



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, May 20, 2013

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. May 6, 2013 Special Session; May 6, 2013 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
6. **Public Hearings**
 - a. Special permit to exceed permissible sound levels by no more than 50% for Beta Theta Pi at 429 N Plum Street on August 27, 2013 between 6:00 pm and 9:55 pm for a concert.
7. **Old Business**
 - a. Second Reading of Ordinance No. 1300 - Amending Chapter 34 Urban and Rural Service Districts Appendix A to remove platted property from the rural service district.
8. **New Business**
 - a. Final Plat of Bliss Third Addition to the City of Vermillion.
 - b. Resolution for Annexation of Bliss Third Addition to the City of Vermillion.
 - c. Authorization to Notify Electric Cooperative of Intent to Serve Annexed Area (Tract 1, Bliss Third Addition).
 - d. Resolution to approve a Project Plan for TIF #5 (VCDC project to construct an office building at the SW corner of Princeton and Bower Streets).
 - e. Resolution to authorize the purchase of a Police Car utilizing the 2013 State of South Dakota bid.
 - f. Report on the work of the HVAC Committee.
 - g. Fireworks public display permit for July 4, 2013 by the Vermillion Chamber of Commerce.
 - h. Fireworks public display permit for June 15, 2013 by Laura Hollingsworth.
9. **Bid Openings**
 - a. 2013 Chip Seal Project.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**

- a. Set a public hearing date of June 3, 2013 for a special daily malt beverage and wine license for the Vermillion Area Arts Council on or about June 13, 2013 at 202 Washington Street.
- b. Set a public hearing date of June 3, 2013 for transfer of retail on sale liquor license to Augustus Management, LLC for Howler's Bar & Grill at 912 N. Dakota Street transfer from Secure Success, LLC operating Pro's Sports Bar.
- c. Set a public hearing date of June 3, 2013 for issuance of retail on-off sale malt beverage with SD Farm Wine license for Augustus Management, LLC for Cherry Street Grill at 1122 E. Cherry.
- d. Set a public hearing date of June 3, 2013 for malt beverage license renewals.
- e. Set a bid opening date of May 30, 2013 for the Replacement of the Traffic Signal Pole at North University and East Cherry Streets.
- f. Set a bid opening date of June 6, 2013 for Landfill Leachate System.

13. Adjourn

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

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

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

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

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

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.

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.





Special Meeting Agenda

City Council

12:00 p.m. (noon) Special Meeting

Monday, May 20, 2013

Roger Kozak Community Room

Edith B. Siegrist Vermillion Public Library

18 Church Street

Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session –Presentation of DENR Drinking Water Excellence awards.**
3. **Informational Session – Tour of renovated and expanded Library – City staff.**
4. **Briefing on the May 20, 2013 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

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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.

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Unapproved Minutes
Council Special Session
May 6, 2013
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, May 6, 2013 at 12:00 noon in the City Hall large conference room.

1. Roll Call

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

2. Informational Session - Discussion of recycling option recommended by the Joint Powers Board

John Prescott, City Manager, reported that last fall the Joint Powers Board requested that HDR review options of single stream recycling for the two cities. John stated that HDR provided four options to the Joint Powers Board who requested that staff provide pro's and con's on options 2 and 3. This information was presented to the Joint Powers Board in March at which time the Joint Powers Board requested that the respective cities provide some direction as the recycling collection is outside of the Joint Powers operations.

Bob Iverson, Solid Waste Director, stated that before he began with the recycling options he wanted to remind the Council of the projects planned for the landfill for the leachate system and construction of cell 5. These projects have an estimated cost of \$2.3 million to be funded by a \$1.6 million SRF loan, a \$522,000 solid waste grant and \$200,000 of Joint Powers Reserves. The debt service on this loan is estimated to require an increase in landfill rates of \$2.50 per ton over the next two years. Also, the replacement of the building and baler destroyed in the fire at the landfill are scheduled for this summer. Insurance is expected to cover most of these costs but there will be some items outside the insurance.

Bob reported that the information prepared was a joint effort between Yankton and Vermillion staff. The report reviewed the Option 2 and 3 single stream proposals from HDR explaining the assumptions used in each option, the pros and cons of each and estimated annual cost of each. The options were projected to increase annual recycling costs by \$105,655 for option 2 and \$317,945 for option 3, which would equate to a monthly curbside customer increase in each city of \$1.41 for option 2 and \$4.24 for option 3. Bob reported that

staff's recommendation is that if the communities want single stream to pursue option 2. He noted that the option had the lowest cost increase but also cautioned that if the increased collection volumes are not achieved the lost revenue would increase the cost of option 2. He reported that the timing might not be the best for a curbside collection increase along with landfill rate increase. As to pursuing grants for the capital portion of the project, it was noted that the Solid Waste Program has limited grant amounts remaining the rest of this year but is expected to have a larger pool at the beginning of next year. Bob answered questions of the City Council on the two options. Discussion followed on the options and the projected costs of each option. The consensus of the City Council was that it supported option 2 but would continue with the current recycling programs until the landfill capital improvements have been completed and to coordinate any recycling program changes with the City of Yankton through the Joint Powers Board.

3. Informational Session - Discussion of School Resource Officer Grant Opportunity - Matt Betzen

Matt Betzen, Police Chief, stated that in planning for the 2014 budget he was proposing the addition of a police officer that would also serve as a school resource officer. Matt stated that following the events in Newtown, CT last fall the Department has done a self-evaluation process to determine how prepared they would be for such an event. One of the factors identified was the addition of a dedicated school resource officer. This was planned to be something for discussion during the budget sessions but the Department of Justice has opened up a grant funding cycle to support the hiring of school resource officer positions that runs from April 22 to May 22, 2013. The grant would be for three years and cover 75% of the school resource officer wages and benefits. Matt noted that the Sheriff's office has a school resource officer that is at the high school and he would propose an officer to work with the existing school resource officer but be assigned to the middle and elementary schools. Matt reported that the school superintendent is in support of the position. Matt reviewed the projected three year costs and what the grant would fund and asked the City Council if they would authorize the grant application. Discussion followed with Matt answering questions of the City Council on the program. The consensus of the City Council was to authorize the Chief of Police to proceed with the grant application to fund 75% of the school resource officer position for the first three years.

Alderman Collier-Wise requested to leave at 1:00 p.m.

4. Briefing on the May 6, 2013 City Council Regular Meeting Agenda

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

5. Adjourn

116-13

Alderman Osborne moved to adjourn the Council special session at 1:09 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this May 6th day of, 2013.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
May 6, 2013
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on May 6, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. April 15, 2013 Special Session; April 15, 2013 Regular Session

117-13

Alderman Zimmerman moved approval of the April 15, 2013 special session minutes and the April 15, 2013 regular session minutes. Alderman Grayson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

118-13

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

5. Visitors to be Heard

A. Emergency Medical Service Week proclamation

Alderman Meins read the proclamation recognizing the week of May 19-25 as "Emergency Medical Services Week" in Vermillion. Nicole Gulley, representing Vermillion/Clay County Emergency Medical Services, accepted the proclamation from Mayor Powell.

Mayor Powell reported that a change was made to the standing Council committee assignments with Alderman Willson moving from Policy and Procedure to Labor and Finance and Alderman Zimmerman moving from Labor and Finance to Policy and Procedure.

Alex Vanovershelde, with the 730th Area Support Medical Company of the South Dakota Army National Guard, reported that the unit is planning the Coyote 5K for June 13th as part of the wrap up of their annual training. Alex provided a flyer for the event along with a map of the route. He noted that he has been working with the Police Department on the route.

6. Public Hearings

A. Special permit to exceed permissible sound levels by no more than 50% for Thursdays on the Platz in Ratingen Platz (corner of W. Main and Market Street) on July 11, July 25, August 8, August 22 and September 5, 2013

Mike Carlson, Finance Officer, reported that an application was received for a special permit to exceed permissible sound levels by no more than 50% for the Thursdays on the Platz events scheduled for July 11, July 25, August 8, August 22 and September 5, 2013 from 6:00 p.m. to 8:00 p.m. on the Ratingen Platz at the corner of Market and Main Streets. The notice of hearing and application are included in the packet. Discussion followed.

119-13

Alderman Grayson moved approval of the special permit to exceed permissible sound levels by no more than 50% for the Thursdays on the Platz events on July 11, July 25, August 8, August 22 and September 5, 2013 from 6:00 p.m. to 8:00 p.m. at Ratingen Platz (corner of Market and Main Streets). Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce on or about July 11, July 25, August 8, August 22 and September 5, 2013 at Ratingen Platz on the corner of Market and Main Street and the abutting portion of Market Street

Mike Carlson, Finance Officer, reported that an application for a special daily malt beverage and wine license was received from the Vermillion Area Chamber and Development Company for the Thursdays on the Platz events on or about July 11, July 25, August 8, August 22 and September 5, 2013. The VCDC has provided the City with a certificate of insurance and the release and indemnification for the events. Mike noted the events will be similar to previous years. The location is on the Ratingen Platz and the abutting portion of Market Street and, if approved, should include the use of the Ratingen Platz. The street closing is later on the agenda.

120-13

Alderman Ward moved approval of the special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about July 11, July 25, August 8, August 22 and September 5, 2013 on Ratingen Platz and adjoining portion of Market Street between 6:00 p.m. and 8:00 p.m. including the use of the Ratingen Platz for the events. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Second Reading of Ordinance 1299 - Rezone Lot 3, Block 7, Erickson Addition to the City of Vermillion, Clay County, South Dakota from GI General Industrial District to GB General Business District (property located approximately 310 feet west of the southwest corner of Princeton Street and Bower Street)

Andy Colvin, Assistant to the City Manager, reported that this is second reading of the ordinance to rezone Lot 3, Block 7, Erickson Addition from General Industrial District to the General Business

District. This is for the Vermillion Chamber and Development Company property where they will be construction a building to house Eagle Creek Software. Andy noted that the lot is just west of the Princeton and Bower Street intersection.

121-13

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. 1299 entitled An Ordinance to Rezone Lot 3, Block 7, Erickson Addition to the City of Vermillion, Clay County, South Dakota from GI General Industrial District to GB General Business District 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 15th day of April, 2013 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 6th day of May, 2013 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

ORDINANCE NO. 1299

AN ORDINANCE AMENDING TITLE 15 CHAPTER 155 SECTION 155.026, OFFICIAL ZONING MAP FOR THE CITY OF VERMILLION, SOUTH DAKOTA, BY REZONING CERTAIN REAL PROPERTY FROM THE GI GENERAL INDUSTRIAL DISTRICT TO THE GB GENERAL BUSINESS DISTRICT.

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

That Section 155.026 is hereby amended as follows:

That the following parcel is hereby rezoned from the GI General Industrial District to the GB General Business District and the official zoning map referred to in Section 155.026 of the 2008 Revised Ordinances of the City of Vermillion is amended to include such land in the GB General Business District:

Lot 3 of Block 7, Erickson Addition to the City of Vermillion Clay County, South Dakota

Dated at Vermillion, South Dakota this 6th day of May, 2013

THE GOVERNING BODY OF THE CITY

OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

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

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

8. New Business

A. Request to close Market Street on July 11, July 25, August 8, August 22 and September 5, 2013 from W. Main Street south for one-half block for Thursdays on the Platz

John Prescott, City Manager, reported that this is the last item for Thursdays on the Platz events to close Market Street on the five days of the events from 5:30 p.m. to 8:00 p.m. The request is to close Market Street from Main Street south one-half block to the alley, as it has been done in prior years for this event.

122-13

Alderman Grayson moved approval of the closing of Market Street from Main Street south one-half block to the alley on July 11, July 25, August 8, August 22 and September 5, 2013 from 5:30 p.m. to 8:00 p.m. for the Thursdays on the Platz events. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Request to close Main Street from market Street to Center Street, including portions of Prospect and Market Street, on June 1, 2013 for "Discovery Days"

Andy Colvin, Assistant to the City Manager, reported that a street closing application was received from the Downtown Action Team requesting to close Main Street from the Center/Court Street intersection to just past the Ratingen Platz to include a half block

south of Main on Market and Prospect north to the CorTrust drive-thru on June 1st from 8:00 a.m. to 2:00 p.m. for Discovery Days. Andy noted that Police, Fire and EMS were contacted and expressed no concerns. Bekki Engquist-Schroeder and Emily Sudbeck, representing the Downtown Action Team, reported on activities planned for the downtown event noting that it coincides with the WH Over Museum Rhubarb Days and the dedication of the Library building so there should be a lot of activity in the community that day.

123-13

Alderman Willson moved approval of the closing of Main Street from the Center/Court Street intersection to just past the Ratingen Platz including Market from Main Street south to the alley and Prospect Street north to the CorTrust drive-thru on June 1st from 8:00 a.m. to 2:00 p.m. for the Downtown Action Team's "Discovery Days". Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Request to name the Library community room the "Roger Kozak Community Room sponsored by the Vermillion Rotary Club"

John Prescott, City Manager, reported that the library reopened in April following the construction of the addition and renovation project. The naming request is being made in partnership with the Vermillion Rotary Club, the Library Foundation and the Library Board to recognize Roger's involvement with Rotary along with his fundraising efforts as one of the chairs for the library furnishing fundraising. John noted that the discussion about placing different names on portions of the Library was prior to the City Council adopting a naming policy. John stated that Mr. Kozak did not request the naming. The request is to name the library community room the "Roger Kozak Community Room sponsored by the Vermillion Rotary Club". John noted that Shirley Huber, representing the Library Foundation, and Jim Peterson, representing the Vermillion Rotary Club, were present to answer questions on the request. Jim Peterson stated that the Vermillion Rotary Club wanted to honor and recognize Roger Kozak for all that he has done for the Rotary organization. Shirley Huber stated that Roger and Jerry Johnson served on the fundraising committee that raised the funds to furnish the library, noting that it would be an honor to have his name on the community room.

124-13

Alderman Osborne moved approval of naming the Library community room the "Roger Kozak Community Room sponsored by the Vermillion Rotary Club". Alderman Grayson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. First Reading of Ordinance No. 1300 - Amending Chapter 34 Urban and Rural Service Districts Appendix A to remove platted property from the rural service district

Mike Carlson, Finance Officer, reported that by ordinance the City created rural and urban service districts in 1996. The Rural District consists of lands listed in appendix A that are rural in character, are used or usable for agriculture and are not developed. There was a four acre lot recently platted east of Madison Street that needs to be removed from the Rural Service District. Mike noted that in reviewing appendix A with the Director of Equalization there is property included in the legal that needs to be removed to agree with the county. A map of the properties included in Appendix A is included in the packet. For taxing purposes, only the four acre lot just platted on Madison will be moved to the urban district. Discussion followed.

125-13

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1300 entitled An Ordinance Amending Chapter 34 Urban and Rural Service Districts Appendix A to remove platted property from the rural service district, 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 6th day of May, 2013 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

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

E. Declaration of surplus wheel loader

Jason Anderson, Assistant City Engineer, reported that the 2007 Caterpillar Model 906 wheel loader was replaced in 2012 but, due to the landfill fire, the machine was kept until replacement equipment was received. To sell the loader, the City Council will need to declare the loader surplus and authorize the appraisal by the Surplus Property Appraisal Committee to be sold by sealed bids. Discussion followed.

126-13

Alderman Ward moved approval of declaring the 2007 Caterpillar Model 906 wheel loader as surplus and authorizing the appraisal by the Surplus Property Appraisal Committee to be sold by sealed bids. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil on all four items.

