under-run costs between phases for record keeping purposes.

Financial Consideration: The original cost to the project was \$52,326.02. The contract was amended in early 2012 to include the work for the jet-fuel system. The first amendment increased the contract by \$15,315.05 to a new total of \$67,641.07. The second amendment to the contract was for the construction administration services. This second amendment increased the cost by \$82,288.74 to a new total of \$149,929.81.

The third, and last amendment, will lower the actual cost for the construction administration by \$13,993.35. The new amendment will bring the actual cost for the engineering and construction administration to \$135,936.46.

Conclusion/Recommendations: Administration recommends approval of Amendment No. 3 with Helms & Associates.

City

AMENDMENT NUMBER 3

TO

**AGREEMENT FOR PROFESSIONAL SERVICES
FOR
HAROLD DAVIDSON FIELD
VERMILLION, SOUTH DAKOTA**

**AIP #3-46-0056-008/009-2011/2012
A-5091**

AGREEMENT FOR PROFESSIONAL SERVICES, dated May 16, 2011, by and between the City of Vermillion, South Dakota as OWNER and Helms & Associates, as ENGINEER, hereinafter referred to as the Agreement for Professional Services, for improvements known as the PARALLEL TAXIWAY EXTENSION to the 12 End of the Runway, and other miscellaneous items of related construction, hereinafter referred to as the PROJECT, is hereby amended as follows:

- A. Whereas, the PROJECT has been completed; and whereas the ENGINEER has finalized all of the associated final close-out reports; and whereas, the actual amount of the Construction Administration is more than originally anticipated; and whereas, the additional Construction Administration Services were required and not due to negligence on the part of the OWNER or the ENGINEER; the amount of the Construction Administration portion of the AGREEMENT is hereby increased by One Thousand One Hundred Dollars and Ninety-Six Cents (\$1,100.96). As per the AGREEMENT, this increase is for actual costs incurred only and does not include any additional Fixed Fee. The approved total for the Construction Administration Services is therefore increased to Thirty Thousand Three Hundred Eighty-Six Dollars and Forty-Four Cents (\$30,386.44).
- B. Whereas, the PROJECT has been completed; and whereas the ENGINEER has finalized all of Resident Engineering, Inspection and Staking duties; and whereas the actual amount of the Resident Engineering, Inspection and Staking Services is less than originally anticipated; the amount of the Resident Engineering, Inspection and Staking Services portion of the AGREEMENT is hereby reduced by Fifteen Thousand Ninety-Four Dollars and Thirty-One Cents (\$15,094.31). The total for the Resident Engineering, Inspection and Staking Services is therefore decreased to Thirty-Seven Thousand Nine Hundred Eight Dollars and Ninety-Five Cents (\$37,908.95).

Upon receipt of this signed Amendment Number 3 from the OWNER, the Agreement for Professional Services is hereby modified to allow for the above noted changes to the Construction Administration Services; and Resident Engineering, Inspection and Staking Services. **The total amount of the adjusted engineering costs for this Amendment Number 3 is a reduction of \$13,993.35.** The Agreement for Professional Services is hereby adjusted accordingly.

IN WITNESS WHEREOF the parties hereto have made and executed this Amendment Number 3 this _____ day of _____, 2013.

OWNER:

City of Vermillion, Vermillion, SD

BY: _____

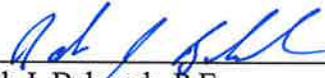
TITLE: _____

ATTEST: _____

TITLE: _____

ENGINEER:

Helms & Associates
A Division of Schmucker, Paul, Nohr & Associates, Inc.

BY:  _____
Bob J. Babcock, P.E.

TITLE: PRINCIPAL

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: January 6, 2014

Subject: Resolution amending Electric Rates

Presenter: John Prescott, City Manager

Background: At the Missouri River Energy Services (MRES) area meeting on October 29, 2013, City staff was informed of a MRES rate increase in the amount of 5.5%. The City of Vermillion currently purchases approximately 40% of its power through MRES, our supplemental power provider. This rate increase is projected to result in a cost increase to the City of approximately \$85,000/year; or 1.4% of retail revenues.

The Western Area Power Administration (WAPA), our base power supplier, is not projecting any rate changes for 2014. Due to uncertain responses from WAPA, MRES staff is projecting a 2% rate increase from WAPA for 2015 in the current rate studies that they are conducting for other MRES customers. A 2% WAPA increase in 2015 would increase our energy purchasing cost by approximately \$30,000/year.

The City Council last adopted a resolution to adjust electric rates in May 2011. The resolution called for a 2.2% rate increase for bills due in July 2011. As part of the resolution, revenue neutral season rates were also adopted starting in 2012. The revenue neutral rates provided for a higher rate during three summer months and a lower rate during the other nine months.

The Utilities Committee met on December 11, 2013 and discussed the impact of increased cost by our supplemental power supplier on the overall rate. The Committee also reviewed upcoming projects to be undertaken by Light & Power. The recommendation of the Utility Committee to increase electric rates was reported to the City Council at the December 16, 2013 meeting.

Discussion: At this time, the Utilities Committee, City staff, and MRES are proposing an overall 2.2% Vermillion Light & Power (VLP) electric rate increase to provide the necessary revenue to meet increased expenses. The rate increase of \$0.002/kWh will be uniform across all rate classes and would generate an additional \$130,000 if applied to all twelve 2014 billing periods. Barring unforeseen future rate increases from our power

suppliers, VLP rates should be stable for the next 2-3 years. The rate increase would be implemented with the billing sent out in February that is due no later than March 10, 2014.

The proposed 2014 rate table and the comparison of monthly residential, small commercial, and large commercial bills is attached. This information compares the current and proposed 2014 Vermillion rate to the rates of the respective providers.

The Light and Power Department has a couple of large projects coming up in the next five years. During 2014, the substation improvements will be taking place at an estimated cost of \$1,080,000. After this project is completed, two mainline feeder circuits will be added at a projected cost of \$580,000. A new substation in the northeast portion of the community is also on the horizon. Currently, staff estimates the substation project to cost approximately \$3.6 million.

Financial Consideration: The proposed 2.2% electric rate increase would allow the City to provide the necessary revenue to meet increased power costs. For a residential electric customer using 1,000 kwh per month, this increase translates into approximately \$2.00 per month.

Conclusion/Recommendations: Attached is the proposed resolution revising electrical rates for City Council consideration to become effective with bills due in March 2014. Administration recommends approval of the proposed electric rate increase to keep pace with increased energy purchasing costs in 2014.

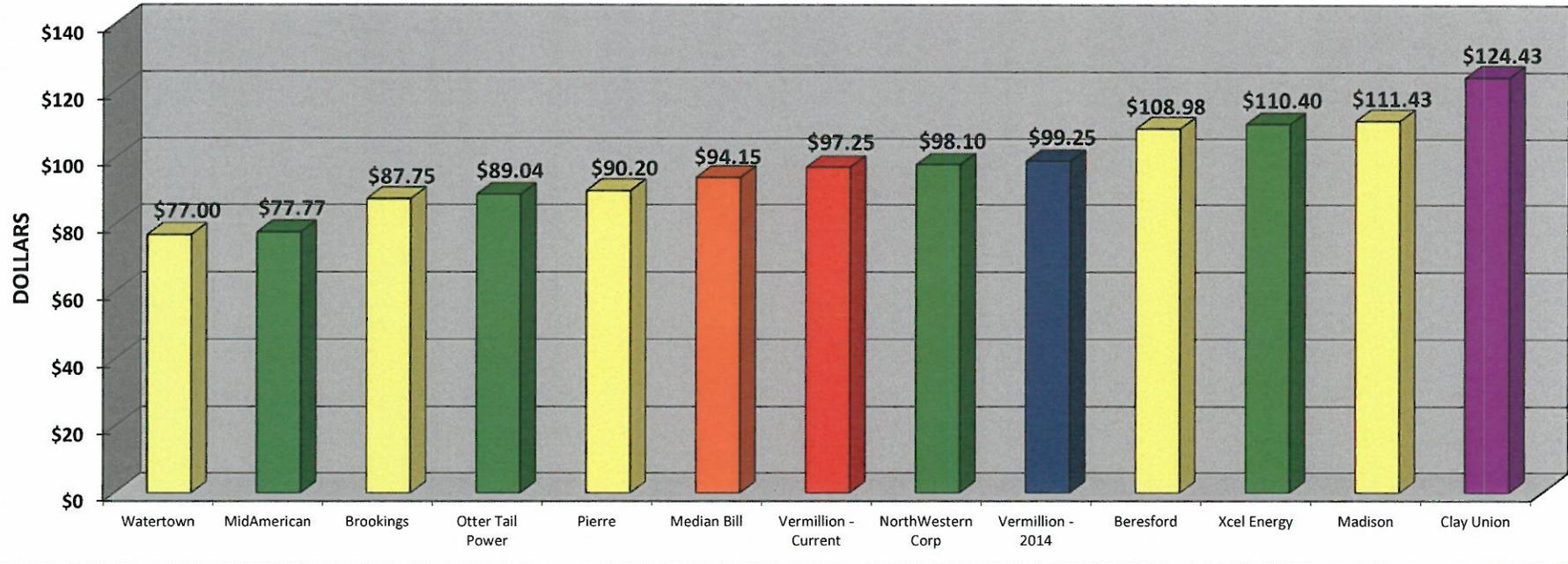
**Vermillion Light & Power
Proposed 2014 Rates**

