

Approved Minutes
Council Special Session
November 5, 2012
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 5, 2012 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Present: Davies, Grayson, Meins, Osborne, Ward (arrived at 12:07 p.m.), Zimmerman, Mayor Powell

Absent: Collier-Wise, Willson

2. Informational Session - Landfill Baler Building Fire report - Bob Iverson

John Prescott, City Manager, reported that on October 22nd there was a fire at the landfill building that housed the baler as well as several large pieces of equipment. He stated that Bob Iverson, Solid Waste Director, has some pictures and will report on the operations along with an update on the insurance.

Alderman Ward arrived at 12:07 p.m.

Bob Iverson, Solid Waste Director, reviewed pictures of the building noting the extent of the damage along with the damage to equipment and supplies in the building. He stated that the State Fire Marshall's Office and insurance company representatives inspected the property and could not determine the cause of the fire. Bob stated that without the baler the landfill will be burying solid waste in the trench. He reported that elevations were taken and will be monitored to determine the amount of landfill space being used to compare to baling. Bob wanted to thank the City Fire Department along with the other fire departments that assisted by hauling water to save the office building. Bob also thanked the other City departments that helped establish electrical service to the office building and hauled fuel and other supplies so they could continue to operate. Bob stated that the insurance company is working on determining the value of property that was destroyed and also making plans to remove the damaged property. Bob answered questions of the City Council on the landfill fire and operations.

Mike Carlson, Finance Officer, reviewed the insurance coverage of the property noting that the building and contents would be at

replacement cost but the loaders and truck would be at current market value. Mike noted that the building also has coverage for extra expenses up to \$100,000, debris removal of up to \$250,000, lost earnings \$100,000, building materials and supplies of \$10,000 and temporary storage location coverage of up to \$250,000. The equipment coverage is at current market value but also has coverage for rental equipment of up to \$25,000. The insurance company will be processing a progress payment of \$500,000 to the City to assist with some of the current expenses and we will be working with the insurance company by listing the costs incurred. Discussion followed.

John Prescott, City Manager, presented some pictures of the library addition taken this morning. He stated the moving of library materials from the existing space to the new library addition started today. John reported that the new space will be tight until the existing library space is renovated and the materials are moved back.

3. Briefing on the November 5, 2012 City Council Regular Meeting Agenda

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

4. Adjourn

385-12

Alderman Meins moved to adjourn the Council special session at 12:42 p.m. Alderman Osborne seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 5th day of November, 2012.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Approved Minutes
City Council Regular Session

November 5, 2012
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on November 5, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Willson

2. Pledge of Allegiance

3. Minutes

A. October 15, 2012 Special Session; October 15, 2012 Regular Session

386-12

Alderman Davies moved approval of the October 15, 2012 special session minutes and the October 15, 2012 regular session minutes. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

387-12

Alderman Zimmerman moved approval of the agenda with the addition of an Executive Session for legal matters pursuant to SDCL 1-25-2(3). Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard - None

6. Public Hearings

A. Request from Todd & Michele Mechling for a variance from the zoning ordinance to have a concrete slab in the front yard at 1020 W. Main Street

Farrell Christensen, Building Official, stated on September 25, 2012 Todd & Michele Mechling applied for a building permit to construct two additions on their existing home located at 1020 W. Main. Farrel stated in order to better understand the project, he contacted the

contractor listed on the permit application, Nick Koster of Greenfield Builders. We had a long discussion about the project and what would be done to the house. At no time during the discussion was there mention of the construction of a 42 foot by 20 foot concrete pad in the required front yard. Several days after the discussion, staff received a complaint about a parking pad in the front yard of 1020 W Main. Staff inspected the property and found a new concrete pad with a pickup parked on it.

On October 3, 2012 a letter was sent to the owners advising them that the new parking pad was not allowed and must be removed. Several days later, the owner contacted code enforcement staff in regard to the letter. The Owner stated that the new pad was for a basketball court not parking. Because the pad was being used as a parking area, the letter was sent for parking. However, even if the pad was used as a basketball court it was still in violation of the landscaping requirements in the City's zoning ordinance, which promote development that is environmentally sensitive and aesthetically pleasing. The landscaping section requires at least 90% of the required front yard setback be landscaped and maintained with living ground cover. The remaining 10% is set aside for necessary stoops, steps and sidewalks connecting the front door to the driveway. Because of this ordinance, the pad would still need to be removed. Farrel stated that on October 12th a variance petition was filed, including a request for an agreement between the City and the Owners that would allow the City to issue a building permit pending the outcome of the variance petition. Staff developed an agreement and on October 15th the agreement was signed and the building permit was issued for the home additions.

