



**Special Meeting Agenda
City Council**

12:00 p.m. (noon) Special Meeting
Tuesday, September 2, 2014
Large Conference Room-City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Report on German American Partnership Program trip – Kami Dibley, Vermillion High School.**
3. **Discussion on proposals to manage the Vermillion Liquor Store – John Prescott.**
4. **Briefing on the September 2, 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
Tuesday, September 2, 2014
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. August 18, 2014 Special Session; August 18, 2014 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
 - a. Proclamation Recognizing Direct Support Professionals Week - September 7-13, 2014
6. **Public Hearings**
 - a. First Reading of Ordinance 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.
7. **Old Business**
8. **New Business**
 - a. First Reading of Ordinance No. 1318-2015 Appropriations.
 - b. First Reading of Ordinance No. 1319-2014 Revised Appropriations.
 - c. Firework public display permit on September 18, 2014 for Vermillion High School Homecoming.
 - d. Resolution extending the cable franchise agreement for 1 year to continue franchise renewal discussions.
 - e. Resolution fixing the time and place for a hearing and notice of hearing to levy special assessments for nuisance abatement.
 - f. Right-of-Way and Utilities Certification Forms for the West Main Street Mill and Overlay Project from High to Stanford Streets.
 - g. Letting Authorization for the West Main Street Mill and Overlay Project from High to Stanford Streets.
 - h. Resolution to surplus and authorization to transfer expired less-lethal munitions to the City of Yankton Police Department.
9. **Bid Openings**
 - a. Fuel Quotes.
10. **City Manager’s Report**

11. Invoices Payable

12. Consensus Agenda

- a. Set a bid opening date of September 11, 2014 for N. Norbeck Street roadway lighting project.

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
August 18, 2014
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, August 18, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

2. Water Main replacement project - Cottage Avenue from W. Cherry Street to W. Duke Street - Jason Anderson

Jason Anderson, Assistant City Engineer, reported that in the last two months there have been two breaks in the sixteen inch water main on Cottage Street between Cherry and Duke Street. Jason stated that similar age pipe from Duke Street north is being replaced this year. Jason stated that the last break was the evening of budget hearings and, as such, this replacement was not included in the 2015 proposed budget. Jason stated that the estimated cost is \$165 to \$230 thousand depending on final quantities. Jason stated that replacement options are still being reviewed and that it will be a spring 2015 project at the earliest. Jason asked the City Council if they wanted staff to move forward with the design of the project. Jason answered questions of the City Council on the proposed project. The consensus of the City Council was for staff to move forward with the plans and specifications for bidding in the spring of 2015.

3. Landfill update - Bob Iverson

Bob Iverson, Solid Waste Director, reviewed pictures of the cell 5 construction, baler building and baler. Bob stated that the baler was put into use two weeks ago for training and has been in use since. John Prescott, City Manager, reviewed Joint Powers Agreement between the Counties of Yankton and Clay and Cities of Yankton and Vermillion. John reviewed the members of the Joint Powers Board as well as the area serviced. John noted that the large projects being completed have depleted the reserves for both Vermillion and Yankton. As such, members of the two cities will be meeting later this week to review options available that may include a rate increase.

Alderman Ward stated that he has met with Harlow Hatle and inspected the apartments with the improper sized egress windows and wanted to

know if the City Council would consider an extension of time to replace the windows.

John Prescott, City Manager, stated that the City Council adopted the building codes earlier this year that called for all egress windows less than 3 square feet in area or smaller than 18 inches in width or height be replaced by September 1, 2014 and all other non compliant egress windows need to be replaced by July 1, 2019. Discussion followed on the window size and the code requirements for fire safety. Farrel Christensen, Building Official, noted that the current code provides that the property owner can apply for an extension of the implementation date. Discussion followed on the amount of extension with the consensus that a phased plan whereby some windows are installed each year would be acceptable. Farrel stated that he would be willing to work with property owners on extensions.

Alderman Ward requested to be excused at 12:43 p.m.

4. Briefing on the August 18, 2014 City Council Regular Meeting

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

5. Adjourn

291-14

Alderman Willson moved to adjourn the Council special session at 12:50 p.m. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of August, 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
August 18, 2014
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on August 18, 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 Tordsen

2. Pledge of Allegiance

3. Minutes

A. Minutes of August 4, 2014 Special Session; August 4, 2014 Regular Session, August 11, 2014 Budget Session, and August 14, 2014 Budget Session.