Current and Proposed Rates				
Customer Class	Rate Components	Current Rates	2014 Proposed Rates	% Increase
Overall Revenue Increase				2.2%
Residential	Customer Charge	\$9.00	\$9.00	2.0%
	Energy Charge:			
	July-September Billings	0.092	0.094	
	October-June Billings	0.087	0.089	
Small Commercial	Customer Charge			1.8%
	Single Phase	15.00	15.00	
	Three Phase	25.00	25.00	
	Energy Charge:			
	July-September Billings	0.096	0.098	
	October-June Billings	0.091	0.093	
Large Commercial (20 kW or more)	Customer Charge	33.00	33.00	2.7%
	Energy Charge	0.037	0.039	
	Demand Charge:			
	July-September Billings	13.30	13.30	
	October-June Billings	11.30	11.30	
Street Lighting	Energy Charge	0.120	0.122	1.7%
Security Lighting	70 Watt HPS	5.80	5.80	0.0%
	175 Watt MV	7.10	7.10	0.0%
	250 Watt HPS	12.30	12.30	0.0%
	400 Watt HPS	19.00	19.00	0.0%

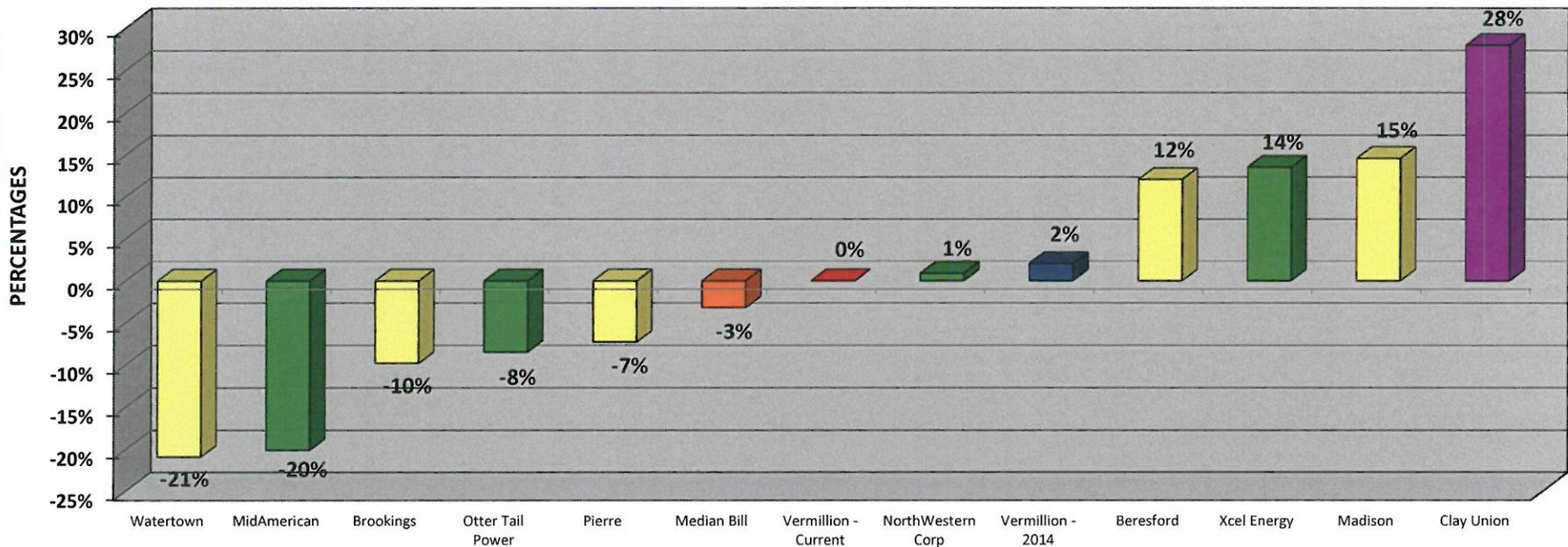
Notes:

- A) All energy rates above include the \$0.011 per kWh debt surcharge.
- B) The utility reads meters around the middle of each month. Therefore, the higher summer rates apply to usage from approximately mid-June to mid-September.

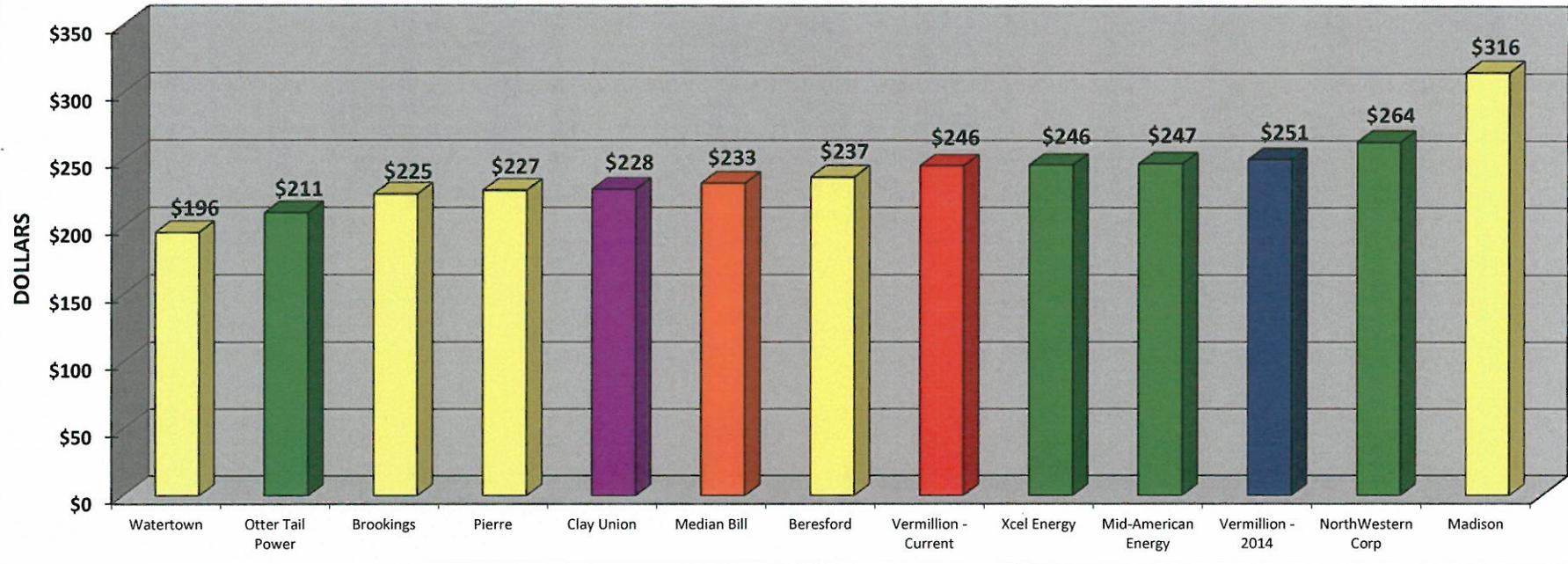
COMPARISON OF MONTHLY RESIDENTIAL BILLS - 1,000 KWH



