



Special Meeting Agenda City Council

12:00 pm (noon) Special Meeting
Monday, October 3, 2011
Large Conference Room
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Vermillion Chamber of Commerce and Development Company update – Steve Howe.**
3. **Briefing on the October 3, 2011 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
4. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, October 3, 2011

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. September 19, 2011 Special Session; September 19, 2011 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
 - a. Public Power week 2011.
6. **Public Hearings**
 - a. Resolution approving special assessment roll for nuisance abatement.
 - b. Special daily malt beverage and wine license for the Vermillion Area Arts Council on or about October 8, 2011 at 202 Washington Street.
 - c. Transfer of retail on-off sale wine and retail on-off sale malt beverage licenses to Prairie River, Inc. for R-Pizza at 2 W. Main from LaMarco, Inc.
 - d. Transfer of retail on-sale liquor license to John Grunewaldt for Pressbox at 9 W. National from CLG, LLC.
7. **Old Business**
 - a. Second Reading of Ordinance 1261 - Petition to re-zone Lots 7 & 8, Block 1, Potters Addition, from NC Neighborhood Commercial to R-2 Residential (Mulberry Street lots immediately north of 1120 E. Main Street).
8. **New Business**
 - a. Fireworks Public Display permit for USD on October 4, 2011.
 - b. Rose Street Street Light Agreement with USD
9. **Bid Openings**
 - a. Fuel quotes.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
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
September 19, 2011
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, September 19, 2011 at 12:00 noon in the City Hall large conference room.

1. Roll Call

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

Absent: Grayson, Osborne

2. Educational Session - Presentation on City Snow Removal Practices and Options - Pete Jahn, Street Superintendent

Pete Jahn, Street Superintendent, reviewed the current snow removal practices, along with information received from Sioux Falls and North Dakota, on the use of snow gates. Pete stated that the reports from Sioux Falls on the use of snow gates noted that they required more operator time, used more fuel and, due to the need to stay away from the curb and other obstacles, reduced street width due to snow not being put up on the curb. Pete noted that the current city snow removal operation consists of a motor grader followed by a truck with a plow. If the city wanted to use snow gates two, additional motor graders would be needed for the snow gates instead of the trucks with plows as the snow gates will not attached to the truck mounted plows. Pete answered questions of the City Council on snow removal operations.

3. Briefing on the September 19, 2011 City Council Regular Meeting Agenda

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

4. Adjourn

283-11

Alderman Ward moved to adjourn the Council special session at 12:40 p.m. Alderman Meins seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of September, 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
September 19, 2011
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on September 19, 2011 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Grayson

2. Pledge of Allegiance

3. Minutes

A. September 6, 2011 Special Session; September 6, 2011 Regular Session

284-11

Alderman Zimmerman moved approval of the September 6, 2011 special session minutes and the September 6, 2011 regular session minutes with the adjustment to the vote on Motion 281-11 from 7-0 to 8-0. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

285-11

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

5. Visitors to be Heard

A. Family Day 2011 Proclamation

Alderman Meins read the proclamation recognizing the fourth Monday of every September as Family Day - "A day to eat dinner with your children" and urged all citizens to recognize and participate.

6. Public Hearings

A. First Reading of Ordinance No. 1261 - Petition to re-zone Lots 7 & 8, Block 1, Potters Addition, from NC Neighborhood Commercial to R-2 Residential (Mulberry Street lots immediately north of 1120 E. Main Street)

Farrel Christensen, Building Official, reported on the location of the two lots along Mulberry Street that the owner has requested to be re-zoned. Farrel stated that the Neighborhood Commercial Zone along Main Street fits businesses needing deep lots but the Funeral Home does not require the additional depth. The R-2 Zone adjoins these two lots on the north side of Mulberry Street. Farrel reported that the Planning Commission recommended approval of the zone change. Bob Hansen, property owner, answered questions of the City Council.

286-11

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to proposed Ordinance No. 1261 entitled An Ordinance to Petition to Re-zone Lots 7 & 8, Block 1, Potters Addition, from NC (Neighborhood Commercial) to R-2 (Residential) 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 19th day of September, 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 Ward. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 8 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

B. Resolution adopting a Resolution of Necessity for Sidewalk Repairs (Southeast Quadrant - East of Dakota Street and South of East Main Street)

Jose Dominguez, City Engineer, reported that the City instituted a sidewalk inspection program in 2010, which is meant to bring deficient

portions of sidewalks up to a proficient standard. The town was divided into quarters for this program with this being the second year of the program. The City Council passed a resolution on August 15th setting the public hearing for tonight. The notice was published and letters were sent to the property owners. The resolution provides for property owners to complete the repairs by June 29, 2012, or to demonstrate that they have the work under contract to be completed by the end of 2012 or the City will contract for the repairs and assess the costs to the property owners. Discussion followed.

287-11

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

RESOLUTION ADOPTING RESOLUTION OF NECESSITY
FOR SIDEWALK REPAIRS
IN THE CITY OF VERMILLION, SD

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regularly called meeting thereof, in the Council Chambers of said City Hall at 7:00 p.m. on the 19th day of September, 2011, that the necessity has arisen for the repair of sidewalks on the portion of the public streets and in front or abutting the lot or parcel of land hereinafter named:

Violation Address	Violation Legal Description	Violation Addition	Violation Parcel Number
10 S. University	Lot 4, and the W 1/2 of Vacated Alley	East End Park View Acres	15230-00000-040-00
100 Catalina	Lot 3, Blk 1	2nd	15570-00100-030-00
100 S. Pine	Lot 1 & N 14' of Lot 2	Nelsons Park View Acres	15500-00000-020-00
100 Sycamore	Lot 1, Blk 2	2nd Eastgate Manor	15570-00200-010-00
1001 Crestview	Lot 1 & N 10' of Lot 2, Blk 3	2nd	15250-00300-020-03
1003 Valley View	Lot 6, Blk 3	Ridgecrest	15600-00300-060-00
1004 Ridgecrest	Lot 10, Blk 3	Ridgecrest	15600-00300-100-00
1011 Ridgecrest	Lot 13, Blk 1	Ridgecrest	15600-00100-130-00
1016 Valley View	Lot 2, Blk 4	Ridgecrest Eastgate Manor	15600-00400-020-00
1018 Crestview	Lot 2, Blk 6	3rd	15260-00600-020-00
1019 Ridgecrest	Lot 14, Blk 1	Ridgecrest	15600-00100-140-00
102 Linden	Lot 6, Blk 1	Eastside	15270-00100-060-00
102 S. Forest	W 85' of Lots 1 & 2, Blk 75	Smiths	15710-07500-020-00
102 S. University	Lot 1 and the N 18' of Lot 2, Blk 2	College Park	15170-00200-020-00

103 Linden	N 17' of Lot 17 and all of Lot 18, Blk 2	College Park	15170-00200-180-00
103 S. Yale	Lots 1 & 2, Blk 77	Smiths	15710-07700-020-00
1030 Valley View	Lot 5, Blk 4	Ridgecrest	15600-00400-050-00
1031 Valley View	Lot 8A Replat of Lots 8 & 9, Blk 3	Ridgecrest	15600-00300-090-00
104 S. Harvard	Lots 9 & 10, Blk 77	Smiths	15710-07700-100-00
104 S. Yale	W 185' of the N 78' of the S 200' of Blk 78	Smiths	15710-07800-000-12
106 S. University	S 32' of Lot 2 and the N 12' of Lot 3, Blk 2	College Park	15170-00200-030-00
107 Catalina	S 65' of Lot 3, Blk 2	Park View Acres	15570-00200-030-03
107 S. Forest	Lot 13 & N. 29' of lot 14, Blk 73	2nd	15710-07300-140-00
107 S. University	Lot G1, Blk 78	Smiths	15710-07800-000-27
108 Linden	Lot 7, Blk 1	Smiths	15270-00100-070-00
109 S. Pine	Lots 18 & 19, Blk 1	Eastside	15290-00100-190-00
109 S. University	Lot L-2, Blk 78	East View	15710-07800-000-39
1096 Valley View	Lot 17, Blk 4	Smiths	15630-00400-170-00
11 Linden	Lot 17, Blk 4	Ridgecrest 4th	15170-00100-010-00
11 S. University	N 132' of Lot 1, Blk 1	College Park	15710-07800-000-19
110 Forest (Forest Arms)	130' x 188' NE Corner of Blk 78	Smiths	15710-07800-000-19
110 S. Pine	Lots 3, 4 & 5, Blk 75	Smiths	15710-07500-050-00
110 S. University	S 21' of Lot 4 & N 41.5' of Lot 5	Smiths	15710-07500-050-00
1101 Crestview	S 38' of Lot 3 and all of Lot 4, Blk 2	Nelsons	15500-00000-050-00
111 S. University	Lot 3, Blk 7	College Park	15170-00200-040-00
1114 Ridgecrest	COMM AT SE COR OF BLK 78	Eastgate Manor	15260-00700-030-00
1119 Crestview	W185', N90', E 185', S 90' to pob Blk 78	3rd	15710-07800-000-03
1119 Ridgecrest	Lot 6, Blk 4	Smiths	15640-00400-060-00
112 Linden	Lot 6 & W 5' of Lot 7, Blk 7	Ridgecrest 5th	15260-00700-070-03
113 Catalina	Lot 14, Blk 4	Eastgate Manor	15640-00400-140-00
113 Linden	Lot 8, Blk 1	3rd	15270-00100-080-00
113 S. Forest	Lot 4, Blk 2	Eastside	15570-00200-040-00
	N 27' of Lot 15 and the S 16' of Loy 16, Blk 2	Park View Acres	15170-00200-160-00
	S 15' of Lot 14 & all of Lot 15, Blk 73	2nd	15710-07300-150-00

1132 Valley View	Lot 22, Blk 4	Ridgecrest 4th	15630-00400-220-00
1140 Valley View	Lot 23, Blk 4	Ridgecrest 4th	15630-00400-230-00
115 Linden	N 20' of Lot 14 and the S 23' of Lot 15, Blk 2	College Park	15170-00200-150-00
116 Linden	Lot 9, Blk 1	Eastside	15270-00100-090-00
117 S. Forest	Lot 16, Blk 73	Smiths	15710-07300-160-00
117 S. Pine	Lots 22 & 23, Blk 1	East View	15290-00100-230-00
117 S. Yale	S 1/2 of Lot 4 & all of Lot 5 and a strip 6' x 150' S of Lot 5, Blk 77	Smiths	15710-07700-050-00
118 S. University	Lots 5 & 6, Blk 2	College Park	15170-00200-060-00
118 S. Yale	W 185' of the S44' of Blk 78	Smiths	15710-07800-000-33
12 S. University	Lot 5	East End	15230-00000-050-00
12 Sycamore	W 80' of S 40' of Lot 2 & W 80' of Lot 3, Blk 1	Park View Acres	15560-00100-030-00
12 Walker	S 49' of Lots 1 & 2 & N 21' of Lot 5, Blk 1	Russo's First	15670-00100-050-00
121 S. Pine	Lots 24 & 25, Blk 1	East View	15290-00100-250-00
121 S. University	E 236' of Lot 1, Blk 5	Addition to Hanson's Eastgate Manor 3rd	15310-00500-010-06
1213 Lewis	N 86.6' of Lot 8, Blk 5		15260-00500-080-03
1215 Valley View	Lot 27, Blk 1	Ridgecrest 2nd	15610-00100-270-00
1219 Valley View	Lot 28, Blk 1	Ridgecrest 2nd	15610-00100-280-00
122 Linden	Lot 10 & 11, Blk 1	Eastside	15270-00100-110-00
122 S. Yale	N 60' of the W 150' of Lot 1, Blk 5	Addition to Hanson's	15310-00500-010-03
1226 Valley View	Lot 26, Blk 4	Ridgecrest 4th	15630-00400-260-00
123 Linden	Lot 13 and the S 25' of Lot 14, Blk 2	College Park	15170-00200-140-00
123 S. Forest	Lots 1 & 2 & 10' N and S x 150' E & W bordering Lot 1, Blk 1	Hanson's Eastgate Manor 3rd	15300-00100-020-00
1234 Valley View	E 40' of 9 and all of 10, Blk 1	Park View Acres 2nd	15260-00700-100-00
124 Catalina	Lot 8, Blk 1		15570-00100-080-00
126 S. Yale	S 50' of the W 150' of Lot 1, Blk 5	Addition to Hanson's	15310-00500-010-00
127 S. Yale	Lot 3, Blk 4	Addition to Hanson's	15310-00400-030-00
128 Linden	Lot 12, Blk 1	Eastside	15270-00100-120-00
129 S. Forest	Lot 3 and N 10' of Lot 4, Blk 1	Hanson's Eastgate Manor 3rd	15300-00100-040-00
1318 Crestview	Lot 22, Blk 9		15260-00900-220-00
1414 Crestview	Lots 24 & 25, Blk 11	Eastgate Manor	15260-01100-250-00

		3rd	
1421 E. Main	Lot 2 & 3, Blk 1	Dahl	15202-00100-030-00
15 S. Forest	Lots 7 & 8, Blk 73	Smiths	15710-07300-080-00
215 S. Plum	Lot 16, Blk 3	Eastside	15270-00300-160-00
		Eastgate Manor	
1504 Lewis	Lot 9, Blk 10	3rd	15260-01000-090-00
1559 Crestview	Lot 10 & 11, Blk 5	Ridgecrest 7th	15660-00500-100-00
16 S. Pine	Lot 4	Prices	15590-00000-040-00
17 S. Yale	Lot 13, Blk 76	Smiths	15710-07600-130-00
	N 1/2 of the W 1/2 of Lot 7,		
18 S. Forest	Blk 74	Smiths	15710-07400-070-09
	S 13' of Lot 3 & N 37' of Lot 4,		
19 Linden	Blk 1	College Park	15170-00100-040-00
19 S. Pine	Lots 5 & 6, Blk 1	East View	15290-00100-060-00
19 S. University	Lot L1, Blk 78	Smiths	15710-07800-000-09
20 Mickelson	20 S. Mickelson	Dahl	15202-00200-050-00
20 S. Harvard	Lot 19, Blk 76	Smiths	15710-07600-190-00
	S 25' of Lot 1 and all of Lot 2,		
200 S. Forest	Blk 2	Hanson's	15300-00200-020-00
		Addition to	
201 S. Yale	40' of Lot 4, Blk 4	Hanson's	15310-00400-040-00
202 Linden	Lot 13, Blk 1	Eastside	15270-00100-130-00
202 S. Pine	Lot 1, Blk 3	Eastside	15270-00300-010-00
203 E. Main (Pump & Stuff	Lots 1, 2, 3 & N. 99.5' of 4, 5 & 6, Blk73	Smiths	15710-07300-030-00
206 Linden	Lot 14, Blk 1	Eastside	15270-00100-140-00
206 S. Pine	Lot 2 & N 44' of Lot 3, Blk 3	Eastside	15270-00300-030-00
	S. 40' of Lot 4 & E. 150' of N.		
207 S. Forest	10' of Lot 5, Blk 1	Hanson's	15300-00100-050-00
		Addition to	
207 S. Yale	57' of Lot 5, Blk 5	Hanson's	15310-00400-050-00
208 S. Forest	Lots 3 & 4, Blk 2	Hanson's	15300-00200-040-00
		Addition to	
208 S. Yale	Lots 7 & 8, Blk 5	Hanson's	15310-00500-080-00
	S 5' of Lot 8 & N 65' of Lot 9,	Park View Acres	
209 Catalina	Blk 2	2nd	15570-00200-090-00
210 Linden	Lot 15, Blk 1	Eastside	15270-00100-150-00
2105 E. Main	Lot 9, Blk 5	Smith Quam	15715-00500-090-00
211 E. Main	Lot 11, Blk 5	Smith Quam	15715-00500-110-00
211 S. Pine	Lot 3, Blk 2	Eastside	15270-00200-030-00
		Addition to	
215 S. University	S 39' of 5 and all of 6, Blk 5	Hanson's	15310-00500-060-00
	S 6' of Lot 3, All of Lot 4 & N		
212 S. Pine	30' of Lot 5, Blk 3	Eastside	15270-00300-050-00

