



Special Meeting Agenda City Council

12:00 pm (noon) Special Meeting
Monday, July 2, 2012
Large Conference Room
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational session – Swimming Pool Project Update.**
3. **Briefing on the July 2, 2012 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
4. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, July 2, 2012

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. June 18, 2012 Special Session; June 18, 2012 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
6. **Old Business**
 - a. Second Reading of Ordinance 1282 - Repealing Section 51.32(F) relating to the removal of a fee charged to mobile home court owners upon installation of service.
7. **Presentation to Outgoing Council Member**
 - a. Proclamation of Appreciation for Jennifer French.
8. **Adjourn**

NEW CITY COUNCIL

1. **Installation of Alderman**
2. **Roll Call**
3. **Adoption of the Agenda**
4. **Election of Officers**
 - a. President
 - b. Vice President
5. **Appointment of Administrative Officers**
 - a. Finance Officer
 - b. City Attorney
6. **Other Appointments and Designations**
 - a. City Council Committees and Other Committee Assignments.
 - b. Official Newspaper.
 - c. Official Depositories.

- d. Consolidated Board of Equalization.
- e. Determination of Rules of Order.

7. Visitors To Be Heard

8. Public Hearings

- a. Special daily malt beverage and wine license for the Fraternal Order of Eagles on or about July 4, 2012 in Barstow Park.
- b. Retail on-off sale malt beverage license for Guo Fei Zheng for the Asian Buffet at 404 Bower Street.

9. Old Business

10. New Business

- a. Request to close Main Street from Bank of the West entrance to Prospect Street, one-half block south on Court Street, and one-half block north on Center Street from 4:00 pm to 8:00 pm on Wednesday, July 18, 2012 from 4:00 to 8:00 pm for the Tri-State Cruisers/Dakota Classic Cruisers.
- b. Request to close four (4) Main Street parking stalls in front of Hollywood Video on Thursday, July 26, 2012 from 7:00 am to 5:00 pm for a sidewalk sale.
- c. Ambulance billing agreement.
- d. Declaration of Surplus Property – North ½ of the vacated alley adjacent to Lots 8, 9 and 10, Block 12, Van Meters Addition to the City of Vermillion.
- e. Planning Commission appointments.
- f. Resolution authorizing prepayment of Special Assessment Bonds.
- g. Final plat of Lot 1, Block 1, Solomon’s Addition in the NE ¼ of the NE ¼ of 15-92-51.
- h. Final plat of Lot 3, Block 1, Park Avenue Addition to the City of Vermillion.
- i. Annexation of Lot 3, Block 1, Park Avenue Addition to the City of Vermillion.
- j. Funding Request from VCDC for Workforce Housing Analysis.

11. Bid Openings

- a. Fuel Quotes

12. City Managers Report

13. Invoices Payable

14. Consensus Agenda

15. Adjourn

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

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

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

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

unanimous consent from the Council. Questions from Council members, however, may be directed to staff or a member of the public through the presiding officer at any time.

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

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Vermillion City Council's Values and Vision

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



Unapproved Minutes
Council Special Session
June 18, 2012
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, June 18, 2012 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Present: Davies, French, Grayson, Meins, Osborne, Ward (arrived at 12:10 p.m.), Zimmerman, Mayor Powell

Absent: Willson

2. Informational Session - Ambulance Billing Proposal - Lee Huber

Lee Huber, Ambulance Director, reported that the ambulance service had been doing in-house billing by the ambulance director until 2009 when a part time billing specialist position was created due to call volume. This billing specialist position is very specialized and requires considerable training to remain current in all the coding requirements. Based upon the call volume, the transition to advanced life support (ALS) and change in billing code requirements, this position may need to be expanded. Lee noted that another option reviewed was third party billing whereby the Ambulance Department would submit the call reports to a company that does just ambulance billing. Lee stated that proposals were reviewed from three companies that provide ambulance billing and the recommendation is to contract with Physicians Claims Company, Inc. This company will complete the patient billing including applicable insurance filings and they will also assist us in the ALS transition. A toll free number is included on each statement for customer questions on the billing. Their charge is 8% of the revenues collected. They provide errors and omission insurance, have certified ambulance coding staff, provide for securely transmitted information and will assist with training for City staff. Lee noted that the disadvantages would be the elimination of the billing position and some digitizing equipment will need to be purchased to transmit the information.

Alderman Ward arrived 12:10 p.m.

Lee answered questions of the City Council on the Ambulance Service and the billing process along with the changes proposed. The consensus of the City Council was to proceed with the third party billing proposal by putting it on a future meeting agenda.

3. Informational Session - Hillside Community Church sidewalks - Pastor Jim Tieszen

Pastor Jim Tieszen, representing the Hillside Community Church, thanked the Council for allowing him time to meet with them. He stated that the Church wanted to be a good citizen but, as to putting in sidewalk along their parking lot that will remove trees and grass, he suggested that the Church allow the use of the parking lot in lieu of a sidewalk. Pastor Tieszen noted that if the bus drops off the children in the parking lot they will most likely walk across the parking lot vs. going to the sidewalk. Discussion followed on using a parking lot for pedestrian traffic, safety of the pedestrians using this route and if they do not use the parking lot but walk on the street. Pastor Tieszen also questioned if the sidewalk along the east side of the property that dead ends could be omitted. It was noted that the sidewalk goes south to line up with the sidewalk along the frontage road that goes east. Discussion followed on the need for sidewalks for the safety of pedestrians. Mayor Powell stated that if more time was needed to have the sidewalk installed the City may be able to grant an extension. Pastor Tieszen stated that, as he said earlier, they would be good citizens and based upon the discussion would install the sidewalk unless there were no contractors available to meet the deadline. The Council requested City staff to review the sidewalk going south to connect to the sidewalk coming east from the frontage road as it applies to the traffic safety of stopping for pedestrians after you turn off of Cherry Street, if stop signs were needed on Constance and James and the frontage road and James, and if the sidewalk on the north side of Constance and James would need to be extended to the street.

4. Briefing on the June 18, 2012 City Council Regular Meeting Agenda

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

5. Adjourn

210-12

Alderman Osborne moved to adjourn the Council special session at 1:00 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of June, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E (Jack) Powell,

Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
June 18, 2012
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on June 18, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Willson

2. Pledge of Allegiance

3. Minutes

A, June 4, 2012 Special Session; June 4, 2012 Regular Session; June 11, 2012 Special Session

211-12

Alderman Grayson moved approval of the June 4, 2012 special session minutes with the correction that the session was held on Monday, June 4, 2012; the June 4, 2012 regular session minutes and the June 11, 2012 special session minutes with the addition of Alderman Zimmerman being present. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

212-12

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

5. Visitors to be Heard - None

6. Public Hearings

A. Special permit to exceed the permissible sound levels by no more than 50% for the Vermillion Area Chamber of Commerce and

Development Company in Barstow Park on Wednesday, July 4, 2012 from 6:00 p.m. to 11:00 p.m. for family 4th of July events

Mike Carlson, Finance Officer, reported that an application for a special permit to exceed permissible sound levels was received from the Vermillion Area Chamber & Development Company for July 4th from 6:00 p.m. to 11:00 p.m. in Barstow Park for family 4th of July events. This is similar to previous year's events.

213-12

Alderman French moved approval of the special permit to exceed permissible sound levels by no more than 50% for the Vermillion Area Chamber & Development Company on Wednesday, July 4th from 6:00 p.m. to 11:00 p.m. in Barstow Park. Alderman Grayson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Continuation of Public Hearing on Appeal to Demolition Order for a dangerous building at 23 N. Harvard Street

Farrel Christensen, Building Official, reported the continuation of the appeal of the demolition order was to allow the city and the Apostolic Faith Church time to combine the timeline as proposed by the church into the agreement as presented by the city, allow the church time to obtain the proper performance bond and get the addendum to the contract signed. The agreement was completed and reviewed by the city attorney to include the timeline as proposed by the church calling for the completion of the exterior by August 25 and the interior within a year. Farrel stated the city attorney included language to define inactivity. The agreement was signed by Mr. Robinson on behalf of the church but the performance bond has not been received. Farrel stated the agreement provides that a building permit be obtained no later than June 22 and to obtain the building permit a performance bond would be required.

Greg Robinson, representing the Apostolic Faith Church, stated that the signed addendum to the contract has not been received as Mr. Klein has not be able to get it signed and notarized, but stated that Mr. Klein through his attorney has agreed to sign the contract. As to the performance bond, DHC Movers, LLC, who will be serving as the general contractor is working with their insurance company to secure the performance bond that the city is requesting.

Discussion followed with the question to the city attorney of what will be the next step if the building permit is not issued on June 22. Jim McCulloch, City Attorney, stated that failure to obtain the building permit and bond by June 22 would void the agreement and the demolition order would be upheld.

Alderman Grayson stated that the neighbors still have concerns if the property will be completed to become a contributing part of the neighborhood. He stated that the lack of signed agreements and performance bond demonstrate the lack of follow through.

214-12

Alderman Grayson moved approval of the Agreement for Building Permit and Suspension of Dangerous Building Notice and Order as presented, for the property at 23 N. Harvard, with the Apostolic Faith Church that requires a building permit to be issued by no later than the close of business on June 22, 2012 and the failure to obtain a building permit or comply with any other conditions contained in the agreement would make the agreement null and void and the order for demolition will be affirmed with the church being allowed 30 days to remove the dangerous building or the city will abate the nuisance and bill the church for the costs. Alderman Davies seconded the motion. Discussion followed with Mr. Robinson stating that they are currently at the mercy of the insurance company issuing the performance bond to meet the Friday deadline. He stated that they have been working in good faith and asked if additional time could be given if the insurance company could not meet the deadline. Jim McCulloch, City Attorney, reported on June 13th he had been contacted by the attorney for the church regarding the performance bond language. Discussion followed on the time allotted the owner to remove the dangerous building if the bond is not received. Mayor Powell called for a vote on the motion which carried 7 to 1. Mayor Powell declared the motion adopted.

B. Second Reading of Ordinance No. 1279 Zoning Amendment - Amending Title 15 Chapter 155 Sections 155.031, R-1 Residential District, (B) Conditional Uses and (C) Lot and Yard Regulations to add Single Family Attached (townhouse) Dwellings as a Conditional Use and add regulations for Building Lines and Frontage

Andy Colvin, Assistant to the City Manager, reported that the current ordinance does not allow single family attached (townhouse) dwellings in the R-1 District. The proposed change,

as recommended by the Planning Commission, is to allow this use in the R-1 District as a conditional use. Discussion followed.

215-12

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1279 Zoning Amendment - Amending Title 15 Chapter 155 Sections 155.031, R-1 Residential District, (B) Conditional Uses and (C) Lot and Yard Regulations to add Single Family Attached (townhouse) Dwellings as a Conditional Use and add regulations for Building Lines and Frontage 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 4th day of June, 2012 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 18th day of June, 2012 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:

AN ORDINANCE AMENDING TITLE 15, CHAPTER 155, SECTIONS 155.031, R-1 RESIDENTIAL DISTRICT, (B) CONDITIONAL USES AND (C) LOT AND YARD REGULATIONS, OF THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA TO ADD SINGLE FAMILY ATTACHED DWELLINGS AS A CONDITIONAL USE AND ADD REGULATIONS FOR BUILDING LINES AND FRONTAGE.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA:

That Sections 155.039 (B) and (C), of the Zoning Ordinance of Vermillion, SD, are hereby amended to read as follows:

§ 155.031 R-1 RESIDENTIAL DISTRICT.

(B) Conditional Uses.

Conditional Use	Applicable Standards
Single-family attached (townhouse) dwellings	§§ 155.070, 155.072, 155.076, 155.077
Wireless communication facility on existing support structure	§§ 155.075, 155.095(A)

Public service facility	\$ 155.070
Bed and breakfast	\$\$ 155.070, 155.072, 155.076, 155.077, 155.080, 155.095(A)
Off-premise parking	\$ 155.095(A)

(C) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions). Where a side yard or rear yard is required, half of the required yard must be maintained as a landscaped area.

	Lot Area	Frontage	Building Line	Front Yard	Side Yard	Rear Yard	Maximum Height
Single-family detached	6,500 square feet	50 feet	65 feet see #2	30 feet See #5	8 feet see #3	25 feet	35 feet
Single-family attached (townhouse) dwellings	2,500 square feet	36 feet	36 feet	30 feet see #5	0 feet or 8 feet on non-party wall side	25 feet	35 feet
All other uses	7,500 square feet	50 feet	75 feet	30 feet	30 feet see #1, #3	25 feet	35 feet

Exceptions:

- #1. The side yard will be required to be increased by 10 feet when the building is 3 stories in height or more.
- #2. A residence may be constructed on a lot-of-record, which has a lot width of less than 75 feet.
- #3. There shall be a required front yard on each street side of a double frontage lot. There shall be a required front yard on each street side of a corner lot.
- #4. One required front yard may be reduced to 25 feet on corner lots.
- #5. See also adjustments to yard regulations (\$ 155.082)

for other specific exceptions.

Dated at Vermillion, South Dakota this 18th day of June, 2012

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 Zimmerman. 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: Davies-Y, French-Y, Grayson-Y, Meins-Y, Osborne-Y, Ward-Y, Zimmerman-Y, Mayor Powell-Y.

Motion carried 8 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

C. Second Reading of Ordinance No. 1280 Zoning Amendment - Amending Title 15 Chapter 155 Sections 155.036, GB General Business District, (B) Conditional Uses, to modify the distance requirements for Veterinary Clinics and Kennels

Andy Colvin, Assistant to the City Manager, reported that the current ordinance requires a 1000 foot setback from any residential use for veterinary clinics and kennels. After review of other community ordinances, the Planning Commission recommended changing the setback to 150 feet. Andy noted that this still remains a conditional use in the zoning district.

216-12

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. 1280 Zoning Amendment - Amending Title 15 Chapter 155 Sections 155.036, GB General Business District, (B) Conditional Uses, to modify the distance requirements for Veterinary Clinics and Kennels 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 4th day of

June, 2012 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 18th day of June, 2012 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. 1280

AN ORDINANCE AMENDING TITLE 15, CHAPTER 155, SECTIONS 155.036, GB GENERAL BUSINESS DISTRICT, (B) CONDITIONAL USES, OF THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA TO MODIFY THE DISTANCE REQUIREMENTS FOR VETERINARY CLINICS AND KENNELS.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA:

That Section 155.036 (B), of the Zoning Ordinance of Vermillion, SD, are hereby amended to read as follows:

§ 155.036 GB GENERAL BUSINESS DISTRICT.

(B) Conditional use.

Conditional Use	Applicable Standards
Motor vehicle service station/gas dispensing station	§§ 155.070, 155.072, 155.073, 155.077, 155.095(A)
Assisted living facility	§§ 155.070, 155.072, 155.077, 155.095(A) Applicant must provide copy of South Dakota Department of Health license. All multiple dwelling standards apply.
Nursing home	§§ 155.070, 155.072, 155.077, 155.095(A) Applicant must provide copy of South Dakota Department of Health license.
Mortuary with crematorium	§§ 155.070, 155.072, 155.073, 155.077, 155.095(A)
Wireless communication facility on existing support structure	§§ 155.075, 155.095(A)
Telecommunications tower	§§ 155.070, 155.072, 155.075, 155.077, 155.095(A)
Drive-in theater	§§ 155.070, 155.072, 155.073, 155.077, 155.095(A) Located in such a manner that the screen will not deprive adjacent properties of solar access. Lighting of the theaters shall not reflect into adjacent residential areas.

Veterinarian	No outdoor kenneling of dogs within 150 feet of a residential area. §§ 155.070, 155.072, 155.073, 155.077, 155.095(A)
Campground	Lot must contain at least 2,000 square feet and supplied with city water and sanitary sewer services; access road on the campground site shall be 14 feet for 1-way and 20 feet for 2-way roads. No campground may be occupied by the same person or persons for more than 30 days in any 1 calendar year. §§ 155.070, 155.072, 155.073, 155.077, 155.095(A)
Kennel	Located 150 feet from residential district area. * §§ 155.070, 155.072, 155.073, 155.077, 155.095(A)
Commercial parking lots/parking ramps	§§ 155.070, 155.072, 155.077, 155.095(A)
Storage facility	§§ 155.070, 155.072, 155.077, 155.095(A)
Adult oriented business	§§ 155.070, 155.072, 155.077, 155.095(A) and SDCL § 11-12
Wind energy conversion system	§§ 155.070, 155.072, 155.077, 155.081, 155.095(A)
* Measured from the closest point of the outside walls of both structures	

Dated at Vermillion, South Dakota this 18th day of June, 2012

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 French. 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: Davies-Y, French-Y, Grayson-Y, Meins-Y, Osborne-Y, Ward-Y, Zimmerman-Y, Mayor Powell-Y.

Motion carried 8 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

D. Second Reading of Ordinance No. 1281 Zoning Amendment - Amending Title 15 Chapter 155 Sections 155.034 (C), R-4 Manufactured Housing District Lot and Yard Regulations, 155.035 (C), CB Central Business District Lot and Yard Regulations, 155.036 (C), GB General Business District Lot and Yard Regulations 155.038 (C), GI General Industrial District Lot and Yard Regulations and 155.039 (C), HI Heavy Industrial District Lot and Yard Regulations, to add regulations for Building Lines and frontage.

Andy Colvin, Assistant to the City Manager, reported that the proposed ordinance is a clean-up item to remove lot width and insert building line and frontage to the R-4, Central Business District, General Business District, General Industrial and Heavy Industrial Zones. Andy noted that the changes have previously been made in the other zoning districts and, as such, this change will update these zoning districts to similar language. Discussion followed.

