



**Special Meeting Agenda
City Council**

12:00 p.m. (noon) Special Meeting
Monday, October 6, 2014
Large Conference Room-City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **N. Norbeck Street access review – Duane Mehlhaf.**
3. **Vermillion Liquor Store location option discussion – Gregg Peters.**
4. **Briefing on the October 6, 2014 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, October 6, 2014
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**

2. **Pledge of Allegiance**

3. **Minutes**

- a. September 15, 2014 Special Session; September 15, 2014 Regular Session.

4. **Adoption of the Agenda**

5. **Visitors To Be Heard**

- a. Proclamation Recognizing Disability Employment Awareness Month.

6. **Public Hearings**

- a. Resolution setting a Special Assessment Roll for Nuisance Abatement.

7. **Old Business**

8. **New Business**

- a. Municipal Swimming pool Committee concept presentation.
b. Resolution to reduce special assessment for 716 Maple Street.
c. Lot A1, Accretion to Government Lots 3 and 4, Section 16; and Lot A1, Accretion to Lot A, Section 22; All in Township 92 North, Range 52 West of the 5th P.M., Clay County, South Dakota.
d. Resolution for Funding Agreement for the Airport Layout Plan for Harold Davidson Field between the City and State.
e. Resolution to authorize the buyback of Outlot A on E. Main Street.
f. Resolution amending landfill rates.

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 15, 2014
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, September 15, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Holland, Clarene Meins, Holly Meins (arrived at 12:08), Price, Ward, Willson, Mayor Powell

Absent: Erickson

2. Liquor Store Management proposals - John Prescott

John Prescott, City Manager, handed out a worksheet that listed the two proposals along with the effects on income and expenses for the items that could be determined along with a listing of issues that may need to be addressed with each proposal. John stated that both individuals have submitted additional information for their proposal that has been forwarded to the Council members.

Holly Meins arrived at 12:08 p.m.

Mayor Powell asked Council members for comments and discussion with Thomas Slattery and Gregg Peters answering questions of the City Council on their proposals.

Hearing no further discussion, Mayor Powell thanked the two individuals for submitting proposals and stated that the next step would be for the City Council to direct staff to negotiate a contract with one of the individuals for consideration at a future Council meeting. Discussion followed with the consensus of the City Council to direct the City Manager to negotiate a liquor store management contract and building lease with Gregg and Nikki Peters based on the items discussed for consideration at a future City Council meeting.

3. Briefing on the September 15, 2014 City Council Regular Meeting

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

5. Adjourn

322-14

Alderman Ward moved to adjourn the Council special session at 12:52 p.m. Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of September, 2014.

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 15, 2014
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on September 15, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of September 2, 2014 Special Session; September 2, 2014 Regular Session.

323-14

Alderman Collier-Wise moved approval of the September 2, 2014 Special Session and September 2, 2014 Regular Session minutes. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

John Prescott requested that New Business Item A. Ambulance Billing Service Agreement be removed from the agenda.

324-14

Alderman Collier-Wise moved approval of the agenda with the removal of New Business Item A. Ambulance Billing Service Agreement. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Swimming Pool Committee

Shane Nordyke, Chairman of the Swimming Pool Committee, introduced other committee members present and provided an update on the work being done with the consultant on the Prentis Park project. She stated that the pool design is being reviewed in a fiscally responsible manner to meet the needs of the community while considering all options including the reuse of portions of the old pool. Alderman Ward, who is a member of the committee, encouraged the community to become involved in the pool discussions.

B. Public Power Week Proclamation

Alderman Clarene Meins read the proclamation recognizing Public Power Week of October 5-11 in Vermillion. Mayor Powell presented the proclamation to John Prescott on behalf of the Light Department.

Mayor Powell introduced Student Representative Lyndsay Clausen

6. Public Hearings - None

7. Old Business

A. Second Reading of Ordinance No. 1320 - Amending Chapter 155, Zoning Regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, Section 155.026, entitled Adoption of Official Zoning Map, and adding Section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion, Clay County, South Dakota, from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition, to the City of Vermillion, Clay County, South Dakota from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and adopting regulations therefore.

Andy Colvin, Assistant to the City Manager, stated that the ordinance will create a Community Oriented Healthcare Planned Development District. The uses to be permitted in the district are those that would typically be related to healthcare facilities and currently are allowed in this area. This district will allow the medical facilities to grow and expand in the area. Andy reported that the Planning Commission recommended approval of the planned development district regulations and initial development plan. Andy reported that no comments were received since first reading of the ordinance. Discussion followed with the question of whether a large drug store with other merchandise would be allowed in this district. Jim McCulloch, City Attorney, stated that drug stores are allowed but that retail services and trade are not included.

Tim Tracy, with Sanford Vermillion, stated that drug stores were included as an allowed use as the hospital has a retail pharmacy and that drug stores are an allowed use in the current neighborhood commercial zone that the hospital is located in now.

325-14

Second reading of title to Ordinance No. 1320, entitled An Ordinance Amending Chapter 155, zoning regulations, of the revised ordinances of the City of Vermillion, South Dakota, section 155.026 entitled adoption of official zoning map and adding section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and adopting regulations therefore, of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1320 entitled An Ordinance Amending Chapter 155, zoning regulations, of the revised ordinances of the City of Vermillion, South Dakota, section 155.026 entitled adoption of official zoning map and adding section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and

adopting regulations therefore, of the City of Vermillion, South Dakota 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 2nd day of September, 2014 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of September, 2014 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. 1320

AN ORDINANCE AMENDING CHAPTER 155, zoning REGULATIONS, OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, SECTION 155.026 ENTITLED ADOPTION OF OFFICIAL ZONING MAP AND ADDING SECTION 155.059 ENTITLED COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT, rezoning LOTS 1-4, HOSPITAL ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, FROM THE R-2 RESIDENTIAL DISTRICT TO THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT; AND LOTS 1-15, KAHL'S ADDITION AND LOTS 11-20, BLOCK 3, EASTSIDE ADDITION, TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA FROM THE NC NEIGHBORHOOD COMMERCIAL DISTRICT TO THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT, and ADOPTING regulations therefore.

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

SECTION 1. That Section 155.026, Adoption of Official Zoning Map, is hereby amended as follows:

THAT LOTS 1-4, HOSPITAL ADDITION, LOTS 1-15, KAHL'S ADDITION AND LOTS 11-20, BLOCK 3, EASTSIDE ADDITION, TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA ARE HEREBY INCLUDED IN THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT AND THE OFFICIAL ZONING MAP IS AMENDED TO INCLUDE SUCH LAND IN THE COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT.

SECTION 2. That a new Section entitled 155.059 Community Oriented Healthcare Planned Development District be added and shall include the following regulations:

155.059 COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT.

(A) Purpose. The regulations set forth in this section or set forth elsewhere in the Vermillion Zoning Ordinance when referred to in this section are the district regulations in the Community Oriented Healthcare Planned Development District. The purpose of

this district is to provide for well planned mixed use community oriented healthcare areas within the Planned Development District. All city ordinances apply to the Planned Development District except for those modified below.

(B) Permitted uses.

Permitted Uses	Applicable Standards
Hospital/clinic	§§ 155.070, 155.072, 155.073, 155.077
Office	§§ 155.070, 155.072, 155.073, 155.077
Assisted living facility	§§155.070, 155.072, 155.077 Applicant must provide copy of South Dakota Department of Health license. All multiple dwelling standards apply.
Nursing Home	§§155.070, 155.072, 155.077 Applicant must provide copy of South Dakota Department of Health license.
Accessory use (such as, garage, shed)	§§ 155.071, 155.082 (A) (see definition)
Group Home	Structure must be a single housekeeping unit. Applicant must provide a copy of state agency license. §§ 155.070, 155.072, 155.076, 155.077
Drug store	§§ 155.070, 155.072, 155.073, 155.077
Medical and dental clinics	§§ 155.070, 155.072, 155.073, 155.077
Day care center	Adequate and safe playground area with fence 4 feet high. A safe pickup and drop off area must be provided for the children. §§ 155.070, 155.072, 155.073, 155.077
Fences	§ 155.074
Off-premise parking lots	§ 155.070, 155.072, 155.077

(C) Conditional uses.

Dwellings	Dwellings shall be limited to the basement of any permitted primary uses within the district. §§ 155.070, 155.072, 155.073, 155.077, 155.095
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(D) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions).

	Lot Area	Frontage	Building Line	Front Yard	Side Yard	Rear Yard	Maximum Height
All uses	6000 square feet	50 feet	50 feet	25 feet	8 feet	25 feet	35 feet
Off-premise parking lots	§ 155.072	NA	NA	10 feet	2 feet	10 feet	NA

Exceptions:

#1 Where a side yard or rear yard is required half of the required yard must be maintained as a landscaped area.

#2 There shall be a required front yard on each street side of a double frontage lot. There shall be a required front yard on each street side of lots.

#3 Parking lot setbacks will only be required when abutting or across from a residential zone.

#4 See adjustments to yard regulations (§ 155.082) for other specific exceptions.

(E) Property re-division. All future property re-division shall require a re-platting of the affected parcels. Planned Development District may be required to be amended depending on property re-division.

(F) Visibility at Intersections and Driveways. Safety zones shall comply with § 155.070.

(G) Off Street Loading Requirements shall comply with § 155.073.

(H) Landscaping standards

- (1) Within any zoning district, at least 90% of the required front yard setback shall be landscaped and maintained with living ground cover except for the portion of the front yard necessary for hard surfaced driveways and parking (§ 155.072).
 - (2) One (1) tree per 50 feet of tract width is required. No more than 25% of the required trees may be deciduous ornamental, evergreen, or coniferous trees.
 - (3) Each existing tree of at least 1 3/4-inch caliper in size shall count toward the tree requirement.
 - (4) Where feasible, landscape areas must be capable of providing a substantially full expanse of foliage within three years after planting. All deciduous trees shall be 1 3/4 inch caliper and all deciduous ornamental trees shall be 1 1/4-inch caliper.
- (I) Adjustments to Yard Regulations shall comply with § 155.082.
- (J) Non-conforming Uses and Structures shall comply with § 155.083.
- (K) Lighting
- (1) When property is adjacent to or within 150 feet of residentially used or zoned property, the following lighting standards apply:
 - (a) The maximum light level shall be no greater than 3 foot candles field measured at the property line (ground level).
 - (b) The maximum height of light luminaries shall be 20 feet above the ground.
 - (c) Canopy luminaries and other on-site lighting with luminaries greater than 2000 lumens shall include a 90-degree cut-off type, deflector, refractor, or forward throw light fixture.
 - (d) The maximum number of canopy luminaries shall be determined by the following industry standard: Canopy length (in feet) x canopy width (in feet) x 3= Maximum No. of Luminaries lamp wattage
 - (2) All other light luminaries shall have a maximum height of 38 feet above the ground. Submittal of photometric plans shall be required with all site plan checks for building projects on property with lighted parking lots or lighted canopies.

- (3) The following structures or uses are exempt from these lighting standards: parks, pedestrian walkways, and illuminated flags or statues.
- (4) Lighting for parking lots shall be constructed so as to prevent light pollution to surrounding properties.
- (L) Sign regulations. Signs shall be regulated by Chapter 152. Regulations shall be those used in the NC District.
- (M) Fence regulations. Fences shall comply with § 155.074(A), (B) and (C), except for fences used to enclose recreational areas that may comply with § 155.074(G).
- (N) Accessory Uses. Accessory uses and structures may be placed within this district without the need of a primary structure being located within the same lot. The use of the accessory building shall still be related to the allowed use within the Planned Development District.

Dated at Vermillion, South Dakota this 15th day of September, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Willson. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Y, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-Y, Mayor Powell-Y

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

B. Second Reading of Ordinance No. 1318 - 2015 Appropriations

John Prescott, City Manager, stated that the final step in the 2015 budget process is second reading of the appropriations ordinance. John stated that the budget ordinance was developed following the City Council budget hearings in August and first reading was September 2nd. John reviewed the major projects included in the 2015 budget. John

recommended approval of second reading of the budget ordinance for 2015.

326-14

Second reading of title to Ordinance No. 1318, entitled 2015 Appropriations Ordinance for the City of Vermillion, South Dakota.

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. 1318 entitled 2015 Appropriations 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 2nd day of September, 2014 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of September, 2014 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. 1318
2015 APPROPRIATION ORDINANCE**

AN ORDINANCE ADOPTING the 2015 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.