292-14

Alderman Holland moved approval of the August 4, 2014 Special Session, August 4, 2014 Regular Session, August 11, 2014 Budget Session, and August 14, 2014 Budget Session minutes. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

293-14

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

5. Visitors to be Heard

A. Proclamation-Log School House Dedication

Alderman Clarene Meins read the proclamation recognizing the first permanent school house in Dakota Territory built September 3, 1864 with the replica being built to celebrate the sesquicentennial. Mayor Powell presented the proclamation to Dan Christopherson. Dan stated that he was representing the Clay County Historical Society and thanked the City for their assistance on the project. Dan invited the City Council and community to the log school house dedication on Wednesday, September 3rd from 4:00 p.m. to 7:00 p.m. at the Austin-Whittemore property.

6. Public Hearings

A. Appeal to Notice and Order requiring "hard wired" Smoke Alarms per Chapter 94, Rental Housing Code, Section 94.02, Responsibilities of Owners and Occupants of Rental Units, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota

Farrel Christensen, Building Official, reported on June 10, 2014 that the City Rental Inspector completed an inspection of the rental structure located at 112 E Cherry. Farrel noted that several items were found in violation of the City's rental housing. While inspecting the units, it came to the attention of the inspector that hard wired smoke detectors were not installed as required by the Rental Housing Code adopted in 2011. City Code requires that all registered rental units shall be provided with smoke detectors that are hardwired into the electrical system with battery backup. Farrel stated that smoke detectors must be installed in each sleeping room, outside each separate sleeping area in the immediate vicinity of the bedrooms, on each additional story of the dwelling, including basements and habitable attics but not including crawl spaces and uninhabitable attics. Farrel noted that when the inspector asked the manager about the non hard wired smoke detectors he responded that the sealed battery powered units in place had been approved by the City.

Farrel noted that the inspector confirmed that no such approval had been made for the 10 year sealed battery smoke detectors installed. Farrel stated that the potential of using 10-year sealed battery powered units without connection to electricity had been discussed several times with the multi-housing association in meetings with staff and City Council. Farrel reported that the City Manager confirmed with Dan Siefken of the SD Multi-housing Association that use of the sealed battery units that are not connected to the electrical system was not conveyed to the membership as an option. Farrel stated that an inspection report was sent to the owner informing him that hard wired smoke detectors were required and in order to continue to rent the units he must provide the City with the name of the electrical contractor that would be installing the required hard wired smoke detectors and would complete the work no later than September 1, 2014.

Farrel stated that a short time after the inspection letter was sent the owner came into City Hall and proposed that the battery powered units he installed be allowed. Farrel stated that the owner was informed that the ordinance specifically requires hard wired smoke detectors and no provisions for battery power units have been made. Farrel reported that shortly after this discussion the property owner, Woody Houser, applied for an appeal.

Farrel reported that the requirement for hard wired smoke detectors was first presented to the City Council on July 18, 2011 and became

effective September 1, 2011. The ordinance gave owners until January 1, 2014 to provide all registered rental units with smoke alarms that receive their primary power from the building wiring and when primary power is interrupted shall receive power from a battery.

Farrel stated that without the correct smoke alarms in place the unit becomes substandard and if not for the owner applying for an appeal to stay the enforcement, the units would have been posted as unlawful to occupy and the tenants ordered to vacate.

Farrel reported that prior to the requirement for hard wired smoke alarms nearly 90% of the rental units inspected had smoke alarms that were not working and last month nearly 90% of the rental units inspected had working smoke alarms. Farrel noted that in two years the improvement in fire safety in registered rental units has been remarkable.

Farrel stated that the City Council, acting as the board of appeals, now has to consider the issue and determine: 1) If the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, 2) If the provisions of this code do not fully apply, 3) If the requirements of this code are adequately satisfied by other means.

Farrel stated that section 94.02 appears to be very clear that primary power must be provided (hard wired) from the building wiring and that battery power may only be used for backup power if the primary power is interrupted.

Farrel stated that the second question is whether the provision for hard wired smoke alarms applies. Farrel stated that the provisions of this code would apply as all registered rental units shall be provided with smoke alarms that operate on building wiring and must be installed by January 1, 2014.

Farrel noted that the only remaining question is whether the requirements of the code can adequately be satisfied by other means.

Farrel stated that the answer to this question is no. The installed battery power smoke alarms are not as good as the required hard wired smoke alarms. Farrel noted that hard wired smoke alarms are the only type allowed by the International Building Code in new construction. The first copies of the 2015 International Building Code came out in July and the only style allowed are hard wired. This decision was made after three years of research, hearings and testimony by the foremost experts in fire and life safety. Hard wired smoke detectors have been required since 1988 and have been proven to be the best system

available. So much so that in 2006 the International Residential Code required battery powered systems be replaced with hard wired smoke alarms whenever a building permit for alteration or additions is issued.