Farrel stated that City Ordinance identifies the City Council as the Board of Adjustment and gives them the jurisdiction to hear and decide upon petitions for variances to vary the strict application of the height, area, setback, yard, parking or density requirements as will not be contrary to the public interest. For purposes of these regulations, public interest shall include the interests of the public at large within the city, not just neighboring property owners. At all times, the burden shall be on the applicant to prove the need for a variance. The ordinance requires the applicant to demonstrate an unnecessary hardship for the variance. An unnecessary hardship is a situation where, in the absence of a variance, an owner can make no feasible or reasonable use of the property. Convenience, loss of profit, financial limitations, or self-imposed hardship shall not be considered as grounds for approving a variance by the Board of Adjustment.

Farrel stated that in staff's opinion, it does not appear that the applicant has demonstrated a hardship. The owner has other locations for the basketball court that are not prohibited. Only the first 25 feet of the yard is required to be maintained with living ground cover which is environmentally sensitive and aesthetically pleasing. In this case, several locations are available for a basketball court. The first is the existing driveway; almost all residential basketball courts are located in this area. Additional space is also available to the west of the home behind the required front yard. Either place would allow the owner a reasonable use of the property without the need for a variance. Furthermore, the request to screen the violation is not an acceptable way to address an ordinance violation.

Todd Mechling, property owner at 1020 W. Main, stated that if he would have known about the ordinance he would not have poured the concrete pad before asking for the variance. He stated that as Main Street is a snow route and even though he has a large lot to the west it is a ravine, to the south is over the bluff and the driveway slopes to the garage thus the only place for a basketball court is the front yard. He stated that the lilac bushes in the front yard were cut back and will grow to screen the court. As to the building permit, flat concrete work does not require a permit and his contractor has done considerable work around town. Todd stated that he filed the variance to save the basketball court. Todd provided handouts to the City Council that included signatures from neighbors stating that they had no objections to the basketball court in the current location, a copy of the invoice noting the financial cost of the basketball court, a drawing of the proposed screening of the front yard, a proposal to remove part of the concrete to bring the front yard coverage to 17%, pictures of the property and also pictures of other properties that have a large amount of concrete in their front yards. Todd stated that he never meant to bypass the building code and wants to save enough of the basketball court to have a place for his children to play in the front yard.

John Prescott, City Manager, stated that the definition of front yard is in front of the structure and the pictures show concrete in what would be considered the side yard. John also noted that there is currently no sidewalk on this property and if the City Council wanted to require a sidewalk it might require the removal of the lilac bushes.

Discussion followed with Todd answering questions.

388-12

Alderman Osborne moved to approve the variance to the zoning ordinance to allow a 23 foot by 20 foot concrete slab in the northeast portion of the front yard. Alderman Grayson seconded the motion. Discussion followed noting the need to show a hardship by the applicant with the City Attorney reviewing the ordinance requirements. A roll call vote of the Governing Body was as follows: Collier-Wise-Y, Davies-N, Grayson- Y, Meins-Y, Osborne-Y, Ward-Y, Zimmerman-N, Mayor Powell-N. Mayor Powell asked the City Attorney about the requirements for a variance with Jim McCulloch reporting a two thirds vote of the members of the Board of Adjustment shall be necessary to approve any variance which would require six yes votes. Mayor Powell stated that the motion failed 5 to 3 as the required two thirds vote was not received.

B. Lease for approximately 232 acres of farmland east of Vermillion

Mike Carlson, Finance Officer, reported that State statute requires a public hearing before leasing municipally owned property for more than 120 days and an amount in excess of \$500. The City received approximately 232 acres of farmland from Kenneth Mockler in 1994. The statute does not require bidding but, to determine the most advantage price, the City advertised for bids which were opened November 1st. Four bids were received for the three year lease with the highest bid received from Jeff Solomon for \$70,000 in 2013, \$71,000 in 2014 and \$72,000 in 2015. Following the public hearing, the City council can authorize the farmland lease.