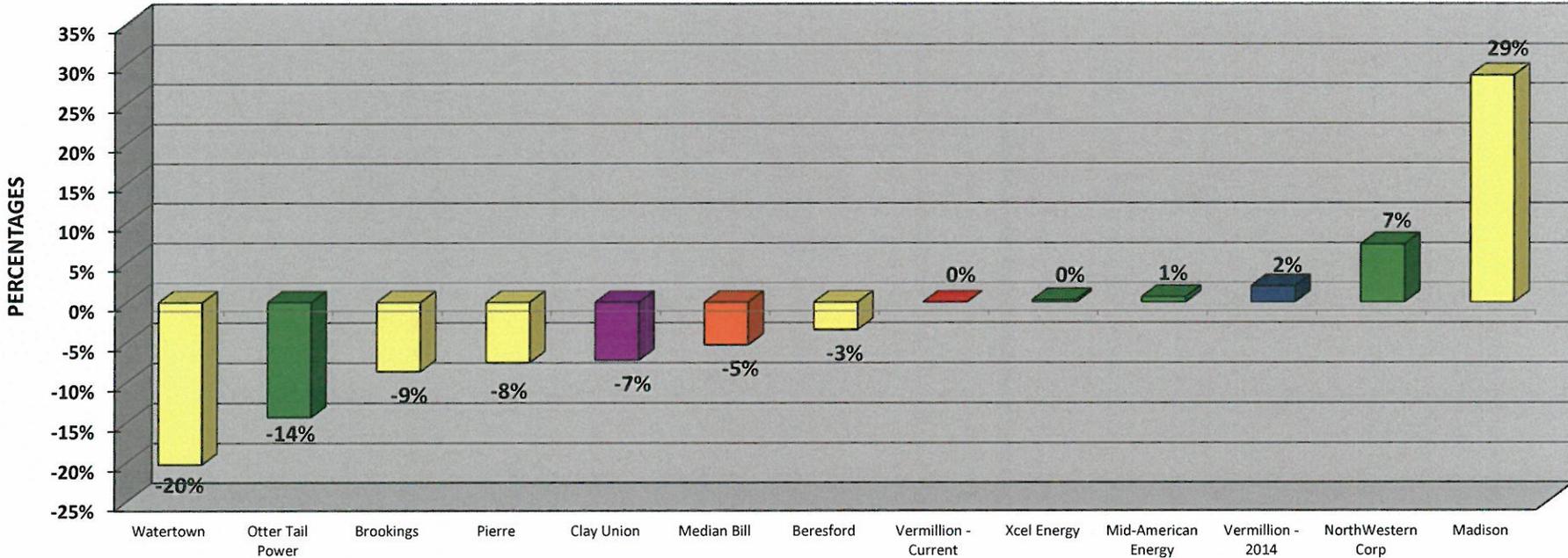
PERCENTAGE DIFFERENCE FROM VERMILLION'S BILL



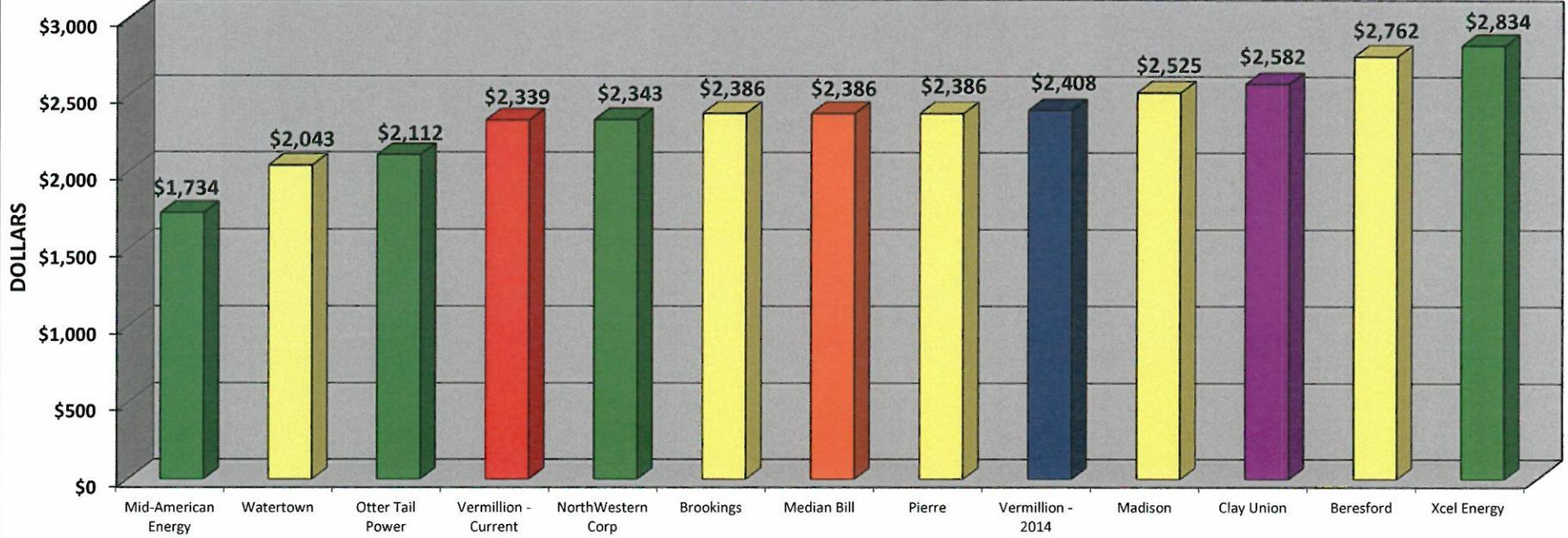
COMPARISON OF MONTHLY SMALL COMMERCIAL BILLS - 2,500 KWH



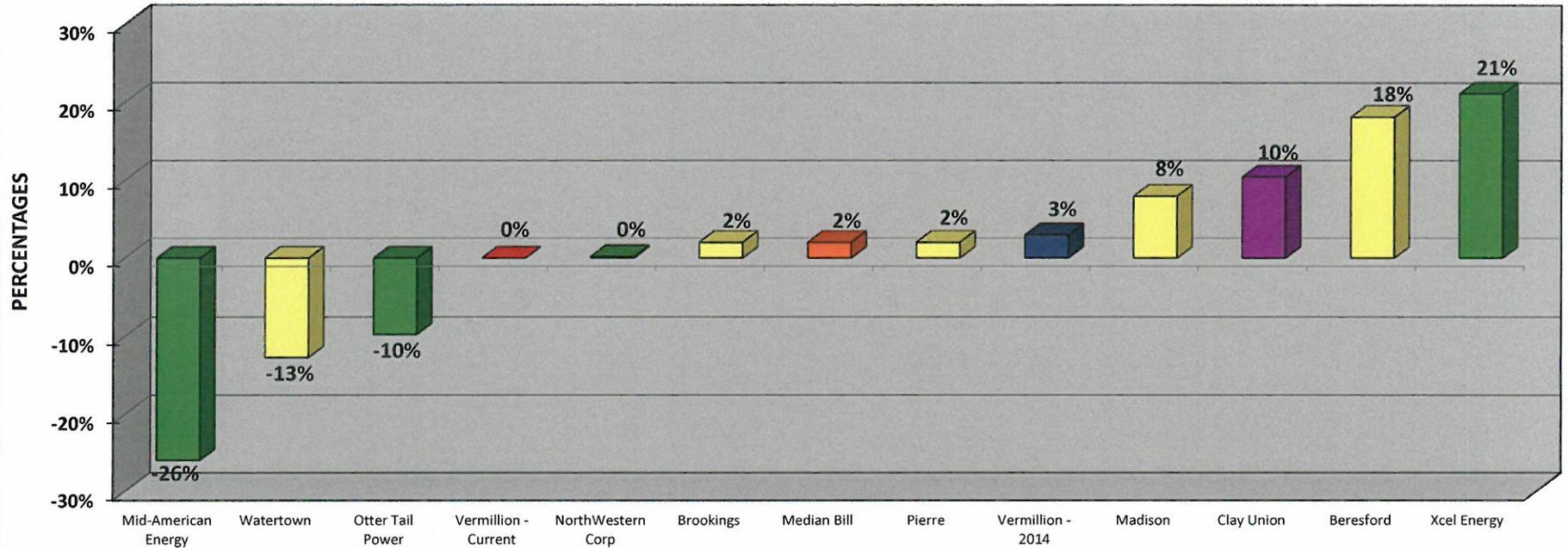
PERCENTAGE DIFFERENCE FROM VERMILLION'S BILL



COMPARISON OF MONTHLY LARGE COMMERCIAL BILLS - 34,510 KWH, 55% Load Factor



PERCENTAGE DIFFERENCE FROM VERMILLION'S BILL



**RESOLUTION
REVISING ELECTRICAL RATES**

WHEREAS, Chapter 51 of the 2008 Revised Ordinances of the City of Vermillion allows the City Council to establish and change electrical rates; and

WHEREAS, the City of Vermillion Light & Power utility receives a fixed power allotment of power from the Western Area Power Administration and the remaining power allotment is from Missouri River Energy Services, our supplemental power supplier; and

WHEREAS, our supplemental power supplier has raised the cost of supplemental power due to increased purchase of power and operating costs; and

WHEREAS, to recover the increased power costs a rate adjustment of 2.2% is included in the service rates listed below to be effective for electric billing after February 15, 2014.

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 6th day of January, 2014, that rates be changed or established as follows:

Sec. 51.22 Residential Service Rates.