213 S. Forest	N 1/2 of Lot 6 & all of Lot 5, Exc. N 10' of E. 150' of said Lot 5, Blk 1	Hanson's	15300-00100-060-00
214 Linden	Lot 16, Blk 1	Eastside	15270-00100-160-00
214 Norbeck	Lot 3, Blk 2	French	15296-00200-030-00
214 Walker	Lot 3, Blk 4	Meisenholder 3rd	15470-00400-030-00
215 S. Forest	S. 1/2 of Lot 6 & all of Lot 7, Blk 1 & E 1/2 vac Dakota Street, subject to easement of S 10'	Hanson's	15300-00100-070-00
215 S. Pine	Lot 4, exc. W 60', Blk 2	Eastside	15270-00200-040-00
216 Linden	Lot 17 & N 39.2' of Lot 18, Blk 1	Eastside	15270-00100-180-00
217 Lewis	LOT 2A A REPLAT OF A PART OF BLKS 79 & 73 & a portion of vacated Park Ave.	East Vermillion Park View Acres 2nd	15280-07900-020-00
220 Catalina	S 67' of Lot 13, Blk 1	Eastside	15570-00100-130-03
220 Linden	Lot 19 & S 18' of Lot 18, Blk 1	Eastside	15270-00100-190-00
220 S. Yale	Lot 6	Morries	15490-00000-060-00
220 Walker	Lot 4, Blk 4	Meisenholder 3rd	15470-00400-040-00
221 E. Main	Lots 4, 5 & 6, Blk 74	Smiths	15710-07400-060-00
221 Lewis	Lot 1A, Blk 79	East Vermillion	15280-07900-010-00
221 S. University	Lot 1	Morries	15490-00000-010-00
222 S. Pine	Lot 7 & N 25' of Lot 8, Blk 3	Eastside	15270-00300-080-00
223 S. Pine	Lot 6, Blk 2	Eastside	15270-00200-060-00
223 S. Plum	N 1/2 of Lot 14, and all of Lot 15, Blk 3	Eastside	15270-00300-150-00
224 S. Forest	Lot 3 & S 18' of Lot 2, Blk 3	Hanson's	15300-00300-030-00
224 S. University	Lots 7, 8, 9, 10, 11 & 12, Blk 2	College Park	15170-00200-120-00
224 Walker	Lot 5, exc. W 60' of S 2' S 1" of the NE 1/4 of the NE	Meisenholder 3rd	15470-00400-050-00
225 S. Yale	1/4, 24-92-52	Unplatted S. Yale	158700-09252-241-03
226 Sycamore	Lot 15, Blk 1	Urup's	15780-00100-150-00
228 S. Forest	Lot 4 & 9, Blk 3	Hanson's	15300-00300-040-00
229 Catalina	N 65' of Lot 4, Blk 2	East Acres	15220-00200-040-00
23 Linden	S 8' of Lot 4 and the N 42' of Lot 5, Blk 1	College Park	15170-00100-050-00
23 S. Forest	Lots 9 & 10, Blk 73	Smiths	15710-07300-100-00
23 S. Harvard	E 1/2 of the S 1/2 of Lot 7, Blk 74	Smiths	15710-07600-180-00
25 S. Yale	Lot 16, Blk 76	Smiths	15710-07600-160-00
231 S. University	Lot 3, Blk 4	Morries	15490-00000-030-00
234 S. Pine	S 1/2 of Lot 8 and all of Lot 9,	Eastside	15270-00300-090-00

	Blk 3		
235 Lewis	Lots 8 & 9, Blk 78	East Vermillion	15280-07800-090-00
236 Linden	Lot 20, Blk 1	Eastside	15270-00100-200-00
239 S. University	Lot 1 & N 35' of Lot 2	Cusack's	15200-00000-020-00
24 S. Harvard	Lots 17 & 18, Blk 76	Smiths	15710-07600-180-00
24 S. Pine	S 48.4' of Lot 6 and all of Lot 7	Prices	15590-00000-070-00
24 S. University	Lot 6	East End	15230-00000-060-00
	COMM AT POINT 216' S OF NW COR BLK 78 E 130' S 55' W		
24 S. Yale	130' N 55' to pob Blk 78 S 3' of Lot 5 and all of Lot 6,	Smiths	15710-07800-000-00
25 Linden	Blk 1	College Park	15170-00100-060-00
25 S. University	Lot T1, Blk 78	Smiths	15710-07800-000-30
30 Walker	S 68' of Lot 7, Blk 1 Lot 8 and the E 10' of Lot 9,	Russo's First	15670-00100-070-03
300 Lewis	Blk 81	East Vermillion	15280-08100-090-06
300 S. Forest	Lot 5 & N 1/2 of Lot 6, Blk 3	Hanson's	15300-00300-060-00
301 Lewis	Lot 10 & 11, Blk 78	East Vermillion	15280--7800-110-00
302 S. Yale	Lot 6	Cusack's	15200-00000-060-00
303 Catalina	Lot 10, Blk 1	East Acres	15220-00100-100-00
303 E. Main	Lots 1 & 2, Blk 76	Smiths	15710-07600-020-00
	N 75' of Lot 20, Blk 1 and E 1/2 of Vacated Alley adjacent to N 75'		
303 Linden		Bruyer's	15130-00100-200-00
305 E. Main	Lots 3 & 4, Blk 76	Smiths	15710-07600-040-00
305 S. Forest	Lots 1 to 14, inclusive, Blk 11 Lot 12 & the W 1/2 of Lot 13,	Original Town	15530-01100-060-00
309 Lewis	Blk 78	East Vermillion	15280-07800-120-00
	S 73' of Lot H, Blk 1, E 1/2 E	Miscellaneous	
309 S. Crawford	1/2 NE 1/4 NE 1/4 19-92-51	Entries	15880-09251-191-19
	Lot L-1, except the S 8' & the W 20' in the unplatted part of the NE 1/4 of the NE 1/4, 24- 92-52		
309 S. Yale			15870-09252-240-09
	N 1/2 of the W 35' of Lot 9,		
310 S. Forest	Blk 81	East Vermillion	15280-08110-090-03
311 E. Main	Lots 5 & 6, Blk 76	Smiths	15710-07600-060-00
	N 1/2 of the 14' of Lot 3 and N 1/2 of Lots 4, 5, 6 & 7, Blk 80		
311 S. Forest		East Vermillion	15280-08000-070-00
311 Sycamore	Lot 3, Blk 1	East Acres	15220-00100-030-00
	Lot 4 & W. 7' of Lot 3 Blk 81 with an easement over a strip of land 3' wide along west side of east 38' of said lot 3		
312 Lewis		East Vermillion	15280-08100-040-00

	for driveway purposes		
	Lots 7, 8 & 9 with a strip 20' wide along s side of Lots 7, 8 & 9, Blk 76		
315 E. Main		Smiths	15710-07600-090-00
	E 1/2 of Lot 13 and all of Lot 14, Blk 78		
315 Lewis		East Vermillion	15280-07800-140-00
315 S. University	N 1/2 of Lots 1, 2 & 3, Blk 82	East Vermillion	15280-08200-030-00
	Lot 1 and the N 1/2 of Lot 2, Blk 1		
316 S. University		Bruyer's	15130-00100-020-00
319 S. Pine	Lot 5, Blk 2	Eastside	15270-00200-050-00
	S 1/2 of Lot 2 and all of Lot 3, Blk 1		
320 S. University		Bruyer's	15130-00100-030-00
321 E. Main	Lots 10, 11 & 12, Blk 76	Smiths	15710-07600-120-00
322 Canby	Lot 1 & 2, Blk 78	East Vermillion	15280-07800-020-00
	S 1/2 of the W 35' of Lot 9, Blk 81		
322 S. Forest		East Vermillion	15280-08100-090-00
	C-2 & the S 8' & the W 20' of L-1, 24-94-52		
322 S. Yale		Unplatted S. Yale	15870-09252-240-06
	The S 103' 7.5" of Lot 1 & 2, Blk 81		
324 Lewis		East Vermillion	15280-08100-020-00
325 S. University	S 1/2 of Lots 1, 2 & 3, Blk 82	East Vermillion	15280-08200-030-03
	Lot 4, and the W 1/2 of Vacated Alley		
326 S. University		Bruyer's	15130-00100-040-00
	W 80' of Lot 1 & W 80' of the N 40' of Lot 2, Blk 1		
4 Sycamore		Park View Acres	15560-00100-020-03
401 Park Lane	Lots 6 to 15, including Blk 75	East Vermillion	15280-07500-150-00
		Eastgate Manor	
401 Sharpe	Lot 9, Blk 3	3rd	15260-00300-090-00
	E 76' of Lot 5 & W 8' of Lot 6, Blk 10		
402 Lewis		Eastgate Manor	15260-01000-060-00
	Lot 5 and the N 1/2 of Lot 6, Blk 1 and 1/2 of Vacated Alley		
402 S. University		Bruyer's	15130-00100-060-00
403 E. Main	W 130' of the N 216' of Blk 78	Smiths	15710-07800-000-21
403 Linden	N 75' of Lot 18, Blk 1	Bruyer's	15130-00100-180-02
	W 30' of the S 132' of Lot 8 & the E 25' of the S 132' of Lot 9, Blk 82		
408 Lewis		East Vermillion	15280-08200-090-00
408 S. Pine	S 65' of Lot 2, Blk 2, 19-92-51	Aud Tract B	15850-00200-020-03
	S 1/2 of Lot 6 & all of Lot 7, Blk 1 and the W 1/2 of Vacated Alley		
408 S. University		Bruyer's	15130-00100-070-00
408 S. Yale	S 60' of EL-1, Blk 77	East Vermillion	15280-07700-000-09
	N 1/2 of Lot 17 & S 25' of Lot 18, Blk 1		
409 Linden		Bruyer's	15130-00100-180-00
409 S. Norbeck	Lot 7 & S 10' of Lot 8, Blk 5	Eastgate Manor	15260-00500-080-00

		3rd	
411 Lewis	EL-2, Blk 77	East Vermillion	15280-07700-000-00
415 Lee Street	Lot 14, Blk 9	Eastgate Manor	
	N 1/2 of Lots 1, 2, 3 & 4, Blk 77	3rd	15260-00900-140-00
415 S. University		East Vermillion	15280-07700-040-00
416 Lewis	W 30' of Lot 6 & all of Lot 7 and the E 15' of Lot 8, Blk 82	East Vermillion	15280-08200-080-00
	Lot 8 and the N 20' of Lot 9, Blk 1 and the West 10' of vacated alley & the N 20' of Lot 9		
416 S. University		Bruyer's	15130-00100-090-00
419 Park Lane	Lot 16 & 17 and the W 40' of Lot 18, Blk 75	East Vermillion	15280-07500-180-00
420 Canby	E 28' of Lot 6, Blk ____ and all of Lots 5, Blk 77	East Vermillion	15280-0700-050-00
	Lot 16 & the W 30' of Lot 17, Blk 77	East Vermillion	15280-07700-170-0
421 & 423 Lewis		East Vermillion	15280-07700-040-03
421 S. University	S 1/2 of Lot 1, 2, 3 & 4, Blk 77		
	S 30' of Lot 9, and all of Lot 10, Blk 1	Bruyer's	15130-00100-100-00
422 S. University			
422 S. Yale	Lot 10 & the West 1/2 of Lot 9, Block 77	East Vermillion	15280-07700-100-00
424 Lewis	Lot 4 and the E 10' of Lot 5, Blk 82	East Vermillion	15280-08200-050-00
		Eastgate Manor	
501 S. Norbeck	Lot 5, Blk 5	3rd	15260-00500-050-00
	E 21' of Lot 16 lying S of Canby, all Lots 17 & 18, Blk 74	East Vermillion	15280-07400-180-00
501 S. Yale			
503 Thomas	Lot 1, Blk 8	Meisenholder 3rd	15470-00800-010-00
505 E. Main	Lots 1, 2 & 3	East End	15230-00000-030-00
		Eastgate Manor	
506 Bulow	Lot 9, Blk 5	3rd	15260-00500-090-00
	N 8' of Lot 5 & all of Lot 6, Blk 11	Eastgate Manor	
508 Lee Street		3rd	15260-01100-060-00
	Lot 17, Blk 9 & S 1/2 of Lot 16 & N 1/2 of Lot 18, Blk 9	Eastgate Manor	
509 Lee Street		3rd	15260-00900-170-00
509 Poplar	Lot 2, Blk 2	Valley View	15800-00200-020-00
		Eastgate Manor	
510 Catalina	S 10' of Lot 4 & Lot 5, Blk 3	3rd	15260-00300-050-00
		Eastgate Manor	
511 Mickelson	Lot 6, Blk 12	3rd	15260-01200-060-00
		Eastgate Manor	
514 S. Norbeck	Lot 5, Blk 9	3rd	15260-00900-050-00
514 Valley View	Lot 14, Blk 2	Valley View	15800-00200-140-00
515 E. Main	N 132' of Lot 2, Blk 1	College Park	15170-00100-020-00