389-12

Alderman Zimmerman moved approval of the 3 year farmland lease with Jeff Solomon for approximately 232 acres of farmland east of Vermillion at \$70,000 for 2013, \$71,000 for 2014 and \$72,000 for 2015. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Resolution to purchase a 938 Wheel Loader for the Solid Waste Department from the State of South Dakota contract

Jason Anderson, Assistant City Engineer, reported that the existing 938 wheel loader was destroyed in the Oct 22nd fire at the landfill. To timely replace the equipment at the landfill, it is recommended to purchase one from the National Joint Powers Alliance bid for a Caterpillar 938K wheel loader. Jason noted that the State of South Dakota has also purchased from this contract. The price is \$186,063

and includes 60 months or 5,000 hours warranty. Jason stated that the price includes a Ryland coupler which is not compatible with the existing City attachments. Butler Machinery has agreed to allow the trade-in of the Ryland coupler for a Fusion quick coupler for a deduct of \$15,391 bringing the total to \$170,672. Discussion followed.

390-12

Alderman Davies moved approval of the purchase of a 2012 Caterpillar 938K wheel loader from the National Joint Powers Alliance bid of \$186,063 and trade in the Ryland coupler for a Fusion quick coupler for a deduct of \$15,391 bringing the total to \$170,672 from Butler Machinery Company. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Developer's Agreement with Troy Gregoire for Lot 6, Block 1, Cottage Place Addition

Jose Dominguez, City Engineer, reported that Troy Gregoire is planning on constructing a storage building on Lot 6, Block 1 Cottage Place and City ordinance requires that the property owner construct sidewalks, grading, curb and gutter, street surfacing, street lights, water and sewer improvements on all streets abutting the property to be developed. This particular lot will be fronting Cottage Place, which is a gravel alley/street. The surfacing material is acceptable for the amount of traffic that will be generated after the construction of the storage unit. Jose noted that construction of a concrete alley/street will be reviewed once other development occurs along Cottage Place.

Jose stated that the agreement will require that Mr. Gregoire construct a drainage system to alleviate any drainage issues caused by the construction of the storage unit. The proposed drainage system will connect to the system already in place at Cottage Avenue and drain the area between lot 6 and lot 5. The agreement also stipulates that the City will pay two-thirds of the cost, up to a maximum of \$15,000 with the remainder to be paid by Mr. Gregoire. In addition, the proposed drainage system will have to be in place and functional by June 1, 2013. Jose stated that the City Attorney has reviewed the agreement and recommended the adoption.

391-12

Alderman Ward moved approval of the Developer's Agreement with Troy Gregore for Lot 6, Block 1, Cottage Place Addition as presented outlining the city share of the storm drainage costs. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Resolution to adjust the Storm Drainage fee

Mike Carlson, Finance Officer, reported that during the budget process it was proposed to raise the storm drainage fee to provide additional revenues for storm drainage projects. The fee is charged to all properties in the city and is included on the property tax statements. The proposed increase will generate \$5,400 of additional revenue for the storm water fund. For a residential lot of 10,000 square feet, the fee would go from \$24.00 to \$24.75 per year. Discussion followed.

392-12

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

RESOLUTION TO CHANGE STORMDRAINAGE FEE

WHEREAS, Section 53-135 of the 2008 Revised Ordinances of the City of Vermillion allows the City Council to change the city wide property drainage fee.

AND WHEREAS, during the annual budget it was determined there were not sufficient revenues in the stormdrainage fee fund.

BE IT HEREBY RESOLVED by the Governing body of the City of Vermillion, South Dakota, at a regular meeting thereof of said City at 7:00 p.m. on the 19th day of September, 2011 that the fee be changed as follows:

The unit financial charge shall be \$0.00033.

Dated at Vermillion, South Dakota this 5th day of November, 2012.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D Carlson, Finance Officer

The motion was seconded by Alderman Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Brooks Industrial Park Property Lease Agreement with the South Dakota National Guard

Andy Colvin, Assistant to the City Manager, reported that the City entered into a lease agreement with the SD National Guard for land in the Brooks Industrial Park in 1995. The proposed lease is for 15 years and provides for an option for renewal. Andy noted that there is no change on this lease but it is cancellable by the City if the property should be needed for economic development. He stated that the City Attorney has reviewed the lease and recommends striking the last line on Page 1 as there is no Exhibit A.

