



Special Meeting Agenda

City Council

12:00 p.m. (noon) Special Meeting
Monday, June 1, 2015
Large Conference Room-City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Presentation of Police Department Life Saving awards – Police Chief Matt Betzen.**
3. **Informational Session – Update on Downtown Art Sculpture project – Dr. Larry Schou.**
4. **Informational Session – Update on Prentis Park ballfield improvements – Jim Goblirsch.**
5. **Briefing on the June 1, 2015 City Council Regular Meeting Agenda** - Briefings are intended to be informational only and no deliberation or decision will occur on this item.
6. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, June 1, 2015
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. Roll Call

2. Pledge of Allegiance

3. Minutes

- a. May 18, 2015 Special Session; May 18, 2015 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 the Vermillion Fire Department on July 4th in Barstow Park from 3:00 p.m. to 9:00 p.m.
- b. Annual malt beverage license renewals.
- c. Special daily malt beverage and wine license for Vermillion Area Chamber of Commerce and Development Company for Coyoteopoly Shakespeare Festival June 11-14 in the Prentis Park Band shell area.

7. Old Business

8. New Business

- a. Policies and Procedures Committee report on backyard chickens.
- b. Amend request from USD to close Rose Street from Dakota Dome to 400 feet south of the Dakota Dome until July 24, 2015.
- c. Resolution Authorizing Purchase of Electric Switches from City of Sioux Falls Bid.
- d. Transfer of Airport entitlement funds to the SD Department of Transportation for pavement maintenance.

9. Bid Openings

- a. Fuel quotes.
- b. Chip Seal.

10. City Manager's Report

11. Invoices Payable

12. Consensus Agenda

- a. Set a public hearing date of June 15, 2015 for a retail on-off sale malt beverage license for Guo Wei Zheng for Asian Buffet at 404 Bower Street.

13. Adjourn

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

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

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

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

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Vermillion City Council's Values and Vision

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



Unapproved Minutes
Council Special Session
May 18, 2015
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, May 18, 2015 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Price, Ward, Willson, Mayor Powell

Absent: Holly Meins

2. Educational Session Acknowledge receipt of Initiative Petition repealing sections 112.24 through 112.31 imposing a charge upon malt beverage purchases pursuant to SDCL 35-4-60.2

Mike Carlson, Finance Officer, reported that an initiative petition was received on May 11th with the language to repeal sections 112.24 through 112.31 that imposed a charge upon malt beverages purchased pursuant to SDCL 35-4-60.2. Mike reported that Jim McCulloch, City Attorney, stated that the content of the petition complies with state statute. Mike stated that the signatures were compared to the voter registration list received from the County to determine that the required 5% was met. Mike stated that the statute requires the petition to be presented to the City Council at the first ensuing regular or special meeting and that the governing body shall submit the petition to a vote in a manner prescribed for a referendum. Mike stated that SDCL 9-20-11 is the section for setting an election for a referendum. Mike noted that the statute allows the City Council to set the election at the next municipal election which would be June 2016 or can order a special election not less than thirty days from the date of the order. Mike noted that there is also a referendum petition for the Daycare Registration Ordinance on the evening agenda. Mike recommended that the City Council acknowledge receipt of the initiative petition and defer action on setting the election to the evening meeting when they can act on both petitions. Discussion followed on the petition and possible election dates.

150-15

Alderman Collier-Wise moved to acknowledge receipt of the Initiative Petition repealing sections 112.24 through 112.31 imposing a charge upon malt beverage purchases pursuant to SDCL 35-4-60.2 and to defer action on the election date until the evening meeting. Alderman Price

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

3. Educational Session - COPS Grant - Matt Betzen

Matt Betzen, Police Chief, stated that applications are now being accepted for 2015 COPS grant funding. Matt noted that the City applied in 2013 and did not receive a grant. Matt stated that the last COPS grant position funded was in 2009. Matt reviewed the current staffing levels of the Police Department noting that the Department has been at full staff. Matt stated that the COPS grant position will see that the School Resource Officer position is filled and will provide additional time in the detective investigation position. Matt stated that the COPS grant funds 75% of the entry level position for 36 months and requires the City to maintain the position for at least 12 months after the grant period ends. Matt stated that the City Council determines the staffing level of the Police Department and with the grant the officers would increase from 19 to 20. Matt answered questions of the City Council on the Police Department and staffing levels. Matt stated that the request is for authorization to make the grant application noting that the City will not be notified of approval until later this year. The consensus of the City Council was to authorize the Police Chief to make the grant application.

4. Briefing on the May 18, 2015 City Council Regular Meeting Agenda

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

5. Adjourn

151-15

Alderman Ward moved to adjourn the Council special session at 12:49 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of May, 2015.

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 18, 2015
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on May 18, 2015 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell

2. Pledge of Allegiance

3. Minutes

A. Minutes of May 4, 2015 Special Session; May 4, 2015 Regular Session

152-15

Alderman Willson moved approval of the May 4, 2015 Special Session and May 4, 2015 Regular Session minutes. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

153-15

Alderman Willson moved approval of the agenda with the addition to 5. Visitors to be Heard A. Proclamation Declaring May 21, 2015 as Poppy Day in Vermillion and correction to the years in New Business Items E & F from 2014 to 2015. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Proclamation Declaring May 21, 2015 as Poppy Day in Vermillion

Alderman Clarene Meins read the proclamation declaring May 21, 2015 as Poppy Day in Vermillion and encourage all citizens to wear the Memorial Poppy on that day.

6. Public Hearings

A. Retail on-off sale wine license for Bonnie K. Rowland for Raziell's at 13 W Main Street

Mike Carlson, Finance Officer, reported that an application for a retail on-off sale wine license was received from Bonnie K. Rowland for Raziell's at 13 W Main Street. Mike noted that there is currently an on-off sale malt beverage license for this location and that there was a wine license until December 31, 2014. Mike stated that the Police Chief's report and the notice of hearing are included in the packet. Mike stated that Bonnie Rowland is present to answer questions.

154-14

Alderman Collier-Wise moved approval of the retail on-off sale wine license for Bonnie K. Rowland for Raziell's at 13 W Main Street. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Subdivision ordinance variance request for Duane and Jeanne Mehlhaf at 1322 E. Clark

Jose Dominguez, City Engineer, reported that on May 1, 2015 the City received a Petition for Variance from Duane and Jeanne Mehlhaf with regard to a driveway access to Norbeck Street at 1322 E. Clark Street. Jose stated that the applicant presented his concerns at a noon meeting on October 6, 2014. Jose stated that at that meeting the Council asked Staff to work with the owners on the issue. Jose stated that it was determined that a variance from the City Council would be the only way to obtain the access as the City Engineer had denied the request. Jose stated that the applicant was informed that they would be required to petition for a variance to vary from the subdivision ordinance.

Jose noted that during the review of the petition for variance it was discovered that the documents submitted follow two distinct procedures. One is for the Subdivision Ordinance Variance and the other is for Zoning Ordinance Variance. Jose stated that due to the fact that the Subdivision Ordinance, as per SDCL 11-6-27, was created, amongst other things, to provide for the 'distribution of population and traffic which will tend to create conditions favorable to health, safety, convenience, or prosperity' we feel that the procedures that shall be followed are those within the Subdivision Ordinance (154.15.1(D)) and not those required for a Zoning Ordinance variance request. Jose noted that all of the regulations within the Zoning Ordinance have been met.

Jose reported that the Subdivision Ordinance allows the applicant to file a petition requesting a variance. Jose stated that the variance petition is presented to the City Council for their deliberation. Jose noted that the Council may deny, approve or place conditions on the

variance. Jose noted that any Council motion that may vary from the Subdivision Ordinance requires $\frac{3}{4}$ votes from the entire membership of the Council in favor of the motion (7 out of 9 must vote in favor).

Jose reported that the City Council may grant a variance as long as the applicant demonstrates that the variance meets certain requirements as set in the ordinance. Jose stated that these requirements are: there are unusual surroundings, topography, or shape; may only be applicable to this property; may not be exclusively based on financial gains; may not be detrimental to the public's health, safety and welfare; may be applied to a large scale development; or may be a design innovation. Jose stated that from his review the applicant does not meet any of these requirements for a variance to be granted and listed each.

Jose stated that it should be noted that the access point in question was never approved. Jose stated that the drawing submitted by the applicant as Exhibit A is a document created by City Staff for review purposes and is meant to depict the applicant's desires with respect to the lot. Jose stated that the City uses this drawing explicitly to make sure that the proposed construction will be within the setbacks and that the parking requirements are met. Jose stated that the drawings are not approved; otherwise, the applicants may have issues constructing the proposed facility due to changes. Jose stated that a number of items were changed at the applicants request without the drawing being updated. Jose stated that the variance request to have one access point would be a safety hazard with regard to fire protection and safety of the occupants. Jose reported that, in discussion, the Fire Chief stated that one access point does not make the apartment unsafe. Jose stated that the Fire Chief reported that the apartment complex is equipped with a sprinkler system for fire suppression.

Jose stated that this property has functioned since the construction was completed with only one driveway. Jose noted that all of the apartments that the Mehlhaf's own at this point only have one access point. Jose stated that, due to the reasons stated, Staff believes that the issuance of the variance is not warranted and that if granted would set a bad precedence.

Duane Mehlhaf, property owner, stated that the size of the parking lot has not changed while the number of parking spaces may have changed due to size, the building size remains the same, the set back has not changed and a garage was substituted for one unit, but this property is zoned R-3. Mr. Mehlhaf stated that the site plan was approved as part of the building permit that showed a future driveway to Norbeck Street. Mr. Mehlhaf stated that with one access point it requires large vehicles to back the length of the parking lot. He stated his concern

that fire trucks would not be able to access the building as there is only one driveway for the fire safety of the tenants. Mr. Mehlhaf provided a list of properties on corner lots that have two access points, many of which have driveways closer to the intersection than would be the location of his proposed driveway. Mr. Mehlhaf stated that there is no parking along this section of Norbeck and Clark Streets so there is no obstructions for a driveway. Mr. Mehlhaf stated that his other properties are smaller and do not compare to the property in question and that tenants as well as delivery drivers have complained about needing to back out of the parking lot.

Jeanne Mehlhaf, property owner, explained the steps they have taken to resolve this issue that included hiring an attorney. She stated that the City requested a variance but the future driveway was included in the original site plan. She explained that after a heavy snow a tenant got their car stuck in the driveway and no one could enter or exit. She stated that they submitted the variance request but wanted to know why the future driveway listed on the site plan was not denied until they were ready to install. She stated her concern for the safety of the tenants if there is an emergency at the property with 45 tenants trying to exit and the emergency services trying to enter the same driveway.

Darrell Jesse, Attorney representing the Mehlhaf's, thanked the City Council for hearing the variance. Mr. Jesse stated that the driveway complies with City ordinance and, as such, a variance should not be needed. He stated that City ordinance requires that all access permits must be obtained prior to the building permit being issued so in 2011 when the building permit was issued the two access points were included on the site plan, just that one was a future driveway as Norbeck Street was not completed. He stated that the building permit was approved for the property based upon the site plan that showed the future driveway which was not denied until 2014. He stated that there would be no precedence with allowing the driveway as it was included on the original site plan.

Farrel Christensen, Building Official, stated that he issued the building permit but he prepared the drawing being referred to as the site plan as a City staff planning document. Farrel stated that the site plan being referred to as Exhibit A was not prepared by Mr. Mehlhaf. Farrel stated that he prepared the site plan to determine if the proposed project complied with all the building set back and parking requirements. Discussion followed on the site plan.

Darrell Jesse asked Farrel Christensen how he issued a building permit as a site plan is a requirement of a building permit.

Jose and Farrel answered questions of the City Council on the internally prepared site plan. Mr. Mehlhaf answered questions of the City Council on the site plan.

John Prescott, City Manager, reported that, when this was discussed in October as an alternative to a full driveway to Norbeck Street, there was an option presented of a right turn only driveway onto Norbeck Street. Jose Dominguez, City Engineer, reported on the option of the right turn only exit onto Norbeck that reduces crossing traffic and the conflict points. Discussion followed including a right turn only entrance from the north and a right turn only exit from the south.

155-15

Alderman Erickson moved approval of the variance requested for a full driveway onto Norbeck Street for the property at 1322 East Clark. Alderman Holly Meins seconded the motion. Discussion followed on the variance request and if the motion failed could the City Council consider the right in/right out option. Jim McCulloch, City Attorney, stated that the City Council can place conditions on the variance request and suggested asking the Mehlhaf's if they would be acceptable to the right in/right out option. Duane Mehlhaf stated that he would prefer the full driveway but would accept right in/right out access to Norbeck Street.

Mayor Powell called for a roll call vote of the Governing Body with members voting as follows: Collier-Wise-N, Erickson-Y, Holland-N, Clarene Meins-Y, Holly Meins-Y, Price-N, Ward-N, Willson-N, Mayor Powell-N. Motion failed 3 to 6. Mayor Powell declared the motion failed.