2015 Budget

GENERAL FUND

REVENUES:

General Property Taxes	2,127,100	
Sales Tax	1,674,000	
Penalties & Interest	4,000	
Licenses & Permits	142,750	
Cable TV Franchise	103,500	
State Intergovernmental	264,350	
County Intergovernmental	89,400	
Charges for Goods & Services	536,450	
Fines & Forfeits	38,150	
Miscellaneous Revenues	85,200	
TOTAL GENERAL FUND REVENUES		5,064,900

EXPENDITURES:

Policy & Administration:

General Government	563,535	
Finance Office	177,079	
Engineering	303,298	
Planning & Zoning	800	
Code Compliance	204,497	
Community Promotion	74,000	
Total Policy & Administration		1,323,209
<u>Public Safety & Security:</u>		
Police Administration & Invest.	462,313	
Police Patrol	1,281,634	
Fire & Rescue	249,218	
Emergency Management	3,300	
Ambulance	309,449	
Total Public Safety & Security		2,305,914
<u>Maintenance & Transportation:</u>		
Municipal Garage	138,955	
Municipal Service Center	33,540	
Street Department	718,758	
Snow Removal	70,422	
Sweeping & Mowing	111,529	
Carpentry	30,369	
City Hall Maintenance	79,200	
Old Landfill Maintenance	12,000	
Airport	117,936	
Total Maintenance & Transportation		1,312,709
<u>Human Development & Leisure Services:</u>		
Library	586,363	
Parks & Forestry	297,337	
Swimming Pool	108,972	
Recreation	169,604	
Mosquito Control	19,665	
National Guard Armory Center	60,533	
Total Human Development & Leisure		1,242,474
TOTAL GENERAL FUND EXPENDITURES		6,184,306
GENERAL FUND NEEDS		(1,119,406)
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		18,072
Transfer from Utilities Engineering Fees		136,387
Transfer from B.I.D #1		1,430
Transfer to Equipment Replacement		(6,000)
Transfer to 911 Fund - Communications		(271,305)
Appropriation from Reserve		239,797

GENERAL FUND BALANCE 0

SPECIAL REVENUE FUNDS

SECOND CENT SALES TAX FUND

Revenues 1,717,500

Expenditures - Second Cent Sales Tax 317,200

Transfer to Airport Capital Projects (4,750)

Transfer to TIF #6 Debt Service (60,620)

Transfer to City Hall Debt Service Fund (351,741)

Transfer to Mill Overlay Capital Projects (140,000)

Appropriation to Reserve (843,189)

SECOND CENT SALES TAX FUND BALANCE 0

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees 3,520

Expenditures - Parks Improvements 3,520

PARKS IMPROVEMENT FUND BALANCE 0

BBB SALES TAX FUND

Revenues 331,900

Expenditures 307,300

Appropriation to Reserve (24,600)

BBB SALES TAX FUND BALANCE 0

911 FUND -COMMUNICATIONS

Revenues 271,305

Expenditures 542,610

Transfer from General Fund 271,305

911FUND FUND BALANCE 0

BUSINESS IMPROVEMENT DISTRICT #1

Revenues 71,500

Expenditures 35,750

Transfer to General Fund 1,430

Appropriation to Reserve (34,320)

Business Improvement District #1 Fund Balance 0

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees 203,550

Expenditures: 15,000

Appropriation to Reserve	(188,550)
STORMWATER FEE FUND BALANCE	<u>0</u>

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts	10,215
Expenditures - Library	7,000
Appropriation to Reserve	(3,215)
LIBRARY FINE AND GIFT FUND BALANCE	<u>0</u>

DEBT SERVICE FUNDS

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues	27,560
Expenditures	27,560
Interfund Loan	340,200
Transfer to Capital Projects	(340,200)
DS SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

DEBT SERVICE-- TIF District No. 6

Expenditures	60,620
Transfer from Second Cent Sales Tax Fund	60,620
DEBT SERVICE - TIF 6 FUND BALANCE	<u>0</u>

DEBT SERVICE - CITY HALL

Revenues	2,300
Expenditures	354,041
Transfer from Second Cent Sales Tax Fund	351,741
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Expenditures	315,000
Transfer to General Fund	(18,072)
Transfer from Debt Service	340,200
Appropriation to Reserve	7,128
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	90,250
Expenditures	95,000
Transfer from Second Cent Sales Tax Fund	4,750
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - W MAIN MILL & OVERLAY

Revenues	265,400
Expenditures	405,400
Transfer from Second Cent Sales Tax Fund	140,000
CP W MAIN MILL & OVERLAY FUND BALANCE	<u>0</u>

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment <u>Fund</u>	Copier - Fax- Postage <u>Fund</u>	Custodial <u>Fund</u>	Equipment Replacement <u>Fund</u>
<u>Revenues</u>				
Internal Dept Charges		18,150	87,000	439,397
Interest on Investments	50			1,100
Other Revenues				38,000
Total Revenues	<u>50</u>	<u>18,150</u>	<u>87,000</u>	<u>478,497</u>
<u>Expenditures</u>				
Personnel			83,584	
Operating Expenses	50	16,350	3,213	
Capital			500	511,900
Total Expenditures	<u>50</u>	<u>16,350</u>	<u>87,297</u>	<u>511,900</u>
Transfer Out (In)				(6,000)
(To) From Reserve		(1,800)	297	27,403
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

UTILITY AND ENTERPRISE FUNDS (Information Only)

	Electric <u>Fund</u>	Water <u>Fund</u>	Wastewater <u>Fund</u>	Joint Powers <u>Fund</u>	Liquor <u>Fund</u>	Golf Course <u>Fund</u>	Curbside Recycling Fund
<u>Revenues</u>							
Sales	5,632,000	1,475,000	1,510,000	1,262,000	1,256,000	710,400	113,000
Surcharge	744,000	263,000	322,000				
Other Revenue	90,000	41,400	8,800	29,000		73,725	300
Interest	153,850	5,087	4,240	4,000	500	4,000	50
Total Revenues	<u>6,619,850</u>	<u>1,784,487</u>	<u>1,845,040</u>	<u>1,295,000</u>	<u>1,256,500</u>	<u>788,125</u>	<u>113,350</u>
<u>Expenditures</u>							

Personnel	983,743	600,515	488,943	507,677		365,878	94,660
Operating Expenses	3,688,221	578,282	626,397	981,455	1,073,839	417,870	15,100
Capital	630,480	149,420	134,300	266,000	2,000	8,000	38,250
Debt Service		200,472	252,837	229,901			8,408
Debt Service Surcharge	<u>575,663</u>	<u>235,669</u>	<u>291,013</u>				
Total Expenditures	5,878,107	1,764,358	1,793,490	1,985,033	1,075,839	791,748	156,418
Transfers Out	(884,950)	(38,583)	(28,679)		(194,200)		
Transfers In (To) From Reserve	9,000						
	<u>134,207</u>	<u>18,454</u>	<u>(22,871)</u>	<u>690,033</u>	<u>13,539</u>	<u>3,623</u>	<u>43,068</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: \$2,140,000

Dated at Vermillion, South Dakota this 15th day of September, 2014

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 Collier-Wise. Thereafter the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Y, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-Y, Mayor Powell-Y

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

C. Second Reading of Ordinance No. 1319 - 2014 Revised Appropriations

John Prescott, City Manager, stated that the 2014 budget was adopted in September 2013 and since that time some things have changed that have been incorporated into the revised appropriations ordinance. John

stated that there would most likely need to be another revised ordinance before the yearend to address unanticipated items. John reviewed some of the changes that have impacted the revised budget. John recommended adoption of the 2014 revised appropriations ordinance.

327-14

Second reading of title to Ordinance No. 1319, entitled 2014 Revised Appropriations Ordinance for the City of Vermillion, South Dakota.

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. 1319 entitled 2014 Revised Appropriations 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 2nd day of September, 2014 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of September, 2014 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. 1319
2014 REVISED APPROPRIATION ORDINANCE**

AN ORDINANCE ADOPTING the 2014 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.

	<u>2014 Revised Budget</u>	
GENERAL FUND		
<u>REVENUES:</u>		
General Property Taxes	2,055,520	
Sales Tax	1,678,000	
Penalties & Interest	4,000	
Licenses & Permits	138,550	
Cable TV Franchise	102,500	
State Intergovernmental	270,980	
County Intergovernmental	89,400	
Charges for Goods & Services	525,150	
Fines & Forfeits	38,150	
Miscellaneous Revenues	<u>123,840</u>	
TOTAL GENERAL FUND REVENUES		5,026,090

EXPENDITURES:

Policy & Administration:

General Government	549,673	
Finance Office	177,270	
Engineering	295,797	
Planning and Zoning	800	
Code Compliance	199,328	
Community Promotion	128,800	
Total Policy & Administration		1,351,668

Public Safety & Security:

Police Administration & Invest.	446,548	
Police Patrol	1,238,291	
Fire & Rescue	229,363	
Emergency Management	3,300	
Ambulance	302,200	
Total Public Safety & Security		2,219,702

Maintenance & Transportation:

Municipal Garage	136,120	
Municipal Service Center	33,750	
Street Department	703,731	
Snow Removal	69,875	
Sweeping & Mowing	109,694	
Carpentry	41,579	
City Hall Maintenance	74,500	
Old Library Maintenance	5,000	
Old Landfill Maintenance	12,000	
Airport	124,423	
Total Maintenance & Transportation		1,310,672

Human Development & Leisure Services:

Library	605,698	
Parks & Forestry	289,347	
Swimming Pool	109,013	
Recreation	184,066	
Mosquito Control	19,278	
National Guard Armory Center	58,967	
Total Human Development & Leisure		1,266,369
TOTAL GENERAL FUND EXPENDITURES		6,148,411

GENERAL FUND NEEDS

(1,122,321)

Transfer to 911 Fund	(268,028)
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 BID #1	840

Transfer from Utilities Engineering Fees	136,387
Appropriation from Reserve	252,097
GENERAL FUND BALANCE	<u>0</u>

SPECIAL REVENUE FUNDS

SECOND CENT SALES TAX FUND

Revenues	1,686,500
Expenditures - Second Cent Sales Tax	880,800
Transfer to Bike Path Capital Projects	(36,100)
Transfer to Airport Capital Projects	(4,750)
Transfer to City Hall Debt Service Fund	(349,634)
Transfer to TIF #6 DS & CP	(267,862)
Transfer to Equipment Replacement Fund	(10,000)
Appropriation to Reserve	(137,354)
SECOND CENT SALES TAX FUND BALANCE	<u>0</u>

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees	4,470
Expenditures - Parks Improvements	9,000
Appropriation from Reserve	4,530
PARKS IMPROVEMENT FUND BALANCE	<u>0</u>

BBB SALES TAX FUND

Revenues	323,025
Expenditures	288,150
Appropriation to Reserve	(34,875)
BBB SALES TAX FUND BALANCE	<u>0</u>

911 FUND -COMMUNICATIONS

Revenues	293,527
Expenditures	561,555
Transfer from General Fund	268,028
911FUND- FUND BALANCE	<u>0</u>

BUSINESS IMPROVEMENT DISTRICT #1

Revenues	42,000
Expenditures	15,000
Transfer to General Fund	840
Appropriation to Reserve	(26,160)

Business Improvement District #1 Fund Balance 0

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees 197,000
Expenditures: 180,000
Transfer to Bliss Pointe CIP 150,000
Appropriation from Reserve 133,000
STORMWATER FEE FUND BALANCE 0

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts 11,700
Expenditures - Library 8,985
Appropriation to Reserve (2,715)
LIBRARY FINE AND GIFT FUND BALANCE 0

STREETSCAPE FUND

Expenditures 364
Appropriation from Reserve 364
STREETSCAPE FUND BALANCE 0

DEBT SERVICE FUNDS

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues 72,756
Expenditures 164,921
Interfund Loan 556,982
Transfer to Capital Projects (556,982)
Appropriation from Reserve 92,165
SPECIAL ASSESSMENT FUND BALANCE 0

DEBT SERVICE - TIF District No. 6

Revenues 0
Expenditures 35,362
Transfer from Second Cent Sales Tax 35,362
DEBT SERVICE - TIF 6 FUND BALANCE 0

DEBT SERVICE - City Hall

Revenues	2,300
Expenditures	351,934
Transfer from Second Cent Sales Tax	349,634
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Revenues	0
Expenditures	538,910
Transfer from Debt Service	556,982
Appropriation to Reserve	(18,072)
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BIKE PATH

Revenues	163,900
Expenditures	200,000
Transfer from Second Cent Sales Tax	36,100
CP BIKE PATH FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	90,250
Expenditures	95,000
Transfer from Second Cent Sales Tax	4,750
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BLISS POINTE TIF 6

Revenues	1,733,250
Expenditures	2,027,000
Appropriation to Reserve	98,150
Transfer from Stormwater Fund	150,000
Transfer from Second Cent Sales Tax	232,500
Transfer from Water Fund	9,400
CP LIBRARY FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - WEST MAIN MILL & OVERLAY

Revenues	40,200
Expenditures	<u>40,200</u>

WEST MAIN MILL & OVERLAY FUND BALANCE

0

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment <u>Fund</u>	Copier - Fax- Postage <u>Fund</u>	Custodial <u>Fund</u>	Equipment Replacement <u>Fund</u>
<u>Revenues</u>				
Internal Dept Charges		17,650	84,520	418,332
Interest on Investments	185			1,100
Contributed Capital				
Other Revenues				247,352
Total Revenues	185	17,650	84,520	666,784
<u>Expenditures</u>				
Personnel			80,617	
Operating Expenses	185	15,550	3,200	
Capital			500	406,468
Total Expenditures	185	15,550	84,317	406,468
Transfer (Out) In (To) From Reserve		(2,100)	(203)	18,600 (278,916)
Fund Balance	0	0	0	0

UTILITY AND ENTERPRISE FUNDS (Information Only)

	Electric <u>Fund</u>	Water <u>Fund</u>	Wastewater <u>Fund</u>	Joint Powers <u>Fund</u>	Liquor <u>Fund</u>	Golf Course <u>Fund</u>	Curbside Recycling <u>Fund</u>
<u>Revenues</u>							
Sales	5,442,000	1,435,000	1,475,000	1,182,150	1,207,000	691,150	111,800
Surcharge	735,000	263,000	322,000				
Other Revenue	90,000	48,125	8,835	24,000		73,050	300
Interest Bond Proceeds	156,850	6,391	4,862	6,000	500	4,000	50
Grants		415,000		1,221,590			
Total Revenues	6,423,850	2,200,516	1,810,697	2,901,590	1,207,500	768,200	112,150

Expenditures

Personnel

	956,208	578,960	483,190	490,138		358,153	90,342
Operating Expenses	3,547,217	577,100	612,773	1,060,800	1,034,916	405,592	14,600
Capital	1,375,554	844,916	418,840	3,551,800	2,000	24,000	250
Debt Service Surcharge		180,230	255,924	188,013			8,408
Debt Service Total	<u>575,050</u>	<u>235,669</u>	<u>291,013</u>				
Expenditures	6,454,029	2,416,875	2,061,740	5,290,751	1,036,916	787,745	113,600
Transfers Out	(884,950)	(47,983)	(37,279)		(194,200)		
Transfers In (To) From Reserve	9,000						
	<u>906,129</u>	<u>264,342</u>	<u>288,322</u>	<u>2,389,161</u>	<u>23,616</u>	<u>19,545</u>	<u>1,450</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 15th day of September, 2014.