515 Poplar	Lot 3, Blk 2	Valley View	15800-00200-030-00
515 Sterling	Lot 18, Blk 11	Eastgate Manor	15260-01100-180-00
517 Valley View	Lot 5, Blk 3	3rd	15800-00300-050-00
518 Valley View	Lot 13, Blk 2	Valley View	15800-00200-130-00
519 Crawford Road	Lot 1A, Blk 15	Valley View	15260-01500-010-00
	70' x 142.5' to 168.2' Replat of	3rd	
521 Valley View	Lot 6A, Blk 3	Valley View	15800-00300-060-03
526 Poplar	Lot 5, Blk 1	Valley View	15800-00100-050-00
530 Oakmont Drive	Lot 8, Blk 4	Smith Quam	15715-00500-080-00
6 Walker	N 100' of Lot 1, Blk 1	Russo's First	15670-00100-010-00
600 Lewis	Lot 1	Coverdales	15190-00000-010-00
600 S. Norbeck	Lot 4, Blk 9	Eastgate Manor	15260-00900-040-00
	Lot 1, Replat Auditor's Tract	3rd	
	"A" S 1/2 of Lot 2 NW 1/4 Sect		
601 Lewis	19-92-51	Auditor's Tract "A"	15860-09251-190-24
	Lot 12 of Replat A 75.6', 19-	Aud Tract in 19-92-	
602 Canby	92-51	51	15860-09251-190-03
602 Poplar	Lot 7, Blk 1	Valley View	15800-00100-070-00
602 Thomas	N 85' of Lot 1, Blk 7	Meisenholder 3rd	15470-00700-010-00
603 S. Norbeck	Lot 11, Blk 6	Eastgate Manor	15260-00600-110-00
		3rd	
605 Sharpe	Lot 17, Blk 6	Eastgate Manor	15260-00600-170-00
606 Lewis	Lot 2	3rd	15260-00600-170-00
609 Catalina	Lot 12, Blk 2	Coverdales	15190-00000-020-00
609 Thomas	S 25' of N 50' of Lot 4, Blk 8	Eastgate Manor	15240-00200-120-00
610 Catalina	Lot 4, Blk 4	Meisenholder 3rd	15470-00800-040-02
613 Lee Street	Lot 21, Blk 9	Eastgate Manor	15250-00400-040-00
		Eastgate Manor	
618 Lee Street	Lot 1, Blk 11	3rd	15260-00900-210-00
	Lots 4 & 5, Replat Auditor's	Eastgate Manor	
619 Lewis	Tract A NW 1/4, 19, 92-51	3rd	15260-01100-010-00
619 Valley View	Lot 10, Blk 3	Auditor's Tract "A"	15860-09251-190-09
	W 20' of Lots 2 & 3, Blk1, 19-	Valley View	15800-00300-100-00
620 Canby	92-51		
620 Lewis	Lot 5	Aud Tract B	15850-00100-030-03
623 E. Main	Lot 4, Blk 1	Coverdales	15190-00000-050-00
624 Lewis	Lot 6	East View	15290-00100-040-00
	Lot 6, Replat Auditor's Tract A,	Coverdales	15190-00000-060-00
627 Lewis	NW 1/4, 19-92-51	Auditor's Tract "A"	15860-09251-190-15

630 Lewis	Lot 7	Coverdales	15190-00000-070-00
630 Thomas	Lot 3, Blk 7	Meisenholder 3rd	15470-00700-030-00
631 Lewis	Lot 1, Aud Tract B of S 1/2 of Low 2 in the NW 1/4, 19-92- 51	Aud Tract in 19-92- 51	15860-09251-192-03
641 Thomas	Lot 6, exc. N 35' & Lot 7, exc. S 25', Blk 8	Meisenholder 3rd	15470-00800-070-00
701 Lewis	Lot 1 & N 10' of Lot 2, Blk 2, Auditor's Tract B NW 1/4, 19- 92-51	Aud Tract B	15850-00200-020-00
702 Lewis	S 100' of Lot 8	Coverdales	15190-00000-080-03
703 E. Main	N 83' of 1 & N 83' of W 1/2 of Lot 2	Prices	15590-00000-020-03
704 Valley View	Lot 8, Blk 2	Valley View	15800-00200-080-00
706 Lewis	Lot 9	Coverdales	15190-00000-090-00
707 Lewis	Lot 3, Blk 2, Auditor's Tact B, NW 1/4, 19-92-51	Aud Tract B	15850-00200-030-00
709 E. Main	E 1/2 of Lot 2 and all of Lot 3 E 77.7' of Lot 11, 12 & E 77.7' of S 1/2 of Lot 13, Blk 3	Prices	15590-00000-030-00
716 Maple	E 25' of Lot 12 & W 50' of Lot 13	Eastside	15270-00300-130-00
722 Lewis	S 172.4' of E 64.73' of AUD Tract C of S 1/2 of Lot 2 NW 1/4 19-92-51, exc S 22.4' of E 70.8'	Coverdales	15190-00000-130-03
726 Canby		Aud Tract in 19-92- 51	15860-09251-190-33
804 Canby	Lot 4, Blk 2	Meisenholder 1st	15460-00200-040-00
806 Valley View	Lot 7A replat of S 25' of Lot 7, Blk 8	Meisenholder 3rd	15470-00800-070-03
812 Canby	Lot 5, Blk 2	Meisenholder 1st	15460-00200-050-00
819 Jane	Lot 1, Blk 1	Meisenholder 1st	15460-00100-010-00
828/830 Canby	Lot 6, Blk 2	Meisenholder 1st	15460-00200-060-00
833 Valley View	Lot 3, Blk 1, exc. Westerly 13.8'	Ridgecrest	15600-00100-030-00
836 Valley View	Lots 4 & 5, Blk 2	Ridgecrest	15600-00200-050-00
849 Valley View	Lot 5, Blk 1	Ridgecrest	15600-00100-050-00
9 S. Forest (building S of Pump & Stuff	N 1/2 Vac alley & S. 30.5' of E. 15', Lot 3 & S. 30.5' of Lots 4, 5, & 6, Blk 73.	Smiths	15710-07300-060-00
902 Eastgate Drive	Lot 7, Blk 2	Eastgate Manor	15240-00100-070-00
902 Ridgecrest	Lot 1, Blk 3	Ridgecrest	15600-00300-010-00
902 Valley View	Lot 8, Blk 2	Ridgecrest	15600-00200-080-00
903 Crestview	Lots S-1, exc the S 20' of the NW 1/4, 19-92-51	Miscellaneous Entries	15880-09251-192-01
904 Lewis	W 60' of Lot 6 & W 60' of S 1'	Meisenholder 3rd	15470-00400-050-06

	of Lot 5, Blk 4		
906 Lewis	E50' Lot 6, Blk 4 and W 18.5' of Lot 1, Blk 1	Meisenholder 3rd and 4th	15470-00400-060-00
909 Lewis	Replat of Blk 1	St. Agnes Church	15740-00100-000-00
910 Eastgate Drive	W 68.5' of Lot 8, Blk 1	Eastgate Manor	15240-00100-080-00
912 Ridgecrest	Lot 15, Blk 3	Ridgecrest	15600-00300-150-00
915 E. Main	N 100' of Lot 3, Blk 1	Russo's First	15670-00100-030-00
915 Ridgecrest	Lot 6, Blk 1	Ridgecrest	15600-00100-060-00
917 Ridgecrest	Lot 7, Blk 1	Ridgecrest	15600-00100-070-00
919 Valley View	Lot 3, Blk 3	Ridgecrest	15600-00300-030-00
924 Valley View	Lot 11, Blk 2	Ridgecrest	15600-00200-110-00
927 Valley View	Lot 4, Blk 3	Ridgecrest	15600-00300-040-00
928 Eastgate Drive	Lot 10 & W 2' of Lot 11, Blk 1	Eastgate Manor	15240-00100-100-00
931 Ash	Lot 6, Blk 1	East Acres	15220-00100-060-00
933 Eastgate Drive	Lot 10, Blk 2	Eastgate Manor	15240-00200-100-00
933 Valley View	Lot 5, Blk 3	Ridgecrest	15600-00300-050-00
934 Lewis	E 70.5' of Lot 3 & W 15' of Lot 4, Blk 1	Eastgate Manor 3rd Park View Acres 2nd	15260-00100-040-00
935 Sunset	Lot 1, Blk 2	Ridgecrest	15570-00200-010-00
937 Ridgecrest	Lot 10, Blk 1	Ridgecrest	15600-00100-100-00
941 Crestview	E 32' of Lot 5 & W 60' of Lot 6, Blk 2	Eastgate Manor 2nd	15250-00200-060-00
942 Ridgecrest	Lot 11, Blk 3	Ridgecrest	15600-00300-110-00
943 E. Main	Lot 4, Blk 1	Park View Acres	15600-00100-040-00
943 Eastgate Drive	Lot 11, Blk 2	Eastgate Manor Park View Acres 2nd	15240-00200-110-00
945 Sunset	Lot 2 & N 5' of Lot 3, Blk 2	2nd	15570-00200-030-00
948 Eastgate	E 76' of Lot 5, Replat, Blk 1 & 2, Blk 2	St. Agnes Church Park View Acres 2nd	15740-0020-050-02
948 Sunset	Lot 1, Blk 1	2nd	15570-00100-010-00
949 E. Main	Lot 6, Blk 1	Park View Acres Eastgate Manor 2nd	15560-00100-060-00
952 Crestview	E 72' of Lot 7, Blk 1	2nd Park View Acres 2nd	15250-00100-070-00
952 Sunset	Lot 2, Blk 1	2nd	15570-00100-020-00
959 E. Main	Lot 10, Blk 1	Park View Acres Eastgate Manor 2nd	15560-00100-100-00
984 Crestview Drive	E 93' of Lot 11, Blk 1	2nd	15250-00100-110-00
10 Linden Avenue	Lot 1, Blk 1	Eastside	15270-00100-010-00
St. Agnes	Replat of Blk 1	St. Agnes Church	15740-00100-000-00
120 Sycamore	Lots 9, 10, 11 and N 20' of Lot 12, Blk 1	Urup's	15780-00100-120-00

15 Sycamore	S 49' of Lots 3 & 4, Blk 1	Russo's First	15670-00100-040-00
35 Sycamore	Lot 9 & N 40' of Lot 10, Blk 1	Russo's First	15670-00100-090-00
	S 26' of Lot 1 & all Lot 2 & N		
125 Sycamore	11' of Lot 3, Blk 1	Urup's	15780-00100-030-00
175 Sycamore	Lots 4, 5 & 6, Blk 1	Urup's	15780-00100-060-00

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 15th day of August 2011 is approved and that the Engineer shall proceed with the work in the manner provided by law.

Dated at Vermillion, South Dakota this 19th day of September, 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. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

7. Old Business

A. Second Reading of Ordinance No. 1259 - 2012 Budget Ordinance

Andy Colvin, Assistant to the City Manager, reported that this was the second reading of the 2012 Appropriations Ordinance that had first reading on September 6, 2011. Andy recognized the City Council for the time spent in budget hearings to finalize the documents that are being considered tonight. Andy reported on the major projects included the 2012 Budget. Discussion followed.

288-11

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1259 entitled 2012 Appropriation Ordinance was first read and the Ordinance considered substantially in

its present form and content at a regularly called meeting of the Governing Body on the 6th day of September, 2011 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 19th day of September, 2011 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

ORDINANCE NO. 1259
2012 APPROPRIATION ORDINANCE

AN ORDINANCE ADOPTING the 2012 Appropriations Ordinance for the City of Vermillion, South Dakota.

BE IT ORDAINED BY THE GOVERNING BODY of the City of Vermillion that the following sums are appropriated to meet the obligations of the municipality.

2012 Budget

GENERAL FUND

REVENUES:

General Property Taxes	1,713,040	
Sales Tax	1,576,000	
Penalties & Interest	4,000	
Licenses & Permits	124,200	
Cable TV Franchise	116,000	
State Intergovernmental	261,800	
County Intergovernmental	125,900	
County Payment Emergency		
Communications	245,479	
Charges for Goods & Services	496,700	
Fines & Forfeits	44,050	
Miscellaneous Revenues	100,950	
TOTAL GENERAL FUND REVENUES		4,808,119

EXPENDITURES:

Policy & Administration:

General Government	506,227	
Finance Office	158,855	
Engineering	276,423	
Code Compliance	187,283	
Community Promotion	47,500	
Total Policy & Administration		1,176,288

Public Safety & Security:

Police Administration & Invest.	432,432	
Police Patrol	1,178,714	
Emergency Communications	490,959	
Fire & Rescue	178,077	

Civil Defense	3,100	
Ambulance	266,947	
Total Public Safety & Security		2,550,229
Maintenance & Transportation:		
Municipal Garage	129,763	
Municipal Service Center	30,725	
Street Department	674,723	
Snow Removal	69,093	
Sweeping & Mowing	105,534	
Carpentry	31,673	
City Hall Maintenance	64,400	
Old Library Maintenance	0	
Old Landfill Maintenance	12,000	
Airport	124,297	
Total Maintenance & Transportation		1,242,208
<u>Human Development & Leisure Services:</u>		
Library	527,602	
Parks & Forestry	266,250	
Swimming Pool	106,342	
Recreation	183,761	
Mosquito Control	19,078	
National Guard Armory Center	56,708	
Total Human Development & Leisure		1,159,741
TOTAL GENERAL FUND EXPENDITURES		<u>6,128,466</u>
GENERAL FUND		
NEEDS		(1,320,347)
Transfer from Electric Fund		803,117
Transfer from Water Fund		2,306
Transfer from Sewer Fund		1,402
Transfer from Liquor Fund		194,200
Transfer from Capital Projects		4,800
Transfer from Utilities Engineering Fees		136,387
Appropriation from Reserve		<u>178,135</u>
GENERAL FUND BALANCE		<u><u>0</u></u>
SPECIAL REVENUE FUNDS		
<u>SECOND CENT SALES TAX FUND</u>		
Revenues		1,582,560
Expenditures - Second Cent Sales Tax		455,500
Transfer in Parks Capital		25,000
Transfer to Bike Path Capital Projects		(41,154)
Transfer to Bluff Enterprise Fund		(200,000)
Transfer to Airport Capital Projects		(8,600)

Transfer to Stanford Capital Projects	(450,000)
Transfer to Library Capital Projects	(1,400,000)
Transfer to City Hall Debt Service Fund	(336,854)
Appropriation from Reserve	<u>1,284,548</u>

SECOND CENT SALES TAX FUND BALANCE 0

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees	22,050
Expenditures - Parks Improvements	9,050
Transfer to Second Cent Sales Tax Fund	(25,000)
Appropriation from Reserve	<u>12,000</u>

PARKS IMPROVEMENT FUND BALANCE 0

BBB SALES TAX FUND

Revenues	283,800
Expenditures	263,900
Appropriation to Reserve	<u>(19,900)</u>

BBB SALES TAX FUND BALANCE 0

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees	180,004
Expenditures:	95,000
Appropriation to Reserve	<u>(85,004)</u>