217-12

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1281 Zoning Amendment - Amending Title 15 Chapter 155 Sections 155.034 (C), R-4 Manufactured Housing District Lot and Yard Regulations, 155.035 (C), CB Central Business District Lot and Yard Regulations, 155.036 (C), GB General Business District Lot and Yard Regulations 155.038 (C), GI General Industrial District Lot and Yard Regulations and 155.039 (C), HI Heavy Industrial District Lot and Yard Regulations, to add regulations for Building Lines and frontage 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 4th day of June, 2012 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 18th day of June, 2012 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. 1281

AN ORDINANCE AMENDING TITLE 15, CHAPTER 155, SECTIONS 155.034 (C), R-4 MANUFACTURED HOUSING DISTRICT LOT AND YARD REGULATIONS, 155.035 (C), CB CENTRAL BUSINESS DISTRICT LOT AND YARD REGULATIONS, 155.036 (C), GB GENERAL BUSINESS DISTRICT LOT AND YARD REGULATIONS 155.038 (C), GI GENERAL INDUSTRIAL DISTRICT LOT AND YARD REGULATIONS AND

155.039 (C), HI HEAVY INDUSTRIAL DISTRICT LOT AND YARD REGULATIONS, TO ADD REGULATIONS FOR BUILDING LINES AND FRONTAGE.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA:

That Sections 155.034 (C), 155.035 (C), 155.036 (C), 155.038 (C) and 155.039 (C) of the Zoning Ordinance of Vermillion, SD, are hereby amended to read as follows:

§ 155.034 R-4 MANUFACTURED HOUSING DISTRICT.

(C) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions). Where a side yard or rear yard is required, half of the required yard must be maintained as a landscaped area.

	Lot Area	Building Line	Frontage	Front Yard	Side Yard	Rear Yard	Maximum Height
Residential uses	5,500 square feet	50 feet	50 feet	25 feet	8 feet	25 feet	35 feet
Corner lots	6,000 square feet	60 feet	50 feet	25 feet	8 feet	25 feet	35 feet
All other uses	6,000 square feet	60 feet	50 feet	25 feet	15 feet	25 feet	35 feet

Exceptions:

- #1 One required front yard may be reduced to 20 feet.
- #2 See also adjustments to yard regulations (§155.082 for other specific exceptions).

§ 155.035 CB CENTRAL BUSINESS DISTRICT.

(C) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions).

	Lot Area	Building Line	Frontage	Front Yard	Side Yard	Rear Yard	Maximum Height
All uses	NA	NA	NA	See #1, #2	See #1, #2	See #1, #2	NA
All uses	NA	NA	NA	See #1, #2	See #1, #2	See #1, #2	NA
All uses	NA	NA	NA	See #1, #2	See #1, #2	See #1, #2	NA

Exceptions:

- #1 a 20-foot landscaped area shall be required between an abutting residential district boundary line and any structure, access drive, parking lot or other accessory use when not separated by a street or alley.
- #2 See also adjustments to yard regulations (§155.082) for other exceptions.

§ 155.036 GB GENERAL BUSINESS DISTRICT.

(C) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions).

	Lot Area	Building Line	Frontage	Front Yard	Side Yard	Rear Yard	Maximum Height
All uses	NA	Up to 50 feet	50 feet	15 feet see #3	5 feet see #1, #3	5 feet see #2	45 feet
All uses	NA	51 to 100 feet	50 feet	20 feet see #3	5 feet see #1, #3	5 feet see #2	45 feet
All uses	NA	101 or more feet	50 feet	25 feet see #3	5 feet see #1, #3	5 feet see #2	45 feet

Exceptions:

- #1 A side yard of 15 feet shall be required where a lot is adjacent to or abuts a residential district
- #2 A rear yard of 20 feet shall be required where a lot is adjacent to or abuts a residential district
- #3 There shall be a required front yard on each street side of lots
- #4 A conditional use permit will be required for any structure having a maximum height exceeding 45 feet (§ 155.095(A))
- #5 See also adjustments to yard regulations (§ 155.082) for other specific exceptions

§ 155.038 GI GENERAL INDUSTRIAL DISTRICT

(C) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions).

	Lot Area	Building Line	Frontage	Front Yard	Side Yard	Rear Yard	Maximum Height
All uses	NA	75 feet	50 feet	25 feet see #4	10 feet see #2, #4	25 feet see #3	45 feet see #1

Exceptions:

- #1 A conditional use permit will be required for any structure having a maximum height exceeding 45 feet (see § 155.095(A)).
- #2 A side yard of 15 feet shall be required where a lot is adjacent to or abuts a residential district.
- #3 A rear yard of 25 feet shall be required where a lot is adjacent to or abuts a residential district.
- #4 There shall be a required front yard on each street side of lots.
- #5 See also adjustments to yard regulations (§ 155.082) for other specific exceptions.

§ 155.039 HI HEAVY INDUSTRIAL DISTRICT

(C) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions).

	Lot Area	Building Line	Frontage	Front Yard	Side Yard	Rear Yard	Maximum Height
All uses	NA	NA	NA	25 feet see #4	5 feet see #2, #4	5 feet see #3	55 feet see #1

Exceptions:

- #1 A conditional use permit will be required for any structure having a maximum height exceeding 5 feet (see § 155.095(A)).
- #2 A side yard of 20 feet shall be required where a lot is adjacent to or abuts a residential district.
- #3 A rear yard of 25 feet shall be required where a lot is adjacent to or abuts a residential district.
- #4 There shall be a required front yard on each street side of lots.
- #5 Wastewater treatment facilities are exempt from minimum yard or setback requirements
- #6 See also adjustments to yard regulations (§ 155.082) for other specific exceptions.

Dated at Vermillion, South Dakota this 18th day of June, 2012

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: Davies-Y, French-Y, Grayson-Y, Meins-Y, Osborne-Y, Ward-Y, Zimmerman-Y, Mayor Powell-Y.

Motion carried 8 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Fireworks Public Display Permit July 4, 2012

Mike Carlson, Finance Officer, reported that a Fireworks Public Display Permit was received from Tom Taylor on behalf of the Vermillion Area Chamber and Development Company for the July 4th fireworks display that will be discharged from the field south of Polaris, west of Carr Street. Mike noted that this is similar to last year's request.

218-12

Alderman Osborne moved approval of the Fireworks Public Display Permit for the Vermillion Area Chamber and Development Company for the 4th of July fireworks display south of Polaris, west of Carr Street. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Request to close a portion of High Street from 7:00 a.m. Thursday, August 9 through Sunday, August 12, 2012 at 5:00 p.m. for the Clay County Fair

Andy Colvin, Assistant to the City Manager, reported that a request was received from the Clay County Fair Association to close High Street through the Fairgrounds from 7:00 a.m., Thursday, August 9th through 5:00 p.m., Sunday, August 12th for the Clay County Fair. Andy noted that the request is similar to previous years and included the use of the road ditch for parking.

219-12

Alderman Grayson moved approval of the closing of High Street through the Fairgrounds from 7:00 a.m. August 9th through 5:00 p.m. August 12th for the Clay County Fair. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. First Reading of Ordinance No. 1282 - Repealing Section 51.32(F) relating to the removal of a fee charged to mobile home court owners upon installation of service

Andy Colvin, Assistant to the City Manager, reported that this ordinance follows the report by Mark Koller, Electric Superintendent, made at the June 4, 2012 information session whereby the existing City Code Section 51.32 provides that the City will install pedestals for mobile home park units and wire the mobile home court. Andy noted that it had been explained and included in the packet that the ordinance has led to the City providing a higher level of service to mobile home courts than other utility customers. Andy reported that the proposed ordinance would remove the section that provides that the City will provide electric service to the individual mobile home lots and that this would be effective on October 1st to allow time to notify the court owners of the change. Discussion followed with Jim McCulloch, City Attorney, explaining the change in the ordinance. Mark Koller, Electric Superintendent, answered questions of the City Council.

220-12

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1282 Amending Title V, Chapter 51 Special Service, Repealing Section 51.32(F) relating to the removal of a fee charged to mobile home court owners upon installation of service of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 18th day of June, 2012 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman French. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 8 members voted in favor of and 0 members voted

in opposition to the motion. Mayor Powell declared the motion adopted.

D. Reappointment of Steve Howe to serve on the Vermillion Housing Authority

Mayor Powell reported that, by State statute, the City Council is charged with appointing members to the Vermillion Housing Authority. The Board consists of five members with five year terms, one of which expires each June. Steve Howe's term expires this June and he has expressed a desire to continue to serve.

221-12

Alderman French moved approval of the reappointment of Steve Howe to the Vermillion Housing Authority Board with a term expiring at the end of June 2017. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

The report was made by Andy Colvin, Assistant to the City Manager, as John Prescott was out of town attending a meeting.

A. Andy reported that the City offices will be closed on Wednesday, July 4th for the holiday. The Wednesday curbside recycling collection will take place on Monday July 9th and he asked Wednesday curbside customers to note the change.

B. Andy reported that there are currently four open seats on the Planning Commission and requested interested citizens to complete an expression of interest form available at City Hall or the Library.

C. Andy reported that West Main Street is now open at Stanford Street intersection and thanked citizens for their cooperation while the intersection was closed. He noted that there is still some work that will require one lane to be closed from time to time.

PAYROLL ADDITIONS AND CHANGES

Police: Brian Beringer \$19.76/hr, Luke Trowbridge \$22.41/hr;
Communications: Alicia Kloster \$14.84/hr; Recreation: Hope Erickson \$7.75/hr, Natasha Gault \$7.75/hr, Morgan Hower \$7.75/hr, Josie Huber \$7.75/hr, Mackenzie Huber \$7.75/hr; Pool: Katie Herrera \$7.75/hr, Heather Petrino \$7.75/hr; Golf Clubhouse: Trent Burns \$7.25/hr; Recycling: Jim Zimmerman \$15.50/hr; Volunteer Fire Dept: Doug Brunick

11. Invoices Payable

222-12

Alderman Davies moved approval of the following bills:

AMERICAN RAMP COMPANY	SKATE PARK KIT	30,000.00
ARCHITECTURE INC.	PROFESSIONAL SERVICES	2,715.00
AVERA HEART HOSPITAL OF SD	AED - CITY HALL	1,385.00
BROADCASTER PRESS	ADVERTISING	1,624.01
BUREAU OF ADMINISTRATION	TELEPHONE	289.70
CENTURYLINK	TELEPHONE	1,460.99
CITY OF VERMILLION	LANDFILL VOUCHERS	435.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,363.38
D & G CONCRETE CONSTRUCTION	PROFESSIONAL SERVICES	21,205.94
DEPT. ENVIRONMENT NATL RES	LANDFILL OPER FEE	3,277.32
FOREMAN MEDIA	COUNCIL MTG	100.00
GEOTEK ENGINEERING	PROFESSIONAL SERVICES	9,552.50
GLENDA WALKER	USED REFRIGERATOR/WASTEWATER	350.00
GREGG PETERS	MANAGERS FEE	5,375.00
KARIAN PETERSON CONTRACTING	TRANSMISSION LINE	29,854.54
KNOLGY	DIAL UP SERVICE	49.95
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	70.00
MATHESON TRI-GAS, INC	SUPPLIES	236.20
MIDAMERICAN	GAS USAGE	591.20
MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	105.95
RESERVE ACCOUNT	POSTAGE FOR METER	900.00
SPRINT	CELL PHONE	1,334.01
STERN OIL CO.	FUEL	22,470.55
THE EQUALIZER	ADVERTISING	1,194.00
TRUE VALUE	SUPPLIES	66.97
UNITED PARCEL SERVICE	SHIPPING	92.28
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,050.00
VERMILLION POLICE DEPT	OPERATIONS FUND	800.00
VISA/FIRST BANK & TRUST	TRAVEL/SUPPLIES	180.00
WATER'S EDGE AQUATIC DESIGN	PROFESSIONAL SERVICES	3,000.00

Alderman Grayson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of July 2, 2012 for a special daily malt beverage and wine license for the Fraternal Order of Eagles on or about July 4, 2012 in Barstow Park

B. Set a public hearing date of July 2, 2012 for a retail on-off sale malt beverage license for Guo Fei Zheng for the Asian Buffet at 404 Bower Street

223-12

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

13. Adjourn

224-12

Alderman Zimmerman moved to adjourn the Council Meeting at 7:47 p.m. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of June, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.



Council Agenda Memo

From: John Prescott, City Manager

Meeting: July 2, 2012

Subject: Second Reading of Ordinance No. 1282 - Repealing Section 51.32(F) Relating to the Removal of a Fee Charged to Mobile Home Court Owners Upon Installation of Service

Presenter: John Prescott

Background: Light and Power Superintendent, Mark Koller, presented information on city code section 51.32 at the June 4, 2012 noon meeting. This section of the code provides that the City will install pedestals for mobile home park units and wire the mobile home court. Although, not specifically required in the ordinance, since the City installed the court wiring, it has also led to the City providing ongoing maintenance on a 24-hour basis for the mobile home courts.

Discussion: As Mark explained at the noon meeting, and the attached handout indicates, the ordinance has led to the City providing a higher level of service to one type of customer vs. all other customers. Businesses, apartments and homes only have electrical service provided to the lot line.

State requirements have also changed over time. Now an electrical engineer or an electrical contractor needs to design the mobile home park infrastructure. A licensed electrician needs to install the wiring. This is being done via the City's licensed electrician and contractor's license. A single code section to provide a higher level of service to only one group of customers ends up dictating the qualifications that a City employee must maintain. There are qualified electrical firms in Vermillion and the area who can provide these services to mobile home courts.

Ordinance No. 1282 has a proposed effective date of October 1, 2012. This provides time for the City to contact the mobile home court owners about the change. It also provides time for the mobile home court owners to make arrangements for maintenance of their wiring infrastructure after the ordinance implementation date. The City Council approved first reading of Ordinance 1282 at the June 18, 2012.

Financial Consideration: The mobile home court owner pays a portion of the trailer pedestal cost at initial construction. The City pays for 100% of the ongoing maintenance and staff time to maintain the wiring. Adoption of the ordinance will limit the City's initial investment and remove ongoing maintenance costs.

Conclusion/Recommendations: Administration recommends adoption of Ordinance No. 1282. As this is the second reading, a recorded vote is required.

ORDINANCE NO. 1282

AN ORDINANCE AMENDING TITLE V, CHAPTER 51, SECTION 51.32 SPECIAL SERVICE, REPEALING SECTION 51.32(F) RELATING TO THE REMOVAL OF A FEE CHARGED TO MOBILE HOME COURT OWNERS UPON INSTALLATION OF SERVICE.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA, THAT CHAPTER 51 BE AMENDED AS FOLLOWS:

Repeal Section 51.32(F).

~~Where the city provides electric power to individual lots within a new mobile home court, a fee set from time to time by resolution per lot shall be charged to the mobile home court owner upon installation of the service.~~

BE IT FURTHER ORDAINED, that Sections 51.32(G) through 51.32(I) are numbered 51.32(F) through 51.32(H).

Dated at Vermillion, South Dakota, this 2nd day of July, 2012.

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

By: _____
John E. (Jack) Powell, Mayor

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

Seal

First Reading: June 18, 2012
Second Reading: July 2, 2012
Publication Date: July 13, 2012
Effective Date: October 1, 2012

**PROCLAMATION OF APPRECIATION
FOR
JENNIFER FRENCH**

WHEREAS, Jennifer French has been willing to spend the time to improve our community in a variety of ways; and

WHEREAS, Jennifer French has helped spearhead our largest community event Ribs, Rods and Rock N' Roll; and

WHEREAS, Jennifer French has served on the City Planning Commission from 2003-2008, working to develop sound planning policies for the betterment of Vermillion; and

WHEREAS, Jennifer French has been an active, involved and committed member of the City Council during her term; and

WHEREAS, Jennifer French has served the Central Ward and citizens of Vermillion as an alderman since 2008; and

NOW, THEREFORE, BE IT RESOLVED, that her fellow members of the Vermillion City Council, on behalf of City staff and the community, do hereby extend our deepest appreciation to Jennifer French for her service to the community as Alderman for the City of Vermillion City Council.

Dated at Vermillion, South Dakota this 2nd day of July, 2012.

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

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: July 2, 2012
Subject: Installation of City Council members
Presenter: Mike Carlson

Background: The Mike Carlson, Finance Officer, will administer the oath of office to Kelsey Collier-Wise, Clarene Meins, Steve Ward, and Howard Willson.

The oath is as follows:

I (state your name) do solemnly swear, or affirm, that I will support the Constitution of the United States and the Constitution of the State of South Dakota and I will faithfully discharge the duties of Alderman of the City of Vermillion, South Dakota according to the best of my ability.

Discussion: None

Financial Consideration: None

Conclusion/Recommendations: None



Council Agenda Memo

From: John Prescott, City Manager

Meeting: July 2, 2012

Subject: Election of Council Officers

Presenter: Mayor Jack Powell

Background: In accordance with state statute, the City Council shall elect, from among its members, a President and Vice-President as follows:

9-8-7. President and vice president of council--Election and duties. At the first regular meeting after the annual election in each year and after the qualification of the newly elected aldermen, the council shall elect from among its own members a president and vice president, who shall hold their respective offices for the municipal year. The president of the council in the absence of the mayor shall be the presiding officer of the council, and during the absence of the mayor from the first or second class municipality or his temporary disability shall be acting mayor and possess all the powers of the mayor. In the absence or disability of the mayor and president of the council the vice president shall perform the duties of the mayor and president of the council.