4,350 gal unleaded 10% ethanol: Stern Oil \$3.3536, Brunick's Service \$3.36; 1,000 gal unleaded: Stern Oil \$3.3874, Brunick's Service \$3.41; 3,000 gal No. 2 diesel-dyed: Stern Oil \$3.2124, Brunick's Service \$3.26; 1,000 gal No. 2 diesel-clear: Stern Oil \$3.4690, Brunick's Service \$3.50

127-13

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

10. City Manager's Report

A. John reported that the City surplus and abandon property auction is Friday, May 10th at the Municipal Service Center located at 115 W. Duke Street starting at 5:30 p.m.

B. John reported that the library dedication is June 1st at 2:00 p.m.

C. John reported that the City Council will be making two appointments to the Library Board at the June 17th meeting and asked that interested individuals complete the Expression of Interest form available at City Hall or the City website.

D. John reported that the City Update will be in the May 7th Equalizer.

E. John reported that the Parks and Recreation Summer signup is Wednesday, May 8th from 3:30 p.m. to 6:30 p.m. at the National Guard Armory.

F. John reported that the City received notification that the Water Department has received the DENR Secretary's Award for Drinking Water Excellence. John noted that this is the twelfth consecutive year the Water Department has received the award.

PAYROLL ADDITIONS AND CHANGES

Finance: Mari Mehlbrech \$14.97/hr; Street: Josh Timmerman \$8.50/hr; Recreation: Tyler Trageser \$9.75/hr; Parks: Marcus Becks \$7.50/hr, Anthony Dumke \$7.50/hr, Adam Mikelson \$7.50/hr; Mosquito Control: Tyler Peterson \$9.50/hr; Golf Clubhouse: Erik Ustad \$8.00/hr; Golf Maintenance: Michael Butler \$7.25/hr, Brittlyn Dillow \$7.25/hr, Brian Steele \$7.50/hr; Light: Michael Meinert \$9.00/hr; Water: Joey Mueller \$9.00/hr; Water Distribution: Tyler Zimmerman \$15.47/hr; Landfill: Barry Braaten \$16.35/hr, Tim Taggart \$16.35/hr

11. Invoices Payable

128-13

Alderman Davies moved approval of the following bills:

ACCENT ENVIROBALE	LANDFILL BALER BAGS	73,850.00
AGATI, INC	LIBRARY FURNISHINGS	14,387.00
AHEAD, INC	MERCHANDISE	1,862.74
ALLEGIANT EMERGENCY SERVICE	REPAIRS	228.37
ALSEN AMERICAN LEGION	FLAGS	40.00
AMERICAN LEGAL PUBLISHING	ORDINANCE PAGES	463.32
ANGELA JACKSON	WATER HEATER/WIRING REBATE	365.00
APPEARA	SUPPLIES	139.65
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	247.81
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	48.00
AUDIO GO	BOOKS	120.00
AUSTIN ANDERSON	MEALS REIMBURSEMENT	42.00
AVERA QUEEN OF PEACE HEALTH	TESTING	139.80
BAKER & TAYLOR BOOKS	BOOKS	954.59
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	2,448.00
BARBARA J. IACINO	REFUND DUPLICATE PAYMENT	175.28
BARNES DISTRIBUTION	SUPPLIES	551.05
BEST WESTERN RAMKOTA INN	LODGING - WATERTOWN	165.98
BEST WESTERN RAMKOTA INN	LODGING - ABERDEEN	231.00
BIERSCHBACH EQPT & SUPPLY	SUPPLIES	46.23
BORDER STATES ELEC SUPPLY	PARTS	510.45
BOUND TREE MEDICAL, LLC	SUPPLIES	405.81
BROADCASTER PRESS	ADVERTISING	77.00
BROOKINGS PUBLIC LIBRARY	BOOK REPLACEMENT COST	20.00

BRUNICK FURNITURE & FLOORING	LIBRARY FURNISHINGS	5,900.00
BRUNICKS SERVICE INC	FUEL	5,449.29
BSN SPORTS INC	SUPPLIES	429.05
BULLBERRY SYSTEMS, INC	SOFTWARE MAINTENANCE	1,950.00
BUTLER MACHINERY CO.	PARTS	2,924.34
CALLAWAY GOLF	MERCHANDISE	419.38
CAMPBELL SUPPLY	SUPPLIES	2,525.65
CANNON TECHNOLOGIES, INC	SOFTWARE SUPPORT	900.00
CASK & CORK	MERCHANDISE	1,238.92
CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
CENTURY BUSINESS PRODUCTS	COPIES	132.21
CENTURYLINK	TELEPHONE	737.86
CHAD CHRISTOPHERSON	MEALS REIMBURSEMENT	42.00
CHEMCO, INC	SUPPLIES	672.23
CHESTERMAN CO	SUPPLIES	492.80
CITY OF VERMILLION	COPIES/POSTAGE	1,389.28
CITY OF VERMILLION	UTILITY BILLS	34,103.22
CLAY COUNTY EMS ASSOCIATION	CPR CLASS	170.00
CLAY RURAL WATER SYSTEM	WATER USAGE	37.10
COFFEE KING, INC	SUPPLIES	57.75
COLONIAL LIFE ACC INS.	INSURANCE	2,856.72
CUMMINS CENTRAL POWER, LLC	TRANSFER SWITCHES	12,250.86
CUSTOM UPHOLSTERY BY DIANNE	LIBRARY FURNISHINGS	1,390.00
CUSTOMINK.COM	T-SHIRTS	216.96
D-P TOOLS	SUPPLIES	509.55
DAKOTA BEVERAGE	MERCHANDISE	9,872.40
DAKOTA PC WAREHOUSE	COMPUTER/MONITOR/REPAIRS	1,108.86
DANKO EMERGENCY EQUIPMENT	SUPPLIES	1,365.11
DAVIS PHARMACY	SUPPLIES	84.00
DELTA DENTAL PLAN	INSURANCE	5,890.96
DEMCO	SUPPLIES	293.19
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	182.00
DGR ENGINEERING	PROFESSIONAL SERVICES	6,469.62
DUST TEX	SUPPLIES	58.29
E.A SWEEN COMPANY	SUPPLIES	168.96
EARTHGRAINS BAKING CO'S INC	SUPPLIES	103.32
EBERLE DESIGN INC	SUPPLIES	178.00
ECHO ELECTRIC SUPPLY	SUPPLIES	693.75
ELECTRONIC ENGINEERING	REPAIRS	373.95
ELLIOTT EQUIPMENT CO	SUPPLIES	154.30
ENERGY LABORATORIES	TESTING	1,220.00
FARMER BROTHERS CO.	SUPPLIES	81.34

FARONICS TECHNOLOGIES USA	MAINTENANCE	810.00
FASTENAL COMPANY	SUPPLIES	349.49
FEDEX.	SHIPPING	11.47
FLAGS UNLIMITED	FLAGS	183.84
FOUR WINDS INTERACTIVE	SOFTWARE CHANNEL THREE	2,400.00
GALE	BOOKS	20.79
GAYLORD BROS INC	PARTS	933.34
GEAR FOR SPORTS	MERCHANDISE	4,703.58
GERSTNER OIL CO	AVIATION FUEL	21,967.44
GIS WORKSHOP	MAINTENANCE CONTRACT	325.00
GRAINGER	PARTS	84.00
GRAYMONT CAPITAL INC	CHEMICALS	3,754.10
GREGG PETERS	FREIGHT	2,021.50
GREGG PETERS	RENT	937.50
HACH CO	PARTS	3,227.80
HARTINGTON TREE LLC	TREE TRIMMING & REMOVAL	4,450.00
HD SUPPLY WATERWORKS	SUPPLIES	4,946.62
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	43,377.21
HERREN-SCHEMPP BUILDING	SUPPLIES	5.46
HEWLETT-PACKARD COMPANY	LIBRARY FURNISHINGS	4,191.00
HILLYARD FLOOR CARE SUPPLY	SUPPLIES	167.28
HOUSE OF WHITE BIRCHES	BOOKS	25.91
HY VEE FOOD STORE	SUPPLIES	122.09
INDEPENDENCE WASTE	PORT TOILET RENT/WASTE HAULING	1,389.70
INGRAM	BOOKS	304.75
INTERSTATE ALL BATTERY CENTER	BATTERIES	736.70
IOWA LEAGUE OF CITIES	ADVERTISING	65.00
JACKS UNIFORM & EQPT	UNIFORMS	507.10
JOHN A CONKLING DIST.	MERCHANDISE	6,150.89
JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	33,059.61
JOHNSON CONTROLS	REPAIRS	3,292.20
JONATHAN WARNER	MEALS REIMBURSEMENT	105.00
JONES FOOD CENTER	SUPPLIES	580.67
JONES LIBRARY SALES, INC	LIBRARY FURNISHINGS	635.25
KALINS INDOOR COMFORT	REPAIRS	518.50
KARSTEN MFG CORP	MERCHANDISE	2,117.68
KIRBY BUILT QUALITY PRODUCTS	MEMORIAL BENCH	777.79
KLEMMENSEN COMMERCIAL DOOR	REPAIRS	350.00
KNOLOGY	E911 CIRCUIT	1,415.45
KYLE PAULSON	SAFETY BOOTS REIMBURSEMENT	100.00
LAWSON PRODUCTS INC	SUPPLIES	31.16
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	5,171.40

LESSMAN ELEC. SUPPLY CO	SUPPLIES	1,150.02
LINCOLN MUTUAL LIFE	INSURANCE	452.31
LOGO GOLF CHIPS, INC	MERCHANDISE	193.00
LONGS PROPANE INC	REPAIRS/PROPANE	513.00
LYLE SIGNS	SUPPLIES	723.41
MAGUIRE IRON, INC	WATER TOWER CONTRACT	24,750.00
MAINLAND ENGRAVING LLC	MEDALS	51.75
MALLOY ELECTRIC	REPAIRS/PARTS	4,898.64
MARINE RESCUE PRODUCTS INC	WHISTLES/LANYARDS	91.55
MART AUTO BODY	TOWING	375.00
MART BROTHERS CONSTRUCTION	GUTTERS AND DOWN SPOUTS	1,249.38
MATHESON TRI-GAS, INC	OXYGEN	135.24
MATT TAGGART CONSTRUCTION	HAUL SNOW	326.40
MATTHEW BENDER & CO, INC	BOOKS	36.49
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	632.00
MEAD LUMBER	SUPPLIES	287.47
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	83.71
MERRICK INDUSTRIES	SUPPLIES	538.88
METRO FIRE	GAS DETECTOR	339.24
MID-AMER RESEARCH CHEMICAL	SUPPLIES	94.58
MIDWEST ALARM CO	ALARM MONITORING	126.00
MIDWEST BUILDING MAINTENANCE	MAT SVC	265.80
MIDWEST TURF & IRRIGATION	PARTS	1,085.31
MIKE WENSEL	BOOTS/MEALS/LICENSE REIMBURSE	264.00
MINN MUNICIPAL UTILITY ASSOC	2ND QTR 2013 SAFETY MGMT	5,539.14
MISSOURI RIVER ENERGY SERVICE	REGISTRATION FEE	100.00
MISSOURI VALLEY MAINTENANCE	REPAIRS	197.25
MONTY MUNKVOLD	MEALS REIMBURSEMENT	42.00
NATIONAL MUSIC MUSEUM	CONTRIBUTION	15,000.00
NCL OF WISCONSIN, INC	SUPPLIES	185.26
NEBRASKA JOURNAL-LEADER	ADVERTISING	34.92
NETSYS+	PROFESSIONAL SERVICES	272.50
NEW YORK LIFE	INSURANCE	94.02
NORTH CENTRAL RENT & LEASING	EQUIPMENT RENTAL	1,770.00
NORTHLAND	SUPPLIES	104.00
OVERHEAD DOOR OF SIOUX CITY	REPAIRS	196.00
OVERHEAD DOOR OF YANKTON	RECEIVER/REMOTE	277.00
PCC, INC	MARCH COMMISSION	3,526.79
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POLLMAN EXCAVATION	CRUSHED CONCRETE	3,081.88
PRAIRIE BERRY WINERY	MERCHANDISE	920.00
PRESSING MATTERS	SUPPLIES	24.00
PRESTO-X-COMPANY	INSPECTION/TREATMENT	47.63

PRINT SOURCE	SUPPLIES	110.00
PUMP N PAK	FUEL	2,507.57
QUALITY TELECOMMUNICATION	TELEPHONES	2,180.92
QUEEN CITY WHOLESALE	MERCHANDISE	618.94
QUILL	SUPPLIES	1,126.77
RACOM CORPORATION	MAINTENANCE CONTRACT	386.75
RANDOM HOUSE, INC	BOOKS	225.00
RANDY VOSS	PROFESSIONAL SERVICES	696.99
RASMUSSEN MOTORS, INC	PART S	40.22
RECORDED BOOKS, INC	BOOKS	378.15
REGENT BOOK CO.	BOOKS	14.82
REINHART FOODSERVICE, LLC	SUPPLIES	1,248.10
REPUBLIC NATIONAL DISTRIB	MERCHANDISE	17,871.56
RESCO	TRANSFORMERS	67,492.48
RIVERSIDE HYDRAULICS & LAB	PARTS	86.10
ROYAL CAR WASH	CAR WASH CARDS	50.00
RUSTY JENSEN	REIMBURSEMENT-TABLES/BATTERIES	380.79
SD DEPT OF HEALTH	TATTOO INSPECTION	150.00
SD DEPT OF TRANSPORTATION	TRANSPORTATION STUDY CITY SHARE	22,280.89
SD LOTTERY	VIDEO LOTTERY LICENSE RENEWAL	100.00
SD ONE CALL	ONE CALL LOCATES	94.50
SD REDBOOK FUND	TRAINING BOOKS	586.50
SD RETIREMENT SYSTEM	CONTRIBUTIONS	47,956.67
SDGCSA	MEMBERSHIP DUES	80.00
SERVALL TOWEL & LINEN	SUPPLIES	16.80
SOOLAND BOBCAT	PARTS	19.32
SPRINT	CELL PHONE	99.99
STANLEY SECURITY SOLUTIONS	SUPPLIES	217.44
STEWART OIL-TIRE CO	REPAIRS	20.00
STUART C. IRBY CO.	SUPPLIES	46,090.90
STURDEVANTS AUTO PARTS	PARTS	1,237.47
TABATHA DICKEY	REFUND FEES	40.60
TAYLOR MADE	MERCHANDISE	1,565.44
THATCHER COMPANY	SODA ASH	13,675.20
THE EQUALIZER	ADVERTISING	350.35
THE NEW SIOUX CITY IRON CO	PARTS	158.50
TITLEIST DRAWER CS	MERCHANDISE	4,028.03
TODDS ELECTRIC SERVICE	INSTALL LOAD MGMT	25.00
TONI'S WINDOWS ETC	LIBRARY FURNISHINGS	3,758.00
TRAVIS TARR	SAFETY GLASSES REIMBURSEMENT	150.00
TRUE FABRICATIONS	MERCHANDISE	1,928.95
TRUE VALUE	SUPPLIES	289.20
TURNER PLUMBING	PARTS	10.58

UNITED WAY	CONTRIBUTIONS	365.20
VAN DIEST SUPPLY CO	SUPPLIES	890.00
VANDERPOL DRAGLINE, INC	TAXIWAY/FUEL SYSTEM IMP	66,924.51
VERIZON WIRELESS	POLICE COMMUNICATIONS	212.07
VERMILLION ACE HARDWARE	SUPPLIES	444.07
VERMILLION NOW!	REIMBURSEMENT	37,405.24
VERMILLION ROTARY CLUB	MEALS/DUES	147.25
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	7,832.31
VOLANTE	ADVERTISING	86.25
WAL-MART COMMUNITY	SUPPLIES	1,334.57
WALKER CONSTRUCTION	JUNK/DEBRIS REMOVAL	65.00
WALT'S HOMESTYLE FOODS, INC	SUPPLIES	218.00
WELFL CONSTRUCTION CO	PUBLIC LIBRARY EXP/REMODEL	159,257.00
WESCO DISTRIBUTION, INC	SUPPLIES	18,548.73
WEST GROUP PAYMENT CENTER	SUBSCRIPTION	24.42
WESTECH ENGINEERING, INC	REPAIRS	679.00
YAMAHA GOLF & UTILITY	GOLF RANGE PICKER	10,227.00
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,095.48
ZEE MEDICAL SERVICE	SUPPLIES	194.70
ZEP SALES & SERVICE	SUPPLIES	395.27
ZIMCO SUPPLY CO	SUPPLIES	16,072.27
VCDC	BRIGHT ENERGY REBATE	400.00

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

12. Consensus Agenda

A. Set a public hearing date of May 20, 2013 for a special permit to exceed permissible sound levels by no more than 50% for Beta Theta Pi at 429 N Plum Street on August 27, 2013 between 6:00 p.m. and 9:55 p.m. for a concert

B. Set a bid opening date of May 14, 2013 for the Baler Procurement and Installation Project

C. Set a bid opening date of May 29, 2013 for the 2013 Miscellaneous Concrete Project

D. Set a quote opening date of May 14, 2013 for the 2013 Chip Seal Project

E. Set a bid opening date of Tuesday, June 18, 2013 for the sale of a surplus wheel loader

129 -13

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

13. Adjourn

130-13

Alderman Osborne moved to adjourn the Council Meeting at 7:40 p.m. Alderman Mains seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of May, 2013.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: May 20, 2013

Subject: Special Permit to exceed permissible sound levels by no more than 50% for Beta Theta Phi for a concert at 429 N. Plum Street on Tuesday, August 27, 2013 from 6:00 p.m. to 9:55 p.m.