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 Holland. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Collier-Wise-Y, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-Y, Ward-Y, Willson-Y, Mayor Powell-Y

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

8. New Business

A. Removed from the agenda

B. Final Plat of Lot 1 of Block 1, and Lots 2, 4, 5 and 6 of Block 2 of Dakota Hospital Foundation Addition to the City of Vermillion, Clay County, South Dakota.

Jose Dominguez, City Engineer, reported on the location of the property being platted and presented a map of the area. Jose noted that the final plat will combine lots that are adjacent to each other thus removing the existing lot lines that run through buildings. Jose stated that all the property is owned by Dakota Hospital Foundation and is approximately 10 acres. Jose reported that the Planning Commission recommended approval of the plat.

328-14

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

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lot 1 of Block 1, and Lots 2, 4, 5 and 6 of Block 2 of Dakota Hospital Foundation Addition to the City of Vermillion, Clay County, South Dakota for approval.

BE IT RESOLVED that the attached and foregoing plat has been submitted to and a report and recommendations thereon made by the Vermillion Planning Commission to the City Council of Vermillion which has approved the same.

BE IT FURTHER RESOLVED that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion which has examined the same, and it appears that the systems of streets and alleys set forth therein conforms to the system of streets and alleys of the existing plat of such city, and that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid and that such plat and survey thereof have been executed according to law, and the same is hereby accordingly approved.

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

C. Resolution Approving Grant Offer for Airport Improvement Program for the Airport Layout Plan with the FAA

Jose Dominguez, City Engineer, reported that the existing airport capital improvement plan has the new airport layout plan (ALP) to be started this year. The grant agreement with the FAA stipulates the funding and also has criteria that need to be followed during the development of the plan. Jose noted that, although the form is different, the City has entered into a similar agreement for every airport project. Jose said that the resolution provided that the City

will be reimbursed 90% of the project costs estimated at \$100,000, from the FAA. Jose noted that the State will reimburse 5% leaving the City share at 5%. Jose recommended adoption of the resolution approving the grant offer for airport improvements.

329-14

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

RESOLUTION ACCEPTING THE GRANT OFFER
FOR THE AIRPORT IMPROVEMENT PROGRAM
FOR THE AIRPORT LAYOUT PLAN
BETWEEN THE FAA AND THE CITY OF VERMILLION

WHEREAS, the City of Vermillion wishes to update the airport layout plan by utilizing a combination of Local, State and Federal Funds, and;

WHEREAS, the Governing Body of the City of Vermillion is asked by the United States Department of Transportation Federal Aviation Administration to approve the above mentioned grant agreement by resolution, and;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion accepts the Grant Agreement between the United States Department of Transportation Federal Aviation Administration and the City of Vermillion for Project 3-46-0056-010-2014.

Dated at Vermillion, South Dakota this 15th day of September 2014.

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

D. Tree Board Appointment

Mayor Powell reported that there is currently an opening on the Tree Board. Mayor Powell stated that an expression of interest form was received from Jim Brady and he recommended his appointment to the Tree Board.

330-14

Alderman moved approval of the appointment of Jim Brady to the Tree Board. Alderman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Light & Power Department transformers

Jason Anderson, Assistant City Engineer, reported that the Electric Department typically purchases wire and transformers once a year in preparation for the construction season. Due to unexpected transformer need, bids were opened on September 10th for some additional transformers. Jason stated that seven bids were received and that bids are evaluated for operating losses over the life cycle of the transformer to determine the low bidder. The low bidder was Stuart Irby Company with an initial purchase price of \$29,873 and total evaluated price of \$52,429.

Bidders: Border States Electric base bid \$28,075, total evaluated price \$58,627.50; Wesco base bid \$26,799, total evaluated price \$53,685.40; DSG base bid \$24,235, total evaluated price \$52,897; RESCO bid one base bid \$25,336, total evaluated price \$53,338.40; RESCO bid two base bid \$25,599, total evaluated price \$54,783.40; Stuart Irby bid one base bid \$28,888, total evaluated price \$58,481.60; Stuart Irby bid two base bid \$29,873, total evaluated price \$52,429

331-14

Alderman Willson moved approval of the low bid of Stuart Irby Company bid two with an initial purchase price of \$29,873 and total evaluated price of \$52,429. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. N. Norbeck Street roadway lighting project

Jason Anderson, Assistant City Engineer, reported that in January 2014 the City Council adopted a resolution for the assessment of North Norbeck Street improvements between Clark and Roosevelt Streets and in August 2014 the City Council adopted a resolution for the assessment of street light improvements along North Norbeck Street from Roosevelt to East Cherry Streets. Jason said that bid documents were sent to nine potential bidders. The bid has the project divided into the base bid

for the light on Norbeck Street from Cherry Street to Roosevelt Street and the bid alternate for the lights along Norbeck Street from Clark Street to Roosevelt Street. Jason reported that one bid was received on September 11th at the bid opening from AGK Electric for a total of \$37,338.15. Jason noted that, as the bid was in excess of engineers estimate of \$24,500, contact was made with the bidder to see if there was any room to negotiate the price. Jason reported that staff was able to reduce the total price to \$31,788.55 by providing flexible conduit material at City cost for the project. Jason noted that the material is sold in large quantities far greater than what is needed for the project and the bidder had included the total quantity in the bid. Jason recommended awarding the bid on the adjusted price of \$14,010.45 on the base bid and \$17,778.10 on the alternate bid with AGK Electric.

332-14

Alderman Erickson moved approval of the only bid of AGK Electric of \$14,010.45 on the base bid and \$17,778.10 on the alternate bid, total \$31,788.55 as negotiated by City staff. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reminded the community of the fireworks show planned for this Thursday, September 18th between 8:00 p.m. and 9:00 p.m. in the field south of the High School as part of Homecoming Week activities.

B. John reported on raffle notifications received:

- a. St. Agnes Parish is selling \$1 tickets from September 20 to October 19, 2014 for a variety of donated prizes valued from \$50 to \$500. The drawing is October 19, 2014 at St Agnes Fall Festival. Proceeds go to support St Agnes School and related activities.
- b. St. Agnes Youth Group is selling \$1 tickets from September 5 to October 19, 2014. The prize is a 2000 Grand Am valued at \$3,000. The drawing is October 19, 2014 at St Agnes Fall Festival. Proceeds go to support St Agnes Youth Group.
- c. Vermillion Rural Fire is selling \$20 tickets until September 27, 2014. There are 32 guns available as prizes. Values range from \$500 to \$1,000. Proceeds from the raffle go toward the purchase of the rescue truck to be funded by the rural Fire Association.

C. John reported that fire hydrant flushing is scheduled to start the week of September 22nd.

D. John reported that 65 vehicles participated in the Household Hazardous Waste collection last Friday at the Recycling Center.

E. John reported that a Council member was contacted and asked that to announce: The Living River group will meet on Tuesday, September 16th at the Vermillion Public Library at 7:00 p.m., and to invite the community to join for a film-viewing and discussion. They will be showing the 2010 documentary "Bag It," about plastics, solid waste, and recycling. Following the film, members of the "Bring Your Bag" Committee will discuss their campaign and ask for ideas from the audience.

F. It was reported that the Booster Club will be having a dedication and ribbon cutting for the new sign at the high school on Thursday, September 18th at 6:45 p.m.

PAYROLL ADDITIONS AND CHANGES

Ambulance: Nicole Gulley \$9.00/hr FTO, John Wetherinton \$6.00/1st-
\$6.00/2nd-\$8.00/call; Recreation: Hailey Norman \$7.75/hr; Library: Alta
Allen \$8.00/hr, Epiphany Knedler \$8.16/hr, Austin Knoble \$8.0/hr; Golf
Clubhouse: Emily Schierbeck \$7.25/hr; Golf Maintenance: Justin Ackerman
\$7.50/hr, Huter Serfoss \$7.50/hr; Communications: Jessica Standley
\$17.41/hr; Curbside Recycling: Dan Hanson \$15.80/hr

11. Invoices Payable

333-14

Alderman Willson moved approval of the following invoice:

JOHN POWELL	APPA EXPENSE REIMBURSEMENTS	878.82
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Alderman Collier-Wise seconded the motion. Mayor Powell requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

334-14

Alderman Willson moved approval of the following invoices:

AMERICAN LEGAL PUBLISHING	INTERNET RENEWAL	375.00
BROADCASTER PRESS	ADVERTISING	2,025.94
BUREAU OF ADMINISTRATION	TELEPHONE	256.70
CAMPBELL SUPPLY	SUPPLIES	51.96
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CITY OF VERMILLION	LANDFILL VOUCHERS	444.00
CLAY RURAL WATER SYSTEM	WATER USAGE	83.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,275.66
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,105.35

ECHO ELECTRIC SUPPLY	SUPPLIES	1,459.78
ENERGY LABORATORIES	TESTING	1,220.00
ENVIRONMENTAL PRODUCTS	PARTS	2,267.01
FOREMAN MEDIA	COUNCIL MTG	100.00
GERSTNER OIL	AIRPORT FUEL	20,336.90
GRAHAM TIRE CO.	TIRES	237.70
GREGG PETERS	MANAGERS FEE	5,375.00
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	9,055.50
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	210.00
MATHESON TRI-GAS, INC	SUPPLIES	251.48
MIDAMERICAN	GAS USAGE	2,068.47
MIDCONTINENT COMMUNICATIONS	CABLE/INTERNET SERVICE	118.68
MIDWEST READY MIX & EQUIP	LANDSCAPE ROCK	165.50
NORTHEAST WISCONSIN TECHNICAL COLLEGE	REGISTRATION	25.00
REPUBLIC NATIONAL DISTRIBUTING CO	MERCHANDISE	13,685.28
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
STERN OIL CO.	SUPPLIES	24,520.96
THE EQUALIZER	ADVERTISING	1,060.00
UNITED PARCEL SERVICE	SHIPPING	76.20
US POSTMASTER	POSTAGE FOR UTILITY BILLS	950.00
VCDC	GRANT BLISS POINTE	303,036.78
VERIZON WIRELESS	WIRELESS COMMUNICATION	122.49
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	219.48
WOW! BUSINESS	DIALUP SERVICE	49.95
DUANE MEHLHAF	BRIGHT ENERGY REBATE	375.00
MICHELLE LAUGHLIN	BRIGHT ENERGY REBATE	250.00
RUSS STONE	BRIGHT ENERGY REBATE	275.00
DAVID STAMMER	BRIGHT ENERGY REBATE	70.00

Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

335-14

Alderman Ward moved to adjourn the Council Meeting at 7:39 p.m. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of September, 2014.

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
NATIONAL DISABILITY EMPLOYMENT AWARENESS MONTH**

WHEREAS, the United States Congress, by Joint Resolution, has designated October of each year as National Disability Employment Awareness Month; and

WHEREAS, the purpose of this month is to celebrate the many and varied contributions of America's workers with disabilities and educate the public about disability employment issues; and

WHEREAS, we want to spread the important message that a strong workforce is one inclusive of the skills and talents of all individuals, including individuals with disabilities; and

WHEREAS, we cannot afford, morally or financially, to lose the contributions people with disabilities bring, not only to the workplace, but also to mainstream community life as an irreplaceable resource for our state and community; and

WHEREAS, we celebrate citizens, businesses, and government working together to remove barriers and false perceptions faced by individuals with disabilities; and

WHEREAS, everyone should have a chance to earn a living and have a sense of fulfillment from having a job. This year's theme, "Expect, Employ, Empower", supports these goals; and

NOW, THEREFORE, we, the governing body of the City of Vermillion, do hereby proclaim the month of October 2014 as

Disability Employment Awareness Month

in Vermillion, South Dakota, and call upon the residents of this great city to join in observing this month by hosting and supporting initiatives and activities that support and promote providing employment opportunities for people with disabilities.

Dated at Vermillion, South Dakota this 6th day of October, 2014.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: October 6, 2014
Subject: Resolution Approving Special Assessment Roll for Nuisance Abatement
Presenter: Mike Carlson

Background: On September 2nd the City Council adopted a resolution setting a public hearing date of October 6th for nuisance abatement special assessments. The notice was published and letters were sent by first class mail to the property owners of record. The hearing is required by the following state statute:

9-43-91. Approval, equalization, amendment, or rejection of assessment roll. At the time and place fixed for the hearing, the governing body shall meet to consider the assessment roll and hear any objections. At the hearing, the governing body may approve, equalize, amend, or reject the assessment roll.

Discussion: 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. The mowing/snow removal amount is the fee charged to the City by a contractor hired to perform the work. The property clean up is a fee paid to a contractor or the city labor for equipment and disposal fees to correct the situation. If the City Council would adjust the amounts, it might set a precedent for property owners to wait until the City does the mowing, snow removal or property clean up 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, mow their property and remove nuisances. 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.

Since the notices were mailed and published, one property owner paid the outstanding fees and one property has changed ownership and been removed from the assessment rolls.

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. After adoption, a copy of the resolution is mailed to the property owners.

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 2nd day of September, 2014.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing upon the assessment roll for the 6th day of October, 2014 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 SDCL Sections 9-43-102 to 9-43-113.

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 6th day of October, 2014. 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, 2015.

The assessment roll herein referred to is attached.

Dated at Vermillion, South Dakota, this 6th day of October 2014.