156-15

Alderman Holland moved approval of the variance requesting access to Norbeck Street for the property located at 1322 E. Clark with the condition that it be designed to restrict access to right turn entrance from Norbeck and right turn exit onto Norbeck Street. Alderman Willson seconded the motion.

Mayor Powell called for a roll call vote of the Governing Body with members voting as follows: Collier-Wise-Y, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-Y, Mayor Powell-Y. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Second Reading of Ordinance 1329 amending Chapter 90 Health and Safety, Section 90.16 Specific Nuisances adding Subsection 90.16(5) declaring snow and ice and all its subsections a specific nuisance

Farrel Christensen, Building Official, reported that there has been a problem with a small number of properties that have numerous violations. Farrel stated that neighbors to these properties raised the concern about the need to encourage the property owner to keep their properties cleaned up. Farrel stated that in April, 2006 the City Council passed an ordinance that set new guidelines for grass and weed violations including a progressive resolution for fees. Farrel stated that the resolution included a new approach that utilized a progressive rate with the first offense fee of \$10.00 that increased an additional twenty dollars for each subsequent offense during the year. Farrel noted that since implementing the new progressive fees tagging for grass and weeds has greatly diminished. Farrel reported that the City Council at noon on April 20th discussed adding snow and ice violations and junk and debris to the progressive fee during a calendar year and recommended that the changes needed be brought to the City Council for consideration. Farrel stated that first reading of the ordinance was approved May 4th and following second reading the rate resolution is under new business. Discussion followed.

158-15

Second reading of title to Ordinance No. 1329 entitled An Ordinance Amending Chapter 90, Health And Safety; Nuisances, Section 90.16 Specific Nuisances, Adding Subsection 90.16(B)(5) to the 2008 Revised Ordinances, Declaring Section 96.12(A) Snow And Ice and all its Subsections A Specific Nuisance of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1329 entitled An Ordinance Amending Chapter 90, Health And Safety; Nuisances, Section 90.16 Specific Nuisances, Adding Subsection 90.16(B)(5) to the 2008 Revised Ordinances, Declaring Section 96.12(A) Snow And Ice and all its Subsections A Specific Nuisance was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 4th day of May, 2015 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 18th day of May, 2015 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. 1329

AN ORDINANCE AMENDING CHAPTER 90, HEALTH AND SAFETY; NUISANCES OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, SECTION 90.16 SPECIFIC NUISANCES, ADDING SUBSECTION 90.16(B)(5) TO THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, DECLARING SECTION 96.12(A) SNOW AND ICE AND ALL ITS SUBSECTIONS A SPECIFIC NUISANCE.

BE IT ORDAINED BY THE GOVERNING BODY OF VERMILLION, SOUTH DAKOTA that Section 90.16(B), Specific Nuisances, is hereby amended as follows:

(5) The presence of prohibited snow and ice conditions described and specified in Chapter 96, Section 96.12(A) beyond 24 hours after any fall of snow or freezing rain is hereby declared to be dangerous to the health, repose, and comfort of the city and hereby declared to be a nuisance.

Dated at Vermillion, South Dakota this 18th day of May, 2015.

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

ATTEST:
By: _____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Willson. 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, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-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. Resolution adding and amending administrative fees for City abatement of nuisances

Farrel Christensen, Building Official, stated that, with second reading of Ordinance No. 1329 adding Subsection 90.16(B)(5) declaring snow and

ice and all its subsections a specific nuisance, the rate resolution needs to be amended. Farrel stated that this resolution addresses the three most common types of Code Violations: Duty to Cut (Grass & Weed Mowing), Snow and Ice (Sidewalk Snow Removal) and Specific Nuisances (primarily Junk & Debris and Garbage). Farrel stated that the proposed resolution would charge \$10.00 for the first offense and increase by \$20.00 per offense for any one or combination of any of the three Code violations in any given calendar year. Farrel noted that violation fee invoices will be sent to the property owners and, if not paid, assessed against the property. Farrel recommended approval of the resolution. Discussion followed.

159-15

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

RESOLUTION ADDING AND AMENDING ADMINISTRATIVE FEES
FOR CITY ABATEMENT OF NUISANCES

WHEREAS Section 90.18 (B) of the Vermillion, South Dakota Code of Ordinances allows the City Council to establish and change the administrative fees for the abatement of nuisances by the City; and,

WHEREAS Section 90.51 (C) allows the City Council to establish and change the administrative fees of each violation of the Duty to Cut City Ordinance.

BE IT HEREBY RESOLVED by the Governing Body of the City of Vermillion, South Dakota at a regular meeting thereof at 7:00 p.m. on the 18th day of May, 2015, that fees be established or changed as follows:

The fee for violations of 90.16 (Specific Nuisances) as provided for in Section 90.18 (B) and Section 90.51 (C) (Duty to Cut) of the Ordinances of the City of Vermillion shall be ten dollars (\$10.00) for the first offense with the fee increasing an additional twenty dollars (\$20.00) for each subsequent offense, per lot, for any violation or combination of the above violations occurring within a given calendar year, regardless of occupancy. All administrative fees and/or abatement fees shall be the responsibility of the property owner and subject to special assessment against the property if not paid.

The administrative fee for nuisance abatement by the City as provided for in Section 90.18 (B) and 90.51(C) of the Ordinances of the City of Vermillion shall be twenty-five dollars (\$25.00).

The administrative fee for all other violations of the revised Ordinances of the City of Vermillion shall be ten dollars (\$10.00.) unless a more specific amount is set by resolution.

Dated at Vermillion, South Dakota this 18th day of May, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

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

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Holland. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 1 member voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

B. Receipt of referendum petition and set an election date for Ordinance 1326 - daycare registration and safety requirements

Mike Carlson, Finance Officer, reported that the City Council approved second reading of Ordinance No. 1326 requiring daycare businesses to register with the City on April 6, 2015. Mike stated that on May 6th a referendum petition was delivered. Mike stated that a copy was taken to Jim McCulloch, City Attorney, who reported that the content of the petition complies with state statute. Mike reported that the signatures were compared to the voter registration list received from the County to determine that the required 5% was met. Mike stated that SDCL 9-20-11 is the section for setting an election for a referendum. Mike noted that the statute allows the City Council to set the election at the next municipal election which would be June 2016 or can order a special election not less than thirty days from the date of the order. Mike stated that the earliest date for a special election would be June 30th to allow for publications of notices. Discussion followed on the election date.

160-15

Alderman Holland moved approval of setting a special election for the referendum petition for Ordinance No. 1326 requiring daycare businesses to register. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Set an election date for Initiative Petition repealing sections 112.24 through 112.31 imposing a charge upon malt beverage purchases pursuant to SDCL 35-4-60.2.

Mike Carlson, Finance Officer, reported that at the noon meeting the City Council acknowledged receipt of the initiative petition to repeal sections 112.24 through 112.31 imposing a charge upon malt beverage purchases pursuant to SDCL 35-4-60.2 and deferred action on setting the election date. Mike stated that SDCL 9-20-11 is the section for setting an election for an initiative which is the same as for a referendum. Mike noted that the statute allows the City Council to set the election at the next municipal election which would be June 2016 or can order a special election not less than thirty days from the date of the order. Mike stated that the earliest date for a special election would be June 30th to allow for publications of notices. Discussion followed.

Mayor Powell stated that having the election as soon as possible will have the results of the initiative petition to determine if the revenue stream will be available to repay the general obligation bond for the Prentis Park improvements or if other adjustments will be needed if the funding is not available from the malt beverage markup.

161-15

Alderman Erickson moved approval of approval of setting a special election for the initiative petition repealing sections 112.24 through 112.31 imposing a charge upon malt beverage purchases pursuant to SDCL 35-4-60.2. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Selection of design alternative for Main/Center/Court Street intersection

Jose Dominguez, City Engineer, reviewed the background of the study for the design alternatives for the Main/Center/Court Street intersection that is part of a larger project for the upgrading of all the Main Street traffic signals. Jose stated that a number of options for the intersection were presented to the public and City Council. Jose noted that the option selected by the City Council for further review was to remove the signal and have the north/south streets (Center and Court) be stop controlled at Main Street. Jose noted that to determine the impact of removing a traffic signal, the City conducted a study by shutting off the traffic signals to see what effects the removal may have. Jose reported that the results from the study concluded that traffic on Main Street increased while traffic on the side streets decreased. Jose noted that traffic speed and accidents did not increase due to the signal removal. Jose reported that the City Council reviewed the traffic study results at the May 4, 2015 Noon meeting. Jose stated

that the entire project will be funded by a combination of City and STP (State and Federal) funds. Jose noted that the City has anticipated contributing approximately \$200,000 from the 2nd Penny fund for the overall project to upgrade the three Main Street traffic signals with the remainder of the project cost would come from STP funds allocated for Vermillion projects.

Jose stated that, at this point, it appears there are two remaining options for the Main/Center/Court Street intersection. Jose noted that both of the options include salvaging the existing traffic signals for use at the Main Street and University Street intersection and having larger bump-outs at the Main/Center/Court intersection. Jose stated that one option also includes redoing the pavement through the Main/Center/Court intersection, while the other option does not. Jose reported that the option with the new pavement is estimated to cost approximately \$300,000 while the other option would be approximately \$210,000. Jose noted that the City contribution to the overall project will be \$200,000. Jose stated that the City Council will make the determination on the amount of local funding to spend on the project with the 2016 budget process. Jose recommended selecting the option which would salvage the traffic signal and reconstruct the entire intersection including the pavement. Jose stated that this option would considerably improve the traffic flow at this intersection while providing a great aesthetic improvement. Discussion followed on the options and the intersection. John Prescott, City Manager, noted that if the traffic signal is removed we most likely will not be able to get one back in the future unless the traffic increases considerably. The traffic signals would remain covered until the contract is awarded in 2016. Discussion followed on the options.

162-15

Alderman Erickson moved approval of the option to remove the traffic signal that will be salvaged for University Street and to reconstruct the entire intersection including the pavement. Alderman Holland seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Request from USD to close North Dakota Street from Alumni Drive to East Duke Street from May 19, 2015 to May 27, 2015 for construction

Jose Dominguez, City Engineer, reported that USD's contractor would like to close North Dakota Street from Alumni Drive to East Duke Street to tie to the City's water main located on the west side of North Dakota Street. Jose stated that the street will have to be closed due to the location of the water main and the type of construction that is required. Jose reported that the contractor estimates that the closure will take approximately one week from May 19th to May 27th. Jose

reported that the street closing request and map of the area is included in the packet. Discussion followed.

163-15

Alderman Willson moved approval of the closing of North Dakota Street from Alumni Drive to East Duke Street from May 19, 2015 to May 27, 2015 for construction and to allow, if necessary, the closure to be extended by a maximum of an additional week due to weather issues. Alderman Holland seconded the motion. Discussion followed on the possibility of on street parking as Howlers has a number of events scheduled. Jose stated that he would make contact with the contractor and request them to work with Howlers for parking. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. Request from USD to close Rose Street from Dakota Dome to 400-feet south of Dakota Dome from May 19, 2015 to May 27, 2015 for construction

Jose Dominguez, City Engineer, reported that USD's contractor is planning on closing Rose Street south of the Dakota Dome to tie to the City's water main and storm sewer crossing Rose Street. Jose stated that the street will have to be closed due to the location of both of the utilities and the type of construction that is required. Jose noted that the contractor estimates that the closure will take approximately one week from May 19th to May 27th. Jose stated that the contractor will be extending the storm sewer west across Rose Street. Jose reported that the street closing request and map of the area is included in the packet. Discussion followed.

164-15

Alderman Erickson moved approval of the closing of Rose Street from Dakota Dome to 400-feet south of Dakota Dome from May 19, 2015 to May 27, 2015 for construction and to allow, if necessary, the closure to be extended by a maximum of an additional week due to weather issues. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

G. Request from Feimer Construction to close Cottage Avenue from West Cherry Street to West Dartmouth Street from May 20, 2015 to May 22, 2015

Jose Dominguez, City Engineer, reported that Feimer Construction, the contractor for the developer, would like to close Cottage Avenue from West Cherry Street to West Dartmouth Street to tie to the City's sanitary sewer located on Cottage Avenue. Jose stated that the street will have to be closed due to the location of the utility line along the street. Jose reported that the contractor estimates that the closure will take approximately three days and due to delays in

receiving materials has today requested the closing be from June 1st to June 3rd. Jose reported that the contractor is responsible for signage for the street closing. Discussion followed.