Kent Osborne and Howard Willson, respectively, have most recently served as Council President and Vice-President.

Discussion: These positions are necessary to conduct business in the absence of the Mayor. The terms for these positions are for a two-year period as there is not a City Council election until 2014. The section of the policies and procedures, recently adopted by the City Council addressing this subject, is below.

1-2. Organizational Meeting. At the first regular meeting in July, after an election, the newly elected members shall take and subscribe to the oath of office as the first order of business. As the second order of business, the board shall elect a President and Vice-President.

Financial Consideration: None

Conclusion/Recommendations: The City Council needs to elect a President and Vice President from amongst the City Council members.



Council Agenda Memo

From: John Prescott, City Manager
Meeting: July 2, 2012
Subject: Appointment of Administrative Officers
Presenter: Mayor Jack Powell

Background: Under state statute, the City Finance Officer and City Attorney are appointed by the Governing Body as follows:

9-10-9. Officers and employees appointed by governing body--Others appointed by city manager. The auditor, attorney, library board of trustees, and the treasurer shall be appointed by the governing body and may be removed at any time by such governing body. The auditor and the treasurer shall each appoint all deputies and employees in his office. All other officers and employees, including all members of boards and commissions, except as otherwise provided by law, shall be appointed by the manager and may be removed by him.

Discussion: Mike Carlson and Jim McCulloch have served as City Finance Officer and City Attorney, respectively, and are interested in continuing their service.

Financial Consideration: The salary of the City Finance Officer is set by the payroll resolution each January. The City Attorney is paid an hourly rate for his services. The hourly rate for the City Attorney has been \$80 per hour since July 2008.

Conclusion/Recommendations: A separate motion should be made for the appointment of the City Finance Officer and City Attorney.



Council Agenda Memo

From: John Prescott, City Manager

Meeting: July 2, 2012

Subject: City Council Committees and other Committee Assignments

Presenter: Mayor Jack Powell

Background: City Council members serve on one or more City Council committees to assist with various aspects of the organization and to meet legal requirements. Community members and staff also assist the City in serving on a number of committees or representing the organization.

Discussion: The Mayor reviewed the current committee makeup and is proposing minimal changes in the committee makeup at this time. Where City Council action to appoint someone is needed, the proposed appointment has been marked with an asterisk.

There are also a number of Committees where community members, or staff, participate. A complete list of those committees is attached. Most of the information, with respect to the committees, is informational. By statute, most of the Committees are appointed by the City Manager.

Financial Consideration: Planning Commission and Library Board members receive \$15 per meeting. The City Council member on the Library Board does not receive the \$15 per meeting payment. There is not a meeting payment for the other Committee or Board member assignments.

Conclusion/Recommendations: Vermillion residents are fortunate to have so many dedicated individuals willing to serve on a broad range of City projects. The City Council is asked to review the assignments, as proposed, make any appropriate changes, and adopt the document assigning the individuals to the respective area.

**Vermillion City Council
Committees / Boards / Liaisons – July 2, 2012**

City Council Committees

Labor and Finance – Serve the City Council on items that are sent to the committee. The City Manager works with the committee on union contract negotiations, personnel policies and other labor and finance matters that require a Council working team. Both Labor Unions have three year agreements that expire at the end of 2012.

Thomas Davies, Chair

Dennis Zimmerman

Kelsey Collier-Wise

Steve Ward

Policies and Procedures – Serve the City Council on policy and procedure items that require a Council work team to develop recommendations for Council consideration. Topics of recent meetings include alcohol licensing requirements and the city code update.

Kent Osborne, Chair

Howard Willson

Thomas Davies

Clarene Meins

Surplus Property Appraisal – The committee works with the sale of equipment and property. Before the City can sell property for sealed bids it must be appraised by three real property owners. We have four council members serve on this committee, as most likely three would be available to appraise the property after a City Council meeting when it is declared surplus. City staff does the research to develop an estimated value for the committee to consider.

Clarene Meins, Chair

John Grayson

Kent Osborne

Dennis Zimmerman

Utilities – Serve the City Council on Utility items that require a Council work team to develop recommendations for the Council's consideration. The City Manager works with the committee on utility rate changes, franchise agreements, long-range plans and other matters related to the utility services.

John (Jack) Powell, Chair

John Grayson

Steve Ward

Howard Willson

City Committees and Boards (appointed by the City Council)

Joint Powers – The Joint Powers board was created by Joint Powers agreement with Yankton County, Clay County, City of Yankton and the City of Vermillion. The City is represented by an elected official, citizen and the City Manager. The Finance Officer also serves as a staff liaison. **Keith Pearson** is the Vermillion citizen representative and John Grayson is the City Council representative.

- * **John Grayson** will serve as Council Representative.

Library Board – The City Council appoints all of the library board members by the state statute and the City Council is allowed one voting member on the board. Terms are for three years and expire in May. With the exception of the City Council representative, Library Board members are paid \$15 per meeting. Current members are: **Cyndy Chaney (2014), Jon Flanagan (2013), Carl Gutzman (2013), Janet Hoff (2014), and Fern Kaufman (2015).**, and **Kent Osborne (2013) (City Council Representative).**

- * **Kent Osborne** will serve as Council Representative.

Planning Commission – Established by City Code, this Commission makes recommendations on zoning changes, special use permits, transportation plans and land uses in the community. Members are appointed for five-year terms and receive \$15 compensation per meeting they attend. Current members and when their terms expire are: **Robert Iverson (2012), Debora Gruhn (2012), Matt Fairholm (2012), Don Forseth (2015), Steve Howe (2015), Doug Tuve (2015), Mike Manning (2015), Ted Muenster (2015), and Tom Reasoner (2012).**

- * Members for the expiring appointments will be appointed on July 2, 2012.

Public Safety Center Board – Established by the joint use agreement for the public safety center. The board is to resolve any dispute between the City and County. The Mayor, Chief of Police, County Commission Chair, Sheriff, county appointment **John Storm (12/2013)**, city appointment **Bruce Plate (12/2014)**, joint city/county appointment **Dave Thiesse (12/2012)** serve on the committee. Appointments are made at the end of the year in conformance with the agreement.

- * The expiring appointments will be selected December 6, 2012.

Tree Board – Created by Ordinance 23 ½ -3. Establishment of the Committee is part of the Tree City USA program. Also address special concerns related to trees as needed.

Aaron Baedke	-	Park Supervisor
Pete Jahn	-	Street Superintendent
Jim Stone	-	Resident at Large
Sol Redlen	-	Resident at Large
Howard Willson	-	City Council Member

* **Howard Willson** will serve as Council Representative.

Vermillion Housing Authority – The VHA administers the Department of Housing and Urban renewal (HUD) section 8 housing and voucher programs. State Statute requires the Council to appoint the Authority and they receive their funding through HUD federal dollars. Board member terms are for five years and expire in June. The Authority hires an executive director, currently Dave Theisse. Current members and when their terms expire are: **Elizabeth Abbott (2013), Cindy Benzel (2014), Sandy Brown (2016), Joan Holter (2015, and Steven Howe (2017).**

* No appointment is needed at this time.

City Liaison/Representatives (appointed by the City Council)

Clay County – City liaison is the **Mayor**.

Clay County Fair Board – The City is allowed one voting member on the fair board. The fair board has the fairgrounds and county fair. **Mike Carlson** currently serves as the City representative.

Clay County Fire Company – [REDACTED] and **Lee Huber** serve as the City representatives.

Clay County Health Liaison – **Lee Huber** is the City appointee that coordinates shots and other health related issues with the County Health Nurse.

Clay County Park Board – **Jessica Kennedy** is the City representative.

GVAC – GREATER VERMILLION AREA COALITION – This is a joint committee with USD staff and students to address alcohol and drug abuse in the greater Vermillion area. City members are: **Matt Betzen** and **John Prescott**.

Missouri River Energy Services – The City purchases supplemental electric power through MRES. **John Prescott** is the primary City representative and **Jason Anderson** is the alternate.

SECOG – (Southeastern Council of Governments) – The City pays dues for this agency to assist the City with grant applications, SRF loan applications and other services they provide to the City in its work with the State. **John Prescott** is primary City representative while **Jack Powell** is the alternate.

Dakota Hospital Foundation – As part of the grant made by the City to the hospital for construction of the new hospital, a non-voting position was provided the City on the hospital board. **Mike Carlson** was recently appointed as a voting board member. He also serves as the City representative.

University of South Dakota – City liaison is the Mayor

Vermillion Chamber of Commerce & Development Company – “Two directors representing the City of Vermillion shall be appointed by the mayor subject to Board approval.” (Bylaws of the VCDC: Article III, Section 1). The City Manager and a member of the Council have traditionally represented the City.

* **John E. (Jack) Powell** and **John Prescott** are proposed.

Vermillion NOW! – In April 2009, the City Council authorized a contribution of \$450,000 with a \$50,000 payment in 2009 and \$80,000 payments in 2010 through 2014. The Vermillion NOW Advisory Governance Council is comprised of donors who contributed \$10,000, or more, for each of the five years of the campaign.

John E. (Jack) Powell is proposed.

Vermillion Watershed RC&D – This is a relatively new organization of six counties that has been recognized by the State and USDA for rural economic development funding and projects. **John Prescott** is the City representative.

City Committees (appointed by the City Manager)

Golf Course Advisory Committee – Current members and groups they represent

At-Large – **Keith Thomas**

Homeowners – **Jere Chapman**

Juniors –

Men’s League – **Dave Carr**

Senior Men’s League – **Ken Beringer**

Wednesday morning women’s league – **Pat Steckelberg**

Women’s League – **Ann Jensen**

Hike / Bike trail grant project – **Kevin Brady, John Erikson, Barb Goodman, Jim Heisinger, Roger Jeck, Charles Yelverton, Jim McCulloch, José Dominguez, Dave Nelson and John Prescott.**

City Council Members effective July 2, 2012.

John E. (Jack) Powell – Mayor – 2014

Home: 624-2140 Cell: 670-1953

Email: jack.powell@usd.edu

John Grayson – Central Ward – 2014

Home: 624-____ Cell: 659-1553

Email: johngrayson@gmail.com

Kelsey Collier-Wise – Central Ward – 2016
Home: 624-8060 Mobile: 202-9055
Email: collier.wise@gmail.com

Dennis Zimmerman– Southeast Ward – 2014
Home: 624-4974 Cell: 638-0943
Email: Dennis.Zimmerman@state.sd.us

Clarene Meins – Northeast Ward – 2016
Home: 624-3415 Work: 624-2645 Mobile: 638-0769
Email: clarenemeins@hotmail.com

Kent Osborne – Northeast Ward – 2014
Work: 677-4401 Mobile: 677-8582 or 202-0414
Email: kent.osborne@sdpb.org

Thomas Davies – Northwest – 2014
Home: 624-3494
Email: thomas.davies@usd.edu

Steve Ward – Southeast – 2016
Home: 624-9691 Work: 677-5381 Mobile: 670-1220
Email: Steve.Ward@usd.edu

Howard Willson – Northwest – 2012
Home: 624-3541 Mobile: 670-1255
Email: hawillson38@yahoo.com

CITY COUNCIL SEATING ARRANGEMENT (as of JULY, 2012)

Student
Representative

Labor & Finance
Davies, Chair
Collier-Wise
Ward
Zimmerman

Policies & Procedures
Osborne, Chair
Davies
Meins
Willson

Staff

City Attorney
Jim
McCulloch

Surplus Property Appraisal
Meins, Chair
Grayson
Osborne
Zimmerman

Utilities
Powell, Chair
Grayson
Ward
Willson

Finance Officer
Mike
Carlson

Council Member
Clarene
Meins

Joint Powers
John Grayson

Council Member
Howard
Willson

Library Board
Kent Osborne

Council Member
Dennis
Zimmerman

Council Member
Kent
Osborne

Joint Jurisdictional Committee
Howard Willson
Kelsey Collier-Wise

Council Member
Kelsey
Collier-Wise

Council Member
Steve
Ward

Council Member
Tom
Davies

Council Member
John
Grayson

Mayor
John E. (Jack)
Powell

City Manager
John
Prescott



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: July 2, 2012

Subject: Official Newspaper

Presenter: Mike Carlson

Background: State statute requires the designation of an official newspaper as follows:

9-12-6. Designation of official newspapers. Every municipality shall designate at a meeting of its governing body an official newspaper or newspapers for the ensuing year. The newspaper shall be published in the municipality. However, if there is no newspaper published in such municipality, then a newspaper published outside of such municipality may be used if such newspaper serves such municipality.

Discussion: The Vermillion Plain Talk has previously been designated as the official newspaper. As the Plain Talk is the only local newspaper, City Council must designate it as the official newspaper.

Financial Consideration: It is a requirement of state law to publish public notices, minutes, etc. in the official newspaper. The publication of the minutes and notices for the finance office, alone, cost \$10,556 last year.

Conclusion/Recommendations: Administration recommends adoption of a motion to designate the Vermillion Plain Talk as the official newspaper.



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: July 2, 2012
Subject: Designation of Official Depositories
Presenter: Mike Carlson

Background: State statute requires the City Council to designate the official depositories of city funds:

9-22-6. Designation of depositories for municipal funds. The governing body shall designate the depository or depositories in which the funds belonging to the municipality shall be deposited. Such depository or depositories shall be a bank or banks within the State of South Dakota, unless otherwise specifically provided by law.

Discussion: The City Council has designated the following as official depositories:

CorTrust Bank
First Bank & Trust
First Dakota National Bank
Bank of the West
South Dakota Public Funds Investment Trust
Wells Fargo
First National Bank in Sioux Falls (Trustee on City Hall and Transmission line bonds)

Financial Consideration: None

Conclusion/Recommendations: Administration recommends that the City Council designate the above listed financial institutions as official depositories for city funds for the next year.



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: July 2, 2012
Subject: Consolidated Board of Equalization
Presenter: Mike Carlson

Background: The County, City, and School have adopted a resolution that provides for the consolidated board of equalization under the following statute:

10-11-66. Consolidated board of equalization authorized--Membership. In lieu of the local board of equalization and county board of equalization established and governed pursuant to §§10- 11-13 to 10-11-31, inclusive, the governing boards of any county, municipality, school, and township may agree by resolution to consolidate the local board of equalization with the county board of equalization no later than the second Tuesday of November. The resolution shall state the number of members from each governing board that will sit as a consolidated board of equalization. Membership of the consolidated board of equalization shall include members of school and municipal governing boards and the county commission. Membership of the consolidated board may also include members of township governing boards. All governmental responsibilities and expenses associated with equalization of property under the provisions of chapters 10-3 and 10-11 shall be shared as mutually agreed upon by the governing bodies. Governing bodies not exercising this option shall continue to hear appeals as prescribed in §§10-11-13 to 10-11-31, inclusive.

Discussion: While the three entities have adopted a resolution, the county has asked that the City reaffirm its intent to continue the consolidated board annually. If we did not have a consolidated board, the city board would need to meet on all appeals within the city. If the citizen or the county assessor did not like the local board decision, the citizen would need to attend the county board meeting.

Financial Consideration: There are none to the City.

Conclusion/Recommendations: Administration recommends the City Council continue the consolidated board of equalization through passage of a motion indicating this desire.



Council Agenda Memo

From: John Prescott, City Manager
Meeting: July 2, 2012
Subject: Determination of Rules of Order
Presenter: John Prescott

Background: The City Council is obligated to identify “commonly accepted rules of procedure” for the conduct of its meetings. Robert’s Rules of Order is identified in the City Council’s “Rules and Procedures” manual as the proper guide for the conduct of meetings. The 9th Edition of Robert’s Rules of Order has been the version used in the past.

Discussion: The 9th Edition of Robert’s Rules of Order appears to work well. The City Council has some familiarity with this version, which makes its continuation seem reasonable.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends the City Council identify the 9th Edition of Robert’s Rules of Order as its commonly accepted rules of procedure for the conduct of meetings.

Administration also recommends the City Council re-affirm the “Rules and Procedures” manual drafted in March 2006 and updated to reflect new City Code numbering in 2008 as the primary policy manual. A copy of the Rules and Procedures document was included in notebook provided to all City Council members when service began or at the 2008 and 2010 orientation.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: July 2, 2012

Subject: Special Daily Malt Beverage and Wine License for the Fraternal Order of Eagles on or about July 4, 2012 at Barstow Park

Presenter: Mike Carlson

Background: The Fraternal Order of Eagles has submitted an application for a special daily malt beverage and wine license for July 4th in conjunction with the Chamber of Commerce activities in Barstow Park.

Our city ordinance on special daily licenses reads as follows:

Sec. 112-18. Special Licenses for Sales of Malt Beverages and/or Wine.

The City Council may recommend to the State Department of Revenue that a special malt beverage and/or wine license may be granted to a civic, charitable, educational or fraternal organization in conjunction with a special event. The granting of the special license shall be subject to such conditions and restrictions, as the City Council may deem appropriate and consistent with state law. The fee for such license shall be set by resolution of the City Council.

State Statute for the special daily licenses is as follows:

35-4-11.4. Special malt beverage retailers' license--Special retail on-sale wine-dealers' license--Maximum period of validity--Necessary security for street dance. Any municipality or county may issue a special malt beverage retailers' license and a special retail on-sale wine dealers' license to any civic, charitable, educational, or fraternal organization in conjunction with a special event within the municipality or within the county. Educational does not include any elementary, secondary, or higher educational institution in the public school system of this state. Any license issued pursuant to this section may be issued for a period of time established by the municipal governing body or board of county commissioners. However, such period may not exceed fifteen consecutive days. If an organization receiving a license pursuant to this section conducts a street dance in conjunction with the special event, the organization shall provide qualified security personnel as deemed necessary by the governing body, which issued the license to maintain order during the street dance.