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

<u>Name</u>	<u>Parcel Number</u> <u>Legal & Property Address</u>	<u>Service</u>	<u>Amount</u>
Bare Assets III LLC	15880-09251-181-52	grass tagging & mowing 8/27/13	79.50
	Lot G-2 Exc W 110.9 of S 198.91 SW 1/4 SE 1/4	debris removal 9/2/13	<u>349.80</u>
	NE 1/4 & SE 1/4 SE 1/4 NE 1/4 & Exc		total 429.30
	Lot 1 18-92-51 Misc Entries 809 N Norbeck		
Raymond Gill Jr	15170-00100-030-00	grass tagging & mowing 5/29/13	79.50
	S 18" of Lots 1 & 2 & N 32' of Lot 3 Blk 1	grass tagging & mowing 7/16/13	121.90
	Cottage Place 15 Linden	grass tagging 6/17/13	31.80
		grass tagging & mowing 8/27/13	143.10
		snow tagging & removal 12/8/13	<u>95.40</u>
		total 471.70	
Jeanine Halverson	15230-00000-040-00	grass tagging 5/23/13	10.60
	Lot 4, East End Addn	grass tagging & mowing 6/18/13	100.70
	10 S University	snow tagging & removal 12/8/13	<u>106.00</u>
		total 217.30	
Kimberlee Hoffman	15530-01300-030-00	debris removal 9/24/13	116.60
	Comm 80' E of NW corner of Lot S to	snow tagging & removal 12/8/13	<u>63.60</u>
	80' E of SW corner of Lot 3 thence		total 180.20
	E 44' N to N line of Lot 1 Blk 13		
	Original Town 21 E Bloomingdale		
Patricia Hunsucker	15280-081000-020-00	snow tagging & removal 12/8/13	63.60
	S 103' 7.5" OF Lots 1 & 2 Blk 81		
	East Vermillion 324 Lewis		

<u>Name</u>	<u>Parcel Number</u> <u>Legal & Property Address</u>	<u>Service</u>	<u>Amount</u>
Alice Kutelik Revokable Trust	15720-04100-120-00 Lot 12 Blk 41 Snyders 119 Franklin	grass tagging & mowing 7/23/13 grass tagging & mowing 9/24/13 snow tagging & removal 12/8/13 Abatement dangerous structure grass tagging & mowing 7/2/14 grass tagging & mowing 7/25/14	121.90 121.90 127.20 13,696.98 74.20 <u>95.40</u>
		total	14,237.58
Alice Kutelik & Sheila Isom	15730-08300-020-03 S 50' of E 106.25' Lot 2 Blk 83 Addn to Snyders Addn 420 Franklin	grass tagging & mowing 5/16/14	74.20
Peter Mark & Karin Monzel	15860-09251-190-24 Lot 1 Replat of Aud Tract A S 1/2 Lot 2 NW 1/4 19-92-51 Aud tract A 19-92-51 601 Lewis	grass tagging 5/23/13 grass tagging & mowing 6/21/13 grass tagging & mowing 7/2/14	31.80 53.00 <u>111.30</u>
		total	196.10
Sarah Nelson	15710-07600-160-00 Lot 16 Blk 76 Smiths Addn 25 S Yale	grass tagging 7/19/13 debris removal 1/14/14	10.60 <u>143.10</u>
		total	153.70
Chris & Jessica Tiesen	15330-00400-110-00 E 37' of Lot 10 & W 16' of Lot 11 Blk 4 Holiday Village Addn 714 W Clark	grass tagging 6/21/13 grass tagging & mowing 7/16/13 grass tagging & mowing 8/27/13 grass tagging & mowing 9/24/13 grass tagging & mowing 6/13/14	10.60 121.90 132.50 137.80 <u>74.20</u>
		total	477.00
Jason Wyatt	15080-00300-020-00 Lot 2 Blk 3 Replat of Blessing Addn 316 Prentis	grass tagging 5/23/13 debris removal 7/22/13	10.60 <u>106.00</u>
		total	116.60

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: John Prescott, City Manager
Meeting: October 6, 2014
Subject: Municipal Swimming Pool Committee
Presenter: Jim Goblirsch, Parks and Recreation Director

Background: A municipal swimming pool committee was formed this summer to work with Burbach Aquatics to develop a concept for swimming needs of the community. Members of the municipal swimming pool committee are: Anthony Burbach, Jenny French, Carrie Mart, Ted Muenster, Shane Nordyke and Nate Welch. Steve Ward serves as the Council member liaison to the Committee. Park & Recreation Director Jim Goblirsch and staff members Aaron Baedke and Ryan Baedke are also involved with the process.

Discussion: The Committee has met several times with Burbach Aquatics in person and had a telephone conference with their staff as they worked through different concepts of what was feasible to offer the community. The Committee examined reuse of the current municipal swimming pool in whole or pieces as part of the process. A natant demand study was prepared with the assistance of the pool consultant to help size the facility.

Financial Consideration: The municipal swimming pool is a large portion of the upcoming General Obligation bond election that is part of the November ballot. The Committee has worked diligently to develop a concept to present at the meeting which fits within what the community can fund to build and operate. The Committee is also planning a series of opportunities for the public to review the plan and offer feedback.

Conclusion/Recommendations: Administration recommends reviewing the concept presented and offering feedback. There may be changes to the final design which is placed out to bid based on public feedback and as the consultant and city work through issues.

Council Agenda Memo

From: John Prescott, City Manager

Meeting: October 6, 2014

Subject: Dakota Hospital Foundation Request for Special Assessment relief

Presenter: Mike Carlson, Finance Officer

Background: Timothy Peterson and Elizabeth Goehring previously owned the property at 716 Maple Street. The City tagged the property numerous times over the years during their ownership for not mowing the grass and weeds and sidewalk snow removal. The City had to hire a contractor several times to mow the property as there was no response. The property owners moved several years ago and essentially abandoned the property. The house also fell into a state of disrepair. The City cited the house as dangerous structure in July 2011. City crews demolished the property in November 2011 after repeated attempts to get the property owners to address the situation failed.

Discussion: Dakota Hospital Foundation acquired the property in July 2014. Dakota Hospital Foundation has paid all of the delinquent property taxes on the lot. The lot was part of the Dakota Hospital Foundation Addition plat approved at the September 2, 2014 City Council meeting.

Dakota Hospital Foundation has inherited approximately \$18,700 in special assessments against the property from the previous owners as of the end of September. The amount changes slightly each day as there are interest charges on the outstanding assessments. The bulk of the assessment expense is for demolition of the house that was abandoned by the previous owners. Staff worked with Dakota Hospital Foundation leadership to develop the proposed settlement amount for City Council consideration. The proposal allows the City to recover contractor fees for mowing; landfill fees, asbestos abatement and fill dirt related to the house demolition; a Maple Street paving assessment fee; a sidewalk improvement assessment; and related sales tax.

A large part of the reduction is due to the City foregoing charges assessed to the property for the cost of city labor (\$1,642) and the equipment rental charge for use of city equipment (\$6,515) related to the demolition of the house. The City also proposes to waive the administrative portion of most of the tagging fees and the related interest charges.

Financial Consideration: The City has forgiven a portion of the special assessments in the past when ownership has been or will be transferred to a new owner who will improve the property. The full amount of special assessments has typically not been forgiven in these cases as there are landfill or contractor fees that are out of pocket costs for the City. In this situation, the funds would be used to pay back the special assessment fund or go to the General Fund to pay back costs expended.

Conclusion/Recommendations: Administration recommends adoption of the resolution which will reduce the outstanding special assessment amount to \$8,000.

RESOLUTION TO REDUCE SPECIAL ASSESSMENT

WHEREAS, Mr. Timothy Peterson and Ms. Elizabeth Goehring were the previous property owners of 716 Maple Street, Vermillion, South Dakota, and were the property owners of record until July 2014; and

WHEREAS, the property fell into a state of disrepair when Timothy Peterson and Elizabeth Goehring failed to maintain the property or improve its aesthetic appearance after receiving numerous notices of code violations from the City of Vermillion; and

WHEREAS, City of Vermillion cited Timothy Peterson and Elizabeth Goehring on different occasions for tall grass and weeds and sidewalk snow removal and in most of these instances the City had to hire a contractor to resolve the matter; and

WHEREAS, City of Vermillion declared the house on the property owned by Timothy Peterson and Elizabeth Goehring a dangerous structure and had to demolish the house using city staff time and equipment and incurring landfill disposal fees and asbestos abatement costs as the property owner failed to address the situation; and

WHEREAS, Timothy Peterson and Elizabeth Goehring did not pay the invoices or special assessments which have led to a current indebtedness to the City of Vermillion in an amount exceeding \$18,650.72 in compensatory special assessments stemming from costs accrued to the City associated with the aforementioned property maintenance activities, house demolition along with special assessments for Maple Street Paving and sidewalk replacement; and

WHEREAS, Dakota Hospital Foundation acquired ownership of the property at 716 Maple Street as the previous owners abandoned the property; and

WHEREAS, the transfer of ownership of the property at 716 Maple Street to Dakota Hospital Foundation will produce both civic and economic gains for the community, and

WHEREAS, Dakota Hospital Foundation has paid all of the back property taxes at 716 Maple Street as part of acquiring the property; and

WHEREAS, Dakota Hospital Foundation plans to develop the site in the future to serve community oriented health care needs of the Vermillion area and as a non-profit organization has limited funds to spend acquiring clear title to a property; and

WHEREAS, the City of Vermillion is authorized through SDCL 9-43-54 to compromise the outstanding special assessments against lots or parcels of real estate; and

WHEREAS, a partial reduction in outstanding assessments on the property at 716 Maple Street will facilitate said development of the property.

NOW, THEREFORE, BE IT RESOLVED, if a check, in the amount of \$8,000, is presented to the City of Vermillion Finance Officer before Noon on the 10th day of October 2014, the Vermillion City Council agrees to abate the remainder of outstanding special assessment certificates numbers 6908, 7501, 7532, 7592, 7631 and 7658 along with miscellaneous invoices

for mowing presently held against the property at 716 Maple Street and will file this resolution as proof of such action with the Clay County Treasurer's Office; and

BE IT FURTHER RESOLVED, that the said forgiveness of property assessments is explicitly limited only to the property at 716 Maple Street, and in no way precludes the City, either from levying or from collecting future assessments on other properties owned by Dakota Hospital Foundation.

Dated at Vermillion, South Dakota this 6th day of October, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

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

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: October 6, 2014

Subject: Lot A1, Accretion to Government Lots 3 and 4, Section 16; and Lot A1, Accretion to Lot A, Section 22; All in Township 92 North, Range 52 West of the 5th P.M., Clay County, South Dakota

Presenter: Jose Dominguez

Background: McLaury Engineering has submitted a plat on behalf of the owner of the above mentioned land. The plat will consolidate all of the accretion land claimed by the owner into a couple of lots. The owner's intention is to farm the land. The plat will create two parcels. One parcel is 419.62-acres in area while the other is 78.29-acres.

This plat falls within two different platting jurisdictions. The portion on Section 16 falls within the City's platting jurisdiction, but outside of the Joint Jurisdictional Zoning Area. The other portion within Section 22 falls within the Joint Jurisdictional Zoning Area. Due to this the plat had to first be approved by the City's Planning Commission, then the County's Planning Commission. Since both of the Planning Commissions have reviewed the plat, the City Council can now act on the final plat. The County Commissioners will act on the plat after the City Council.

This plat was reviewed by the City's Planning Commission at their September 22th meeting, and by the County's Planning Commission at their September 29th meeting. Both of the Planning Commission bodies recommended approval of the plat.

Discussion: Staff reviewed the final plat and found that it complies with all of the code provisions.

Conclusion/Recommendations: Staff finds that the final plat meets ordinance requirements and recommends approval of the final plat.

SURVEY PLAT

OF
**LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND LOT 4,
 SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22;
 ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5th P.M.,
 CLAY COUNTY, SOUTH DAKOTA**

LEGEND

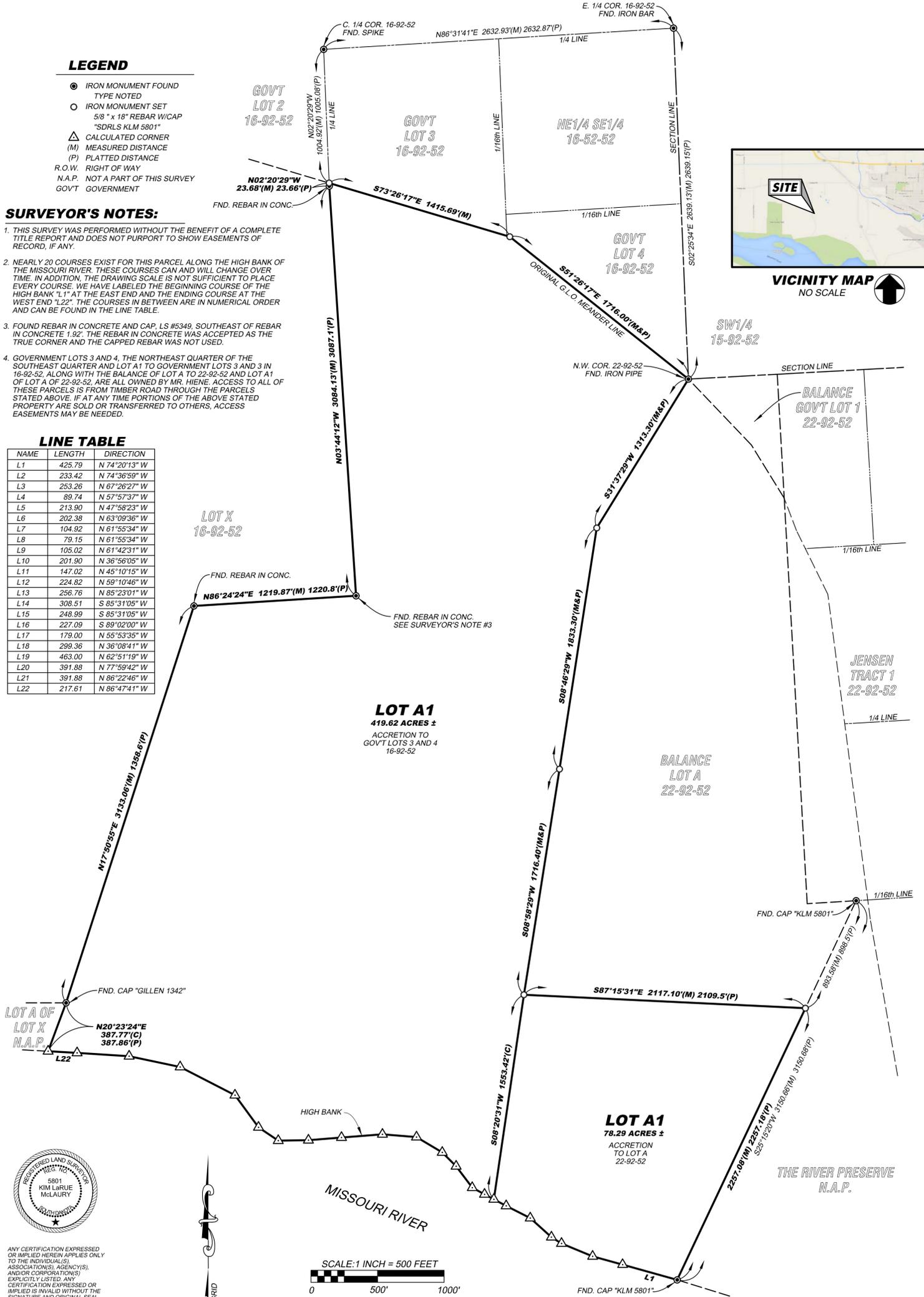
- IRON MONUMENT FOUND TYPE NOTED
- IRON MONUMENT SET 5/8" x 18" REBAR W/CAP "SDRLS KLM 5801"
- △ CALCULATED CORNER
- (M) MEASURED DISTANCE
- (P) PLATTED DISTANCE
- R.O.W. RIGHT OF WAY
- N.A.P. NOT A PART OF THIS SURVEY
- GOVT GOVERNMENT