Presenter: Mike Carlson

Background: Beta Theta Phi has applied for a special permit to exceed allowable noise levels for a concert Tuesday August 27th at 429 N. Plum Street from 6:00 p.m. to 9:55 p.m. A copy of the application and a map of the area are attached.

The city noise ordinance is as follows:

Sec. 90.01. Noises prohibited.

(A)General prohibitions: In addition to the specific prohibitions outlined below, it shall be unlawful for any person to make, continue, or cause to be made or continued any loud or unusual noise so as to disturb the peace of the public, any neighborhood, any business operation, family, lawful assembly of persons, or any person by committing any act or acts of disturbance within the limits of the City of Vermillion.

(B)The following acts are declared to be in violation of this chapter.

- 1) Sound equipment prohibited: Except for emergency vehicles, it shall be unlawful for any person to operate or cause to be operated upon the streets or public places in the city a sound truck or car with sound amplification equipment in operation. "Sound truck" as used herein means any vehicle having thereon or attached thereto any sound amplification equipment. "Sound amplification equipment" as used herein means any machine or device for the amplification of the human voice, music or other sound, but shall not include radio or warning devices on vehicles used for traffic warning or control purposes.
- 2) Stereos, radios, television sets, musical instruments and similar devices:
 - a. Using, operating or permitting the use or operation of any stereo, radio, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound, except as provided for in paragraph (1) above, in such a manner as to violate this section or cause a noise disturbance.
 - b. The operating of any such device between the hours of 11:00 p.m. and 7:00 a.m. the following day in such a manner as to be plainly audible at the property boundary of the source or plainly audible at fifty (50) feet from such device when operated within a

vehicle parked on a public right-of-way or when operated from within a private residence.

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

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

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

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

Discussion: The application and map indicate that the band will be on the deck located on the back side of the Beta House at 429 N Plum Street. Jarad Kunzman has indicated that he would be present to answer questions on the event planned.

The City Council will need to determine, at the public hearing, if it is in a suitable location, with appropriate facilities, during the allowable time, and if the applicant can

6. Public Hearing; item a

demonstrate the public benefit of the event. As the event is on private property, relevant questions, for a public gathering, when a noise permit is sought, include the availability of parking and restroom facilities, as well as impact on the adjoining neighbors.

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

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

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

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

Organization Requesting Beta Theta Pi

Contact Person Jarad Kunzman Phone 605-323-7355

Contact Person Address 429 N. Plum St.

Location of Event Beta Theta Pi (429 N. Plum St.) Date of Event 8-27-13

Duration of event from time 6:00 PM to Time 9:55 PM

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

Beta Theta Pi has all the appropriate facilities required to have a concert, as well as a large open space to "dampen" sound before it reaches any residences.

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

Beta Theta Pi is a philanthropic organization on campus, and in order to continue to provide the services such as welcome tables, charitable donations, and other such benefits we would like to use a concert as one of our recruiting mechanisms for the Fall of 2013.

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

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

Signature of applicant Andrew Rios date 04-26-13

Trees 200 Ft

Church Parking Lot

Empty Space (lot)

Volleyball Court

Overflow Parking

Parking Lot

Beta Theta Pi House

Deck/Band

* 100 ft
50 db

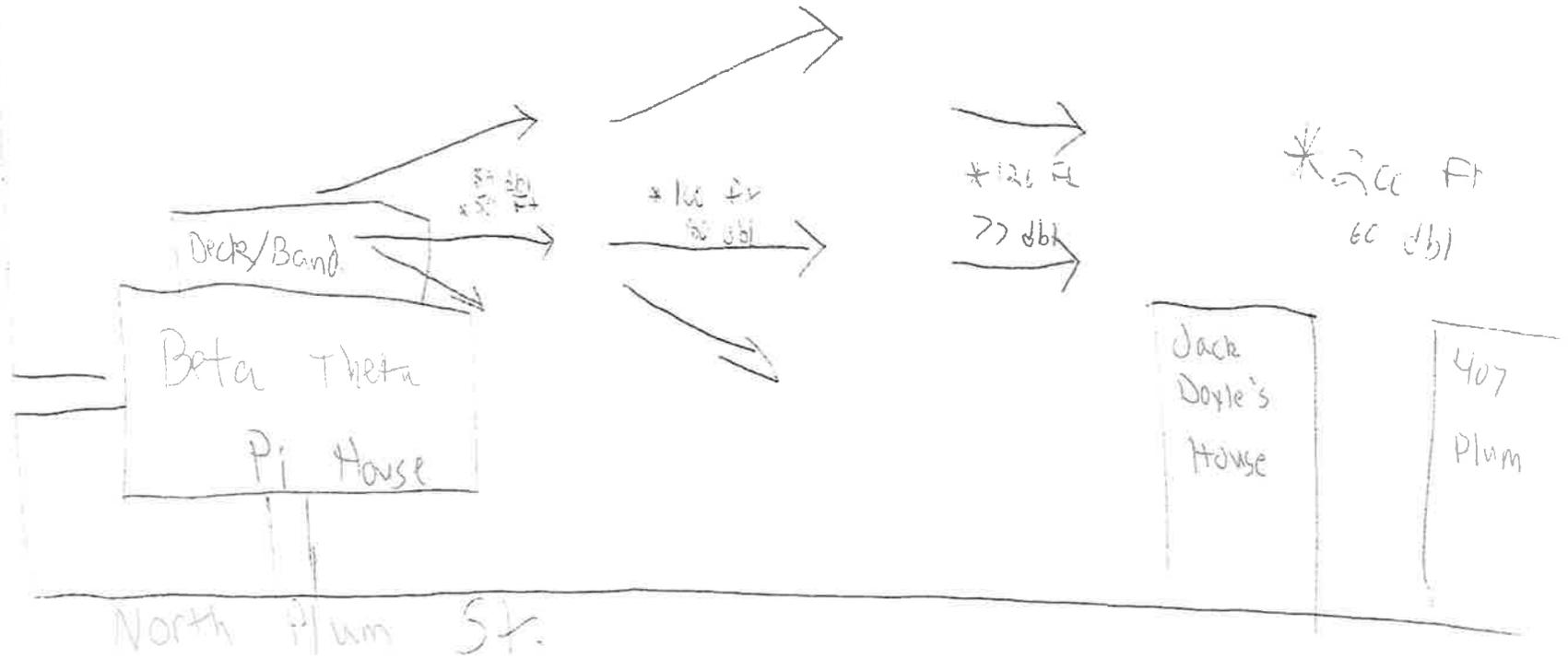
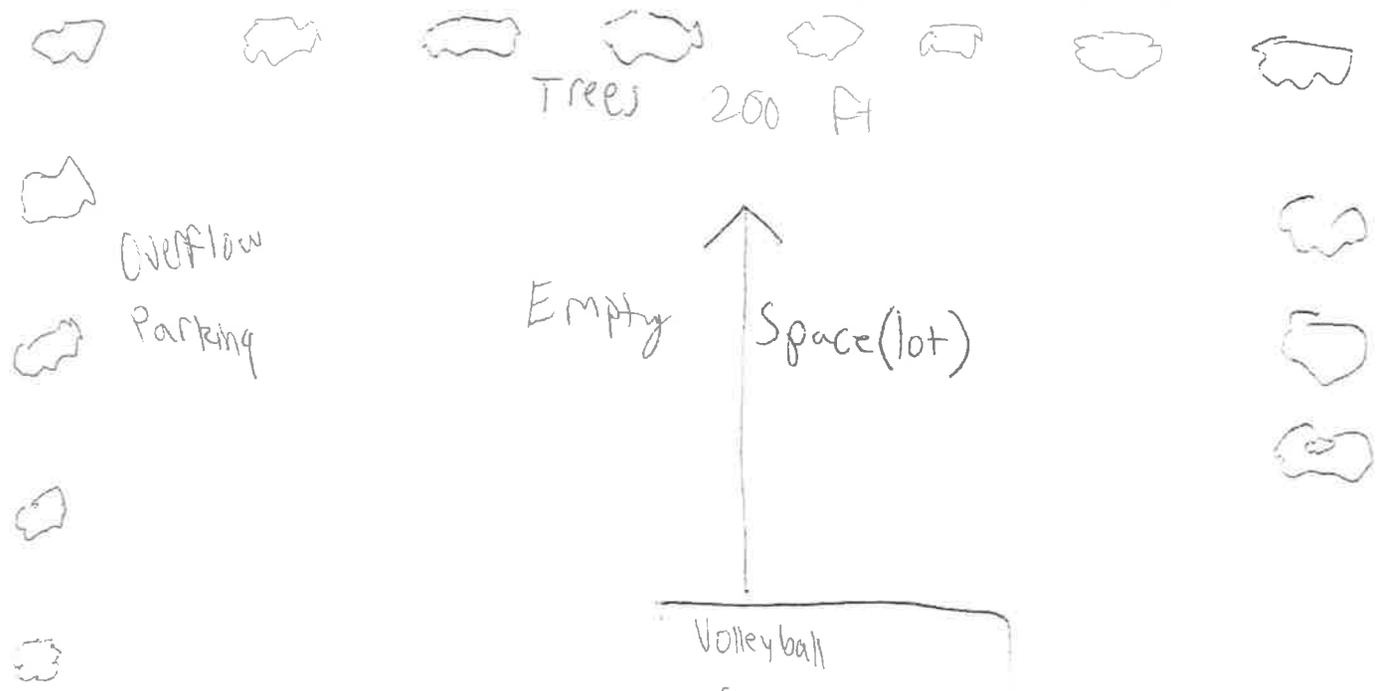
* 120 ft
70 db

* 200 ft
60 db

Jack Doyle's House

407 Plum

North Plum St.



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

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 20th day of May, 2013 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for a special permits to exceed allowable sound levels which has been filed in the Finance Officer's Office:

Beta Theta Pi request for a special permit to exceed allowable sound levels for a concert at 429 N Plum, Friday, August 27, 2013 between 6:00 p.m. and 9:55 p.m.

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

Dated at Vermillion, South Dakota this 6th day of May, 2013.

Michael D. Carlson, Finance Officer

Publish: May 10, 2013

Published once at the approximate cost of _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: May 20, 2013

Subject: Second Reading of Ordinance No. 1300 - Amending Chapter 34 Urban and Rural Service Districts Appendix A to remove platted property from the rural service district

Presenter: Mike Carlson

Background: In an ordinance in 1996, the City Council established Urban and Rural Service Districts within the city. The criteria for determining a rural service district is defined in City Code section 34.36 as:

The Rural Service District shall consist of those lands (platted, unplatted, or both) described in Appendix A, all of which lands are rural in character, are used or usable for agriculture, and are not developed for commercial, industrial, or urban residential purposes.

The 1996 ordinance placed into Code the language that changes how property taxes are calculated for rural service districts inside city limits. The rural service district properties are taxed at the average mill levy for the adjoining township and assessed at the average value of unannexed agricultural land in the adjoining township.

Section 34.40 defines when a property loses the designation. It reads:

Whenever any parcel of land included within the rural service district is platted in whole or in part; or is the subject of an application for a permit for the construction of a commercial, industrial, or urban residential development or improvement to be situated on the parcel or any part thereof; or otherwise fails to meet the criteria, the board or officer of the city approving the plat or building permit or having knowledge of the change in circumstances shall report the same to the City Council which shall make and enter an order transferring the parcel from the Rural Service District to the Urban Service District.

The City Council approved first reading of Ordinance 1300 at the May 6, 2013 meeting.

Discussion: A four acre parcel was platted east of Madison Street in anticipation of developing apartments. In reviewing the properties contained in Appendix A with the County Director of Equalization Office, there were a number of other properties included in Appendix A that were removed from the Rural Service district as they had been platted or converted from rural uses. The amendment is to remove platted property from the rural

service district listing as is required by ordinance.

A map was included showing the rural service districts boundaries as described in Appendix A.

Financial Consideration: The platted property will be taxed at the city mill levy vs. the average adjoining township levy. This ordinance would remove the one lot just platted on Madison Street and Norbeck Street from the rural service district.

Conclusion/Recommendations: Administration recommends adoption of second reading of ordinance number 1300 to amend Appendix A to remove platted property from the rural service district. As this is the second reading, a recorded vote is required.

ORDINANCE NO. 1300

AN ORDINANCE AMENDING CHAPTER 34 TAXATION, URBAN AND RURAL SERVICE DISTRICTS, AMENDING SECTION 34 APPENDIX A OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, TO REMOVE PLATTED PROPERTY FROM THE RURAL SERVICE DISTRICT.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that Chapter 34, Appendix A is amended and it is hereby ordained by authority of the same as follows:

APPENDIX A: LANDS INCLUDED IN THE RURAL SERVICE DISTRICT

The following land is classified agricultural land:

Description A:

The E 16 RDS of NW ¼, SE ¼ and W 58 RDS of NE ¼, SE ¼ Exc Block 1, Washington Square Addition and Lots 1 – 13 Block 1, Meisenholder East Addition and Lot 1 Block 1, Madison Park Addition, NE ¼ SW ¼ SE ¼ EXC. E 33' and Mehlhaf Addn, Section 18-92-51 (street address 401 N Norbeck)

Description B:

The W ½, SE ¼, SE ¼ and the East 331 of the SW ¼, SE ¼ Exc Lot 5 Block 1 and Lot 1 Block 2, Mehlhaf Addition and Lot 1 through 3 Block 1, Barari Addition and Outlot C, Barari Addition, Section 18-92-51 (street address 1400 E Main)

Description C:

The E ½, SE ¼, SE 1/4, Exc Lots 1 through 4 Block 4, French Addition, Section 18-92-51 (street address 1700 E Main)

Description D:

The S ½ of the SW 1/4, except Lot H-2 thereof, Section 17, Township 92 North, Range 51 West of the 5th P.M., Clay County, South Dakota.