Discussion: The notice of public hearing is attached and the Fraternal Order of Eagles has been issued a liquor license for their location on W. Main Street. The report from the Police Chief is also attached.

Financial Consideration: The City has received the \$15 per day license fee and \$15 advertising fee from the applicant.

Conclusion/Recommendations: Administration recommends approving the issuance of the special daily malt beverage and wine license for July 4th at Barstow Park, unless further information is provided at the public hearing.

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



To: Vermillion City Council

Date: 06/20/12

From: Matthew Betzen 
Chief of Police

Subject: Eagles request for Special Daily License (On-Sale) Malt Beverage and Wine License 07/04/12

I have reviewed the application submitted by the Fraternal Order of Eagles regarding a special daily license (on-sale) for malt beverage and wine for July 4, 2012 at Barstow Park for an Independence Day Event.

This is an annual event, and an examination of the Vermillion Police Department's Records Management System with regards to this event has revealed no alcohol related violations or felony convictions in reference to this application.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 2nd day of July, 2012 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Fraternal Order of Eagles on or about July 4, 2012 at Barstow Park.

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

Dated at Vermillion, South Dakota this 15th day of June, 2012.

Michael D. Carlson, Finance Officer

Publish: June 22, 2012

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: July 2, 2012

Subject: Retail On-Off Sale Malt Beverage License from Guo Fei Zheng for the Asian Buffet at 404 Bower Street

Presenter: Mike Carlson

Background: An application for a retail on-off sale malt beverage license was received from Guo Fei Zheng for the Asian Buffet at 404 Bower Street. A copy of the notice that was published for the license and the Police Chief's report are attached.

Discussion: The City Council has the ability to issue a license on basically two criteria: suitable person and suitable location. As to the suitable person, City ordinance provides that new applicants must submit to a criminal background check to determine suitability. Guo Fei Zheng has provided the South Dakota Division of Criminal Information background check to the Chief of Police. With respect to the location criteria: the above listed location has not been issued a license. The closest location with a license would be Wal-Mart. A recent western South Dakota legal ruling defined that other items can impact the location criteria. The character of neighborhoods and businesses tend to change over time and a local governing body has a legitimate interest in managing the alcoholic beverage licensing in its jurisdiction to assess whether an alcohol sales location continues to be suitable. The following are the city ordinances on suitable person and suitable location.

112.20 SUITABLE PERSON.

(A) South Dakota Codified Law § 35-2-1.2 requires the City Council to determine whether retail alcohol beverage license applicants or their principals are suitable persons before issuing or renewing said licenses. This determination is required annually for each license the applicant seeks. In order to effectuate a thorough determination of suitable person eligibility for license issuance, new applicants must submit to a criminal background check to determine suitability. Each new applicant shall make arrangements with a law enforcement agency and submit to the fingerprinting process. The applicant must also provide to law enforcement payment to the South Dakota Division of Criminal Investigation in an amount necessary to

cover the costs of the criminal record check. These actions must be taken by an applicant prior to publication of hearing notice required by South Dakota law. The applicant's completed application will be attached to the certification of the law enforcement agency when received.

- (B) A DISQUALIFYING CRIMINAL RECORD for alcoholic beverage license purposes means any conviction for any felony, a crime of violence as defined in SDCL § 22-1-2(9), a sex offense as defined in SDCL § 22-24B-1, or trafficking in controlled drugs or substances which when and where committed would constitute such in the state of South Dakota. Unpardoned convictions of any crime of moral turpitude as defined by SDCL § 22-1-2(25) which when and where committed would constitute such in the state of South Dakota may constitute a disqualifying record as determined by the City Council on a case-by-case basis. Any criminal conviction not disclosed by an applicant on his application form may be treated as a disqualifying record. Any criminal conviction may be considered in making license issuance decision. Suspended imposition of sentence will not be considered a conviction.
- (C) An applicant subject to this policy shall provide to the law enforcement agency performing the fingerprinting process cash, check, or money order in an amount necessary to cover the costs of fingerprints for the criminal record check.
- (D) An applicant or principal in any business entity that is an applicant having any indebtedness to the city must satisfy said indebtedness before the City Council will consider any application for alcoholic beverage license issuance or renewal, except for plan one or two special assessment obligations that are not in arrears.

§ 112.21 SUITABLE LOCATION.

- (A) South Dakota Codified Laws § 35-2-1.2 requires the City Council to determine whether retail alcohol beverage license applications propose suitable locations before issuing or renewing said licenses. This determination is required annually for each license the applicant seeks. The following are nonexclusive criteria established to assist in determining suitable location status:
 - (1) Identification of a garbage hauler to be utilized by the business and the frequency of the garbage pickup;
 - (2) Zoning restrictions, and
 - (3) Neighborhood characteristics.
- (B) In determining suitable location, the City Council will also utilize factors developed through South Dakota case law. This includes the manner in which the business is operated; the extent to which minors frequent or are employed in such place of business; the adequacy of police facilities to properly police the proposed location, and other factors associated with the sale of alcoholic beverages, such as noise and litter.

§ 112.22 SUITABLE PERSON AND SUITABLE LOCATION CONSIDERATION.

- (A) South Dakota codified laws and case law support the premise that the decision to issue an alcoholic beverage license is discretionary. Therefore, the city hereby establishes a two-tiered process to evaluate on-sale liquor applications. The first tier will assess the character of the applicant or principals and whether the location is suitable according to §§ 112.20 and 112.21 of this chapter.
- (B) Upon finding evidence that the character of the applicant is acceptable and the location suitable, the City Council will consider second tier criteria. This process can include

examining the best location for economic and tourism development, the best ancillary uses (restaurant, etc.) developed with the sale of liquor, the best location in accordance with the city long-range plan, the size of the facility, parking facilities, closeness to existing supplementing businesses, residences, and activities deemed important by the City Council.

The City has been working with Mia Weng who represents Guo Fei Zheng on the license application information. Mia speaks some English but stated that Guo Fei Zheng doesn't speak any English. When asked if they would be present at the public hearing and she asked if she could bring someone along to interpret which is fine. We are not certain who will be at the public hearing.

Financial Consideration: The retail on-off sale malt beverage license fee is \$300 with half (\$150) retained by the City. The on-off sale malt beverage license will expire on June 30, 2013.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval or denial of the on-off sale malt beverage license for Guo Fei Zheng for the Asian Buffet at 404 Bower Street. If a motion is made to deny, the reason needs to be included in the motion.

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



To: Vermillion City Council

Date: 06/20/12

From: Matthew Betzen
Chief of Police

A handwritten signature in black ink, appearing to read "Matthew Betzen", written over a circular stamp or mark.

Subject: Retail On-Off Sale Malt Beverage License – Guo Fei Zheng/Asian Buffet

I have reviewed the application submitted by Guo Fei Zheng for a retail on-off sale malt beverage license for the Asian Buffet located at 404 Bower Street. I have reviewed the Vermillion Police Department Records and have found no alcohol violations or felony contacts for the applicant.

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

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 2nd day of July, 2012 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Guo Fei Zheng for the Asian Buffet at 404 Bower Street.

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

Dated at Vermillion, South Dakota this 15th day of June, 2012.

Michael D. Carlson, Finance Officer

Publish: June 29, 2012

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: July 2, 2012

Subject: Street Closure Request – Portions of Main, Court, and Center Streets for Tri-State Drive-In Cruisers.

Presenter: Mike Carlson

Background: The Tri-State Drive-in Cruisers are hosting their annual car show on Wednesday, July 18, 2012. The group is requesting the temporary closure of portions of West Main Street, Court Street, and Center Street. A copy of the application from the organization is attached.

Discussion: The Tri-State Drive-in Cruisers are requesting the closure of the following streets:

- Main Street, from Market Street to the Bank of the West Drive-thru
- ½ of Court Street from Main Street to the alley
- Center Street from Main Street to National Street

The group requests the streets to be closed from 4:00 p.m. to 8:00 p.m.

The Police, Fire, and EMS Departments have been notified of the closure request and have found no safety concerns. The applicant indicated they will take care of any clean-up and have notified property owners adjacent to the proposed closure area.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends allowing the closure on July 18, 2012 from 4:00 p.m. to 8:00 p.m. to facilitate the success of the Tri-State Cruisers event.

Request to Close Public Street

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

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

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

Organization Requesting DAKOTA CLASSIC CRUISERS/SO DAC'S

Contact Person ROBERT GILKYSON Phone (605) 659-1234

Contact Person Address 524 COTTAGE AVE, VERMILLION SD 57069

Event TRI-STATE CRUISERS (CRUISE IN) Date(s) of Event JULY 18, 2012

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

Street MAIN ST. from BANK OF THE WEST to PROSPECT ST, SO. ON CORNER ST To alley
no. on Center to alley

Street Closing Times 4:00 to 8:00

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

Have arrangements been made for clean up after the event and other facilities? Please describe:

There should be no problems. But we will
Pick up any paper ect. that is laying
around.

If approved the contact person will need to make arrangements with the Street Department for barricades to properly denote the street closing.

Signature of applicant Robert Gilkyson date 6/ /12



**ANTIQUES, CLASSICS, CUSTOMS, STREETRODS, CORVETTES, RATRODS, STREET MACHINES,
MUSCLE CARS, SHOEBOXES, LOW-RIDERS, PRO-STREETS, HOPPERS, TUNERS, TRUCKS**

'IF IT'S A CLASSIC TO YOU, IT'S A CLASSIC TO US'

- Wed April 4 Langers, Sheldon, IA (Formerly -Family Table)
- Wed April 11 Long John Silver/ A & W, Sgt. Road, (Mall Parking), Sioux City
- Wed April 18 Godfathers / Dairy Queen, Hwy 59, Cherokee, IA
- Wed April 25 Sloan Main Street, (Sponsor – B & R Pizza), Sloan, Iowa
- Extra Fri April 27 Western Iowa Tech Cruise In, Sioux city, IA
- Wed May 2 Hawarden Downtown, (Sponsor – JC-s) Hawarden, IA
- Wed May 9 Wendy's, South Sioux By-Pass, South Sioux City, NE
- Wed May 16 Ireton Downtown, Ireton, IA
- Extra Sun May 20 Cruise-Fly In Breakfast, Airport, All Vehicles welcome, Cherokee, IA
- Wed May 23 Edgars Soda Fountain, Elk Point, SD
- Extra Fri May 25 Anthon Kids Days, 6 p.m., Anthon, IA (Parade Sat 26th 6pm)
- Wed May 30 Ver Hoef Chevrolet, Sioux Center, IA
- Wed June 6 Woodbury Fairgrounds, Merville, IA (125th Celebration)
- Wed June 13 Ice Cream Days, Bob's Drive Inn, Le Mars, IA
- Extra – Sat June 16 Graffiti Night, Michaels Drive In, Onawa, IA 4-10 p.m. Cruise at 8.
- Wed June 20 Pizza Ranch, Downtown, Marcus, IA
- Wed June 27 Kingsley Downtown, (Sponsor – Affordable Cars), Kingsley
- Wed July 11 Remsen, Downtown, (Sponsor – Remsen Union High School), Remsen, IA
- Extra Sat July 14 Hy Vee, Southern Hills Mall, Make A Wish Foundation Cruise In 10:00 am
- Wed July 18 Vermillion Downtown, (Chamber of Commerce) Vermillion, SD
- Extra Fri-Sun July 20-22 Rock'n Rods, Sioux City Downtown Partners, Sioux City, IA
- Wed July 25 Merrill Downtown (Larry's Automotive, Perera's, Emma Rae's)
- Wed Aug 1 Arnold Motors, Hwy 75 N, Le Mars, IA.
- Extra Sun Aug 5 Sunfest Car Cruise, Dakota City, NE 11-3, no fee, prizes
- Wed Aug 8 Akron Downtown, Akron, IA
- Wed Aug 15 Scoop De Loop, 6pm. Convention Center to Downtown, Le Mars, IA
- Wed Aug 22 McDonalds, I-29 & Singing Hills Blvd., Sioux City, IA
- Wed Aug 29 Total Solar & Services, Business Hwy 75, Le Mars, IA
- Wed Sept 5 Sunborn Drive-In, Hwy 18 East, Sunborn, IA
- Wed Sept 10 Taco Johns Hwy 10 Orange City, IA

Mick Even

**SUMMER
2012**

712-546-7325 micks1@premieronline.net

21st Season

blownnova67@gmail.com

dhuls35@hotmail.com



Council Agenda Memo

From: Andy Colvin, Assistant to the City Manager

Meeting: July 2, 2012

Subject: Closing of Parking Stalls – Coyote Twin/Hollywood Video

Presenter: Andy Colvin

Background: J & J Theatres, Inc., owner of Coyote Twin and Hollywood Video, annually requests permission to close four to five parking stalls in front of their businesses at 10 E. Main Street to display and sell store merchandise to the public. The closure of the stalls is necessary to allow patron access to the merchandise area. This year's sale is scheduled for Thursday, July 26, 2012.

Discussion: Four Main Street parking stalls would remain closed from 7:00 a.m. until 5:00 p.m. on July 26, 2012. As the parking stalls are located directly in front of Coyote Twin/Hollywood Video, customers of these businesses will be most affected by the proposed parking closure. The City has not received any concerns about the closure of the parking stalls in the past.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends approval of the request to allow Coyote Twin/Hollywood Video to close the parking stalls directly in front of Hollywood Video and Coyote Twin theatre at 10 E. Main Street on July 26, 2012 from 7:00 am – 5:00 pm.

June 20, 2012

The Coyote Twin Theatres/Hollywood Video requests permission to close the parking stalls (4) in front of the theatre and video store at 10 & 12 E. Main Street on Thursday, July 26, 2012 from 7:00 a.m. to 5:00 p.m. for our annual Customer Appreciation Day Sale. The parking stalls will be blocked off to allow customer access to the sales area from the sidewalk side.


Janis Johnson



Council Agenda Memo

From: Lee Huber, EMS Director
Meeting: July 2, 2012
Subject: Ambulance Billing Agreement
Presenter: Lee Huber

Background: The Ambulance Department currently uses an in-house system of billing for EMS calls. Numerous challenges to be faced continuing this system in a profitable and economic manner, include changes in Medicare and the coding system utilized to describe injuries, diagnoses and treatments. The coding system change, itself, will increase the number of available codes from approximately 16,000 to over 150,000. As a result, a drastic and costly increase in training would be required in order to ensure that our billing process remains compliant with all standards. In addition, increases in call volume lead to growing concerns with aging reports and increased workload.

Discussion: Physicians Claims Company, Inc. (PCC), offers EMS-specific billing services targeted at assisting EMS agencies in maximizing compliance and revenue. As a third-party vendor, PCC would manage all aspects of the billing process, including sending statements, follow-up with insurance companies and self-payers, report generation and customer support. In addition, they provide training to our EMS staff to ensure compliance with documentation standards. All funds would be addressed and sent to the City of Vermillion. The City has the ability to set parameters and tailor most aspects of this service to our needs. This will also allow more dynamic billing, which will aide in advancing the EMS Department and its Advanced Life Support Pilot Program.

Financial Consideration: For their services, PCC charges 8% of the net generated revenue. The current billing software license would be terminated at the end of its current cycle, a savings of \$2,550 in 2013. Reducing hours of the current part-time billing position, from 20 hours/week to a 15 hours/week position which focuses on quality improvement and other departmental support items, will result in a \$2,600 budget savings. Additionally, postage, copy and office supply costs will decrease as those functions would be conducted by PCC.

Conclusion/Recommendations: The City Attorney has reviewed the agreement. Administration recommends authorizing the agreement between the City of Vermillion and Physicians Claims Company, Inc. to conduct EMS billing operations beginning July 3, 2012, which is a two-year contract.



Council Agenda Memo

From: Andrew Colvin, Assistant City Manager

Meeting: July 2, 2012

Subject: Declaration of Surplus Property - North ½ of the Vacated Alley
Adjacent to Lots 8, 9 and 10, Block 12, Van Meters Addition to the
City of Vermillion

Presenter: Andrew Colvin

Background: In April, City staff was contacted by an attorney with Mackoff Kellogg Law Firm, on behalf of their client, seeking to obtain title to property owned by the City that is currently occupied by a house. The house address is 713 W. Chestnut. The house encroaches into the vacated alley and abuts two lots owned by the City. The property is located on West Chestnut Street at the bottom of the bluff. For reference, the lots to the north that are owned by the City include the small park and bench located on West Main Street at the intersection with Twelfth Street. The house is very old and was likely in place at the time the alley and lots were platted. The property is now moving through the foreclosure process and the law firm is seeking clear title to the structure and land it occupies. Right now, since the City owns a portion of the land under the structure, only the house and a portion of the land under it are owned by Mackoff's client.

Discussion: In order to transfer title of the north half of the vacated alley to a private party, the property first needs to be declared surplus and appraised by the surplus property appraisal committee. If the value of the land, as determined by the committee, is more than \$500 it needs to be advertised for sale and a bid opening date needs to be set. If the value is appraised under \$500, the City can sell the property to a private party without advertising. In staff's opinion, there is little need for the City to retain ownership of the vacated north half of the alley. There are no plans for future utilities and no existing utilities are located on the property. The property is located adjacent to the bluff and the City-owned lots are on the bluff, which makes most of the property unbuildable.

Financial Consideration: If the appraisal committee determines that the value of the land is \$500 or less, the property can be sold to a private party by Council action without advertising for sealed bids. If the value of the land is determined to be greater than \$500, a bid opening date will need to be set and the property will be advertised for sale. Any revenue from the sale will go into the general fund.