SURVEYOR'S NOTES:

1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A COMPLETE TITLE REPORT AND DOES NOT PURPORT TO SHOW EASEMENTS OF RECORD, IF ANY.
2. NEARLY 20 COURSES EXIST FOR THIS PARCEL ALONG THE HIGH BANK OF THE MISSOURI RIVER. THESE COURSES CAN AND WILL CHANGE OVER TIME. IN ADDITION, THE DRAWING SCALE IS NOT SUFFICIENT TO PLACE EVERY COURSE. WE HAVE LABELED THE BEGINNING COURSE OF THE HIGH BANK "L1" AT THE EAST END AND THE ENDING COURSE AT THE WEST END "L22". THE COURSES IN BETWEEN ARE IN NUMERICAL ORDER AND CAN BE FOUND IN THE LINE TABLE.
3. FOUND REBAR IN CONCRETE AND CAP, LS #5349, SOUTHEAST OF REBAR IN CONCRETE 1.92'. THE REBAR IN CONCRETE WAS ACCEPTED AS THE TRUE CORNER AND THE CAPPED REBAR WAS NOT USED.
4. GOVERNMENT LOTS 3 AND 4, THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER AND LOT A1 TO GOVERNMENT LOTS 3 AND 3 IN 16-92-52, ALONG WITH THE BALANCE OF LOT A TO 22-92-52 AND LOT A1 OF LOT A OF 22-92-52 ARE ALL OWNED BY MR. HIENE. ACCESS TO ALL OF THESE PARCELS IS FROM TIMBER ROAD THROUGH THE PARCELS STATED ABOVE. IF AT ANY TIME PORTIONS OF THE ABOVE STATED PROPERTY ARE SOLD OR TRANSFERRED TO OTHERS, ACCESS EASEMENTS MAY BE NEEDED.

LINE TABLE

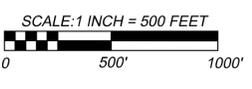
NAME	LENGTH	DIRECTION
L1	425.79	N 74°20'13" W
L2	233.42	N 74°36'59" W
L3	253.26	N 67°26'27" W
L4	89.74	N 57°57'37" W
L5	213.90	N 47°58'23" W
L6	202.38	N 63°09'36" W
L7	104.92	N 61°55'34" W
L8	79.15	N 61°55'34" W
L9	105.02	N 61°42'31" W
L10	201.90	N 36°56'05" W
L11	147.02	N 45°10'15" W
L12	224.82	N 59°10'46" W
L13	256.76	N 85°23'01" W
L14	308.51	S 85°31'05" W
L15	248.99	S 85°31'05" W
L16	227.09	S 89°02'00" W
L17	179.00	N 55°53'35" W
L18	299.36	N 36°08'41" W
L19	463.00	N 62°51'19" W
L20	391.88	N 77°59'42" W
L21	391.88	N 86°22'46" W
L22	217.61	N 86°47'41" W



VICINITY MAP
NO SCALE



ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AGENCY(S), AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF KIM LARUE McLAURY, STATE OF SOUTH DAKOTA, REGISTERED PROFESSIONAL LAND SURVEYOR, NUMBER 5801.



SURVEY PLAT

OF

LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND 4, SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22; ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE:

TO: **DANIEL HIENE LIVING TRUST, DATED DECEMBER 20, 2011**

I, KIM LaRUE McLAURY, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE DIRECTION OF **DANIEL HIENE LIVING TRUST, DATED DECEMBER 20, 2011, "LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND 4, SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22; ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA"**, WAS SURVEYED AND PLATTED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, FOLLOWING GENERALLY ACCEPTED PROFESSIONAL STANDARDS FOR SURVEYING AND PLATTING IN THE STATE OF SOUTH DAKOTA.

DATED THIS _____ DAY OF _____, 2014

REGISTERED LAND SURVEYOR

ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AGENCY(S), AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF "KIM LaRUE McLAURY, STATE OF SOUTH DAKOTA, REGISTERED PROFESSIONAL LAND SURVEYOR, NUMBER 5801".



OWNERS CERTIFICATE:

DANIEL HIENE LIVING TRUST, DATED DECEMBER 20, 2011, CERTIFIES THAT AS THE ABSOLUTE AND UNQUALIFIED OWNER (S) OF THE REAL ESTATE HEREAFTER DESCRIBED AS: "**LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND 4, SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22; ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA**".

WE CERTIFY THAT SAID PLAT WAS MADE AT OUR REQUEST AND DIRECTION FOR THE PURPOSE OF LOCATING, MARKING AND PLATTING SAME, AND THAT SAID PROPERTY IS FREE OF ALL ENCUMBRANCES. WE ALSO CERTIFY THAT DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS.

DANIEL HIENE, TRUSTEE

ACKNOWLEDGMENT OF OWNER:

STATE OF _____ COUNTY OF _____

ON THIS THE _____ DAY OF _____, 2014, BEFORE ME, _____, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED **DANIEL HIENE, TRUSTEE**, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSON(S) DESCRIBED IN THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED THAT HE EXECUTED THE SAME IN THE CAPACITY THEREIN STATED AND FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF I HEREUNTO SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC – SOUTH DAKOTA

MY COMMISSION EXPIRES _____

CLAY COUNTY PLANNING COMMISSION:

BE IT RESOLVED BY THE CLAY COUNTY, SOUTH DAKOTA, PLANNING COMMISSION THAT THE ABOVE PLAT THEREOF HAS CAUSED A PLAT TO BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: "**LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND 4, SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22; ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA**", BE AND THE SAME IS HEREBY APPROVED.

CHAIRMAN PLANNING COMMISSION

VERMILLION CITY COUNCIL RESOLUTION:

WHEREAS, IT APPEARS THAT THE OWNER(S) THEREOF HAVE CAUSED A PLAT TO BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: PLAT OF "**LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND 4, SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22; ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA**".

BE IT RESOLVED, THAT THE ATTACHED AND FOREGOING PLAT HAS BEEN SUBMITTED TO AND A REPORT AND RECOMMENDATIONS HEREON MADE BY THE VERMILLION PLANNING COMMISSION TO THE VERMILLION CITY COUNCIL AND HAS RECOMMENDED APPROVAL.

BE IT FURTHER RESOLVED, THAT THE ATTACHED AND FOREGOING PLAT HAS BEEN SUBMITTED TO THE GOVERNING BODY OF THE CITY OF VERMILLION, WHICH HAS EXAMINED THE SAME; THAT IT APPEARS THE SYSTEM OF STREETS AND ALLEYS SET FORTH THEREIN CONFORMS TO THE SYSTEM OF STREETS AND ALLEYS OF VERMILLION; THAT ALL TAXES AND SPECIAL ASSESSMENTS, IF ANY, UPON THE TRACT OR SUBDIVISION HAVE BEEN FULLY PAID; THAT SUCH PLAT AND SURVEY THEREOF HAVE BEEN EXECUTED ACCORDING TO LAW; THE SAME IS HEREBY ACCORDINGLY APPROVED.

BE IT ALSO RESOLVED THAT ACCESS SHALL BE GRANTED TO THE LOTS(S) IN ACCORDANCE WITH THE CITY OF VERMILLION STREET ACCESS AND DRIVEWAY APPROACH POLICY, WHICH REQUIRES AN APPLICATION AND PERMIT.

DATED THIS _____ DAY OF _____, 2014.

JOHN E. (JACK) POWELL, MAYOR

I, THE UNDERSIGNED FINANCE OFFICER OF THE CITY OF VERMILLION, DO HEREBY CERTIFY THAT THE CERTIFICATE OF APPROVAL IS A TRUE COPY OF THE APPROVAL BY THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH DAKOTA ON THIS _____ DAY OF _____, 2014.

FINANCE OFFICER, CITY OF VERMILLION, SD

(SEAL)

SURVEY CREW: JPG 08/25/14

DRAWN BY: TAA 09/10/14

PROJECT NO. 12140809

NONE



**McLaury
Engineering, Inc.**

PO BOX 1130,
118 W MAIN STREET,
ELK POINT, SD 57025
(605) 356-2308

PAGE 2 OF 3

SURVEY PLAT

OF

**LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND 4,
SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22;
ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5TH P.M.,
CLAY COUNTY, SOUTH DAKOTA**

COUNTY COMMISSIONERS' RESOLUTION OF APPROVAL:

WHEREAS, IT APPEARS THAT THE OWNER(S) THERETO HAS/HAVE CAUSED A PLAT TO BE MADE OF THE FOLLOWING DESCRIBED REAL PROPERTY: PLAT OF "LOT A1, ACCRETION TO GOVERNMENT LOTS 3 AND 4, SECTION 16; AND LOT A1, ACCRETION TO LOT A, SECTION 22; ALL IN TOWNSHIP 92 NORTH, RANGE 52 WEST OF THE 5TH P.M., CLAY COUNTY, SOUTH DAKOTA".

BE IT RESOLVED THAT THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY HAS EXAMINED THE SAME AND THAT IT APPEARS THAT THE SYSTEM OF STREETS, SET FORTH THEREIN CONFORMS TO THE SYSTEM OF STREETS OF EXISTING PLATS AND SECTION LINES OF SAID COUNTY; THAT ADEQUATE PROVISION IS MADE FOR ACCESS TO ADJACENT UNPLATTED LANDS BY PUBLIC DEDICATION OR SECTION LINE WHEN PHYSICALLY ACCESSIBLE; THAT ALL THE PROVISIONS OF THE SUBDIVISION REGULATIONS OF SAID COUNTY HAVE BEEN COMPLIED WITH; THAT ALL TAXES AND SPECIAL ASSESSMENTS, IF ANY, UPON THE TRACT OR SUBDIVISION HAVE BEEN FULLY PAID; THAT SUCH PLAT AND SURVEY THEREOF HAVE EXECUTED ACCORDING TO LAW; THE SAME IS HEREBY ACCORDINGLY APPROVED.

DATED THIS _____ DAY OF _____, 2014.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS, SD

I, THE UNDERSIGNED CLAY COUNTY AUDITOR OF CLAY COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE BOARD OF COUNTY COMMISSIONERS OF CLAY COUNTY, SOUTH DAKOTA ON THIS _____ DAY OF _____, 2014.

COUNTY AUDITOR, CLAY COUNTY, SD

CERTIFICATE OF COUNTY TREASURER:

STATE OF SOUTH DAKOTA - COUNTY OF CLAY

I, _____, COUNTY TREASURER OF CLAY COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE TAXES WHICH ARE LIENS UPON THIS LAND HAVE BEEN PAID TO DATE.

COUNTY TREASURER

DATE

CERTIFICATE OF DIRECTOR OF EQUALIZATION:

STATE OF SOUTH DAKOTA - COUNTY OF CLAY

I, _____, DIRECTOR OF EQUALIZATION OF CLAY COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE RECEIVED A COPY OF THIS PLAT.

DIRECTOR OF EQUALIZATION

DATE

CERTIFICATE OF REGISTER OF DEEDS:

STATE OF SOUTH DAKOTA - COUNTY OF CLAY

FILED FOR RECORD THIS _____ DAY OF _____, 2014, AT _____ O'CLOCK _____M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____ THEREIN.

REGISTER OF DEEDS

APPROVAL OF HIGHWAY AUTHORITY:

STATE OF SOUTH DAKOTA - COUNTY OF CLAY

ACCESS SHALL BE GRANTED TO THIS TRACT IN ACCORDANCE WITH THE CLAY COUNTY HIGHWAY ACCESS AND DRIVEWAY APPROACH POLICY; WHICH REQUIRES AN APPLICATION AND PERMIT SIGNED BY THE HIGHWAY SUPERINTENDENT AND BOARD OF COMMISSIONERS.

HIGHWAY AUTHORITY

DATE

CERTIFICATE OF TOWNSHIP STREET AUTHORITY:

THE VERMILLION TOWNSHIP OF CLAY COUNTY GRANTS ACCESS FROM LOT A1 FROM SECTIONS 16 AND 22 ONTO TIMBER ROAD. APPLICATION AND APPROVAL FOR DRIVEWAYS MUST BE OBTAINED FROM THE COUNTY HIGHWAY SUPERINTENDENT AND BOARD OF COMMISSIONERS.