Farrel noted that the 10 year sealed battery power units are relatively new and, as such, have only just been issued a UL listing. Farrell noted that the ten year life span is also a problem. The units must be replaced before the battery runs out and it would be difficult for inspectors to know when that time is or to have an inspection that is always timed with battery expiration. Farrel stated that hard wired smoke alarms do not rely on batteries for their primary power so if the unit tests good the inspector knows the occupants are protected. The Code requires a smoke detector with a primary and backup source of power. The installed units have only a single source of power with no backup power.

Farrel stated that there may come a time when sealed units are proven and accepted by the International Code Council but that event has not yet occurred. It is correct that a few states are allowing the use of 10-year sealed units. South Dakota is not one of the two or three states. Mr. Houser knew what the deadline was and how the installed unit was to be powered. Farrel noted that allowing the installation of a non-approved type of unit after the fact would appear to be contrary to adopted code and would likely cause other landlords who complied with code to question the City's intent. Farrel stated that he recommended the denial of the appeal.

Janet Olson, attorney representing Woody Houser, stated that she sent a packet of information on Friday to the City for each Council member and also apologized that the appeal form and letter indicated a Cottage address when the correct location was 112 East Cherry Street. Janet stated that her client is concerned about the safety of the tenants in his rental units. She stated that the adoption of the 2012 building code has imposed many costs onto her client as a landlord. Janet stated that the cost of hard wired battery backup smoke detectors for this property is estimated at \$9,500 while the 10 year sealed battery smoke detectors cost \$2,950. She stated that in existing buildings there are obstacles to installing hard wired smoke detectors that are not present in new construction. She stated that when the battery backup in the hard wired smoke detectors reaches the end of its useful life it chirps and the tenants remove the smoke detector to keep it from chirping. Janet stated that the 10 year sealed battery smoke detectors will not chirp until the end of their life thus it remains in service much longer. She stated that the supporting documentation she provided stated that 78% of the 10 year life detectors were still functioning. Janet noted that one tenant had a problem with false alarms and since

the battery could not be removed had called the manager who relocated the detector to a better location in the unit instead of just taking the battery out or removing the unit. Janet reported that other states have allowed use of the 10 year sealed battery smoke detectors. Janet also noted that the City requirement for hard wired smoke detectors with battery backup for rental units is not being applied to owner occupied structures.

Janet stated that the landlords want to protect their tenants and feel the 10 year sealed battery smoke detector units will remain in service longer than the units required by the City. The cost of the 10 year sealed battery smoke detectors is one third of the hard wired required by the City. Janet stated that the 10 year sealed battery smoke detectors are a viable option for existing structures and requested consideration of the appeal.

Mayor Powell noted that the information provided included the National Association of State Fire Marshals Science Advisory Committee report that on page three reported that according to a 2009 American Housing Survey the death rate per 100 reported fires is twice as high in fires with smoke alarms powered by batteries compared to fires with hard wired smoke alarms.

Alderman Erickson asked City Attorney McCulloch for his opinion of the code adopted by the City. Jim McCulloch, City Attorney, reported that, in his opinion, the intention of the City Council was for the health and safety of rental housing tenants in the community. Jim stated that over the years smoke detectors had been discussed noting that the battery powered detectors were found not working in many cases and the 2011 update to hard wired detectors with battery backup improved the percentage to be found working as Farrel stated. Jim noted that the City Council provided until December 31, 2013 for rental properties to become compliant with the implementation of the updated code. Jim stated that safety issues cannot be grandfathered as a general rule in multi unit rental property. Jim stated that advances in technology in safety areas and upgrades as time goes on will require landlords to make their property compliant with these advancements.

There was discussion on a requirement for interconnections of smoke detectors with Farrel noting that there is an exception for this in existing units.

Alderman Erickson requested to allow Woody to address the City Council. Mayor Powell upon hearing no objection from the Council allowed Woody to address the Council.

Woody stated that he has hard wired smoke detectors with battery backup in other units in Vermillion and Sioux Falls but noted that, when the battery backups chirp to note the need for a new battery, the tenants are removing the units. He stated that with the 10 year sealed unit smoke detectors there is no need to change the battery, thus the tenants leave the units in place.

Upon request, Farrel stated that he has not found a study that reports the 10 year sealed battery smoke detectors are equivalent to the hard wired smoke detectors with a battery backup.

Mayor Powell asked the Council if they had any objections to allowing Janet Olson to address the Council. Upon hearing none, Janet was allowed to address the council.

Janet Olson stated that no other community has this requirement for hard wired smoke detectors for all rental units, but only requires this of new construction.