Dated at Vermillion, South Dakota this 20th day of May, 2013

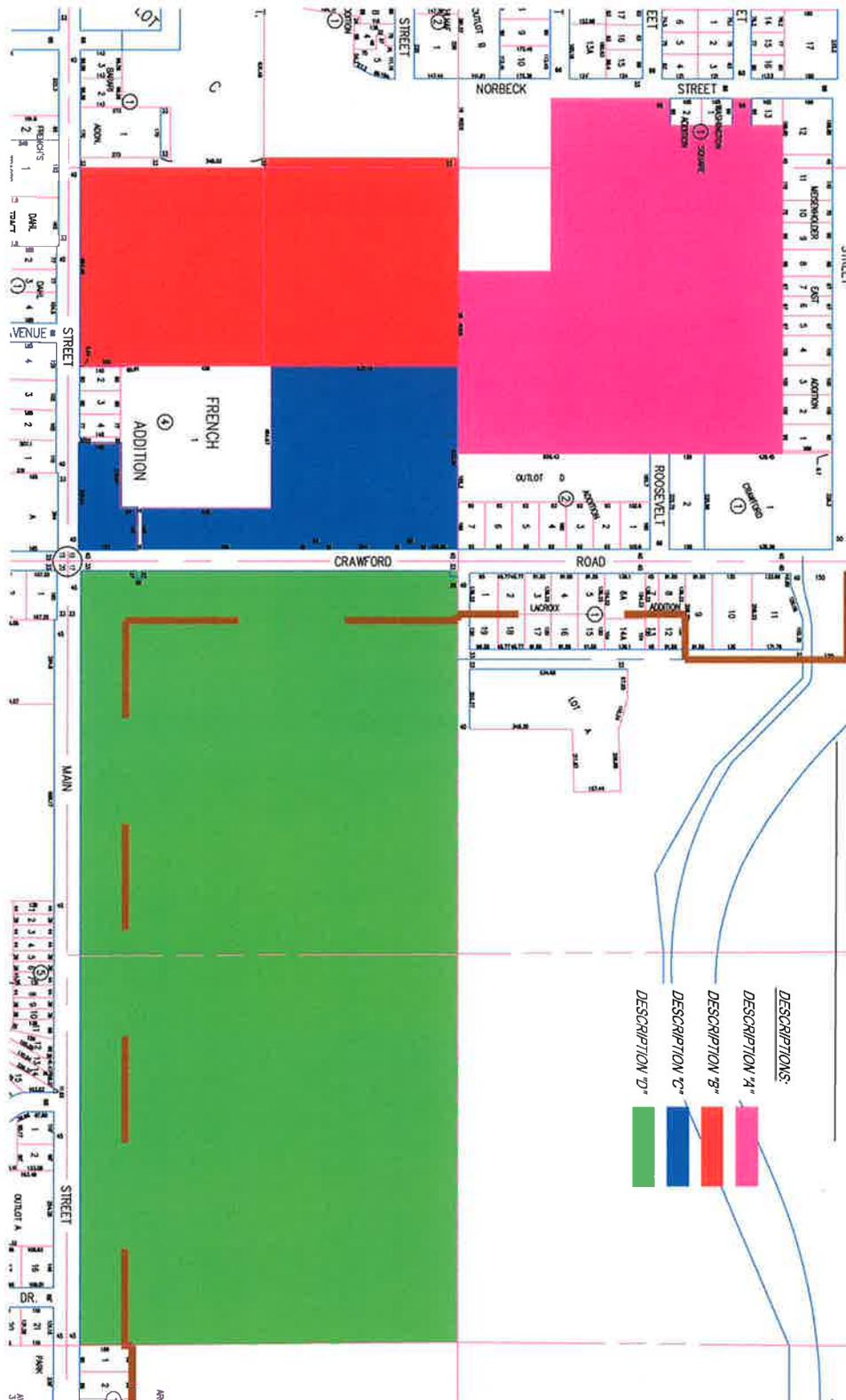
THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: May 6, 2013
Second Reading: May 20, 2013
Published: May 31, 2013
Effective: June 19, 2013



RURAL SERVICE DISTRICT

RURAL SERVICE DISTRICT (ORD. 1300)		1.0	
CITY OF VERMILLION, SD	57069	NOT TO SCALE	MAY 2013



Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: May 20, 2013
Subject: Final Plat of Tract 1, Bliss Third Addition to the City of Vermillion
Presenter: Jose Dominguez

Background: JSA Engineers and Land Surveyors submitted a plat on behalf of the owner, Vermillion Chamber and Development Company. This plat will create a 55.8-acre tract of land on the west side of Stanford Street and north of West Main Street. The proposed tract would be contiguous to the City.

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. The preliminary plat requirement was waived due to the fact that once annexed into the City the owner is planning on further developing the land. Prior to any further plats being approved the City will require a preliminary plat.

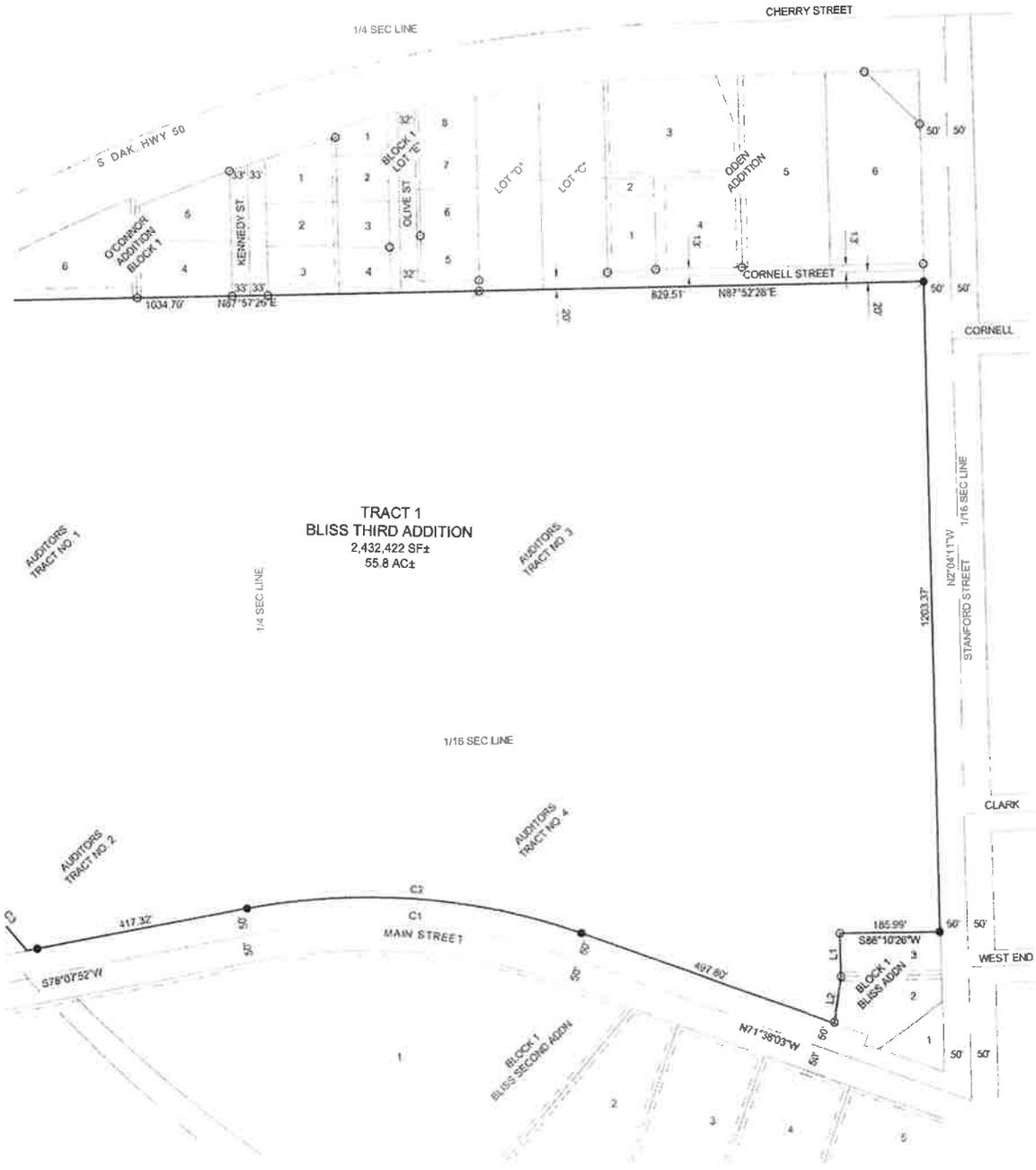
The proposed plat meets all of the requirements set within the City's Zoning and Subdivision ordinances. However, it does not meet the 8-foot utility easement around the inside perimeter of the lot. This requirement was waived due to the fact that the property owners' intent to annex into the City and further develop it. City staff will be obtaining all required easements with any future plats.

The final plat was presented to the County's Planning Commission at their May 13th meeting. At this meeting the County's Planning Commission recommended approval with the condition that the land be annexed into the City.

Financial Consideration: All associated platting fees have been paid.

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

PLAT OF
TRACT 1, BLISS THIRD ADDITION
 TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA



TRACT 1
 BLISS THIRD ADDITION
 2,432,422 SF±
 55.8 AC±

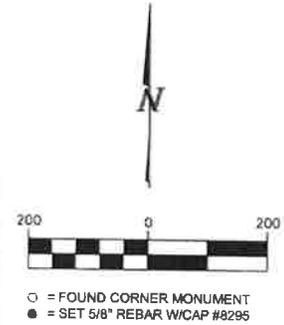
EASEMENT:
 BURIED EXCHANGE FACILITY EASTMENT BLANKET IN NATURE
 RECORDED IN MISC. BK. 23 PG. 537

Line Table

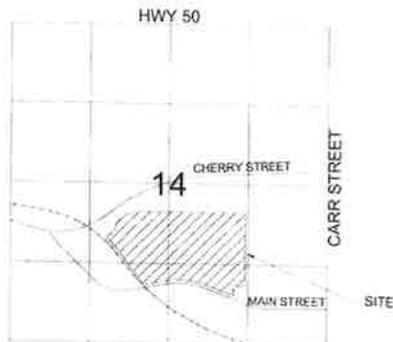
Line #	Length	Direction
L1	80.01	S2°25'19"E
L2	86.52	S8°30'31"W

Curve Table

Curve	Length	Radius	Delta	Chord Distance	Chord Bearing
C1	604.70'	1145.92'	30°14'05"	597.71'	N86°45'05"W
C2	631.08'	1195.92'	30°14'05"	623.78'	N86°45'05"W
C3	134.75'	2831.93'	2°43'36"	134.75'	N41°05'51"W
C4	370.37'	1843.08'	10°55'16"	369.81'	N45°11'42"W



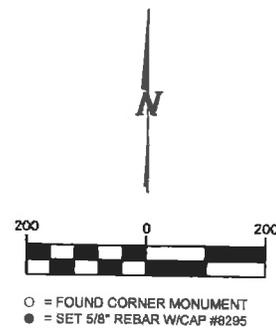
PLAT OF
TRACT 1, BLISS THIRD ADDITION
 TO THE CITY OF VERMILION, CLAY COUNTY, SOUTH DAKOTA



VICINITY MAP
 SEC 14, T92N, R52W

Line Table		
Line #	Length	Direction
L1	80.01	S2°25'19"E
L2	86.52	S8°30'31"W

Curve Table					
Curve	Length	Radius	Delta	Chord Distance	Chord Bearing
C1	604.70'	1°45'52"	30°14'05"	597.71'	N86°45'06"W
C2	631.08'	1°19'52"	30°14'05"	623.78'	N86°45'06"W
C3	134.78'	2831.93'	2°45'35"	134.78'	N41°05'51"W
C4	370.37'	1943.08'	10°55'16"	369.81'	N45°11'42"W



Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: May 20, 2013

Subject: Resolution Annexing Tract 1, Bliss Third Addition to the City of Vermillion

Presenter: Jose Dominguez

Background: The Vermillion Chamber of Commerce and Development Company recently purchased a large parcel of ground on the west side of Vermillion for residential development. The land is located immediately west of the City limits on the north side of West Main Street and west of Stanford Street.

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 the municipal boundaries of Vermillion. The intent of the owners is to construct housing of different types on the annexed lot. The City will be able to service all lots with utilities (note: Clay-Union Electric will be the electric service provider to some lots due to previously established territories). 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 lead to an increase the City's property tax base, residents and utility customers.

Conclusion/Recommendations: Administration recommends approving the resolution to annex Tract 1, Bliss Third 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

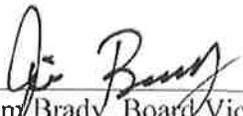
We, the undersigned, acting pursuant to SDCL 9-4-1, hereby petition your honorable body, by a duly adopted resolution, to change the boundaries of the City of Vermillion, South Dakota, so as to include therein the following described real property in the County of Clay and State of South Dakota:

A portion of Auditor's Tracts 3 and 4 of the SE ¼ and 1 and 2 of the SW ¼ of 14-92-52 of the 5th P.M., Clay County, South Dakota. (to be known as Tract 1, Bliss Third Addition to the City of Vermillion, 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, that no registered voter is resident of the territory to be annexed and we are the owners of not less than three-fourths of the value of the territory to be annexed to the City of Vermillion.

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 13 day of May 2013.



Jim Brady, Board Vice President
Vermillion Area Chamber of Commerce
and Development Company

**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 Tract 1, Bliss Third Addition to the City of Vermillion, Clay County, South Dakota, and represent that there are no registered voters residing within the boundaries of the territory to be annexed; and

WHEREAS, in 1964 the City Council annexed a portion along the north and east of what is now known as Tract 1, Bliss Third Addition to 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:

TRACT 1, BLISS THIRD ADDITION TO THE CITY OF VERMILLION, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA (with the exception of the land previously annexed by the City of Vermillion in 1964).

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

Dated at Vermillion, South Dakota this 20th day of May, 2013.