For billing made after February 15, 2014 seasonal residential rates will be:
Rate: All KWH per month per KWH at ~~8.7~~ 8.9 cents for October –June billing
and at ~~9.2~~ 9.4 cents for July – September billing.
The rate includes a surcharge fee per KWH at .011 cents as defined below
Customer charge: \$9.00 per month

Sec. 51.23 Small Commercial Power Secondary Service Rate.

For billing made after February 15, 2014 seasonal small commercial secondary rates will be:
Rate: All KWH per month per KWH at ~~9.4~~ 9.3 cents for October – June billing
and at ~~9.6~~ 9.8 cents for July – September billing.
The rate includes a surcharge fee per KWH at .011 cents as defined below
Customer charge: \$15.00 per month for single phase services and \$25.00 per month for three phase services.

Sec. 51.24 Large Commercial Power Secondary Service Rate.

For billing made after February 15, 2014 seasonal large commercial secondary service rates will be:
Rate: All KWH per month per KWH at ~~3.7~~ 3.9 cents.

Maximum KW demand at \$11.30 per KW for October – June billing and at \$13.30 per KW for July – September billing.

The rate includes a surcharge fee per KWH at .011 cents as defined below

Customer charge: \$33.00 per month.

Sec. 51.27 City Street Lighting.

For billing made after February 15, 2014 city street lighting service rates will be:

Rate: All KWH per month per KWH at ~~12~~ 12.2 cents.

The rate includes a surcharge fee per KWH at .011 cents as defined below

Surcharge Fee:

There is hereby established and imposed, pursuant to the authority of SDCL 9-40, a surcharge upon the electric service served by the City of Vermillion electric utility. The surcharge shall apply to all classes of electric customers listed above. The surcharge is a special charge for the use of the electric system improvements financed with the proceeds of the City's 2009 Electric Revenue Bonds, and is pledged for the payment of the costs of operating and maintaining said improvements, and the debt service and other charges as may become due and owing on the 2009 Electric Revenue Bonds. The City hereby finds that the said improvements benefit all customers of its electric System and therefore imposes the surcharge fees on each customer of its System. The surcharge shall at all times be sufficient to produce net revenues for each fiscal year at least equal to one hundred twenty (125) percent of the principal and interest on the bonds coming due in such fiscal year. The charges shall be reviewed annually by city personnel and administratively adjusted, upwards or downwards, pursuant to SDCL 9-40-15.1 and 9-40-15 to such amounts as may be necessary to pay principal, interest and other charges as may become due and owing on the bonds. The surcharge fee per monthly billing shall be as follows:

For billing made after February 15, 2014 the surcharge fee shall be .011 cents per KWH.

The Surcharge may be combined with the electric KWH charge on the monthly billing for ease of reporting.

Dated at Vermillion, South Dakota this 6th day of January, 2014.

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: Jose Dominguez, City Engineer

Meeting: January 6, 2014

Subject: Resolution Annexing Lot V of Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota and Waage Tract 2 in Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota.

Presenter: Jose Dominguez

Background: The land proposed to be annexed is along the south side of Burbank Road east of South University Street. Currently the City has a pump station (pump station 1) within Lot V and Waage Tract 2. Both of these tracts of land have been platted (Lot V in 1965 and Waage Tract 2 in 2006).

Discussion: State Law gives municipalities the ability to extend boundaries:

9-4-1. Annexation of territory on petition by voters and landowners. The governing body of a municipality, upon receipt of a written petition describing the boundaries of any territory contiguous to that municipality sought to be annexed to that municipality, may by resolution include such territory or any part thereof within such municipality if the petition is signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be annexed to the municipality.

The owner has submitted their petition to annex the above mentioned lots into municipal boundaries. The intent of the owner is to have a significant municipal asset, the main lift, and associated property which may be used for potential future municipal infrastructure in the city limits. The land will enter City limits zoned NRC, Natural Resource Conservation, which is the most restrictive classification and allows farming operations within the City.

Financial Consideration: This annexation will not increase the tax base of the City since the owner of the land is the City.

Conclusion/Recommendations: Administration recommends approving the resolution to annex lot V of Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota and Waage Tract 2 in Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota.

**RESOLUTION ANNEXING CERTAIN CONTIGUOUS
TERRITORY TO THE CITY OF VERMILLION,
CLAY COUNTY, SOUTH DAKOTA**

WHEREAS, there has been presented to the Governing Body of the City of Vermillion, and filed with the City Finance Officer, a petition to annex contiguous territory into the corporate limits of the City of Vermillion; and

WHEREAS, said petition was signed by the owners of Lot V of Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota and Waage Tract 2 in Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota and represent that there are no registered voters residing within the boundaries of the territory to be annexed; and

WHEREAS, such annexation is provided for in SDCL 9-4-1 upon resolution of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vermillion that the following territory be described as:

**LOT V OF GOVERNMENT LOT 3, 19-T92N-R51E, 5TH P.M., CLAY COUNTY,
SOUTH DAKOTA AND WAAGE TRACT 2 IN GOVERNMENT LOT 3, 19-T92N-
R51E, 5TH P.M., CLAY COUNTY, SOUTH DAKOTA.**

is hereby included within the corporate limits of the City of Vermillion and the boundary of the City of Vermillion is hereby extended to include such territory.

Dated at Vermillion, South Dakota this 6th day of January, 2014.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Approved: January 6, 2014
Publish: January 17, 2014
Effective: February 11, 2014

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: January 6, 2014

Subject: Authorization to Notify Electric Cooperative of Intent to Serve Annexed Area (Lot V of Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota and Waage Tract 2 in Government Lot 3, 19-T92N-R51E, 5th P.M., Clay County, South Dakota).

Presenter: Jose Dominguez

Background: The purpose of this authorization is to notify Clay Union Electric Corporation (Clay Union) of our intent to provide Lot V of Government Lot 3, 19-T92N-R51E and Waage Tract 2 in Government Lot 3, 19-T92N-R51E with electric service once it is annexed into City limits. This coincides with the previous agenda item to annex these two parcels into the City. The land is located south of Burbank Road east of South University Street. Currently, the City has a lift station on the property and is the sole owner of the two properties involved with the request. The intent of the owner is to have a significant municipal asset, the main lift, and associated property which may be used for potential future municipal infrastructure in the city limits.

By State law, if the City does not notify a rural electric cooperative within one year of annexation of its intent to serve the annexed area, the annexed area shall continue to be served by the rural electric cooperative.

Discussion: The City has typically elected to serve all annexed areas since a 1992 State law changed the notification time to one year from annexation. The City is not aware of any Clay Union customers in the annexed area, so lost revenue payments would not start until a City electric customer service is established in the area during the next eleven years. The City would only be responsible to make lost revenue payments for a maximum of seven years.

Financial Consideration: None at this time. Should a City service be established in the highlighted territory during the next eleven years, lost revenue payments may be needed for a maximum of seven years.

Conclusion/Recommendations: Administration recommends the City elect to serve the annexed area and approve the attached Notice of Intent to Purchase Electric Utility Properties in Annexed Areas.

**NOTICE OF INTENT TO PURCHASE
ELECTRIC UTILITY PROPERTIES
IN ANNEXED AREAS**

TO CLAY UNION ELECTRIC CORPORATION, A RURAL ELECTRIC COOPERATIVE,
VERMILLION, SOUTH DAKOTA:

Pursuant to SDCL 49-34A-49, the City of Vermillion (the City), a municipal corporation, which operates an electrical utility, hereby notifies Clay Union Electric Corporation (Clay Union), a rural electric cooperative, that the City intends to exercise its statutorily conferred rights to serve electrical energy to customers in areas, which are hereinafter more particularly described and which were annexed to the City on the date hereinafter mentioned, to-wit:

LOT V OF GOVERNMENT LOT 3, 19-T92N-R51E, 5TH P.M., CLAY COUNTY, SOUTH
DAKOTA AND WAAGE TRACT 2 IN GOVERNMENT LOT 3, 19-T92N-R51E, 5TH P.M.,
CLAY COUNTY, SOUTH DAKOTA

Annexed on January 6, 2014.

The above described area is currently in the Clay Union service area. Said service areas are also described graphically on maps of the City of Vermillion, copies of which are attached hereto and served herewith.

The City further notifies Clay Union that the City is not aware of any Clay Union distribution properties being located within the hereinabove described property. The City offers to pay, as compensation for service rights, an annual amount equal to the sum of twenty-five (25%) percent of the gross revenues received from power sales to consumers of electric power within the annexed area. The obligation of the City to compensate Clay Union for service rights shall continue for eleven (11) years from the date of the offer to purchase by the City. During the eleven (11) year period, compensation for service rights to any one customer location within the annexed area shall be paid by the City for a period of seven (7) years, or until the expiration of the eleven (11) year period, whichever is less. Gross revenues received shall be determined by applying the rate in effect by the City at the time of purchase.