165-15

Alderman Price moved approval of the closing of Cottage Avenue from West Cherry Street to West Dartmouth Street from June 1, 2015 to June 3, 2015 for construction and to allow, if necessary, the closure to be extended by a maximum of an additional week due to weather issues. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

H. Resolution authorizing the purchase of solid waste bale bags for landfill

Jose Dominguez, City Engineer, reported that the Solid Waste Department will need to purchase bags for the landfill baler. Jose reported that staff has determined the most advantageous purchase price is a semi-load of bale bags from the City of Pierre bid. Jose stated that Accent Envirobale, the bidder awarded the City of Pierre contract, is willing to sell a semi-load of bags at the Pierre contract price of \$4.47 per bag. Jose noted a semi-load is 19,000 bags that will last the landfill approximately 9-10 months. Jose recommended approving the resolution to purchase solid waste bale bags from Accent Envirobale at the City of Pierre contract price of \$84,930. Discussion followed.

166-15

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

RESOLUTION
AUTHORIZING PURCHASE OF
SOLID WASTE BALE BAGS

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

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the City of Pierre, South Dakota for 19,000 solid waste bale bags from Accent Envirobale in the amount of \$4.47 per bag for a total of \$84,930 for a semi-load offers an advantageous price to the City for said items; and,

WHEREAS, the City has contacted Accent Envirobale and they have agreed to allow the City to purchase 19,000 solid waste bale bags in a semi-

load for the awarded prices and terms as they have contracted with the City of Pierre, South Dakota.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to purchase 19,000 solid waste bale bags in a semi-load from Accent Envirobale of Tomball, Texas at the awarded prices and under the same terms as the City of Pierre, South Dakota.

Dated at Vermillion, South Dakota this 18th day of May 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

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

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

I. Library Board appointment

Mayor Powell reported that the City Council is charged with appointing members to the Library Board. Mayor Powell reported that notice was given of the vacancy and an expression of interest form was received from Fern Kaufman for the three year term. Mayor Powell recommended the reappointment of Fern Kaufman to a three year term on the Library Board.

167-15

Alderman Ward moved approval of the appointment of Fern Kaufman to a three year term on the Library Board. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

A) John reported that the Prentis Park pool is scheduled to open on Saturday, May 23rd at 1:00 p.m., weather permitting, and will maintain regular pool schedule until August

B) John reported that the City is seeking Expression of Interest forms for individuals interested in serving on the Planning Commission. John stated that there are five terms expiring this year and that the terms are for five years. John stated that the Expression of Interest forms are due by Noon on Thursday, June 11th with Council appointment scheduled for June 15th. John stated that the City will be seeking Expression of Interest forms for the Housing Authority in June.

C) John reported that Vermillion Light & Power earned the American Public Power Association's Safety Award for Excellence for safe operating practices in 2014. John noted that they earned a First in Group B award for utilities with 16,800 worker hours of exposure.

D) John reported that a pilot program to experiment with glass recycling started today. John stated that clean glass bottles and jars, drinking glasses and vases and unpainted plate glass are being accepted at the Missouri Valley recycling center on N. Crawford Road during business hours. John noted that glass recycling is not available through the curbside collection program.

E) John reported that he approved the following raffle notifications:

Clay County Flyers 4-H Shooting Sports is selling tickets for \$10 each or 3 for \$25 from May 11, 2015 to September 20, 2015. Prizes are a Remington 7mm rifle valued at \$400 and a Benelli Nova shotgun valued at \$400. Proceeds will be used to purchase supplies for Clay County 4-H shooting sports.

Clay County Flyers 4-H Shooting Sports is selling tickets for \$5 each or 5 for \$20 from May 11, 2015 to August 8, 2015. Prize is Zeiss binoculars valued at \$450. Midway USA donated the binoculars with the requirement that 50% of the proceeds goes to an endowment account for the group's operating expenses.

Vermillion High School soccer is selling \$20 tickets from May 11, 2015 to May 29, 2015. A number will be drawn each weekday in June. On Fridays in June, two numbers will be drawn. Top prize is \$50. Funds from the raffle will go to support Vermillion High School soccer which was sanctioned but not funded by the School District.

PAYROLL ADDITIONS AND CHANGES

General: Sophie Johnson \$8.50/hr; Street: Sean Bredl \$8.50/hr;
 Ambulance: Danielle Portz \$8.50/call-\$6.00/1st-\$6.00/2nd, Justin Sadler
 \$8.50/call-\$6.00/1st-\$6.00/2nd; Recreation: Trevor Bouma \$8.50/hr,
 Ellen Hanson \$8.50/hr, Owen Mechling \$8.50/hr, Avery Mollet \$8.50/hr;
 Pool: Kara Fischbach \$9.50/hr, Alex Coker \$9.50/hr, Katie Herrera
 \$9.00/hr, Cassie Hilbarnds \$9.50/hr, Laine Newell \$9.50/hr, Abby
 Ouellette \$10.00/hr, Nathan Svendsen \$8.50/hr; Parks: Cylie Hanson
 \$8.75/hr, Elana Kaup \$8.75/hr; Communications: Derek Ronning \$16.49/hr;
 Golf Maintenance: Blake Gilkyson \$8.50/hr, Nick Jensen \$8.50/hr,
 Lisa Loeffler \$8.50/hr, Mitchell Sand \$8.50/hr; Water: Jim Litrenta
 \$9.00/hr

11. Invoices Payable

168-15

Alderman Willson moved approval of the following invoices:

Beck Motors, Inc	pickup	28,027.00
Billion Chevrolet	2- pickups	48,228.00
Broadcaster Press	advertising	1,411.51
Bureau Of Administration	long distance	283.43
Centurylink	telephone	1,493.18
City of Vermillion	landfill vouchers	812.75
Clay Rural Water System	water usage	63.60
Clay-Union Electric Corp	electricity	1,677.40
Credit Collections Bureau	commission	154.34
Dept of Revenue	malt beverage license	300.00
Dept. Environment Natl Res	landfill operations fee	3,490.19
Division Of Motor Vehicle	title/plates	20.00
Gregg Peters	managers fee	6,000.00
Loren Fischer Disposal	haul cardboard	210.00
Mart Auto Body	towing	670.00
Matheson Tri-Gas, Inc	oxygen	67.14
Midamerican	gas usage	1,684.80
Midcontinent Communication	internet/cable service	118.68
National Music Museum	contribution	15,000.00
Recovery Systems Co, Inc	parts	442.94
Republic National Dist.	merchandise	14,624.01
Reserve Account	postage for meter	900.00
SD Governmental Finance Officers	registration	150.00
Stern Oil Co.	fuel	13,756.10
United Parcel Service	shipping	87.69

US Postmaster	postage for utility bills	900.00
VAST Broadband	dialup service	49.95
Vermillion Ford	2016 Ford Fusion	19,900.00
Visa/First Bank & Trust	supplies	227.70
Café Brule	Bright Energy rebate	250.00

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

12. Consensus Agenda

A. Set a public hearing date of June 1, 2015 for a special permit to exceed permissible sound levels by no more than 50% for the Vermillion Fire Department on July 4th in Barstow Park from 3:00 p.m. to 9:00 p.m.

B. Set a public hearing date of June 1, 2015 for annual malt beverage license renewals

C. Set a public hearing date of June 1, 2015 for a special daily malt beverage and wine license for Vermillion Area Chamber of Commerce and Development Company for Coyoteopoly Shakespeare Festival June 11-14 in the Prentis Park Band shell area.

169-15

Alderman Price moved approval of the consensus agenda. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

170-15

Alderman Ward moved to adjourn the Council Meeting at 8:50 p.m. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of May, 2015.

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: June 1, 2015

Subject: Special Permit to exceed permissible sound levels by no more than 50% for the Vermillion Fire Department for a band as part of “Community Day in the Park” in Barstow Park on July 4, 2015 from 3:00 p.m. to 9:00 p.m.

Presenter: Mike Carlson

Background: The Vermillion Fire Department has applied for a special permit to exceed allowable noise levels for a band as part of their “Community Day in the Park” event in Barstow Park on July 4, 2015 from 3:00 p.m. to 9:00 p.m. The “Community Day in the Park” event is open to the public and will have activities, with a family theme, scheduled to start at 4:00 and end before the fireworks. The band will be set up in the northwest portion of Barstow Park facing north away from residential property. A copy of the application, a map of the area, and notice of hearing 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.

6. Public Hearing; item a

- 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)

Discussion: The "Community Day in the Park" event is being sponsored by the Vermillion Fire Department to encourage the community to gather for family activities in Barstow Park on the 4th of July before the fireworks display.

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

demonstrate the event is of the public's benefit. This will be the second year of the Fire Department event in Barstow Park on the 4th of July. Other questions for the Council to consider for a public gathering when a noise permit is sought are: the availability of restroom facilities, clean up of the area, and disposal of waste. City staff is not aware of any noise related problems with this event held in Barstow Park last year.

Financial Consideration: The special permit fee is \$25.

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

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

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 1st day of June, 2015 at the hour of 7:00 P.M. at the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for a special permit to exceed allowable sound levels for the dates and times stated which has been filed in the Finance Officer's Office:

Vermillion Fire Department request for a special permit to exceed allowable sound levels in the Barstow Park on or about Saturday, July 4, 2015 from 3:00 p.m. and 9:00 p.m. for a Community Day in the Park event.

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 15th day of May, 2015.

Michael D. Carlson, Finance Officer

Publish: May 22, 2015

Published once at the approximate cost of _____.

**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 ___ Vermillion Fire Department
Contact Person ___ Shannon Draper _____ Phone ___ 605-675-9637

Contact Person Address ___ 25 Center St
Location of Event ___ Barstow Park _____ Date of Event ___ July 4th, 2015

Duration of event from time ___ 3pm _____ to Time ___ 9pm _____

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

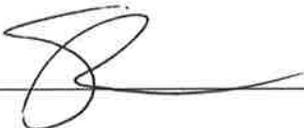
This permit request is for the band that will be setup facing north and away from any residential areas. We have worked with the parks department and power and light to ensure the facilities and utilities are suited for this event. The Park has public restrooms, plenty of parking and is well suited for this event. Our department will also ensure that the park is cleaned / picked up after the event.

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

This is the 2nd annual fire department community day in the park. We have events and activities for our community with a family theme. This includes bounce houses, music, fire safety activities and a BBQ dinner. This permit request is for the band that will be setup facing north and away from any residential areas.

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  date 5/1/15

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: June 1, 2015
Subject: Annual Renewal of Malt Beverage Licenses
Presenter: Mike Carlson

Background: Applications for renewal of malt beverage licenses have been received from the establishments listed on the notice of hearing. The Police Chief has prepared a report indicating the performance of each of the establishments since July 1, 2014 and when compliance checks were completed. In the letter sent to all license holders, with the renewal application, the applicants were encouraged to attend the public hearing or have someone represent the business. The City Council adopted Ordinance No. 1193 in September 2008 to require a written management plan upon reapplication for a licensee where conviction of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control has taken place. That ordinance is as follows:

112.04 Management plans are required for reapplication after conviction or upon request of the City Council

Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter, who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

Management plans were received from the following five (5) businesses that failed a compliance check(s) prior to applications being mailed April 14, 2015:

Casey's Retail Company, Inc for Casey's – failed February 17, 2015
Main Street Pub, Inc for Main Street Pub – failed October 23, 2014
Mexico Viejo, Inc for Mexico Viejo Mexican Restaurant – failed November 12, 2014
Prairie River, Inc for R Pizza – failed November 12, 2014
OMA Shree, LLC for Speedee Mart – failed April 1, 2015

Casey's Retail Company has included approximately 50 additional pages of employee and manager manuals addressing the selling of age restricted products. I have not included all this information but if anyone wants to review it, a copy will be provided. If hard copies of the management plans are needed please let me know and I can bring them to the noon meeting.

It should be noted that Charcoal Lounge and Old Lumber Company failed compliance checks on April 29, 2015 and as the applications had already been mailed out these management plans will be requested with the liquor license renewals in November 2015.