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

By _____
John E. (Jack) Powell, Mayor

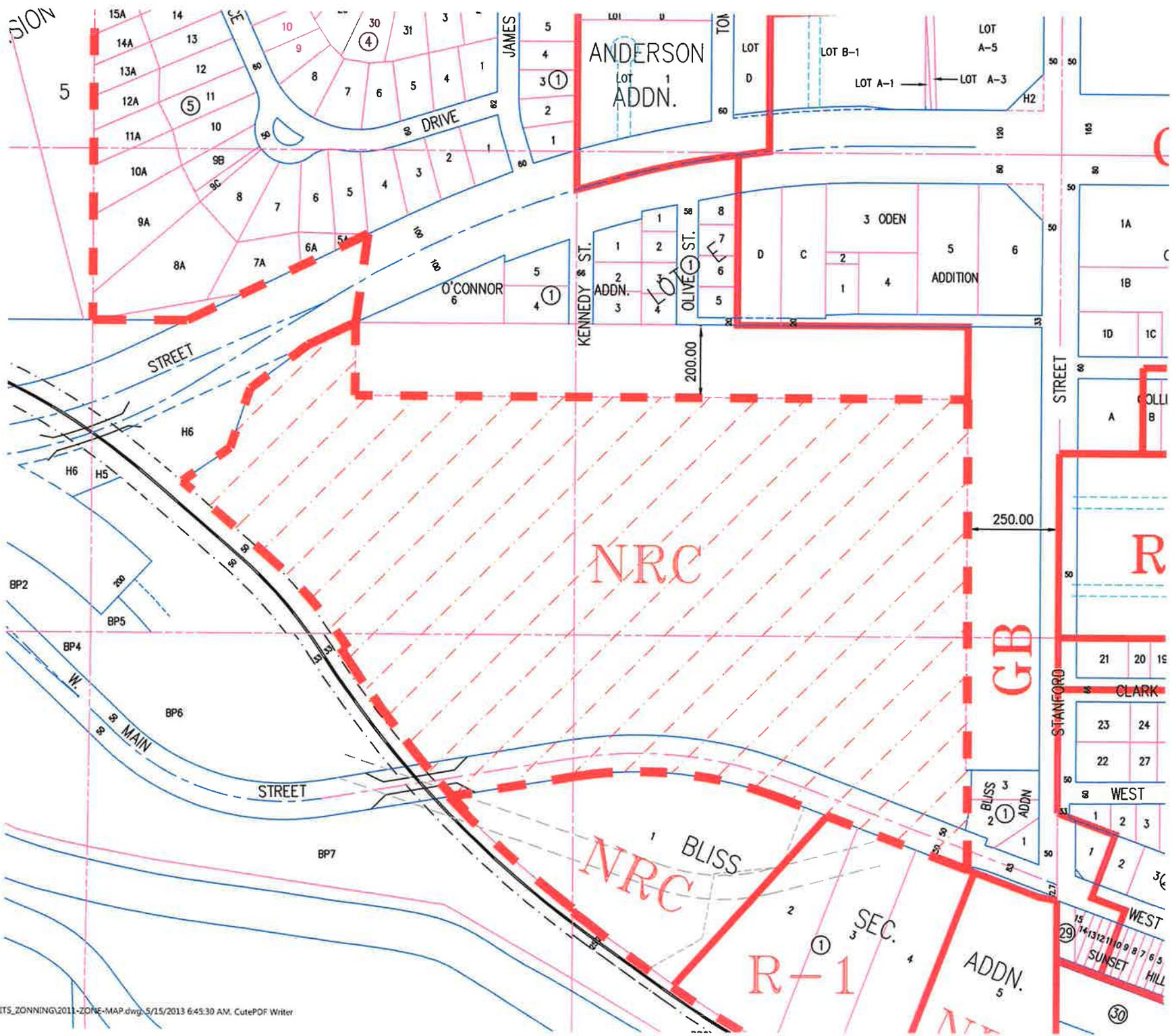
ATTEST:

By _____
Michael D. Carlson, Finance Officer

Approved: May 20, 2013

Publish: May 31, 2013

Effective: June 20, 2013



Council Agenda Memo

From: Jason Anderson, Assistant City Engineer

Meeting: May 20, 2013

Subject: Authorization to Notify Cooperative of Intent to Serve Annexed Area

Presenter: Jason Anderson

Background: The purpose of this authorization is to notify Clay Union Electric Corporation (Clay Union) of our intent to provide the Bliss Third Addition property with electric service once it is annexed into City limits. This coincides with the previous agenda item to annex Bliss Third Addition into the City. The land is located immediately west and south of current City limits, north of West Main Street and west of Stanford Street. The current property owner, Vermillion Chamber and Development Company (VCDC), has petitioned the City for annexation of the above mentioned land into the City limits. The intent of the owners is to have land available for residential construction in the future. The portion of the property that is highlighted blue is currently in the electric service territory of Clay Union. By State law, if the City does not notify a rural electric cooperative within one year of annexation of its intent to serve the annexed area, the annexed area shall continue to be served by the rural electric cooperative.

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

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

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

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

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

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

TRACT 1, BLISS THIRD ADDITION, CLAY COUNTY, SOUTH DAKOTA
(with exception to the land currently within City electric territory, as shown on attached map.)

Annexed on May 20, 2013.

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

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

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

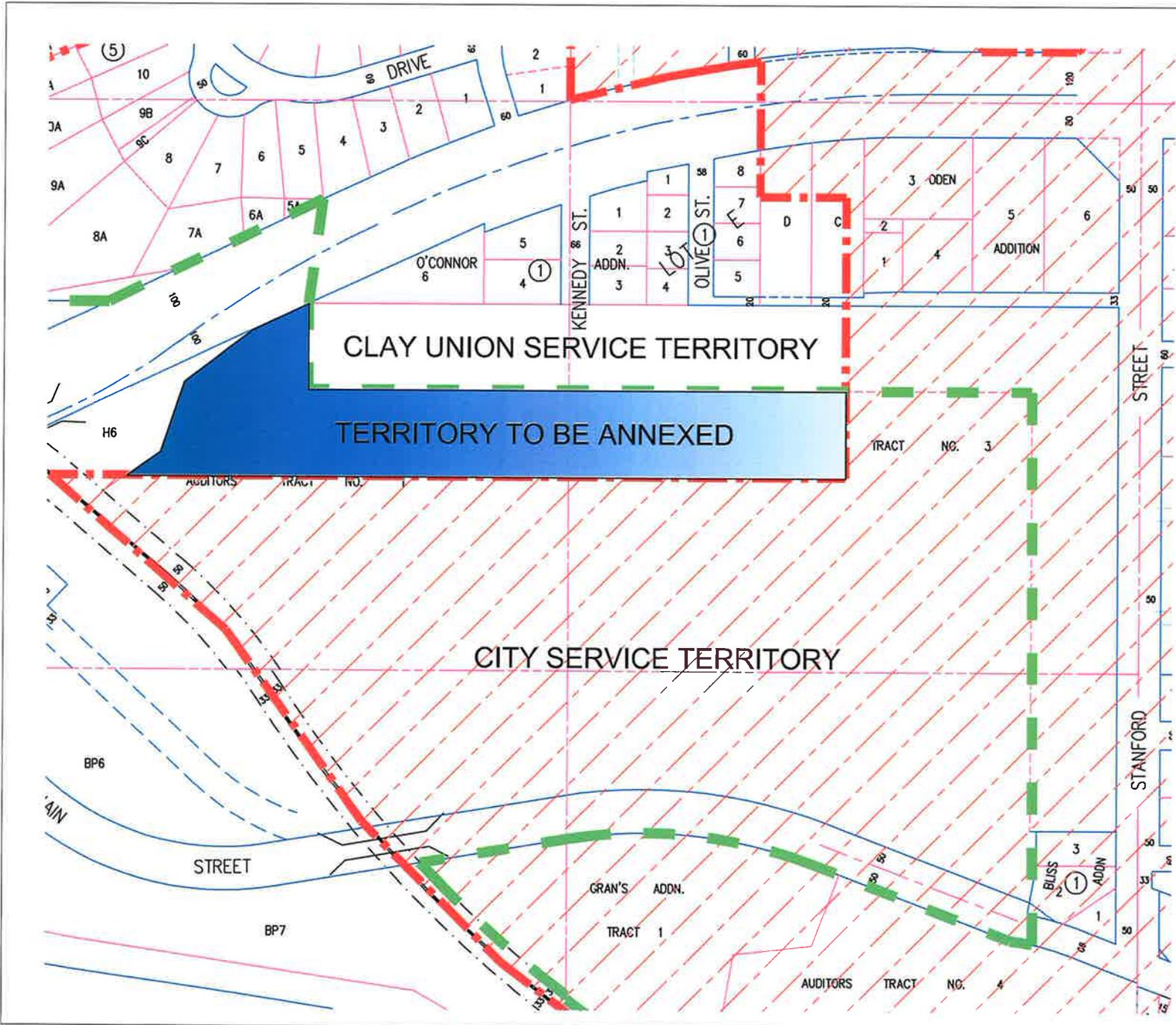
Dated at Vermillion, South Dakota this 20th day of May, 2013.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer



ELECTRIC ANNEXATION

TRACT 1 BLISS THIRD ADDITION		1.0
CITY OF VERMILLION, SD 57069		NOT TO SCALE
		MAY 2013



Council Agenda Memo

From: John Prescott, City Manager
Meeting: May 20, 2013
Subject: TIF 5 project plan for Eagle Creek development
Presenter: John Prescott

Background: The City Council approved the boundaries of Tax Increment District #5 on April 15, 2013. The boundaries of TIF #5 are the same as Lot 8, Block 7 Erickson Addition. The TIF District is located at the southwest corner of the intersection of Princeton Street and Bower Street. The Vermillion Chamber of Commerce and Development Company is the owner of the lot. The VCDC plans to construct an approximately 30,000 square foot office building and parking lot on the site. Eagle Creek software announced their expansion to Vermillion in March and will be the tenant for the VCDC's new office building.

Discussion: The VCDC is financing construction of the building through a REDI loan awarded by the Governor's Office of Economic Development and private bank financing. One of the sources that has been identified to repay the debt is TIF financing. The VCDC will rent the building to a tenant and collect property taxes as part of the rent payments. The property owner will pay the increased property taxes as the assessed value increases. The County will collect the property taxes and transfer the proceeds to the City. The City will have an agreement with the VCDC to transfer the funds back to the VCDC. The agreement will be presented for consideration by the City Council at an upcoming meeting.

State Statutes require a Project Plan be prepared for each TIF District. The attached plan provides information on the existing conditions of the TIF District, what is anticipated to be diverted from the City, County, School, and Water District in property taxes over the next 20 years. The Plan provides information on the overall project costs and uses of the TIF funds. The numbers are all estimates at this point as the project has not been placed out for bid yet and the actual assessed value and corresponding tax rates are unknown.

Financial Consideration: The City's General Fund will not receive the increased property tax payments that will be generated by the increase in assessed value brought about by the construction of the office building and related improvements. The impact to

8. New Business; item d

the City's General Fund is estimated to be just over \$465,000 for the 20 year life of the TIF district.

Conclusion/Recommendations: Administration recommends approval of the Resolution adopting the Project Plan for TIF 5.

**RESOLUTION
ADOPTING PROJECT PLAN FOR TAX INCREMENTAL
DISTRICT NUMBER FIVE
VERMILLION AREA CHAMBER OF COMMERCE AND DEVELOPMENT
COMPANY
RIVERBEND BUSINESS PARK BUILDING**

WHEREAS, the City Council and Planning Commission of the City of Vermillion, South Dakota (the "City") is pursuing economic development efforts has here to fore created Tax Incremental District Number Five; and

WHEREAS, this Tax Incremental District was created on April 15, 2013 to aid business expansion and relocation into the City of Vermillion; and

WHEREAS, the City of Vermillion's Planning Commission has considered and approved the Project Plan for Tax Incremental District Number Five; and

WHEREAS, the Project Plan for Tax Incremental District Number Five is hereby found to be feasible and in conformity with the City's Master Plan.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Vermillion that the Project Plan for Tax Incremental District Number Five is hereby approved.

Dated at Vermillion, South Dakota this 20th day of May, 2013.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Approved: May 20, 2013
Publish: May 31, 2013
Effective: June 20, 2013

PROJECT PLAN

CITY OF VERMILLION
TAX INCREMENT DISTRICT #5
VERMILLION AREA CHAMBER OF COMMERCE AND DEVELOPMENT
RIVERBEND BUSINESS PARK BUILDING

District Created – April 15, 2013

Plan Approved _____

INTRODUCTION

Tax Increment Financing is a method of financing improvements and development in an area which has been determined to be blighted or will stimulate and develop the general economic welfare according to the criteria set forth in SDCL ch. 11-9. The improvements are completed without incurring a general obligation for the taxpayers of the entire City of Vermillion (city hereafter). Tax Increment Financing (TIF) is an incentive utilized by local governments to stimulate development and investment. TIF helps to overcome the extraordinary costs that often prevent private investment from occurring in difficult to develop areas of the community. As a result, the TIF area itself improves and property values increase.

The assessed value of a district is determined by the South Dakota Department of Revenue at the time the district is created by the City Council. This valuation is termed the Tax Increment Base Valuation for the district, or simply the "base valuation." As the property taxes for the property are paid, that portion of the taxes paid on the Base Valuation continue to go to those entities, (City, County, School, etc.), which levy property taxes.

When in succeeding years, the assessed valuation of the district increases, the total property taxes paid by the owners of property in the district will increase accordingly. That increase in taxable valuation is the "increment." When the tax bills are paid, only that portion of the tax bill which results from the Base Valuation is paid to the taxing entities. The remainder of the tax bill, known as the tax increment, is deposited in a special fund. It is this plan which determines how these accumulated funds will be used. It is anticipated that the properties in this proposed Tax Increment District will be used for commercial purposes. The Tax Increment District will be financed by the Developer.

This financing method is invaluable for encouraging growth and development of blighted properties including open area impairing growth, since the amount of funds available for use by the project plan is directly related to the increase in valuation which a given project or development will create. TIF projects must be recommended for approval by the Vermillion City Planning Commission and the Vermillion City Council.

OVERVIEW

The City Council via a resolution on April 15, 2013 created the boundaries of Tax Increment District #5 (TIF 5 hereafter). The Tax Increment District consists of Lot 8, Block 7 Erickson Addition to the City of Vermillion. This lot is located at the southwest corner of Princeton Street and Bower Street. Lots 1, 2 & 3 Block 7, Erickson Addition were recently replatted to be Lot 8, Block 7, Erickson Addition to the City of Vermillion. The replat action was part of the April 15, 2013 City Council agenda. A map of TIF 5 is included at the end of the plan.

The plan proposes that the TIF increment be used to assist in the development of an approximately 30,000 square foot office building and related site improvements in the Riverbend Business Park. The Tax Increment Funds for the Developer, Vermillion Chamber of Commerce and Development Company, (Developer or VCDC hereafter) would be used to repay the debt

incurred to prepare the site for construction and to construct the building and related site improvements such as the parking lot, stormwater drainage, utility extensions and landscaping.

The TIF financing method is invaluable for encouraging growth and development in areas with special development problems or opportunities, since the amount available for use by the project plan is directly related to the increase in valuation which a given project or development creates. The Tax Increment District will be financed by the Developer.

The project area of TIF 5 has never been developed. The area of TIF 5 has been farmland to the best knowledge of the City and the VCDC.

There are no existing structures within the TIF 5 project boundaries. The area is served by City fire hydrants. The municipal infrastructure serving the project area is approximately ten years old and adequate to serve the proposed development.

As noted in this section of the plan, the project area recently been replatted in one lot. The TIF 5 project area has also been rezoned to be entirely GB (General Business) zoning. While the proposed use is permissible in both GI (General Industrial) and GB zoning, it is cleaner for several reasons, including financing purposes, to have the same zoning for the entire parcel.

The following maps are provided at the end of the project plan in compliance with state law and to better describe the project plan:

- Attachment 1 – Existing Conditions map
- Attachment 2 – List of Real Property improvements
- Attachment 3 – Zoning district of TIF 5 Project area
- Attachment 4 – Map of TIF 5 Project with proposed improvements

ELEMENTS OF THE PROJECT PLAN

1. The kind, number, and location of all proposed public works or improvements within the District.

There will be no public works or public improvements within the district. The site is already abutted by two paved streets with street lights and storm sewer. The site is currently served by municipal water and sanitary sewer utilities and electric service will be extended to serve the facility with a sewer tapping fee due upon connection.

The Developer will be constructing a parking lot, public sidewalk, office building and related improvements. The Developer is financing the improvements.

The City zoning ordinance was amended prior to the adoption of this plan. No other changes will be needed to the City's master plan, building codes or city ordinances as a result of this project plan.