In the event the City and Clay Union are unable to agree as to the amount to be paid, the City will apply to the Public Utilities Commission of the State of South Dakota, requesting the Commission, after notice and hearing, to determine the amount of the payment in accordance with SDCL 49-34A-50.

Dated at Vermillion, South Dakota this 6th day of January, 2014.

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: January 6, 2014

Subject: Combined Election Agreement

Presenter: Mike Carlson

Background: The City Council, by ordinance, sets an election date to correspond with the June primary, thus, providing for a combined election and a better voter turnout. The City ordinance is as follows:

§ 30.02 CITY ELECTIONS.

The city election shall be held on the first Tuesday in June and combined with the primary and school board elections if applicable.

Discussion: State Statute provides for combining elections and encourages entities to enter into agreements as to the duties and responsibilities of each. Previously, we entered into a joint election agreement with the County to combine the City election with the primary election. The cost two years ago was \$2,500 and County Auditor, Carri Crum, has proposed the following agreement with a \$100 cost increase for 2014. If the City were to hold its own election using the county equipment, the cost would be considerably higher due to the programming of the equipment and ordering ballots. The cost for the electric transmission line referendum in January 2009 where paper ballots were used was \$2,868. Attached is the proposed combined election agreement for 2014. Combining the City election with the County should increase voter turnout.

Financial Consideration: The combined election would cost the City \$2,600, which is less than conducting a separate election. We have noted a better voter turnout with combined elections since residents only need to go to the polls once to vote in the primary, school and city contests.

Conclusion/Recommendations: Administration recommends that the City Council authorize the Mayor to sign the Combined Election Agreement for the June 2014 municipal election.

Additional Information on Circulating Petitions: Municipal nominating petitions can be circulated starting March 1, 2014 and must be filed in the City Finance Office by 5:00 p.m. on March 25, 2014.

COMBINED ELECTION AGREEMENT-2014

This agreement is entered into between Clay County, Vermillion School District and the City of Vermillion; political subdivisions of the State of South Dakota, for the purpose of conducting a combined election as provided under the provisions of SDCL 9-13-37 and 12-2-5.

EFFECTIVE DATE: This agreement shall become effective on the date that all parties have signed the agreement.

PURPOSE: It is the purpose of this agreement for the parties to conduct their individually required election in one combined election. The combined elections will be held on June 3, 2014. Elections are being combined to save tax dollars on the cost of individually conducted elections and to encourage a better voter turnout for all entities.

COST SHARING: The parties to this agreement shall share the costs of the combined election as set forth herein.

The City of Vermillion & Vermillion School District shall publish their respective Notice of Vacancy for positions to be filled.

The City Finance Officer will be responsible for the petition process for municipal election candidates and will certify the names of the candidates to be listed on the ballot to the County Auditor by 5:00 P.M. on March 27, 2014.

The Vermillion School District Business Manager will be responsible for the petition process for school election candidates and will certify the names of the candidates to be listed on the ballot to the County Auditor by 5:00 P.M. on March 27, 2014.

The cost for a combined election will be \$2,600 for the City of Vermillion and \$1,100 for the Vermillion School District. These costs include joint legal notices, election worker salaries, election materials such as ballots, poll books, programming costs and all other related expenses.

If the City of Vermillion or Vermillion School District are not required to have an election, the only cost to be paid by the city/school will be the Notice of Vacancy publication.

Clay County will pay all costs associated with the election and the City and School agree to reimburse the County for its share of the costs as determined in this agreement. If the County does not have an election, the City of Vermillion & Vermillion School District will be allowed the use of the county election equipment at no cost.

ABSENTEE BALLOTS: Absentee ballots shall be available at the office of the county auditor for voters who wish to vote absentee.

CANVASSING OF THE VOTE: Each entity shall canvass the votes of their election at the next meeting following the election or by June 9th, whichever comes first. Poll books will be opened by the County Canvassing Board, canvassed, resealed and passed on to the city and then the school. Poll books will be returned to County Auditor when the City & School has completed their canvass.

The Clay County Auditor, School Business Manager and the City Finance Officer are hereby empowered and directed to cooperate in any manner that will accomplish the purpose and intent of this agreement in order to facilitate this election in the most efficient and economical manner.

ATTEST:

Carri R. Crum, Clay County Auditor
Date: _____

Raymond Passick, Chairman
Clay County Commissioners

Michael D. Carlson, Finance Officer
Date: _____

John E. (Jack) Powell, Mayor
City of Vermillion

Sheila Beermann, Business Manager
Date: _____

Chris Esping, President
Vermillion School District

Council Agenda Memo

From: John Prescott, City Manager

Meeting: January 6, 2014

Subject: 2014 Payroll Resolution

Presenter: John Prescott

Background: State statute requires the publication of the complete list of all salaries of officers and employees of the City. The City of Vermillion has traditionally passed a resolution at the start of each budget year adopting the salaries, which is then included in the meeting minutes. Other changes in salary or new employees during the course of the budget year are included with City Council minutes as the personnel actions take place. The state law is as follows:

6-1-10. Publication of payroll information. Notwithstanding the provisions of §§7-18-3, 9- 18-1, and 13-8-35, the boards of county commissioners, the governing board of each municipal corporation, and school boards shall publish, with the minutes of the first meeting following the beginning of the fiscal year, or within thirty days thereafter, or in the minutes of the first meeting following the completion of salary negotiations with employees for that fiscal year, or within thirty days thereafter, a complete list of all the salaries of all officers and employees and, thereafter, shall publish once any salary paid to any officer or employee who has been added or whose salary has been increased.

Discussion: Three-year agreements were negotiated during 2012 with both the AFSCME and Teamsters unions. Both union agreements were effective January 1, 2013 and provide a 2.25% cost of living pay adjustment for calendar year 2014. The attached resolution also provides for a 2.25% increase for non-union, professional, and management employees. During the September budget sessions, the City Council took action to adjust the Mayor and City Council salaries for 2014 by the same cost of living adjustments provided to other city employees.

Financial Consideration: The 2014 budget includes sufficient funding to cover the wage rates reflected in the salary resolution.

Conclusion/Recommendations: Administration recommends the City Council approve the resolution and authorize the publication thereof as required by law.

**CITY OF VERMILLION
2014 PAYROLL RESOLUTION**

WHEREAS, effective and responsive delivery of City services is dependent upon the employment of a highly competent and motivated workforce; and

WHEREAS, the City of Vermillion, as an employer, makes periodic adjustments to wages and compensation for inflation and in comparison to other municipal employers; and

WHEREAS, the City of Vermillion has previously approved a collective bargaining agreement with AFSCME Local 1052 covering the calendar year 2014 that includes a 2.25% increase to the wages of employees covered by AFSCME; and

WHEREAS, the City of Vermillion has previously approved a collective bargaining agreement with General Drivers & Helpers Local 120 (Teamsters) covering the calendar year 2014 that includes a 2.25% increase to the wages of Police and Emergency Communications employees; and

WHEREAS, the City of Vermillion desires to increase wages and salaries for management, professional, and non-union employees by 2.25% on January 1, 2014.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion hereby approves and adopts the following wage rates for the calendar year 2014.

BI-WEEKLY SALARIES:

Mayor/City Council: John Powell/\$399.40; Tom Davies/\$231.23; Kelsey Collier-Wise/\$231.23; John Grayson/\$231.23; Clarene Meins/\$231.23; Kent Osborne/\$231.23; Dennis Zimmerman/\$231.23; Steve Ward/\$231.23; Howard Willson/\$231.23; **General Government:** John Prescott/\$4,484.80; Andrew Colvin/\$2,154.40; **Code Enforcement:** Farrel Christensen/\$2,081.60; **Communications:** Ryan Anderson/\$1,881.60; **Engineering:** Jose Dominguez/\$2,845.60; Jason Anderson/\$1,860.80; **Finance:** Mike Carlson/\$3,637.60; **Fire/Rescue:** Richard Draper/\$2,389.60 **Library:** Jane Larson/\$2,377.60 **Light and Power:** Mark Koller/\$3,068.80; **Parks and Recreation:** James Goblirsch/\$2,461.60; Aaron Baedke/\$1,520.00; Ryan Baedke/\$1,476.00; Kirk Hogen; \$2,276.00; **Police:** Matthew Betzen/\$3,077.60; Chad Passick/\$2,691.20; Crystal Brady/\$2,094.40; Luke Trowbridge/\$1,931.30; **Solid Waste:** Robert Iverson/\$ 2,319.20; **Street:** Pete Jahn/\$ 2,230.40; **Wastewater:** Paul Brunick/\$ 2,489.60; **Water:** Randy Isaacson/\$ 2,353.60