For background, the previous information on compliance checks for the five (5) businesses is as follows:

Casey's General Store	Casey's Retail Company	Off sale malt beverage & SD Farm wine
	December 9, 2008 passed	
	April 2, 2009 passed	
	December 11, 2009 failed - Management Plan June 2010	
	February 5, 2010 passed	
	September 3, 2010 passed	
	December 7, 2011 passed	
	March 31, 2012 passed	
	May 31, 2013 passed	
	March 26, 2014 passed	
	February 17, 2015 failed - Management Plan June 2015	
	April 16, 2015 passed	
Main Street Pub	Main Street Pub, Inc	On sale liquor, on off sale malt beverage
	March 5, 2009 failed - Management Plan June 2009	
	March 19, 2009 passed	
	April 17, 2009 passed	
	February 5, 2010 passed	
	September 3, 2010 passed	
	September 24, 2010 passed	
	April 12, 2012 passed	
	December 12, 2013 passed	
	October 23, 2014 failed	
	November 19, 2014 passed	
	April 16, 2015 passed	
Mexico Viejo	Mexico Viejo, Inc	On off sale malt beverage, on off sale wine
	March 19, 2009 passed	
	May 1, 2009 passed	
	March 23, 2010 passed	
	November 19, 2010 passed	
	August 3, 2012 passed	

June 18, 2013 passed
November 12, 2014 failed - Management Plan June 2015
November 19, 2014 passed

R Pizza Prairie River, Inc On off sale malt beverage
August 3, 2012 failed - Management Plan June 2013
March 27, 2013 passed
November 12, 2014 failed - Management Plan June 2015
November 19, 2014 passed

Speedee Mart OMA Shree, Inc on off sale malt beverage
September 3, 2010 failed - Management Plan June 2011
September 15, 2010 failed - Management Plan June 2011
September 24, 2010 passed
December 13, 2011 failed - Management Plan June 2012
March 31, 2012 passed
May 31, 2013 passed
March 26, 2014 passed
April 1, 2015 failed - Management Plan June 2015
April 16, 2015 passed

Discussion: The City Council has the ability to renew a license on basically two (2) criteria: suitable person and suitable location. With respect to the location criteria, licenses have been previously approved for all of the locations. A South Dakota legal ruling defined that other items can impact the location criteria. The character of neighborhoods and businesses tend to change over time and a local governing body has a legitimate interest in managing the alcoholic beverage licensing in its jurisdiction to assess whether an alcohol sales location continues to be suitable. With respect to the suitable person criteria, the City Council can also determine that an applicant is not of suitable moral character and not renew a license. If an application is denied, the motion must state the reasoning for denial. The applicant cannot reapply for this type of license for one (1) year.

Financial Consideration: The City receives \$112.50 for an on-off sale malt beverage with SD Farm Wine license, \$150 for each on-off sale malt beverage license, and \$100 for each off-sale malt beverage license. For those businesses with video lottery machines, the fee is \$50 per machine, unless this fee was paid with their liquor license renewal in December.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval or denial of the malt beverage licenses. The City Council might want to break it down into these separate actions:

1. The first action would be to consider the renewal of the on-off sale malt beverage license for the Old Lumber Company, Inc., at 15 Court Street. When the liquor license was renewed in December it included the restriction that the license is for the interior of the building at 15 Court Street. The Building Official has issued occupancy permits for the first and second floors. The City Council will need to determine if it wants to include the “interior of the structure” condition on the license.
2. The second action would be to consider the renewal of the balance of the on-off sale malt beverage licenses, off sale malt beverage with SD Farm wine license and package off sale malt beverage.

If a motion is made to deny any of the licenses, the reason needs to be included in the motion.

Management Plans are attached for the following:

Casey's Retail Company, Inc for Casey's – failed February 17, 2015

Main Street Pub, Inc for Main Street Pub – failed October 23, 2014

Mexico Viejo, Inc for Mexico Viejo Mexican Restaurant – failed November 12, 2014

Prairie River, Inc for R Pizza – failed November 12, 2014

OMA Shree, LLC for Speedee Mart – failed April 1, 2015



CASEY'S GENERAL STORES, INC.

P.O. Box 3001 • One Convenience Blvd., Ankeny, Iowa 50021-8045 • 515-965-6100

Sender's Direct-Dial Telephone Number: 515/965-6284

E-Mail Address: doug.beech@caseys.com

Facsimile Number: 515/965-6160

May 6, 2015

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069

RE: Policies and Procedures of Casey's Retail Company with Regard to the
Sale of Age-Restricted Products

Dear Sir/Madam:

In response to the Management Plan Form forwarded to our office regarding the failed alcohol sting at Casey's General Store located at Vermillion, South Dakota, below is an explanation of Casey's management plan. As part of our submission, we are also including documents evidencing Casey's training relating to the sale of age restricted products and implementation of such training.

Casey's Retail Company, a wholly owned subsidiary of Casey's General Stores, Inc., owns and operates convenience stores in the state of South Dakota, each known as "Casey's General Store." The Company is committed to serving communities in a convenient, friendly, and efficient manner. However, the Company is equally committed to abiding by all local, state, and federal laws and regulations in providing our services to the communities and their visitors.

In particular, Casey's takes the laws and regulations regarding the sale of cigarettes and alcoholic beverages to minors very seriously. Casey's does not encourage or condone the sale of tobacco products or alcoholic beverages to minors. When employees are initially hired to work at Casey's, they undergo extensive training in all aspects of the operation. One area of training includes the laws and regulations regarding the sale of age-restricted products. Before an employee is allowed to begin his or her employment with Casey's, he/she must read and sign a document entitled "Selling Age-Restricted Products." Attached hereto at Tab A is a copy of the training materials regarding the sale of age-restricted products, which are presented to all employees. The information contained in these documents is very specific as to how an employee is to handle the sale of such products. Employees are given verbal training by the manager of the store with regard to the correct procedures for procuring the appropriate identification for all customers wishing to purchase age-restricted products.

In addition to the initial hands-on training and the written information provided to new employees, employees are frequently notified of the Company's policy of abiding by the rules

and regulations prohibiting the sale of alcoholic beverages and tobacco to minors. In fact, Casey's Store Operations Department frequently issues memoranda and reminders to the store managers during such times as prom, graduation, Independence Day, as well as other holidays and main events in order to remind employees of the age restriction rules and regulations. All Casey's stores received their most recent retraining memoranda and reminders from the Store Operations Department on April 25, 2015, reaffirming the Company's rules and regulations regarding the sale of age-restricted products. A copy of this reminder has been attached hereto at Tab B. This memorandum and reminder is displayed on the employee bulletin boards in each store, and the employees are required to read all of the information presented therein. The Company believes that its initial training and frequent retraining of employees with regard to the sale of age-restricted products has been successful over the years.

In January 1995, Casey's began a formal retraining program for any corporate stores in which Casey's and/or an employee is charged with the sale of tobacco or alcoholic beverages to a minor. Pursuant to this program, the store is required to retrain their employees on all age-restricted products policies.

The formal program imposes two requirements on employees:

1. All store employees are required to undergo formal retraining as to the proper procedures for ensuring that Casey's employees do not sell tobacco or alcoholic beverages to minors. This retraining is conducted by the supervisory personnel of the Company.
2. Every employee operating the cash register is required to ask for the identification of each customer who wishes to purchase tobacco or alcoholic beverages and appears to be under 27 years old.

In 2007, Casey's implemented a no tolerance policy as to Casey's policies governing the sale of age-restricted products. According to Casey's Selling Age-Restricted Products Policy, any employee who fails to properly follow Casey's age-restricted policy and procedures by requesting identification and using the Company provided age verification equipment will be terminated from his/her employment without exception.¹ Casey's Selling Age Restricted Products Policy is included at Tab A.

In addition, notices are currently posted in all stores informing individuals that tobacco and alcoholic beverages will not be sold to individuals under the legal age required to purchase tobacco or alcoholic beverages. Copies of these notices and signs have been attached hereto at Tab C.

¹ If an employee requests the identification but makes an inadvertent error in entering the birth date, the employee will not be terminated

Casey's recognizes that training alone may not ensure total prevention of the sale of age-restricted products to minors. As such, in addition to the Company's formal training and retraining programs, Casey's cash registers are programmed to stop the sale of an age-restricted product until the customer's birth date is entered. This interruption in ringing up the purchase acts as a reminder to the clerk to check the appropriate identification of the purchaser. The cash register training materials are included at Tab B. Casey's also has a system to assist employees in calculating the age of a customer attempting to purchase an age-restricted product. Casey's also has back-up systems in place to assist with age verification. Casey's has installed Register Identification Scanners in all locations wherein employees must scan the customer's state identification to verify the customer's age. If the scanner is not operational or is unavailable, the employee must enter the customer's birth date into the cash register when prompted to do so. The age-restricted product transaction will not move to the sales side of the register until the birth date is entered and the customer is of age. If the cash register is not operational, employees must use the computerized Hypercom System. The birth date is logged into the Hypercom System, which then informs the employee whether the individual is of legal age to purchase the age-restricted product. If the power is out at a location, employees must use the We Card Calendar to verify the customer's age.

The Company believes that the formal training and frequent retraining programs conducted at each Casey's General Store will prevent potential problems with regard to the sale of tobacco or alcoholic beverages to minors. Casey's is hopeful that the preventive efforts being taken by the Company will be helpful in alleviating potential concerns. As stated, Casey's takes all laws and regulations regarding the sales of tobacco products or alcoholic beverages very seriously.

Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Douglas M. Beech". The signature is written in a cursive, flowing style.

Douglas M. Beech
Legal Counsel

DMB/pag
Enclosures
cc: Jacqueline Gloede (*via email*)



**Management
Plan Form**
25 Center Street
Vermillion SD 57069

City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

- A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.
- (B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly. (Businesses are encouraged to attend the public hearing to answer questions on the violations and/or management plan.)

License Holder Name: Molly N. Radigan
Local Business Name: Main St. Pub
Local Business Address: 11. W. Main St
Contact Name: Molly or Todd Phone: 624-7670
Title: owners

Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

Customer ordered a beer from waitress early in the evening, waitress hesitated but did not ask for ID.

What changes to management plan policies have been *implemented* since the violation(s) listed above?

We continue to train all employees to check ID's of customers ordering alcohol.

Have any changes in management plan policies been *discontinued* from current use? (Please include a copy of changes to policies)

NO

How have the changes addressed the defect(s) that resulted in the violation?

We have passed multiple things since then in both of our bars.

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

The employee pays all fines

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

We have a small group of employees and have constant open communication.

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

Employee is aware of her mistake and knows the policy on checking id's for alcohol sales.

If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

N/A

List failed alcohol compliance checks, with dates, for license holder for the past five years.

10/14 - Pub (1)
2012 - Maya Janis (1)

Attach a copy of your written employee management plan regarding selling alcohol to minors and checking IDs.

Other Comments:

Submitted by Signature: Molly Radigan Phone: 624-7670

Print name: Molly Radigan Date: 5-15-15

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069



Management Plan Form

25 Center Street
Vermillion SD 57069

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- A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.
- (B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly. (Businesses are encouraged to attend the public hearing to answer questions on the violations and/or management plan.)

License Holder Name: SERGIO AGUIRRE

Local Business Name: MEXICO VIEJO INC

Local Business Address: 432 E CAERREY ST VERMILLION SD 57069

Contact Name: SERGIO AGUIRRE Phone: 605 228 6628

Title: PRESIDENT

Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

NEGLIGENCE ON THE SERVER
MANAGEMENT ASK THE SERVER THE REASON OF FAILED
HE MESSED UP WITH THE YEAR

What changes to management plan policies have been **implemented** since the violation(s) listed above?

MANAGER IS APPLYING TRAINING AND CONSTANTLY CHECKING
THE SERVERS MAKING SURE THERE DOING THE WORKS RIGHT

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

NO

How have the changes addressed the defect(s) that resulted in the violation?

NEGLIGENCE

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

IT GETS A WARNING THAT IS ON CONSTANTLY CHECK
AND ANY NEGLIGENCE SIMILAR WILL BE TERMINATED

How are management plan polices communicated to employees to allow them to understand the policies and procedures for selling alcohol?

GENERAL MEETINGS

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

HE HAVE TO ATTEND TO SERVE SAFE COURSE

If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

N/A.

List failed alcohol compliance checks, with dates, for license holder for the past five years.

NOV. 12 - 2014

Attach a copy of your written employee management plan regarding selling alcohol to minors and checking IDs.

Other Comments:

Submitted by Signature:  Phone: 605 228 6628

Print name: SERGIO AGUIRRE Date: 05-13-15

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069



Management Plan Form

25 Center Street
Vermillion SD 57069

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- (B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly. (Businesses are encouraged to attend the public hearing to answer questions on the violations and/or management plan.)

License Holder Name: Prairie River Inc

Local Business Name: R-Pizza

Local Business Address: 2 W. Main St,

Contact Name: Brandon King Phone: (605) 659-0181

Title: President

See Attached

Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

What changes to management plan policies have been **implemented** since the violation(s) listed above?

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

How have the changes addressed the defect(s) that resulted in the violation?

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

How are management plan polices communicated to employees to allow them to understand the policies and procedures for selling alcohol?

1. Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

The violation was the sale of an alcoholic beverage to an underage customer. We believe that the check was failed because the employee did not properly check the ID presented to be sure the customer was over the age of 21.

2. What changes to management plan policies have been implemented since the violation(s) listed above?

We have since instituted a clear alcohol management policy that defines how the employees are to deal with customers that wish to purchase alcohol and what consequences will be enforced if the policy is not followed.

3. Have any changes in management plan policies been discontinued from current use?

Previous policy was not clearly defined or enforced. Now employees are asked to sign the policy and are held accountable.

4. How have the changes addressed the defect(s) that resulted in the violation?

Previously, the employees were not properly informed of what was expected of them i.e. properly checking that the ID does in fact say that the customer is over the age of 21 and, more importantly, what the consequences of failing to properly check identification are.

