



Special Meeting Agenda City Council

12:00 pm (noon) Special Meeting
Monday, November 21, 2011
Large Conference Room
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Curbside Recycling and Recycling Center update – Bob Iverson.**
3. **Informational Session – Police vehicle purchase options for 2012 – Matt Betzen.**
4. **Briefing on the November 21, 2011 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, November 21, 2011
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. November 7, 2011 Special Session; November 7, 2011 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
6. **Public Hearings**
 - a. First Reading of Ordinance No. 1265 - Petition for Change of Zoning from GB General Business to GI General Industrial for Lots 5 and 6, except the south 103 feet, Oden Addition to the City of Vermillion.
 - b. First Reading of Ordinance No. 1266 - Amending Title 15 Chapter 155 Section 155.039 (A), HI Heavy Industrial District, to allow light manufacturing as a permitted use.
 - c. First Reading of Ordinance No. 1267 –Amending Title 15 Chapter 155 Section 155.101, Amendments and Change of Zone, to require property owner consent.
7. **Old Business**
 - a. Second Reading of Ordinance 1264 - Wards and Boundaries, of the 2008 Revised Ordinances for the City of Vermillion, amending the ward boundaries.
8. **New Business**
 - a. Request from USD for City contribution to renovate the softball complex dugout.
 - b. Resolution Authorizing the Purchase of Electric Pad-mount Switch.
 - c. First amendment to VCDC MOU – Erickson Business Park.
 - d. Write-off of old Accounts Receivable.
 - e. Resolution restricting and assigning Parks Capital Special Revenue Funds.
9. **Bid Openings**
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
 - a. Set a public hearing date of December 5, 2011 for annual liquor and wine license renewals.
 - b. Set a public hearing date of December 5, 2011 for site expansion of retail on-off sale malt beverage license for Read Steakhouse, Inc to expand into what was formerly known as 5 E Main.

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
November 7, 2011
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 7, 2011 at 12:00 noon in the City Hall large conference room.

1. Roll Call

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

Absent: French

2. Informational Session - Library Addition/Renovation Project update

John Prescott, City Manager, reported that he wanted to update the City Council on the library addition/renovation project. He stated that the projected timeline is to have the final plans and specifications available for the December 5th Council meeting to set a bid opening date of January 19th. With five Mondays in January, a special meeting may be needed to award the bid. John noted that they have been working with the architect on the details of the building addition and renovation. John reviewed the architect's drawings of the project, along with the cost projections. He reviewed the projected revenues noting that the current estimate is at the maximum of the project funding. John answered questions of the City Council on the proposed project. Council suggested the need for more light in the building.

Jon Flanagan, Library Board President, reported that the Library Foundation has set a goal of \$200,000 for the library furniture and fixtures and currently is about half way to the goal with a number of grants and pledges outstanding.

3. Informational Session - Proposed changes to the House Moving section of the City Code - Farrel Christensen

Farrel Christensen, Building Official, reported that, in response to the City Council's concerns about the current house moving ordinance, he handed out the current ordinance with proposed changes to require the foundation to be in place before the moving permit is issued, allow 120 days to complete the exterior and site work, require a \$10,000 bond and include a list of criteria for the building official to comply with before issuing a permit. Farrel stated that any denial by him of the permit is subject to an appeal to the City Council. Farrel noted that

he recommended retaining the current requirement that the structure to be moved is at least 85% of the average full and true value of the residential structures within 200 feet of any part of the premises. Discussion followed on the proposed ordinance changes with the City Council requesting that the bond or bonds include, in addition to covering damage to property during this move, the completion of the outside site work, the requirement that the site or sites be secured during the moving process and that the values used be from the Clay County Assessor.

4. Briefing on the November 7, 2011 City Council Regular Meeting Agenda

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

5. Adjourn

326-11

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

Dated at Vermillion, South Dakota this 7th day of November, 2011.

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
November 7, 2011
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on November 7, 2011 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. October 17, 2011 Special Session; October 17, 2011 Regular Session; October 20, 2011 Special Session

327-11

Alderman Zimmerman moved approval of the October 17, 2011 special session minutes, October 17, 2011 regular session minutes and the October 20, 2011 special session minutes. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

328-11

Alderman French moved approval of the agenda with the change of Item 5A to Hunger Awareness "Day" Proclamation instead of "Week". Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Hunger Awareness Day Proclamation

Alderman Meins read the Hunger Awareness Day Proclamation encouraging all Vermillion City and Clay County citizens to support Hunger Awareness Day, November 20, 2011, by wearing orange or fasting for two meals and then donating the cost of those meals to the Vermillion Food Pantry. Maggie Hofa, on behalf of the Coyoteopoly organization, wanted to thank the City Council for the proclamation and encouraged everyone to wear orange or fast on Thursday and to participate in the

Coyoteopoly food drive on Saturday, November 12th for the Vermillion Food Pantry.

6. Public Hearings - None

7. Old Business

A. Memorandum of Understanding with Clay County on the purchase of Pictometry software

John Prescott, City Manager, reported that the County Director of Equalization submitted a request to the City to assist in the purchase of the Pictometry software in August. The information was presented to the City Council and City staff viewed a demonstration from the Pictometry representative. The City Council authorized the development of a Memorandum of Understanding (MOU) to outline the City's participation in the purchase of the software. This item was continued from last meeting as the County had not received the final agreement from Pictometry International. John noted that the MOU lays out the working relationship between the entities. John reviewed the MOU noting that the City's cost will be \$4,161.22 per year for 2012, 2013 and 2014. This cost may be reduced if the County sells access to other users. The County agreement with Pictometry International is for six years, but the MOU is only for three years, with the option to extend for the final three years. John answered questions of the City Council on the MOU and Gene Lunn, Director of Equalization, was also present to answer questions. Discussion followed.

329-11

Alderman Davies moved approval of the Memorandum of Understanding with Clay County on the purchase of the Pictometry software and authorized the Mayor to sign the agreement on behalf of the City. Alderman Grayson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

8. New Business

A. First Reading of Ordinance No. 1264 - Wards and Boundaries, of the 2008 Ordinances for the City of Vermillion, amending the ward boundaries

Mike Carlson, Finance Officer, reported that the City Council reviewed the proposed ward boundary change during the July 5, 2011 noon session. Based upon the proposed change to move the Central and Southeast boundary from Yale Street to University Street from Cedar Street south, a new ward map was prepared and adopted by ordinance on September 6, 2011. When a larger map was prepared for the County Auditor, it was

noticed that there was an error in the Northwest and Central Ward boundary. As the ward map is adopted by ordinance, it requires an ordinance to correct the error. Administration recommends First Reading of Ordinance No. 1264 amending the ward boundaries.

330-11

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to proposed Ordinance No. 1264 - Wards and Boundaries, of the 2008 Ordinances for the City of Vermillion, amending the ward boundaries of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 7th day of November, 2011 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

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

B. Street closing for Parade of Lights

John Prescott, City Manager, reported that the Vermillion Chamber of Commerce and Development Company is requesting to close Main Street from Harvard Street to Market Street on Friday, December 2, 2011 from 6:15 p.m. to 6:45 p.m. for the Parade of Lights. The parade concludes at Ratingen Platz for the tree lighting. The Parade of Lights was held last year without any problems.

331-11

Alderman French moved approval of the closing of Main Street from Harvard Street to Market Street on Friday, December 2, 2011 from 6:15 p.m. to 6:45 p.m. for the Parade of Lights. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Resolution establishing fees in lieu of assessment for 317th Street from Norbeck Street to a point 800' west

Jason Anderson, Assistant City Engineer, reported that the water main extension was bid in September 2010 and the project has been completed. As part of the benefiting property is outside the city limits, special assessments cannot be used but a fee in lieu of assessment will allow

for the recovery of the improvement costs. The fee in lieu of assessment is due before the property is served with water. Jason noted that the resolution provides for the addition of an 8% fiscal fee to cover the City costs of design, bidding, project management, etc. to the amount of benefit. Discussion followed.

332-11

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

RESOLUTION ESTABLISHING FEES IN LIEU OF ASSESSMENT FOR 317TH STREET FROM NORBECK TO A POINT 800 FEET WEST

WHEREAS, the City of Vermillion has constructed an eight inch and ten inch water main on parts of the following streets and lots:

317th Street from Norbeck Street to a point 800 feet West

at a cost of \$36,131.87, which the City has paid, and which has not been apportioned against the property which may be benefited thereby as provided by SDCL 9-48-15 and 9-47-16 as amended, and will require such property owner to pay its proportionate share of the cost of such construction, without interest, according to the benefits which the Governing Body has determined to accrue to such property before such property may be served by the facility.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that each of the lots hereinafter described in Column 2 has been benefited by the construction of the facility in the amount set forth in Column 3 opposite such description; and the owner of such lot shall pay said amount to the City before said property may be served by the water facility of the City of Vermillion, viz:

<u>PROPERTY OWNER</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>AMOUNT OF BENEFIT</u>
MDMT Inc.	Lot 2A Block 3 Brooks Industrial Park	\$7,933.36
MDMT Inc.	Lot 2B Block 3 Brooks Industrial Park	\$7,933.36
Russell Samuel Heikes	Tract 3 Heikes Addition	\$4,876.67
Russell Samuel Heikes	Tract 4 Heikes Addition	\$15,388.48

BE IT FURTHER RESOLVED, that each of the lots described above shall pay the amount of benefit plus an eight percent (8%) fiscal fee.

Dated at Vermillion, South Dakota this 7th day of November, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

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

D. Resolution establishing fees in lieu of assessment for West Main Street from Stanford Street to a point 1700' west

Jason Anderson, Assistant City Engineer, reported that the Engineering Department assisted Eldon Nygaard, Owner of Valiant Vineyard, in developing and bidding the water and sewer main extensions for service to his business. Mr. Nygaard paid for the entire cost of the utility extension project. Now that the Bliss Second Addition property has been platted, the cost attributable to each lot can be calculated for the fee in lieu of assessment along with the property outside the city limits. The resolution provides that the City will collect the fee in lieu of assessment prior to the utility service being provided to these lots and pay the collected fees to Mr. Nygaard. Discussion followed.

333-11

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

RESOLUTION ESTABLISHING FEES IN LIEU OF ASSESSMENT FOR WEST MAIN STREET FROM STANFORD STREET TO 1700' WEST

WHEREAS, Eldon Nygaard, owner of Valiant Vineyard, has constructed an eight inch sewer main and a six inch water main on parts of the following street:

West Main Street from Stanford to a point 1700 feet west

at a cost of \$18,508.91, which Eldon Nygaard has paid, and which has not been apportioned against the property which may be benefited thereby as provided by SDCL 9-48-15 and 9-47-16 as amended, and will require such property owner to pay its proportionate share of the cost of such construction without interest, according to the benefits which the Governing Body has determined to accrue to such property before such property may be served by the facility.

WHEREAS the governing body has agreed to collect such fee and remit same to Eldon Nygaard, owner of Valiant Vineyard, as collected, for all property fronting and abutting said water and sewer.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that each of the lots hereinafter described in Column 2 has been benefited by the construction of the facility in the amount set forth in Column 3 opposite such description; and the owner of such lot shall pay said amount to the City before said property may be served by the sewer facility of the City of Vermillion, viz:

<u>PROPERTY OWNER</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>AMOUNT OF BENEFIT</u>
Paul Bliss	Lot 2 Bliss Second Addition	\$1,127.90
Paul Bliss	Lot 3 Bliss Second Addition	\$2,079.62
Paul Bliss	Lot 4 Bliss Second Addition	\$2,079.62

NOW, THEREFORE, BE IT HEREBY RESOLVED, that each of the lots hereinafter described in Column 2 has been benefited by the construction of the facility in the amount set forth in Column 3 opposite such description; and the owner of such lot shall pay said amount to the City before said property may be served by the water facility of the City of Vermillion, viz:

<u>PROPERTY OWNER</u>	<u>DESCRIPTION OF PROPERTY</u>	<u>AMOUNT OF BENEFIT</u>
Paul Bliss	Lot 2 Bliss Second Addition	\$1,302.84
Paul Bliss	Lot 3 Bliss Second Addition	\$2,468.59
Paul Bliss	Lot 4 Bliss Second Addition	\$2,468.59
Paul Bliss	W 393' of E 628' of Auditor's Tract #4 North of W Main St Except Block 1, Bliss Addition	\$5,706.80
Bunyan's LLC	Lot 2 Block 1 Bliss Addition	\$1,274.95

Dated at Vermillion, South Dakota this 7th day of November, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

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

E. Parking Space Easement to J.P. Investments, LLC

Mike Carlson, Finance Officer, reported that in 2000 the City purchased the parking lot across the street to the west of City Hall from Lee McCahren. The motion provided that Lee, and any successor owner of this building, retain the right to use two parking spaces in the parking lot. The agreement also provided that, if the City charged for leasing spaces in the parking lot, Lee, or any successor owner, would need to pay the lease amount. The property has since changed hands twice and the current owner, J.P. Investments, LLC, is inquiring about the parking spaces that were included in the 2000 Council action. In researching, there was nothing on file with the Register of Deeds and Lee McCahren has an

unsigned copy of the contract for sale. Jim McCulloch, City Attorney, suggested a parking easement be prepared and filed with the Register of Deeds to document the requirements in the future. Mike reviewed the major items included in the easement. The parking easement included in the packet was prepared by Jim McCulloch and is acceptable to J.P. Investments, LLC.