STORMWATER FEE FUND BALANCE 0

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts	12,600
Expenditures - Library	12,600
Transfer to Library Capital Projects	(90,000)
Appropriation from Reserve	<u>90,000</u>

LIBRARY FINE AND GIFT FUND BALANCE 0

DEBT SERVICE FUNDS

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues	134,915
Expenditures	127,615
Interfund Loan	216,000
Transfer to Capital Projects	(216,000)
Appropriation to Reserve	<u>(7,300)</u>
SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

DEBT SERVICE-- TIF District No. 3

Revenues	145,890
Expenditures	<u>145,890</u>
DEBT SERVICE - TIF 3 FUND BALANCE	<u>0</u>

DEBT SERVICE - TIF District No. 4

Revenues	123,100
Expenditures	52,075
Appropriation to Reserve	<u>(71,025)</u>
DEBT SERVICE - TIF 4 FUND BALANCE	<u>0</u>

DEBT SERVICE - CITY HALL

Revenues	15,000
Expenditures	351,854
Transfer in Sales Tax Fund	<u>336,854</u>
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Revenues	216,000
Expenditures	200,000
Transfer to General Fund	(4,800)
Appropriation to Reserve	<u>(11,200)</u>
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BIKE PATH

Revenues	186,846
Expenditures	228,000
Transfer from Second Cent Sales Tax	<u>41,154</u>
CP BIKE PATH FUND BALANCE	<u><u>0</u></u>

CAPITAL PROJECTS FUND - STANFORD ROAD

Revenues	748,000
Expenditures	1,198,000
Transfer from Second Cent Sales Tax	<u>450,000</u>
CP STANFORD ROAD FUND BALANCE	<u><u>0</u></u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	421,400
Expenditures	430,000
Transfer from Second Cent Sales Tax	<u>8,600</u>
CP AIRPORT FUND BALANCE	<u><u>0</u></u>

CAPITAL PROJECTS FUND - LIBRARY

Revenues	201,500
Expenditures	1,961,486
Appropriation from Reserve	269,986
Transfer from Sales Tax	1,400,000
Transfer from Library SR Fund	<u>90,000</u>
CP LIBRARY FUND BALANCE	<u><u>0</u></u>

INTERNAL SERVICE FUNDS (Information Only)

	<u>Unemployment Fund</u>	<u>Copier-Fax -Postage Fund</u>	<u>Custodial Fund</u>	<u>Equipment Replacement Fund</u>
<u>Revenues</u>				
Internal Dept Charges		20,800	72,000	359,535

Interest on Investments	300			3,000
Other Revenues				42,000
Total Revenues	<u>300</u>	<u>20,800</u>	<u>72,000</u>	<u>404,535</u>
<u>Expenditures</u>				
Personnel			70,266	
Operating Expenses	300	19,400	2,367	
Capital				277,500
Total Expenditures	<u>300</u>	<u>19,400</u>	<u>72,633</u>	<u>277,500</u>
Transfer Out (In)				
(To) From Reserve		<u>(1,400)</u>	<u>633</u>	<u>(127,035)</u>
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

UTILITY AND ENTERPRISE FUNDS (Information Only)

	<u>Electric Fund</u>	<u>Water Fund</u>	<u>Wastewater Fund</u>	<u>Joint Powers Fund</u>	<u>Liquor Fund</u>	<u>Golf Course Fund</u>	<u>Curbside Recycling Fund</u>
<u>Revenues</u>							
Sales	5,415,000	1,240,800	1,370,000	893,120	1,242,000	692,730	96,500
Surcharge	719,000	260,000	304,000				
Other Revenue	75,000	49,700	7,000	402,000	2,200	51,600	18,000
Interest	228,900	19,290	14,164	10,000		3,600	
Grants				100			
Tax Increment						519,990	
Total Revenues	<u>6,437,900</u>	<u>1,569,790</u>	<u>1,695,164</u>	<u>1,305,220</u>	<u>1,244,200</u>	<u>1,267,920</u>	<u>114,500</u>
<u>Expenditures</u>							
Personnel	920,493	552,856	451,625	471,860		349,828	84,480
Operating Expenses	3,477,073	577,807	599,584	791,175	1,060,258	409,697	16,900
Capital	893,698	194,392	290,280	460,500	2,000	105,000	28,500
Debt Service		174,853	275,873				
Debt Service Surcharge	<u>574,485</u>	<u>235,669</u>	<u>276,217</u>	<u>123,655</u>		<u>468,550</u>	<u>8,408</u>
Total Expenditures	<u>5,865,749</u>	<u>1,735,577</u>	<u>1,893,579</u>	<u>1,847,190</u>	<u>1,062,258</u>	<u>1,333,075</u>	<u>138,288</u>
Transfers Out	(884,950)	(38,583)	(28,679)		(194,200)		
Transfers In	9,000					200,000	

(To) From Reserve	<u>303,799</u>	<u>204,370</u>	<u>227,094</u>	<u>541,970</u>	<u>12,258</u>	<u>(134,845)</u>	<u>23,788</u>
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

The City Manager is directed to certify the following dollar amount of tax levies in ordinance to the Clay County Auditor: \$1,724,000.

Dated at Vermillion, South Dakota this 19th day of September, 2011.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

by _____
John E. (Jack) Powell, Mayor

ATTEST:

BY

Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Meins. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Davies-Y, French-Y, Meins-Y, Osborne-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y.

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

B. Second Reading of Ordinance No. 1260 - 2011 Revised Budget Ordinance

Andy Colvin, Assistant to the City Manager, reported that this was second reading of the 2011 Revised Appropriations Ordinance. Andy noted that the 2011 Budget was adopted in September 2010 and the revised budget is based upon actual financial information obtained thus far in 2011 and includes the revisions for such items as the East Clark Street paving and the library expansion project. Discussion followed.

289-11

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1260 entitled 2011 Revised Appropriation Ordinance was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 6th day of September, 2011 and that

the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 19th day of September, 2011 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

ORDINANCE NO. 1260
2011 REVISED APPROPRIATION ORDINANCE

AN ORDINANCE ADOPTING the 2011 Revised Appropriations Ordinance for the City of Vermillion, South Dakota.

BE IT ORDAINED BY THE GOVERNING BODY of the City of Vermillion that the following sums are appropriated to meet the obligations of the municipality.

2011 Revised Budget

GENERAL FUND

REVENUES:

General Property Taxes	1,642,160	
Sales Tax	1,530,000	
Penalties & Interest	4,000	
Licenses & Permits	114,225	
Cable TV Franchise	112,000	
State Intergovernmental	262,931	
County Intergovernmental	90,400	
County Payment Emergency Communications	229,781	
Charges for Goods & Services	483,525	
Fines & Forfeits	44,050	
Miscellaneous Revenues	<u>120,424</u>	
TOTAL GENERAL FUND REVENUES		4,633,496

EXPENDITURES:

Policy & Administration:

General Government	502,762	
Finance Office	156,783	
Engineering	320,701	
Code Compliance	185,049	
Community Promotion	<u>58,203</u>	
Total Policy & Administration		1,223,498

Public Safety & Security:

Police Administration & Invest.	397,854	
Police Patrol	1,084,159	
Emergency Communications	459,562	
Fire & Rescue	172,993	
Civil Defense	3,000	

Ambulance	259,177	
Total Public Safety & Security		2,376,745
Maintenance & Transportation:		
Municipal Garage	124,286	
Municipal Service Center	26,350	
Street Department	647,818	
Snow Removal	75,947	
Sweeping & Mowing	101,493	
Carpentry	30,506	
City Hall Maintenance	63,650	
Old Library Maintenance	0	
Old Landfill Maintenance	12,000	
Airport	116,533	
Total Maintenance & Transportation		1,198,583
<u>Human Development & Leisure Services:</u>		
Library	507,477	
Parks & Forestry	260,466	
Swimming Pool	96,809	
Recreation	162,216	
Mosquito Control	24,062	
National Guard Armory Center	57,991	
Total Human Development & Leisure		1,109,021
TOTAL GENERAL FUND EXPENDITURES		5,907,847
GENERAL FUND NEEDS		(1,274,351)
Transfer from Electric Fund		803,117
Transfer from Water Fund		2,306
Transfer from Sewer Fund		1,402
Transfer from Liquor Fund		194,200
Transfer from Capital Projects		2,629
Transfer from Utilities Engineering Fees		136,387
Appropriation from Reserve		134,310
GENERAL FUND BALANCE		0
SPECIAL REVENUE FUNDS		
<u>SECOND CENT SALES TAX FUND</u>		
Revenues		1,558,700
Expenditures - Second Cent Sales Tax		434,050
Transfer to Bike Path Capital Projects		(23,700)
Transfer to Bluff Enterprise Fund		(200,000)
Transfer to Equipment Replacement		(12,894)
Transfer to Airport Capital Projects		(1,100)
Transfer to City Hall Debt Service Fund		(338,884)
Appropriation to Reserve		(548,072)

SECOND CENT SALES TAX FUND BALANCE 0

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees 22,050

Expenditures - Parks Improvements 12,550

Appropriation to Reserve (9,500)

PARKS IMPROVEMENT FUND BALANCE 0

BBB SALES TAX FUND

Revenues 276,425

Expenditures 264,950

Appropriation to Reserve (11,475)

BBB SALES TAX FUND BALANCE 0

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees 174,712

Expenditures: 25,000

Appropriation to Reserve (149,712)

STORMWATER FEE FUND BALANCE 0

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts 44,675

Expenditures - Library 13,600

Transfer to Capital Projects - Library (31,075)

LIBRARY FINE AND GIFT FUND BALANCE 0

STREETSCAPE FUND

Revenues 0

Expenditures 1,749

Appropriation from Reserve 1,749

STREETSCAPE FUND BALANCE 0

DEBT SERVICE FUNDS

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues	144,107
Expenditures	136,807
Interfund Loan	64,800
Transfer to Capital Projects	(64,800)
Appropriation to Reserve	<u>(7,300)</u>

SPECIAL ASSESSMENT FUND BALANCE 0

DEBT SERVICE-- TIF District No. 3

Revenues	128,657
Expenditures	356,368
Loan from Electric Fund	58,696
Appropriation from Reserve	<u>169,015</u>

DEBT SERVICE - TIF 3 FUND BALANCE 0

DEBT SERVICE - TIF District No. 4

Revenues	110,296
Expenditures	48,350
Appropriation to Reserve	<u>(61,946)</u>

DEBT SERVICE - TIF 4 FUND BALANCE 0

DEBT SERVICE - City Hall

Revenues	15,000
Expenditures	353,884
Transfer In Sales Tax Fund	<u>338,884</u>

DEBT SERVICE - CITY HALL FUND BALANCE 0

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Revenues	59,949
Expenditures	60,000
Transfer to General Fund	(2,629)
Transfer from Debt Service	64,800
Appropriation to Reserve	<u>(62,120)</u>

CP SPECIAL ASSESSMENT FUND
BALANCE

0

CAPITAL PROJECTS FUND - BIKE PATH

Revenues	0
Expenditures	23,700
Transfer from Second Cent Sales Tax	<u>23,700</u>

CP BIKE PATH FUND BALANCE

0

CAPITAL PROJECTS FUND - AIRPORT

Revenues	53,900
Expenditures	55,000
Transfer From Second Cent Sales Tax	<u>1,100</u>

CP AIRPORT FUND BALANCE

0

CAPITAL PROJECTS FUND - LIBRARY

Revenues	1,005,222
Expenditures	766,311
Appropriation to Reserve	(269,986)
Transfer From Library SR Fund	<u>31,075</u>

CP LIBRARY FUND BALANCE

0

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment Fund	Copier-Fax Postage Fund	Custodial Fund	Equipment Replacement Fund
<u>Revenues</u>				
Internal Dept Charges		20,700	80,200	335,896

Interest on Investments	300			3,000
Other Revenues				109,400
Total Revenues	300	20,700	80,200	448,296
Expenditures				
Personnel			71,258	
Operating Expenses	4,000	19,400	12,077	
Capital				410,600
Total Expenditures	4,000	19,400	83,335	410,600
Transfer (Out) In				12,769
(To) From Reserve	3,700	(1,300)	3,135	(50,465)
Fund Balance	0	0	0	0

UTILITY AND ENTERPRISE FUNDS (Information Only)

	Electric Fund	Water Fund	Wastewater Fund	Joint Powers Fund	Liquor Fund	Golf Course Fund	Curbside Recycling Fund
Revenues							
Sales	5,291,000	1,236,000	1,354,200	827,420	1,223,000	676,800	96,500
Surcharge	715,000	260,000	287,000				
Other Revenue	75,000	50,500	7,000	411,000	2,500	51,600	18,000
Interest	233,900	19,598	14,279	11,600		3,300	
Bond Proceeds			620,000				
Grants				100			
Tax Increment						505,710	
Total Revenues	6,314,900	1,566,098	2,282,479	1,250,120	1,225,500	1,237,410	114,500
Expenditures							
Personnel	888,628	527,132	433,497	454,258		342,104	81,956
Operating Expenses	3,436,169	555,505	652,322	793,175	1,043,623	406,463	15,775
Capital	597,567	105,053	449,520	649,500	2,000	93,500	
Debt Service		175,162	275,987				
Surcharge							
Debt Service	573,798	235,669	260,738	128,048		466,675	8,408
Total							

Expenditures	5,496,162	1,598,521	2,072,064	2,024,981	1,045,623	1,308,742	106,139
Transfers Out	(884,950)	(38,583)	(28,679)		(194,200)		
Transfers In (To) From Reserve	9,000 <u>57,212</u>	<u>71,006</u>	<u>(181,736)</u>	<u>774,861</u>	<u>14,323</u>	200,000 <u>(128,668)</u>	<u>(8,361)</u>
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Dated at Vermillion, South Dakota this 19th day of September, 2011.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

by _____
John E. (Jack) Powell, Mayor

ATTEST:

BY

Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Ward. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Davies-Y, French-Y, Meins-Y, Osborne-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y.

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

8. New Business

A. Street closure request - Portions of N. Dakota Street on September 25, 2011 for the Susan G. Komen Race for the Cure

Andy Colvin, Assistant to the City Manager, reported that the Susan G. Komen Race for the Cure Committee is requesting the closure of a portion of Dakota Street from Alumni Street to Spruce Street on Sunday September 25th from 9:00 a.m. to noon. Andy reviewed a map of the route noting that parking will be removed along the route to allow the streets to remain open. The Police Department or volunteers will monitor intersections along the route. Andy noted that this will be the fourth year of the event in Vermillion with the route being the same as in previous years. Discussion followed on the route and how participants will be informed of the route.