CHAIRMAN, VERMILLION TOWNSHIP

DATE

SURVEY CREW: JPG 08/25/14

DRAWN BY: TAA 09/10/14

PROJECT NO. 12140809

NONE



**McLaury
Engineering, Inc.**

PO BOX 1130,
118 W MAIN STREET,
ELK POINT, SD 57025
(605) 356-2308

PAGE 3 OF 3

Council Agenda Memo

From Jose Dominguez, City Engineer

Meeting: October 6, 2014

Subject: Resolution for Funding Agreement for the Airport Layout Plan for Harold Davidson Field between the City and the State

Presenter: Jose Dominguez

Background: The existing airport capital improvement plan and the 2014 budget for the airport states that a project to complete a new airport layout plan (ALP) would be started this year. This document was last updated in 2004 to show the proposed runway extension which was completed in 2009. The proposed airport layout plan will be completed by 2016.

This agreement is similar to the one entered into recently with the FAA. The agreement stipulates how the funding will be made available and also has criteria that need to be followed during the development of the plan. The City has entered into similar agreements for every project that has been completed at the airport.

Discussion: As part of the grant agreement, the City Council needs to pass a resolution accepting the agreement with the State for 5% of the cost to complete the ALP.

Financial Consideration: The cost to the City, at this point, is nothing. It is estimated that the City will pay \$100,000 for the new ALP. The City will be reimbursed 90% of the \$100,000 cost from the Federal government and 5% of the \$100,000 cost from the State. This agreement is for the State allotment.

Conclusion/Recommendations: Administration recommends approval of the resolution.

RESOLUTION
ACCEPTING THE FUNDING AGREEMENT FOR THE AIRPORT LAYOUT PLAN
FOR HAROLD DAVIDSON FIELD BETWEEN THE CITY AND STATE OF SOUTH
DAKOTA.

WHEREAS, the City of Vermillion wishes to update the airport layout plan by utilizing a combination of Local, State and Federal Funds, and;

WHEREAS, the Governing Body of the City of Vermillion is asked by the State of South Dakota's Department of Transportation to approve the above mentioned agreement by resolution, and;

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion accepts the Agreement between the State of South Dakota and the City of Vermillion for Project 3-46-0056-010-2014.

Dated at Vermillion, South Dakota this 6th day of October 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: John Prescott, City Manager

Meeting: October 6, 2014

Subject: Repurchase of Outlot A

Presenter: John Prescott

Background: Wade Larson purchased Outlot A from the City in November 2005. At that time, Outlot A was bordered by E. Main Street, Cypress Drive and residential lots which fronted either Cypress Drive or Muirfield Court. Prior to selling the property, the City Council adopted covenants which governed development of the property. The covenants were filed with the Register of Deeds office on October 4, 2005. Some of the things the covenants specified were the type of number of residential lots and units that could be established within Outlot A. The covenants also contained a provision that required platting and construction to take place within particular timeframes.

Discussion: Section 1 of the covenants required Outlot A to be replatted into no more than eight (8) lots for twin homes or townhouse units within three (3) months of purchase. Section 14 of the covenants required construction to begin within 18 months or the City maintains an option to purchase back the undeveloped lots for 70% of the original purchase price. The covenants were amended in 2010 to allow for single family home construction.

Three lots were platted and developed on the east side of Outlot A. The balance of the property has not been platted or a building permit issued.

Around the time the covenants were amended in 2010, the City Council discussed repurchasing the property as the original terms were not met. No action was taken at that time. I believe there were a couple of reasons the City Council did not pursue the buyback at that time. One thought was that the change to allow single family homes may make it easier to develop and it wouldn't be necessary to buy back the property. A second was that a repurchase would take the property off of the tax rolls. The original piece of property took several years to sell and the now limited access may make it a challenge to sell to a different owner. The City would also have the cost of maintenance as owner.

Attached is a copy of the letter sent to Mr. Larson indicating that the City may be considering the repurchase of the property at the October 6th meeting, a copy of the

original covenants, a map of the property, and a sheet which indicates how the repurchase price would be determined. Mr. Larson called on September 29 indicating that he was going to be requesting additional time to work something out. A letter or email requesting time to work something out had not arrived at the time this memo was being prepared.

Financial Consideration: The City did not budget for the repurchase in 2014. The \$63,050.46 repurchase price and related costs would come from the Golf Course fund as lot sale receipts were placed in this fund.

Conclusion/Recommendations: Administration recommends considering the different issues involved and any correspondence from the current property owner. If the City Council wants to move forward with a repurchase of Outlot A, a resolution is attached.

THIS INSTRUMENT PREPARED BY:
JAMES E. McCULLOCH
PO BOX 335
VERMILLION, SD 57069-0335
(605) 624-4262

110829

STATE OF SOUTH DAKOTA, County of Clay, ss

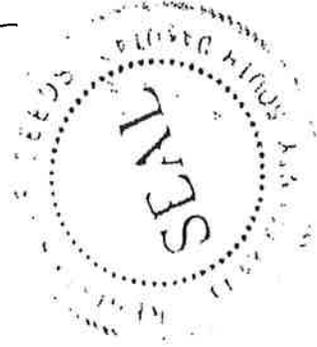
Filed for record this 4 day of Oct 2005

At 4:45 o'clock PM and Recorded in Book 46

of Musi on Page 833

Betty McCambidge Register of Deeds

See 16th p of ch



**THE BLUFFS HOUSING DEVELOPMENT
OUTLOT A, BLOCK 7,
SMITH-QUAM ADDITION
DECLARATIONS OF RESTRICTIONS AND COVENANTS**

- 1. THE CITY OF VERMILLION**, a municipal corporation, fee owners of the following described real estate, namely, Outlot A, Block 7; all in Smith-Quam Addition to the City of Vermillion, Clay County, South Dakota, make the following declarations as to limitations, restrictions, and uses to which the lots and/or tracts constituting said addition may be put, hereby specifying that said declarations shall constitute covenants to run with all the land, as provided by law, and shall be binding on all parties and all persons claiming under it, and for the benefit of and limitations upon all future owners of real estate in said addition, this declaration of restrictions being designed for the purpose of keeping said addition desirable, uniform and suitable in architectural design and use as herein specified.

Outlot A Block 7 in the Smith-Quam Addition to the City of Vermillion, Clay County, South Dakota shall be platted within three months of purchase into no more than 8 lots for twin homes or townhouse units for separate ownership and the remainder for apartment or condominium units. No single family homes will be allowed.
- 2. CITY ORDINANCES APPLICABLE.** In addition to the restrictions and covenants described herein, ordinances of the City of Vermillion shall apply to owners of the parcel described above.
- 3. LAND USE AND BUILDING TYPE.** No lot shall be used except for residential purposes. No building shall be erected, placed or permitted to remain on any lot other than a residential structure with an attached, private two-car or larger garage on lots designated for twin homes or townhouse units. Structures containing condominiums or apartments must not exceed eight units each and must also provide for a private one-car or larger garage, which may be detached, for each unit. The minimum parking requirements for multi family structures with more than four units shall be computed at two and one half spaces per unit with at least one space being an enclosed garage per unit. Off street parking spaces shall be located on the interior of the platted lot for multi family structures with more than four units, which shall be paved and properly lit with cutoff optic fixtures.
- 4. DWELLING SIZE.** The fully enclosed combined first floor area of the main structure, exclusive of open porches and garages, shall not be less than 1400 square feet per unit on lots platted for twin homes or townhouse units for separate ownership. The fully enclosed combined area of

apartment or condominium units exclusive of open porches and garages shall not be less than 1000 per unit. Apartment or condominium structures may not be more than two stories in height.

5. **BUILDING LOCATION.** In the interest of harmony, buildings shall be placed on lots according to the setback lines as will be established on the plat, or the Zoning Ordinance of the City of Vermillion, whichever provides the greatest setback. Consideration of any variance from the setback lines shall follow the procedures prescribed in the Zoning Ordinance of the City of Vermillion.
6. **EASEMENTS.**
 - 6.1 **Utility Easements.** Easements are hereby reserved by the City for public utilities including, water, sewer, electricity, gas, telephone, storm sewers, drainage, television, street lights and signage, shall be shown on the plat or plats of Smith-Quam Addition.
 - 6.2 **Use of Utility Easements.** Said reserved easements may be utilized by the easement holder or its designee for the purposes of ingress, egress, and for the installation, replacing, repairing and maintaining of utilities placed within the easements.
 - 6.3 **Dedication.** The easements reserved by the City as to be shown on the recorded plats of Smith-Quam Addition are dedicated to those utilities and entities that provide the various services referred to above and any other like utility service.
 - 6.4 **Maintenance of Easements.** The owner of a lot shall maintain the easements located upon their lot, except for those improvements for which a public utility or public authority is responsible. No structure, planting, except for flowers and grass, or other materials shall be placed or permitted to remain on or to interfere with the dedicated easements.
7. **NUISANCES.** The following activities and structures are hereby prohibited on the Property:
 - 7.1 Modular homes or manufactured homes not meeting the requirements of the Uniform Building Code, mobile homes, tents, shacks, barns, temporary buildings, structures of a temporary character or existing houses and garages;
 - 7.2 Any building or structure used for a trade or activity, prohibited by statute or ordinance as amended from time to time, and any other activity which may become an annoyance or nuisance, as defined by law;
 - 7.3 Large vehicles such as trucks, and travel trailers, except those brought in temporarily in connection with construction, service work, or in case of emergencies;
 - 7.4 Large recreational vehicles including motor homes, boats and boat trailers (except those owned by temporary visitors) parked on the streets or on private property within the addition; (meaning and intending that such trucks, travel trailers, boats, boat trailers etc. may be parked only inside the garage on the premises);
 - 7.5 Satellite dishes greater than 36 inches in diameter and those not mounted on the principal structure;
 - 7.6 Business enterprises, including self-employed businesses where the public is invited;
 - 7.7 The operation of road and off-road recreational vehicles, other than golf carts.
 - 7.8 Signs other than monument type with the name of the apartment units.
 - 7.9 Unenclosed trash receptacles for multifamily units.
8. **TREES.** No tree shall be planted in the public right-of-way unless a permit for the same has been obtained from the City of Vermillion. Deciduous trees shall be properly trimmed and have lower branches cropped as needed to optimize the visibility of the golf course for neighboring lot owners. For structures with more than four units a landscape plan must be submitted with the building plan including plantings of deciduous and conifer trees.
9. **FENCES.** A permit must be obtained from the City of Vermillion for the construction of any fence. Permitted fences shall not be over six (6) feet in height.

10. **DOGS.** In the interest of maintaining a peaceful and aesthetically pleasing atmosphere in the neighborhood, dog kennels, dog houses or enclosures of any size, and outside dog runs shall not be allowed on any lot. Additionally, dogs shall be required to be on a leash held by a responsible person when outside the main structure or garage.
11. **MAILBOXES.** In the interest of maintaining neat and orderly boulevards, no individual mailboxes may be erected. The City will furnish group mailboxes for twin home or townhouse units. Group mail boxes approved by the U.S. Postal Service or approved equal shall be placed inside the building in a common area easily accessible to all residents of the building.
12. **ACCESSORY BUILDINGS.** In addition to the garage requirements in section 3 above, one suitable accessory building (100 square feet maximum area) to serve the principal structure may be permanently constructed and must be of wood frame construction with painted or permanent siding of the same color and scheme as the principal structure. A building permit must be obtained for all accessory buildings.
13. **SIDEWALKS AND DRIVEWAYS.** All driveways and public sidewalks shall meet City specifications.
14. **CONSTRUCTION TIME REQUIREMENT.** To promote the orderly development of this addition, construction of the principal structure for each platted lot shall begin within 12 months after the property is purchased, and construction once started shall be completed within 12 months for twin homes and condominiums and 18 months for multiple unit dwellings. If construction is not started within 18 months, the City of Vermillion maintains an option to purchase back the undeveloped lots for 70% of the original purchase price computed at a per square foot price.
15. **GENERAL PROVISIONS.** These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 25 years from the date these covenants are recorded, unless amended as specified below, after which time said covenants may be reenacted for another 25 years by the unanimous consent of all the then property owners. The covenants may be amended at any time by the unanimous consent of the then owners of the lots, with the concurrence of the City Council of the City of Vermillion, South Dakota, agreeing to change said covenants in whole or in part.
16. **ENFORCEMENT.** If any person, their heirs, administrators, executors, or assigns, acquiring right, title or interest in and to any portion of said addition shall violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said addition to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant, and to seek judgment either to prevent them from so doing or to recover damages for such violation. The City of Vermillion, South Dakota, may also enforce any of the covenants herein pursuant to SDCL 11-5-3 or pursuant to zoning or other ordinance procedures.
17. **SEVERABILITY.** Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions, which shall remain in force and effect.

Dated at Vermillion, South Dakota this 19th day of September, 2005.



THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By *Dan Christopherson*
Dan Christopherson, Mayor

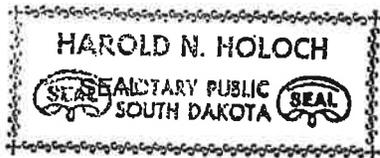
Attest: Michael D. Carlson
Michael D. Carlson, Finance Officer

STATE OF SOUTH DAKOTA)
(SS
COUNTY OF CLAY)

On this 19 day of September, 2005, before me the undersigned officer, personally appeared Dan Christopherson and Michael D. Carlson who acknowledged themselves to be the Mayor and Finance Officer respectively of the City of Vermillion, a municipal corporation, and that they as such Mayor and Finance Officer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as Mayor and Finance Office.

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

Harold N. Holoch
Notary Public
Comm. Expires 4-11-2011



RESOLUTION OF INTENT TO EXERCISE

WHEREAS, Wade Larson has purchased from the City the following described real property, viz:

Outlot A, Block 7, Smith-Quam Addition to the City of Vermillion, Clay County, South Dakota.