334-11

Alderman Willson moved approval of the parking space easement with J.P. Investments, LLC as presented. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the only quote Of Stern Oil on all three items and the low quote of Gerstner Oil on aviation fuel.

Stern Oil: 4,350 gal. unleaded (10% ethanol) \$3.2154, Average cost of 1,500 gal. No. 1 and No. 2 diesel fuel-dyed \$3.5814, Average cost of 500 gal. No. 1 and No. 2 diesel fuel-clear \$3.8579

100LL aviation fuel: Stern Oil \$4.4906, Gerstner Oil: \$4.4591

335-11

Alderman French moved approval of the only quote of Stern Oil of all three items and the low quote of Gerstner Oil on aviation fuel. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that the City Engineer, on November 1st, approved two minor plats. The ordinance provides that the approval of minor plats be reported to the City Council. The first plat was for Lot 1 in Block 2 of Mehlhaf Addition to the City of Vermillion. The second plat was for Lot 2 in Block 2 of Mehlhaf Addition to the City of Vermillion.

B. John reported that the grass roll off boxes will be removed from Barstow Park this week and that the boxes will be removed from the Recycling Center at the end of next week.

C. John reported that the following raffle notification request forms have been received:

Vermillion Vision Clinic is selling \$20 raffle tickets with all the proceeds going to the Lions Club with the top prize of \$500 in Vermillion Vision gift certificate.

USD Law School Class of 2013 is selling \$10 raffle tickets in late February 2012 to early March 2012. The proceeds will be split between the Law School Class and the winner.

Vermillion Junior Bowling Association will be selling tickets, 1 for \$5 or 3 for \$10, between November 13 and December 4, 2011. Proceeds will be used to support Junior Bowlers team costs with the prize being a processed hog valued at \$300.

D. John reported that City offices will be closed on Friday, November 11th for the Veterans Day holiday.

PAYROLL ADDITIONS AND CHANGES

Finance: Vicki Fader \$14.97/hr, Janis Johnson \$13.35/hr; Police Administration: Janna Mollet \$17.86/hr; Code: Jim Balleweg \$16.62/hr; Library: Michelle Koller \$16.21/hr, Joyce Moore \$16.68/hr

11. Invoices Payable

336-11

Alderman Davis moved approval of the following bill:

WILLSON FLORIST	PLANTS	70.00
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Alderman French seconded the motion. Alderman Willson requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

337-11

Alderman French moved approval of the following bills:

ADAPCO	MOSQUITO FOGGER	7,400.00
AIR LIQUIDE INDUSTRIAL U.S	CHEMICALS	987.88
AMERICAN PUBLIC WORK ASSOC	MEMBERSHIP DUES	476.00
AMERICAN TEST CENTER	ANNUAL INSP - FIRE TRUCK	475.00
ANNE KRAMER	BOOKS	40.00
APCO INTERNATIONAL	MEMBERSHIP DUES	575.00
APEX EQUIPMENT, LLC	REPAIRS	7,030.64
APPEARA	SUPPLIES	121.75
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	235.24
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	112.55

AT&T	POLICE COMMUNICATIONS	224.85
AUDIO GO	BOOKS	191.91
BAKER & TAYLOR BOOKS	BOOKS	800.03
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	3,783.00
BARNES DISTRIBUTION	SUPPLIES	389.54
BATTERIES PLUS	BATTERIES	96.88
BELAIR BUILDERS, INC	LEACHATE SYSTEM REPAIRS	22,585.00
BEST WESTERN RAMKOTA	LODGING	479.94
BIERSCHBACH EQPT & SUPPLY	SUPPLIES	334.21
BOB IVERSON	MEALS REIMBURSEMENT	31.00
BOOK WHOLESALERS, INC	BOOKS	339.06
BORDER STATES ELEC SUPPLY	PARTS	3,347.79
BROADCASTER PRESS	ADVERTISING	36.00
BROCK WHITE CO	SUPPLIES	1,447.95
BRODART INC.	SUPPLIES	19.19
BROWN TRAFFIC PRODUCTS	SUPPLIES	208.50
BRUNICKS SERVICE INC	PROPANE	95.00
BUTCH'S PROPANE INC	PROPANE	4,197.50
BUTLER MACHINERY CO.	WHEEL LOADER/PARTS	168,990.64
CAMPBELL SUPPLY	SUPPLIES	5,327.41
CANNON TECHNOLOGIES, INC	LOAD MANAGEMENT EQUIPMENT	1,893.12
CANON FINANCIAL SERVICES	COPIER CONTRACT	56.16
CARLSON'S BODY SHOP, LLC	TOWING	190.00
CASK & CORK	MERCHANDISE	1,662.20
CENTRAL STATES WIRE PRODUCTS	WIRE	6,646.66
CENTURY BUSINESS PRODUCTS	COPIER CONTRACT	40.00
CENTURYLINK	TELEPHONE	733.78
CHEMSEARCH	SUPPLIES	403.00
CHERRY STREET GRILLE	MERCHANDISE	105.00
CHESTERMAN CO	SUPPLIES	1,138.08
CITY OF VERMILLION	POSTAGE/COPIES/REPAIRS	1,321.53
CITY OF VERMILLION	UTILITY BILLS	35,714.20
CLARK'S RENTALS INC	EQUIPMENT	163.76
CLASSIC INDUSTRIAL SUPPLIES	UNIFORM SWEATSHIRTS	1,138.00
CLAY RURAL WATER SYSTEM	PART/WATER USAGE	50.73
COBRA PUMA GOLF, INC	MERCHANDISE	48.77
COFFEE KING, INC	SUPPLIES	57.75
COLLINS BROTHERS, INC	MERCHANDISE	360.50
COLONIAL LIFE ACC INS.	INSURANCE	3,298.55
CRYSTAL BRADY	REIMBURSE REGISTRATION FEE	15.00
D & D PEST CONTROL	INSPECTION/TREATMENT	17.50
DAKOTA BEVERAGE	MERCHANDISE	10,142.60
DAKOTA LOCK & KEY	KEY	10.00

DAKOTA PC WAREHOUSE	COMPUTER/REPAIRS	1,784.85
DAKOTA ROCK FARMS	SLUDGE HAULING	13,780.48
DAKOTA SUPPLY GROUP	PARTS	97.30
DANKO MES, INC.	REPAIRS	2,170.93
DAVIS PHARMACY	SUPPLIES	39.78
DELTA DENTAL PLAN	INSURANCE	5,580.86
DEMCO	SUPPLIES	381.25
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF ENV & NATURAL RES.	LOAN PAYMENTS	66,031.51
DEPT OF REVENUE	TESTING	250.00
DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	2,679.50
DICK BROWN	SAFETY BOOTS REIMBURSEMENT	100.00
DUST TEX	SUPPLIES	46.60
E.A SWEEN COMPANY	SUPPLIES	246.72
EARTHGRAINS BAKING CO'S IN	SUPPLIES	215.61
ECHO ELECTRIC SUPPLY	PARTS	653.57
ELECTRONIC ENGINEERING	RADIO	737.50
EMERGENCY MEDICAL PRODUCTS	SUPPLIES	157.20
ENTERSECT	POLICE ONLINE AGREEMENT	36.82
ERIN J. SEEP	MAINTENANCE	72.50
EZ-LINER INDUSTRIES	PARTS	451.97
FARMER BROTHERS CO.	SUPPLIES	75.76
FAST AUTO GLASS	CHIP REPAIR	50.00
FASTENAL COMPANY	SUPPLIES	54.80
FILTERTEC	SUPPLIES	72.53
FIRST NATIONAL BANK	BOND TRUSTEE FEE	2,000.00
FOOT-JOY	MERCHANDISE	166.31
FOREMAN MEDIA	COUNCIL MTG	100.00
FULLERTON LUMBER CO	SUPPLIES	228.47
GALE	BOOKS	652.79
GRAHAM TIRE CO.	TIRES	2,213.76
GRAINGER	PARTS	582.96
GRAYBAR ELECTRIC	SUPPLIES	302.63
GREGG PETERS	FREIGHT/ADVERTISING	3,837.75
GREGG PETERS	RENT	937.50
HACH CO	SUPPLIES	1,608.26
HAUGER YARD/SNOW SERVICE	MOWING	84.00
HD SUPPLY WATERWORKS	SUPPLIES	5,738.65
HELGET SAFETY SUPPLY, INC	GLOVES	193.76
HERC-U-LIFT	PARTS	212.80
HERCULES HARDWARE	SUPPLIES	222.50
HERREN-SCHEMPP BUILDING	SUPPLIES	100.93
HILLYARD FLOOR CARE SUPPLY	SUPPLIES	102.93

HOA SOLUTIONS, INC	REPAIRS	865.00
HY VEE FOOD STORE	SUPPLIES	486.94
IN CONTROL, INC	PROFESSIONAL SERVICES	13,068.80
INDEPENDENCE WASTE	WASTE HAUL/PORT TOILET RENT	1,374.89
INGRAM	BOOKS	2,077.89
INTERSTATE POWER SYSTEMS	REPAIRS	280.00
J & L HARLEY-DAVIDSON	REPAIRS	562.85
JACKS UNIFORM & EQPT	UNIFORMS	933.65
JANE LARSON	MEALS REIMBURSEMENT	59.00
JASON ANDERSON	MEALS REIMBURSEMENT	40.00
JOHN A CONKLING DIST.	MERCHANDISE	10,215.55
JOHNSON BROS FAMOUS BRANDS	MERCHANDISE	50,840.56
JOHNSON CONTROLS	REPAIRS	365.67
JOHNSON FEED, INC	REPAIRS	132.50
JONES ACE HARDWARE	SUPPLIES	2,737.68
JONES FOOD CENTER	SUPPLIES	1,738.18
JONES LITERATURE	BOOK	15.00
JOYCE MOORE	MEALS REIMBURSEMENT	33.00
KALINS INDOOR COMFORT	REPAIRS	382.44
KARSTEN MFG CORP	MERCHANDISE	788.57
KNIFE RIVER MIDWEST, LLC	ASPHALT	1,287.65
KNOLOGY	911 CIRCUIT	1,365.50
LARGE PRINT OVERSTOCKS	BOOKS	66.72
LARRYS HOME REPAIR	REPAIRS	123.67
LAYNES WORLD	PLAQUE PLATES	18.00
LFS	NETS FOR GOLF COURSE	2,490.30
LEARNING OPPORTUNITIES, INC	BOOKS	37.50
LEISURE LAWN CARE	TREATMENT	576.91
LESSMAN ELEC. SUPPLY CO	SUPPLIES	461.60
LINCOLN MUTUAL LIFE & CASU	INSURANCE	485.68
LOCATORS AND SUPPLIES, INC	SUPPLIES	2,983.58
LONGS PROPANE INC	PROPANE	25.00
LUDEY'S READY MIX	GRAVEL	133.04
MARKS LAWN CARE	JUNK/DEBRIS REMOVAL	82.00
MART AUTO BODY	TOWING	1,325.00
MATHESON TRI-GAS, INC	SUPPLIES	9.70
MATTHEW BENDER & CO, INC	BOOKS	62.91
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	864.00
MICHAEL FREDERICK	BOOKS	50.00
MICHAELS FENCE	PARTS	67.25
MICWEBS	WEBSITE HOSTING REGISTRATON	130.00
MIDWEST ALARM CO	ALARM MONITORING	120.00
MIDWEST BUILDING MAINTENANCE	MAT SVC	597.45

MIDWEST READY MIX	FLOWABLE FILL	352.00
MIDWEST TURF & IRRIGATION	PARTS	3,195.39
MIKE'S AUTO GLASS	REPAIRS	140.00
MILLS DISTRIBUTING	DEICING SALT	1,380.65
MINN MUNICIPAL UTILITY ASSOC.	4TH QTR SAFETY MGMT PROGRAM	5,405.86
MISSOURI RIVER ENERGY SERVICE	PROFESSIONAL SERVICES	5,627.79
MISSOURI VALLEY MAINTENANCE	REPAIRS	282.40
MOORE MEDICAL CORP	SUPPLIES	197.05
MUHLBAUER ENTERPRISES	SUPPLIES	394.74
NALCO CHEMICAL CO	SUPPLIES	159.00
NCL OF WISCONSIN, INC	SUPPLIES	458.32
NEOPOXY INTERNATIONAL	SUPPLIES	368.00
NETSYS+	PROF SERVS/SYMANTEC PROTECT	3,161.31
NEW YORK LIFE	INSURANCE	95.00
OWENS INSPECTION SERVICES	WATER TOWER INSPECTION	1,800.00
PAULS PLUMBING	PARTS	7.75
PETE LIEN & SONS, INC	CHEMICALS	7,471.42
PFEIFER IMPLEMENT CO.	PARTS	151.48
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POLLMAN EXCAVATION	CRUSHED ROCK	4,638.00
PR DIAMOND PRODUCTS	SUPPLIES	381.00
PRAIRIE BERRY WINERY	MERCHANDISE	882.00
PRESSING MATTERS	SUPPLIES	227.00
PRESTO-X-COMPANY	INSPECTION/TREATMENT	47.00
PRINT SOURCE	SUPPLIES	185.00
PRUNTY CONSTRUCTION CO. INC	WATER MAIN IMPROVEMENTS	72,234.38
PUMP N PAK	FUEL	2,300.96
QUEEN CITY WHOLESALE	MERCHANDISE	690.50
QUILL	SUPPLIES	1,446.64
RACOM CORPORATION	MAINTENANCE CONTRACT	335.00
RANDOM HOUSE, INC	BOOKS	409.50
RANDY ISAACSON	MEALS REIMBURSEMENT	40.00
RECORDED BOOKS, INC	BOOKS	526.80
REGENT BOOK CO.	BOOKS	13.67
REINHART FOODSERVICE, LLC	SUPPLIES	384.73
REPUBLIC NATIONAL DIST.	MERCHANDISE	34,305.82
RIVERSIDE HYDRAULICS & LAB	REPAIRS	25.00
ROY JOHNSON ROOFING, INC	REPAIRS	242.52
RSG SOUTHWEST, L.P	SUPPLIES	1,245.00
SAMMELSON BROTHERS INC.	REPAIRS	102.04
SANFORD CLINIC VERMILLION	SUPPLIES	96.68
SCHAEFFER MFG. CO	SUPPLIES	793.60
SD GOLF ASSOCIATION	HANDICAP	18.00