290-11

Alderman Ward moved approval of the closing of Dakota Street from Alumni to Spruce Streets on Sunday, September 25, 2011 from 9:00 a.m. until noon for the Susan G. Komen Race for the Cure event. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Annexation of Lots 1 thru 5, and R-1, Block 1, Bliss Second Addition

Jose Dominguez, City Engineer, reported on the location of the property noting that the City Council approved the plat of the property in March 2011. The final plat has since been approved by the Clay County Commission and now the property owners are requesting to annex the property into the city. Jose noted that City ordinance provides that the annexed property comes into the city zoned as Natural Resource Conservation Zone and the owners will be requesting to rezone the lots as residential and the winery for its commercial use. Jose noted that the City Attorney reviewed the petition and, even though the owners of the Valiant Vineyards, Inc had signed a developer's agreement to not petition against an annexation request, he recommended adoption of the resolution contingent upon the receipt of Valiant Vineyard's signature on the petition. Discussion followed on the petition and the annexation.

291-11

After reading the same once, Alderman Zimmerman moved adoption of the following resolution contingent upon the receipt of the signature of the Valiant Vineyards, Inc. on the annexation petition:

A RESOLUTION ANNEXING CERTAIN CONTIGUOUS TERRITORY TO THE
CITY OF VERMILLION,
CLAY COUNTY, SOUTH DAKOTA

WHEREAS, there has been presented to the Governing Body of the City of Vermillion, and filed with the City Finance Officer, a petition to annex contiguous territory into the corporate limits of the City of Vermillion; and

WHEREAS, said petition was signed by the owners of Lots 2 through 5, Block 1 Bliss Second Addition and represent all the registered voters residing within the boundaries of the territory to be annexed; and

WHEREAS, the owners of Lot 1, Block 1 Bliss Second Addition (formerly Tract 1 Gran's) in an agreement adopted December, 1999 with the City of Vermillion, agreed to at which time the property to the east desires to annex into the City the property owners of said Tract 1 (now platted as

Lot 1) shall agree to annexation and would not remonstrate against the proposed annexation; and

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

WHEREAS, such annexation is provided for in SDCL 9-4-1 upon resolution of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vermillion that the following territory described as:

LOTS 1 THROUGH 5, AND R-1, BLOCK 1, BLISS SECOND ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

(formerly known as Auditors Tract No. 4 South of the West Main Street R.O.W. and North of the State of South Dakota Railroad R.O.W. of SW ¼, SE ½, of Section 14-92-52, including Tract 1 of Gran's Addition, Clay County, South Dakota)

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

Adopted by the Vermillion City Council this 19th day of September, 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. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

C. Resolution adjusting the Storm Water 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 \$23.25 to \$24.00 per year. Discussion followed.

292-11

After reading the same once, Alderman Willson 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 \$0.00032.

Dated at Vermillion, South Dakota this 19th day of September, 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. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Public fireworks display permit for Vermillion High School Homecoming on September 22, 2011

Mike Carlson, Finance Officer, reported that the Vermillion School District has requested a public fireworks display permit for a fireworks display after coronation on Thursday, September 22, 2011 south of the high school at approximately 8:30 p.m. A letter from the high school principal was included in the packet. This display has been part of the homecoming activities for a number of years and Tom Taylor will be doing the display. Mike noted that John Prescott will be contacting local Veterans groups about the public display. Tom Taylor answered questions of the City Council on the display.

293-11

Alderman French moved approval of the public fireworks display permit for the Vermillion School District for the public display on Thursday, September 22, 2011 south of the high school about 8:30 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

E. Public fireworks display for University of South Dakota Royalty Reveal celebration on October 4, 2011

Mike Carlson, Finance Officer, reported that the University of South Dakota Student Life office has requested a public fireworks display permit for a fireworks display as part of the Royalty Reveal and pep rally activities on Tuesday, October 4, 2011 about 8:00 p.m. in the USD parking lot close to the corner of University and Cherry Street. A copy of the e-mail from the Student Life office was included in the packet and Tom Taylor is present to answer questions. Mike noted that John Prescott will be contacting local Veterans groups about the public display.

294-11

Alderman Davies moved approval of the public fireworks display permit for the University of South Dakota for a display on Tuesday, October 4, 2011 in the USD parking lot close to the corner of University and Cherry Streets about 8:00 p.m. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

F. City Administration report on Pictometry Software

Andy Colvin, Assistant to the City Manager, reported that Gene Lunn, Director of Equalization, made a presentation to the City Council at the August 29th special meeting requesting that the City participate in the cost of the Pictometry software with the County. A Pictometry Company representative made a presentation to the City Departments on September 7th. Andy reported that John Prescott, City Manager, noted that the picture software program has a lot of potential uses for the City including City Council and Planning Commission presentations. The request from Mr. Lunn is \$4,413 per year for three years beginning in 2012. If

the City Council concurs with partnering with Clay County on the Pictometry software, administration suggests that the City Council authorize City staff to prepare a Memorandum of Understanding with Clay County for consideration at a future meeting. Discussion followed on the Pictometry software and the memorandum.

295-11

Alderman Zimmerman moved approval of authorizing administrative staff to develop a Memorandum of Understanding with Clay County for the City's use of the Pictometry software to cover three years starting in 2012 that also addresses subscription service revenues for consideration at a future City Council meeting. Alderman Osborne seconded the motion. Discussion followed on the content of the agreement. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

As John Prescott, City Manager, was attending another meeting, the report was presented by Andy Colvin, Assistant to the City Manager.

A. Andy reported on the receipt of a raffle notification request from Coyoteoply where they will be selling tickets for \$1 each for a top prize valued at \$200. The drawing will be held on October 1, 2011 with the proceeds going toward the Shakespeare Festival to be held in June 2012.

B. Andy reported that the household hazardous waste collection will be at the Recycling Center on Friday, October 21st from 2:00 p.m. to 6:00 pm. Cost is \$10 per vehicle. If there are questions, please contact the Recycling Center. The collection will be in Yankton on Saturday, October 22nd.

C. Andy reported that due to concrete paving on the north side of the Recycling Center the containers for yard waste and small branches have been moved to the south side of the Recycling Center until construction is complete.

D. Andy reported that the Clay County Historic Preservation Commission will be hosting a preservation workshop where Liz Almlie from the State Historic Preservation Office will be discussing State and local preservation regulations, national register listing and economic benefits of historic preservation. The workshop is at the Washington Street Arts Center from 10:00 a.m. to noon on Saturday, September 24th.

E. Andy reported on the joint meeting of the County and City Planning Commissions where the individual boards adopted the amendments to the

Vermillion 2000-2020 Comprehensive Plan as it applies to the joint jurisdictional planning area. Andy noted that a joint meeting of the County Commission and City Council is tentatively planned for October for final adoption of the amendments to the comprehensive plan as it applies to the joint jurisdictional planning area.

PAYROLL ADDITIONS AND CHANGES

Communications: Jessica Standley \$14.44/hr; Recreation: Elizabeth Bye \$7.50/hr, Kylie Fischbach \$7.50/hr, Rory Tucker \$7.75/hr; Golf Maintenance: Taylor Mason \$7.75/hr; Water: Dale Husby \$15.05/hr

11. Invoices Payable

296-11

Alderman Davies moved approval of the following bills:

ARCHITECTURE INCORPORATED	PROFESSIONAL SERVICES	20,000.00
AT&T	POLICE COMMUNICATION	166.30
BROADCASTER PRESS	ADVERTISING	1,547.45
BUREAU OF ADMINISTRATION	TELEPHONE	256.40
CITY OF VERMILLION	LANDFILL VOUCHERS	685.00
CLAY CO REGISTER OF DEED	FILING FEE	26.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	980.10
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,325.81
GREGG PETERS	MANAGERS FEE	5,375.00
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	47,572.78
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
MATHESON TRI-GAS, INC	SUPPLIES	314.70
MIDAMERICAN	GAS USAGE	393.78
MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	95.95
MIDWAY SERVICE, INC	FUEL	2,481.59
PITNEY BOWES	POSTAGE FOR METER	419.99
RESERVE ACCOUNT	POSTAGE FOR METER	650.00
SPRINT	CELL PHONES	970.83
STERN OIL CO.	FUEL USAGE	18,835.55
THE EQUALIZER	ADVERTISING	709.20
UNITED PARCEL SERVICE	SHIPPING	30.96
US POSTMASTER	POSTAGE FOR UTIL BILLS	975.00
VISA/FIRST BANK & TRUST	FUEL/SUPPLIES	89.20
WOODY HOUSER	BRIGHT ENERGY REBATE	15.00
DUANE MEHLHAF	BRIGHT ENERGY REBATE	200.00
RICHARD STENSAAS	BRIGHT ENERGY REBATE	10.00
EMOGENE PAULSON	BRIGHT ENERGY REBATE	50.00

MONTY MUNKVOLD	BRIGHT ENERGY REBATE	100.00
MEXICO VIEJO MEXICAN RESTAURANT	BRIGHT ENERGY REBATE	300.00
ASIAN BUFFET	BRIGHT ENERGY REBATE	400.00

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

12. Consensus Agenda

A. Set a public hearing date of October 3, 2011 for a special daily malt beverage and wine license for the Vermillion Area Arts Council on or about October 8, 2011 at 202 Washington Street

B. Set a public hearing date of October 3, 2011 for transfer of retail on-off sale wine and retail on-off sale malt beverage licenses to Prairie River, Inc. for R-Pizza at 2 W. Main Street from LaMarco, Inc.

C. Set a public hearing date of October 3, 2011 for transfer of retail on-sale liquor license to John Grunewaldt for Pressbox at 9 W. National from CLG, LLC.

297-11

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

13. Adjourn

298-11

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

Dated at Vermillion, South Dakota this 19th day of September, 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 _____.

**PROCLAMATION RECOGNIZING PUBLIC POWER WEEK, OCTOBER 3-9, 2011:
CITY OF VERMILLION LIGHT & POWER HELPS OUR COMMUNITY
IN POWERFUL WAYS**

WHEREAS, we, the citizens of the City of Vermillion, place high value on local control over community services and, therefore, have chosen to operate a community-owned, locally controlled, not-for-profit electric utility and, as consumers and owners of our electric utility, have a direct say in utility operations and policies; and

WHEREAS, the City of Vermillion Light & Power provides our homes, businesses, industry, social services, and local government agencies with reliable, efficient, and cost-effective electricity employing sound business practices designed to ensure the best possible service at not-for-profit rates; and

WHEREAS, the City of Vermillion Light & Power is a valuable community asset that contributes substantially to the well-being of local citizens through energy efficiency, customer service, environmental protection, economic development, and safety awareness; and

WHEREAS, the City of Vermillion Light & Power is a dependable and trustworthy institution whose local operation provides many consumers protection and continues to make our community a better place in which to live and work, as well as contributes to protecting the global environment;

NOW, THEREFORE, BE IT RESOLVED: that the City of Vermillion Light & Power will continue to work to bring lower-cost, safe, and reliable electricity to community homes and businesses just as it has since 1915, the year when the utility was created to serve all the citizens of the City of Vermillion; and

BE IT FURTHER RESOLVED: that the week of October 3-9 be designated the 25th Annual Public Power Week in order to honor the City of Vermillion Light & Power for its contributions to the community and to make its consumer-owners, policy makers, and employees more aware of its contributions to their well-being and how it makes their lives powerful; and

BE IT FURTHER RESOLVED: that our community joins hands with more than 2,000 other public power systems in the United States in this celebration of public power and recognition that the City of Vermillion Light & Power is good for consumers, businesses, and the community.

Dated at Vermillion, South Dakota this 3rd day of October, 2011.

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

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: October 3, 2011

Subject: Resolution approving Special Assessment Roll for Nuisance Abatement

Presenter: Mike Carlson

Background: On September 6th, the City Council adopted a resolution setting a public hearing date of October 3rd for nuisance abatement special assessments. The notice was published and letters were sent by first class mail. The hearing is required by the following state statute:

9-45-25. Hearing and decision on resolution for improvement by special assessment--Notice to property owner of amendments. At the time of the meeting referred to in §9-45-23 or at any adjournment thereof the governing body shall consider any objections to such proposed resolution and may adopt such resolution, with or without amendment as it may deem proper; but no amendment shall be made affecting property of any class not included in the original resolution until the owner thereof shall have been given the notice and opportunity to be heard provided by §§9-45-23 and 9-45-24.

Discussion: At the September 6th meeting, it was reported that three property owners had paid and, since then, two additional property owners paid all of the amount due and another made a partial payment with these adjustments being made to the attached resolution. The individual billings for each property are listed in the resolution, including the date of the corrective action or the tagging.

The City Council sets the tagging fee and the mowing/snow removal amount is the fee charged to the City by a contractor. If the City Council would adjust these amounts, it might set a precedent for property owners to wait until the City does the mowing or snow removal and then question the costs at the hearing to reduce the cost of the cleanup.

Attaching a special assessment may seem harsh, but it provides the City the ability to encourage the property owners to clear the snow from the sidewalk and mow their property. If nothing is done by the owner(s), the City is forced to take action and the amount will be assessed against the property. The assessments become a

lien against the property and will remain so until paid. If the owner sells the property after it is assessed, the City is protected by the special assessment lien on the property.

Financial Consideration: The assessments are for the costs incurred by the City.

Conclusion/Recommendations: It is recommended that the City Council receive any public comments and consider the information. Administration is not aware of any information that has not been previously presented with respect to any of the proposed special assessments that would warrant reducing the amount.

RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL
AND NOTICE OF SPECIAL ASSESSMENTS
FOR NUISANCE ABATEMENT
IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has established a special assessment roll for defraying the cost of nuisance abatement against the several tracts of real property upon:

NUISANCE ABATEMENT as listed at the end of this Resolution

in the City of Vermillion, Clay County, South Dakota. The assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 6th day of September 2011.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing upon the assessment roll for the 3rd day of October 2011 and directed the City Finance Officer of the City of Vermillion, Clay County, South Dakota to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment roll, the time and place for the hearing, that the assessment roll would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment roll for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice by first-class mail, postage thereon fully prepaid, addressed to the property owners of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

WHEREAS, it now appears that the Finance Officer has caused notice of the hearing to be given in the manner provided by the aforementioned Resolution and Notice, and by law.

WHEREAS, all persons interested have been given an opportunity to appear and show cause why the Governing Body should not approve the assessment roll, and the assessments against the respective premises of the owners, and the Governing Body has determined that the assessment roll is in all respects true and correct, and according to law.

NOW, THEREFORE, IT IS RESOLVED, by the Governing Body of the City of Vermillion, Clay County, South Dakota that the special assessment roll is hereby approved without amendment or change.

BE IT FURTHER RESOLVED, that the approved assessment roll be filed in the office of the City Finance Officer the day after approval of the assessment roll. The City Finance Officer shall publish once in the official newspaper of Vermillion, South Dakota, a copy of this Resolution and Notice, along with the approved assessment roll.