HOURLY WAGES:

Ambulance: Lisa Wood (EMT)/\$8.00/hr; \$30.60/1st; \$17.34/2nd; \$9.00 FTO; Lisa Wood (Quality Specialist)/\$15.00/hr; Merritt Groh/\$8.00/hr; \$6.00/1st; \$6.00/2nd; \$9.00/hr FTO; Michael Wildermuth/\$8.00/hr; \$37.89/1st; \$23.81/2nd; \$9.00/FTO; Valerie Hower/\$8.00/hr; \$3.14/1st; \$23.35/2nd; \$9.00/FTO; Anthony Klunder/\$8.00/hr; \$36.41/1st; \$22.89/2nd; \$9.00/FTO; Brandon Hansen/\$8.00/hr; \$36.41/1st; \$22.89/2nd; \$9.00/FTO; Mandy

Reed/\$8.00/hr; \$36.41/1st; \$22.89/2nd; \$9.00/FTO; Joe Kyte/\$8.00/hr; \$32.47/1st; \$18.40/2nd; Joe Kyte (Interim)/\$12.00/hr; Robin Hower/\$8.00/hr; \$31.84/1st; \$18.04/2nd; \$9.00/FTO; Patrick Farrens/\$8.00/hr; \$6.00/1st; \$6.00/2nd; Neil Melby/\$8.00/hr; \$30.60/1st; \$17.34/2nd; \$9.00/hr FTO; Layne Stewart/\$8.00/hr; \$6.00/1st; \$6.00/2nd; Michael Wager/\$8.00/hr; \$30.60/1st; \$17.34/2nd; Dominick Santa Maria/\$8.00/hr; \$35.70/1st; \$22.40/2nd; Dominick Santa Maria (Operations Interim)/\$15.00/hr; Alexander Sherlock/\$8.00/hr; \$35.70/1st; \$22.40/2nd; Cody Jansen/\$8.00/hr; \$6.00/1st; \$6.00/2nd; Nicholas Ashley/\$8.00/hr; \$30.00/1st; \$17.00/2nd; Nicole Gulley/\$8.00/hr; \$30.00/1st; \$17.00/2nd; Calle Sorensen/\$8.00/hr; \$30.00/1st; \$17.00/2nd; Ryun Fischbach/\$8.00/hr; \$6.00/1st; \$6.00/2nd; Laura Wiemers/\$8.00/hr; \$30.00/1st; \$17.00/2nd; Ashley Brunick/\$8.00/hr; \$6.00/1st; \$6.00/2nd; Tenelle Choal/\$8.00/hr; \$6.00/1st; \$6.00/2nd; Luke Crance/\$8.00/hr; \$6.00/1st; \$6.00/2nd; Jordyn Larson/\$8.00/hr; \$32.47/1st; \$18.40/2nd; Jordana Neeman/\$8.00/hr; \$30.00/1st; \$17.00/2nd; Tara Rohan/\$8.00/hr; \$30.00/1st; \$17.00/2nd; Eric Rupe /\$8.00/hr; \$6.00/1st; \$6.00/2nd; Abby Wolf/\$8.00/hr; \$30.00/1st; \$17.00/2nd. **Code Enforcement:** Jim Balleweg/\$18.63; Eric Birkeland/\$15.90. **Custodial:** Karl Bottessini/\$14.18; Ron Maher/\$11.34; Zibeon Samudzi/\$10.50. **Electric:** Rodney Tieman/\$31.89; Monty Munkvold/\$29.97; Mike Wensel/\$29.97; Chad Christopherson/\$29.48; Todd Halverson/\$29.48; Travis Tarr/\$29.48; Austin Anderson/\$29.48; Phil Wiebelhaus/\$21.19; Karen Harris/\$18.71; Terry Johnson/\$0.25/Meter; Doug Brunick/\$0.25/Meter. **Engineering:** Todd Nordyke/\$18.09; Travis VanBeek/\$19.56; Harold Holoch/\$20.00; **Finance:** Michelle Eidem/\$24.64; Sherry Howe/\$22.90; Vicki Fader/\$16.39; Lisa Terwilliger/\$12.48; Janis Johnson/\$14.64. **General Government** Angie Madsen/\$13.97; **Library:** Wendy Nilson/\$18.55; Joyce Moore/\$18.23; Michelle Koller/\$17.37; Misi Kayl/\$15.31 Linda Calleja/\$14.22; Michael Stark/\$11.34; Patricia Roberts-Pizzuto/\$10.77; Samantha Riley/\$7.25-Work Study; Jamie Nooney/\$7.25-Work Study; Kristofer Basham/\$7.25-Work Study; Dawna Ofstehage/\$7.54-Work Study. **Parks & Recreation/Golf:** Mark Clark/\$27.22; Russell Jensen/\$18.18; Brian Nelson/\$14.92; Tyler Tregaser/\$14.92; Jessica Kennedy/\$15.95; Dennis Chandler/\$12.36; Zach Helland/\$7.50; Kirsten Schwasinger/\$7.50; Erik Ustad/\$8.25; Jacob Ford/\$8.00; Nick Heitkamp/\$8.00; Katie Herrera/\$7.75; Kendall Kristenbrink/\$8.00; Victoria Kroll/\$8.00; Ryan Kost/\$8.25; Bailey Lupardis/\$8.25; Alexa Mockler/\$7.75; Abby Ouellette/\$8.25; Ryan Sevening/\$8.75; Tyler Williamson/\$8.00; Megan Olson/\$8.25; Paige Olson/\$7.50. **Police:** Janna Mollet/\$19.76; Ryan Hough/\$28.26; Robin Hower/\$25.38; Randy Crum/\$23.37; Ben Nelsen/\$24.66; Jonathan Warner/\$23.37; Jacy Nelsen/\$23.37; Bryan Beringer/\$21.12; Anthoney Klunder/\$21.12; Chet Moser/\$18.49; Isaac Voss/\$19.62; Andrew Delgado/\$18.49; Jessica Wade/\$18.49; Jonathan Cole/\$20.11; Mark Foley/\$19.62; Joe Ostrem/\$18.49; Cindy Carrington/\$13.17; Vicki Eilts/\$14.00; Voss/\$18.54; Jonathan Cole/\$19.19. **Solid Waste:** Daniel Goeden/\$18.72; Mark Milbrodt/\$17.86; Timothy Taggart/\$19.53; Barry Braaten/\$16.72; Jim Zimmerman/\$17.51; Todd Moe/\$16.17; Dan Hanson/\$15.44; Calle Sorensen/\$14.75; Joseph Ensminger/\$14.92; Brian Hansen/\$14.44 **Street:** Ernie Halverson/\$21.65; Bradley Swee/\$21.14; Jeffrey Mart/\$18.87; Mike Taggart/\$18.87; Chris Nissen/\$16.84; Duane Fulk/\$16.11; Rich Walker/\$9.75; **Telecommunications:** David Stammer/\$20.31; Liv West/\$20.31; Marsha McKinney/\$20.31; Wendy Carroll/\$18.05; Jessica Standley/\$16.70; Derek Ronning/\$14.85; Tenelle Choal/\$ 14.28. **Wastewater:** Fred Balleweg/\$24.11; John Walker/\$20.74; Michael Heine/\$19.07; Cory Moore/\$17.84; Rob Pickens/\$16.49. **Water:** Tom Kruse/\$24.11; Allen Clark/\$20.74; Wade Mount/\$20.74; Curtis Haakinson/\$19.98; Dale Husby/\$18.24; Shane Griese/\$18.24; Tyler Zimmerman/\$ 16.16. **Volunteer Firefighters:** Karl Brewer; Nick Ashley; Emily Brigham; Ray Decker; Meghan Dennis; Patrick Farrens; Ryun Fischbach; Nicole Gulley; Brandon Hansen;

Tony Klunder; Curtis Mincks; Cody Merrigan; Cory Moore; Ben Murra; Minh Pham; Dominick Santa Maria; Keven Sarekhani; Bill Sperry; Layne Stewart; Keith Thompson; Brian Waage; Ryan Bland; Kellen Cusick; Pete Jahn; Austin Martensen; Scott Martinsen; Mathew Moore; Chris Puckett; Tony Rydstrom; Calle Sorensen; Chuck Taggart; Cory Taggart; Matt Taggart; Mark Taggart; Brad Waage; John Walker; Rich Walker; Tyler Zimmerman **Associate Firefighters:** Bob Frank; Don Forseth; Joe Reedy; Clyde Watts; Mike Chaney; Dean Hansen; Wade Mount; Todd Halverson; Dick Brown; Travis Schroeder; Rick Steenholdt; Clarence Voudry. **Planning Commission:** Matthew Fairholm/\$15.00/Meeting; Don Forseth/\$15.00/Meeting; Steve Howe/\$15.00/Meeting; Robert Iverson/\$15.00/Meeting; Mike Manning/\$15.00/Meeting; Ted Muenster/\$15.00/Meeting; Richard Holland/\$15.00/Meeting; Debra Gruhn/\$15.00/Meeting; Douglas Tuve/\$15.00/Meeting. **Library Board:** Cyndy Chaney/\$15.00/Meeting; Jon Flanagan/\$15.00/Meeting; Carl Gutzman/\$15.00/Meeting; Janet Hoff/\$15.00/Meeting; Fern Kaufman/\$15.00/Meeting.