SD MUNICIPAL LEAGUE	REGISTRATION	40.00
SD ONE CALL	LOCATES	391.65
SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	40.00
SD READY MIXED CONCRETE ASSOC	REGISTRATION	70.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	45,027.61
SIOUX CITY WINTRONIC	SUPPLIES	261.42
SIOUX FALLS TWO WAY RADIO	RADIOS/REPAIRS	5,418.99
SIOUXLAND HUMANE SOCIETY	DROP OFF FEES	74.00
SLATTERY CONSTRUCTION INC	PARK LOTS/E CLARK/SIDEWALKS	63,129.52
SPECIAL T'S AND MORE	UNIFORM T-SHIRTS	979.45
STEWART OIL-TIRE CO	REPAIRS	50.00
STUART C. IRBY CO.	SUPPLIES	2,139.74
STURDEVANTS AUTO PARTS	PARTS	1,127.93
THATCHER COMPANY	SODA ASH	20,658.00
THE EQUALIZER	ADVERTISING	605.80
THE NEW SIOUX CITY IRON CO	SUPPLIES	256.00
THE WALKING BILLBOARD	SHIRTS/JACKETS	1,502.85
TITLEIST DRAWER CS	MERCHANDISE	1,920.90
TOM MCCORMACK	BOOKS	18.00
TRI TECH SALES	PARTS	439.79
TRUE VALUE	SUPPLIES	473.41
ULTRAMAX	SUPPLIES	704.00
UNITED PARCEL SERVICE	SHIPPING	14.62
UNITED WAY	CONTRIBUTIONS	264.00
USA BLUEBOOK	SUPPLIES	574.80
VALIANT VINEYARDS	MERCHANDISE	228.00
VAN DIEST SUPPLY CO	CHEMICALS	487.70
VERIFICATIONS INC	PROFESSIONAL SERVICES	64.95
VERMILLION DEVELOPMENT CO	BBB FUND CONTRIBUTION	46,350.00
VERMILLION FORD	PARTS	85.18
VERMILLION HIGH SCHOOL	YEARBOOK	68.90
VESSCO, INC	PARTS	1,286.26
VISA/FIRST BANK & TRUST	LODGING/FUEL/SUPPLIES	4,773.17
WADE MOUNT	MEALS REIMBURSEMENT	23.00
WAL-MART COMMUNITY	SUPPLIES	627.68
WENDY NILSON	MEALS REIMBURSEMENT	59.00
WESCO DISTRIBUTION, INC	SUPPLIES	2,376.14
YANKTON FIRE & SAFETY	FIRE EXT. INSPECTIONS	1,589.00
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,125.58
YANKTON WINNELSON CO	PARTS	94.12
ZEE MEDICAL SERVICE	SUPPLIES	104.20
ZIMCO SUPPLY CO	SUPPLIES	1,198.00
ZOLL MEDICAL CORPORATION G	SUPPLIES	76.80

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

12. Consensus Agenda

A. Set a bid opening date of November 30, 2011 for electric wire and transformers

338-11

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

13. Adjourn

339-11

Alderman Osborne moved to adjourn the Council Meeting at 7:33 p.m. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 7th day of November, 2011.

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: Farrel Christensen, Building Official

Meeting: November 21, 2011

Subject: First Reading of Ordinance 1265 - Petition for Change of Zoning – Lots 5 and 6, except the south 103 feet, Oden Addition to the City of Vermillion from GB General Business to GI General Industrial

Presenter: Farrel Christensen

Background: On September 23, 2011, it came to the attention of the Code Enforcement Office that the building located at 1222 W. Cherry Street was in violation of the City's zoning laws. The occupant, Will Pratt, operating as Allied Industries, was operating a factory industrial group business in a GB General Business District. Industrial uses are prohibited as the General Business District is reserved for retail, sales, service and office-type uses. Letters were sent to the building owner, Woodrow Houser, and the occupant ordering them to remove the unlawful occupancy on or before October 23, 2011. After several discussions with the building owner, a petition for zone change was filed on October 20, 2011.

Discussion: The requested zone change would not be in keeping with the adopted Comprehensive Plan or the recently adopted comprehensive zoning ordinance. One of the main goals of both plans was to preserve Cherry Street for future business growth as the main commercial corridor of the community.

The proposed location of this industrial district is also adjacent to an area reserved for future residential uses and mixed-business uses, known most commonly as the Bliss Property. This proximity would be likely to produce a negative impact on both the development and future occupancy of this area. Building sites for single family homes are needed in Vermillion and the Bliss property may not be as desirable for residential development neighboring an industrial zoned-area.

The site is currently located in the General Business District and is more than 770 feet from the nearest General Industrial property line and, if adopted, would create a spot zone. Although the property was located in the Light Industrial District prior

to 2008, the site was used for general business and has never been “grandfathered” for industrial use.

The City’s future land use map adopted by the City Council and Planning Commission in 2011 designates this area as commercial. The City’s industrial districts are located away from the business corridor along SD Highway 50, where transportation access is more favorable and potential conflict with residential districts is minimal. Property for industrial uses is currently available in other areas of the City.

Overall, the City currently has a sufficient buffer between industrial uses and residential uses. Although the potential impact of this specific use is not as negative as other uses, approving this zone change would set a new precedent that would make it difficult to keep less desirable neighboring industrial uses separate from residential neighborhoods in other areas of the City. Once the zoning has been changed, any of the industrial uses are permitted such as contractor storage yards and repair shops, as well as many other manufacturing uses.

The Planning Commission considered the zone change request on November 14th and recommend denial. The minutes of the meeting are attached. The motion to deny included a request that the City Council look at other legal means to extend the notice to vacate until the business can make other arrangements. The question before the Planning Commission and City Council is the one submitted by the applicant which is rezoning the property from GB to GI. Extending the notice to vacate is not the question before the City Council nor reflects the proposed question submitted by the applicant. The applicant has chosen not to appeal the decision of the Building Official with respect to determining that there is a zoning violation. Staff can review possible options to address the situation after the City Council has addressed the question placed before the governing body by the applicant’s application for rezoning.

Financial Consideration: Publication costs for the adoption of the ordinance.

Conclusion/Recommendations: Administration feels that the proposed change would not be in compliance with the City’s zoning map and recently adopted future land use map in the Comprehensive Plan. Administration concurs with the Planning Commission with a recommendation is to deny the zone change.

ORDINANCE NO. 1265

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

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

That Section 155.026 is hereby amended as follows:

Lots 5 and 6, Oden Addition to the City of Vermillion, Clay County, South Dakota, are hereby rezoned from the GB General Business District to the GI General Industrial District and the official zoning map referred to in Section 155.026 of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, is amended to include such land in the GI General Industrial District:

Dated at Vermillion, South Dakota this 5th day of December, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

First Reading: November 21, 2011
Second Reading: December 5, 2011
Publication: December 16, 2011
Effective Date: January 5, 2012



Council Agenda Memo

From: Andrew Colvin, Assistant to the City Manager

Meeting: November 21, 2011

Subject: First Reading of Ordinance No. 1266 - Amending Title 15 Chapter 155 Section 155.039 (A), HI Heavy Industrial District, to allow light manufacturing as a permitted use

Presenter: Andrew Colvin

Background: On September 12, 2011, the Planning Commission considered a conditional use permit application to allow light manufacturing in the Heavy Industrial (HI) District. At the hearing, concerns were expressed as to why a conditional use permit is required to allow light manufacturing in the HI District, but the same use is permitted in the General Industrial District without a conditional use permit. The primary concern was that such a requirement could be perceived as an unreasonable barrier to development.

Discussion: Staff took the concerns of the Planning Commission and drafted the attached amendment to the zoning ordinance, which would permit light manufacturing within the HI District without a special permit. “Light Manufacturing” is defined as “...*manufacturing processes, which are not obnoxious due to dust, odor, noise, vibration, pollution, smoke, heat or glare. These commercial and industrial uses are characterized by generally having all aspects of the process carried on within the building itself.*”

The amendment will allow general manufacturing uses without a special permit, but will still require “obnoxious” uses involving refining or noise, or that may harm the quality of life and impact safety, to go through the conditional use permit process.

The Comprehensive Plan specifies that the City should encourage development within the undeveloped areas inside City limits. Adopting the proposed amendment will allow manufacturing uses to be established quickly and easily, fostering development.

Financial Consideration: Costs for publication in accordance with state law.

Conclusion/Recommendations: Administration recommends approval of the first reading of Ordinance No. 1266 to allow light manufacturing as a permitted use. The amendment will make it easier to permit light manufacturing uses in the HI District.

PROPOSED ORDINANCE NO. 1266

AN ORDINANCE AMENDING TITLE 15 CHAPTER 155 SECTION 155.039 (A), HI HEAVY INDUSTRIAL DISTRICT, OF THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA TO ALLOW LIGHT MANUFACTURING AS A PERMITTED USE.

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

That Section 155.039 (A), of the Zoning Ordinance of Vermillion, SD, is hereby amended to read as follows:

§155.039 HI HEAVY INDUSTRIAL DISTRICT

(A) *Permitted uses.*

This district is intended to provide for general industrial uses which may create some nuisance and which are not properly associated with, nor compatible with residential, office, or commercial establishment. All uses in this district shall comply with any state or local regulations regarding noise, emissions, dust, odor, glare, vibration or heat when applicable.

<i>Permitted Use</i>	<i>Applicable Standards</i>
Light manufacturing	§§ 155.070, 155.072, 155.073, 155.077
Wholesale trade	§§ 155.070, 155.072, 155.073, 155.077
Farm store or feed store	§§ 155.070, 155.072, 155.073, 155.077
Contractor's shop/storage yard	Subject to screening of all outdoor storage from view §§ 155.070, 155.072, 155.073, 155.077
Bus/truck terminal	§§ 155.070, 155.072, 155.073, 155.077
Public utility facility	§§ 155.070, 155.072, 155.073, 155.077
Frozen food locker	§§ 155.070, 155.072, 155.073, 155.077
Off-premise signs	§ 155.070
Electrical substation	An opaque screen, 6 feet in height, must be located as far back as all setback lines. §§ 155.070, 155.077
Retailing	Being an accessory use when in conjunction with a primary use of wholesaling or manufacturing. 14.01, 14.03, 14.04, 14.10
A warehouse or mini-warehouse	Subject to the materials stored on the premises shall have a level 1 or below in the Fire Protection Guide on Hazardous Materials. §§ 155.070, 155.072, 155.073, 155.077
Bus and truck wash	All water from the truck or bus wash being contained on the site. §§ 155.070, 155.072, 155.073, 155.077
Truck repair, sales, and service	No unscreened outdoor storage of parts. §§ 155.070, 155.072, 155.073, 155.077
Recycling collection facility	Subject to any outdoor storage of recyclable materials must be within an opaque screened area at least 6 feet in height. §§ 155.070, 155.072, 155.073, 155.077

<i>Permitted Use</i>	<i>Applicable Standards</i>
Fruit and vegetable canning and processing	Traffic to and from the facility will not travel on residential streets and the odor will not impact residential neighborhoods. §§ 155.070, 155.072, 155.073, 155.077
Automobile storage yard	Screening of the storage yard with fence, berm, vegetation or placement on the lot. §§ 155.070, 155.072, 155.073, 155.077
Motor vehicle repair shop	An adequate number of parking spots to store the cars and screen parts and materials from view. §§ 155.070, 155.072, 155.073, 155.077
Recycling processing facility	Any outdoor storage of recyclable materials must be within an opaque screened area at least 6 feet in height and all processing operations must be fully enclosed. §§ 155.070, 155.072, 155.073, 155.077
Ready-Mix Plant	§§ 155.070, 155.072, 155.073, 155.077

Dated at Vermillion, South Dakota this 5th day of December, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

First Reading: November 21, 2011
Second Reading: December 5, 2011
Publication: December 16, 2011
Effective Date: January 5, 2012

Published once at the approximate cost of _____.



Council Agenda Memo

From: Andrew Colvin, Assistant to the City Manager

Meeting: November 21, 2011

Subject: First Reading of Ordinance 1267 - Amending Title 15 Chapter 155 Section 155.101, Amendments and Change of Zone, to require property owner consent

Presenter: Andrew Colvin

Background: The City's zoning ordinance provides for certain procedures when changing the zoning of property. These changes can be part of a comprehensive change to a large part of the community, or could be as small in area as a few lots. Citizens, property owners and elected officials can initiate zone changes. State law enables municipalities to regulate uses and provides minimum requirements for public hearings and an appeal process to send an issue back to the City Council.