5. Please list what the management plan policy has for consequences for an employee making illegal alcohol sales.

The employee that does not comply with the alcohol management policy will be fined \$25 by the management, and may be temporarily suspended. The employee will be terminated for a second infraction.

6. How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

Each employee is required to sign a copy of the alcohol management policy stating that they have read and understand the policy.

R - Pizza

7. If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation(s) occurred to ensure they are familiar with proper alcohol sale techniques.

We went over the entirety of the alcohol management policy with the employee to ensure that there would be no more confusion as to how to properly sell alcohol. All employees have been asked to double and triple check the birthdates of the provided ID, as well as to check details such as physical appearance and height to ensure authenticity.

8. If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

n/a

9. List failed alcohol compliance checks, with dates, for license holder for the past 5 years.

We have failed 2 alcohol compliance checks for selling alcohol to a person under the age of 21 in the last 5 years, once in 2013 by Ben Eide and once in 2014 by Martha Minnick.

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

List failed alcohol compliance checks, with dates, for license holder for the past five years.

Attach a copy of your written employee management plan regarding selling alcohol to minors and checking IDs.

Other Comments:

Submitted by Signature: Brandon King Phone: (605) 659-0181

Print name: Brandon King Date: 5-27-15

When all information has been prepared, please submit the information with your license renewal to:

<p>Finance Office City of Vermillion 25 Center Street Vermillion, SD 57069</p>

R-Pizza Alcohol Management Policy

R-Pizza is committed to the responsible service of alcoholic beverages. In accordance to this commitment, all employees are required to follow the procedures listed below:

1. No employee will serve an alcoholic beverage to anyone under the age of 21.
2. All employees will carefully check the identification of anyone appearing to be under the age of 35.
 - a. Acceptable documentation is a valid state driver's license with photo or a photo ID issued by the state. Passports are also acceptable.
 - b. The employee will carefully check the identification to be certain that the holder is indeed 21 or older, that the ID belongs to the person presenting it, and that it is authentic. (The manager should be informed if there is any appearance of forgery or tampering.)
 - c. In the absence of authentic identification, or in case of doubt, the employee will refuse service of alcoholic beverage to customer.
3. No employee will serve an alcoholic beverage to anyone who is intoxicated.
4. No employee will serve alcoholic beverages to a customer to the point of intoxication.
5. Any employee that does not comply with any of the above stated rules will be fined \$25 and may be temporarily suspended for the first infraction. Employee will be terminated for any further infraction.

Signed



Date 5-27-15



Management Plan Form

25 Center Street
Vermillion SD 57069

City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

- A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.
- (B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly. (Businesses are encouraged to attend the public hearing to answer questions on the violations and/or management plan.)

License Holder Name: Oma Shree LLC

Speedy Mart

Local Business Name: 802 E. Cherry Street

Vermillion, SD 57069

Local Business Address: _____

Contact Name: Bhuvanit Patel

Phone: 605-624-9806

Title: Manager

Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

On April-1-2015 Ted Eisimayer sold a alcoholic beverage
to a person under 21 years of age

What changes to management plan policies have been **implemented** since the violation(s) listed above?

Company is required to manually enter the date of birth the
identification card in to the register if the customer is a
minor the register will identify this and not allow the sale

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

NO

How have the changes addressed the defect(s) that resulted in the violation?

An employee can no longer visually look at ID to determine if
a customer is old enough to purchase alcohol. They
manually need to enter the date of birth into the register to
prevent the sale

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

The employee is written up and given an action plan

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

We provide a policy manual to each employee

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

Teal Cisiminger is no longer employed

If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

List failed alcohol compliance checks, with dates, for license holder for the past five years.

April - 1 - 2015

Attach a copy of your written employee management plan regarding selling alcohol to minors and checking IDs.

Other Comments:

Submitted by Signature: B. Patel Phone: 605-624-9806

Print name: Bhushid Patel Date: 5/8/15

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 1st day of June, 2015 at the hour of 7:00 P.M. located at the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period July 1, 2015 until June 30, 2016, which has been presented to the City Council and filed in the Finance Officer's Office:

Re-issuance of Retail (On-Off Sale) Malt Beverage:

Bunyan's LLC for Bunyan's at 1201 West Main Street;
Café Brule, Inc. for Café Brule at 24 West Main Street;
BeBee Street II, Inc. for Carey's Bar at 18 & 20 West Main Street;
Spanrex, Inc. for Chae's at 8 West Main Street;
Charcoal Lounge, Inc. for Charcoal Lounge at 6 & 8 West Main Street;
Coyote Convenience, Inc. for Coyote Convenience at 116 East Cherry Street;
Blue, Inc. for Little Italy's at 831 East Cherry Street;
Main Street Pub, Inc. for Main Street Pub at 11 West Main Street;
Maya Jane's, Inc. for Maya Jane's at 9 West Main Street;
Mexico Viejo, Inc. for Mexico Viejo Mexican Restaurant at 432 E. Cherry Street;
Old Lumber Company, Inc. for Old Lumber Company at 15 Court Street;
NPC International, Inc. for Pizza Hut #2788 at 928 East Cherry Street;
Sunset Oil, Inc. for Lucky 7 Casino at 629 Stanford Suite A;
Sunset Oil, Inc. for Sunset Casino at 629 Stanford Suite B;
Pump N Stuff of Vermillion, Inc. for Pump N Stuff VL room #1 at 203 E Main St;
Pump N Stuff of Vermillion, Inc. for Pump N Stuff VL room #2 at 203 E Main St;
Bonnie K. Rowland for Raziell's at 13 West Main Street;
Red Steakhouse, Inc. for Red Steakhouse at 1 East Main Street;
Prairie River, Inc. for R Pizza at 2 West Main Street;
Silk Road Café, Inc. for Silk Road Café at 12 West Main Street;
OMA SHREE, LLC for Speedee Mart at 800 East Cherry Street;
City of Vermillion for The Bluff's Golf Course at 2021 East Main Street;
City of Vermillion for Municipal Liquor Store 820 Cottage Avenue;
David W. Raabe for Westside Inn at 1313 West Cherry Street;
Valiant Vineyard, Inc for Valiant Vineyard at 1500 West Main;
Dwight Iverson for Cherry Pit Stop video lottery at 23 East Cherry Street;
Varsity Pub, LLC for The Varsity at 113 East Main Street;

Re-issuance of Package (Off Sale) Malt Beverage:

Dwight Iverson for Cherry Pit Stop at 23 East Cherry Street;
Freedom Valu Centers, Inc for Erickson Freedom Valu Ctr at 830 E Cherry Street;
HyVee Food Stores, Inc. for HyVee at 525 West Cherry Street;
Leo's Sports Bar & Grill, LLC for Leo's Lounge at 11 Market Street;
Pump N Stuff of Vermillion, Inc. for Pump N Stuff at 203 East Main Street;
Wal-Mart Stores, Inc. for Wal-Mart Super Center #3734 at 1207 Princeton Street;

Re-issuance of Package (Off Sale) Malt Beverage with SD Farm Wine:

Casey's Retail Company, Inc. for Casey's General Store at 615 Jefferson St;

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

Dated at Vermillion, South Dakota this 15th day of May, 2015.

Michael D. Carlson, Finance Officer

Publish: May 22, 2015

Published once at the approximate cost of _____.

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



To: Vermillion City Council

Date: 05/21/2015

From: Matthew Betzen 
Chief of Police

Subject: Alcohol License Renewals - July 1, 2015 to June 30, 2016

In the last half of 2014 and first half of 2015, the Vermillion Police Department conducted 54 compliance checks. Of those 42 of the checks were successful, and in 12 of the business failed.

Below is a summary of alcohol license related contacts on each of the alcohol license holders seeking re-issuance. Of note, the only incidents reported here are the events that actually take place on the property of the license holder and are clearly associated with the business and its sale of alcohol. The downtown area (Main Street) has a large number of alcohol related investigations that are not necessary attributed to any specific license holder. Examples of this would be persons with open containers or urinating in public, who are in the downtown area but are not specifically identified as being in or from a license holder's establishment.

Re-Issuance of Retail (On-Off Sale) Malt Beverage:

Bunyan's LLC for Bunyan's, 1201 West Main Street

- On 10/23/2014, Bunyan's failed a compliance check.
- On 11/19/2014, Bunyan's failed a compliance check.
- On 02/17/2015, Bunyan's passed a compliance check.
- On 07/23/2014, Officers investigated a trespassing/intentional damage to property that resulted in assault on officer charges, resisting arrest and trespassing charges. Management cooperated with all investigative steps.

Café Brule Inc. for Café Brule, 24 West Main Street

- On 11/12/2013, Café Brule passed a compliance check.
- There were no alcohol related police response calls in the last 12 months.

BeBee Street II Inc. for Carey's Bar, 18 & 20 West Main Street

- On 10/23/2014, Carey's Bar passed a compliance check.
- On 04/16/2015, Carey's Bar passed a compliance check.
- There were no alcohol related police response calls in the last 12 months.

City of Vermillion
Police Department
15 Washington Street
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Spanrex, Inc. for Chae's, 8 West Main Street

- On 11/19/2014, Chae's passed a compliance check.
- There were no alcohol related police response calls in the last 12 months.

Charcoal Lounge, Inc. for Charcoal Lounge, 6 & 8 East Main Street

- On 10/23/2014, the Charcoal Lounge passed a compliance check
- On 04/29/2015, Charcoal Lounge failed a compliance check.
- During a bar check on 12/07/2014 officers observed an ID at the door that was not the individual that was in front of them, the individual was denied entry. A citation was written for Underage consumption due to the results of PBT.

Coyote Convenience, Inc. for Coyote Convenience, 116 East Cherry Street

- On 08/13/2014, Coyote Convenience passed a compliance check.
- On 04/02/2015, Coyote Convenience passed a compliance check.
- There were no alcohol related police response calls in the last 12 months.

Blue, Inc. for Little Italy's, 831 East Cherry Street

- On 11/12/2014, Little Italy's passed a compliance check.
- There were no alcohol related police response calls in the last 12 months.

Main Street Pub, Inc. for Main Street Pub, 11 West Main Street

- On 10/23/2014, Main Street Pub failed a compliance check.
- On 11/19/2014, Main Street Pub passed a compliance check.
- On 04/16/2015, Main Street Pub passed a compliance check.
- On 03/01/2015, Officers conducted a bar check and found several underage people consuming alcoholic beverages. The bar manager was cited for furnishing alcohol to minors. The bar manager came to the Department and apologized for the failure.
- On 02/14/2015, Officers investigate a Burglary at Main Street Pub.
- On 10/18/2014, Officers investigated a harassment call
- On 09/14/2014, Officers were asked to speak with the bar around an allegation of over serving a patron.

Maya Jane's, Inc. for Maya Jane's, 9 West Main Street

- On 04/29/2015, Maya Jane's passed a compliance check.
- There were no alcohol related police response calls in the last 12 months.

Mexico Viejo, Inc. for Mexico Viejo Mexican Restaurant at 432 E. Cherry Street

- On 11/12/2014, Mexico Viejo failed a compliance check.
- On 11/19/2014, Mexico Viejo passed a compliance check.

City of Vermillion
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15 Washington Street
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- There were no alcohol related police response calls in the last 12 months.

Old Lumber Company, Inc. for Old Lumber Company at 15 Court Street

- On 10/23/2014, Old Lumber Company, Inc. passed a compliance check.
- On 04/29/2015, Old Lumber Company, Inc. failed a compliance check. The employee was cited for furnishing alcohol to a minor. The employee came to the Department and apologized for the failure.
- On 9/14/2014, Officers investigated a theft involving a patron refusing to pay their tab.

NPC International, Inc. for Pizza Hut #2788 at 928 East Cherry Street

- On 11/19/2014, Pizza Hut passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

Sunset Oil, Inc. (Lucky 7 Casino and Sunset Casino) for Pump N Pak at 629 Stanford

- On 08/13/2014, Pump N Pak passed a compliance check.
- On 04/02/2015, Pump N Pak passed a compliance check.
- On 10/19/2014, Management contacted police regarding three intoxicated juveniles. The juveniles had been using prescription drugs.
- On 05/11/2015, Officers were called to Pump N Pak someone had broken into the office and money was taken.
- On 5/20/2015, Officers were called to Pump N Pak for theft of some beer.

Pump N Stuff of Vermillion, Inc. (Video Lottery Rooms 1 and 2) for Pump N Stuff at 203 E Main St.

- On 08/13/2014, Pump N Stuff passed a compliance check.
- On 04/02/2015, Pump N. Stuff passed a compliance check.
- On 3/09/2015, Pump N Stuff management called regarding persons drinking alcohol on the sidewalk beside the business.