Conclusion/Recommendations: Administration recommends declaring the vacated alley adjacent to Lots 8-10, Block 12 Van Meters Addition surplus and authorizing the appraisal by the Surplus Property Appraisal Committee.

CERTIFICATE OF SURVEY

OF

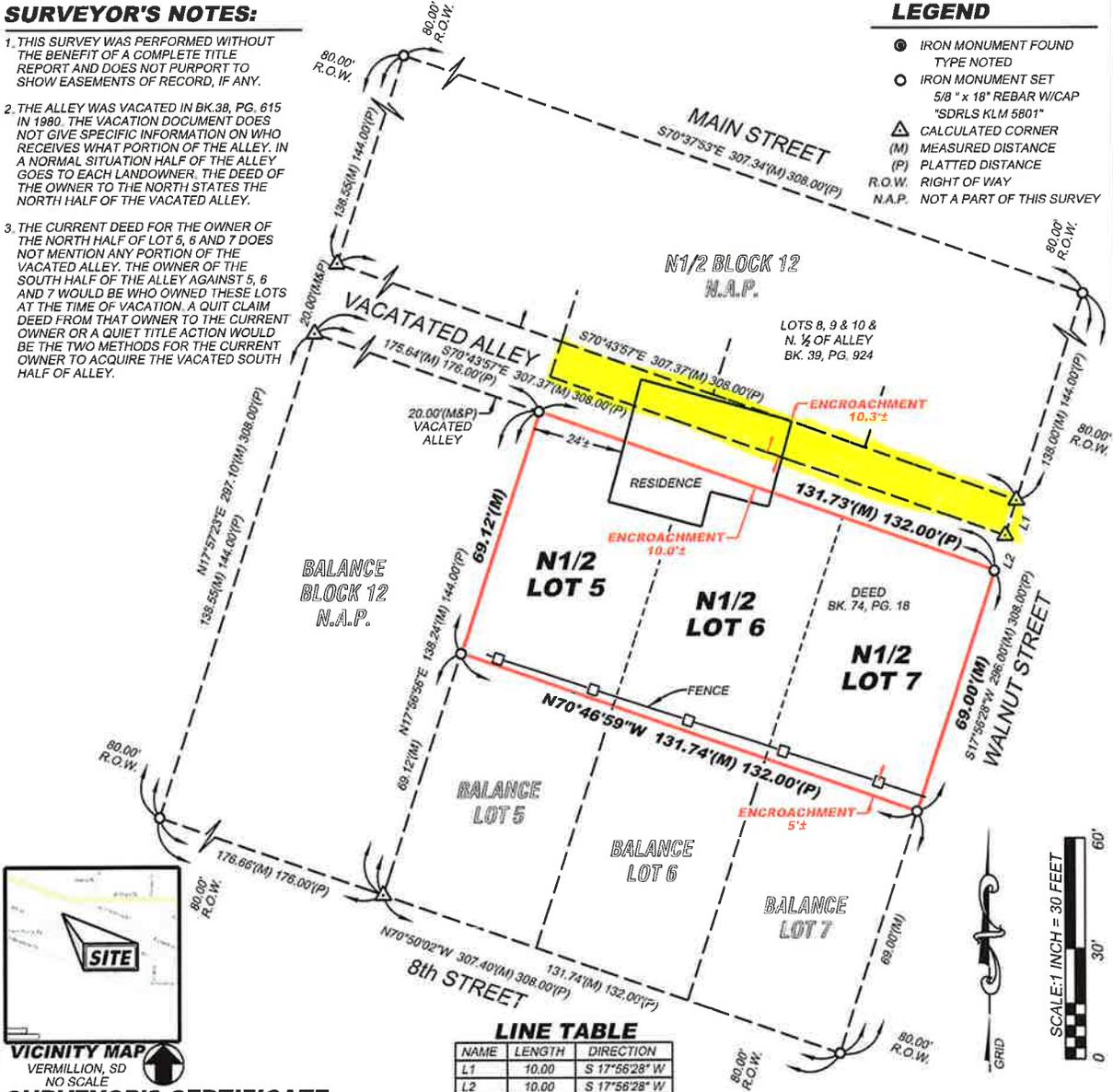
THE NORTH HALF OF LOTS 5, 6 AND 7, BLOCK 12, VAN METERS ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND DOES NOT PURPORT TO SHOW EASEMENTS OF RECORD, IF ANY.
2. THE ALLEY WAS VACATED IN BK. 39, PG. 615 IN 1980. THE VACATION DOCUMENT DOES NOT GIVE SPECIFIC INFORMATION ON WHO RECEIVES WHAT PORTION OF THE ALLEY. IN A NORMAL SITUATION HALF OF THE ALLEY GOES TO EACH LANDOWNER. THE DEED OF THE OWNER TO THE NORTH STATES THE NORTH HALF OF THE VACATED ALLEY.
3. THE CURRENT DEED FOR THE OWNER OF THE NORTH HALF OF LOT 5, 6 AND 7 DOES NOT MENTION ANY PORTION OF THE VACATED ALLEY. THE OWNER OF THE SOUTH HALF OF THE ALLEY AGAINST 5, 6 AND 7 WOULD BE WHO OWNED THESE LOTS AT THE TIME OF VACATION. A QUIT CLAIM DEED FROM THAT OWNER TO THE CURRENT OWNER OR A QUIET TITLE ACTION WOULD BE THE TWO METHODS FOR THE CURRENT OWNER TO ACQUIRE THE VACATED SOUTH HALF OF ALLEY.

LEGEND

- IRON MONUMENT FOUND TYPE NOTED
- IRON MONUMENT SET 5/8" x 18" REBAR W/CAP "SDRLS KLM 5801"
- △ CALCULATED CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- R.O.W. RIGHT OF WAY
- N.A.P. NOT A PART OF THIS SURVEY



LINE TABLE

NAME	LENGTH	DIRECTION
L1	10.00	S 17°55'28" W
L2	10.00	S 17°55'28" W

SURVEYOR'S CERTIFICATE:

I, KIM LaRUE McLAURY, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE DIRECTION OF McCOFF AND KELLOGG LAW "THE NORTH HALF OF LOTS 5, 6 AND 7, BLOCK 12, VAN METERS ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY SOUTH DAKOTA" WAS SURVEYED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, FOLLOWING GENERALLY ACCEPTED PROFESSIONAL STANDARDS FOR THE SURVEYING IN THE STATE OF SOUTH DAKOTA.

DATED THIS _____ DAY OF _____, 2011 REGISTERED LAND SURVEYOR _____

ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF "KIM LaRUE McLAURY, STATE OF SOUTH DAKOTA, REGISTERED PROFESSIONAL LAND SURVEYOR, NUMBER 5801"

ACKNOWLEDGMENT OF SURVEYOR:

ON THIS _____ DAY OF _____, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, PERSONALLY APPEARED, KIM LaRUE McLAURY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED, IN WITNESS WHEREOF, I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC _____



SURVEY CREW: JPG 11/22/11 DRAWN BY: TAA 12/16/11 PROJECT NO. 12111108 SCALE: 1" = 30'

<p style="font-size: small;">Professional Engineers and Land Surveyors</p>	<h2 style="margin: 0;">McLaury Engineering, Inc.</h2>	<p style="font-size: small;">P.O. BOX 1130 118 W. MAIN STREET ELK POINT, SD 57025 (605) 356-2308</p> <p style="font-size: small;">PAGE 1 OF 1</p>
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Council Agenda Memo

From: John Prescott, City Manager
Meeting: July 2, 2012
Subject: Planning Commission Appointments
Presenter: Mayor Jack Powell

Background: By State Statute, the City Council is charged with appointing members of the City Planning Commission.

11-4-11. Appointment of planning and zoning commission--Same as city planning and zoning commission. In order to avail itself of the powers conferred by this chapter, the governing body shall appoint a commission to be known as the planning and zoning commission to recommend the boundaries of the zoning districts and appropriate regulations to be enforced therein. The planning and zoning commission provided herein shall be the same planning and zoning commission provided under the provisions of chapter 11-6.

The commission is comprised of nine citizens appointed by the City Council. The terms are for five years and expire in June.

Discussion: The current members of the Planning Commission and term expiration year are: Ted Muenster (2015), Steve Howe (2015), Don Forseth (2015), Doug Tuve (2015), Mike Manning (2015), Bob Iverson (2012), Matt Fairholm (2012), Tom Reasoner (2012), and Debbie Gruhn (2012). Four terms are expiring this year. The Planning Commission openings were advertised on the local cable channel, the City website, and at the Library. Interested applicants were asked to complete an Expression of Interest Form. A total of four applications were received from all four existing members. City Council members are asked to indicate their preferences to the Mayor.

Financial Consideration: Each member of the Planning Commission is paid \$15 per meeting.

Conclusion/Recommendations: Administration recommends appointing one individual to fill the unexpired term vacated by Mitch Flanagan.



**CITY OF VERMILLION
CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM**

Please indicate the Board/Commission on which you are interested in serving Planning

Title: Mr. Mrs. Miss. Ms. Dr.

Name: Robert Iverson

Home Address: 1845 Constance Dr

Email Address: bobandlinda74@hotmail.com

Phone #: 605-624-4901

Number of years you have lived in/around Vermillion 62

Occupation: Solid Waste Director Employer: City of Vermillion

Business Address: 25 Center St

Prior elected or appointed offices held (if any)

Planning Commission Chairman, Past President Solid Waste Assco., Church Boards

Present and past community volunteer activities:

CAP Board, Vermillion Public School Foundation Board

Why are you interested in service on this Board Commission?

To help build a better Vermillion

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve?

20 years on the Planning Commission Board

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board Commission?

Work on developing affordable housing in Vermillion

Robert Iverson

Signature

6/20/2012

Date

Please return this form to:

John C. Prescott
City Manager
25 Center Street
Vermillion, SD 57069



**CITY OF VERMILLION
CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM**

Please indicate the Board/Commission on which you are interested in serving

Title: Mr. Mrs. Miss. Ms. Dr.

Name: Deborah L. Gruhn

Home Address: 415 S. Mickelson

Email Address: debby.gruhn@gmail.com

Phone #: 605-670-1434

Number of years you have lived in/around Vermillion 15

Occupation: Accountant Employer: USD Foundation

Business Address: 1110 N Dakota, Vermillion

Prior elected or appointed offices held (if any)
none

Present and past community volunteer activities:
Girls State volunteer

Why are you interested in service on this Board Commission?
I am interested in encouraging meaningful growth in our community + can ^{continue to} be involved in that through the planning commission

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve?
I have both a business + legal education + work experience which influences my perspective

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board Commission?

Debby Gruhn
Signature

6.15.12
Date

Please return this form to:

John C. Prescott
City Manager
25 Center Street
Vermillion, SD 57069



**CITY OF VERMILLION
CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM**

PLANNING COMMISSION

Please indicate the Board/Commission on which you are interested in serving

Title: Mr. Mrs. Miss. Ms. Dr.

Name: TOM REASONER

Home Address: 915 RIDGECREST DRIVE

Email Address: TOM.REASONER@GMAIL.COM

Phone #: 605-664-7076

Number of years you have lived in/around Vermillion 16

Occupation: ARCHITECT Employer: SELF EMPLOYED

Business Address: 915 RIDGECREST DR, VERMILLION SD

Prior elected or appointed offices held (if any)
PLANNING COMMISSION-COMMISSIONER

Present and past community volunteer activities:
CLAY COUNTY HISTORIC PRESERVATION COMMISSION - COMMISSIONER
VERMILLION AREA ART COUNCIL - BOARD MEMBER

Why are you interested in service on this Board Commission?
I WISH TO CONTINUE TO BE PART OF THE PLANNING PROCESS
FOR OUR FAIR CITY AND LEND MY SKILLS AND EXPERIENCES
AS A DESIGN PROFESSIONAL TO THE PROCESS.

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve?
LICENSED ARCHITECT, CO-EDITOR OF 'ARCHITECTURE
SOUTH DAKOTA', MEMBER OF THE DESIGN SOUTH DAKOTA TEAM

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board Commission?
TO CONTINUE TO REVISE AND REFINE OUR COMPREHENSIVE
PLAN, AND PLANNING AND ZONING REGULATIONS TO PROMOTE
'GREEN' AND SUSTAINABLE GROWTH AND DESIGN IN OUR
COMMUNITY - FOSTER ONGOING COOPERATION AND COLLABORATION
WITH CLAY COUNTY COMMISSIONS

Signature [Signature] Date 6/11/12

Please return this form to:
[Signature]
John C. Prescott
City Manager
25 Center Street
Vermillion, SD 57069



**CITY OF VERMILLION
CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM**

Please indicate the Board/Commission on which you are interested in serving

Title: Mr. Mrs. Miss. Ms. Dr.

Name: Matthew R. Fairholm

Home Address: 421 S. University St, Vermillion, SD 57069

Email Address: matthew.fairholm@usd.edu

Phone #: 605-624-4124

Number of years you have lived in/around Vermillion 10

Occupation: professor Employer: USD

Business Address: 414 E. Clark Stt, DH 131, Vermillion, SD 57069

Prior elected or appointed offices held (if any)

Planning Commission

Present and past community volunteer activities:

Census committee, VPD Community Survey comm, Cub/Boy Scouts, Church service, ...

Why are you interested in service on this Board Commission?

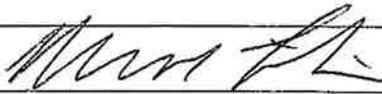
I have learned the importance of land use planning, linked to economic development, and the technical issues surrounding these issues and believe now I am in a better position to add to the discussion for the betterment of Vermillion.

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve?

I have an academic background and the resources that come from it and a growing practical experience related to planning and community development.

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board Commission?

I would like to continue the momentum in improved cooperation with the county and complete the city's comprehensive plan.


Signature

June 13, 2012
Date

Please return this form to:

John C. Prescott
City Manager
25 Center Street
Vermillion, SD 57069



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: July 2, 2012
Subject: Resolution to Prepay Special Assessment Bonds
Presenter: Mike Carlson

Background: The City issues special assessment bonds to pay for the improvements that are assessed as a benefit to the adjoining property for curb and gutter, street paving, street lights, water and sanitary sewer mains. After the project is completed, a special assessment bond is prepared that is sold to the Electric Utility fund as an inter fund loan. With the internal loan, there are no bond issuance fees that would need to be passed along as costs of the project to the benefiting property owners. The bond resolution provides that all payments are to be restricted until the bond has been repaid.

The special assessments are filed with the County Treasurer and the annual principal and interest payment is included on the property tax statements. The payments made with the property taxes are collected by the County and remitted to the City. Special assessments can be prepaid with interest to the City as long as the payments to the County are current.

The bond provides for prepayment, at par, with accrued interest, at any time, at the option of the City as follows: whenever there shall be sufficient funds in said Special Assessment Improvement Bond Fund account over and above the amount of principal and interest necessary to pay the next succeeding installment to become due on said bonds, plus the last principal installment remaining unpaid, together with interest then accrued thereon, then the City may prepay the amount of said last unpaid installment and accrued interest, if any. As the bonds have annual payments due on July 1 there will be no accrued interest due with the prepayment.

Discussion: With the amount of refinancing, a number of the special assessments have been prepaid to the City. As the bond interest rates are 4.5% to 6%, which is considerably higher than what the prepayment funds can be invested, it is in the best interest of the City to call a portion of the bonds.

A resolution has been prepared to authorize the prepayment of the special assessment bonds by the amount of prepaid special assessments on hand in the special assessment debt service fund, water utility fund and wastewater utility fund.

Financial Consideration: The prepayment funds are restricted in the Special Assessment Debt Service Fund for the payment of the bonds and, as such, are available for the prepayment. By making the prepayment, it preserves the financial ability of the debt service fund to make future payment due to the difference in the interest rate on the bond and what the funds can be invested for.

Conclusion/Recommendations: Administration recommends approval of the resolution authorizing the prepayment of the 2005, 2006, 2008 and 2010 special assessment bonds in the total principal of \$188,123.83, from the special assessment debt service fund, \$13,919.00 from the water utility fund, and \$9,735.34 from the wastewater utility fund.

RESOLUTION AUTHORIZING THE PREPAYMENT
OF SPECIAL ASSESSMENT BONDS

WHEREAS, the City of Vermillion has issued special assessment bonds to finance the curb and gutter, street pavement, water and sewer main improvements, that were authorized by Resolutions of Necessity adopted by the City Council, and;

WHEREAS, these special assessment bonds were purchased by the Electric Utility fund as an investment of electric utility reserve funds, accounted for as an inter fund loan, and;

WHEREAS, the bonds provide for annual payments of principal and interest from the special assessment debt service fund, water utility fund and wastewater utility fund, to the electric utility fund, and;

WHEREAS, the bond resolution provides that all, or a portion, of the individual bonds may be called without penalty upon notice, and

WHEREAS, the special assessment bonds were secured by an assessment levied against the parcels of property benefiting from the improvement to be repaid in annual assessments with the property taxes or may be prepaid at any time, and

WHEREAS, the special assessment debt service fund, water utility and wastewater utility fund have received prepayments that are restricted for the payment of the outstanding bonds and, as such, elect to exercise the option to call this portion of the individual special assessment bonds that are currently outstanding,

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes to exercise the option to call the following portions of the special assessment bonds in the amounts stated:

2005 Special Assessment Bond	\$ 18,184.48 Debt Service
2006 Special Assessment Bond	\$ 37,145.83 Debt Service
2006 Special Assessment Bond	\$ 13,919.00 Water Fund
2006 Special Assessment Bond	\$ 7,199.34 Wastewater Fund
2008 Special Assessment Bond	\$108,630.24 Debt Service
2010 Special Assessment Bond	\$ 24,163.28 Debt Service
2010 Special Assessment Bond	\$ 2,536.00 Wastewater Fund

BE IT FURTHER RESOLVED, that the City Council authorizes the Finance Officer to make the advance bond payments, as authorized, from and to the respective city funds.