The current language to change the City's zoning is vague and broad. Essentially, any property owner can bring a zone change for City Council consideration, whether or not the applicants' property is included in the proposed change. For example, earlier this year, petitions were submitted to change the zoning of a large part of the City from R-2 medium density residential to R-1 low density residential. If approved, the change would have prohibited multi-family housing and made existing duplexes and four-plexes non-conforming uses. The language of the petition included sixteen square blocks of the City, bordered by Clark Street on the north, Main Street on the south, Plum Street on the east and the alley between Harvard Street and Dakota Street on the west.

The City received signatures from approximately 20% of the property owners. It was unclear if those gathering signatures did not approach all owners, or if there was opposition to the change. Staff sent notices to the owners of all property, citing the public hearing dates for the Planning Commission and City Council. The zone change failed at both the Planning Commission and City Council levels from lack of public support for the change. There appeared to be more opposition to the change than those speaking in favor. Concerns were raised as to how such a broad

proposal made it to the Planning Commission and City Council level with a lack of demonstrated support from property owners in the neighborhood, when compared to those opposed to the change.

Discussion: City staff looked into how other cities handle zone changes. Almost all first class cities require the signature of property owners to be considered valid when considering citizen-initiated zone changes. Others utilize a state statute that permits cities to require property owner consent prior to bringing forth a petition for a zone change:

11-4-9. Requiring consent of landowners to change in zoning ordinance. The governing body may by ordinance require as a condition precedent to the introduction of any ordinance proposing changes in the zoning ordinance that there be first filed with the city auditor, finance officer, or clerk the written consent of the owners of not exceeding sixty percent of the aggregate area having the right of protest against such proposed ordinance if adopted, determined as provided by § 11-4-5.

11-4-5 provides that a zone change adopted by the council can be sent back for a third reading if petitions protesting the change are signed by at least 40 percent of those in the affected area and within 250 feet of the affected area are submitted. In such cases, it would take a two-thirds vote of the City Council to adopt the ordinance overriding the protest.

City staff presented the proposed amendment to the City Council for discussion at a noon educational session. The Council expressed positive feedback on the amendment and would like to see a report and recommendation from the Planning Commission. Different percentages of signatures were discussed with 45% being the most recommended and included in the ordinance. The City can insert any percentage not exceeding 60%.

The Comprehensive Plan specifies that the City should encourage development within the undeveloped areas inside City limits. Property owners will still be able to initiate zone changes as long as the required percentage of signatures is met. The City will still be able to initiate zone changes and amendments without signatures. Additionally, properties being rezoned within one year of annexation are exempt from the signature requirement. The amendment cleans up the language of the section, removing unnecessary procedural items that are already required by state law. A better way to describe the process would be to attach a document to the application form that walks petitioners through the steps to change the zoning.

The Planning Commission considered the amendment on November 14th and forwarded a recommendation to approve the ordinance as drafted.

Financial Consideration: Costs for publication in accordance with state law.

Conclusion/Recommendations: Administration recommends first reading of Ordinance No. 1267 to require property owners consent for a change of zone. The amendment will ensure some degree of neighborhood support prior to coming before the Planning Commission and City Council.

ORDINANCE NO. 126~~7~~3

AN ORDINANCE AMENDING TITLE 15 CHAPTER 155 SECTION 155.101, AMENDMENTS AND CHANGE OF ZONE, OF THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, TO REQUIRE PROPERTY OWNER CONSENT.

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

That Section 155.101, of the Zoning Ordinance of Vermillion, SD, is hereby amended to read as follows:

§155.101 AMENDMENTS AND CHANGE OF ZONE

(A) The regulations imposed and the districts created under this ordinance may be amended, supplemented or repealed by ordinance, but no such amendment shall be made without public notice and without a public hearing, at which, parties in interest and citizens shall have an opportunity to be heard. Zoning amendments and change of zones are changes to the city's zoning regulations. Applications for amendment may be submitted by either the city or any owner of land within the city. The regulations, restrictions and boundaries set forth in this chapter may from time to time be amended, supplemented, or repealed, provided however, that no action may be taken until after public hearings, at which parties in interest and citizens shall have an opportunity to be heard.

(1) At least ten (10) days' notice of the time and place of such hearing shall be published in the official newspaper of the City of Vermillion, said notice to contain a brief statement describing the proposed amendment. If the proposed amendment will change the boundaries of a zoning district, the Zoning Administrator shall post a sign on the property included in the application for a continuous period of ten (10) days immediately prior to the public hearing and shall notify all owners of property within two hundred fifty (250') feet of the proposed boundary change by mail. The mailed notice shall be postmarked ten (10) business days prior to the hearing and state the date, time and location of the public hearing.

(2) Prior to the consideration of any ordinance proposing changes in the zoning ordinance, there shall first be filed with the Finance Officer the written consent of forty-five (45%) percent of the owners of equity in the lots included in any proposed district and the lands within two hundred fifty (250') feet from any part of such proposed district. A corporation shall be construed to be a sole owner. When parcels of land are in the name of more than one person, ownership representation shall be in proportion to the number of signers who join in the petition in relation to the number of owners.

Proposed changes initiated by the City, or for properties within one year after annexation, shall be exempt from the provisions of this section.

(B) When a proposed amendment or change of zone is approved by the City Council, the amendment shall take effect twenty (20) days after publication, unless the referendum shall have been invoked, or unless a written protest is filed with the Finance Officer, signed by at least forty

(40%) percent of the owners of equity in the lots included in any proposed district and the lands within two hundred fifty (250') feet from any part of the proposed district. A corporation is construed to be a sole owner, and if parcels of land are in the name of more than one person, ownership representation is in proportion to the number of signers who join in the petition in relation to the number of owners. If a protest is filed, the ordinance does not become effective unless the ordinance is then approved by two-thirds of the City Council. The protest provisions of this section do not apply to any ordinance regulating or establishing flood plain areas. The following procedure for requesting an amendment shall be followed:

—— (1) — The Zoning Administrator shall review the application for amendment or change of zone and forward the application and his/her comments to the Planning Commission for review.

—— (2) — The Zoning Administrator shall set the date, time and place for a Planning Commission public hearing. The Zoning Administrator shall post a sign of the public hearing on the property affected by a change of zone no less than 7 days prior to the scheduled public hearing. The Zoning Administrator shall also publish notice of the public hearing in a newspaper of general circulation in the area affected for a proposed amendment and change of zone. The notice shall be published in a legal newspaper of the city once not less than 10 days prior to the public hearing.

—— (3) — The public hearing shall be held. Any person may appear in person, or by agent or attorney. Minutes of the public hearing shall be recorded and kept in the records of the Planning Commission.

—— (4) — The Planning Commission shall either recommend or not recommend approval of the amendment to the City Council.

—— (5) — The Zoning Administrator shall set the date, time and place for a City Council public hearing. The Zoning Administrator shall post a sign of the public hearing on the property affected by a change of zone no less than 7 days prior to the scheduled public hearing. The Zoning Administrator shall also publish notice of the public hearing in a newspaper of general circulation in the area affected for a proposed amendment or change of zone. The notice shall be published in a legal newspaper of the city once not less than 10 days prior to the public hearing.

—— (6) — The City Council shall either approve or not approve the ordinance describing the proposed amendment or change of zone to these zoning regulations, in accordance with standard procedures for reading, approval, publication and effective date.

—— (7) — When a proposed amendment or change of zone is approved by the City Council, the amendment shall take effect 20 days after publication, unless the referendum shall have been invoked.

(C) No application requesting a change of zone for any property whose application includes any such property, either entirely or substantially the same, as that which has been denied by the City Council, shall again be considered by the Planning Commission before the expiration of six (6) months from the date of the final action of the City Council.

Dated at Vermillion, South Dakota this 5th day of December, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

First Reading: November 21, 2011
Second Reading: December 5, 2011
Publication: December 16, 2011
Effective Date: January 5, 2012

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: November 21, 2011

Subject: Second Reading of Ordinance No. 1264 Amending Ward Boundaries

Presenter: Mike Carlson

Background: The City Council reviewed the proposed boundary change during the July 5th Noon session. The ward map was prepared into an ordinance that had a first reading on August 15th and a second reading on September 6th, 2011. The only change to the ward map was to move the Central and Southeast boundary from Yale Street to University Street from Cedar Street south. The map used for City Council review was prepared by SECOG and the proposed changes were made, by hand, to the ward boundaries. The map used for the ordinance change was prepared by the City.

When the ordinance became effective, after the 20 day referral period, a larger map was prepared to assist the County Auditor in notifying the individuals of the boundary change. In reviewing the larger map, it was noticed that the Central Ward boundaries north of Cherry Street were not correct as well as the Central Ward and Northwest Ward boundary north of Main Street. When the map was prepared, the focus was checking the ward boundary that changed between Central Ward and Southeast Ward. The errors within the Central and Northwest wards were not noticed during the review.

Discussion: As Ordinance No. 1257, adopted September 6th, 2011, has the incorrect boundaries, an amending ordinance is needed to correct the ward boundaries. Attached is the ordinance and map of the correct ward boundaries as reviewed by the City Council during the July 5th noon session.

Following the adoption of the ordinance changing the ward boundaries, the County Auditor will send notice to the registered voters of their ward change. As all wards vote at the same location, there is less inconvenience at the polls if the voter goes to vote at the wrong ward.

Financial Consideration: The cost would be the publication of the ordinance.

Conclusion/Recommendations: Administration recommends approval of the second reading of Ordinance 1264. A recorded vote by name is required for the second reading.

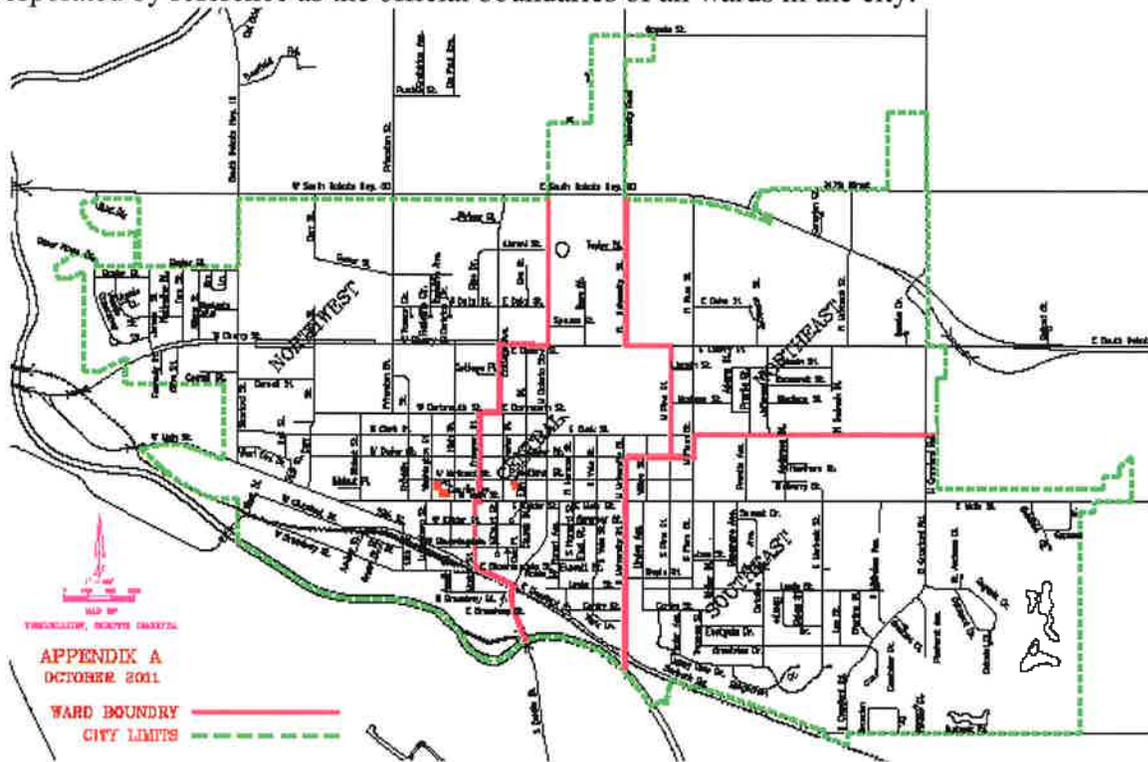
ORDINANCE NO. 1264

AN ORDINANCE AMENDING TITLE I SECTION 11.02 WARDS AND BOUNDARIES, OF THE 2008 REVISED ORDINANCES FOR THE CITY OF VERMILLION, AMENDING THE WARD BOUNDARIES.

BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA that Section 11.02 be amended to read as follows:

§ 11.02 BOUNDARIES.

The boundaries of wards, as shown on the Ward Map in Appendix A of this chapter, are hereby incorporated by reference as the official boundaries of all wards in the city.



Dated at Vermillion, South Dakota this 21st day of November, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

First Reading: November 7, 2011
Second Reading: November 21, 2011
Publication: December 2, 2011
Effective Date: December 22, 2011



Council Agenda Memo

From: John Prescott, City Manager
Meeting: November 21, 2011
Subject: Request for funding for softball complex dugouts
Presenter: John Prescott

Background: The University of South Dakota is planning to renovate and improve the northeast softball field on campus. The four field complex was a joint City/USD project. A Joint Powers agreement dated March 27, 1998, for a forty year time period, was entered into by both parties. Earlier this year, the City and USD had discussions about renovating the NW field and lighting of the fields. USD elected to renovate the northeast field for women's softball field and not renovate the northwest field. USD has recently awarded a bid to move the warning track and establish a new outfield fence. USD will also be renovating the dugouts with the project and would like the City to participate in the funding of storage space that would be incorporated into the first base dugout.