Bonnie K. Rowland for Raziell's at 13 West Main Street

- No longer in business, the business has not been active for most of the evaluation period.
- There were no alcohol related events reported in the last 12 months.

Red Steakhouse, Inc. for Red Steakhouse at 1 East Main Street

- On 11/12/2014, Red Steakhouse passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

Prairie River, Inc. for R Pizza at 2 West Main Street

- On 11/12/2014, R Pizza failed a compliance check.
- On 11/19/2014, R Pizza passed a compliance check
- There were no alcohol related events reported in the last 12 months.

City of Vermillion
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FAX: (605)677-7166
www.vermillionpd.org



Silk Road Café, Inc. for Silk Road Café at 12 West Main Street

- On 11/19/2014, Silk Road Café passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

OMA SHREE, LLC for Speedee Mart at 800 East Cherry Street

- On 04/01/2015, Speedee Mart failed a compliance check.
- On 04/16/2015, Speedee Mart passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

City of Vermillion for The Bluff's Golf Course at 2021 East Main Street

- During the last 12 months, no compliance checks have been conducted at The Bluff's Golf Course.
- There were no alcohol related events reported in the last 12 months.

City of Vermillion for Municipal Liquor Store at 820 Cottage Street

- On 02/12/2015, the Liquor Store passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

David W. Raabe for Westside Inn at 1313 West Cherry Street

- During the last 12 months, no compliance checks have been conducted at the Westside Inn.
- There were no alcohol related events reported in the last 12 months.

Valiant Vineyard, Inc for Valiant Vineyard at 1500 West Main

- During the last 12 months, no compliance checks have been conducted at the Valiant Vineyard.
- There were no alcohol related events reported in the last 12 months.

Dwight Iverson for Cherry Pit Stop Video Lottery at 23 East Cherry Street

- On 08/13/2014, the Cherry Pit Stop passed a compliance check.
- On 04/02/2015, the Cherry Pit Stop passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

Varsity Pub, LLC. for The Varsity at 113 East Main Street

- On 10/23/2014, The Varsity passed a compliance check.
- On 04/29/2015, The Varsity passed a compliance check.
- On 08/17/2014, Officer responded to The Varsity for a noise complaint from a nearby property owners, management was very corporative with officers to correct the problem.
- There were no alcohol related events reported in the last 12 months.

Re-issuance of Package (Off Sale) Malt Beverage

Dwight Iverson for Cherry Pit Stop at 23 East Cherry Street

- On 08/13/2013, The Cherry Pit Stop passed a compliance check.

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



- On 04/02/2015, The Cherry pit Stop passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

Freedom Valu Centers, Inc for Erickson Freedom Valu Ctr at 830 E Cherry Street

- On 08/13/2013, Freedom Valu Center passed a compliance check.
- On 04/02/2015, Freedom Valu Center passed a compliance check.
- On 02/10/2015, Officer were called to Freedom Valu Center reporting theft of alcohol.

HyVee Food Stores, Inc. for HyVee at 525 West Cherry Street

- On 08/13/2014, HyVee failed a compliance check.
- On 10/23/2014, HyVee passed a compliance check.
- On 04/02/2015, HyVee passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

Leo's Sports Bar & Grill, LLC for Leo's Lounge at 11 Market Street

- On 10/23/2014, Leo's passed a compliance check.
- On 04/29/2015, Leo's passed a compliance check.
- On 12/12/2014, Leo's management reported an underage person attempting to gain access with a fake Id. Management cooperated with the investigation to identify the suspect, who had left the area.

Pump N Stuff of Vermillion, Inc. for Pump N Stuff at 203 East Main Street

- On 08/13/2014, Pump N Stuff passed a compliance check.
- On 04/02/2015, Pump N. Stuff passed a compliance check.
- On 3/09/2015, Pump N Stuff management called regarding persons drinking alcohol on the sidewalk beside the business.

Wal-Mart Stores, Inc. for Wal-Mart Super Center #3734 at 1207 Princeton Street

- On 04/02/2015, Wal-Mart passed a compliance check
- On 11/14/2014, Officer were called to Wal-Mart by management for theft of alcohol, with an underage individual.

Re-issuance of Package (Off Sale) Malt Beverage with SD Farm Wine

Casey's Retail Company, Inc. for Casey's General Store at 615 Jefferson St.

- On 02/17/2015, Casey's failed a compliance check.
- On 04/16/2015, Casey's passed a compliance check.
- There were no alcohol related events reported in the last 12 months.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: June 1, 2015

Subject: Special Daily Malt Beverage License for the Vermillion Area Chamber and Development Company for Coyoteopoly Shakespeare Festival June 11-14 in the Prentis Park Band shell area

Presenter: Mike Carlson

Background: The Vermillion Chamber and Development Company has submitted an application for a special daily malt beverage and wine license for the Coyoteopoly Shakespeare Festival for June 11-15, 2015 at the Prentis Park Band shell area.

Our city ordinance on special daily licenses reads as follows:

112.18 SPECIAL LICENSES FOR SALES OF MALT BEVERAGES AND/OR WINE.

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

State Statute for the special daily licenses is as follows:

35-4-124. Special alcoholic beverage licenses issued in conjunction with special events. Any municipality or county may issue:

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant;
- (2) A special on-sale wine retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (12) or chapter 35-12 in addition to any other licenses held by the special events license applicant;
- (3) A special on-sale license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant; or
- (4) A special off-sale package wine dealers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans organization or any licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package

wine dealer's licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. The local governing body may establish rules to regulate and restrict the operation of the special license.

Discussion: The notice of public hearing is attached, along with the Police Chief's memo. The routine Police Department records check of the parties involved with the special daily license revealed no alcohol related violations or felony convictions in reference to this application. City staff is not aware of any problems with previous special daily licenses granted to the Vermillion Area Chamber and Development Company. The Police Chief's report also indicated that there were no incidents with the Eagles for prior Shakespeare Festivals. The Police Chief's memo included three safety measures that will mitigate any problems.

Financial Consideration: The City has received the \$15 per day license fee and \$15 advertising fee for a total of \$75 that has been received from the applicant.

Conclusion/Recommendations: Administration recommends approving the issuance of the special daily malt beverage and wine license unless further information is provided at the public hearing.

City of Vermillion
Police Department
15 Washington Street
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www.vermillionpd.org



MEMORANDUM

To: Vermillion City Council

Date: May 19, 2015

From: Matt Betzen 
Chief of Police

Subject: Application for Malt Beverage and Wine License June 11-15, 2015
Prentis Park.

Reference: VCDC

This event occurred for the first time in 2012 and at that time the Eagles obtained a special daily license for the event. Since then there have been no negative issues. The Vermillion Police Department's Records Management System revealed no alcohol related violations or felony convictions in reference the new applicant, the Vermillion Area Chamber & Development Company, Inc.

I have discussed the arrangement for insuring responsible service and consumption of alcohol at this event with Prof. Gregory Huckabee. I believe the following safety measures will mitigate any problems.

1. Wristbands will be distributed by the VCDC when Ids are checked to insure purchasers and consumers are over 21 years of age.
2. VCDC will provide ushers who will monitor both the purchase area and the audience grounds within the area delineated by the hedgerow. Ushers will insure no one removed a beverage from the audience area or the fences concession area.
3. The fences concession area and the audience area will have posted signs instructing consumers not to remove alcoholic beverages from the two designated areas, and the direct path between them.

Based on the history of this event, I do not anticipate any issues. One area of concern is the possibility of an influx of people from the Yankton International Archery Event. If that does occur, I will staff additional officer for the event.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 1st day of June, 2015 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Vermillion Area Chamber & Development Company, Inc on or about June 11-14, 2015 at the Prentis Park band shell area.

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

Dated at Vermillion, South Dakota this 15th day of May, 2015.

Michael D. Carlson, Finance Officer

Publish: May 22, 2015

Published once at the approximate cost of _____.

Council Agenda Memo

From: Andy Colvin, Assistant City Manager

Meeting: June 1, 2015

Subject: Report of Policies and Procedures Committee on allowing chickens within City limits

Presenter: Andy Colvin

Background: The City of Vermillion Policies and Procedures Committee was asked to explore the issue of permitting chickens in City limits. The request came about when Christine Ahmed, Coordinator of the Vermillion Community Garden, spoke on February 2, 2015 under visitors to be heard, asking the City Council to explore allowing hens within City limits. Ms. Ahmed referenced allowing chickens in the community garden. The committee met on February 25th and directed staff to conduct an online survey to gauge public opinion and develop draft regulations. The committee met again on May 18th and voted 3-1 to move the issue of permitting backyard chickens forward to the City Council for consideration.

Discussion: An online poll was conducted via the City website from February 25th – March 13th. The poll had the following results:

Should City Council explore permitting residents to own up to four egg laying hens on their property within the city limits of Vermillion? If you would like to share thoughts or comments on this topic, please contact any City Council member or email the City at info@cityofvermillion.com.

Total Votes: 569

Yes
261 46%

No
302 53%

Unsure
6 1%

Staff presented information on cities in South Dakota that do and do not allow chickens within City limits. Aberdeen, Brookings, Huron, Mitchell and Pierre do not allow chickens; Sioux Falls and Yankton allow a limited number without a license; Watertown permits chickens on a case-by-case basis with permission from the Animal Control

Board. Sioux Falls and Yankton have very few rules other than limiting the number and not allowing roosters. Staff researched other communities in the United States and developed a set of regulations that could be adopted. The draft regulations presented to the committee provide standards for coops and runs, require a permit from the City and permission from neighbors, leg banding and other health and safety provisions. In addition, an amendment to the City zoning regulations would be required to make coops an accessory structure, which would first go to the Planning Commission for consideration.

The minutes of the Policies and Procedures Committee meetings are attached.

It should be noted that the proposed regulations will not permit chickens in the community garden as originally requested by Christine Ahmed. The keeping of chickens will only be permitted as an accessory use to single-family dwellings.

Financial Consideration: None at this time.

Conclusion/Recommendations: The recommendation of the Policies and Procedures Committee to the City Council is to prepare a draft ordinance for full City Council consideration at a future meeting. As the City Council cannot act on a report of a committee at the same meeting the report is received, the City Council will need to accept the report and request an ordinance be presented at a future meeting.

City of Vermillion
Policies and Procedures Committee
Wednesday, February 25, 2015
12.00 p.m. City Hall first floor conference room

The meeting of the City of Vermillion Policies and Procedures Committee was held on Wednesday, February 25, 2015 at 12:00 p.m. in the City Hall first floor conference room.

Present: Willson (Chairman), Collier-Wise, Ward, Meins

Also Present: John Prescott and Andy Colvin

Chairman Willson called the meeting to order.

John Prescott, City Manager, reviewed an information packet regarding the keeping of egg-laying hens within the City. Discussion followed on the concept of permitting hens within the City, including standards for coops, deterring predators, and the total number that should be allowed. The committee also discussed the process of amending the zoning ordinance and the steps that would be required to permit and regulate keeping chickens. The consensus of the committee was to direct staff to conduct a website poll for a few weeks to gather public opinion and bring a draft ordinance for discussion and recommendation at a future committee meeting.

Ward moved to adjourn the committee meeting at 12:40 p.m. Collier-Wise seconded the motion. Motion carried 4 to 0. Chairman Willson declared the meeting adjourned.

City of Vermillion
Policies and Procedures Committee
Monday, May 18, 2015
11:15 a.m. City Hall first floor conference room

The meeting of the City of Vermillion Policies and Procedures Committee was held on Monday, May 18, 2015 at 11:15 a.m. in the City Hall first floor conference room.

Present: Willson Chairman, Collier-Wise, Clarene Meins, Ward

Also present: John Prescott, Andy Colvin and Mike Carlson

John Prescott, City Manager, stated the changes to the city ordinance will first require a change to the zoning ordinance to include chicken coops as an accessory use and structure. John stated that the changes to the city ordinance are included to allow chickens. John noted that the ordinance is very inclusive as a starting point if the committee wanted to make changes. John stated what some other cities in SD have done to address chickens within in the city along with the survey results. Discussion followed on the ordinance as well as what other cities have done to allow or not allow chickens. The committee noted the ordinance was very inclusive and noted that changes could be made in the future if needed to be less restrictive.

Collier-Wise moved the committee recommend the ordinance be forwarded to the City Council for consideration. Ward seconded the motion. Discussion followed. Motion carried 3 to 1.

John noted that the committee report can be made at the next council meeting on the ordinance and then maybe this could be a topic of a noon meeting before going to the Planning Commission for a change to the zoning ordinance then to the City Council for the ordinance change.

Collier-Wise moved to adjourn the committee meeting at 11:40 a.m. Clarene Meins seconded the motion. Motion carried 4 to 0.