BE IT FURTHER RESOLVED, that the City Finance Officer shall immediately mail to the owner, or owners, of each lot, parcel or piece of ground as shown by the assessment roll, a copy of this Resolution and Notice along with the approved assessment roll.

NOTICE IS HEREBY GIVEN, that the assessments mentioned in the assessment roll will be payable according to the provisions of Plan One as set forth in Sections 9-43-30 to 9-43-41, inclusive of the Compiled Laws of 1967 of the State of South Dakota.

NOTICE IS FURTHER GIVEN, that any assessment under Plan One, or any installment thereof, may be paid without interest to the City Finance Officer whose office is located in the Municipal Building at 25 Center Street in the City of Vermillion, South Dakota, at any time within thirty (30) days after the filing of the approved assessment roll in the office of said City Finance Officer. Thereafter, and prior to the due date of the first installment, the entire assessment remaining, plus interest thereon from the filing date to the date of payment may be paid to the said City Finance Officer. No installment under Plan One shall be paid to the said City Finance Officer on or after its due date, and on and after said date such installment shall be paid only to the County Treasurer with interest.

NOTICE IS FURTHER GIVEN, that the approved assessment roll will be filed with the City Finance Officer on 3rd day of October 2011. The assessment is payable in one (1) installment at ten percent (10%) per annum interest on unpaid installments. The first installment due date is January 1, 2012.

The assessment roll herein referred to is attached.

Dated at Vermillion, South Dakota, this 3rd day of October 2011.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, CLAY COUNTY, SOUTH DAKOTA

John E. Jack Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

(SEAL)

CERTIFICATE OF ADOPTION

Adoption of the above and foregoing Resolution and Notice was moved by Alderman _____, seconded by Alderman _____, and said Resolution and Notice was thereafter put to a vote of the Governing Body, whereupon ___ members voted in favor thereof and ___ members voted in opposition thereto; said Resolution and Notice being by the Mayor declared adopted.

Michael D. Carlson, Finance Officer

City of Vermillion Special Assessment Roll
Nuisance Abatement

<u>Name</u>	<u>Property Address, Legal and Parcel Number</u>	<u>Service</u>	<u>Invoice</u>	<u>Total</u>
Terry M, Amundsen	111 W Dartmouth	grass/weed tagging 6/25/10	10.60	
	W 80' of 11 & W 120' of E 203' of	grass/weed tagging 8/12/10	31.80	
	Lot 13, Blk 85, Addn to Snyders 15730-08500-130-06	sidewalk snow tagging 12/2/10	10.60	53.00
Jeanine Halverson	10 S University	sidewalk snow tagging 12/3/10	10.60	
	Lot 4, East End Addn	sidewalk snow removal 11/26/11	84.80	
	15230-00000-040-00	grass/weed removal 6/16/11	74.20	169.60
Allen & Lisa Hesse	302 Prospect	sidewalk snow tagging 1/25/11	10.60	
	Lots 6 & 7 Blk 57, Snyders	grass/weed tagging 6/9/11	10.60	21.20
	15720-05700-070-00			
Roger G. Jeck	16 E Dartmouth	debris removal 1/21/11	321.90	321.90
	Comm 52' of SW Corner of 5 SE			
	Along S Line 53', N 140', Thence E 53', Thence S 140' to POB Blk 86, Addn to Snyders 15730-08600-050-18			
Peter, Mark & Karin Monzel	601 Lewis	grass/weed removal 7/19/10	74.20	
	Lot 1, Replat Auditors Tract A, S 1/2	sidewalk snow tagging 12/3/10	10.60	84.80
	of Lot 2 Nw 1/4 Sec 19-92-51 15860-09251-190-24			
Leif Nygaard	112 Walnut	grass/weed removal 5/23/11	111.30	111.30
	A-2 Outlot A, Torstensions			
	15760-00000-000-51			

Timothy N. Peterson & Elizabeth A. Goehring	716 Maple	sidewalk snow tagging 12/3/10	10.60	
	E 77.7' of 11,12& E 77.7' of S 1/2 of	sidewalk snow removal 12/15/10	79.50	
	13 Blk 3, Eastside	sidewalk snow removal 1/19/11	84.80	
	15270-00300-130-00	sidewalk snow removal 1/26/11	84.80	
		grass/weed removal 5/14/11	92.75	
		grass/weed removal 6/6/11	92.75	
		grass/weed removal 7/7/11	116.60	561.80
Gregory A. Robinson	517 West Clark	grass/weed tagging 8/12/10	10.60	
	E. 10' of Lot 5 & W 50' of Lot 6 Blk 2	sidewalk snow removal 1/25/11	84.80	95.40
	Lamberts Subdivision			
	15370-00200-060-00			
Paul D & Dorothy J. Rosenbaum	1407 E Main	grass/weed tagging 5/3/10	10.60	
	Dahl Tract 1 Exc. Lots H1 & H2	grass/weed tagging 6/25/10	31.80	
	NE 1/4 NE 1/4 19-92-51	grass/weed removal 8/17/10	153.70	
	Misc Entries	sidewalk snow tagging 12/3/10	10.60	
	15880-09251-191-20	grass/weed removal 5/23/11	148.40	
		grass/weed removal 6/16/11	169.60	524.70
Charlie Vanwardhuizen	709 W Main	grass/weed tagging 6/1/10	10.60	
	Lot LJ-1 & LJ-3 of outlot A Torsensons &	sidewalk snow tagging 12/2/10	10.60	
	W 43' of Lot 7 Van Meters	sidewalk snow removal 12/15/10	79.50	
	15810-01300-070-00	sidewalk snow removal 1/17/11	84.80	
		grass/weed tagging 5/26/11	10.60	
		grass/weed tagging 6/23/11	31.80	227.90

The amount of the assessment is payable, under Plan One, at the office of the Clay County Treasurer, in the Courthouse, in the City of Vermillion, Clay County, South Dakota, UNLESS paid to the City Finance Officer, whose office is located in the Municipal Building at 25 Center Street in the City of Vermillion, Clay County, South Dakota, within 30 days after the approved assessment roll is filed in the office of the City Finance Officer. Whenever the word "Lot" appears in this exhibit, it shall be construed to include tracts and other parcels of land.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: October 3, 2011

Subject: Special daily malt beverage license for the Vermillion Area Arts Council on or about October 8, 2011 at 202 Washington Street

Presenter: Mike Carlson

Background: The Vermillion Area Arts Council has submitted an application for a special daily malt beverage and wine license as part of their Chili Blues Cook-Off on October 8, 2011 at 202 Washington Street.

City ordinance on special daily licenses reads as follows:

112.18 SPECIAL ALCOHOLIC BEVERAGE LICENSES ISSUED IN CONJUNCTION WITH SPECIAL EVENTS.

- (A) The City Council may grant, after public hearing, a special on-sale malt beverage and/or a special on-sale wine license to a civic, charitable, educational, veterans, or fraternal organization in conjunction with a special event.
- (B) The City Council may grant, after public hearing, a special off-sale package wine dealers license to a civic, charitable, educational, veterans, or fraternal organization in conjunction with a special event. A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery that is licensed pursuant to SDCL Ch. 35-12.
- (C) Any license issued pursuant to this section shall be issued to the person and the location specified on the application. Any license issued pursuant to this section may be issued for a period of time established by the municipality. However, no period of time may exceed 15 consecutive days. The granting of the special license shall be subject to such conditions and restrictions as the City Council may deem appropriate and consistent with state law.
- (D) The fee for such special licenses shall be set by resolution of the City Council.

State Statute for the special daily licenses is as follows:

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

- (1) A special malt beverage retailers license in conjunction with a special event within the municipality or county to any civic, charitable, educational, fraternal, or veterans

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

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. No public hearing is required for the issuance of a license pursuant to this section if the person applying for the license holds an on-sale alcoholic beverage license or a retail malt beverage license in the municipality or county or holds an operating agreement for a municipal on-sale alcoholic beverage license, and the license is to be used in a publicly-owned facility. The local governing body shall establish rules to regulate and restrict the operation of the special license, including rules limiting the number of licenses that may be issued to any person within any calendar year.

Discussion: The notice of public hearing is attached, along with the Police Chief's memo. The routine Police Department records check of the parties involved with the special daily license revealed no alcohol related violations or felony convictions in reference to this application. City staff is not aware of any problems with previous special daily licenses granted to the Vermillion Area Arts Council.

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

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

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 3rd day of October, 2011 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Vermillion Area Arts Council on or about October 8, 2011 at the 202 Washington.

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

Dated at Vermillion, South Dakota this 18th day of September, 2011.

Michael D. Carlson, Finance Officer

Publish: September 23, 2011

Published once at the approximate cost of _____.



City of Vermillion

Police Department

15 Washington Street • Vermillion, SD 57069

Matt Betzen
Chief of Police

Phone: (605) 677-7070
Fax: (605) 677-7166
www.vermillionpd.org

MEMORANDUM

To: Vermillion City Council

Date: September 27, 2011

From: Matt Betzen 
Chief of Police

Subject: Application for Alcohol Beverage License

Reference: Chili and Blues/Vermillion Area Arts Council

I have reviewed the application submitted by the Vermillion Area Arts Council regarding a special daily malt and wine license for events occurring on October 8, 2010 at 202 Washington Street.

An examination of the Vermillion Police Department's Records Management System revealed no alcohol related violations or felony convictions in reference to this application.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: October 3, 2011

Subject: Transfer of retail on-off sale malt beverage and retail on-off sale wine license to Prairie River, Inc. from LaMarco, Inc. for R-Pizza at 2 West Main Street

Presenter: Mike Carlson

Background: An application for the transfer of the retail on-off sale malt beverage and retail on-off sale wine license from LaMarco, Inc. to Prairie River, Inc. for R-Pizza at 2 West Main Street was received. Enclosed is a copy of the notice that was published for the license transfer.

Discussion: The City Council has the ability to transfer a license on basically two criteria: suitable person and suitable location. As to the suitable person, City ordinance provides that new applicants must submit to a criminal background check to determine suitability. As this is a corporation, there were three owners listed: Brandon King, Allison Hoyne and Trevor King. All three will need to provide the South Dakota Division of Criminal Investigation background check to the Chief of Police. The criminal history checks have not been received at the time of preparing the memo.

With respect to the location criteria, licenses have been previously approved for this location. A recent western South Dakota legal ruling defined that other items can impact the location criteria. The character of neighborhoods and businesses tend to change over time and a local governing body has a legitimate interest in managing the alcoholic beverage licensing in its jurisdiction to assess whether an alcohol sales location continues to be suitable. The following are the city ordinances on suitable person and suitable location.

112.20 SUITABLE PERSON.

- (A) South Dakota Codified Law § 35-2-1.2 requires the City Council to determine whether retail alcohol beverage license applicants or their principals are suitable persons before issuing or renewing said licenses. This determination is required

annually for each license the applicant seeks. In order to effectuate a thorough determination of suitable person eligibility for license issuance, new applicants must submit to a criminal background check to determine suitability. Each new applicant shall make arrangements with a law enforcement agency and submit to the fingerprinting process. The applicant must also provide to law enforcement payment to the South Dakota Division of Criminal Investigation in an amount necessary to cover the costs of the criminal record check. These actions must be taken by an applicant prior to publication of hearing notice required by South Dakota law. The applicant's completed application will be attached to the certification of the law enforcement agency when received.

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

§ 112.21 SUITABLE LOCATION.

(A) South Dakota Codified Laws § 35-2-1.2 requires the City Council to determine whether retail alcohol beverage license applications propose suitable locations before issuing or renewing said licenses. This determination is required annually for each license the applicant seeks. The following are nonexclusive criteria established to assist in determining suitable location status:

- (1) Identification of a garbage hauler to be utilized by the business and the frequency of the garbage pickup;
- (2) Zoning restrictions, and
- (3) Neighborhood characteristics.

(B) In determining suitable location, the City Council will also utilize factors developed through South Dakota case law. This includes the manner in which the business is operated; the extent to which minors frequent or are employed in such place of business; the adequacy of police facilities to properly police the proposed location,

and other factors associated with the sale of alcoholic beverages, such as noise and litter.

§ 112.22 SUITABLE PERSON AND SUITABLE LOCATION CONSIDERATION.

- (A) South Dakota codified laws and case law support the premise that the decision to issue an alcoholic beverage license is discretionary. Therefore, the city hereby establishes a two-tiered process to evaluate on-sale liquor applications. The first tier will assess the character of the applicant or principals and whether the location is suitable according to §§ 112.20 and 112.21 of this chapter.
- (B) Upon finding evidence that the character of the applicant is acceptable and the location suitable, the City Council will consider second tier criteria. This process can include examining the best location for economic and tourism development, the best ancillary uses (restaurant, etc.) developed with the sale of liquor, the best location in accordance with the city long-range plan, the size of the facility, parking facilities, closeness to existing supplementing businesses, residences, and activities deemed important by the City Council.

Financial Consideration: The transfer fee is \$150 for each license. The City retains the entire wine license transfer fee and half (\$75) of the malt beverage transfer fee; the balance goes to the state. The wine license will expire on December 31, 2011 and the malt beverage license will expire on June 30, 2012.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the transfer of the retail on-off sale malt beverage and retail on-off sale wine licenses. Without the receipt of the background checks, Administration recommends that the City Council continue the public hearing for two weeks to allow for the receipt of this information that is needed to determine the suitable person criteria for the transfer. If a motion is made to deny, the reason needs to be included in the motion.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 3rd day of October, 2011 at the hour of 7:00 P.M. at City Hall Council Chambers will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated, which has been presented to the City Council and filed in the Finance Officer's Office:

Transfer of Retail On-Off Malt Beverage License until June 30, 2012:

Prairie River, Inc for R-Pizza at 2 West Main transfer from La Marco, Inc.

Transfer of Retail On-Off Sale Wine License until December 31, 2011:

Prairie River, Inc for R-Pizza at 2 West Main transfer from La Marco, Inc.

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

Dated at Vermillion, South Dakota this 16th day of September, 2011

Michael D. Carlson, Finance Officer

Publish: September 23, 2011

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: October 3, 2011
Subject: Transfer of retail on sale liquor license to John Grunewaldt from CLG, LLC for The Pressbox at 9 West National Street
Presenter: Mike Carlson

Background: An application for the transfer of the retail on sale liquor license from CLG, LLC to John Grunewaldt for The Pressbox at 9 West National Street was received. A copy of the notice that was published for the license transfer and the Police Chief's report are attached.

This license is currently inactive and the Department of Revenue stated that 2011 is year two for this license being inactive. The license cannot be renewed for the year 2012 unless it becomes active for 60 days by the end of December 2011. The Department of Revenue has also stated that the license may be transferred prior to the end of the inactive period and, as such, the two year period will start over for the new owner.