Discussion: USD has requested \$20,000 of funding to assist with construction costs. The base bid accepted by USD for the project was \$129,000. The University has also accepted alternate #1 (storage area) in the amount of \$10,836 for a total project cost of \$139,836. The project costs breakdown accordingly:

\$ 11,500	fence
14,300	warning track
<u>81,200</u>	dugouts
\$107,000	Base bid construction costs
<u>22,000</u>	additional office of state engineer expenses, architecture fees & contingency
\$129,000	Total cost of base bid with expenses
<u>10,836</u>	alternate #1 for storage area in dugouts
\$139,836	Total project cost for accepted bid, alternate and expenses

The City would have access to the storage area of just over 100 square feet to store materials used to maintain the field such as chalk, chalk liners, Quick Dry, shovels, rakes, balls, bats and other related equipment. Attached is commentary from the Parks and Recreation Department on how the storage space would benefit community programs.

Financial Consideration: If the City Council provides funding for this request, Administration would utilize second penny funds as this is a capital item.

Conclusion/Recommendations: As the softball complex is a joint City/USD project and the community will continue to use this field, Administration recommends providing funding to USD in an appropriate amount determined by the City Council.



Date: November 1, 2011

To: City of Vermillion

From: University of South Dakota-Athletic Department

Ref: Softball Complex Improvements

The University of South Dakota is moving forward with plans of enhancing the softball complex with the amended Joint Powers Agreement between the City of Vermillion and the University of South Dakota. The City of Vermillion cordially agreed to this project by allowing USD to install a 6' high permanent home run fence at a 220' radius from home plate on the northeast field of the complex. In addition to the fence, a warning track and cinder block dugouts (with storage) are included in the plans. The dugouts for both the home and visiting team are to be painted white with red metal roofs. A storage area of 10' 6" x 10' 6" will be included with the home team's dugout. The new storage area will allow the temporary shed to be moved from the premises. These improvements will greatly enhance the look of the field, the entire complex, atmosphere, and entire experience. Replacing the existing chain link fence dugouts with a permanent structure will provide a safer environment for everyone.

Attached you will find architectural drawings of the dugouts and fencing. Also attached are the preliminary estimates of the project. USD has opted to accept the base bid with alternate #1 (storage area) for a total cost of \$139,836.00. The other alternates will not be accepted.

USD is very excited about these enhancements and is happy to share it with the youth of Vermillion. USD is asking the City to contribute \$20,000.00 towards this project. The field can be used for youth baseball and girls softball. The storage area can also be a shared facility, which will provide a safe place to store equipment while providing convenience.

USD Athletics greatly appreciates your consideration of contributing to the softball complex improvements. The start date for the project is Fall 2011 with a completion date of March 1, 2012.

Project Title

Preliminary Estimate

10/19/2011

	Base Bid	Alternate #1 Storage	Alternate #2 Door/Lighting	Alternate #3 Aglime
Total Estimate Of Probable Construction Costs	\$107,000	\$10,836.00	\$4,844.00	\$4,896.00
A & E Fees (percentage of Construction Costs)	\$13,000			
OSE Fees / USD Fees	\$2,500			
Owner's Contingency:	\$6,500			
PROJECT TOTAL	\$129,000	\$139,836.00	\$144,680.00	\$149,576.00

7

Accepted bid with Alternate #1 Storage

Recreation Department

City of Vermillion

The University of South Dakota is currently in the process of making improvements to the northeast softball field on the USD/City softball complex. Upon completion this field will be used as the USD Women's Softball team's game field. While the proposed improvements to the field are not necessary for continued usage by local youth baseball and youth softball leagues it will provide the following benefits.

1. The shorter outfield fence distance will be accommodating to actual homerun balls during youth baseball and youth fastpitch softball games.
2. The overall appearance of the field and attachments will create a tournament championship game field in comparison to the other remaining complex ball fields.
3. The enclosed dugouts will not only provide additional team privacy from spectators but also provide additional protection from adverse summer weather elements.
4. The proposed dugout attached storage structure will provide a more secure and accessible location for scoreboard and field maintenance supplies.

City of Vermillion Recreation Department



Council Agenda Memo

From: Jason Anderson, Utilities Engineer

Meeting: November 21, 2011

Subject: Purchase of Electric Pad-mount Switch

Presenter: Jason Anderson

Background: The City of Vermillion has elected, for several years, to purchase electrical pad-mount switches for the Electric Department from other governmental bids to save on either annual price increases, volume discounts, or preparing bid specifications and associated bidding costs. In February 2011, the City of Beresford took bids on five switches meeting our standards and awarded to the low bidder of two bidders. The City purchased four switches off of their bid in March 2011. Staff recommends purchasing an additional switch off of the City of Beresford bid for 2012. Stuart C. Irby Co., the low bidder, is willing to sell one pad-mount switch to the City from the Beresford bid if the order is placed before year end.

Discussion: The switches bid meet City standards and save the City from not having to prepare bid specifications, advertise, and other associated bidding costs.

Financial Consideration: The cost of one pad-mount switch to the Electric Distribution fund would be \$14,365 and is budgeted in the 2012 Electric Construction line item 3810.

Conclusion/Recommendations: Administration recommends adoption of the resolution authorizing the purchase of one pad-mount switch off the City of Beresford bid from Stuart C. Irby Co. for \$14,365.

**RESOLUTION
AUTHORIZING PURCHASE OF
PADMOUNT SWITCH**

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

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the City of Beresford, South Dakota for padmount switches from Stuart C. Irby Co. in the amount of \$14,365 offers an advantageous price to the City for said items, and;

WHEREAS, the City has contacted Stuart C. Irby Co. and they have agreed to allow the City to purchase one S & C PME –9 Padmount Switchgear (Item #1) \$14,365 each for the awarded prices and terms as they have contracted with the City of Beresford, 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 **one S & C PME – 9 Padmount Switchgear (Item #1) each** at the awarded price and under the same terms as the City of Beresford, South Dakota.

Dated at Vermillion, South Dakota this 21st day of November 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer



Council Agenda Memo

From: John Prescott, City Manager

Meeting: November 21, 2011

Subject: First Addendum to the Memorandum of Understanding for Erickson Park Property

Presenter: John Prescott

Background: At the October 17th meeting, the City Council adopted a Memorandum of Understanding (MOU) with the Vermillion Chamber of Commerce and Development Company (VCDC) for the transfer of the Erickson Park property from the City to the VCDC. The MOU established the terms and conditions of the transfer agreement. In working with the City Attorney to develop the deed to complete the transfer, it was determined that Lot 6 of Block 6 was omitted from the MOU and the condition that allowed the City to take back the property should have an expiration date.

Discussion: This first addendum to the MOU was prepared to include Lot 6 of Block 6 as a property to be transferred to the VCDC and set an expiration date of 25 years for the ability to take back the property. Adoption of the addendum will allow the document to transfer the property to the VCDC to contain all of the property in the Erickson Addition that is currently owned by the City.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends approval of the First Addendum to the Memorandum of Understanding between the City and the VCDC for the Erickson Park Property.

FIRST ADDENDUM TO
THE MEMORANDUM OF UNDERSTANDING
FOR ERICKSON PARK PROPERTY

THIS AGREEMENT HEREBY MODIFIES the Memorandum of Understanding for the Erickson Park Property entered into between the Vermillion Chamber of Commerce & Development Company, hereinafter called VCDC, and the City of Vermillion, hereinafter called CITY, on the 17th day of October, 2011.

The MOU provided for the transfer of Block 4, Lots 2 – 5 and Outlot B of Block 6 and Lots 1 – 7 of Block 7, all located in the Erickson Addition to the City of Vermillion, from the City to the VCDC under general terms and conditions set forth in the MOU.

BE IT KNOWN, that for good consideration, the parties hereby make the following additions a part of said October 17, 2011 Memorandum of Understanding for the Erickson Park Property Agreement:

1. The following legal description be added to the provide for the inadvertently omitted property from the MOU dated October 17, 2011:

LOT 6 OF BLOCK 6, ERICKSON ADDITION TO THE CITY OF VERMILLION,
CLAY COUNTY, SOUTH DAKOTA.

2. Item 5, Page 2, shall be changed to include an expiration period of 25 years and should read as follows:

The City, upon sixty days notice to the VCDC, has the right to take back ownership of any and all property transferred by the City to the VCDC through this MOU owned by the VCDC at the time of the notice. The VCDC agrees not to enter into any sale agreements during the sixty day period after the notice has been provided by the City. This provision will expire 25 years from the date the MOU was signed on October 17, 2011, which expiration date would be October 17, 2036.

By adoption of this First Addendum to the MOU for the Erickson Park Property with the VCDC, that the property to be transferred from the City to the VCDC consist of Lots 1 & 2 in Block 4, Lots 2, 3, 4A, 5, 6 and Outlot B in Block 6; and Lots 1 – 7 in Block 7, all in Erickson Addition to the City of Vermillion, Clay County, South Dakota. All other terms and provisions of said October 17, 2011 MEMORANDUM OF UNDERSTANDING shall remain in full force and effect.

IN WITNESS WHEREOF, the parties below have set their hands this 21st day of November, 2011.

CITY OF VERMILLION

VERMILLION CHAMPBER OF
COMMERCE & DEVELOPMENT COMPANY

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

By: _____

Its: _____

ATTEST

Michael Carlson, Finance Officer



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: November 21, 2011
Subject: Write-off of Old Accounts Receivable
Presenter: Mike Carlson

Background: The City bills for utilities, use of the landfill, ambulance, and other miscellaneous items (weed and snow tagging, mowing or snow removal, damage to city property, utility service fees, etc.). The City also has checks that have been returned by the bank as non sufficient funds. These billings are considered accounts receivable of the City and, as such, are recorded on the accounting records. To remove uncollectible items, the City Council must take action as required per the following state statute:

9-22-4 Assignment of delinquent accounts receivable--Disposition of uncollectible accounts. Every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is uncollectible and, by formal action, direct that the uncollectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt.

Discussion: This action will remove the accounts from the accounting records but collection efforts will continue. The accounts have been sent to small claims court, or a collection agency, unless they were discharged by bankruptcy. The accounts are as follows:

Utility accounts receivable	
119 accounts	\$31,655.35
General accounts receivable	
22 accounts	3,239.78
Return Checks	
3 checks	417.09

Ambulance billings	
130 accounts	53,544.30

The lists of all these accounts are on file in the Finance Office. As utility accounts are confidential, the list of individual names and amounts has not been included in your packets.

Attached is a spreadsheet with a summary of write-offs for the last nine years.

Financial Consideration: There is no cost to the City to remove the accounts.

Conclusion/Recommendations: Administration recommends that a motion be made to remove the old utility accounts of \$31,655.35, general accounts receivable of \$3,239.78, returned checks of \$417.09, and ambulance receivables of \$53,544.30 from the accounting records, but to continue collection efforts.

City of Vermillion
 Summary of Accounts Receivable Writeoff
 For the Years 2003-2011

	<u>2011</u>	<u>2010</u>	<u>2009</u>	<u>2008</u>	<u>2007</u>	<u>2006</u>	<u>2005</u>	<u>2004</u>	<u>2003</u>
Utility Accounts Receivable	\$31,655	\$31,024	\$20,098	\$35,602	\$29,830	\$27,730	\$21,645	\$20,625	\$24,300
Number of accounts	119	143	131	171	134	149	123	136	137
Annual Billing	\$9,171,755	\$8,387,257	\$7,878,919	\$7,430,781	\$6,877,402	\$6,418,237	\$5,657,425	\$5,246,325	\$5,109,103
Percentage of Annual Billing	0.35%	0.37%	0.26%	0.48%	0.43%	0.43%	0.38%	0.39%	0.48%
General Accounts Receivable	\$3,240	\$875	\$348	\$1,272	\$1,535	\$1,849	\$451	\$2,967	\$815
Number of Accounts	22	16	9	15	18	16	8	23	11
Return Checks amounts	\$417	\$754	\$215	\$130	\$728	\$436	\$974	\$957	\$1,792
Number of Checks	4	10	5	4	6	7	10	22	25
Ambulance Receivable	\$53,544	\$33,199	\$34,885	\$23,475	\$21,939	\$32,207	\$20,764	\$21,809	\$12,732
Number of Accounts	130	90	85	49	45	64	48	42	31
Annual Ambulance Billing	\$396,634	\$369,740	\$306,170	\$262,837	\$223,524	\$241,175	\$230,729	\$237,009	\$185,159
Percentage of Annual Billing	13.50%	8.98%	11.39%	8.93%	9.82%	13.35%	9.00%	9.20%	6.88%



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: November 21, 2011

Subject: Resolution Restricting and Assigning Parks Capital Special Revenue Funds

Presenter: Mike Carlson

Background: The Governmental Accounting Standards Board (GASB) is the independent organization that establishes and improves standards of accounting and financial reporting for state and local governments. GASB is recognized by governments, the accounting industry, and the capital markets as the official source of Generally Accepted Accounting Principles (GAAP) for state and local governments. GASB standards are not federal laws or regulations and the organization does not have enforcement authority. Compliance with GASB's standards, however, is enforced through the laws of some individual states and through the audit process, when auditors render opinions on the fairness of financial statement presentations in conformity with GAAP.