WHEREAS, Mr. Larson has failed to plat all of Outlot A or construct residential structures on the entire lot within the time prescribed in the Covenants adopted by the City Council on September 19, 2005 and filed with Register of Deeds on October 4, 2005.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City of Vermillion, South Dakota, elects to exercise its option to repurchase the undeveloped lot at seventy percent (70%) of the price which it was sold to the purchaser minus any and all costs incurred in this transaction, including taxes and assessments prorated to date of possession.

BE IT FURTHER RESOLVED, that the Mayor is authorized and directed to execute a notice of intention to exercise its option and cause the same to be served on the owner and further that the Finance Officer is authorized to pay the purchase price Sixty-three Thousand Fifty Dollars and Forty-six Cents (\$63,050.46) minus any and all costs incurred in this transaction, including taxes and assessments to date of possession, in exchange for a good and sufficient Warranty Deed recovering the property to the City.

Dated at Vermillion, South Dakota this __ day of _____, 2014.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer



25 Center Street • Vermillion, SD 57069
Ph: 605-677-7050 • Fax: 605-677-5461
Info@cityofvermillion.com
www.vermillion.us

September 18, 2014

Wade Larson
501 Oakmont
Vermillion, South Dakota 57069

Dear Wade:

In November 2005 you purchased Outlot A, Block 7 in Smith-Quam Addition from the City of Vermillion. Section 14 of the original covenants established construction time requirement. This section of the covenants includes the sentence "If construction is not started within 18 months, the City of Vermillion maintains an option to purchase back the undeveloped lots for 70% of the original purchase price". A copy of the covenants is included for your review.

As you are aware, portions of Outlot A have not been platted or developed as required. The purpose of the letter is to advise you that the City Council may consider a resolution to exercise the buyback option provided for in the covenants at the October 6, 2014 evening City Council meeting. If the City Council exercised the option to buyback the undeveloped property, an example of how the buyback would be calculated is also enclosed.

Please let me know if you have any questions.

Sincerely,

John C. Prescott
City Manager

Wade A. Larson
501 Oakmont Dr.
Vermillion, SD 57069

John Prescott:

I am in receipt of your letter. I do have a prospective buyer lined up for this property. If this falls through I will plot it and build myself. I have already built 7 residential properties on a portion of this lot and have the means to do the same on the remainder of the property. Being the time of the year, I will not be able to do this until next spring. I would need more time to acquire permits and get everything in line. There is not is not enough time left this year to do that adequately. I am a asking for a one year extension.

Thank you for your consideration,

A handwritten signature in cursive script that reads "Wade A. Larson". The signature is written in black ink and has a fluid, connected style.

Wade A. Larson

Outlot A Repurchase calculations

October 6, 2014

2005 Purchase Price - \$142,880 for 106,836 square feet

Remaining undeveloped or unplatted property is currently 67,349.18 sf ft

Buyback amount at 70% of \$63,050.09 is determined by:

67,349.18 sq ft undeveloped or unplatted divided by the original property size of 106,836 sq ft equates to 63.04%

63.04% undeveloped land times the \$142,880 original 2005 purchase price for the entire Outlot A is \$90,071.55

.70 x \$90,071.55 value of unplatted property equates to \$63,050.46

Council Agenda Memo

From: Bob Iverson, Solid Waste Director
Meeting: October 6, 2014
Subject: Resolution Adjusting Landfill/Recycling Rates
Presenter: Bob Iverson

Background: The City of Vermillion entered into a Joint Powers agreement with the City of Yankton, Clay County and Yankton County to provide for solid waste services. The agreement didn't create a new entity but provides for the operations in the City of Yankton to be conducted by the City of Yankton and the operations in the City of Vermillion to be conducted by the City of Vermillion. The Joint Powers Board was created to facilitate communications between the members, coordinate the operations and provide recommendations to the member governing bodies.

Discussion: The Joint Powers board has been discussing the need to increase rates and, at the September 18, 2014 meeting, after hearing the report of an operating loss for the first eight months of 2014, the Joint Powers Board recommended a rate increase be adopted by the City of Yankton and Vermillion to be effective December 1, 2014. The Joint Powers landfill operations for the first eight months reported a loss of \$20,724 and recycling operations for the first eight months reported a loss of \$49,720 for a total loss of \$70,444 for the first eight months of 2014. This compares to last year landfill profit of \$48,995 and recycling loss of \$74,159 for a combined loss of \$25,164 over the same period in 2013. The landfill tonnage was 23,530 for 2014 compared to 23,498 for 2013.

One other item of cash flow is the repayment of the SRF loan for the construction of the leachate pond and cell 5 of \$1,639,000 begins in May 2015 with the annual debt service being \$109,276.

The recommendation from the Joint Powers Board minutes is as follows:

Amy Nelson moved that the Joint Powers Board recommend to the respective Cities that the rates be adjusted for solid waste for the Joint Powers operation to \$45 per ton for commercial collectors, \$50 per ton for all other; for contaminated soil the rate be adjusted to \$10 per ton plus \$100 gate fee; for asbestos the rate be adjusted to \$65 per ton plus \$100 gate fee and for TV's and monitors the rate be adjusted to \$20 with such rates adjustments to be effective December 1, 2014 and that a report on the rubble fees and sale of clay fee be made at next meeting. Jake Hoffer seconded the motion. Discussion followed. Motion carried 8 to 0. Chairman Packard declared the motion adopted.

Included in the packet is a comparison of other landfill current solid waste rates noting that some others are considering adjusting their rates. The Yankton City Commission will consider the rate increase at their October 13 meeting.

Financial Consideration: The proposed rate increase is projected to allow the Joint Powers landfill and recycling operations to better meet its operating, capital and debt service expenses.

Conclusion/Recommendations: Administration recommends approval of the Resolution Revising Landfill Rates.

**RESOLUTION REVISING DISPOSAL RATES
AT THE MUNICIPAL LANDFILL AND RECYCLING CENTER**

WHEREAS, at the September 18, 2014, Joint Powers Advisory Board meeting in Yankton, the board voted to recommend that both the cities of Vermillion and Yankton increase the tipping fees at each municipality's respective facility; and

WHEREAS, with the construction and increased debt service, the cost to operate per ton has exceeded the revenue per ton that is being charged; and

WHEREAS, the Joint Powers member cities desires to provide solid waste services on a self-sustaining user fee basis; and,

WHEREAS, Section 52.07 of the 2008 Revised Ordinance of the City of Vermillion allows the City Council to establish and charge fees and service charges for the commercial and non-commercial deposits of receivable solid waste at the landfill.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 6th day of October, 2014 amend the following Landfill and Recycling fees to be effective for December, 1 2014:

	<u>Per ton</u>	<u>Minimum</u>
1. Garbage for Licensed Haulers	\$45.00	40.00 \$12.00
2. Garbage for Un-Licensed Haulers	\$50.00	43.00 \$12.00
3. Authorized asbestos materials prepared for disposal in conformance with the EPA and SDDENR Plus a \$100.00 25.00 gate fee	\$65.00	55.00
4. Petroleum contaminated soils Plus a \$100 gate fee	\$10.00	7.40
5. Electronics recycling fees for disposal of commercial and non-household electronics shall be as follows per item:		
tv's	\$20.00	15.00
monitors	\$20.00	15.00

Any operator desiring to deposit garbage, trees, rubbish, or other waste materials where the contents are not covered or tied down shall be charged a \$15.00 additional fee.

The City of Vermillion reserves the right to impose additional fees on loads or items deemed to be not in keeping with the above rates. This fee will be set in accordance with the final recycling cost, transportation costs and operations cost affected.

The effective date of this resolution shall be December 1, 2014.

Dated at Vermillion, South Dakota this 6th day of October, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D Carlson, Finance Officer

SOLID WASTE RATE COMPARISON 2014

September 2014

	<i>Garbage (per ton)</i>	<i>Contaminated Soil</i>	<i>Asbestos</i>
Huron	\$62	Doesn't accept	\$55 per ton
Lincoln County	\$41		
L.P. Gill	\$34		
Mitchell	\$39	\$7.50 per ton (\$200 min)	\$9 per cu. yd. (\$100 min)
Pierre	\$41	\$10 per ton w/o agree. \$ 16.50 per ton	\$29.37 cu. yd. w/o agree \$47.05 cu. yd.
Rapid City	\$59	\$4.50 per ton	\$59 per ton (\$150 min)
Sioux Falls	\$36	\$10 per ton	\$32 per cu. yd
Tri-County	\$41.50		
Vermillion	\$40 commercial \$43 public	\$7.40 per ton (\$100 gate fee)	\$60.50 per ton (\$50 gate fee)
Wadsworth	\$37		
Watertown	\$34.50 (\$69 untarped)		\$3 lb.(> 100 lbs = .20 lb. \$200 min)
Joint Powers			
Recommendation	\$45 commercial \$50 public	\$10 per ton (\$100 gate fee)	\$65 per ton (\$100 gate fee)
The recommendation included adjusting TV's and monitors from \$15 each to \$20 each			

CITY OF VERMILLION
 INVOICES PAYABLE-OCTOBER 6, 2014

1 A-OX WELDING SUPPLY CO	BULK CO2	895.00
2 AARON BAEDKE	MEALS REIMBURSEMENT	18.00
3 ADAM'S CONSTRUCTION LLC	MAINTENANCE SHED ROOF	14,574.00
4 AMERICAN PUBLIC WORK ASSOC	MEMBERSHIP	584.00
5 AMSAN	SUPPLIES	93.60
6 APEX EQUIPMENT, LLC	REPAIRS	898.82
7 APPEARA	SUPPLIES	108.10
8 ARAMARK	UNIFORMS	96.62
9 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	177.00
10 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	48.00
11 AUGUSTANA COLLEGE	BOOKS	59.40
12 AVENET, LLC	WEB HOSTING	1,100.00
13 AVS	TRI CASTER STUDIO	9,995.00
14 BAKER & TAYLOR BOOKS	BOOKS	790.65
15 BANNER ASSOCIATES, INC	WATER STORAGE IMPROVEMENTS	4,542.43
16 BARKLEY ASPHALT	ASPHALT	444.74
17 BETTER HOMES & GARDENS	BOOKS	35.94
18 BIERSCHBACH EQPT & SUPPLY	SUPPLIES	1,299.70
19 BILLION AUTO	REPAIRS	178.19
20 BLACKBURN MANUFACTURING CO	SUPPLIES	35.82
21 BLACKSTONE AUDIO INC	BOOKS	147.99
22 BLICK ART MATERIALS	SUPPLIES	414.09
23 BORDER STATES ELEC SUPPLY	SUPPLIES	4,889.31
24 BOUND TREE MEDICAL, LLC	SUPPLIES	1,025.86
25 BROADCASTER PRESS	ADVERTISING	211.50
26 BRYAN BERINGER	BOOT REIMBURSEMENT	100.00
27 BURNS & MCDONNELL	PROFESSIONAL SERVICES	3,000.00
28 BUSHNELL OUTDOOR PRODUCTS	SUPPLIES	654.97
29 BUTLER MACHINERY CO.	PARTS	23.43
30 CALLAWAY GOLF	MERCHANDISE	41.56
31 CAMPBELL SUPPLY	SUPPLIES	1,311.28
32 CASK & CORK	MERCHANDISE	615.64
33 CENTER POINT LARGE PRINT	BOOKS	145.42
34 CENTURY BUSINESS LEASING	COPIER LEASE	138.25
35 CENTURY BUSINESS PRODUCTS	COPIES	65.59
36 CENTURYLINK	TELEPHONE	742.71
37 CHERRY STREET GRILLE	ROLLS	24.00
38 CHESTERMAN CO	MERCHANDISE	1,179.03
39 CITY OF VERMILLION	POSTAGE/COPIES	1,432.20
40 CITY OF VERMILLION	UTILITY BILLS	40,026.29
41 CLAY COUNTY AUDITOR	COMBINED ELECTION NOV 4	2,600.00
42 COFFEE KING, INC	MERCHANDISE	62.75
43 COLONIAL LIFE ACC INS.	INSURANCE	3,326.49
44 COYOTE CHEMICAL COMPANY	PARTS	982.65
45 COYOTE CONVENIENCE	FUEL	13.93
46 COYOTE RENTALS	WATER HEATER REBATE	340.00
47 CURT HAAKINSON	MEALS REIMBURSEMENT	28.00
48 D-P TOOLS	SUPPLIES	13.97
49 DAKOTA BEVERAGE	MERCHANDISE	17,010.39
50 DAKOTA LOCK & KEY	PARTS	18.00
51 DAKOTA PC WAREHOUSE	SUPPLIES/REPAIRS	955.85
52 DAKOTA SUPPLY GROUP	PARTS	90.44
53 DANKO EMERGENCY EQUIPMENT	SUPPLIES	710.69
54 DAVID L. HILL PAINTING	POLE PAINTING	4,310.00