Dated in Vermillion, South Dakota this 2nd day July, 2012.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

by _____
Michael D. Carlson, Finance Officer



Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: July 2, 2012

Subject Final Plat of Lot 1, Block 1, Solomon's Addition in the NE ¼ of the NE ¼ of 15-92-51

Presenter: Jose Dominguez

Background: John Brandt has submitted a final plat on behalf of the owner, Robert Solomon, of Solomon's Addition. This plat will create a lot on the west side of 468th Avenue, north of South Dakota Highway 50. All of the required easements will be dedicated with the plat.

Discussion: The land being platted is within the Joint Jurisdictional Area. Final plats, within this area, are required by State statute and City ordinance to be presented to the County's Planning Commission for their recommendation to the City Council. The City Council may then either approve or reject the plat. In addition to the final plat requirements, the City requires that a preliminary plat be presented to the City's Planning Commission for their review and approval.

The proposed plat meets all of the requirements set with in the City's Zoning and Subdivision ordinances and within the Joint Zoning Regulations for the Joint Jurisdictional Area.

The preliminary plat was reviewed, and approved, by the City Planning Commission at their May 14th meeting. The preliminary and final plats are identical, with the exception of the required certificates. The final plat was presented to the County's Planning Commission at their June 25th meeting. At this meeting, the County's Planning Commission recommended approval of the plat.

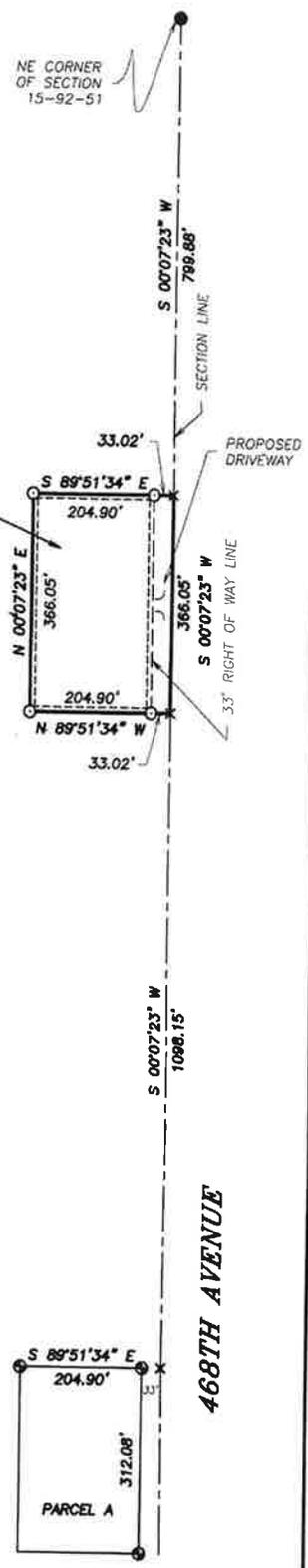
Financial Consideration: All associated platting fees have been paid.

Conclusion/Recommendations: Administration recommends approval of the final plat.

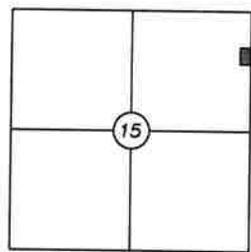
PLAT OF LOT 1, BLOCK 1, SOLOMON'S ADDITION IN THE NE1/4 OF THE NE1/4 OF SECTION 15, T92N, R51W OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA.

LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "R.L.S. 5349"
- FOUND 1/2" REBAR
- ⊙ FOUND IRON PIPE
- × CALCULATED CORNER
- 8' UTILITY EASEMENT

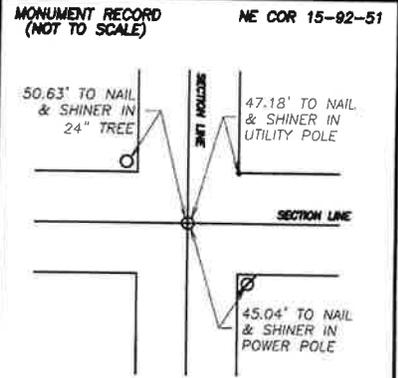


**LOT 1
BLOCK 1**
2.00 ACRES ±
OF WHICH 0.28 ACRES ±
IS BEING USED AS R.O.W.



LOCATION (N.T.S.)

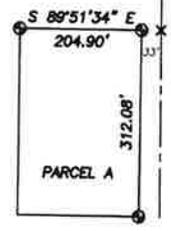
JOB NO. 12110
PAGE 1 OF 2



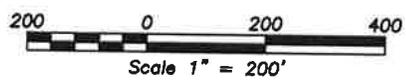
COMMENTS:
FOUND 1/2" REBAR

NOTE:
BASIS OF BEARING
BY GPS OBSERVATION

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOWDALE ROAD
YANKTON, SD 57078
(605) 665-8455



468TH AVENUE





Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: July 2, 2012
Subject: Final Plat of Lot 3, Block 1, Park Avenue Addition to the City of Vermillion
Presenter: Jose Dominguez

Background: Joe Gillen has submitted a final plat on behalf of the owners, Rodney and Susan Oberle, of Park Avenue Addition. This plat will create a lot on the south side of East Main Street east of Cypress Drive. The proposed lot would be contiguous to the City. All of the required easements will be dedicated with the plat.

Discussion: The land being platted is within the Joint Jurisdictional Area. Final plats, within this area, are required by State statute and City ordinance to be presented to the County's Planning Commission for their recommendation to the City Council. The City Council may then either approve or reject the plat. In addition to the final plat requirements, the City requires that a preliminary plat be presented to the City's Planning Commission for their review and approval.

The proposed plat meets all of the requirements set with in the City's Zoning and Subdivision ordinances. However, it does not meet the 2-acre minimum lot size requirement or with the density requirements set within the Joint Zoning Regulations for the Joint Jurisdictional Area. Both of these requirements are being waived due to the fact that the property owners' intent to annex into the City.

The preliminary plat was reviewed, and approved, by the City Planning Commission at their May 29th meeting. The preliminary and final plats are identical, with the exception of the required certificates. The final plat was presented to the County's Planning Commission at their June 25th meeting. At this meeting the County's Planning Commission recommended approval with the condition that the land be annexed into the City.

The property owner's have also agreed to enter into a Developer's Agreement with the City. The agreement would allow the property owner to construct a house without all of

the required street improvements to be brought up to City standards. The agreement also removes the property owner's right to remonstrate against any future street assessments.

Financial Consideration: All associated platting fees have been paid.

Conclusion/Recommendations: Administration recommends approval of the plat with the condition that the land be annexed into the City.

Prepared by: The City of Vermillion
 25 Center Street
 Vermillion, SD 57069
 605-677-7050

AGREEMENT

The City of Vermillion, South Dakota, and Rodney D. and Susan M. Oberley, owners, witnesseth:

In consideration of the mutual covenants herein contained and the benefits to be derived therefrom, the parties agree as follows:

The property owners, their successors or assigns, intend to develop several lots presently described as:

Lots 1 and 2, Block 1, Park Avenue Addition to the City of Vermillion and the West 238-feet of Tract 2, NW ¼ NE ¼ 20-92-51, Clay County, South Dakota.

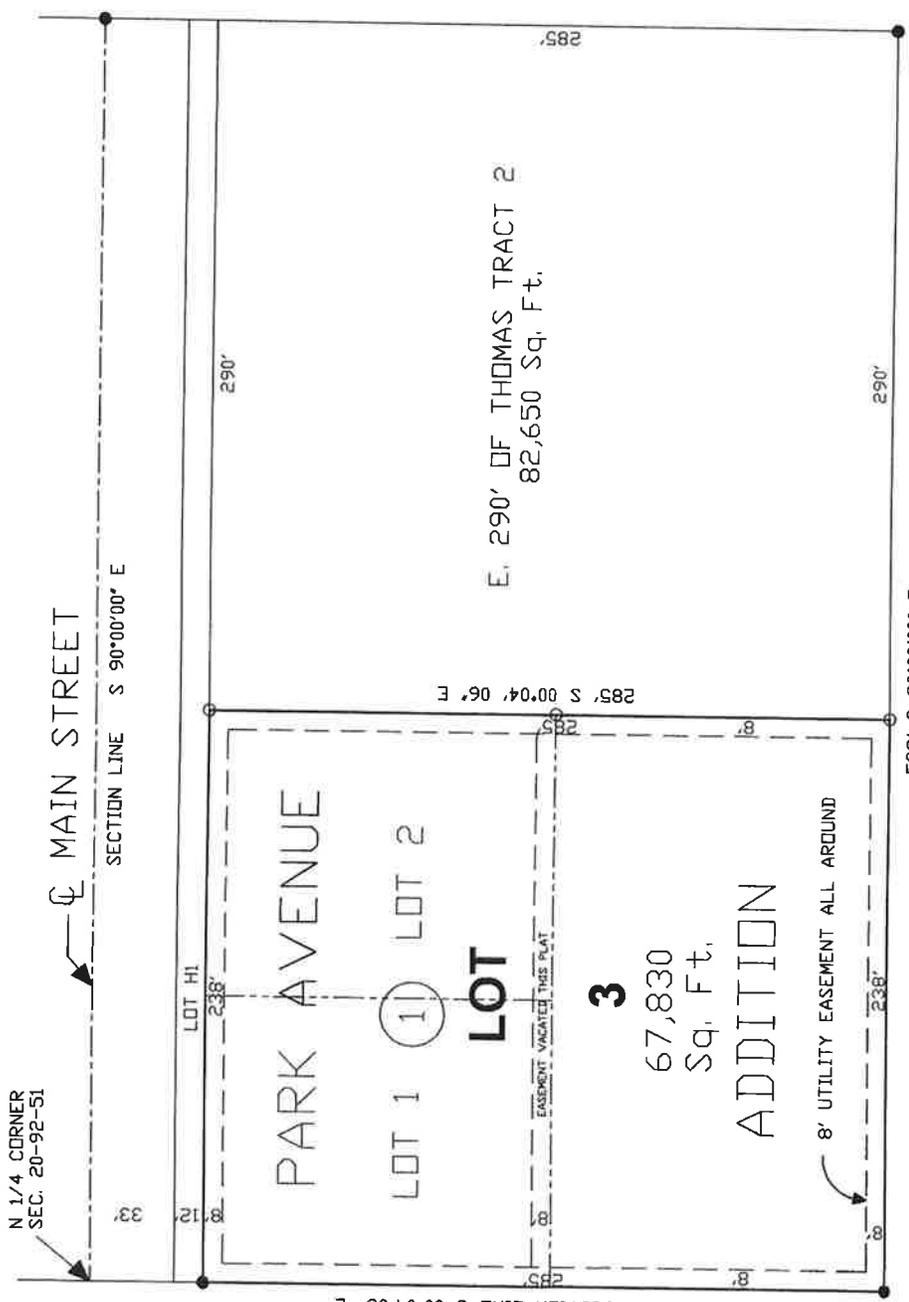
GENERAL:

1. City Subdivision Ordinance requires the property to be platted. A final plat meeting City requirements shall be completed as soon as possible. No building permit, or payments for improvements, will be issued without the completion and approval of final plat.
2. City Ordinance requires the property owners to construct sidewalks, grading, curb and gutter, street surfacing, streetlights, water and sewer improvements, in accordance with City of Vermillion standard specifications along all streets or alleys abutting the property to be developed. All plans and specifications shall be approved by the City prior to construction.
3. The property owners, their successors or assigns, desire to begin construction before all the improvements listed above, are in place.
4. The property owners, their successors or assigns, shall provide to the City of Vermillion a **PERFORMANCE BOND** for the improvements described in this agreement.
5. This **AGREEMENT** and **PERFORMANCE BOND** shall be binding on the parties, their successors and assigns and will be recorded in the office of the Register of Deeds of Clay County, South Dakota.

SIDEWALKS, GRADING, CURB AND GUTTER, STORM SEWER AND STREET SURFACING:

1. Sidewalks will be constructed as a condition to the building permits. If the City Council requires that the construction of these improvements take place prior to the owners request a Resolution of Necessity will be required before these improvements can be made. The costs will be assessed to the property owners after improvements are installed. **The property owners of Lots 1 and 2, Block 1, Park Avenue Addition to the City of Vermillion and the West 238-feet of Tract 2, NW ¼ NE ¼ 20-92-51, Clay County, South Dakota, acknowledge that this agreement will run with the land as a restrictive covenant thereon and is binding on the current and future owners, their successors and assigns that they will not remonstrate against the proposed improvements on Lots 1 and 2, Block 1, Park Avenue Addition to the City of Vermillion and the West 238-feet of Tract 2, NW ¼ NE ¼ 20-92-51, Clay County, South Dakota.**

**PLAT OF LOT 3, BLOCK 1, PARK AVENUE
ADDITION TO THE CITY OF VERMILLION,
CLAY COUNTY, SOUTH DAKOTA.**



SHEET 1 OF 2

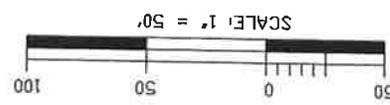
I, JOSEPH W. GILLEN, REGISTERED LAND SURVEYOR NO. 1342 IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE OWNER, HAVE SURVEYED AND REPLATED LOTS 1 AND 2, BLOCK 1, PARK AVENUE ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA AND THE WEST PART OF THOMAS TRACT 2 IN THE NW 1/4, NE 1/4, SEC. 20, T92N, R51W. THIS AREA SHALL HEREAFTER BE KNOWN AS: LOT 3, BLOCK 1, PARK AVENUE ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA. I CERTIFY THAT THE LOCATIONS AND DIMENSIONS AS SHOWN ON THE ABOVE PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF AND THAT IRON STAKES WERE SET OR FOUND AT THE CORNERS SO INDICATED.

IN WITNESS WHEREOF I HAVE SET MY HAND AND SEAL THIS 15th DAY OF May, 2012

REGISTERED LAND SURVEYOR
Joseph W. Gillen



LEGEND
● DENOTES IRON CORNER FOUND
○ DENOTES 5/8" REBAR SET W/ L. S. CAP
STAMPED GILLEN LS 1342



PREPARED BY:
JOSEPH W. GILLEN, PE & LS
615 STERLING STREET
VERMILLION, SD 57069
(605) 624 2067

SURVEYORS CERTIFICATE

1/4 SECTION LINE S 00°04'06\" E

N 1/4 CORNER
SEC. 20-92-51

SECTION LINE S 90°00'00\" E
MAIN STREET

E. 290' OF THOMAS TRACT 2
82,650 Sq. Ft.

528' S 90°00'00\" E

8' UTILITY EASEMENT ALL AROUND

3
67,830
Sq. Ft.

PARK AVENUE

LOT 1 (1) LOT 2

LOT

LOT H1

EASEMENT VACATED THIS PLAT



Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: July 2, 2012

Subject: Resolution Annexing Lot 3, Block 1, Park Avenue Addition to the City of Vermillion

Presenter: Jose Dominguez

Background: The land is located immediately east of the City limits on the south side of East Main Street and east of Cypress Drive.

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 owners have submitted their petition to annex the above mentioned lot into municipal boundaries. The intent of the owners is to construct a house on the annexed lot. The City will be able to service all lots with utilities. The land will enter City limits zoned NRC, Natural Resource Conservation, which is the most restrictive classification and allows farming operations within the City. Rezoning of the property will follow at a later meeting.

Financial Consideration: Since the land will be located within City limits, the annexation will increase the City's property tax base.

Conclusion/Recommendations: Administration recommends approving the resolution to annex Lot 3, Block 1, Park Avenue Addition to the City of Vermillion.

PETITION TO ANNEX CONTIGUOUS TERRITORY
TO THE CITY OF VERMILLION

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

We, the undersigned, acting pursuant to SDCL 9-4-1, hereby petition your honorable body, by a duly adopted resolution, to change the boundaries of the City of Vermillion, South Dakota, so as to include therein the following described real property in the County of Clay and State of South Dakota:

West 238-feet of Thomas Tract 2, NW ¼ NE ¼ 20-92-51, Clay County, South Dakota.

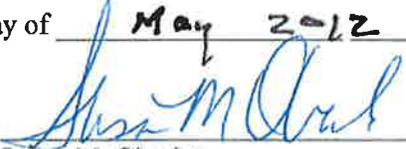
We, the undersigned petitioners, hereby represent that all of the territory within the above described boundary is contiguous to the City of Vermillion, are the owners of not less than three-fourths of the value of the territory to be annexed to the City of Vermillion, and that no registered voter is a resident of the territory to be annexed.

By virtue of SDCL 9-4-1, the undersigned petitioners do hereby petition the Governing Body of the City of Vermillion that the City extend its boundaries by annexation to include the real estate described above.

Dated at Vermillion, South Dakota this 23rd day of May 2012.



Rodney D. Oberley



Susan M. Oberley

A 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 the west 238-feet of Thomas Tract 2, NW ¼ NE ¼, S20-T92-R51, and represents all the registered voters residing within the boundaries of the territory to be annexed; and

WHEREAS, these owners, of more than three-fourths of the value of the territory to be annexed and representing all the registered voters residing within the boundaries of the territory to be annexed, have requested that their property be included within the boundary of the City of Vermillion; 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:

WEST 238-FEET OF THOMAS TRACT 2, NW ¼ NE ¼, S20-T92-R51, 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.