393-12

Alderman Zimmerman moved approval of the lease agreement with the South Dakota Department of the Military for the Brooks Industrial Park property as presented with the removal of the last line on page 1 as recommended by the city attorney. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

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

4,350 gal. unleaded 10% ethanol: Stern Oil \$3.0369, Brunick's Service \$3.08; 1,500 gal. average cost of No. 1 and No. 2 diesel fuel-dyed: Stern Oil \$3.3617, Brunick's Service \$3.40; 500 gal. average cost of No. 1 and No. 2 diesel fuel-clear: Stern Oil \$3.5832, Brunick's Service \$3.70

394-12

Alderman Ward moved approval of the low quote of Stern Oil on all three proposals. Alderman Osborne seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that City offices will be closed on Monday, November 12th in observance of the Veterans Day holiday.

B. John noted that the curbside recycling collection for the Thanksgiving Day holiday, Thursday, November 22nd will be on Monday, November 19th.

C. John reported that the library is closed this week as items are being moved from the current building to the newly constructed space, noting the library will reopen as soon as possible. The maximum closure will be two weeks.

D. Alderman Ward asked for an update on the cost analysis for the larger pool. John stated that he has been in contact with the consultant and is anticipating a report by year end.

PAYROLL ADDITIONS AND CHANGES

General: Angie Madsen \$13.10/hr; Finance: Vicki Fader \$15.72/hr, Janis Johnson \$14.04/hr; Police: Ben Nelsen \$23.03/hr; Ambulance: Lee Huber \$25.43/hr; Recreation: Kendall Kritenbrink \$8.00/hr, Bailey Lupardus \$8.00/hr, Tyler Williamson \$7.75/hr; Recycling: Dave Christopherson \$21.53/hr

11. Invoices Payable

395-12

Alderman Davies moved approval of the following invoice:

UNIVERSITY CLEANERS	ATTACH PATCHES	7.00
---------------------	----------------	------

Alderman Collier-Wise seconded the motion. Alderman Meins requested to abstain. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

396-12

Alderman Davies moved approval of the following invoices:

4IMPRINT	OPEN HOUSE MATERIALS	749.46
A-OX WELDING SUPPLY CO	BULK CO2	742.00
AARON BAEDKE	SAFETY BOOTS REIMBURSEMENT	100.00
AGLAB EXPRESS	TESTING	74.00
ALERT-ALL CORPORATION	OPEN HOUSE MATERIALS	207.00
ALLIED INSURANCE	NOTARY BOND	100.00
AMERICAN PUBLIC WORK ASSOC	MEMBERSHIP	552.00
AMERICAN RAMP COMPANY	INSTALLATION	1,060.00
ANNE KRAMER	BOOKS	20.00
APCO INTERNATIONAL	MEMBERSHIP DUES	506.00
APPEARA	SUPPLIES	140.27

AQUA-PURE INC	CHEMICALS	6,220.00
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	253.85
ARGUS LEADER MEDIA #1085	SUBSCRIPTION	48.00
AUDIO GO	BOOKS	155.91
AVERA QUEEN OF PEACE HEALTH	TESTING	354.60
BAKER & TAYLOR BOOKS	BOOKS	904.46
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	2,000.35
BARKLEY ASPHALT	ASPHALT	2,287.35
BARNES DISTRIBUTION	SUPPLIES	78.36
BATTERIES PLUS	BATTERIES	119.00
BELAIR EXCAVATING	REPAIRS	15,035.00
BIERSCHBACH EQPT & SUPPLY	SUPPLIES	578.00
BOOK WHOLESALERS, INC	BOOKS	2,569.40
BORDER STATES ELEC SUPPLY	SUPPLIES	227.43
BOUND TREE MEDICAL, LLC	SUPPLIES	1,710.77
BROADCASTER PRESS	ADVERTISING	42.00
BRYAN BERINGER	UNIFORM REIMBURSEMENT	52.99
BUTLER MACHINERY CO.	PARTS	685.09
CALLAWAY GOLF	MERCHANDISE	95.90
CAMPBELL SUPPLY	SUPPLIES	1,001.83
CANON FINANCIAL SERVICES, INC	COPIER LEASE	196.27
CASK & CORK	MERCHANDISE	1,757.51
CENTER FOR WESTERN STUDIES	BOOKS	21.21
CENTURY BUSINESS LEASING, INC	COPIER CONTRACT	138.25
CENTURY BUSINESS PRODUCTS	COPIER MAINTENANCE	118.46
CENTURYLINK	TELEPHONE	738.03
CHARLES ROGERS	BOOKS	17.00
CHEMCO, INC	SUPPLIES	468.87
CHESTERMAN CO	SUPPLIES	425.98
CHRISTENSEN RADIATOR & REPAIRS	SNOW PLOW ASSY	4,986.00
CITY OF VERMILLION	COPIES/POSTAGE	1,640.63
CITY OF VERMILLION	UTILITY BILLS	36,707.59
CLAY CO REGISTER OF DEED	FILING FEES	60.00
CLAY COUNTY HIGHWAY DEPT	LIQUID ASPHALT	303.00
CLAY RURAL WATER SYSTEM	WATER USAGE	32.00
COBRA GOLF INC	REPAIRS	45.37
COFFEE KING, INC	SUPPLIES	57.75
COLONIAL LIFE ACC INS.	INSURANCE	2,953.17
CONCRETE MATERIALS	GOLF SAND	838.35
CUMMINS CENTRAL POWER, LLC	REPAIRS	16,332.97
DAKOTA BEVERAGE	MERCHANDISE	12,543.05
DAKOTA PC WAREHOUSE	SUPPLIES	209.51
DAKOTA RIGGERS & TOOL SUPPLY	SUPPLIES	515.96