GASB 54 titled "Fund Balance Reporting and Governmental fund Type Definitions" is effective for financial statements for periods beginning after June 15, 2010 thus will apply to the City's December 31, 2011 annual report. Prior to GASB 54 the city's governmental fund types (General Fund, Special Revenue Funds, Capital Projects Funds, and Debt Service Funds i.e. TIF bond payment funds and City Hall bond payment funds) reported their fund equity as either reserved, unreserved designated or unreserved undesignated. Now GASB 54 will be reclassifying these fund balance as either:

1. Nonspendable - amounts that cannot be spent because they are either (a.) not in spendable form or (b.) legally or contractually required to be maintained intact. Examples are inventory, prepaid expenses.
2. Restricted –amounts restricted that are either (a) eternally imposed by creditors, grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation. Examples are the BBB, Stormwater and Library which have restrictions imposed by state law.

3. Committed – amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the governing body. Examples are the second penny sales tax is constrained by city ordinance and capital project funds by the City Council adopting the budget.
4. Assigned – amounts that are constrained by the government’s “intent” to be used for specific purposes, but are neither restricted nor committed. Example is the general fund appropriation from reserve for next year’s budget.
5. Unassigned – is the classification of the residual fund balance of the General Fund and any negative fund balances.

Discussion: I was able to apply the GASB 54 definitions and classifications to all the city’s individual funds except for the Parks Capital Special Revenue Fund. This fund was created in 1993 through the budget process to account for the receipts from league fees, association contributions, private contributions, grants fundraising and other receipts earmarked for the acquisition and improvements to the city parks and recreation program facilities. By using a special revenue fund any unspent funds remain in this fund; whereas if these funds are put into the general fund, they revert to the general fund balance.

The attached resolution was prepared to recognize the wishes of the donors to restrict unspent funds and to assign the not restricted funds to the acquisition and improvements to City Parks and Recreation Program Facilities. Staff has determined the amount of funds at December 31, 2010 that were league fees, donations and grants that would be restricted as \$11,425 and request that the City Council assign the remaining fund balance to be used for parks capital needs.

The Department of Legislative Audit felt that a formal action of the City Council would be needed to recognize the restriction and assignment of the fund balance, thus the resolution was prepared. The resolution also addresses future receipts of funds into the Parks Capital fund and provides that restricted funds be expended first.

Financial Consideration: The only cost will be the publication of the resolution in the minutes.

Conclusion/Recommendations: Administration recommends the adoption of the resolution restricting and assigning Parks Capital Special Revenue Funds.

**RESOLUTION RESTRICTING AND ASSIGNING
PARKS CAPITAL SPECIAL REVENUE FUNDS**

WHEREAS, the City Council created the Parks Capital Special Revenue Fund in 1993 to account for the receipt of league fees, association contributions, private contributions, grants, fundraising and other receipts earmarked for the acquisition and improvements to City parks and recreation program facilities; and

WHEREAS, the City Council adopts the annual appropriations ordinance that includes the estimated revenues and expenditures from the Parks Capital Special Revenue Fund; and

WHEREAS, since its creation, the Parks Capital Fund has expended over \$166,000 for improvements to the community's parks and recreation program facilities; and

WHEREAS, as of December 31, 2010, the Parks Capital Fund Balance was \$13,011; and

WHEREAS, the Governmental Accounting Standards Board Pronouncement 54 requires the action of the Governing Body to recognize restrictions and assign fund balance for specific purposes; and

WHEREAS, on December 31, 2010, \$11,425 of the above listed fund balance was restricted by grantors or contributors.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion recognizes the restrictions of the above listed portion of the fund balance of the Parks Capital Special Revenue Fund as of December 31, 2010 and assigns the remaining fund balance to the acquisition and improvements to City Park and Recreation Program facilities. All future funds received by the Parks Capital Fund shall be classified as restricted or assigned based upon the constraints placed upon the use of the resources when received.

BE IT FURTHER RESOLVED, that in administering the restricted and assigned funds, when applicable, restricted funds shall be considered expended first.

Dated at Vermillion, South Dakota this 21st day of November, 2011

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D Carlson, Finance Officer

CITY OF VERMILLION
 INVOICES PAYABLE-NOVEMBER 21, 2011

1 2011 SDFCA CONFERENCE	REGISTRATION	75.00
2 ARCHITECTURE INC.	PROFESSIONAL SERVICES	20,744.50
3 BROADCASTER PRESS	ADVERTISING	2,644.95
4 BRUNICKS SERVICE INC	FUEL	2,377.05
5 BUREAU OF ADMINISTRATION	TELEPHONE LONG DISTANCE	280.62
6 CENTURYLINK	TELEPHONE SERVICE	1,453.84
7 CITY OF VERMILLION	LANDFILL VOUCHERS	210.70
8 CLAY CO REGISTER OF DEED	FILING FEE-EASEMENT	12.00
9 CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,158.84
10 DAKOTA BEVERAGE	MERCHANDISE	10.00
11 DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,268.43
12 DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	7,050.51
13 ERNIE HALVERSON	SAFETY BOOT REIMBURSEMENT	100.00
14 GREGG PETERS	MANAGERS FEE	5,375.00
15 KNOLOGY	DIAL-UP SERVICE	49.95
16 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
17 MARK KOLLER	MEALS REIMBURSEMENT	18.00
18 MARK MILBRODT	MEALS REIMBURSEMENT	31.00
19 MATHESON TRI-GAS, INC	SUPPLIES	127.15
20 MIDAMERICAN	GAS USAGE	725.60
21 MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	95.95
22 MIDWAY SERVICE, INC	FUEL	7,333.23
23 RESERVE ACCOUNT	POSTAGE FOR METER	950.00
24 RECYCLING EQUIPMENT MFG	MAGNETIC CONVEYOR	6,278.00
25 SPRINT	CELL PHONES	987.96
26 THE EQUALIZER	ADVERTISING	765.20
27 TIM TAGGART	MEALS REIMBURSEMENT	31.00
28 TREASURER-STATE	UNCLAIMED PROPERTY	322.81
29 UNITED HEALTHCARE INSURANCE	REFUND AMBULANCE PAYMENT	461.00
30 UNIVERSITY OF SD	ADMISSIONS REIMBURSEMENT	10,000.00
31 US POSTMASTER	POSTAGE FOR UTILITY BILLS	975.00
32 VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	883.92
33 JOYCE HOESING	BRIGHT ENERGY REBATE	175.00
34 VERN BENSON	BRIGHT ENERGY REBATE	150.00
35 CONNIE WULFF	BRIGHT ENERGY REBATE	250.00
36 JP INVESTMENTS LLC	BRIGHT ENERGY REBATE	25.00
	GRAND TOTAL	\$75,537.21

Unapproved Minutes
Vermillion Planning Commission
Monday November 14, 2011 Regular Meeting

The regular meeting of the Vermillion Planning Commission was called to order in the conference room at City Hall on November 14, 2011 at 5:30 p.m.

1. Roll Call

Present: Forseth, Gruhn, Howe, Manning, Muenster, Reasoner, Tuve, and Iverson. Absent: Fairholm.

Also present were Farrel Christensen, Building Official, and Andy Colvin, Assistant to the City Manager.

2. Minutes

a. September 12, 2011 Regular Meeting.

Moved by Forseth to approve the September 12, 2011 Regular Meeting Minutes, seconded by Tuve. Motion carried 8-0.

3. Adoption of the Agenda

Moved by Tuve to adopt the agenda as printed, seconded by Muenster. Motion carried 8-0.

4. Visitors to be Heard

Gary Marshall approached the Planning Commission regarding the Neighborhood Commercial zoning designation along Dakota Street. Mr. Marshall stated that he would like to refinance the mortgages for two of his properties, but is not permitted to since the homes are non-conforming uses in the Neighborhood Commercial district. Mr. Marshall asked the Planning Commission to look at options to change the district regulations to make it easier for residential uses to exist and be rebuilt.

5. Public Hearing

a. Petition for Change of Zoning - Lots 5 and 6, except the south 103 feet, Oden Addition to the City of Vermillion from GB General Business to GI General Industrial.

Farrel reported that Woody Houser has submitted a petition to rezone the area from GB General Business District to GI General Industrial District. Farrel reported that in September it came to the attention of Code Enforcement staff that a manufacturing business was operating in the building located on the property, which is not a permitted use in the General Business District. Farrel issued a notice to stop the use. The owner of the property submitted a petition to rezone in order for the business to continue operating. Farrel reported that staff opinion is that granting the zone change request would not be in keeping with the Comprehensive Plan and would result in spot zoning. Chairman Iverson opened the hearing for public comment.

Woody Houser, petitioner and owner of the property, stated that the business occupying the building has no other suitable facility for relocation. Mr. Houser stated that he has done a lot to try to fill the

building over the years and the current business fits well. Mr. Houser expressed his opinion that the use would have been permitted prior to the 2008 Zoning Ordinance Revision, which made changes that are contrary to what the area was designed for. Woody also stated that he was not aware of the 2008 revision to the zoning ordinance.

Ryan Bear, owner of Todd's Electric to the south, stated that the current zoning also changes what he can do with his building in the future and that there are only so many uses for that particular type of structure. Ryan also stated that the current zoning may prohibit his ability to sell the building or lease space to a small business.

Larry Brady, property owner to the northeast, also spoke in favor of the proposed zone change. Larry stated that a lot of the property on west Cherry was zoned to allow industrial uses prior to the 2008 revision. Larry stated that if Polaris Industries requested to expand their operations south along Cherry Street and requested to change the zoning, their request would be granted and that the current request from a small business is not different. Larry also inquired about changing the zoning temporarily, or somehow permitting the use until a certain number of employees is reached. Larry stated that the property owner to the south is supportive of the proposed change and that there must be a solution that falls in between the City's needs and the needs of the applicant.

Ryan Bear stated that he would like to explore the option of rezoning his property to General Industrial as well.

Will Pratt, owner of the business occupying the property, stated that he employs nine people and that other buildings were looked at, but the current location fit his needs.

Steve Howe inquired about amending the zoning ordinance to permit adding light manufacturing as a conditional use in the General Business District.

Farrel responded to some of the questions, stating that a zoning is addressed in state law and does not provide for temporary status. Farrel also stated that amending the ordinance to permit manufacturing as a conditional use can be explored, but that the current use of the property is still in violation.

Discussion followed with the Planning Commission raising concerns about the strict time frame to vacate the use from the property and if there is a possibility to extend the time frame. The group also discussed appeals and the possibility of tabling action until more information can be provided on the legality of extending the time frame to vacate.

Andy Colvin stated that the Planning Commission can only make a recommendation to grant the zone change or deny the change to the City Council. Andy also stated that the Planning Commission can only table action if there is not enough information to decide if the zoning should be changed. Andy stated that the question of whether an extension to vacate the use is legal or permitted is a question for the City Attorney. Andy also stated that an appeal of the Zoning Administrator's decision must be filed within thirty days of receiving the notice of violation, with the appeal being decided by the Board of Adjustment.

Moved by Howe to recommend denial of the zone change request, with the recommendation to explore the option of extending the time frame to vacate the property as is legal, seconded by Forseth. Motion carried 8-0.

b. Proposed Zoning Ordinance Amendment - Amending Title 15 Chapter 155 Section 155.039 (A), HI Heavy Industrial District, to allow light manufacturing as a permitted use.

Andy reported that this amendment comes from the Conditional Use Permit application for Builder's Choice Incorporated, which was granted on September 12, 2011. Andy stated that the Planning Commission questioned why light manufacturing was not a permitted, but a conditional use within the Heavy Industrial district. Andy stated that the amendment will add light manufacturing as a permitted use in the Heavy Industrial district. Brief discussion followed.

Moved by Tuve to recommend approval of the amendment to the City Council, seconded by Gruhn. Motion carried 8-0.

c. Proposed Zoning Ordinance Amendment - Amending Title 15 Chapter 155 Section 155.101, Amendments and Change of Zone, to require property owner consent.

Andy Colvin reported that the amendment comes forth after some concerns were raised about the City's requirements on citizen initiated zone changes. Andy stated that the petitions to change the area south of Clark Street from medium density to low density residential contained descriptions for properties not signed by the owners. Andy also reported that in looking at the zone change procedures from other South Dakota cities, Vermillion's was the most relaxed and may allow virtually anyone to rezone property, whether or not it is owned by the petitioner. Andy also reported that a couple of cities utilize a state law that requires a minimum percentage of owner signatures be obtained prior to an initiated zone change. Andy stated that state law sets the maximum percentage of signatures required at sixty percent and that the City can set the required percentage at any level up to that amount. Andy reported that the current draft sets the percentage at forty-five percent. Brief discussion followed on the amendment.

Moved by Manning to recommend adoption of the amendment as drafted to the City Council, seconded by Reasoner. Motion carried 8-0.

6. Old Business

7. New Business

a. Presentation from Tom Reasoner - AIA's 10 Principles of Livable Communities.

Reasoner requested to delay the presentation until a future meeting.

8. Staff Reports

Andy reminded the Planning Commission about the November 28th meeting with the Clay County Commission for recommendation and adoption of the Joint Jurisdictional Ordinance.

Andy gathered input from the Planning Commission on modifying or replacing the Neighborhood Commercial zoning district to find a balance between residential and business uses.

9. Adjourn

Moved by Howe to adjourn, seconded by Gruhn. Motion carried 8-0.

Chairman Iverson declared the meeting adjourned 7:30 p.m.