Adopted by the Vermillion City Council this 2nd day of June, 2012.

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

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

(SEAL)



Council Agenda Memo

From: John Prescott, City Manager
Meeting: July 2, 2012
Subject: Housing study funding request
Presenter: Steve Howe, VCDC Executive Director

Background: At the April 30, 2012 Special Meeting, there was discussion about the need for lots for housing construction and new housing stock for the community. While there are a number of comments and thoughts about housing needs, there appeared to be some consensus that a housing study is needed to help document the need. The VCDC was encouraged to investigate completing a housing study.

Discussion: The VCDC received a proposal from CHLab (Community Housing Laboratory) to complete a Workforce Housing Analysis. One of the firm partners is Mark Lautman, who conducted the Community Advancement Strategic Planning meeting on April 30, and spoke with the City Council at the Special Meeting that night. His study partner is Richard Bressan, who has been a homebuilder in the Arizona and New Mexico area for a number of years. CHLab would be able to begin work almost immediately in July. Attached is a copy of the proposal which identifies what the study would entail.

There was discussion at the April 30 meeting that the City would consider funding a housing study. While there wasn't discussion with regard to the amount the City would fund, or if there would be funding partners, it would appear reasonable that the City help with funding some portion of a housing study. As housing is one of the largest current concerns in the community, and can have an impact on future growth, Administration would suggest that the City participate in the housing needs discussion. A copy of the recently completed 5-year Community Advancement Plan developed by Vermillion Now! is also attached. Housing is listed as the number one objective in achieving the goals.

Financial Consideration: The cost of the study is \$30,000, plus an estimated \$5,000 in reimbursable expenses. The VCDC is requesting funding from the City for the study and expenses. Funding for the housing study could come from the housing incentive money that was set aside in 2007 following the sale of the Lotuswood property on Bower Street. Funding could also come from the BBB as the goals of the housing program are economic development.

Conclusion/Recommendations: Administration recommends funding of the housing study at the level which the City Council feels best represents the City's involvement in the study. Direction on where to take the funds from is also needed as a budget revision will be needed to account for the expenditure.

**CITY OF VERMILLION
SOUTH DAKOTA**

**WORKFORCE HOUSING ANALYSIS
PROPOSAL FOR SERVICES**

CHLab

Community Housing Laboratory

June 28, 2012

**Mark Lautman, CEcD, CRE
mark.lautman@leapartners.com
505.366.3234**

**Richard T. Bressan
rickbressan@comcast.net
505.803.0881**

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Proposed Services	5
Fee Proposal	8

INTRODUCTION

The Vermillion Area Chamber and Economic Development Company (“VCDC”) and the City of Vermillion have requested that Community Housing Laboratory (“CHLab”) submit a proposal for preparing a Workforce Housing Analysis for the City of Vermillion (“Vermillion”) providing analytics and recommendations specific to the Vermillion housing market and how it integrates with a broader talent attraction strategy.

General Understanding of Predicament / Need

VCDC has been given the task of generating economic base and service sector jobs, and increasing Vermillion’s tax base and quality of life.

At this point, as with many smaller communities, Vermillion is in danger of creating more economic base jobs than it can accommodate. A significant problem facing economic development in Vermillion today is supplying qualified workers with suitable housing.

General Community Quality

Economic base job growth in and around the Vermillion area has historically outpaced population growth. This is normally a very positive trend. When a local economy grows faster than the population most local households, businesses and tax dependent institutions have more resources per person allowing them to invest in improvements.

However, in cases when economic base job creation and resulting expansion of the local service sector out runs the community’s ability to grow the local workforce, the benefits of job growth diminish quickly.

Vermillion is failing to generate the commensurate or optimal benefits from continued economic base growth in areas such as the City’s tax base and community quality of life.

The primary cause, in this case, is a *chronic and growing shortage of housing* for Vermillion’s expanding workforce. If allowed to persist, the lack of a housing market to meet demand will make it increasingly difficult for Vermillion to continue to reap the benefits of economic growth. It may even

impair the ability of the area's economic base employers to remain competitive and will limit future opportunities to attract and grow new economic base employers.

WORKFORCE HOUSING ANALYSIS

A Workforce Housing Analysis will lay out a plan to ensure the City's growth expectations are met. The analysis will cover the following areas:

Housing Market Requirements

Population –

The majority of the population growth has occurred outside of the city limits.

What rate of population growth should the City plan for?

Where have the newly employed and their families decided to live, if not in Vermillion, and more importantly, why?

Job Creation –

In order to meet growth demands, Vermillion needs to position itself for growth.

Is Vermillion prepared for continued job growth?

Is Vermillion prepared to meet growth demands on an ongoing basis?

What rate of job growth should the community plan for?

Housing –

Housing, for purchase or rent, is difficult to find and is priced higher than surrounding communities. Why?

Does the character of current and planned housing meet buyer needs? Development plans need to consider all market segments and buyer requirements. That is, define mix of rental, entry level housing and move-up products.

How much does the lack of affordable housing impact a family's decision to live in Vermillion?

Does Vermillion's size impact someone's decision to live there?

Workforce Housing Demand Model

CHLab will work with a local project team to develop a predictive workforce housing demand model. The model will endeavor to create an analytic tool for projecting number of housing units in each type/class category expected to be in demand given specific job creation/attrition assumptions (scenarios). CHLab intends to design and develop the model jointly with VCDC, the university and other local subject matter experts.

Talent Attraction Strategies

What amenities and activities are needed to make Vermillion more attractive to prospective employers and their qualified employees?

What programs can or should be developed to help market Vermillion and Vermillion's employers to prospective qualified workers.

A community needs to provide a wide range of housing alternatives. As Vermillion's population grows so will its ability to recruit talent.

PROPOSED SERVICES

In order to answer the questions noted above, a detailed list of analytical parameters will be prepared through discussions with the community stakeholders. The following parameters will also be used in the preparation of the Workforce Housing Analysis.

Housing Challenges

- **Assess Existing Demand**
 - Availability of Housing
 - Homes to purchase.
 - Rental units.
 - Quality of existing housing.
 - Affordability
 - Do existing market conditions meet buyer/renter requirements for housing?
 - What opportunities exist to secure City, County and/or State support to help provide affordable housing?
- **Assess Future Demand**
 - Is the City of Vermillion prepared for growth?
 - How many economic based and service sector jobs will be created over the next ten years?
 - What can Vermillion do to attract and hold the talent needed to fill these anticipated jobs?
 - How many economic based and service sector jobs could be lost or go unfilled due to the lack of appropriate housing alternatives in Vermillion?
- **Assess Character of Future Housing Needs**
 - How critical is a rental housing component?
 - Determine the character of housing requirements.
 - Master Planned Community
 - Determine Product Mix –
 - Entry Level / First Move-up / Multi Move-up Housing
 - Attached vs. Detached
 - Community Amenities
 - House Features
 - Address manufactured and mobile home housing alternatives.

Vermillion's Ability to Meet Growth

- Is Vermillion's infrastructure, school system, medical facilities, etc. able to meet growth requirements?
- Are land parcels available for development?

Community Issues

Use existing VCDC survey results in considering housing alternatives. That is, address questions such as -

- How many individuals commute to work in Vermillion and from where?
- Why do individual commute to Vermillion to work?
 - Why do they want to live in another community?
 - Is it a community issue?
 - Is it a home price/rental cost issue?
 - Is it the school system?
 - Is it the opportunity for employment for the second wage earner in the family?
 - Is it the availability of shopping alternatives or lack thereof?
 - At what point does the price of gasoline impact an employee's ability to commute to Vermillion?
 - They can't afford to live in Vermillion.
 - Can they continue to afford to commute to Vermillion to work?

Re-Capturing Lost Opportunities

- What will it take to convince families to move to Vermillion from surrounding communities if housing issues can be resolved?

Community Drawbacks

- Are there any major drawbacks or impediments to growth which need to be considered?

Learning from Other Communities

- Investigate what other cities have done to address similar issues.

The report will include all pertinent data used to quantify current and projected housing needs for both rental and for sale residential housing products.

FEE PROPOSAL

Services	\$ 30,000
Reimbursable Expenses (Estimate)	<u>5,000</u>
	<u>\$ 35,000</u>

Community Advancement 5 Year Strategic Plan

GOALS

1. Increase Population by 500
2. Increase Average Taxable Growth by 25% (This data is currently tracked by Clay County Assessor. The baseline will be the average year to year growth of NEW taxable property over the last 10 years).
3. Increase Household Income to State Average

OBJECTIVES

In order to meet the above goals the following objectives must be met.

1. **HOUSING** – Increase housing units by 260 (52/year). New units should accommodate life changes of existing residents and to provide affordable inventory for new residents. Desired new household mix will be determined through a housing study/model, but would likely include both single family and rental units.
2. **JOBS** – Add 430 new jobs (86/year) averaging \$15/hour in diverse industries to maximize the talents of the workforce being created at USD and VHS, as well as jobs that compliment and support the existing business base (i.e. suppliers of existing manufacturers). Desired ratio of new jobs is:
 - 145 Blue Collar (Manufacturing and Warehousing)
 - 285 White Collar (Finance, Back Office, IT)
3. **AMENITIES** – Create new and enhance existing amenities that will improve Vermillion’s ability to attract new residents through:
 - Growth of outdoor offerings (Missouri River Visitor Center, continue to expand services at Clay County Park, extend bike paths to and along the Missouri River, as well as expanding existing paths in city and county)
 - Become the art and cultural capital of SD.
 - i. Capitalize on the National Music Museum (i.e. partner with NMM to expand the facility and programming, and create a music series highlighting national talent)
 - ii. Refine and grow signature festivals (Ribs Rods & Rock ‘n Roll, Thursdays on the Platz, Shakespeare Festival) which feature Vermillion’s art and cultural talent base.
 - iii. Support the growth of art programs in the community for all ages to improve live music and theatre offerings.
 - Promote and grow existing public events offered by USD, such as Division I athletics, concerts, theatre productions, etc.
4. **MARKETING** – Create a marketing plan to recruit new residents from the region, the existing commuter base, and from USD graduates and alumni.

Mark Lautman, CEcD, CRE



Mark Lautman is a founding director of the Community Economics Lab, a private not-for-profit think tank that innovates new approaches to economic development to work in a labor and capital constrained economy. His consulting business, Lautman Economic Architecture, LLC, works with community leaders to transform community economies and elevate the professional practice of economic and workforce development.

Mark writes a monthly column for the *New Mexico Business Weekly*, and is the author of a new book, [When the Boomers Bail: A Community Economics Survival Guide](#), available on Amazon.com.

Mark has three decades of experience as a professional economic developer, and has designed and managed four economic development programs having procured more than 80 corporate locations, accounting for more than 15,000 new jobs, 6 million square feet of industrial space and \$11 billion dollars in new investment. Most recently, Mark was Vice President of Economic Development at Mesa del Sol where his business unit was responsible for recruiting Albuquerque Studios, Schott Solar, Fidelity Investments and several others. Mark's previous New Mexico economic development assignments included Santa Teresa, Rio Rancho and Grants. Mark's recent consulting projects include: Spaceport America, Live Work

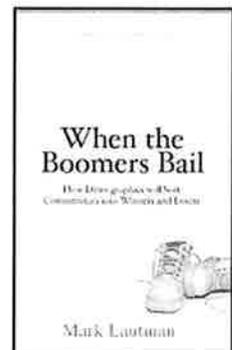
New Mexico, Artesia Chamber of Commerce, San Juan County, Cibola County, Rio Rancho Economic Development Corporation, WorkKeys Based Labor Market Model, New Mexico EB5 Regional Center, OKC Land Inventory Analysis, and Ft. Bayard masterplan.

Mark's recent conference speaking engagements include: NAIOP, TEDx, National Rural Economic Development Association, International Economic Development Council, UNM Speaker Series, ULI Emerging Trends Conference, National Association of Workforce Boards, EDA, National Brownfield Association, IGNITE and Business Expansion Retention International.

Mark is a 1971 graduate of The University of New Mexico in Economics, Architecture and Geography, and a former Peace Corps Volunteer. Mark and his wife, Mary Anne live in Albuquerque. They have three children, two having graduated from UNM and one from NMSU, as well as three grandchildren.

When the Boomers Bail: A Community Economics Survival Guide

As the industrialized world recovers from the great recession, we face an even graver economic threat. A structural shortage of qualified workers is creating a zero-sum labor market that is forcing communities to steal talent from each other, in order to survive and grow. The cause of this impending economic disaster: a baby boom generation who didn't have enough kids to replace themselves, and an education system that has failed to properly prepare students for the new demands of today's market. Add to that, 78 million soon-to-be-retired Baby Boomers who will go from high-earning producers to resource-sapping dependents, and the situation worsens. Any community unable to attract and hold talent will join a growing number of economically doomed places where economic development is impossible. This suddenly makes deciding where to live or invest a much higher-stakes game. In [When the Boomers Bail](#), economic architect, Mark Lautman, details the causes of the problem, explains how it changes the game and what you can do about it.



Richard T. Bressan

Rick Bressan currently operates a consulting practice offering a full range of services, including preparation of housing analyses and development and housing proformas, assistance with the establishment and/or replacement of existing credit facilities, assistance with debt restructuring and/or bankruptcy proceedings, preparation of property evaluations, assistance with operating budgets and proformas, as well as real estate brokerage.

Recently, he had the responsibility for starting up the production housing operations of a local New Mexico homebuilder, including product development, construction and sales. He has spent over 30 years in the home building industry having both financial and operating responsibilities. In addition to the above, Rick's responsibilities included, Senior Vice President - Land and Forward Planning for the New Mexico division of a national homebuilder; Financial Officer and Vice President – Land Acquisition for the New Mexico division of another national homebuilder and Executive Vice President for a regional real estate holding company.

He has extensive experience in all facets of the homebuilding industry including financial reporting, bank financing, budgeting & strategic planning, acquisition due diligence, land acquisition & development, sales and construction.

Rick received his Bachelor of Business Administration from the University of New Mexico with a concentration in Accounting. He was on the audit staff of two national public accounting firms where his principal client base was in the real estate industry, both commercial and residential.

He was licensed as a Certified Public Accountant in 1975 (his license is currently inactive) and as an Associate Real Estate Broker in 2006.

CITY OF VERMILLION
 INVOICES PAYABLE-JULY 2, 2012

1 UNIVERSITY CLEANERS	HEMMING	36.00
2 A & B BUSINESS, INC	MAINTENANCE CONTRACT	604.87
3 ADOLPH KIEFER & ASSOC LLC	SUPPLIES	70.67
4 ALLEGIANT EMERGENCY SERVICE	SUPPLIES	89.85
5 AMETEK DREXELBROOK	PARTS	740.37
6 APPEARA	SUPPLIES	164.64
7 AQUA-PURE INC	SUPPLIES/CHEMICALS	4,496.00
8 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	263.89
9 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	95.79
10 ATCO INTERNATIONAL	SUPPLIES	112.00
11 AUDIO GO	BOOKS	371.85
12 BAKER & TAYLOR BOOKS	BOOKS	564.44
13 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	7,410.00
14 BARCO MUNICIPAL PRODUCTS	SUPPLIES	335.16
15 BATTERIES PLUS	SUPPLIES	100.50
16 BEAU BARRETT & APRIL LIESWALD	UNDERGROUND REIMBURSEMENT	400.00
17 BIERSCHBACH EQPT & SUPPLY	SUPPLIES	3,108.55
18 BIKE PLUS	PARTS	185.85
19 BOBS CANDY SERVICE, INC	SUPPLIES	237.75
20 BOOK WHOLESALERS, INC	BOOKS	107.50
21 BORDER STATES ELEC SUPPLY	SUPPLIES	654.22
22 BOUND TREE MEDICAL, LLC	SUPPLIES	366.39
23 BROADCASTER PRESS	ADVERTISING	162.00
24 BROCK WHITE CO	SUPPLIES	5,510.54
25 BROWN TRAFFIC PRODUCTS	SUPPLIES	137.50
26 BRUNICKS SERVICE INC	PROPANE	133.00
27 BRYAN BERINGER	MEMBERSHIP & SAFETY BOOT REIMBURSEMENT	225.00
28 BUTLER MACHINERY CO.	PARTS	152.29
29 BW INSURANCE AGENCY, INC	NOTARY BOND	100.00
30 CAMPBELL SUPPLY	SUPPLIES	1,688.04
31 CANON FINANCIAL SERVICES, INC	COPIER/PLOTTER CONTRACT	252.43
32 CASK & CORK	MERCHANDISE	891.43
33 CENTER POINT LARGE PRINT	BOOKS	362.61
34 CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
35 CENTURLINK	911 RELAY SERVICE	5.00
36 CENTURLINK	TELEPHONE	734.40
37 CHEMCO, INC	SUPPLIES	665.28
38 CHERRY STREET GRILLE	CATERING	2,425.00
39 CHESTERMAN CO	SUPPLIES	1,893.68
40 CITY OF VERMILLION	COPIES/POSTAGE	1,057.23
41 CITY OF VERMILLION	UTILITY BILLS	38,076.85
42 CLAY COUNTY AUDITOR	UNDERGROUND REIMBURSEMENT	135.00
43 CLAY RURAL WATER SYSTEM	WATER USAGE	42.20
44 CLEMET BOSTUCK	MOWING	490.00
45 CLEVELAND GOLF	MERCHANDISE	314.52
46 COFFEE KING, INC	SUPPLIES	57.75
47 COLONIAL LIFE ACC INS.	INSURANCE	3,179.90
48 CONCRETE MATERIALS	GOLF SAND	860.88
49 COX AUTO SUPPLY	PARTS	141.65
50 CROSSROADS HOTEL & CONVENTION	LODGING	288.00