As it was explained to me by the Department of Revenue, the provision for two years of being inactive is to allow a business time, after acquiring the license, to put a business plan together, obtain the financing, build or acquire a facility and then open for business.

With the annexation of the Valiant Vineyards property, the City will have two more liquor licenses than what are provided for by the population according to state statute. If any liquor license is not reissued, it will be lost to the owner and the city.

Discussion: The City Council has the ability to transfer a license on basically two criteria: suitable person and suitable location. As to the suitable person, City ordinance provides that new applicants must submit to a criminal background check to determine suitability. John Grunewaldt has provided the South Dakota Division of Criminal Information background check to the Chief of Police. With respect to the location criteria, licenses have been previously approved for the

location. A recent western South Dakota legal ruling defined that other items can impact the location criteria. The character of neighborhoods and businesses tend to change over time and a local governing body has a legitimate interest in managing the alcoholic beverage licensing in its jurisdiction to assess whether an alcohol sales location continues to be suitable.

When the license was renewed in December of 2009 and 2010 the motion to approve noted the license was for “the interior of the building at said location, all licenses as inactive pending final inspection of the building at 9 West National as being suitable to be occupied for this type of business”.

112.20 SUITABLE PERSON.

- (A) South Dakota Codified Law § 35-2-1.2 requires the City Council to determine whether retail alcohol beverage license applicants or their principals are suitable persons before issuing or renewing said licenses. This determination is required annually for each license the applicant seeks. In order to effectuate a thorough determination of suitable person eligibility for license issuance, new applicants must submit to a criminal background check to determine suitability. Each new applicant shall make arrangements with a law enforcement agency and submit to the fingerprinting process. The applicant must also provide to law enforcement payment to the South Dakota Division of Criminal Investigation in an amount necessary to cover the costs of the criminal record check. These actions must be taken by an applicant prior to publication of hearing notice required by South Dakota law. The applicant's completed application will be attached to the certification of the law enforcement agency when received.
- (B) A DISQUALIFYING CRIMINAL RECORD for alcoholic beverage license purposes means any conviction for any felony, a crime of violence as defined in SDCL § 22-1-2(9), a sex offense as defined in SDCL § 22-24B-1, or trafficking in controlled drugs or substances which when and where committed would constitute such in the state of South Dakota. Unpardoned convictions of any crime of moral turpitude as defined by SDCL § 22-1-2(25) which when and where committed would constitute such in the state of South Dakota may constitute a disqualifying record as determined by the City Council on a case-by-case basis. Any criminal conviction not disclosed by an applicant on his application form may be treated as a disqualifying record. Any criminal conviction may be considered in making license issuance decision. Suspended imposition of sentence will not be considered a conviction.
- (C) An applicant subject to this policy shall provide to the law enforcement agency performing the fingerprinting process cash, check, or money order in an amount necessary to cover the costs of fingerprints for the criminal record check.
- (D) An applicant or principal in any business entity that is an applicant having any indebtedness to the city must satisfy said indebtedness before the City Council will consider any application for alcoholic beverage license issuance or renewal, except for plan one or two special assessment obligations that are not in arrears.

§ 112.21 SUITABLE LOCATION.

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

§ 112.22 SUITABLE PERSON AND SUITABLE LOCATION CONSIDERATION.

- (A) South Dakota codified laws and case law support the premise that the decision to issue an alcoholic beverage license is discretionary. Therefore, the city hereby establishes a two-tiered process to evaluate on-sale liquor applications. The first tier will assess the character of the applicant or principals and whether the location is suitable according to §§ 112.20 and 112.21 of this chapter.
- (B) Upon finding evidence that the character of the applicant is acceptable and the location suitable, the City Council will consider second tier criteria. This process can include examining the best location for economic and tourism development, the best ancillary uses (restaurant, etc.) developed with the sale of liquor, the best location in accordance with the city long-range plan, the size of the facility, parking facilities, closeness to existing supplementing businesses, residences, and activities deemed important by the City Council.

Financial Consideration: The transfer fee is \$150 for the license that is retained by the city. The liquor license will expire on December 31, 2011 unless renewed prior to year end.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval or denial of the transfer of the retail on sale liquor licenses. If the notion is to approve the transfer it can include the contingency that the license is restricted to the interior of the building at said location, as inactive pending final inspection of the building at 9 West National as being suitable to be occupied for this type of business. If a motion is made to deny, the reason needs to be included in the motion.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 3rd day of October, 2011 at the hour of 7:00 P.M. at City Hall Council Chambers will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated, which has been presented to the City Council and filed in the Finance Officer's Office:

Transfer of Retail On Sale Liquor License until December 31, 2011:
John Grunewaldt for the Pressbox Bar & Grill at 9 West National
transfer from CLG, LLC.

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

Dated at Vermillion, South Dakota this 16th day of September, 2011

Michael D. Carlson, Finance Officer

Publish: September 23, 2011

Published once at the approximate cost of _____.



City of Vermillion

Police Department

15 Washington Street • Vermillion, SD 57069

Matthew Betzen
Chief of Police

Phone: (605) 677-7070
Fax: (605) 677-7166
www.vermillionpd.org

MEMORANDUM

To: Mike Carlson **Date:** 09/23/2011

From: Matthew Betzen
Chief of Police 

Subject: Transfer of Press Box Liquor License to John Grunewaldt

I have reviewed the application to transfer the Press Box Liquor License to John Grunewaldt. A review of the Vermillion Police Department records did not reveal any negative information regarding Mr. Grunewaldt.

By law, I am not permitted to conduct a state or national criminal record check for the purpose of issuing an alcohol license. Consequently, the city has established a procedure requiring the applicant(s) to obtain and provide a copy of their criminal record check (state and national) to the city to be reviewed by the Chief of Police. On September 23, 2011, I received a report from the Division of Criminal Investigations. The report stated no South Dakota criminal history was found.

As of this date, I have not received the FBI criminal background report which general takes 6-8 weeks or longer.



Council Agenda Memo

From: Farrel Christensen, Building Official

Meeting: October 3, 2011

Subject: Second Reading of Ordinance 1261 – Rezone Lots 7 & 8 Block 1
Potters Addition from NC Neighborhood Commercial to R-2
Residential

Presenter: Farrel Christensen

Background: Bob Hanson & Kolly Fostvedt recently inquired about building a duplex on two lots along Mulberry Street. While reviewing the proposed project, staff was unable to approve the preliminary plan under the current zoning of NC (Neighborhood Commercial) that prohibits residential uses.

Discussion: The lots in the proposed plan are not on Main Street but located north of Hanson Funeral Home on Mulberry Street. The lot to the west of the proposed site is used as a parking lot for a church, on the east side is a vacant lot and across the street are single family homes. The intent of the existing NC district is to provide for developing and redeveloping areas located at the edge of residential developments, adjacent to the major streets that serve the area. It is the intent of this district to provide for a well-integrated service area, providing convenience of goods and personal services to primarily serve residents within one mile of the development.

Although the lots along E. Main Street seem to fit the NC district well, with a funeral home and two clinics already in place, the lots on Mulberry Street are only needed in the district for uses that require a great deal of depth. Mr. Hanson does not need the additional depth for the funeral home and believes the proposed duplex would be a good fit on Mulberry Street and in the R-2 district. Staff has reviewed the Comprehensive Plan and visited the site and feel the change would not be contrary to the public interest or the Comprehensive Plan. The proposed district is directly adjacent to an existing R-2 district to the north.

The Planning Commission considered the zone change on September 12th and recommended approval.

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

Conclusion/Recommendations: The change seems to fit well in the neighborhood and will provide needed development within the City in compliance with the comprehensive plan. Administration recommends approval of the second reading of Ordinance 1261. A recorded vote is required for the second reading.

ORDINANCE NO. 1261

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 NC NEIGHBORHOOD COMMERCIAL DISTRICT TO THE R-2 RESIDENTIAL DISTRICT

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

That Section 155.026 is hereby amended as follows:

Lots 7 and 8, Block 1, Potters Addition to the City of Vermillion, Clay County, South Dakota, are hereby rezoned from the NC Neighborhood Commercial District to the R-2 Residential 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 R-2 Residential District:

Dated at Vermillion, South Dakota this 3rd day of October, 2011.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

First Reading: September 19, 2011
Second Reading: October 3, 2011
Publication: October 14, 2011
Effective Date: November 3, 2011



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: October 3, 2011
Subject: Fireworks Public Display Permit for USD
Presenter: Mike Carlson

Background: USD Student Life requested City Council approval for a public fireworks display permit at the September 19, 2011 council meeting. The display was to be held as part of the Royalty Reveal and pep rally activities on Tuesday, October 4, 2011 in the USD parking lot close to the corner of University and Cherry Streets (behind the Burr House) at about 8:00 pm. Since that request was approved, there has been a change of plans as to the location.

The new location will be the field northeast of the Dakota Dome. The date and time are not changing.

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

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

Tom Taylor provided the application and the following is an e-mail received from USD Student Life Office explaining the change of location:

HI Mike!

The change in location was due to the fact that the lot we initially intended on shooting the fireworks from is one of the few overnight parking areas for students who live on campus in the north complex and we didn't want to displace them for the evening while having the parking lot blocked off, especially because the lot location north of the north complex with the main overnight parking is close to full capacity.

Carly Heard
Assistant Director of Student Life
The University of South Dakota

Prior to the initial request for approval on the September 19th agenda, John sent emails to the local Veterans groups to inform them of the permit date and time.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends the City Council authorize the Mayor to sign the Fireworks Public Display permit for October 4, 2011 as submitted on behalf of the USD Student Life for the display in the USD open area northeast of the Dakota Dome.

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

Name of Applicant USD Dakota Days Committee Phone 605-677-5465
Address 414 E. Clark St. City Vermillion State SD Zip 57069

PERSONS ACTUALLY IN CHARGE OF FIRING THE DISPLAY:

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

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

Date of Display Oct. 4, 2011 Time of Day 8:00 pm

Exact Location of Display

field northeast of Dakota Dome,

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

Display Fireworks

Consumer Fireworks

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

Date this 27th day of sept., 2011

[Signature]
Signature of Applicant

Subscribed and sworn to (or affirmed)

Before me this 27 day of

Sept, 2011

[Signature]
Notary Public

My Commission Expires _____, 20____

Permit Authorized By: _____

Title _____

Location of Issuing Authority _____

Date _____

Issued subject to all applicable laws and regulations, SDCL 34-36, SDCL 34-37 and National Fire Protection Association Pamphlet #1123 (1995 Edition). This permit may not be reassigned or transferred.

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





Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: October 3, 2011
Subject: Rose Street Street Light Agreement with USD
Presenter: Jose Dominguez

Background: Since the completion of Coyote Village, USD has wanted to replace the existing City street lights along Rose Street with ones that match the style around campus. The existing street lights are located on the west side of Rose Street from Cherry Street to the property line with USD (just south of the Dakota Dome parking lot). The new lights will be placed in the exact location as the existing City lights.

Discussion: The proposed agreement will allow USD to place the proposed lights within the City's right-of-way, with the City's approval. The agreement will also state what kind of luminaire will be used, how the lights will be turned on, who will be responsible for any upgrading cost. In short, the agreement states that any cost, and labor, associated with the installation, maintenance, removal or repairs will be the responsibility of the University of South Dakota.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends the City Council enter into the attached agreement with USD regarding the proposed street lights along Rose Street from Cherry Street to USD's south property line (south of the Dakota Dome parking lot).

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

AGREEMENT FOR MAINTENANCE OF STRUCTURES WITHIN PUBLIC RIGHTS-OF-WAY

IT IS HEREBY AGREED between the City of Vermillion, hereinafter referred to as the CITY, and the University of South Dakota, hereinafter referred to as USD, as follows:

The City agrees with the following:

1. To allow USD to install, and maintain, street lighting along the west side of Rose Street bounded by East Cherry Street to the south and the south USD property line to the north.
2. Electrical service to the street lights installed by USD along Rose Street will be the City's responsibility, at no cost to USD.

USD agrees with the following:

1. Any work within the City's right-of-way, including installation of street lights, shall be approved by the City prior to work commencing.
2. Any proposed street lights shall provide equal, or better, illumination as the existing street lights along the west side of Rose Street.
3. The existing electrical power infrastructure (wires, conduits, transformers, switches, hand holes, etc...) shall remain in place, and shall not be removed or altered without prior approval from the City.
4. Each luminaire shall be photo cell activated.
5. Luminaires shall be downcast type along residential side.
6. If the City changes the type of bulb (e.g. lights change from High-Pressure Sodium to L.E.D.) USD would need to change the bulbs and ballast on the street lights installed by USD within the City rights-of-way. USD will be 100% responsible for the replacement of the bulbs and ballast.
7. Street lights (including footing, poles, luminaire with photo cell, bulb, ballast, etc...) shall be replaced by USD within 1-week of any damage, or malfunction, occurring to them. USD will be 100% responsible for the replacement and installation cost.
8. If fusing is required, USD will be responsible for installing fuse holder, fuse and maintaining them. USD will be 100% responsible for any replacement, maintenance and installation cost.

IT IS FURTHER AGREED that any cost associated with the installation, maintenance, removal or repairs associated with the street lights will be the sole responsibility of USD.

Dated this _____ day of _____.

FOR THE UNIVERSITY OF SOUTH DAKOTA

FOR THE CITY OF VERMILLION

John E. (Jack) Powell, Mayor

STATE OF)

:SS

COUNTY OF)

On the _____ day of _____, before me, the undersigned Officer, personally appeared _____ known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF CLAY)

On the _____ day of _____, before me, the undersigned Officer, personally appeared John E. (Jack) Powell, who acknowledged himself as Mayor of the City of Vermillion, and that he as Mayor being authorized so to do executed the foregoing instrument for the purposes therein contained by signing the name of the corporation by himself as Mayor.

In witness whereof I hereunto set my hand and official seal.