PROVIDED, HOWEVER, the City Manager may make wage increases for the completion of education requirements, for passing certification tests, for fulfillment of job requirements set at the date of employment, and the City Manager may make meritorious wage increases for Department Heads within the budgetary appropriation of the respective departments.

Dated at Vermillion, South Dakota this 6th day of January 2014.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

CITY OF VERMILLION
 INVOICES PAYABLE-JANUARY 6, 2014

1 UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	20.00
2 3D SPECIALTIES INC	SUPPLIES	5,061.47
3 5 STAR COMMUNICATIONS, INC	ADVERTISING	106.00
4 ALPHA MEDICAL EQUIPMENT, INC	SUPPLIES	48.95
5 AMSAN	SUPPLIES	690.57
6 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	350.83
7 ARCMATE MANUFACTURING CORP	SUPPLIES	164.99
8 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	48.00
9 AUDIO EDITIONS	BOOKS	8.00
10 AVERA QUEEN OF PEACE HEALTH	TESTING	209.70
11 BAKER & TAYLOR BOOKS	BOOKS	513.72
12 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	8,631.00
13 BARNES DISTRIBUTION	SUPPLIES	45.56
14 BATTERIES PLUS	BATTERIES	62.95
15 BEST WESTERN VERMILLION INN	LODGING	93.00
16 BIRSCHBACH EQPT & SUPPLY	PARTS	949.95
17 BLACKBURN MANUFACTURING CO	SUPPLIES	157.56
18 BLACKSTONE AUDIO INC	BOOKS	150.00
19 BLAZE PUBLICATIONS, INC	ADVERTISING	75.75
20 BORDER STATES ELEC SUPPLY	SUPPLIES	229.54
21 BOUND TREE MEDICAL, LLC	SUPPLIES	356.19
22 BROCK WHITE CO	CONCRETE COLD PATCH	101.00
23 BROWN & SAENGER	WORK STATION CHAIR	783.64
24 BRUNICKS SERVICE INC	FUEL/PROPANE	4,640.04
25 BUTCH'S PROPANE INC	PROPANE	4,159.98
26 BUTLER MACHINERY CO.	MOTOR GRADER/PARTS	264,044.10
27 CAM COMMERCE	PROFESSIONAL SERVICES	120.00
28 CAMPBELL SUPPLY	SUPPLIES	1,135.20
29 CANNON TECHNOLOGIES, INC	SUPPORT	900.00
30 CASK & CORK	MERCHANDISE	1,801.49
31 CENTER POINT LARGE PRINT	BOOKS	26.08
32 CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
33 CENTURY BUSINESS PRODUCTS	COPIES	165.39
34 CENTURLINK	TELEPHONE	741.42
35 CHEMCO, INC	SUPPLIES	106.82
36 CHEMSEARCH	SUPPLIES	774.00
37 CITY OF VERMILLION	COPIES/POSTAGE	1,471.23
38 CITY OF VERMILLION	UTILITY BILLS	36,557.07
39 CLASSIC INDUSTRIAL SUPPLIES	SUPPLIES	172.00
40 CLAY RURAL WATER SYSTEM	WATER USAGE	42.20
41 CLAY-UNION ELECTRIC CORP	NEW BLDG ELEC SERVICE	1,503.97
42 COLONIAL LIFE ACC INS.	INSURANCE	2,918.96
43 COYOTE CHEMICAL COMPANY	REPAIRS	350.00

44 CUMMINS CENTRAL POWER, LLC	REPAIRS	111.60
45 CURT HAAKINSON	SAFETY GLASSES REIMBURSEMENT	150.00
46 D.P.M.S	POLICE EQUIPMENT	1,818.15
47 DAKOTA BEVERAGE	MERCHANDISE	10,514.49
48 DAKOTA PC WAREHOUSE	COMPUTERS/SUPPLIES	2,089.69
49 DAKOTA RIGGERS & TOOL SUPPLY	PARTS	1,850.51
50 DANIELS RESIDENTIAL INC	BALER BUILDING	218,925.00
51 DANKO EMERGENCY EQUIPMENT	SUPPLIES	2,214.93
52 DAVE FEDDERSON	REPAIRS	165.00
53 DAVIS PHARMACY	SUPPLIES	129.00
54 DEAR READER.COM	SUBSCRIPTION	300.00
55 DELTA DENTAL PLAN	INSURANCE	6,301.56
56 DELUXE ADVERTISING	CALENDARS	332.11
57 DEMCO	SUPPLIES	1,602.66
58 DENNIS MARTENS	MAINTENANCE	833.34
59 DEPT OF REVENUE	TESTING	390.00
60 DGR ENGINEERING	PROFESSIONAL SERVICES	16,574.49
61 DISPLAY SALES COMPANY	SUPPLIES	15.00
62 DUST TEX	SUPPLIES	80.00
63 EBERLE DESIGN INC	PROFESSIONAL SERVICES	178.00
64 ECHO ELECTRIC SUPPLY	SUPPLIES	5,866.22
65 ELECTRIC PUMP, INC	PARTS	964.12
66 EMBROIDERY & SCREEN WORKS	UNIFORM SHIRTS	294.72
67 ENGINEERSUPPLY.COM	SUPPLIES	112.24
68 FARMER BROTHERS CO.	SUPPLIES	54.28
69 FAST AUTO GLASS	REPAIRS	582.30
70 FASTENAL COMPANY	SUPPLIES	18.44
71 FEDEX.	SHIPPING	44.67
72 FIRST NATIONAL BANK	TRUSTEE FEE	2,000.00
73 FLINT TRADING INC	PAVEMENT MARKING SUPPLIES	10,126.34
74 FOREMAN MEDIA	COUNCIL MTG	100.00
75 GALE	BOOKS	290.34
76 GAYLORD BROS INC	SUPPLIES	36.13
77 GEOTEK ENGINEERING	TESTING	606.00
78 GRAHAM TIRE CO.	TIRES	1,185.72
79 GRAYMONT CAPITAL INC	SUPPLIES	7,564.00
80 GREGG PETERS	FREIGHT	1,865.50
81 GREGG PETERS	RENT	937.50
82 GREY HOUSE PUBLISHING	BOOKS	459.50
83 HAWKINS INC	CHEMICALS	953.53
84 HD SUPPLY WATERWORKS	SUPPLIES	11,220.62
85 HELMS & ASSOCIATES	AIRPORT TAXIWAY	2,114.72
86 HERREN-SCHEMPP BUILDING	SUPPLIES	919.44
87 HILLYARD FLOOR CARE SUPPLY	SUPPLIES	119.44
88 HUMBOLDT MFG. CO	CONCRETE TEST HAMMER	810.08
89 HY VEE FOOD STORE	SUPPLIES	98.66
90 INDEPENDENCE WASTE	WASTE HAULING	902.25