2. Economic feasibility study

Current Valuation

Lot 8, Block 7 of Erickson Addition encompasses approximately 266,588 square feet or 6.2 acres. The current assessed value for Lot 8, Block 7 is \$58,228. The assessed value is based on Clay County records for Lots 1, 2 & 3, Block 7 of Erickson Addition as the three lots were replatted into Lot 8, Block 7 on April 15, 2013. In accordance with SDCL 11-9-20, the certification of the base value has been requested from the South Dakota Department of Revenue following creation and approval of the district by the City Council. The anticipated certified base value of the property in TIF 5 is \$58,228.

Expected Increase in Valuation

Estimated Future Valuation of Proposed District

Estimated Assessed Value of District	\$58,228
Estimated Assessed Value of Project (year 20)	\$4,000,000
Other Anticipated Increases in Assessed Value	0
Estimated Increase in Assessed Value of Land*	0
Estimated Total Valuation (year 20)	\$ 4,058,228

*For purposes of TIF 5, the increase in land value is not included in these estimates. Any additional value will pay off the loan earlier than anticipated.

Revenue Estimates from Tax Increments

The TIF 5 Plan anticipates 38 semi-annual payments over 19 years. The potential negative short-term impact on various taxing districts will be offset by the increase in the tax base in future years.

2012 Non-Owner Occupied Tax Levies and Percentage of Total Levy

<u>Taxing Entity</u>	<u>Tax Levy*</u>	<u>Percentage of Total Levy</u>
Vermillion Public School District	17.242	59.8%
Clay County	6.29	21.8%
City of Vermillion	5.214	18.1%
Vermillion Basin Water District	.041	.00041%

*Rates per \$1,000 of assessed valuation

The estimated tax increment available to pay for project costs in the TIF 5 Plan can be calculated by multiplying the anticipated tax rate by the increment in valuation. This calculation results in the following tax increments, which become available as taxes are paid for the applicable periods. The project is anticipated to be 50% complete by November 1, 2013 and the Developer will make application to waive the discretionary formula on this project.

Projected Tax Increment Income

<u>Assessment Date</u>	<u>Year Taxes Paid</u>	<u>Projected Increment In Valuation</u>	<u>Adjusted Value</u>	<u>Total Tax Increment Payments</u>	<u>Six Month Total</u>
Nov-13	2015	2,000,000	2,000,000	57,574	28,787
Nov-14	2016	4,000,000	4,000,000	115,148	57,574
Nov-15	2017	4,000,000	4,000,000	115,148	57,574
Nov-16	2018	4,000,000	4,000,000	115,148	57,574
Nov-17	2019	4,000,000	4,000,000	115,148	57,574
Nov-18	2020	4,000,000	4,000,000	115,148	57,574
Nov-19	2021	4,000,000	4,000,000	115,148	57,574
Nov-20	2022	4,000,000	4,000,000	115,148	57,574
Nov-21	2023	4,000,000	4,000,000	115,148	57,574
Nov-22	2024	4,000,000	4,000,000	115,148	57,574
Nov-23	2025	4,000,000	4,000,000	115,148	57,574
Nov-24	2026	4,000,000	4,000,000	115,148	57,574
Nov-25	2027	4,000,000	4,000,000	115,148	57,574
Nov-26	2028	4,000,000	4,000,000	115,148	57,574
Nov-27	2029	4,000,000	4,000,000	115,148	57,574
Nov-28	2030	4,000,000	4,000,000	115,148	57,574
Nov-29	2031	4,000,000	4,000,000	115,148	57,574
Nov-30	2032	4,000,000	4,000,000	115,148	57,574
Nov-31	2033	4,000,000	4,000,000	115,148	57,574

Total Tax Increment Expected to Accrue by 12-1-2033
\$2,130,238

NOTE: Tax increment payments are calculated using 85% of estimated future property valuation and 100% of expected 2013 mill levy.

3. Detailed list of project costs

There are anticipated to be no project costs funded by the City. The VCDC as Developer will be financing the building construction and site improvements.

The estimated cost of all improvements in TIF 5 both the building construction as well as site improvements is \$4,920,000. All improvements are scheduled to be completed within one year of the building permit being issued in June 2013.

The developer will be providing the financing for the construction of the building and site improvements. It is anticipated that the Developer will be funding the construction through private bank financing and a REDI loan provided by the Governor's Office of Economic Development. The applicant Developer will be responsible for any principal and interest

payments due that are not available from TIF 5. If the tax increment revenues exceed the anticipated loan payments, the debt will be retired early.

The debt on the Tax Increment District Project Costs covered in the Plan will be retired by deposits made in the TIF 5 as taxes are paid on the property in succeeding years. The City's Finance Office will make the disbursements from the fund in accordance with this Plan. According to SDCL 11-9-25, positive tax increments will be allocated to that fund until the debt from the project costs are retired or in no event may the positive tax increments be allocated longer than twenty years after the calendar year of creation. The final payment for this plan is scheduled to be made on December 1, 2033.

Total Estimated Project Costs:

Capital Costs:

Storm water drainage	100,000
Site work (Parking Lot - Sidewalk)	300,000
Water, Sanitary Sewer & Electric Service	100,000
Private Structure - 30,000 office building	3,900,000

Professional Costs:

Engineering/Inspection/Testing	270,000
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Financing Costs:

Interest	654,561
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Contingency Costs:

<u>250,000</u>

Total

5,574,561

Total Estimated Project Costs To Be Paid By The

Tax Increment District

Capital Costs

Storm water drainage	100,000
Site work (Parking Lot - Sidewalk)	300,000
Water, Sanitary Sewer & Electric Service	100,000
Private Structure - 30,000 office building	455,677

Professional Costs:

Engineering/Inspection/Testing	270,000
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Financing Costs:

Interest	654,561
----------	---------

Contingency Costs:

<u>250,000</u>

TOTAL

2,130,238

These estimated project costs and expenses are intended to be expended as grants as allowed by SDCL ch 11-9.

Capital Costs – The capital costs of \$4,400,000 included in the Project Plan are for building construction and site improvements.

Financing Costs – The financing costs for this Project Plan are dependent on the interest rate obtained. The interest rate used for this project is estimated to be 3.36%. It is estimated that the financing costs will total \$654,894. If a lower interest rate is obtained, the project costs will be repaid more quickly and the property will be returned to the tax rolls sooner.

Real Property Assembly Costs – No real property assembly costs are anticipated as the City will not be acquiring any real or personal property. The VCDC is and has been the owner of Lot 8, Block 7 Erickson Addition prior to TIF 5 being created.

Professional Service Costs – Professional service costs for Engineering and Professional fees in the amount of \$270,000 are anticipated in the Project Plan.

Imputed Administrative Costs – All Tax Increment District actions require municipal staff time to prepare and enact. The City shall be reimbursed on November 30, 2018 for its administrative costs in the amount of \$5,000. However, in no case shall the City be reimbursed less than \$100 on November 30, 2018.

Relocation Costs – No relocation costs are anticipated in the Project Plan. No residents or families will be displaced by the project. There are no families or persons residing on the premises. A relocation plan is not needed.

Organizational Costs – No organizational costs are anticipated in the Project Plan.

Payments and Grants – No payments or grants by the City are anticipated to be made to create TIF 5 or to implement the project plan.

List of Estimated Non-Project Costs – The following is a list of the non-project costs. All costs are listed as taxable value, actual non-project costs will exceed the following amounts:

<u>Non-Project Cost</u>	<u>Amount</u>
Private Structure	\$3,444,323

It is anticipated the Developer will be entering into agreements with the building occupant(s) for fixtures, finish and job training costs that will also be non-project costs.

4. Fiscal impact statement

There will be no adverse impact on the City, County, or School District during the duration of the TIF 5 since the development would not have occurred without the creation of TIF 5. In fact, by setting a new and updated base value, there will be additional revenue being created. Further, a positive impact on these taxing jurisdictions will occur when TIF 5 is dissolved and the development in TIF 5 will become part of the tax base of all affected taxing jurisdictions. When this occurs, the tax rates of the taxing jurisdictions will be lower than they would have been had the TIF 5 not been established.

It is anticipated that the assessed value of the parcel included in TIF 5 will remain relatively stable from year to year upon the completion of construction of the building and the site improvements. The impact of tax incremental financing on the assessed value of each taxing jurisdiction in which TIF 5 is located in whole or in part would also remain stable from year to year. Based on this assumption, it is anticipated that tax increment will be captured annually as shown. The estimate is based on the qualifications identified in this report and does not include the possible tax increment derived from any other future development, tax rate changes or inflation factors after 2013.

Total assessed value of TIF 5 upon certification is estimated to be \$58,228.

Below is information which shows the impact of TIF 5, both until and after the Developer's debt is retired, upon all entities levying taxes upon property in TIF 5.

Year	Valuation Paid	Vermillion			Vermillion	
		School District	Clay County	City of Vermillion	Basin Water District	Total
2015	2,000,000	\$34,484	\$10,428	\$12,580	\$ 82	\$57,574
2016	4,000,000	68,968	20,856	25,160	164	115,148
2017	4,000,000	68,968	20,856	25,160	164	115,148
2018	4,000,000	68,968	20,856	25,160	164	115,148
2019	4,000,000	68,968	20,856	25,160	164	115,148
2020	4,000,000	68,968	20,856	25,160	164	115,148
2021	4,000,000	68,968	20,856	25,160	164	115,148
2022	4,000,000	68,968	20,856	25,160	164	115,148
2023	4,000,000	68,968	20,856	25,160	164	115,148
2024	4,000,000	68,968	20,856	25,160	164	115,148
2025	4,000,000	68,968	20,856	25,160	164	115,148
2026	4,000,000	68,968	20,856	25,160	164	115,148
2027	4,000,000	68,968	20,856	25,160	164	115,148
2028	4,000,000	68,968	20,856	25,160	164	115,148
2029	4,000,000	68,968	20,856	25,160	164	115,148
2030	4,000,000	68,968	20,856	25,160	164	115,148
2031	4,000,000	68,968	20,856	25,160	164	115,148
2032	4,000,000	68,968	20,856	25,160	164	115,148
2033	4,000,000	68,968	20,856	25,160	164	115,148

5. Methods of Financing

Below is a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred.

VCDC funds allocated to the project - \$650,000
Private Bank construction loan financing \$4,200,000

Once construction is completed, the private bank financing for construction will be blended with a REDI loan provided by the Governor's Office of Economic Development. Proceeds from the REDI loan will not exceed \$2,100,000. The loan to value ratio will not exceed 80%.

The Developer will be borrowing and is responsible for the principal and interest payments on the total debt of \$4,200,000 for the project at an estimated average interest cost of 3.36% for the 30,000 square foot office building and related improvements. As to the tax increment project costs of \$1,475,677 the projected amortization schedule is listed below showing the project costs portion to be borrowed by the Developer using a 3.36% interest rate.

PROJECTED AMORTIZATION RATE

<u>No.</u>	<u>Payment Date</u>	<u>Beginning Balance</u>	<u>Interest 0.0336</u>	<u>Total Due</u>	<u>Capital Int Payment</u>	<u>Tax Inc Payment</u>	<u>Total Payment</u>	<u>Loan Balance</u>	<u>Cumulative Interest</u>
1	12/01/2013	1,475,677	24,791	1,500,468	24,791		24,791	1,500,468	24,791
2	06/01/2014	1,500,468	25,208	1,525,676	25,208		25,208	1,525,676	49,999
3	12/01/2014	1,525,676	25,631	1,551,307	25,631		25,631	1,551,307	75,631
4	06/01/2015	1,551,307	26,062	1,577,369	-	28,787	28,787	1,548,582	101,693
5	12/01/2015	1,548,582	26,016	1,574,599	-	28,787	28,787	1,545,812	127,709
6	06/01/2016	1,545,812	25,970	1,571,781	-	57,574	57,574	1,514,207	153,678
7	12/01/2016	1,514,207	25,439	1,539,646	-	57,574	57,574	1,482,072	179,117
8	06/01/2017	1,482,072	24,899	1,506,971	-	57,574	57,574	1,449,397	204,016
9	12/01/2017	1,449,397	24,350	1,473,747	-	57,574	57,574	1,416,173	228,366
10	06/01/2018	1,416,173	23,792	1,439,964	-	57,574	57,574	1,382,390	252,157
11	12/01/2018	1,382,390	23,224	1,405,614	-	57,574	57,574	1,348,040	275,382
12	06/01/2019	1,348,040	22,647	1,370,688	-	57,574	57,574	1,313,114	298,029
13	12/01/2019	1,313,114	22,060	1,335,174	-	57,574	57,574	1,277,600	320,089
14	06/01/2020	1,277,600	21,464	1,299,064	-	57,574	57,574	1,241,490	341,553
15	12/01/2020	1,241,490	20,857	1,262,347	-	57,574	57,574	1,204,773	362,410
16	06/01/2021	1,204,773	20,240	1,225,013	-	57,574	57,574	1,167,439	382,650
17	12/01/2021	1,167,439	19,613	1,187,052	-	57,574	57,574	1,129,478	402,263
18	06/01/2022	1,129,478	18,975	1,148,453	-	57,574	57,574	1,090,879	421,238
19	12/01/2022	1,090,879	18,327	1,109,206	-	57,574	57,574	1,051,632	439,565
20	06/01/2023	1,051,632	17,667	1,069,299	-	57,574	57,574	1,011,725	457,232
21	12/01/2023	1,011,725	16,997	1,028,722	-	57,574	57,574	971,148	474,229
22	06/01/2024	971,148	16,315	987,463	-	57,574	57,574	929,889	490,544
23	12/01/2024	929,889	15,622	945,512	-	57,574	57,574	887,938	506,167
24	06/01/2025	887,938	14,917	902,855	-	57,574	57,574	845,281	521,084
25	12/01/2025	845,281	14,201	859,482	-	57,574	57,574	801,908	535,285
26	06/01/2026	801,908	13,472	815,380	-	57,574	57,574	757,806	548,757
27	12/01/2026	757,806	12,731	770,537	-	57,574	57,574	712,963	561,488
28	06/01/2027	712,963	11,978	724,941	-	57,574	57,574	667,367	573,466
29	12/01/2027	667,367	11,212	678,578	-	57,574	57,574	621,004	584,677
30	06/01/2028	621,004	10,433	631,437	-	57,574	57,574	573,863	595,110
31	12/01/2028	573,863	9,641	583,504	-	57,574	57,574	525,930	604,751
32	06/01/2029	525,930	8,836	534,766	-	57,574	57,574	477,192	613,587
33	12/01/2029	477,192	8,017	485,209	-	57,574	57,574	427,635	621,604
34	06/01/2030	427,635	7,184	434,819	-	57,574	57,574	377,245	628,788
35	12/01/2030	377,245	6,338	383,583	-	57,574	57,574	326,009	635,126
36	06/01/2031	326,009	5,477	331,486	-	57,574	57,574	273,912	640,603
37	12/01/2031	273,912	4,602	278,513	-	57,574	57,574	220,939	645,204
38	06/01/2032	220,939	3,712	224,651	-	57,574	57,574	167,077	648,916
39	12/01/2032	167,077	2,807	169,884	-	57,574	57,574	112,310	651,723
40	06/01/2033	112,310	1,887	114,197	-	57,574	57,574	56,623	653,610
40	12/01/2033	56,623	951	57,574	-	57,574	57,574	0	654,561

Attachment 1

Existing Conditions Map

Legal Description

Lot 8, Block 7, Erickson Addition to the City of Vermillion, Clay County, South Dakota according to the recorded plat thereof.