Notary Public

My Commission Expires: _____

CITY OF VERMILLION
 INVOICES PAYABLE-OCTOBER 3, 2011

1 WILLSON FLORIST	FLORAL ARRANGEMENTS	120.00
2 3D SPECIALTIES INC	SUPPLIES	1,629.78
3 A & A REFRIGERATION	REPAIRS	106.50
4 A & B BUSINESS, INC	MAINTENANCE CONTRACT	422.34
5 AIR LIQUIDE INDUSTRIAL U.S	CHEMICALS	809.38
6 ALERT-ALL CORPORATION	OPEN HOUSE SUPPLIES	297.00
7 APPEARA	SUPPLIES	165.05
8 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	406.16
9 AT&T	POLICE COMMUNICATIONS	224.20
10 AUDIO GO	BOOKS	175.94
11 AVENET, LLC	WEB DESIGN PACKAGE	6,675.00
12 BAKER & TAYLOR BOOKS	BOOKS	482.26
13 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	936.45
14 BARKLEY ASPHALT	ASPHALT	456.89
15 BASIN ELECTRIC POWER COOP.	PROFESSIONAL SERVICES	1,708.90
16 BENJAMIN NELSEN	TRAVEL REIMBURSEMENTS	320.00
17 BETTER CONTAINERS MFG	SUPPLIES	130.09
18 BETTER HOMES & GARDENS	BOOKS	33.91
19 BIRSCHBACH EQPT & SUPPLY	SUPPLIES	614.40
20 BIOVERSE, INC	SUPPLIES	352.69
21 BOMGAARS	TOOLS	342.97
22 BOOK WHOLESALERS, INC	BOOKS	804.11
23 BORDER STATES ELEC SUPPLY	SUPPLIES	2,639.64
24 BROADCASTER PRESS	ADVERTISING	193.00
25 BRUNICK FURNITURE & FLOORING	REMNANT	20.00
26 BRUNICKS SERVICE INC	PROPANE	28.86
27 BUTLER MACHINERY CO.	REPAIRS	2,196.19
28 BW INSURANCE AGENCY, INC	NOTARY BOND FEE	30.00
29 CALLOWAY GOLF	MERCHANDISE	152.00
30 CAMPBELL SUPPLY	SUPPLIES	1,036.92
31 CANON FINANCIAL SERVICES	COPIER CONTRACT	56.16
32 CASK & CORK	MERCHANDISE	2,455.60
33 CBCINNOVIS, INC	PROFESSIONAL SERVICES	12.98
34 CENTER POINT LARGE PRINT	BOOKS	185.36
35 CENTURY BUSINESS PRODUCTS	COPIER CONTRACT	40.00
36 CENTURLINK	TELEPHONE	733.41
37 CHESTERMAN CO	MERCHANDISE	1,332.59
38 CITY OF VERMILLION	POSTAGE/COPIES	1,390.29
39 CITY OF VERMILLION	UTILITY BILLS	37,754.38
40 CLAY RURAL WATER SYSTEM	WATER USAGE	35.10
41 COFFEE KING, INC	SUPPLIES	57.75
42 COLONIAL LIFE ACC INS.	INSURANCE	3,298.55
43 COMMERCIAL MAINTENANCE CHEMICALS	SUPPLIES	249.50
44 COYOTE CHEMICAL COMPANY	SUPPLIES	18.50
45 COYOTE CONVENIENCE	FUEL	11.57

46 CROSSROADS HOTEL & CONVENTION	LODGING	770.00
47 CULLIGAN WATER	REPAIRS	110.68
48 DAKOTA BEVERAGE	MERCHANDISE	11,046.55
49 DAKOTA PC WAREHOUSE	MONITOR	94.99
50 DAKOTA SUPPLY GROUP	PARTS	173.38
51 DANKO MES, INC.	FIRE EQUIPMENT	521.44
52 DAVID STAMMER	MEAL REIMBURSEMENTS	140.00
53 DELTA DENTAL PLAN	INSURANCE	5,611.38
54 DEMCO	SUPPLIES	302.64
55 DENNIS MARTENS	MAINTENANCE	833.34
56 DEPT OF REVENUE	TESTING	372.00
57 DEWILD GRANT RECKERT & ASSOC.	PROFESSIONAL SERVICES	6,952.50
58 DIANE'S GREENHOUSE	PERENNIALS	323.84
59 DIVISION OF MOTOR VEHICLE	TITLE/PLATES	10.00
60 DUANE MEHLHAF	WATER HEATER REBATES	1,200.00
61 DUST TEX	SUPPLIES	69.90
62 E.A SWEEN COMPANY	MERCHANDISE	168.21
63 EARTHGRAINS BAKING CO'S INC	SUPPLIES	104.32
64 ECHO ELECTRIC SUPPLY	PARTS	3,646.43
65 EMERGENCY MEDICAL PRODUCTS	SUPPLIES	541.81
66 ENERGY LABORATORIES	TESTING	490.00
67 ERIN J. SEEP	MAINTENANCE	65.25
68 FARMER BROTHERS CO.	SUPPLIES	37.88
69 FAST AUTO GLASS	CHIP REPAIRS	80.00
70 FEDEX FREIGHT	FREIGHT	67.21
71 FEDEX.	SHIPPING	23.89
72 FLEXIBLE PIPE TOOL COMPANY	PARTS	195.00
73 FRED HAAR CO, INC	PARTS	5.62
74 FULLERTON LUMBER CO	SUPPLIES	49.82
75 GALE	BOOKS	514.44
76 GE CAPITAL	COPIER LEASE	114.48
77 GEHM GROUP, LTD	APPRAISAL FOR EASEMENTS	2,000.00
78 GRAHAM TIRE CO.	TIRES	389.08
79 GRAINGER	SUPPLIES	23.35
80 GRAYBAR ELECTRIC	SUPPLIES	3,293.71
81 GREGG PETERS	FREIGHT	2,440.75
82 GREGG PETERS	RENT	937.50
83 GUARANTEE OIL CO INC	SUPPLIES	136.07
84 HAUFF MID-AMERICA SPORTS	SDHSAA AWARD MEDALS	55.02
85 HAUGER YARD/SNOW SERVICE	MOWING	112.00
86 HAWKINS WATER TREATMENT	CHEMICALS	923.76
87 HD SUPPLY WATERWORKS	FREIGHT	4,066.26
88 HDR ENGINEERING, INC	PROFESSIONAL SERVICES	35,618.45
89 HELMS & ASSOCIATES	PROFESSIONAL SERVICES	6,895.34
90 HERCULES INDUSTRIES, INC	SUPPLIES	198.33
91 HERREN-SCHEMPP BUILDING	SUPPLIES	288.17
92 HOUSE OF WHITE BIRCHES	BOOKS	29.91
93 HY VEE FOOD STORE	SUPPLIES	117.61
94 IN CONTROL, INC	PROFESSIONAL SERVICES	2,307.90
95 INDEPENDENCE WASTE	WASTE HAULING	1,615.78

96 INGRAM	BOOKS	4,267.26
97 ISTATE TRUCK CENTER	DUMP TRUCK	68,819.12
98 JACKS UNIFORM & EQPT	UNIFORMS	1,558.55
99 JESSICA STANDLEY	MEAL REIMBURSEMENTS	140.00
100 JOHN A CONKLING DIST.	MERCHANDISE	8,346.15
101 JOHN C. PRESCOTT	MEAL REIMBURSEMENTS	107.00
102 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	39,409.34
103 JOHNSON CONTROLS	SERVICE AGREEMENT/REPAIRS	3,016.85
104 JOHNSTONE SUPPLY	PARTS	209.88
105 JONES ACE HARDWARE	SUPPLIES	734.16
106 JONES FOOD CENTER	SUPPLIES	1,035.12
107 JOYCE MOORE	MILEAGE REIMBURSEMENT	78.70
108 KALINS INDOOR COMFORT	REPAIRS	168.53
109 KAREN HARRIS	SAFETY GLASSES REIMBURSEMENT	150.00
110 KARSTEN MFG CORP	MERCHANDISE	139.07
111 KNIFE RIVER MIDWEST, LLC	ASPHALT	1,366.30
112 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	872.87
113 LEISURE LAWN CARE	REPAIRS	160.80
114 LESSMAN ELEC. SUPPLY CO	SUPPLIES	2,009.59
115 LINCOLN MUTUAL LIFE	INSURANCE	485.68
116 LIV WEST	MEAL REIMBURSEMENTS	140.00
117 LOCATORS AND SUPPLIES, INC	SUPPLIES	180.64
118 LYLE SIGNS	SUPPLIES	1,538.50
119 MAINLAND ENGRAVING LLC	MEDALS/RIBBONS	50.75
120 MARKS LAWN CARE	JUNK REMOVAL/MOWING	364.80
121 MARKS MACHINERY	REPAIRS	1,197.07
122 MART AUTO BODY	TOWING/PARTS	805.59
123 MATHESON TRI-GAS, INC	SUPPLIES	143.63
124 MATTHEW BENDER & CO, INC	BOOKS	108.48
125 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,080.00
126 MERRICK INDUSTRIES	PARTS	3,318.04
127 MICRO MARKETING ASSOC	BOOKS	58.77
128 MICROFILM IMAGING SYSTEMS	ANNUAL SERVICE AGREEMENT	360.00
129 MIDWEST ALARM CO	REPAIRS	398.17
130 MIDWEST BUILDING MAINTENANCE	MAT SVC	442.40
131 MIDWEST LUBRICANTS, INC	SUPPLIES	240.00
132 MIDWEST READY MIX	REBAR/FLOWABLE FILL	556.00
133 MIDWEST TURF & IRRIGATION	PARTS	403.00
134 MIKKELSEN LIBRARY	BOOK REPLACEMENT COST	36.50
135 MISSOURI VALLEY MAINTENANCE	REPAIRS	958.92
136 MOORE WELDING & MFG	SUPPLIES	55.79
137 MR. GOLF CAR, INC	GOLF CAR RENTAL	350.00
138 N B GOLF LLC	REPAIRS	337.68
139 NCL OF WISCONSIN, INC	CHEMICALS	653.29
140 NETSYS+	PROFESSIONAL SERVICES/REPAIRS	1,792.82
141 NEW YORK LIFE	INSURANCE	95.00
142 NIKE INC	MERCHANDISE	145.15
143 NORTHERN TRUCK EQPT CORP	PARTS	54.23
144 OFFICE SYSTEMS CO	COPIER CONTRACT	959.59
145 OLSON SOD FARMS	GOLF COURSE SOD	495.00

146 PARK GENEALOGICAL BOOKS	SUBSCRIPTION	25.00
147 PATSY STENSLAND	BOOKS	35.38
148 PAULS PLUMBING	REPAIRS	2,120.71
149 PETE LIEN & SONS, INC	CHEMICALS	7,878.87
150 PITNEY BOWES	POSTAGE METER RENTAL	242.49
151 PLAIN TALK PUBLISHERS	SUBSCRIPTION	26.00
152 PNC EQUIPMENT FINANCE	DEFIBRILLATOR LEASE	741.27
153 POMPS TIRE SERVICE, INC.	TIRES	1,938.32
154 POSITIVE PROMOTIONS	OPEN HOUSE SUPPLIES	475.15
155 PRAIRIE BERRY WINERY	MERCHANDISE	1,383.00
156 PRESSING MATTERS	SUPPLIES	250.00
157 PRESTO-X-COMPANY	INSPECTION/TREATMENT	40.95
158 PUMP N PAK	FUEL	2,706.04
159 QUEEN CITY WHOLESALE	SUPPLIES	308.33
160 QUILL	SUPPLIES	1,658.82
161 RACOM CORPORATION	MAINTENANCE CONTRACT	335.00
162 RANDOM HOUSE, INC	BOOKS	216.00
163 RANDY VOSS	REPAIRS	20.00
164 RECORDED BOOKS, INC	BOOKS	812.50
165 REINHART FOODSERVICE, LLC	SUPPLIES	1,241.08
166 REPUBLIC NATIONAL DISTRIB.	MERCHANDISE	27,984.63
167 RESCO	SUPPLIES	270.30
168 ROCKMOUNT RESEARCH & ALLOY	SUPPLIES	453.82
169 SD GOLF ASSOCIATION	HANDICAP	1,499.00
170 SD PLANNERS ASSOCIATION	REGISTRATION	80.00
171 SD PUBLIC ASSURANCE ALLIANCE	INSURANCE	160.00
172 SD RETIREMENT SYSTEM	CONTRIBUTIONS	66,344.46
173 SD SOLID WASTE MANAGEMENT	MEMBERSHIP/REGISTRATION	940.00
174 SDN TECHNOLOGIES	REPAIRS	7.96
175 SERVALL TOWEL & LINEN	SHOP TOWELS	29.40
176 SIOUX CITY BOLT	SUPPLIES	51.50
177 SIOUX EQUIPMENT	PARTS	208.49
178 SIOUX FALLS TWO WAY RADIO	REPAIRS	120.00
179 SIOUXLAND HUMANE SOCIETY	FEES	74.00
180 SLATTERY CONSTRUCTION INC	SIDEWALK REPAIRS/E CLARK ST EXPANSION	87,335.13
181 STERN OIL CO.	SUPPLIES	2,367.50
182 STEWART OIL-TIRE CO	REPAIRS/TIRES	998.85
183 STURDEVANTS AUTO PARTS	PARTS	1,823.56
184 TASER INTERNATIONAL	SUPPLIES	350.00
185 THATCHER COMPANY	SODA ASH	13,772.00
186 THE EQUALIZER	ADVERTISING	682.40
187 THE NEW SIOUX CITY IRON CO	SUPPLIES	65.67
188 THE WALKING BILLBOARD	UNIFORMS FIRE DEPT	700.00
189 TITAN ACCESS ACCOUNT	PARTS	1,447.04
190 TODDS ELECTRIC SERVICE	INSTALL CONTROLLERS	100.00
191 TRI TECH SALES	REPAIRS	1,244.26
192 TRI-B-TRIM SHOP	REPAIRS	145.00
193 TRUCK-TRAILER SALES	REPAIRS	122.00
194 TRUE VALUE	SUPPLIES	356.30
195 TRUSCO MFG COMPANY	PARTS	111.16

196 TYS BUILDING SERVICE	REPAIRS	234.87
197 UNITED PARCEL SERVICE	SHIPPING	45.61
198 UNITED WAY	CONTRIBUTIONS	396.00
199 UPSTART	SUPPLIES	72.25
200 USBORNE BOOKS	BOOKS	377.28
201 VALIANT VINEYARDS	MERCHANDISE	534.00
202 VAN DIEST SUPPLY CO	CHEMICALS	828.50
203 VERMEER HIGH PLAINS	PARTS	460.04
204 VERMILLION FORD	PARTS	163.34
205 VISA/FIRST BANK & TRUST	LODGING/FUEL/SUPPLIES	3,753.50
206 WAL-MART COMMUNITY	SUPPLIES	498.73
207 WALKER CONSTRUCTION	CONCRETE WORK	28,914.31
208 WELFL CONSTRUCTION CO	PROFESSIONAL SERVICES	14,609.00
209 WESCO DISTRIBUTION, INC	PARTS	3,881.16
210 WITTEK	SUPPLIES	591.26
211 YANKTON FIRE & SAFETY	REPAIRS	97.50
212 YANKTON JANITORIAL SUPPLY	SUPPLIES	591.43
213 YANKTON WINNELSON CO	PARTS	5.00
214 ZEE MEDICAL SERVICE	SUPPLIES	122.95
215 ZIMCO SUPPLY CO	SUPPLIES	8,390.00
216 JERAD HIGMAN	BRIGHT ENERGY REBATE	25.00
	GRAND TOTAL	\$614,514.21