Council Agenda Memo

From: John Prescott, City Manager

Meeting: June 1, 2015

Subject: Amend USD's request to close Rose Street from Dakota Dome to 400-feet south of Dakota Dome until July 24, 2015 for construction

Presenter: John Prescott

Background: At the May 18, 2015 City Council meeting, City Engineer Jose Dominguez presented a request to close a portion of Rose Street from May 19, 2015 to May 27, 2015 as part of the USD Arena construction project. As part of the motion, the City Council allowed staff to extend the closure by an additional week.

USD's contractor requested the closing of Rose Street south of the Dakota Dome to tie to the City's water main and storm sewer crossing Rose Street. The street closure is due to the location of both of the utilities and the type of construction that is required. Because of these factors there was not enough road width remaining for the safe passage of vehicular traffic. Additionally, the contractor is extending the storm sewer west across Rose Street.

Discussion: After the City Council meeting, it was discovered that staff made an error in presenting the request. USD's contractor had requested to close the street until July 24, 2015. The dates for the Dakota Street closing that are for arena construction and also part of the May 18, 2015 agenda were applied to the Rose Street closing request in error. The request submitted by USD's contractor is attached.

USD previously submitted a traffic control plan for the work. The traffic control plan meets all requirements for road closures. Additionally, the contractor proposed a detour route for use during the closure.

Financial Consideration: There will be no cost to the City for the closure.

Conclusion/Recommendations: Administration recommends the closing of Rose Street from the Dakota Dome to 400-feet south of the Dakota Dome until July 24, 2015.

Request to Close Public Street

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

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

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

Organization Requesting Runge Enterprises, Inc.

Contact Person Bob Roth Phone 605-334-4833

Contact Person Address P.O. Box 86490 Sioux Falls, SD 57118

Event Rose Street Reconstruction Date(s) of Event 5/19/2015 to 7/24/2015

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

Street Rose Street from Dakota Dome to 400 feet south

Street Closing Times _____ to _____

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

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

Yes, new water and storm sewer lines. New pavement.

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

Signature of applicant Robert Roth date 5/12/15



	Date: 5/12/2015 Author: Blaine Weippert When: 5-19 Rose St.(2Months) Dakota St.(1.5 weeks)
	Comments: Contractor is Runge Enterprises, Inc. Contact is Robert Roth 941-0029

Signature: _____ Date: _____

**THESE DRAWINGS SHALL NOT BE REPRODUCED, COPIED OR USED
IN ANY FORM WITHOUT WRITTEN PERMISSION FROM TRAFFIC SOLUTIONS INC.**

Cell Phones

Sam Wurtz
605-360-2497
Lonnie Heibult
605-360-4958
Blaine Weippert
605-941-5832

Posted Speed Prior to Work(MPH)	Spacing of Advance Warning Signs(Feet) (A)	Taper Length (Feet) (L)	Spacing of Channelizing Devices(Feet) (G)
0 - 30	200	180	25
35 - 40	350	320	25
45 - 50	500	600	50
55	750	660	50
60 - 65	1000	780	50

Posted Speed Prior to Work(MPH)	Length of Longitudinal Buffer Space (Feet)
20	35
25	55
30	85
35	120
40	170
45	220
50	280
55	335
60	415
65	485

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: June 1, 2015

Subject: Resolution Authorizing the Purchase of Padmount Electric Switches

Presenter: Jason Anderson

Background: The City of Vermillion has over several years purchased electrical padmount switchgear for the Electric Department off of other governmental bids to save on annual price increases, take advantage of volume discounts, or save on the preparation of bid specifications and associated bidding costs. The City of Sioux Falls recently solicited bids for PMH switches meeting our standards. The bid was awarded to Stuart C. Irby Co., of Eagan, Minnesota. The Stuart C. Irby Co. is willing to sell two padmount switches to the City of Vermillion at the same unit price as the Sioux Falls bid price.

Discussion: The PMH switches meet our standards and will save the City from having to prepare bid specifications and incur associated bidding costs.

Financial Consideration: The cost of the two padmount switches to the Electric Distribution fund would be \$21,580 and is budgeted in the 3810 (Electric Construction) line item.

Conclusion/Recommendations: Administration recommends approving the resolution authorizing the purchase of two padmount switches off the City of Sioux Falls bid from Stuart C. Irby Co. for \$21,580.

**RESOLUTION
AUTHORIZING PURCHASE OF
PADMOUNT SWITCHES**

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

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the City of Sioux Falls, South Dakota to Stuart C. Irby Co. in the amount of \$10,790 per S&C PMH-9 padmount switchgear offers an advantageous price to the City for the said item; and,

WHEREAS, the City has contacted Stuart C. Irby Co. and they have agreed to allow the City to purchase two (2) S&C PME-9 padmount switches for the awarded price and terms as they have contracted with the City of Sioux Falls, South Dakota.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to purchase **two (2) S&C PMH-9 padmount switches** at the awarded price and under the same terms as the City of Sioux Falls, South Dakota for a total amount of \$21,580.

Dated at Vermillion, South Dakota this 1st day of June 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Sophie Johnson, City Manager Intern

Meeting: June 1, 2015

Subject: Airport entitlement transfer for pavement maintenance

Presenter: Sophie Johnson

Background: Each year, the City of Vermillion is allotted approximately \$150,000 in federal funding for maintenance and improvements to the Harold Davidson Municipal Airport. The federal government pays 90% of this qualifying cost, the state pays 5%, and the City of Vermillion pays 5%.

Discussion: The South Dakota Department of Transportation (SDDOT) is requesting the City to approve the transfer of \$38,000.08 to DOT of the City's federal entitlement for pavement maintenance. The South Dakota DOT administers the pavement maintenance program which is a requirement to continue to receive federal entitlements. Pavement maintenance is one of the federal grant assurances for receiving federal money, and the state takes the role to fulfill that commitment.

Financial Consideration: In addition to the transfer of \$38,000.08 of federal funds, the City will be billed by the SDDOT for our 5% match. This match would be \$2,111.12 for general pavement maintenance.

Conclusion/Recommendations: Administration recommends approval of the agreement for the transfer of \$38,000.08 in entitlements to the SDDOT for pavement maintenance at the Harold Davidson Municipal Airport as well as authorization by the Mayor and the City Attorney by signing the agreement.



U.S. Department
of Transportation
**Federal Aviation
Administration**

AGREEMENT FOR TRANSFER OF ENTITLEMENTS

In accordance with section 47117(c)(2) of Title 49 U.S.C. (hereinafter called the "Act").

City of Vermillion

(Name of Transferor Sponsor)

Hereby waives receipt of the following amount of funds apportioned to it for each fiscal year specified under section 47114(c)(1) of the Act.

	<u>Amount</u>	<u>Fiscal Year</u>
	\$ 22,397.08	2013
	\$ 15,603.00	2014
	\$ _____	
TOTAL	\$ 38,000.08	

On the condition that the Federal Aviation Administration makes the waived amount available to:

SDDOT

(Name of Transferee Sponsor)

for eligible projects under section 47104(a) Act. This waiver shall expire on earlier of _____
(date) or when the availability of apportioned funds would lapse under section 47117(b) of the Act.

**FOR THE UNITED STATES OF
AMERICA
FEDERAL AVIATION ADMINISTRATION**

FOR

(Signature)

(Typed Name)

(Title)

(Date)

(Signature)
John Powell
(Typed Name)
Mayor, City of Vermillion
(Title)

(Date)

CERTIFICATE OF SPONSOR'S ATTORNEY

I, _____, acting as Attorney for the Sponsor do hereby certify:
That I have examined the foregoing Agreement and find that the Sponsor has been duly authorized to make such transfer and that the execution thereof is in all respects due and proper and in accordance with the laws of the State of _____ and the Act.

Dated at _____ this _____ day of _____, _____.

By: _____
(Signature of Sponsor's Attorney)

Certification of Economic Necessity

City of Vermillion

Sponsor's Name

Vermillion Airport

Airport

As defined under Title 49 U.S.C., Section 47102 (3) (H), certain routine or periodic pavement maintenance projects are considered eligible for Federal funding for sponsors who are unable to fund maintenance under the grant assurances using their own resources, including the transfer of funds to the airport from other sponsor accounts. The sponsor or State must also have implemented a pavement maintenance management program based on Advisory Circular 150/5380-6.

I certify that the sponsor of the airport does not have funds available for pavement maintenance and has implemented a pavement maintenance plan. A copy of the airport's current pavement maintenance plan is on file.

Signed: _____ Date: _____
Sponsor's Authorized Representative

John Powell, Mayor, City of Vermillion

Typed Name and Title of Sponsor's Representative

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: June 1, 2015

Subject: 2015 Chip Seal Project

Presenter: Jason Anderson

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 effects on the surface.

Bids were opened May 27, 2015 for the 2015 Chip Seal Project. Two bids were received. The low bid was from Topkote of Yankton in the amount of \$67,170.08, while the high bid came in at \$77,835.20.

Discussion: Bid specifications were sent to three 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 more than the bid limit so bids were requested.

The proposed project will take place mainly on the west side of the City. The contract calls for the project to be completed by August 14, 2015.

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

Conclusion/Recommendations: Administration recommends awarding the project to Topkote for the amount of \$67,170.08.

CITY OF VERMILLION
ACCOUNT PAYABLE-JUNE 1, 2015

1	ADVANCED WEIGHING SYSTEMS	ANNUAL SUPPORT	1,595.00
2	AMCHEM ENTERPRISES, INC	SUPPLIES	82.50
3	AMS BUILDING SYSTEM LLC	WATER HEATER REBATES	1,050.00
4	APPEARA	SUPPLIES	127.64
5	ARAMARK	WORK SHIRTS	94.95
6	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	144.16
7	ARGUS LEADER MEDIA #1085	SUBSCRIPTION	52.00
8	AUSTIN ANDERSON	SAFETY BOOTS REIMBURSEMENT	100.00
9	AWWA	MEMBERSHIP DUES	178.00
10	BAKER & TAYLOR BOOKS	BOOKS	793.13
11	BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	2,979.20
12	BARKLEY ASPHALT	ASPHALT	232.65
13	BENJAMIN NELSEN	MEALS REIMBURSEMENT	130.00
14	BIERSCHBACH EQPT & SUPPLY	SUPPLIES	53.00
15	BLACKSTONE AUDIO INC	BOOKS	194.79
16	BOB IVERSON	MEALS REIMBURSEMENT	53.00
17	BORDER STATES ELEC SUPPLY	SUPPLIES	11,236.44
18	BOUND TREE MEDICAL, LLC	SUPPLIES	2,257.94
19	BROADCASTER PRESS	ADVERTISING	360.00
20	BROWN TRAFFIC PRODUCTS	SUPPLIES	77.25
21	BUSHNELL OUTDOOR PRODUCTS	MERCHANDISE	615.13
22	BUTLER MACHINERY CO.	PARTS	289.05
23	CALLAWAY GOLF	MERCHANDISE	141.36
24	CAMPBELL SUPPLY	SUPPLIES	1,498.86
25	CANNON TECHNOLOGIES, INC	SUPPLIES	7,514.70
26	CAPSTONE PRESS, INC	BOOKS	94.95
27	CASK & CORK	MERCHANDISE	673.75
28	CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
29	CENTURYLINK	TELEPHONE	743.74
30	CHESTERMAN CO	MERCHANDISE	763.36
31	CITY DIRECTORIES	PUBLICATION	405.00
32	CITY OF VERMILLION	COPIES/POSTAGE	1,257.48
33	CITY OF VERMILLION	UTILITY BILLS	37,877.68
34	CLASS C SOLUTIONS GROUP	SUPPLIES	285.40
35	CLUBHOUSE HOTEL & SUITES	LODGING	484.00
36	COFFEE KING, INC	SUPPLIES	62.75
37	COLONIAL LIFE ACC INS.	INSURANCE	3,132.69
38	CORTRUST BANK	TIF #6 INTEREST PAYMENT	6,062.00
39	CORY MOORE	MEALS REIMBURSEMENT	26.00
40	COYOTE CONVENIENCE	FUEL	12.35
41	COYOTE RENTALS	WATER HEATER/WIRING REBATE	170.00
42	CREATIVE PRODUCT SOURCE	SUPPLIES	72.46
43	CREDIT COLLECTIONS BUREAU	COMMISSION	276.99
44	DAKOTA BEVERAGE	MERCHANDISE	15,752.69