91 INGRAM	BOOKS	3,701.67
92 INTERSTATE ALL BATTERY CENTER	BATTERIES	333.60
93 INTERSTATE POWER SYSTEMS	REPAIRS	844.50
94 ISTATE TRUCK CENTER	PARTS	1,025.11
95 JACKS UNIFORM & EQPT	UNIFORM	1,621.90
96 JESSICA STANDLEY	GYM MEMBERSHIP REIMBURSEMENT	175.00
97 JOHN A CONKLING DIST.	MERCHANDISE	6,403.55
98 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	30,286.28
99 JOHNSTONE SUPPLY	PARTS	164.31
100 JOHNYS ELECTRIC	LOAD MGMT REIMBURSEMENTS	204.00
101 JOINT UTILITY TRAINING SCHOOL	REGISTRATION	800.00
102 JONES FOOD CENTER	SUPPLIES	395.59
103 KAIROI, INC	WINDOWS HOSTING/MAINTENANCE	275.00
104 KALINS INDOOR COMFORT	REPAIRS	475.35
105 KIRK HOGEN	GOLF EQUIPMENT REIMBURSEMENT	5,252.86
106 KOLETZKY IMPLEMENT	PARTS	1,316.16
107 LAWSON PRODUCTS INC	SUPPLIES	70.65
108 LAYNES WORLD	BANQUET AWARD PLAQUES	344.28
109 LEARNING OPPORTUNITIES, INC	BOOKS	85.88
110 LESSMAN ELEC. SUPPLY CO	SUPPLIES	263.20
111 LINCOLN MUTUAL LIFE	INSURANCE	454.07
112 LINDA CALLEJA	MILEAGE REIMBURSEMENT	62.90
113 LOCATORS AND SUPPLIES, INC	SUPPLIES	763.02
114 LSC ENVIRONMENTAL PRODUCTS	RENTAL FEE LANDFILL EQUIPMENT	2,389.45
115 MAGUIRE IRON, INC	WATER TOWER	54,468.40
116 MART AUTO BODY	TOWING	600.00
117 MARTY GILBERTSON	CHILLER/HEAT EXCHANGER	22,765.00
118 MATT PARROTT & SONS CO.	TAX FORMS	194.74
119 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	848.00
120 MEAD LUMBER	SUPPLIES	17.49
121 MEDICAL WASTE TRANSPORT	SUPPLIES	85.53
122 MERRICK INDUSTRIES	REPAIRS	3,043.63
123 MICHELLE KOLLER	MILEAGE REIMBURSEMENT	103.23
124 MIDAMERICAN	GAS USAGE	11,040.58
125 MIDWEST ALARM CO	ALARM MONITORING	141.75
126 MIDWEST BUILDING MAINTENANCE	MAT SERVICE	764.70
127 MIDWEST MEDICAL SUPPLY CO	SUPPLIES	72.59
128 MIDWEST READY MIX & EQUIPMENT	SUPPLIES	405.50
129 MILLS & MILLER, INC	DEICING SALT	4,657.19
130 MISSOURI VALLEY MAINTENANCE	REPAIRS	696.00
131 MOORE WELDING & MFG	SUPPLIES	277.30
132 MORSES FARM MARKET	SUPPLIES	40.00
133 McLAURY ENGINEERING	PROFESSIONAL SERVICES	970.00
134 NATIONAL ARBOR DAY FOUNDATION	MEMBERSHIP	10.00
135 NATIONAL FIRE PROTECTION ASSOC	MEMBERSHIP	165.00
136 NCL OF WISCONSIN, INC	SUPPLIES	179.87
137 NETSYS+	SYMANTEC ENDPOINT PROTECTION	5,155.19

138 NEW YORK LIFE	INSURANCE	94.02
139 NEWMAN TRAFFIC SIGNS	SUPPLIES	4,825.22
140 NORTHERN BALANCE & SCALE	PROFESSIONAL SERVICES	294.00
141 NORTHERN TRUCK EQPT CORP	PARTS	1,938.33
142 NORTHLAND CHEMICAL CORP	SUPPLIES	228.24
143 OFFICE SYSTEMS CO	COPIER CONTRACT	1,126.71
144 PCC, INC	COMMISSION	1,451.36
145 PDI NINTH HOUSE	ON LINE TRAINING	1,500.00
146 PITNEY BOWES	POSTAGE METER RENTAL	242.49
147 PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
148 PRAIRIE BERRY WINERY	MERCHANDISE	1,758.50
149 PRESSING MATTERS	SUPPLIES	277.00
150 PRESTO-X-COMPANY	INSPECTION/TREATMENT	97.26
151 PRINT SOURCE	SUPPLIES	105.22
152 PROGRESSIVE BUSINESS PUBLISHING	SUBSCRIPTION	94.56
153 PUMP N PAK	FUEL	1,862.29
154 QUALITY TELECOMMUNICATION	REPAIRS	350.23
155 QUILL	SUPPLIES	2,097.61
156 RACOM CORPORATION	MAINTENANCE CONTRACT	386.75
157 RADIANT HEAT, INC	HEATERS SERVICE CENTER	4,684.00
158 RANDOM HOUSE, INC	BOOKS	24.00
159 RANDY ISAACSON	SAFETY BOOTS REIMBURSEMENT	100.00
160 RANDY VOSS	PROFESSIONAL SERVICES	299.99
161 RECORDED BOOKS, INC	BOOKS	1,562.62
162 RECOVERY SYSTEMS CO, INC	SUPPLIES	15,375.00
163 REGENT BOOK CO.	BOOKS	13.82
164 RELIABLE TOWING & ROADSIDE	TOWING	125.00
165 REPUBLIC NATIONAL DIST.	MERCHANDISE	29,545.21
166 RICK ERICKSON	WATER HEATER REBATES	960.00
167 RONS ELECTRIC	INSTALL CONTROLLERS	50.00
168 RS HALSTEAD CORP	LEACHATE POND	246,883.38
169 RYAN HOUGH	MEALS REIMBURSEMENT	99.74
170 SANFORD USD MEDICAL CENTER	SUPPLIES	118.41
171 SANITATION PRODUCTS	PARTS	41.56
172 SCHOOL-TECH INC	REC SUPPLIES	346.84
173 SD ARBORISTS ASSOCIATION	REGISTRATION	238.00
174 SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	445.00
175 SD RETIREMENT SYSTEM	CONTRIBUTIONS	77,311.37
176 SD SECRETARY OF STATE	FILING FEE	30.00
177 SD STATE ARCHIVES	MICROFILM	28.80
178 SECOG	PROFESSIONAL SERVICES	3,000.00
179 SENSUS METERING SYSTEMS	REPAIRS	343.75
180 SERVALL TOWEL & LINEN	SHOP TOWELS	16.80
181 SIOUX FALLS TWO WAY RADIO	BATTERY	95.99
182 SIOUXLAND HUMANE SOCIETY	FEES	74.00
183 SIOUXLAND SCALE SERVICE	REPAIRS	386.54
184 SOOLAND BOBCAT	PARTS	37.02

185 STAN HOUSTON EQPT CO	SUPPLIES	672.50
186 STEFFEN	PARTS	129.37
187 STEWART OIL-TIRE CO	FUEL	438.57
188 STUART C. IRBY CO.	SUPPLIES	3,418.00
189 STURDEVANTS AUTO PARTS	SUPPLIES	663.63
190 THATCHER COMPANY	SODA ASH	6,837.60
191 THE EQUALIZER	ADVERTISING	78.00
192 THE WALKING BILLBOARD	UNIFORMS	412.80
193 TIM TAGGART	SAFETY GLASSES REIMBURSEMENT	47.00
194 TOM KRUSE	SAFETY BOOTS REIMBURSEMENT	100.00
195 TRI TECH SALES	PARTS	1,353.98
196 TRUE VALUE	SUPPLIES	345.17
197 UNITED PARCEL SERVICE	SHIPPING	13.54
198 UNITED WAY	CONTRIBUTIONS	335.20
199 USD MARKETING & U RELATION	SUPPLIES	761.95
200 VALIANT VINEYARDS	MERCHANDISE	714.00
201 VERIZON WIRELESS	CELL PHONES	529.76
202 VERMILLION ACE HARDWARE	SUPPLIES	558.69
203 VERMILLION AREA ARTS COUNCIL	CONTRIBUTION	5,000.00
204 VERMILLION CHAMBER OF COMMERCE	GRANT BLISS POINTE & WELDING	86,307.43
205 VERMILLION EVENTS CENTER	AWARDS BANQUET	1,000.00
206 VERMILLION FORD	PARTS	118.75
207 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	9,552.45
208 WAL-MART COMMUNITY	SUPPLIES	1,199.90
209 WALKER CONSTRUCTION	REPAIRS	3,157.43
210 WELFL CONSTRUCTION CO	INSTALL ELECTRONIC BILLBOARD	1,150.00
211 WESCO DISTRIBUTION, INC	SUPPLIES	1,677.95
212 WEST GROUP PAYMENT CENTER	SUBSCRIPTION	88.50
213 WITMER PUBLIC SAFETY GROUP	UNIFORMS	1,908.20
214 WOW! BUSINESS	911 CIRCUIT	1,365.50
215 YANKTON AUTOMOTIVE MACHINE	SUPPLIES	131.20
216 YANKTON FIRE & SAFETY	EXTINGUISHER RECHARGE	287.50
217 YANKTON JANITORIAL SUPPLY	SUPPLIES	314.31
218 ZEE MEDICAL SERVICE	SUPPLIES	90.75
219 TERRY JOHNSON	BRIGHT ENERGY REBATE	3.50
220 MARK KOLLER	BRIGHT ENERGY REBATE	150.00
221 DUANE BRUNICK	BRIGHT ENERGY REBATE	150.00
	GRAND TOTAL	1,352,629.91