DANKO EMERGENCY EQUIPMENT	SUPPLIES	725.00
DAVIS PHARMACY	SUPPLIES	59.90
DELTA DENTAL PLAN	INSURANCE	5,864.60
DEMCO	SUPPLIES	181.88
DENNIS MARTENS	MAINTENANCE	833.34
DEPT OF REVENUE	TESTING	410.00
DEREK RONNING	MILEAGE REIMBURSEMENT	107.60
DETCO	SUPPLIES	439.05
DEWILD GRANT RECKERT & ASSOC	PROFESSIONAL SERVICES	873.50
DIAMOND VOGEL PAINTS	SUPPLIES	1,810.00
DUST TEX	SUPPLIES	69.90
E.A SWEEN COMPANY	SUPPLIES	217.55
EARTHGRAINS BAKING CO'S INC	SUPPLIES	31.86
ECHO ELECTRIC SUPPLY	SUPPLIES	6,663.46
ELECTRONIC ENGINEERING	BATTERIES	644.95
ENERGY LABORATORIES	TESTING	810.00
FARMER BROTHERS CO.	MERCHANDISE	130.31
FEDEX.	SHIPPING	22.94
FIRST NATIONAL BANK	CITY HALL DEBT SERVICE	258,551.68
FOREMAN MEDIA	COUNCIL MTG	200.00
GALE	BOOKS	71.17
GENERAL TRAFFIC CONTROLS	SUPPLIES	136.00
GRAHAM TIRE CO.	TIRES	1,574.48
GRAINGER	PARTS	321.95
GRAYBAR ELECTRIC	SUPPLIES	4,884.00
GREGG PETERS	ADVERTISING	500.00
GREGG PETERS	RENT	937.50
GUARANTEE OIL CO INC	SUPPLIES	129.84
HACH CO	SUPPLIES	1,435.64
HANSEN LOCKSMITHING	PARTS	40.00
HAUGER YARD/SNOW SERVICE	PROFESSIONAL SERVICES	75.00
HD SUPPLY WATERWORKS	SUPPLIES	15,539.82
HEIMAN, INC.	REPAIRS	1,431.51
HERC-U-LIFT	REPAIRS	121.35
HERREN-SCHEMPP BUILDING	SUPPLIES	1,593.59
HY VEE FOOD STORE	SUPPLIES	148.18
INDEPENDENCE WASTE	PORT TOILET/WASTE HAULING	1,922.15
INGRAM	BOOKS	239.09
JACKS UNIFORM & EQPT	UNIFORMS	440.25
JASON ANDERSON	MEALS REIMBURSEMENT	33.00
JOHN A CONKLING DIST.	MERCHANDISE	8,672.69
JOHN C. PRESCOTT	MEALS REIMBURSEMENT	134.00
JOHN WALKER	REPLACE ELEC SERVICE	581.91

JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	22,933.57
JOHNSON FEED, INC	REPAIRS	556.92
JOHNSTONE SUPPLY	PARTS	113.07
JONES ACE HARDWARE	SUPPLIES	533.00
JONES FOOD CENTER	SUPPLIES/CATERING	1,517.06
JOSE DOMINGUEZ	MEALS REIMBURSEMENT	33.00
KARSTEN MFG CORP	MERCHANDISE	88.97
KEY CONTRACTING, INC	MANHOLE REPAIRS	33,805.00
KNOLOGY	911 CIRCUIT	1,365.50
LAKESHORE LEARNING MATERIALS	SUPPLIES	132.28
LAYNES WORLD	AWARD PLAQUE	67.53
LEAGUE OF MINNESOTA CITIES	ADVERTISING	42.84
LEAGUE OF NEBRASKA MUNICIPALITIES	ADVERTISING	63.25
LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	747.82
LEISURE LAWN CARE	TREATMENT	50.00
LESSMAN ELEC. SUPPLY CO	SUPPLIES	1,089.60
LINCOLN MUTUAL LIFE	INSURANCE	514.30
LOCATORS AND SUPPLIES, INC	SUPPLIES	5,325.93
LONGS PROPANE INC	PROPANE	1,410.75
LP GILL, INC	TIRE DISPOSAL	471.00
LUDEY'S READY MIX	PATCHING MIX	306.00
LYLE SIGNS	SUPPLIES	139.40
MALLOY ELECTRIC	PARTS	111.09
MART AUTO BODY	REPAIRS/TOWING	2,741.00
MATHESON TRI-GAS, INC	CARBON DIOXIDE	182.49
MATT PARROTT & SONS CO.	UTILITY BILLS	3,663.76
MATT PUTHOFF	SAFETY BOOTS REIMBURSEMENT	100.00
MATTHEW BENDER & CO, INC	MANUAL	110.48
MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,200.00
MEAD LUMBER	SUPPLIES	158.31
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	85.53
MENARDS	REPAIRS	225.97
MICHAEL TODD	PARTS	148.55
MICWEBS	WEBSITE HOSTING	130.00
MIDWEST ALARM CO	ALARM MONITORING	120.00
MIDWEST BUILDING MAINTENANCE	MAT SVC	365.70
MIDWEST READY MIX & EQUIPMENT	LANDSCAPING ROCK	200.00
MIDWEST TURF & IRRIGATION	PARTS	2,001.66
MIKE ENTERMAN	REPAIRS	250.00
MINITEX LIBRARY	SUPPLIES	378.00
MINN MUNICIPAL UTILITY ASSOC	4TH QTR SAFETY MGMT PROGRAM	5,539.14
MISSOURI RIVER ENERGY SERVICE	TESTING	823.30
MISSOURI VALLEY MAINTENANCE	REPAIRS	1,267.50

MOORE WELDING & MFG	SUPPLIES	10.80
McLAURY ENGINEERING	PROFESSIONAL SERVICES	119.50
NALCO CHEMICAL CO	SUPPLIES	228.10
NCL OF WISCONSIN, INC	SUPPLIES	330.93
NETSYS+	PROFESSIONAL SERVICES	230.00
NEW YORK LIFE	INSURANCE	94.02
NORTHERN SAFETY CO. INC	SUPPLIES	143.45
NORTHERN TRUCK EQPT CORP	PARTS	98.00
OLSON SOD FARMS	SOD	180.00
OVERHEAD DOOR OF SIOUX CITY	REPAIRS	179.00
PAULS PLUMBING	REPAIRS	1,226.96
PCC, INC	AMBULANCE BILLING	1,407.94
PETE LIEN & SONS, INC	CHEMICALS	8,766.80
PITNEY BOWES, INC	SUPPLIES	88.48
PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
POMPS TIRE SERVICE, INC.	TIRES	233.54
PRAIRIE BERRY WINERY	MERCHANDISE	1,002.00
PRESSING MATTERS	SUPPLIES	247.00
PRINT SOURCE	SUPPLIES	93.00
PUMP N PAK	FUEL	2,716.31
QUEEN CITY WHOLESALE	SUPPLIES	87.07
QUILL	SUPPLIES	1,979.54
RACOM CORPORATION	MAINTENANCE CONTRACT	368.50
RANDOM HOUSE, INC	BOOKS	262.71
RASMUSSEN MOTORS, INC	PARTS	111.95
RECORDED BOOKS, INC	BOOKS	435.55
REPUBLIC NATIONAL DIST	MERCHANDISE	26,167.71
RESCO	SUPPLIES	1,614.75
ROBIN HOWER	MEALS/REG REIMBURSEMENT	118.00
RUGGEDCOM INC	SUPPLIES	1,299.00
SAFETY BENEFITS INC	REGISTRATION	195.00
SANITATION PRODUCTS	SUPPLIES	407.73
SCHAEFFER MFG. CO	SUPPLIES	793.60
SCHOLASTIC LIBRARY PUBLISHING	SUPPLIES	9.40
SD ELECTRICAL COUNCIL	MEMBERSHIP DUES	40.00
SD MUNICIPAL LEAGUE	REGISTRATION	20.00
SD ONE CALL	LOCATES	381.05
SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	1,112.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	46,811.75
SDPRA	MEMBERSHIP	20.00
SECURITY SHREDDING SERVICE	PROFESSIONAL SERVICES	35.00
SERVALL TOWEL & LINEN	SUPPLIES	29.40
SIOUX FALLS TWO WAY RADIO	REPAIRS	565.64