45 DAKOTA HOSPITAL FOUNDATION	TIF #6 INTEREST PAYMENT	6,062.00
46 DAKOTA PC WAREHOUSE	COMPUTER/SUPPLIES	959.91
47 DANKO EMERGENCY EQUIPMENT	REPAIRS	505.97
48 DAVE FEDDERSON	REPAIRS	165.00
49 DELTA DENTAL PLAN	INSURANCE	6,308.62
50 DEMCO	SUPPLIES	450.14
51 DENNIS MARTENS	MAINTENANCE	833.34
52 DENR	LOAN PAYMENTS LANDFILL	66,031.51
53 DEPT OF REVENUE	TESTING	339.00
54 DGR ENGINEERING	PROFESSIONAL SERVICES	13,036.18
55 DIAMOND VOGEL PAINTS	YELLOW MARKING PAINT	1,824.00
56 DIVISION OF MOTOR VEHICLE	TITLE/PLATES	14.00
57 DON'S DUST CONTROL	DUST CONTROL APPLICATION	5,100.30
58 DUST TEX	MAT SERVICE	80.00
59 E.A SWEEN COMPANY	SUPPLIES	381.27
60 EARTHGRAINS BAKING CO'S INC	SUPPLIES	117.13
61 EBERLE DESIGN INC	REPAIRS	178.00
62 ECHO ELECTRIC SUPPLY	SUPPLIES	952.73
63 ELECTRONIC ENGINEERING	REPAIRS	117.95
64 EMBROIDERY & SCREEN WORKS	EMBROIDERY	110.00
65 ENERGIS HIGH VOLTAGE RESOURCES	PROFESSIONAL SERVICES	19,944.00
66 FAR FROM NORMAL	SUPPLIES	115.35
67 FARMER BROTHERS CO.	SUPPLIES	59.83
68 FEDEX.	SHIPPING	11.30
69 FIREGUARD INC	REPAIRS	1,637.65
70 FIRST BANK & TRUST	TIF #6 INTEREST PAYMENT	6,062.00
71 FIRST DAKOTA NATIONAL BANK	TIF #6 INTEREST PAYMENT	6,062.00
72 FOREMAN MEDIA	APRIL/MAY COUNCIL MTG	200.00
73 FRED BALLEWEG	MEALS REIMBURSEMENT	26.00
74 GRAHAM TIRE CO.	TIRES	1,079.90
75 GRAYBAR ELECTRIC	SUPPLIES	391.72
76 GREG SIGNS	LETTERING	75.00
77 GREGG PETERS	FREIGHT	1,761.60
78 GREGG PETERS	RENT	937.50
79 HANDER INC. PLUMBING & HTG	WASTEWATER BOILER	23,985.39
80 HARTINGTON TREE LLC	PROFESSIONAL SERVICES	2,015.00
81 HAUFF MID-AMERICA SPORTS	SUPPLIES	186.60
82 HAUGER LAWN SERVICE	MOWING	20.00
83 HD SUPPLY WATERWORKS	SUPPLIES	3,430.38
84 HEIMAN, INC.	FIRE FIGHTER EQUIPMENT	1,882.82
85 HERC-U-LIFT	REPAIRS	318.61
86 HERREN-SCHEMPP BUILDING	SUPPLIES	113.17
87 HILLYARD FLOOR CARE SUPPLY	PARTS	10.48
88 HY VEE FOOD STORE	SUPPLIES	343.71
89 IN CONTROL, INC	PROFESSIONAL SERVICES	2,241.50
90 INDEPENDENCE WASTE	PORTABLE TOILET RENT	1,512.23
91 INGRAM	BOOKS	3,000.00

92 INNOVATIVE LABORATORY SYSTEM	LAB CABINETS	4,039.55
93 ISTATE TRUCK CENTER	PARTS	238.16
94 J & L HARLEY-DAVIDSON	REPAIRS	1,181.53
95 JACKS UNIFORM & EQPT	UNIFORM	3,206.80
96 JACY NELSEN	MEALS REIMBURSEMENT	130.00
97 JIM BALLEWEG	BOOTS/MEALS REIMBURSEMENT	94.00
98 JOHN A CONKLING DIST.	MERCHANDISE	9,298.30
99 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	46,498.08
100 JOHNSON CONTROLS	REPAIRS	4,385.26
101 JOHNSON FEED, INC	REPAIRS	547.84
102 JONES FOOD CENTER	SUPPLIES	1,095.88
103 JONES FOOD CENTER	SUPPLIES	462.34
104 KARSTEN MFG CORP	MERCHANDISE	1,300.81
105 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	2,810.36
106 LEISURE LAWN CARE	PROFESSIONAL SERVICES/REPAIRS	143.40
107 LESSMAN ELEC. SUPPLY CO	SUPPLIES	2,332.00
108 LINCOLN REPUBLIC INSURANCE	INSURANCE	480.93
109 LOCATORS AND SUPPLIES, INC	SUPPLIES	1,134.51
110 LONGS PROPANE INC	PROPANE	60.00
111 MALLOY ELECTRIC	REPAIRS	5,539.85
112 MART AUTO BODY	TOWING	375.00
113 MARTY GILBERTSON	REPAIRS	1,060.00
114 MATTHEW BETZEN	MEALS REIMBURSEMENT	57.00
115 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,566.00
116 MEAD LUMBER	SUPPLIES	412.41
117 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	213.40
118 MIDWEST ALARM CO	ALARM MONITORING	66.00
119 MIDWEST BUILDING MAINTENANCE	MAT SVC	629.55
120 MIDWEST READY MIX & EQUIPMENT	MONSTER BLOCKS/CONCRETE	1,162.00
121 MIDWESTERN MECHANICAL, INC	INSPECTION/TESTING	325.00
122 MILLER & SONS GOLF CARS, LLC	PARTS	50.16
123 MISSOURI VALLEY MAINTENANCE	REPAIRS	1,031.25
124 MOORE WELDING & MFG	MATERIALS	53.82
125 MOTION PICTURE LICENSING CO.	LICENSE	169.68
126 MOVIE LICENSING USA	COPYRIGHT COMPLIANCE LICENSE	351.00
127 MR. GOLF CAR, INC	REPAIRS	52.25
128 MTECH, INC	TANK AND PUMP PACKAGE	2,000.00
129 NATIONAL MUSIC MUSEUM	ONLINE REGISTRATION	316.29
130 NATIONAL REGISTRY OF EMERG MED TECH.	EMBLEMS	234.50
131 NCL OF WISCONSIN, INC	CHEMICALS	250.42
132 NETSYS+	INTERNAL HARD DRIVE/REPAIRS	1,390.50
133 NEW YORK LIFE	INSURANCE	84.02
134 NIKE INC	MERCHANDISE	39.41
135 NORTH CENTRAL DISTRIBUTION	SUPPLIES	49.98
136 NORTHERN TRUCK EQPT CORP	SUPPLIES	134.29
137 NURSERY WHOLESALERS INC	SUPPLIES	508.44
138 OFFICE OF WEIGHTS & MEASURING	TEST REPORTS	254.00

139 OFFICE SYSTEMS CO	COPIES/CONTRACT	439.99
140 OKOBOJI WINES-SD	MERCHANDISE	519.00
141 OLSON SOD FARMS	SOD	1,180.00
142 OVERHEAD DOOR OF SIOUX CITY	REPAIRS	920.50
143 PARKER BROKERAGE	SUPPLIES	218.38
144 PAUL CONWAY SHIELDS	FIRE FIGHTER SHIELDS	134.45
145 PCC, INC	COMMISSION	2,565.89
146 PENGUIN RANDOM HOUSE LLC	BOOKS	191.25
147 PETE LIEN & SONS, INC	CHEMICALS	7,500.17
148 PGA OF AMERICA	MEMBERSHIP DUES	968.00
149 PITNEY BOWES, INC	INK CARTRIDGES	61.19
150 POTOMAC AVIATION TECHNOLOGY	MONITORING FEES/REPAIRS	698.07
151 PRAIRIE BERRY WINERY	MERCHANDISE	846.00
152 PRECISION LAWN CARE	MOWING	767.50
153 PRESSING MATTERS	SUPPLIES	262.00
154 PRESTO-X-COMPANY	PROFESSIONAL SERVICES	43.44
155 PRINT SOURCE	SUPPLIES	18.40
156 PUMP N PAK	FUEL	68.51
157 QUEEN CITY WHOLESALE	MERCHANDISE	549.35
158 QUILL	SUPPLIES	1,507.18
159 RACOM CORPORATION	MAINTENANCE	447.85
160 RANDY ISAACSON	MEALS/MILEAGE REIMBURSEMENT	193.60
161 RECHNAGEL CONSTRUCTION, INC	CRUSHED GRAVEL	1,339.92
162 RECORDED BOOKS, INC	BOOKS	620.30
163 REINHART FOODSERVICE, LLC	SUPPLIES	262.92
164 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	14,069.58
165 RESCO	TRANSFORMERS	73,377.00
166 RIVERSIDE HYDRAULICS & LAB	PARTS	10.12
167 ROSEWOOD GREENHOUSE	PLANTS	502.69
168 RUNGE ENTERPRISES, INC	REFUND OVERPAYMENT	199.53
169 SANFORD HEALTH PLAN	PARTICIPATION FEE	57.00
170 SD PUBLIC ASSURANCE ALLIANCE	INSURANCE	769.00
171 SD RETIREMENT SYSTEM	CONTRIBUTIONS	51,400.96
172 SIOUXLAND MAGAZINE	SUBSCRIPTION	13.95
173 SMITH MANUFACTURING	GRINDER	4,452.53
174 SOUTH DAKOTA OPEN	BRONZE SPONSORSHIP	500.00
175 SPECIAL T'S AND MORE	UNIFORM T-SHIRTS	713.75
176 STAN HOUSTON EQPT CO	MEASURING WHEEL	139.99
177 STERN OIL CO.	OIL	1,506.07
178 STEWART OIL-TIRE CO	REPAIRS	894.85
179 STURDEVANTS AUTO PARTS	PARTS	2,416.96
180 TAYLOR MADE	MERCHANDISE	118.68
181 THE EQUALIZER	ADVERTISING	1,650.50
182 THE GRAPHIC EDGE	MERCHANDISE	93.98
183 TIM TAGGART	MEALS REIMBURSEMENT	38.00
184 TITLEIST DRAWER CS	MERCHANDISE	2,320.96
185 TODD HALVERSON	REIMBURSE EXAM FEES	140.00

186 TODDS ELECTRIC SERVICE	INSTALL LOAD MGMT CONTROLLERS	175.00
187 TRUE VALUE	SUPPLIES	531.51
188 TURFWERKS	PARTS	248.56
189 TWIN CITY HARDWARE	REPAIRS	716.64
190 TWO TEN TWENTY PIZZA, INC	MEALS	71.88
191 ULINE	TRASH LINERS	144.94
192 ULTRAMAX	SUPPLIES	618.00
193 UNITED WAY	CONTRIBUTIONS	548.50
194 UNIVAR USA INC	SODA ASH	15,030.24
195 USA BLUEBOOK	PARTS	1,494.19
196 USD FOUNDATION OFFICE	TIF#6 INTEREST PAYMENT	6,062.00
197 VAN DIEST SUPPLY CO	CHEMICALS	2,471.00
198 VAST BROADBAND	911 CIRCUIT	1,365.50
199 VERIZON WIRELESS	CELL PHONES	1,570.83
200 VERMILLION ACE HARDWARE	SUPPLIES	1,394.71
201 VERMILLION AREA ARTS COUNCIL	ONLINE REGISTRATION	420.76
202 VERMILLION CHAMBER OF COMMERCE	FOURTH OF JULY CELEBRATION	3,500.00
203 VERMILLION COMMUNITY THEATRE	ONLINE REGISTRATION	680.66
204 VERMILLION CONCRETE	BIKE PATH RELOCATION	6,217.41
205 VERMILLION EQUINE CENTER	ONLINE REGISTRATION	549.33
206 VERMILLION FORD	REPAIRS	681.46
207 VERMILLION TAEKWONDO	ONLINE REGISTRATION	316.40
208 VERMILLION YOUTH BASEBALL	ONLINE REGISTRATION	1,361.20
209 VERMILLION YOUTH FOOTBALL	ONLINE REGISTRATION	601.70
210 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	7,035.72
211 WAL-MART	SUPPLIES	669.17
212 WALKER CONSTRUCTION	REPAIRS	418.20
213 WALT'S HOMESTYLE FOODS, INC	SUPPLIES	167.40
214 WESCO DISTRIBUTION, INC	SUPPLIES	8,774.19
215 WILLIAMS & CO.	2014 AUDIT	10,560.00
216 WILLSON FLORIST	FLORAL ARRANGEMENT	55.00
217 YAMAHA GOLF & UTILITY	GOLF CAR LEASE	3,772.97
218 YANKTON JANITORIAL SUPPLY	SUPPLIES	17.50
219 YANKTON MEDICAL CLINIC	TESTING	78.00
220 YANKTON WINNELSON CO	SUPPLIES	186.20
221 ZEE MEDICAL SERVICE	SUPPLIES	91.40
222 ZIMCO SUPPLY CO	SUPPLIES	2,769.00
223 EMERY WASLEY	BRIGHT ENERGY REBATE	30.00
224 LOWELL MACY	BRIGHT ENERGY REBATE	30.00
225 PATRICIA DOWNEY	BRIGHT ENERGY REBATE	30.00
	GRAND TOTAL	\$638,116.18