51 CULLIGAN WATER	WATER COOLER/BOTTLED WATER	118.50
52 CUMMINS CENTRAL POWER, LLC	REPAIRS & TRANSFER SWITCHES	10,581.82
53 D & D PEST CONTROL	INSPECTION/TREATMENT	17.50
54 D & G CONCRETE CONSTRUCTION	STANFORD STREET UTILITY CONSTRUCTION	65,076.47
55 D-P TOOLS	SUPPLIES	84.25
56 DAKOTA BEVERAGE	MERCHANDISE	9,416.28
57 DAKOTA PC WAREHOUSE	COMPUTER/MONITOR	493.94
58 DEAR READER.COM	SUBSCRIPTION	550.00
59 DELTA DENTAL PLAN	INSURANCE	6,023.40
60 DENNIS MARTENS	MAINTENANCE	833.34
61 DEPT OF REVENUE	TESTING	377.00
62 DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	1,594.50
63 DIAMOND VOGEL PAINTS	TRAFFIC PAINT	1,506.94
64 DIANE'S GREENHOUSE	PLANTS	952.57
65 DORSEY & WHITNEY	PROFESSIONAL SERVICES WATER SRF LOAN	4,000.00
66 DOUG AKINS	UNDERGROUND REIMBURSEMENT	480.00
67 DUST TEX	SUPPLIES	46.60
68 E.A SWEEN COMPANY	SUPPLIES	202.53
69 EARTHGRAINS BAKING CO'S INC	SUPPLIES	145.46
70 EBSCO	SUBSCRIPTION	4,279.35
71 ECHO ELECTRIC SUPPLY	SUPPLIES	4,465.49
72 ELECTRONIC ENGINEERING	INSTALLATION POLICE EQUIPMENT	5,779.36
73 ELLIOTT EQUIPMENT CO	PARTS	2,350.24
74 ENERGY LABORATORIES	TESTING	1,220.00
75 ERIN J. SEEP	MAINTENANCE	66.25
76 EZ-LINER INDUSTRIES	PARTS	600.81
77 FARMER BROTHERS CO.	SUPPLIES	40.88
78 FEDEX.	SHIPPING	10.97
79 FOREMOST EQUIPMENT	SUPPLIES	252.00
80 FOX RUN GOLF COURSE	MERCHANDISE	475.00
81 G & R CONTROLS	REPAIRS	1,126.58
82 GALE	BOOKS	254.13
83 GEAR FOR SPORTS	MERCHANDISE	1,366.78
84 GRAHAM TIRE CO.	TIRES	461.76
85 GREGG PETERS	FREIGHT	991.25
86 GREGG PETERS	RENT	937.50
87 HANSEN LOCKSMITHING	REPAIRS	30.00
88 HARLAN'S BIKE AND TOUR	REPAIRS	238.80
89 HAUGER YARD/SNOW SERVICE	MOWING	63.00
90 HAWKINS WATER TREATMENT	CHEMICALS	4,315.01
91 HD SUPPLY WATERWORKS	SUPPLIES	3,469.75
92 HDR ENGINEERING, INC	PROFESSIONAL SERVICES	13,196.38
93 HELMS & ASSOCIATES	PROFESSIONAL SERVICES	20,755.15
94 HENDERSONS ULTIMATE CAR WASH	CAR WASH CARD	80.00
95 HERREN-SCHEMPP BUILDING	MATERIALS	9,156.83
96 HIGMAN SAND & GRAVEL	GOLF SAND	280.96
97 HILLYARD FLOOR CARE SUPPLY	SUPPLIES	84.32
98 HY VEE FOOD STORE	SUPPLIES	227.74
99 INDEPENDENCE WASTE	WASTE HAULING	1,030.50
100 INGRAM	BOOKS	3,153.33
101 INTELLI TRACK	MAINTENANCE CONTRACT	495.00
102 JACKS UNIFORM & EQPT	UNIFORM	1,775.80
103 JAY'S PLUMBING	REPAIRS	41.85
104 JAYMEE HARVEY	SUPPLIES	142.14

105 JERRY ANDERSON	UNDERGROUND REIMBURSEMENT	645.00
106 JOHN A CONKLING DIST.	MERCHANDISE	8,671.15
107 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	19,623.00
108 JOHNSON CONTROLS	REPAIRS/SVC AGREEMENT	5,040.87
109 JOHNSTONE SUPPLY	SUPPLIES	209.22
110 JONATHAN WARNER	MEALS REIMBURSEMENT	40.00
111 JONES ACE HARDWARE	SUPPLIES	1,291.64
112 JONES FOOD CENTER	SUPPLIES	916.34
113 KALINS INDOOR COMFORT	REPAIRS	465.29
114 KARSTEN MFG CORP	MERCHANDISE	1,053.08
115 KINETIC LEASING	MOTOR GRADER LEASE	12,737.00
116 KNOLOGY	911 CIRCUIT	1,365.50
117 KOLETZKY IMPLEMENT	PARTS	657.36
118 KRIS O'CONNOR	REFUND SERVICE FEES	20.60
119 LEISURE LAWN CARE	TREATMENT	75.00
120 LESSMAN ELEC. SUPPLY CO	SUPPLIES	644.70
121 LINCOLN MUTUAL LIFE	INSURANCE	521.30
122 LOCATORS AND SUPPLIES, INC	SUPPLIES	90.22
123 LUDEY'S READY MIX	SUPPLIES	241.00
124 MALLOY ELECTRIC	PARTS	116.67
125 MARKS MACHINERY	PARTS	153.98
126 MART AUTO BODY	TOWING	735.00
127 MATHESON TRI-GAS, INC	MEDICAL OXYGEN	45.65
128 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,320.00
129 MEAD LUMBER	SUPPLIES	242.69
130 MEDIBADGE, INC	SUPPLIES	101.20
131 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	82.50
132 MICRO MARKETING ASSOC	BOOKS	138.65
133 MIDWEST ALARM CO	ALARM MONITORING	135.00
134 MIDWEST BUILDING MAINTENANCE	MAT SVC	553.85
135 MIDWEST READY MIX & EQUIPMENT	ROCK/CONCRETE	5,149.00
136 MIDWEST TURF & IRRIGATION	PARTS	1,630.27
137 MINNESOTA'S HERITAGE	SUBSCRIPTION	25.00
138 MISSOURI VALLEY MAINTENANCE & REPAIR	REPAIRS	1,175.50
139 MURPHS APPLIANCE & TV INC	REPAIRS	105.89
140 N B GOLF LLC	LEASE & REPAIRS	3,901.45
141 NATHAN GOETTE	MEALS REIMBURSEMENT	40.00
142 NCL OF WISCONSIN, INC	SUPPLIES	612.45
143 NEBRASKA JOURNAL-LEADER	ADVERTISING	135.00
144 NETSYS+	PROFESSIONAL SERVICES/REPAIRS	310.00
145 NEW YORK LIFE	INSURANCE	95.00
146 NIKE INC	MERCHANDISE	715.85
147 NORTHERN SAFETY CO. INC	SUPPLIES	95.37
148 NOVELTY MACHINE & SUPPLY	REPAIRS	53.00
149 OFFICE OF WEIGHTS & MEASURE	TEST REPORT	151.00
150 OFFICE SYSTEMS CO	COPIER CONTRACT	959.44
151 OKOBOJI WINES-WEST	MERCHANDISE	486.00
152 OLSON WELDING	REPAIRS	75.00
153 OVERHEAD DOOR OF YANKTON	REPAIRS	98.25
154 OXMOOR HOUSE	BOOKS	73.82
155 PAULS PLUMBING	REPAIRS	3,576.61
156 PETE LIEN & SONS, INC	CHEMICALS	8,887.70
157 PITNEY BOWES	POSTAGE METER	242.49
158 PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27

159 PRAIRIE BERRY WINERY	MERCHANDISE	1,995.00
160 PRESSING MATTERS	SUPPLIES	124.00
161 PRESTO-X-COMPANY	TREATMENT	87.95
162 PROPET DISTRIBUTORS	SUPPLIES	236.90
163 PUMP N PAK	FUEL	2,605.47
164 QUEEN CITY WHOLESALE	MERCHANDISE	969.39
165 QUILL	SUPPLIES	1,772.49
166 RACOM CORPORATION	MAINTENANCE CONTRACT	368.50
167 RADIANT HEAT, INC	HEATING SYSTEM REPAIRS	3,466.50
168 RANDOM HOUSE, INC	BOOKS	153.75
169 RASMUSSEN MOTORS, INC	REPAIRS	46.39
170 RECORDED BOOKS, INC	BOOKS	4,132.40
171 RECREONICS	SUPPLIES	85.95
172 REINHART FOODSERVICE, LLC	SUPPLIES	1,521.16
173 REPUBLIC NATIONAL DIST	MERCHANDISE	17,055.60
174 RESCO	SUPPLIES	1,972.00
175 ROSEWOOD GREENHOUSE	PLANTS	94.18
176 SANFORD USD MEDICAL CENTER	SUPPLIES	54.12
177 SAYRE ASSOCIATES, INC	PROFESSIONAL SERVICES	1,014.39
178 SCHAEFFER MFG. CO	SUPPLIES	793.60
179 SD DEPT OF PUBLIC SAFETY	LICENSE FEE	12.00
180 SD GOLF ASSOCIATION	HANDICAP	4,302.00
181 SD POLICE CHIEFS ASSOCIATION	TESTS	165.00
182 SD RETIREMENT SYSTEM	CONTRIBUTIONS	46,824.90
183 SD SECRETARY OF STATE	NOTARY FILING FEE	30.00
184 SD STATE HISTORICAL SOCIETY	MEMBERSHIP	35.00
185 SDN TECHNOLOGIES	REPAIRS	919.57
186 SENSUS METERING SYSTEMS	SOFTWARE SUPPORT	1,524.60
187 SERVALL TOWEL & LINEN	SHOP TOWELS	58.80
188 SEVERN TRENT WATER PURIFICATION	REPAIRS	10,039.22
189 SHARE CORPORATION	SUPPLIES	358.72
190 SIEMENS POWER TRANSMISSION	PARTS	100.00
191 SIOUX FALLS TWO WAY RADIO	REPAIRS	280.88
192 SPECIAL T'S AND MORE	UNIFORM SHIRTS	817.00
193 STANLEY SECURITY SOLUTIONS	SUPPLIES	414.89
194 STEFFEN	PICKUP LIFT GATE	3,235.00
195 STEVEN WALLER	WATER HEATER/WIRING REBATE	200.00
196 STEWART OIL-TIRE CO	REPAIRS	263.85
197 STOCKMEN'S TRAILER SALES	PARTS	81.76
198 STUART C. IRBY CO.	TRANSFORMERS	16,200.00
199 STURDEVANTS AUTO PARTS	PARTS	1,285.40
200 TAYLOR MADE	MERCHANDISE	229.94
201 THATCHER COMPANY	CHEMICALS	20,723.20
202 THE EQUALIZER	ADVERTISING	304.80
203 THE NEW SIOUX CITY IRON CO	SUPPLIES	33.46
204 TITAN ACCESS ACCOUNT	PARTS	1,447.04
205 TITLEIST DRAWER CS	MERCHANDISE	8,441.41
206 TRUE VALUE	SUPPLIES	566.26
207 TURNER PLUMBING	REPAIRS	133.49
208 UNITED LABORATORIES	SUPPLIES	170.22
209 UNITED WAY	CONTRIBUTIONS	330.80
210 UPSTART	SUPPLIES	36.25
211 VALIANT VINEYARDS	MERCHANDISE	252.00
212 VERIZON WIRELESS	POLICE COMMUNICATION	212.18

213 VERMEER HIGH PLAINS	PARTS	79.32
214 VERMILLION COMMUNITY CPR	CPR CARD	4.00
215 VERNON MANUFACTURING	PARTS	350.00
216 VISA/FIRST BANK & TRUST	LODGING/FUEL/SUPPLIES	5,558.03
217 WAL-MART COMMUNITY	SUPPLIES	945.54
218 WALKER CONSTRUCTION	JUNK/DEBRIS REMOVAL	155.00
219 WALT'S HOMESTYLE FOODS, INC	SUPPLIES	302.20
220 WEEDCOPE, INC	HERBICIDE APPLICATION	400.00
221 WELFL CONSTRUCTION CO	LIBRARY EXPANSION/REMODEL	114,856.00
222 WESCO DISTRIBUTION, INC	SUPPLIES	3,292.50
223 WEST GROUP PAYMENT CENTER	SUBSCRIPTION	221.04
224 YANKTON FIRE & SAFETY	EXTINGUISHER RECHARGE	32.50
225 YANKTON JANITORIAL SUPPLY	REPAIRS	1,416.91
226 YANKTON NURSERIES, LLC	PLANTS	201.73
227 YANKTON WINNELSON CO	REPAIRS	130.00
228 ZEE MEDICAL SERVICE	SUPPLIES	104.50
229 ZEP SALES & SERVICE	SUPPLIES	210.17
230 ZIMCO SUPPLY CO	SUPPLIES	6,487.56
231 ZUERCHER TECHNOLOGIES LLC	POLICE & COMMUNICATIONS INTERFACE	5,400.00
232 DAWNA DAVIS	BRIGHT ENERGY REBATE	250.00
233 STEVEN WALLER	BRIGHT ENERGY REBATE	525.00
	GRAND TOTAL	\$653,122.93

Dear Mayor Powell and Vermillion City Council members,

In discussion with our members it was reported several of our growing businesses have been asked by City of Vermillion Code Enforcement to take down their "Now Hiring" banners placed near the roadways because they were in violation of the City's sign ordinance. The ordinance currently prohibits such banners unless secured flat against the building. We appreciate the need for sign regulations as a way to maintain an orderly appearance, but we feel the ordinance should be consistent with the stated goals of the community, namely job growth. Placing the banners on the building as current ordinance requires significantly limits their effectiveness, particularly on the larger buildings set further back from the road, such as Polaris or Masaba, where the difference in scale of sign to building is so great. Given the workforce shortage Vermillion is currently experiencing, businesses need to broaden their search tactics to meet the demand, not encounter ordinances that limit.

The City of Vermillion and the Vermillion Area Chamber and Development Company has committed considerable time and money towards economic development, and specifically to growing job opportunities in the community. To ask our businesses to remove signage they need to fill these new jobs seems counter intuitive to these stated goals.

While possible modification to the ordinance should not necessarily be limited to this suggestion, in the spirit of collaboration we would like to propose a change to Section 1582.04 (Signs Exempt From Division Regulations) by adding "Employment related signage" as exemption (N). We feel employment opportunity signage complies with the spirit of these exemptions which include 1) real estate signs, 2) construction site signs, 3) holiday decorations/banners, and 4) housing development maps/signs. They are temporary by design, noncommercial in nature, and are in the public interest as they let everyone know that Vermillion is growing and "open for business."

Proposed language is as follows:

Section 152.04 (N):

"Employment related signage - A temporary non-illuminated sign placed upon a property for the purpose of advertising employment opportunities, not to exceed 100 square feet in the Heavy Industrial (HI) and General Industrial (GI) zone, and 27 square feet in the General Business (GB) and Central Business zones, unless located on the wall of a building. The signs shall not be located in any public right of way."

We appreciate your time and attention to this matter, and look forward to working with you towards a positive solution.

Sincerely,

The Legislative Affairs Committee of the VCDC:

Michelle Maloney

Ted Muenster

Raymond Ring

Vermillion Business representatives:

Jerad Higman, *President of Masaba Mining, Inc.*

Paul Eikhoff, *Polaris Industries*

Doug Standley, *Stream Global*

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forced sidewalks on Crawford Road on unsold lots [Inbox](#)

Archimedes Plutonium <plutonium.archimedes@gmail.com>
To: "plutonium. archimedes" <plutonium.archimedes@gmail.com>

Fri, Jun 22, 2012 at 4:11 PM

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To: City of Vermillion board
Mayor of Vermillion
City Manager

Fm: Archimedes Plutonium
31401 Meckling Rd
Meckling South Dakota 57069

Date: 22 June 2012

Regards to your letter dated 14 June 2012 with respect to sidewalks on the stretch of Crawford Road of Lacroix Addn.

Your letter says that sidewalks are forced when a building permit is given or that in some code of 75% or more has existing sidewalk. A inspection walk down or up that stretch of Crawford Road shows there to be less than 25% existing sidewalks and that farm fields are 75% of that stretch of Crawford.

I like to be treated with equality and fairness by the law, and since across the street from my lots the Church is selling lots and thus sidewalks are forced via building permits, that I should have the same equality of law that my vacant lots when sold will have sidewalks built when the new owner applies for a building permit and not before. To demand that my lots have sidewalks before they are sold is to demand that the Church build sidewalks on their unsold lots also.

It is rather silly to force people to build sidewalks before a empty lot is sold and then have to repair or replace the entire sidewalk once the new owners build on the site.

I would agree if Crawford Road was really 75% in sidewalks, but seeing that it is only less than 25% in sidewalk, I have to ask why all this accelerated rush to force lot owners to put in a new sidewalk before their lot is even sold.

Surely, the City of Vermillion has a thousand more pressing projects that would need their attention than to be forcing sidewalk construction on the newly developing fringes of the city.

Archimedes Plutonium