55 DELTA DENTAL PLAN	INSURANCE	6,241.08
56 DEMCO	SUPPLIES	283.58
57 DENNIS MARTENS	MAINTENANCE	833.34
58 DEPT OF REVENUE	TESTING	534.00
59 DGR ENGINEERING	PROFESSIONAL SERVICE	2,475.00
60 DIAMOND VOGEL PAINTS	SUPPLIES	919.00
61 DUANE & JEANNE MEHLHAF	WATER HEATER REBATES	2,250.00
62 DUST TEX	MATS	80.00
63 E.A SWEEN COMPANY	MERCHANDISE	451.04
64 EARTHGRAINS BAKING CO'S INC	MERCHANDISE	236.81
65 EBSCO	SUBSCRIPTIONS	4,180.53
66 ECHO ELECTRIC SUPPLY	SUPPLIES	2,903.59
67 ELECTRIC PUMP, INC	REPAIRS	1,076.80
68 ELECTRONIC ENGINEERING	PARTS	1,365.00
69 ENVIRONMENTAL PRODUCTS	SUPPLIES	246.90
70 EZ-LINER INDUSTRIES	PARTS	211.44
71 FARMER BROTHERS CO.	SUPPLIES	170.70
72 FAST AUTO GLASS	REPAIRS	120.00
73 FASTENAL COMPANY	SUPPLIES	209.03
74 FOOT-JOY	MERCHANDISE	110.60
75 FOREMAN MEDIA	COUNCIL MTG/INSTALL	250.00
76 GALE	BOOKS	324.69
77 GEAR FOR SPORTS	MERCHANDISE	1,890.28
78 GEOTEK ENGINEERING	PROFESSIONAL SERVICES	6,641.00
79 GRAHAM TIRE CO.	TIRES	1,348.92
80 GRAYMONT CAPITAL INC	CHEMICALS	7,506.98
81 GREGG PETERS	FREIGHT	2,996.50
82 GREGG PETERS	RENT	937.50
83 HACH CO	SUPPLIES	2,631.56
84 HANDEY INC. PLUMBING & HEATING	BOILER PROJECT	74,672.10
85 HAROLD K SCHOLZ CO	PROFESSIONAL SERVICES	71,432.00
86 HAUFF MID-AMERICA SPORTS	SOCCER NETS	114.99
87 HAUGER YARD/SNOW SERVICE	MOWING	128.00
88 HD SUPPLY WATERWORKS	SUPPLIES	7,090.70
89 HDR ENGINEERING, INC	PROFESSIONAL SERVICES	6,380.86
90 HEIMAN, INC.	FIREFIGHTER CLOTHING	1,882.82
91 HERREN-SCHEMPP BUILDING	SUPPLIES	95.02
92 HILLYARD FLOOR CARE SUPPLY	SUPPLIES	59.22
93 HY VEE FOOD STORE	SUPPLIES	403.05
94 IN CONTROL, INC	PROFESSIONAL SERVICES	390.00
95 INDEPENDENCE WASTE	WASTE HAULING/PORT TOILET RENT	1,850.65
96 INGRAM	BOOKS	5,333.51
97 ISTATE TRUCK CENTER	PARTS	192.42
98 JACKS UNIFORM & EQPT	UNIFORMS	1,606.00
99 JAYMAR	SUPPLIES	779.25
100 JESSICA KENNEDY	SAFETY BOOTS REIMBURSEMENT	75.02
101 JESSICA WADE	HEALTH FITNESS REIMBURSEMENT	175.00
102 JIM GOBLIRSCH	MEALS REIMBURSEMENT	18.00
103 JOHN A CONKLING DIST.	MERCHANDISE	12,892.14
104 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	44,259.41
105 JOHNSON CONTROLS	SERVICE AGREEMENT	2,035.53
106 JONES FOOD CENTER	SUPPLIES	1,365.89
107 KARSTEN MFG CORP	MERCHANDISE	401.09
108 KENDRA HOWARD	REFUND AMBULANCE OVERPAYMENT	484.55
109 KOLETZKY IMPLEMENT	PARTS	136.37
110 LAKELAND ENGINEERING	PARTS	212.25
111 LAWSON PRODUCTS INC	SUPPLIES	300.91

112 LESSARD CONTRACTING	LANDFILL CELL 5	180,984.22
113 LESSMAN ELEC. SUPPLY CO	SUPPLIES	225.72
114 LINCOLN REPUBLIC INSURANCE	INSURANCE	479.46
115 LOCATORS AND SUPPLIES, INC	SUPPLIES	484.63
116 LONGS PROPANE INC	PROPANE	60.00
117 LP GILL, INC	TIRE DISPOSAL	465.00
118 M.W BEVINS CO	REPAIRS	101.00
119 MAGUIRE IRON, INC	WATER TOWER FINAL	27,047.00
120 MAINLAND ENGRAVING LLC	GOLF MEDALS	91.65
121 MALLOY ELECTRIC	PARTS	1,300.33
122 MARKS MACHINERY	PARTS	138.74
123 MART AUTO BODY	REPAIRS/TOWING	536.22
124 MARTY GILBERTSON	REPAIRS	357.00
125 MATHESON TRI-GAS, INC	SUPPLIES	144.08
126 MATTHEW BENDER & CO, INC	BOOKS	77.88
127 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,810.19
128 MEAD LUMBER	SUPPLIES	277.10
129 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	94.71
130 MICROFILM IMAGING SYSTEMS	ANNUAL SERVICE AGREEMENT	360.00
131 MIDAMERICAN	GAS USAGE	1,071.83
132 MIDWEST ALARM CO	ALARM MONITORING	141.75
133 MIDWEST BUILDING MAINTENANCE	MAT SERVICE	586.70
134 MIDWEST READY MIX & EQUIP	SUPPLIES	1,728.00
135 MIDWEST TURF & IRRIGATION	PARTS	168.90
136 MISSOURI RIVER ENERGY SERVICE	INSPECTION	599.20
137 MISSOURI VALLEY MAINTENANCE	REPAIRS	185.35
138 MR. GOLF CAR, INC	REPAIRS	148.00
139 MSC INDUSTRIAL SUPPLY CO	SUPPLIES	339.27
140 MUHLBAUER ENTERPRISES	EQUIPMENT RENTAL	200.00
141 NALCO CHEMICAL CO	SUPPLIES	237.55
142 NCL OF WISCONSIN, INC	SUPPLIES	1,204.15
143 NETSYS+	PROFESSIONAL SERVICES	222.74
144 NEW YORK LIFE	INSURANCE	84.02
145 NIKE INC	MERCHANDISE	1,452.13
146 NORTHLAND	SUPPLIES	292.00
147 OFFICE SYSTEMS CO	COPIER CONTRACT	1,231.27
148 OKOBOJI WINES-SD	MERCHANDISE	816.00
149 PCC, INC	COMMISSION	2,270.30
150 PEDERSEN MACHINE INC	PARTS	63.00
151 PENWORTHY/AMERICAN MEDIA	BOOKS	876.31
152 PETE JAHN	BOOT REIMBURSEMENT	100.00
153 PITNEY BOWES	POSTAGE METER RENT	242.49
154 PLAIN TALK PUBLISHERS	SUBSCRIPTION	26.00
155 PRAIRIE BERRY WINERY	MERCHANDISE	933.00
156 PRECISION LAWN CARE	MOWING	805.00
157 PRESSING MATTERS	SUPPLIES	149.00
158 PRESTO-X-COMPANY	INSPECTION/TREATMENT	188.78
159 PRINT SOURCE	SUPPLIES	214.14
160 PROEFROCK ELECTRIC INC	INSTALL LOAD MGMT	50.00
161 PUMP N PAK	FUEL	95.19
162 QUALITY MOTORS	REPAIRS	77.25
163 QUALITY TELECOMMUNICATIONS	SUPPORT	50.00
164 QUEEN CITY WHOLESALE	MERCHANDISE	701.14
165 QUILL	SUPPLIES	1,475.67
166 RACOM CORPORATION	CONTRACT COVERAGE	395.50
167 RAGNASOFT, INC	SUBSCRIPTION	1,225.00
168 RANDOM HOUSE, INC	BOOKS	183.75

169 RECORDED BOOKS, INC	BOOKS	335.00
170 RECOVERY SYSTEMS CO, INC	BALER/CONVEYOR FINAL	151,342.85
171 REINHART FOODSERVICE, LLC	MERCHANDISE	1,267.01
172 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	22,853.79
173 RICK ERICKSON	WATER HTR REBATE/WATER TAP REFUND	697.44
174 RIVERSIDE HYDRAULICS & LAB	SUPPLIES	103.75
175 ROGER & MARY TURNER	WATER HEATER REBATE	600.00
176 RUNGE ENTERPRISES, INC	NORBECK STREET IMPROVEMENTS	144,052.50
177 RYAN BAEDKE	MEALS REIMBURSEMENT	18.00
178 SANFORD HEALTH PLAN	PARTICIPATION FEES	66.00
179 SCHAEFFER MFG. CO	SUPPLIES	776.00
180 SD ASSOC. OF RURAL WTR SYSTEMS	ANNUAL DUES	1,000.00
181 SD GOLF ASSOCIATION	HANDICAP	1,280.00
182 SD MUNICIPAL LEAGUE	REGISTRATION	100.00
183 SD RETIREMENT SYSTEM	CONTRIBUTIONS	50,594.03
184 SD SECRETARY OF STATE	NOTARY BOND	30.00
185 SDN COMMUNICATIONS	PROFESSIONAL SERVICES	1,402.00
186 SERVALL TOWEL & LINEN	SUPPLIES	29.40
187 SIOUX EQUIPMENT	REPAIRS	619.92
188 STAN HOUSTON EQPT CO	SUPPLIES	1,099.00
189 STANDARD READY MIX CONCRETE	SUPPLIES	211.86
190 STANGER LITHO GRAPHICS	SUPPLIES	131.00
191 STATE HYGIENIC LABORATORY	TESTING	186.00
192 STERN OIL CO.	FUEL	1,574.47
193 STEWART OIL-TIRE CO	REPAIRS	40.00
194 STRACHAN SALES, INC	REPAIRS	242.50
195 STUART C. IRBY CO.	SUPPLIES	173.79
196 STURDEVANTS AUTO PARTS	PARTS	1,783.56
197 TASTE OF HOME BOOKS	BOOKS	30.98
198 TAYLOR MADE	MERCHANDISE	472.38
199 THATCHER COMPANY	SODA ASH	6,478.92
200 THE ACTIVE NETWORK, INC	PROFESSIONAL SERVICES	5,850.00
201 THE EQUALIZER	ADVERTISING	724.50
202 THE RETROFIT COMPANIES, INC	DISPOSAL FEE	32.00
203 THORSTAD COMPANIES	RECYCLING PAVING	67,420.50
204 TITLEIST DRAWER CS	MERCHANDISE	189.18
205 TODDS ELECTRIC SERVICE	INSTALL LOAD MGMT	125.00
206 TOM KRUSE	SAFETY GLASSES/MEAL REIMBURSEMENT	191.00
207 TOTAL FLOORING	CARPET	5,269.35
208 TRUE VALUE	SUPPLIES	340.18
209 TURNER PLUMBING	COTTAGE STREET	37,215.75
210 TWIN CITY HARDWARE	PARTS	335.17
211 ULTRAMAX	SUPPLIES	1,854.00
212 UNITED PARCEL SERVICE	SHIPPING	73.70
213 UNITED WAY	CONTRIBUTIONS	458.46
214 USA BLUEBOOK	SUPPLIES	1,514.79
215 VALIANT VINEYARDS	MERCHANDISE	312.00
216 VERIZON WIRELESS	CELL PHONES	1,598.75
217 VERMEER HIGH PLAINS	SUPPLIES	235.14
218 VERMILLION ACE HARDWARE	SUPPLIES	1,068.08
219 VERMILLION CHAMBER OF COMMERCE	4TH QTR FUNDING	50,000.00
220 VERMILLION CONCRETE	ALLEY PAVING	43,442.11
221 VERMILLION FORD	REPAIRS	26.40
222 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	6,561.52
223 VISTELAR GROUP	INSTRUCTOR RENEWAL	199.00
224 WAL-MART COMMUNITY	SUPPLIES	751.26
225 WALT'S HOMESTYLE FOODS, INC	MERCHANDISE	105.20

226 WESCO DISTRIBUTION, INC	TRANSFORMER/SUPPLIES	26,477.50
227 WESTLUND-PETERSON POST 44	FLAGS	60.00
228 WIGMAN CO	PARTS	114.32
229 WINKLER ROOFING, INC	FIRE DEPT ROOF	29,079.50
230 WOW! BUSINESS	911 CIRCUIT	1,365.50
231 YAMAHA GOLF & UTILITY	GOLF CARS LEASE	7,545.94
232 YANKTON FIRE & SAFETY	EXTINGUISHER RECHARGE	32.50
233 YANKTON JANITORIAL SUPPLY	SUPPLIES	2,093.53
234 ZEE MEDICAL SERVICE	SUPPLIES	188.15
235 ZIMCO SUPPLY CO	CHEMICALS	7,695.04
236 SESDAC, INC	BRIGHT ENERGY REBATE	200.00
237 ST AGNES SCHOOL	BRIGHT ENERGY REBATE	150.00
238 OMPRAKASH THANGAVELU	BRIGHT ENERGY REBATE	50.00
239 HOWARD COKER	BRIGHT ENERGY REBATE	50.00
240 FIRST UNITED METHODIST CHURCH	BRIGHT ENERGY REBATE	350.00
	GRAND TOTAL	\$1,333,622.39

City of Vermillion (See reverse side of form for state laws regarding raffles and lotteries)
RAFFLE AND LOTTERY NOTIFICATION FORM

Date: 9/16/14

1. Name of organization/group United Way of Vermillion
Contact person: Name: Kelsey Collier-Wise
2. Date(s) that tickets/chances will be sold: from 9/16/14 to 10/8/14
Cost of tickets/chances: \$5 for 1, \$20 for 5
3. Date(s) of drawing(s): 10/10/14
4. Can anyone purchase tickets? Yes
5. Will the prize winner(s) be selected at random? Yes No
6. Description and approximate value of top prize: See below

In the space below, please provide a brief, general summary of the event. Be sure to include information such as the location and reason for the event.

Raffle to raise money for United Way of Vermillion. Two prizes:
--Two season tickets to USD Theatre's 2014 season. Approx. value: \$120
--Ten skybox tickets for USD football's Oct. 25, refreshments provided. Approx. value: \$280

Kelsey Collier-Wise Digitally signed by Kelsey Collier-Wise
DN: cn=Kelsey Collier-Wise, o=United Way of Vermillion,
ou=SmallAreaElectronics@CityofVermillion.org, c=US
Date: 2014.09.14 11:39:24 -0500

Applicant's Signature

Approval:

John Preuss
City Manager

9-17-14
Date