Attachment 2

List of Real Property Improvements

Improvements are to be located in the tax increment district are shown below:

- Storm water drainage
- Site work for parking lot, sidewalk
- Water, sanitary sewer and electric service connections
- Private structure 30,000 square foot office building
- Engineering, inspection, legal and testing
- Contingency
- Financing Costs

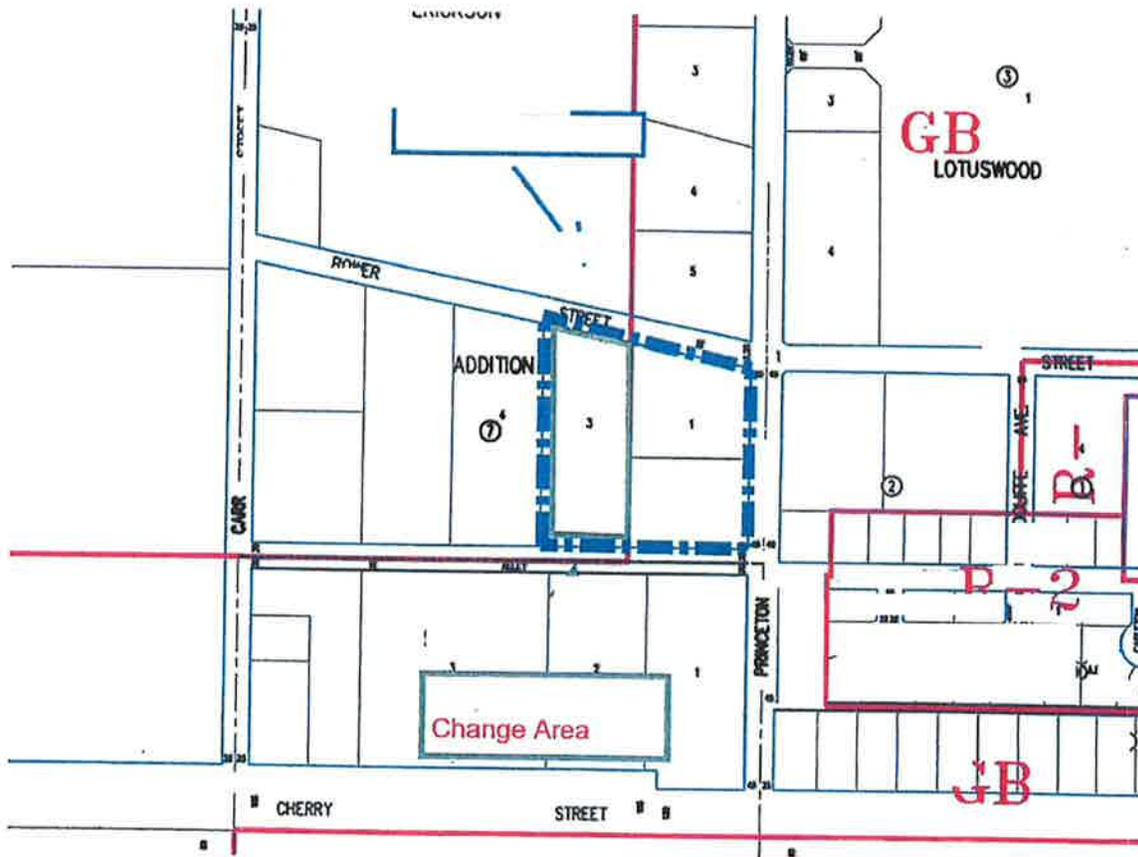
All improvements will be made within boundaries of the Tax Increment District Number 5 as shown in Attachment 4.

Attachment 3

Zoning Changes

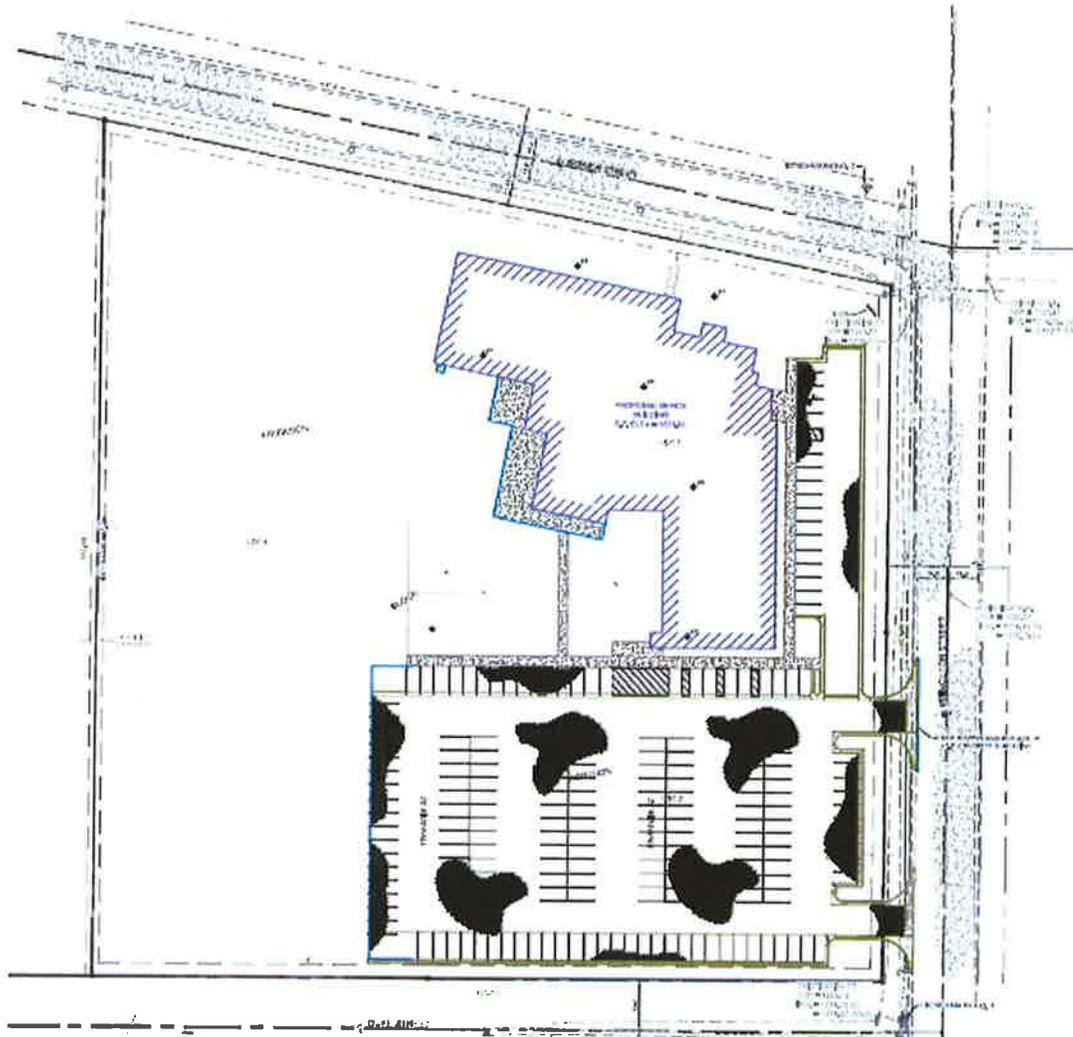
All zoning changes have taken place prior to this plan

The property is zoned GB



Attachment 4

Map of TIF 5 Project with proposed improvements



Council Agenda Memo

From: Jason Anderson, Assistant City Engineer
Meeting: May 20, 2013
Subject: Purchase of Police Patrol Car at the State Contract Price
Presenter: Jason Anderson

Background: The replacement of one 2010 police patrol car was budgeted in the 2013 Equipment Replacement Fund. At budget sessions in August 2012, the City Council approved funding for this purchase.

Discussion: The State of South Dakota awarded its annual contracts for vehicle acquisition on October 12, 2012 for the 2013 model year vehicles. The State contract for a Police 4 Door Sedan, was awarded to Billion Auto of Sioux Falls. The vehicle is a Chevrolet Caprice for a base price of \$26,845. Billion Auto has agreed to honor the state bid and sell the City a 2013 Chevy Caprice for the base price of \$26,845 plus \$1,527 for additional options.

In the past the City has purchased Ford Crown Victoria police cars. Since Ford no longer offers the Crown Victoria police package, the City has been forced to analyze alternative options. Ford offers Interceptor sedans that are built on the Taurus chassis, while Chevrolet offers the front wheel drive Impala and rear wheel drive Caprice.

In December 2012 the VPD conducted an analysis of the Ford Interceptor and Chevrolet Caprice police vehicles. Officers from the VPD traveled to Sioux Falls and Yankton to test drive the Ford Interceptor and Chevrolet Caprice police vehicles, respectively. The report concluded that the officers are much more comfortable with the greater interior space that is provided by the Caprice.

Financial Consideration: The 2013 Equipment Replacement Fund includes the purchase of a police car for \$27,000. The 2010 patrol car will be declared surplus after delivery of the new vehicle and sold by sealed bids. The revenue from the sale of the surplus vehicle will be returned to the equipment replacement fund.

Conclusion/Recommendations: Administration recommends awarding the purchase of one Chevy Caprice Police Car from Billion Auto of Sioux Falls for the State Contract base price of \$26,845, plus \$1,527 in additional options.

Council Agenda Memo

From: John Prescott, City Manager

Meeting: May 20, 2013

Subject: HVAC Committee report

Presenter: John Prescott

Background: At February 19, 2013 City Council meeting under Visitors to be Heard, several rental property owners and managers raised questions about the requirement for each unit on the rental registry to have a separate HVAC system. The City Council adopted Ordinance 1256 in August 2011 which extended the Property Maintenance Code to rental properties. A charge for a Committee to address the concerns presented by the rental property owners and managers was presented at the March 4, 2013 meeting. The charge was:

The City Code of Ordinances as it pertains to the requirement for separated HVAC systems to serve dwellings on the rental registry shall be the focus. The review shall be conducted with the consideration of the health, safety, and welfare of the occupants of the premises. The review shall include identifying how to communicate and explain code requirements to property owners, property managers, tenants, and the community. The report of the committee shall be provided to the City Manager for presentation to the City Council. If deemed appropriate by the City Manager and the committee is interested in doing so, up to two other topics will be addressed for committee review and report.

Discussion: After presentation of the HVAC Committee charge, committee members were identified and asked to participate. The HVAC Committee was comprised of: Kelsey Collier-Wise, Glynis Erickson, Brian Hensel, Pam Jacobsen, Gary Marshall, Alexis Oskolkoff, Ashley White and Bill Wood. City staff members participating in the discussion were Farrel Christensen, Eric Birkeland, and myself. The Committee met on April 16, 2013 and May 7, 2013.

A particularly lively discussion on the separate HVAC requirement was part of the April 16th meeting. Information was presented that verified that the City Code staff's interpretation of the separate HVAC requirement as written by the International Code Council was correct. Basically, ICC said that the same heat source can be used but air cannot be shared between units. Boiler heat is the best example of this type of system.

It was explained that separate HVAC systems for each dwelling unit are necessary for health and safety issues. The primary safety issue is fire related. As the requirement to have separate HVAC units per rental dwelling are health and safety items, a variance cannot be granted.

One interesting item that was brought forward in the discussion was the number of structures / unit impacted by the change. The numbers change slightly over time as properties come on and off the registry but the numbers presented at the April meeting were:

Registered Units with HVAC issue: 119	Total registered Units: 2661
Registered Structures with HVAC issue: 34	Total registered Structures: 926

Approximately, 4.4% of units or 3.6% structures need to address the issue of providing separate HVAC systems. Additional units / structures may yet be discovered through the regular rental inspection process. A handful of properties are also taking steps to address the issue.

The need to educate and directly work with the 34 structures that have the HVAC issue was discussed. City staff will again make contacts directly with the impacted property owners and managers.

The issue of providing additional time to complete the work was also discussed. An additional year was proposed. The current deadline to have separated HVAC systems for each rental unit is August 1, 2014. The form, if submitted and approved by February 1, 2014, would provide an extension until August 1, 2015 to have HVAC changes completed.

Financial Consideration: None at this time.

Conclusion/Recommendations: Administration recommends acceptance of the HVAC Committee report and the application procedure for additional time to comply with the requirement for separate HVAC systems.



HVAC Rental Compliance

25 Center Street
 Vermillion, SD 57069
 Ph: 605-677-7050 Fax: 605-677-5461
 www.vermillion.us

Request to extend time to comply with separate HVAC Requirement

Address where extension is requested: _____

Property Owner			
Name		Phone	
Address	City	State	Zip
Property Manager			
Name		Phone	
Address	City	State	Zip
Number of rental units at this address:		Number of current tenants at this address:	
Date (s) when current lease (s) expire: _____			
A one year extension of the requirement to have separate HVAC systems is requested. The reason the additional year is needed to provide separate HVAC system for rental unit is: _____ _____ _____			
If the extension request is related to finances, please provide current total monthly income for all rental activity on the Property\$ _____			
Explain your current plan for how separate HVAC systems will be provided for each rental unit (installation of additional Furnaces, consolidation of units, different heat sources, ect.: _____ _____ _____			
Name of Contractor you are working with: _____			
Recommendation of HVAC professional/contractor to correct issue: _____			
When is work scheduled: _____			

I agree if separate HVAC units are not provided for each unit by August 1, 2015, the property will be removed from the City of Vermillion rental registry.

I agree the property will be in conformance with all applicable registry codes by August 1, 2015.

Property Owner Signature: _____ Date: _____

Property Mgr. Signature: _____ Date: _____

All requests for an extension to comply with separate HVAC requirement must be submitted by February 1, 2014.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: May 20, 2013
Subject: 4th of July Public Fireworks Display Permit
Presenter: Mike Carlson

Background: The Vermillion Chamber and Development Company (VCDC) is requesting City Council approval for a fireworks display to be held on the 4th of July, 2013, as part of the activities planned for the day. The display is planned to begin at about 10:00 p.m. and would be discharged from the field south of Polaris and west of Carr Street. Tom Taylor and James Taylor will be conducting the show. Tom Taylor has indicated that he is providing the insurance as he has done for his other displays. This permit request is similar to previous years. A copy of the permit application is attached.

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

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

Chief Draper met with Mr. Taylor to review the site.

Financial Consideration: The City provides \$3,500 in BBB Sales Tax funding to the VCDC to assist in funding the cost of the fireworks display.

Conclusion/Recommendations: Administration recommends that the City Council authorize the Mayor to sign the Fireworks Public Display permit for the Vermillion Chamber of Commerce and Development Company to be held on the 4th of July, 2013 in the field south of Polaris and west of Carr Street.

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

Name of Applicant Vermillion Chamber of Commerce Phone 605-670-0757
Address 703 Valley View Dr. City Vermillion State SD Zip 57069

PERSONS ACTUALLY IN CHARGE OF FIRING THE DISPLAY

Name Thomas Taylor Address 703 Valley View Dr. City Vermillion State SD Zip 57069

Name James Taylor Address 25 Prentis Ave City Vermillion State SD Zip 57069

Date of Display 7/4/2013 Time of Day 10:00 PM

Exact Location of Display In field north of Cherry St. and east of Stanford St.

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

- Display Fireworks
- Consumer Fireworks

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

Date Issued 15 day of May, 2013


Signature of Applicant

Subscribed and sworn to (or affirmed)
Before me this 15 day of
May, 2013

Notary Public

My Commission Expires 7-5, 2017

Permit Authorized By _____
Title _____
Location of Issuing Authority _____
Date _____

Issued subject to all applicable laws and regulations. SDCL 34-36, SDCL 34-37 and National Fire Protection Association Paragraph #1125 (1995 Edition). This permit may not be reassigned or transferred.