SPECIAL T'S AND MORE	PROFESSIONAL SERVICES	35.00
SPECTER INSTRUMENTS	ANNUAL SUPPORT	395.00
STANLEY SECURITY SOLUTIONS	LOCK CORES/KEYS	1,155.07
STATE TREASURER	UNCLAIMED PROPERTY	578.50
STERN OIL CO.	FUEL	2,123.47
STUART C. IRBY CO.	SUPPLIES	5,567.28
STURDEVANTS AUTO PARTS	PARTS	833.77
TEAM GOLF	MERCHANDISE	497.40
THATCHER COMPANY	SODA ASH	28,494.40
THE EQUALIZER	ADVERTISING	162.80
THE NEW SIOUX CITY IRON CO	SUPPLIES	406.30
TITAN ACCESS ACCOUNT	PARTS	403.38
TODAYS DISTRIBUTOR	SUPPLIES	1,020.00
TRUE VALUE	SUPPLIES	598.47
UNITED WAY	CONTRIBUTIONS	330.80
VAN DIEST SUPPLY CO	SUPPLIES	593.00
VERIZON WIRELESS	POLICE COMMUNICATIONS	212.07
VCDD	VERMILLION BUCKS	40.00
VERMILLION COMMUNITY CPR	CPR CARDS	4.00
VERMILLION CONCRETE	SIDEWALK REPAIRS	7,188.85
VERMILLION CONSTRUCTION CO	BARSTOW SKATE PARK	12,422.00
VERMILLION FORD	PARTS	177.26
VERMILLION NOW!	COMMUNITY HOUSING STUDY	23,100.50
VERMILLION ROTARY CLUB	DUES/MEALS	134.25
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	4,777.31
VISUAL COMPUTER SOLUTIONS	ANNUAL SUPPORT	515.00
WAL-MART COMMUNITY	SUPPLIES	1,060.01
WALKER CONSTRUCTION	CONCRETE WORK	9,015.16
WALT'S HOMESTYLE FOODS, INC	SUPPLIES	93.10
WELFL CONSTRUCTION CO	LIBRARY EXP/REMODEL	238,214.00
WESCO DISTRIBUTION, INC	SUPPLIES	1,456.26
WILLSON FLORIST	GREEN PLANT	38.00
WINKLER ROOFING, INC	REPAIRS	1,254.00
YANKTON FIRE & SAFETY	ANNUAL INSPECTION	1,388.00
YANKTON JANITORIAL SUPPLY	SUPPLIES	1,271.07
ZEE MEDICAL SERVICE	SUPPLIES	43.10
ZIMCO SUPPLY CO	SUPPLIES	8,100.54
WENDY HARKNESS	BRIGHT ENERGY REBATE	50.00
PAT WINGEN	BRIGHT ENERGY REBATE	550.00
MICHAEL GILLISPIE	BRIGHT ENERGY REBATE	50.00
GAIL PAULSON	BRIGHT ENERGY REBATE	550.00

Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a bid opening date of December 10, 2012 for a Fire Department pumper truck

397-12

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

13. Executive Session

Alderman Ward moved to go into executive session at 8:20 p.m. for consultation with the City Attorney on legal matters pursuant to SDCL 1-25-2(3). Alderman Osborne seconded the motion. Alderman Collier-Wise requested to be excused from the executive session due to a conflict and exited the meeting. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

398-12

Alderman Zimmerman moved to authorize the City Attorney to proceed with the writ as it applies to the property at 23 N Harvard and to disregard the proposal received tonight through the City Attorney. Alderman Meins seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

14. Adjourn

399-12

Alderman Osborne moved to adjourn the Council Meeting at 8:42 p.m. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 5th day of November, 2012.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