Vermillion Police Department



SWOT Analysis VPD Vehicle Fleet

Prepared by
VPD Supervisory and Patrol Staff
October 2011

- Current Sedans and SUV have sufficient cargo room for the number of equipment items carried in each patrol car
- Motorcycle has patrol mobility
- All five marked patrol vehicles have ICOP video systems

Weaknesses 2011

- The current patrol sedan model is being discontinued
- Officers not trained for SUV EVOC operation
- Spotlight handle in current SUV moves and restricts steering wheel maneuverability
- Current SUV not painted with same color scheme as patrol sedans
- Although not used often current SUV is aging and outdated
- The four wheel drive patrol vehicle is used sparingly during non inclement weather
- The SUV lacks a barrier to transport prisoners
- Current SUV was not designed as a police package vehicle compared to new SUV models
- Current SUV shows difficulties of performance at times during inclement weather
- There is only one four wheel drive in the fleet, when there are two officers on duty required per shift
- One of the five patrol vehicles is a motorcycle
- There are only two officers eligible to utilize the patrol motorcycle
- Detective vehicle lacks window tinting for covert surveillance
- Borrow FC1 or Medic truck as second patrol vehicle during inclement weather
- Current patrol sedans have poor fuel economy rating compared to newer sedan and SUV options
- Motorcycle is aging at approximately 6 years old and nearing 20,000miles
- Despite modern equipment, Radar and MDT units are aging

Opportunities

- Reevaluate the patrol fleet based on current needs, requirements and expectations
- Add a vehicle to the fleet
- A 2012 SUV purchase allows VPD a year for Sedan competitors to work on issues as each Ford and Chevy are introducing new models
- Rotate out sedan in 2012 for new sedan option
- Replace sedan rotation 2012 with SUV option

Comparison of the Chevrolet Caprice PPV, the Ford Police Interceptor Sedan and the Dodge
Charger Pursuit

	Caprice PPV	Police Interceptor	Charger Pursuit
Wheelbase	118.5	112.9	120.1
Length	204.2	202.8	199.9
Width	74.8	85.7 (With Mirrors)	75
Height	58.7	61.4	58.7
Head Room Front	37.6	39	38.6
Head Room Rear	37.6	37.5	36.7
Shoulder Room Front	59.1	57.9	59.5
Shoulder Room Rear	58.9	56.9	57.9
Hip Room Front	56.7	56.3	56.2
Hip Room Rear	57.9	55.9	56.1
Leg Room Front	42.2	41.9	41.8
Leg Room Rear	43.2	41.9	40.1
Max Cargo Volume	Cu.ft 17.4	Cu.ft 16.6	Cu.ft 15.4
Engine	6.0 Liter V-8	3.5 Liter V-6	5.7 Liter V-8
Fuel Capacity (gal)	19	19	19
Drivetrain	RWD	FWD/AWD	RWD
Fuel Economy	Cty/Hwy 15/24	Cty/Hwy 17/25	Cty/Hwy 16/25
<u>Factory Warranty</u>			
Power Train	5yr/100,000mi	5yr/60,000mi	5yr/100,000mi
Bumper to Bumper	3yr/36,000mi	3yr/36,000mi	3yr/36,000mi

Comparison of the Chevrolet Tahoe PPV, the Ford Interceptor Utility, the Ford Expedition and the Dodge Durango

	Tahoe PPV	Durango Stnd	Interceptor SUV	Expedition Stnd
Wheelbase	116	119.8	112.6	119
Length	202	199.8	197.1	206.5
Width	79	85.5	90.2(with mirrors)	78.8
Height	76.9	70.9	69.1	77.2
Head Room Front	41.1	39.9	41.4	39.6
Head Room Rear	39.2	39.8	40.1	39.8
Shoulder Room Front	65.3	58.5	61.3	63.2
Shoulder Room Rear	65.2	58.3	60.8	63.7
Hip Room Front	64.4	57	57.3	60.2
Hip Room Rear	60.6	56	56.9	59.9
Leg Room Front	41.3	40.3	40.6	41.1
Leg Room Rear	39	38.6	41.9	39.1
Max Cargo Volume	Cu. ft. 108.9	Cu. ft. 84.5	Cu. ft. 85.4	Cu. ft. 108.3
Engine	5.3 Liter V-8	5.7 Liter V-8	3.7 Liter V-6	5.4 Liter V-8
Fuel Capacity (gal)	26	24.6	18.6	28
Drivetrain	4x4	4X4	AWD	4X4
Fuel Economy	Cty/Hwy 15/21	Cty/Hwy 13/20	Cty/Hwy 17/23	Cty/Hwy 13/18
<u>Factory Warranty</u>				
Power Train	5yr/100,000mi	5yr/100,000mi	5yr/60,000mi	5yr/60,000mi
Bumper to Bumper	3yr/36,000mi	3yr/36,000mi	3yr/36,000mi	3yr/36,000mi

Threats

- Public Perception of a new patrol vehicle
- City Government approval
- Purchasing a vehicle from an out of town dealer
- Unfamiliarity with new patrol vehicle to the fleet

**VERMILLION PUBLIC LIBRARY
BOARD OF TRUSTEES
MONTHLY MEETING**

**Tuesday, November 15, 2011
6:00pm
South Dakota Room**

AGENDA

- I Roll Call
- II Approval of the minutes of the October 20, 2011 meeting Pages 3-4
- III Reports of the Director
 - A. October Commentary Page 5
 - B. October Statistics Pages 7-8
 - C. Financial Reports for October Page 9
- IV Approval of the Expenditures for November Handout
- V Reports
 - A. SD Library Network
 - B. Friends of the Library
 - C. VPL Foundation
- VI Unfinished Business

 - A. Building Project
 - B.
- VII New Business
 - A. Holiday closing dates
 - B.

MINUTES

TRUSTEES PRESENT: Janet Hoff, Fern Kaufman, Cyndy Chaney, Carl Gutzman and Jon Flanagin

OTHERS PRESENT: Jane Larson

On a motion by Gutzman, seconded by Kaufman the minutes of the September 15, 2011 meeting were read and approved. All present voted aye.

The reports of the Director were reviewed and discussed.

On a motion by Hoff, seconded by Chaney the proposed expenditures for October were approved for payment. All present voted aye.

REPORTS:

SDLN – Larson reported that SDLN has started the process for RFPs for a new ILS for libraries in the state. A special Task Force has been appointed that will report to the Executive Board.

FRIENDS – Larson reported that about \$650 was netted from the fall book sale giving about \$1200 profit for the year. A majority of these funds are used to fund the Summer Reading Program.

FOUNDATION – Larson reported that the Fund-Raising Committee has raised over 50% of the \$200,000 goal with some major dollars coming yet this year. The Co-Chairs recently received permission to apply for a grant from the SD Community Foundation.

UNFINISHED BUSINESS:

Larson reported on the following issues in regard to the building project: sump pumps; sump pump alarms; phone system; material security system; building and staff security system; facade; water main; fire suppression system; garden storage building; moving of stacks and protocols and procedures needed for project. Many of the above mentioned items are not part of the general contract and will need to be managed and funded otherwise.

NEW BUSINESS:

On a motion by Gutzman, seconded by Hoff the merit pay increase for Michelle Koller was approved. It is effective October 23, 2011 for Step 8 at \$16.21. All present voted aye.

On a motion by Hoff, seconded by Kaufman the merit pay increase for Joyce Moore was approved. It is effective October 23, 2011 for Step 5 at \$16.68. All present voted aye.

DIRECTOR'S REPORT – OCTOBER 2011

- October 3 – I proctored an exam for WIT
- October 3 – I attended the Community Services Forum meeting. Sanford Hospital Foundation did a presentation on the programs they are supporting this year.
- October 4- 7 – Joyce Moore, Wendy Nilson and I traveled to Spearfish to attend the conferences for the SD Library Network and the SD Library Association.
- October 10 – The Library was closed in honor of Native American Day.
- October 11 – City Department Heads reviewed blueprints of the Library expansion project.
- October 12 – I attended a Department Head meeting at City Hall.
- October 13 – I met with Randy Voss, our IT contractor, to review plans for the new Tech Center, current PC problems and scheduling issues.
- October 14 – I met with Ken Jones of Jones Library Sales to review options and prices for shelving, furniture, tables, etc. for the expansion project.
- October 18 – At the monthly staff meeting we discussed the following: Department Head meetings; building project; recycling; Ebooks; summer reading program; float; YA survey; book club; game day and Overdrive.
-
- October 18 – I met with a representative from the Agati Library Furniture Co. to review ideas and options.
- October 19 – I attended the meeting of the VPL Foundation. Roger Kozak and Jerry Johnson gave an update on the fund-raising campaign.
- October 19 – I proctored an exam for DMACC.
- October 20 – I proctored an exam for WIT
- October 25 – I met the Director of the Yankton Area Literacy Council to review options for Clay County residents.
- October 26 – A representative from the SD State Library met with Library staff to review programs and evaluate our building and services.
- October 27 – John Prescott and I met with Liz Squyer of Architecture Inc. to review more details on the building project.
- October 27 – City staff removed the rocks, table and benches from the north side of the building. Hartington Tree Co. cut down the trees and removed bushes and plantings.
- October 31 – I met with USD students to plan an adult Spanish class that will start in the new year.
- October 31 – I proctored an exam for WIT

Circulation Statistics for October 2011

Circulation												
By Category	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1) Adult Fiction	1724	1655	1711	1596	1596	1971	1831	1905	1427	1479		
2) Adult Non-Fiction	619	653	694	691	481	612	581	572	494	548		
3) Video	721	712	973	706	744	946	873	807	683	742		
4) Child Non-Fiction	442	469	523	506	348	878	658	426	374	399		
5) Child Fiction	1324	1477	1730	1269	1105	2754	2117	1486	1507	1600		
7) Child A/V	57	73	72	46	49	51	52	31	50	41		
8) Adult A/V	375	383	361	375	440	400	433	460	416	407		
9) Child Periodicals	13	4	1	8	8	11	6	6	2	2		
10) Adult Periodicals	139	142	153	177	114	179	176	167	182	169		
11) Art Prints	4	10	6	13	6	7	1	3	1	4		
14) Toys	0	0	1	1	0	4	3	4	5	3		
15) CD-Rom	5	4	1	5	2	3	3	3	4	4		
16) New Books	857	942	1067	895	965	1366	1275	1165	924	905		
17) Book Club Bags	3	5	2	3	3	1	4	1	2	3		
18) Parent/Teacher	5	6	26	9	7	10	13	9	11	7		
Ebooks Adults	30	12	14	20	16	14	10 *	*		6		
Ebooks Child	9	3	6	7	1	3	2 *	*		4		
Total	6327	6550	7341	6327	5885	9210	8038	7045	6082	6323	0	0

Year's Comparison			Outreach			Book and A/V Drop			
	Oct 2010	Oct 2011	Month	Items	Patrons	Deliveries	Month	Total	#/Day
Adult	3280	3362	Oct 2010	531	35	68	Oct 2010	1742	58
Child	2158	2042	Nov 2010	546	35	71	Nov 2010	1619	51
New	819	905	Dec 2010	515	35	79	Dec 2010	1912	71
CD-Rom	4	4	Jan 2011	611	36	69	Jan 2011	1605	54
Total	6261	6313	Feb 2011	709	36	70	Feb 2011	1714	64
			Mar 2011	621	37	95	Mar 2011	1936	63
			Apr 2011	558	37	71	Apr 2011	1737	62
			May 2011	500	35	84	May 2011	1736	60
			Jun 2011	545	35	70	Jun 2011	1879	72
			Jul 2011	569	37	70	Jul 2011	2044	82
			Aug 2011	625	34	74	Aug 2011	2275	84
			Sep 2011	605	34	87	Sep 2011	1588	53
			Oct 2011	601	34	62	Oct 2011	1865	60

Activities			Room Usage			Computer Usage: 1097	
Adult Programs	Read	Attended		Sessions	Users		
Pillars of the Earth		12	Community Room	43	833		
Fun & Games		4	South Dakota Room	15	120		
			Activity Room	2	12		

Miscellaneous			Holds Placed		Open Days: 31	
Patron Gate	People	Alarms	Adult Items		Reference Questions: 865 28/day	
Oct 2010	3089	69	Children's Items	6	In-Library Browse: 1038	
Oct 2011	2560	49	New Items	24		

FINES AND GIFTS CHECKING ACCOUNT - OCTOBER 2011

Month	Revenue				Expenditures		Balance
	Copier	Fines	Other	Donations	Paid Out	Checks	
							1285.10
January	138.20	444.30	117.50	500.41	37.46	1000.00	1448.05
February						771.14	676.91
March	398.81	576.27	153.00	5.06	86.28	35.00	1688.77
April	265.36	241.38	32.00	75.65	25.63	142.50	2135.03
May						1069.50	1065.53
June	335.90	237.67	95.19	1775.20	241.82	450.00	2817.67
July	205.30	250.38	405.00	525.20	212.98	0.00	3990.57
August	294.40	540.13	97.37	901.50	216.31	277.59	5330.07
September						7.50	5322.05
October	329.90	541.81	91.10	4.25	195.14	505.00	5589.49
November							
December							
Totals	1967.87	2831.94	991.16	3787.27	1015.62	4258.23	

CHECKS

\$ 5.00 Vermillion Public Transit - 2 rides
 \$ 500.00 Hartington Tree Co. - Trim elm tree

RECEIPTS

Donations

\$ 4.25 Anonymous

Replacements

\$ 1.00

Cards

\$ 40.00

Miscellaneous

\$ 50.00

INVESTMENTS

Institution	Type	Amount	Rate	Maturity	Total
1st Bank & Trust	Money Market	2.44 YTD 28.49	0.30%		\$ 11,701.53
1st Bank & Trust	CD		1.00%	1/30/2012	\$ 31,242.00
1st Bank & Trust	CD		1.05%	3/9/2012	\$ 52,021.07
CorTrust	CD	31.01 YTD 122.10	2.05%	4/4/2012	\$ 6,077.00
TOTAL:					\$ 101,041.60

1st Bank & Trust Money Market Account

No transactions during the month of October

The Best of Me by Nicholas Sparks



In the spring of 1984, high school students Amanda Collier and Dawson Cole fell deeply, irrevocably in love. Though they were from opposite sides of the tracks, their love for each other seemed to defy the realities of life in the small town of Oriental, North Carolina. A loner from a violent and infamous local family, Dawson believed his love for Amanda promised an escape from the darker destiny laid out for him. A golden girl from a well-to-do family with plans to attend Duke University, Amanda saw something in Dawson that spoke to her own rebellious and passionate heart. But as the summer of their senior year came to a close, unforeseen events would tear the young couple apart, setting them on radically divergent paths.