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



Fireworks Display Site Plan

Vermillion Fire Department
25 Center ST Vermillion, SD 57069
(605) 677-9637

Site Plan

Please provide information about your event on page 1, sketch the site on page 2 and fax back to us. Page 4 includes an example of a completed site sketch and firing distance specifications from the NFPA. Page 3 is a checklist you may refer to when planning your event.

ABOUT YOU

Name (first, last) James Taylor

Street address 25 Prentis Ave

City Vermillion

State SD

Zip 57069

Primary phone 605-670-1253

Mobile 605-670-1253

Email address fireworksunlimited@vyn.midco.net

EVENT INFO

Display date 7/4/13

Rain date 7/5/13

Display time (am/pm) 10:00PM Length of display 25-35 mins

Exact location of display (for example, park, ball field, office complex, etc) In field north of Cherry St., east of Stanford St., and South of Polaris

Contact: Shannen Draper
Place to meet on date of display 7/4/13

Phone (605) 697-9739
Meeting time 9pm

INSURANCE

Name of insurance certificate holder 1 Fireworks Unlimited, Inc

Additional insured (list all additional) 2 Vermillion Chamber of Commerce

3 City of Vermillion

4

CONTACT INFO FOR DAY OF SHOW

Primary contact James Taylor

Home phone 605-670-1253

Work phone

Mobile 605-670-1253

Email fireworksunlimited@vyn.midco.net

Pager

Secondary contact Dennis Andersen

Home phone 605-366-0308

Work phone

Mobile

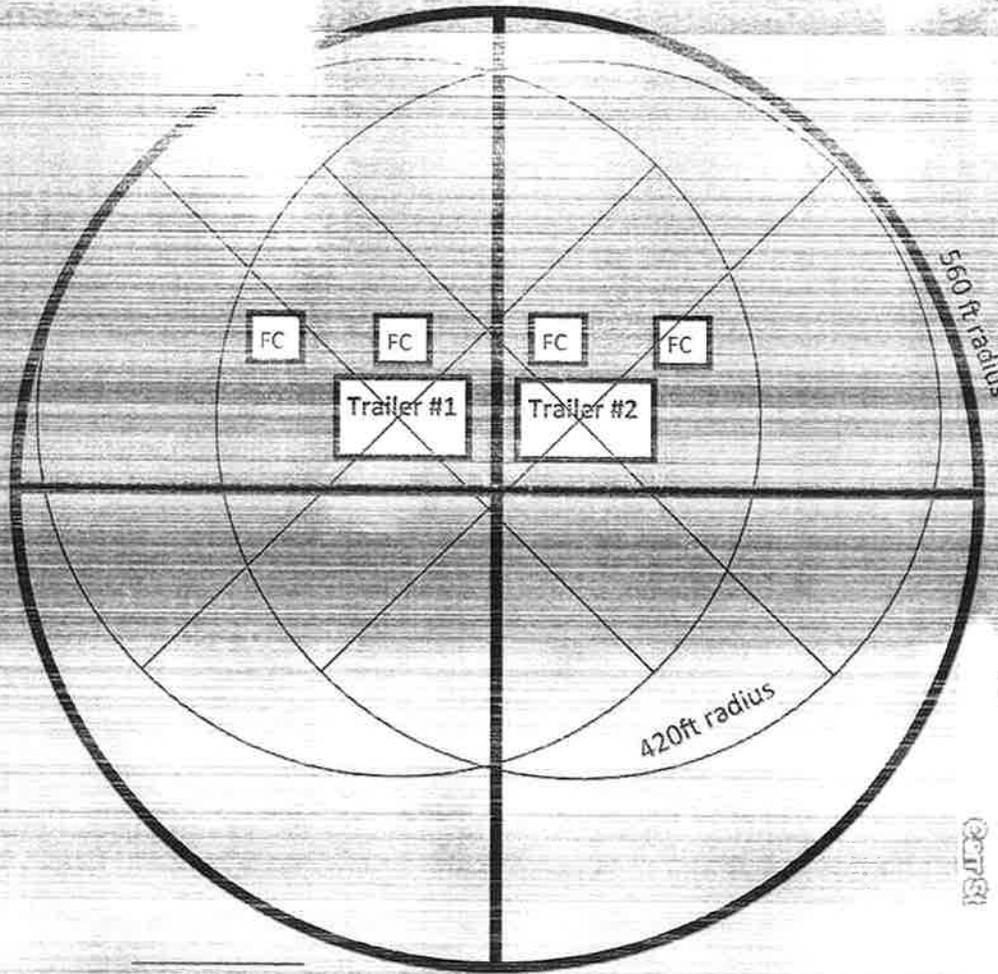
Email

Pager

City of Vermillion,

July 4, 2013

10:00 PM



- Trailer # 1 & Trailer # 2 will have mortars in sizes between 2" to 6"
- In between Trailer # 1 & Trailer # 2 will be 8" mortars
- FC—Finale cakes:
- Finale cakes will range from 25shot 1.25" cakes to 16 shot 3" Fan Cakes.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: May 20, 2013
Subject: Public Fireworks Display Permit June 15, 2013
Presenter: Mike Carlson

Background: Laura Hollingsworth is requesting City Council approval for a fireworks display to be held on June 15, 2013, as part of the activities planned for after the Hollingsworth golf tournament. The display is planned to begin at about 10:00 p.m. and would be discharged from the field northwest of Bunyan's located at the corner of West Main and Stanford Street. Tom Taylor and James Taylor will be conducting the show. Tom Taylor has indicated that he is providing the insurance, as he has done for his other displays. Steve Howe on behalf of the VCDC has indicated that permission was granted as the show will be discharged from the VCDC property. A copy of the permit application is attached.

Chief Draper met with Mr. Taylor to review the site.

John will send emails to the local Veterans groups to inform them of the permit date and time.

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

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

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends that the City Council authorize the Mayor to sign the Fireworks Public Display permit for the Laura Hollingsworth to be held on June 15, 2013 in the field northwest of Bunyan's at the corner of West Main and Stanford Streets.

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

Name of Applicant Laura Hollingsworth Phone 605-670-0757
Address 703 Valley View Dr. City Vermillion State SD Zip 57069

OFFICER RESPONSIBLY IN CHARGE OF FIRING THE DISPLAY:

Name Thomas Taylor Address 703 Valley View Dr. City Vermillion State SD Zip 57069

Name James Taylor Address 25 Prentis Ave City Vermillion State SD Zip 57069

Date of Display 6/15/2013 Time of Day 10:00 PM

Exact Location of Display In field north of Main St. and west of Stanford St.

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

- Display Fireworks
- Consumer Fireworks

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

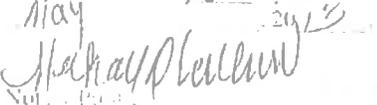
Date 15 day of May 2013


Signature of Applicant

Subscribed and sworn to (or affirmed)

Before me this 15 day of

May 2013


Notary Public

My Commission Expires 7-5 2017

Permit Authorized By: _____

Title _____

Location of Issuing Authority _____

Date _____

Issued subject to all applicable laws and regulations. SDCL 34-36, SDCL 34-37 and National Fire Protection Association Pamphlet #1123 (1993 Edition). This permit may not be reassigned or transferred.

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



Fireworks Display Site Plan

Vermillion Fire Department

25 Center ST Vermillion, SD 57069

(605) 677-9637

Site Plan

Please provide information about your event on page 1, sketch the site on page 2 and fax back to us. Page 4 includes an example of a completed site sketch and firing distance specifications from the NFPA. Page 3 is a checklist you may refer to when planning your event.

CITY 9000

(Fire Chief: James Taylor

Street address 25 Prentis Ave

City Vermillion

State SD

Zip 57069

Primary phone 605-670-1253

Mobile 605-670-1253

Email address fireworksunlimited@vyn.midco.net

EVENT INFO

Display date 6/15/13

Rain date 6/16/13

Display time (am/pm) 10:00PM

Length of display 15-25 mins Exact location of display (for example, park, ball field, office complex, etc) In field north of Main St., west of Stanford St., and South of Bunyons

Fire official

Shannan Draper

Phone

(605) 675-9637

Place to meet on date of display

6/15

Meeting time

9:30 pm

INSURANCE

1 Insurance certificate holder 1 Fireworks Unlimited, Inc

2 Vermillion Chamber of Commerce

3 City of Vermillion

4

CONTACT INFO FOR DAY OF SHOW

Primary contact James Taylor

Home phone 605-670-1253

Work phone

Mobile 605-670-1253

Email fireworksunlimited@vyn.midco.net

Pager

Secondary contact Thomas Taylor

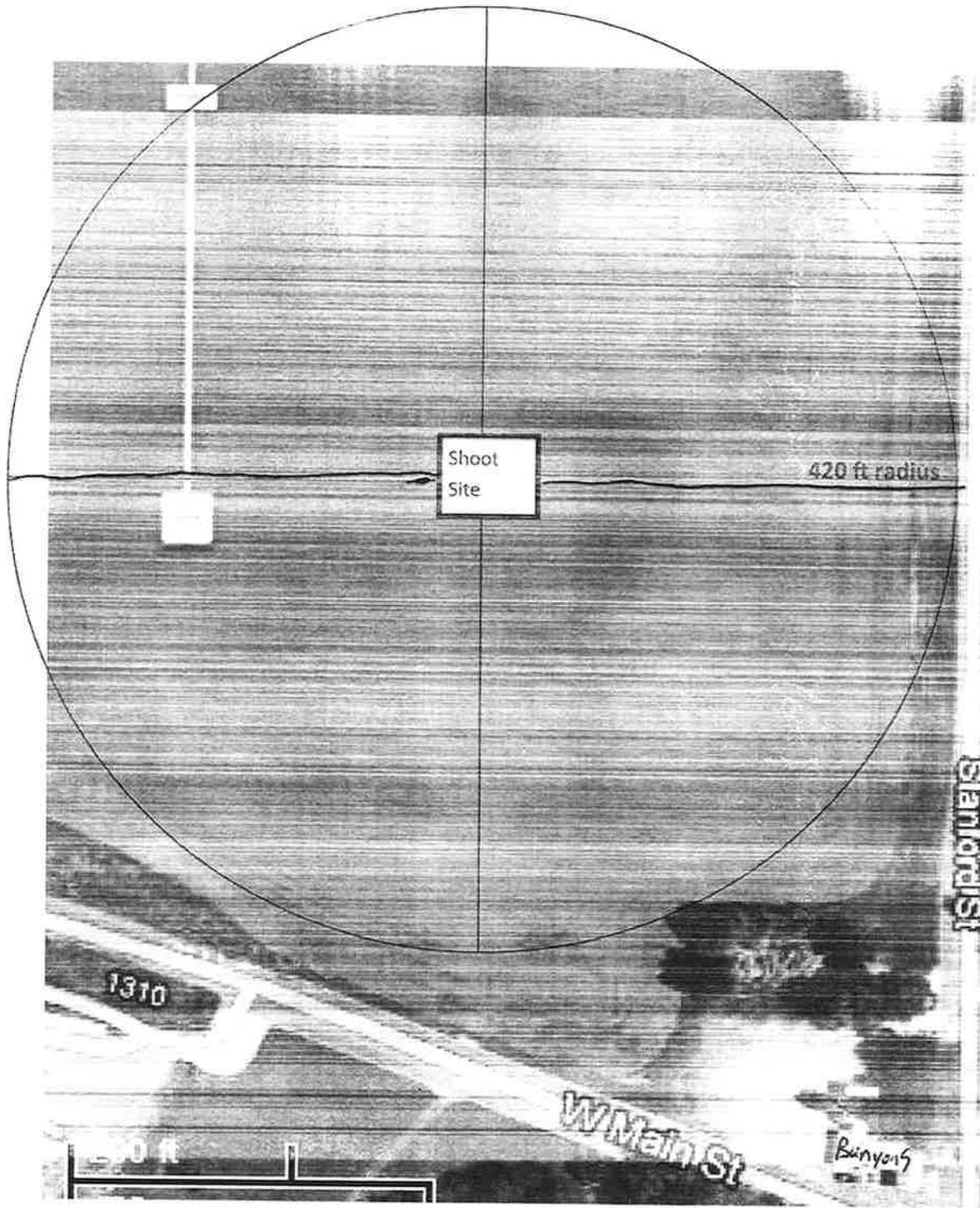
Home phone 605-670-0757

Work phone

Mobile

Email

Pager



Hollingsworth Open,

June 15, 2013

10:00 PM

- There will be shells ranging from 2" to 6"
- There will also be Finale cakes ranging from 1" to 2"

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: May 20, 2013

Subject: 2013 Chip Seal

Presenter: Jose Dominguez

Background: Chip-sealing is a cost-effective way to extend the life of asphalt streets between more expensive overlays. The process consists of the application of rapid curing polymerized asphalt oil which is covered by quartzite chips. The chip seal oil protects the existing asphalt overlay surface by sealing small cracks and voids. The quartzite chip layer also reduces the sun's UV affects on the surface.

Quotes were opened May 14, 2013 for the 2013 Chip Seal Project. Two quotes were received. The low quote was from Topkote, from Yankton, at \$39,124.82, while the high bid came in at \$41,480.18.

Discussion: Quote specifications were sent to two potential bidders in the area. Bidding is required by State law when the cost of the project exceeds \$50,000. This project was estimated to cost less than the bid limit so quotes were requested.

Financial Consideration: The street department budgets for the annual chip seals under the street repair and maintenance line item.

Conclusion/Recommendations: Administration recommends awarding the project to Topkote for the amount of \$39,124.82.

CITY OF VERMILLION
 ACCOUNTS PAYABLE-MAY 20, 2013

1 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	3,153.30
2 BROADCASTER PRESS	ADVERTISING	1,710.33
3 BRUNICKS SERVICE INC	FUEL	6,068.16
4 BUREAU OF ADMINISTRATION	TELEPHONE	256.68
5 CANON FINANCIAL SERVICES	COPIER LEASE	196.27
6 CENTURYLINK	TELEPHONE	1,485.99
7 CITY OF VERMILLION	LANDFILL VOUCHERS	396.00
8 CLAY-UNION ELECTRIC CORP	ELECTRICITY	629.99
9 DEPT OF REVENUE	ALCOHOL BEVERAGE LICENSE	350.00
10 DEPT. ENVIRONMENT NATL RESOURCES	LANDFILL OPERATIONS FEE	3,071.85
11 DUST TEX	SUPPLIES	24.80
12 FOREMAN MEDIA	COUNCIL MTGS	100.00
13 GCSAA	MEMBERSHIP DUES	365.00
14 GREGG PETERS	MANAGERS FEE	5,375.00
15 HAROLD K SCHOLZ CO	SUBSTATION RELAY UPGRADE	15,900.92
16 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
17 MART AUTO BODY	TOWING AUCTION VEHICLES	900.00
18 MATHESON TRI-GAS, INC	OXYGEN	198.12
19 MIDAMERICAN	GAS USAGE	4,432.35
20 MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	118.55
21 RESERVE ACCOUNT	POSTAGE FOR METER	350.00
22 SPRINT	CELL PHONES	1,280.68
23 STERN OIL CO.	FUEL	13,820.42
24 STURDEVANTS AUTO PARTS	PARTS	10.98
25 THE EQUALIZER	ADVERTISING	1,376.20
26 UNITED PARCEL SERVICE	SHIPPING	219.40
27 US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,000.00
28 WAHLTEK	EQUIPMENT MAINTENANCE	2,255.00
	GRAND TOTAL	\$65,185.99