Now, twenty-five years later, Amanda and Dawson are summoned back to Oriental for the funeral of Tuck Hostetler, the mentor who once gave shelter to their high school romance. Neither has lived the life they imagined . . . and neither can forget the passionate first love that forever changed their lives. As Amanda and Dawson carry out the instructions Tuck left behind for them, they realize that everything they thought they knew- about Tuck, themselves, and the dreams they held dear- was not as it seemed. Forced to confront painful memories, the two former lovers will discover undeniable truths about the choices they have made. And in the course of a single, searing weekend, they will ask of the living and the dead: *Can love truly rewrite the past?*

Friday	Saturday
<p>Archaeologist Carter and his team discovered the tomb of an Egyptian pharaoh in the Valley of the Kings. This discovery is a major breakthrough in the study of ancient Egypt.</p>	<p>5</p>
<p>Library Closed for Veterans Day</p> 	<p>12</p>
<p>19 Fun & Games 1-4pm</p> <p>*Construction began Nov 19, 1939 for the first presidential library.</p>	<p>19</p>
<p>26</p>	<p>26</p>



Check It Out!

NEWSLETTER AND CALENDAR

OF EVENTS

NOVEMBER 2011



VERMILLION PUBLIC LIBRARY

18 Church St., Vermillion, SD 57069

HOURS:

Monday-Thursday 10am-9pm
 Friday 10am-6pm
 Saturday 10am-5pm
 *Sunday 1-5pm

*Closed Sundays from Memorial Day through Labor Day

PHONE: (605) 677-7060

EMAIL: vpl@sdl.n.net

WEBSITE: vpl.sdl.n.net

FAX: (605) 677-7160

**VERMILLION PUBLIC LIBRARY
BOARD OF TRUSTEES
MONTHLY MEETING**

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Hoff reported that she will be in Arizona until April and will keep in touch via email.

Meeting adjourned at 7:25 pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jane A. Larson".

Jane A. Larson
Secretary for the Board

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			Sep 2011	605	34	87	Sep 2011	1588	53
			Oct 2011	601	34	62	Oct 2011	1865	60

Interlibrary Loan			Activities			Computer Usage:	
			Room Usage	Sessions	Users		
Borrowed	294		Community Room	43	833		
Loaned	153		South Dakota Room	15	120		
Total	447		Activity Room	2	12		
Items Returned:						1097	

Miscellaneous			Patron Gate		Holds Placed		Open Days:	
	People	Alarms	Adult Items		Adult Items		Reference Questions:	
Oct 2010	3089	69	Children's Items	6	39		865 28/day	
Oct 2011	2560	49	New Items	24	6		In-Library Browse:	1038

Circulation Statistics for October 2011

Children's Activities

<i>After School Programs</i>	<u>Kids</u>	<u>Adults</u>	<u>USD Vol</u>
Read for the Record Day	24	0	2
Halloween Party	68	0	6
Total	92	0	8

<i>Storytime</i>	<u>Kids</u>	<u>Adults</u>	No Storytimes Oct 3-6 SDLA Conference
Preschool	83		
Toddler	132	107	
Headstart	99		
USD Pre	36		
Total	350	107	

YA Activities

No YA activities for October

Total

Facebook Statistics

	Public
Monthly Active Users	90
People "Likes"	177
Wall Posts	2
Visits	55

FINES AND GIFTS CHECKING ACCOUNT - OCTOBER 2011

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May						1069.50	1065.53
June	335.90	237.67	95.19	1775.20	241.82	450.00	2817.67
July	205.30	250.38	405.00	525.20	212.98	0.00	3990.57
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September						7.50	5322.05
October	329.90	541.81	91.10	4.25	195.14	505.00	5589.49
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December							
Totals	1967.87	2831.94	991.16	3787.27	1015.62	4258.23	

CHECKS

\$ 5.00 Vermillion Public Transit - 2 rides
 \$ 500.00 Hartington Tree Co. - Trim elm tree

RECEIPTS

Donations

\$ 4.25 Anonymous

Replacements

\$ 1.00

Cards

\$ 40.00

Miscellaneous

\$ 50.00

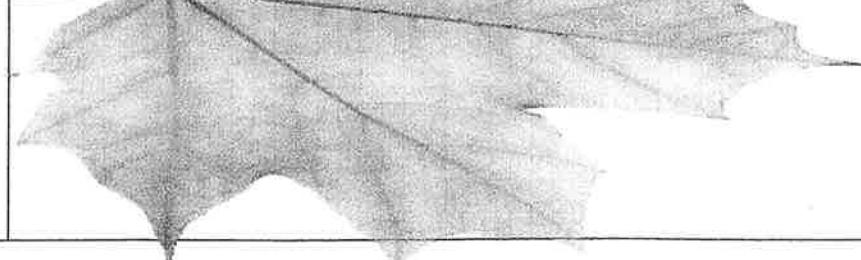
INVESTMENTS

Institution	Type	Amount	Rate	Maturity	Total
1st Bank & Trust	Money	2.44			
	Market	YTD 28.49	0.30%		\$ 11,701.53
1st Bank & Trust	CD		1.00%	1/30/2012	\$ 31,242.00
1st Bank & Trust	CD		1.05%	3/9/2012	\$ 52,021.07
CorTrust	CD	31.01			
		YTD 122.10	2.05%	4/4/2012	\$ 6,077.00
TOTAL:					\$ 101,041.60

1st Bank & Trust Money Market Account

No transactions during the month of October

November 2011

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		<p>1 Toddler Storytime 10:30-11am, 11:15-11:45am or 6-6:30pm</p> <p>Family Literacy Day 3:45-5pm</p>	<p>2 Preschool Storytime 11:15-11:45am</p> <p><i>The Pillars of the Earth</i> Movie Part 3, 7-8:45pm</p>	<p>3 Preschool Storytime 11:15-11:45am</p>	<p>4 * English archaeologist Howard Carter and his team discovered the tomb of Egyptian pharaoh Tutankhamen this day in 1922.</p>	5
<p>6 * Daylight saving time ends</p>	<p>7 Preschool Storytime 6:30-7pm</p> <p>City Council Meeting City Hall, 7pm</p>	<p>8 Toddler Storytime 10:30-11am, 11:15-11:45am or 6-6:30pm</p> <p>* National Parents as Teachers Day</p>	<p>9 Preschool Storytime 11:15-11:45am</p> <p><i>The Pillars of the Earth</i> Movie Part 3, 7-8:45pm</p>	<p>10 Preschool Storytime 11:15-11:45am</p>	<p>11 Library Closed for Veterans Day</p> 	12
13	<p>14 Preschool Storytime 6:30-7pm</p> <p>School Board Meeting Al Neuharth, USD 7pm</p>	<p>15 Toddler Storytime 10:30-11am, 11:15-11:45am or 6-6:30pm</p> <p>Library Board Meeting 6pm</p> <p>* I Love to Write Day</p>	<p>16 Preschool Storytime 11:15-11:45am</p>	<p>17 Preschool Storytime 11:15-11:45am</p> <p>Prairie Bud Books Early Elem, 3:45-5pm</p> <p><i>The Pillars of the Earth</i> Discussion, 7-9pm</p>	18	<p>19 Fun & Games 1-4pm</p> <p>*Construction began Nov 19, 1939 for the first presidential library.</p>
<p>20 YA Gaming Event 2-3pm</p>	<p>21 Preschool Storytime 6:30-7pm</p> <p>City Council Meeting City Hall, 7pm</p>	<p>22 Toddler Storytime 10:30-11am, 11:15-11:45am or 6-6:30pm</p>	<p>23 Preschool Storytime 11:15-11:45am</p> <p>Library Closing at 5pm</p>	<p>24 Library Closed for Thanksgiving Day</p> 	25	26
27	<p>28 Preschool Storytime 6:30-7pm</p>	<p>29 Toddler Storytime 10:30-11am, 11:15-11:45am or 6-6:30pm</p>	<p>30 Preschool Storytime 11:15-11:45am</p>			

EBOOKS AND EAUDIOBOOKS

EBooks and eAudiobooks are now available for the Vermillion Public Library patrons. After months of waiting, our collections are now working properly.

Currently, patrons can only download the eAudiobooks. EBooks are only viewable on your computer and cannot be downloaded or transferred to any device.

Patrons must use Internet Explorer for the download manager to work properly on PCs. Firefox works with Apple computers only. EBSCO Host automatically sets the collection at eAudiobooks only. Look below for directions on how to search both collections.

To Access Our Collections:

1. Go to our website: vpl.sdln.net
2. Click on the appropriate link (either eBooks or eAudiobooks) on our homepage
3. "Sign in" with your VPL library card number (only if accessing from outside VPL)
4. Click on the "Create a New Account"
Patrons can create a new account at the library or off site
5. Search the hundreds of items available

To Search Our eBook Collection:

1. Click the "Choose Database" link, located directly above the "Search" button
2. Check the "eBook Collection" box located at the bottom of the right column

To Download an eAudiobook:

1. Find a title to "Checkout"
2. Click "Download This Audiobook"
3. You will have to download EBSCO's "Download Manager" (once installed continue to next step)
4. Go to "My Checkouts" folder
5. Click title
6. Select the number of days you would like the title
7. Click "Checkout & Download" these may be transferred to any music player iPod, MP3 player etc.

For questions visit our website, or our wonderful staff would be happy to help.

UPCOMING FALL EVENTS

Adult

The Pillars of the Earth Mini Series

The Pillars of the Earth by Ken Follett is the Fall 2011 book club selection. This epic of kings and peasants centers on the building of a magnificent church in twelfth-century England. Copies of the book are available to checkout at the Circulation Desk.

Join us for this mini series in the Community Room for the Wednesday movies from 7-8:45pm and the Thursday discussion facilitated by Bergen Peterson, Adjunct Professor for USD Beacom School of Business from 7-9pm:

- Movie Part 3: November 2nd
Movie Part 4: November 9th
Discussion: November 17th

Fun & Games

Join us Saturday, November 19th: 1-4pm in the Community Room. Learn Bunco, a fast-paced, dice game. Adults and children ages 12 and up are invited to attend.



Children's

Early Elementary: Prairie Bud Books

Join us Thursday, November 17th: 3:45-5pm, for activities, crafts, and snacks.

All Ages: Family Literacy Day



Come build a book Tuesday, November 1st: 3:45-5pm. It's a great way to make something special!

YA

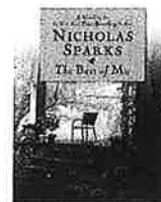
Gaming Event

Come play Wii and board games with your friends Sunday, November 20th: 2-3pm. Snacks will be provided.

VERMILLION PUBLIC LIBRARY'S

BOOK OF THE MONTH:

The Best of Me by Nicholas Sparks



In the spring of 1984, high school students Amanda Collier and Dawson Cole fell deeply, irrevocably in love. Though they were from opposite sides of the tracks, their love for each other seemed to defy the realities of life in the small town of Oriental, North Carolina. A loner from a violent and infamous local family, Dawson believed his love for Amanda promised an escape from the darker destiny laid out for him. A golden girl from a well-to-do family with plans to attend Duke University, Amanda saw something in Dawson that spoke to her own rebellious and passionate heart. But as the summer of their senior year came to a close, unforeseen events would tear the young couple apart, setting them on radically divergent paths.

Now, twenty-five years later, Amanda and Dawson are summoned back to Oriental for the funeral of Tuck Hostetler, the mentor who once gave shelter to their high school romance. Neither has lived the life they imagined . . . and neither can forget the passionate first love that forever changed their lives. As Amanda and Dawson carry out the instructions Tuck left behind for them, they realize that everything they thought they knew- about Tuck, themselves, and the dreams they held dear- was not as it seemed. Forced to confront painful memories, the two former lovers will discover undeniable truths about the choices they have made. And in the course of a single, searing weekend, they will ask of the living and the dead: *Can love truly rewrite the past?*



NEWSLETTER AND CALENDAR

OF EVENTS

NOVEMBER 2011



VERMILLION PUBLIC LIBRARY

18 Church St., Vermillion, SD 57069

HOURS:

Monday-Thursday	10am-9pm
Friday	10am-6pm
Saturday	10am-5pm
*Sunday	1-5pm

***Closed Sundays from Memorial Day through Labor Day**

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