Discussion followed on the required compliance date noting that it was January 1, 2014 with Farrel noting that extensions were given when it could be shown that the owner had contracted to have the work done.

294-14

Alderman Ward moved to deny the appeal of Mr. Woody Houser for the property at 112 East Cherry to use 10 year lithium battery sealed smoke detectors in the rental units as an equally good or better form of compliance then required by ordinance section 94.02 G for hard wired smoke detectors with battery backup and to provide a reasonable time to bring the property into compliance with the City ordinance. Alderman Willson seconded the motion. Motion carried 8 to 1. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. 2013 Audited Comprehensive Annual Report

Mike Carlson, Finance Officer, reported that the 2013 Audited Comprehensive Financial Report is included in the packet. The firm of Williams & Company completed the audit. Also included in the packet is a letter to the Mayor and Council from Williams & Company. The Department of Legislative Audit has reviewed and accepted the audit report with their letter included in the packet. Mike noted that the City Council will need to accept the report. Discussion followed.

295-14

Alderman Collier-Wise moved approval of the acceptance of the 2013 Audited Comprehensive Financial Report. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Resolution for Comprehensive Funding Agreement for the West Main Street Mill and Overlay Project

Jose Dominguez, City Engineer reported that West Main Street from High Street to Stanford Street is scheduled to be milled and overlaid during the 2015 construction season. Jose reported that prior to the work taking place the DOT requires that the City sign a funding agreement. Jose stated that the funding agreement stipulates how the funding of the project will be made and also sets the criteria that need to be followed during the construction and future maintenance of the street that is similar to agreements with the DOT for the Cherry Street Project, Crawford Road Project and Stanford Street Projects. Jose stated that the project is to be funded with \$300,000 STEP funds through the State and \$140,000 from the City second penny sales tax fund. Jose recommended approval of the resolution for funding. Discussion followed.

296-14

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

Resolution

Accepting the Funding Agreement between the Department of Transportation and the City of Vermillion for Letting and Construction of Project P 5708(05), PCN 04AF

Whereas, the City of Vermillion wishes to mill and overlay West Main Street from High Street to Stanford Street utilizing a combination of Local, State and Federal funds; and

Whereas, the Governing Body of the City of Vermillion is asked by the South Dakota Department of Transportation to approve the above mentioned funding agreement by resolution.

Now, therefore, be it resolved, that the Governing Body of the City of Vermillion accepts the Funding Agreement between the Department of Transportation and the City of Vermillion for Letting and Construction of Project P 5708(05), PCN 04AF.

Dated at Vermillion, South Dakota this 18th day of August, 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

The motion was seconded by Alderman Ward. 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. Request to remove parking on both sides of N. Dakota Street from W. Duke Street to Highway 50 during events at the USD Dakota Dome

David Herbster, Athletic Director, stated that the construction south of the Dakota Dome will have this area fenced off and the student entrance is going to be moved to the northwest entrance. Dave stated that with the construction area going to the east side of Dakota Street in the area he requested that parking be removed from both sides of Dakota Street from Duke Street to Highway 50 during events at the dome. Dave stated that this request is for pedestrian safety in this area. He said that the Foundation has approved using the field north of the foundation for parking thus pedestrians will be crossing the street and others will be walking from the south without any sidewalk. James Bandy, Sr., Associate Director of Athletics and Internal Operations, reviewed a map of the area noting that removing the parking will allow the University to install barricades during the events so that vehicles do not park and allow this area for pedestrian traffic to the dome. James stated that the USD Department of Athletics request is to block off all street parking on both sides of Dakota Street from Duke Street to Highway 50 for all events held in the Dakota Dome to ensure safety of individuals attending the events. He stated that this will be coordinated with USD and Vermillion Police Departments. Discussion followed with James noting that visitor bus parking will be allowed on Dakota Street south of the northwest entrance as was approved at last meeting.

Amanda Whittecar, Manager of the Holiday Inn Express, stated that she was concerned about the removal of on street parking as they have 56 rooms and off street parking for 56 cars but for large events there are more than one car per room and that motel staff also needs parking.

Discussion followed on the parking request of USD. David Herbster stated that they are willing to work with the area businesses to resolve this parking issue. Amanda stated that for large events they may need up to 20 extra parking spaces.

297-14

Alderman Holland moved approval of the request of the USD Athletic Department to remove parking on both sides of Dakota Street from Duke Street to Highway 50 during events at the Dakota Dome to be communicated with the USD and Vermillion Police Departments and the Athletic department will need to accommodate the parking needs of the adjoining businesses. Alderman Erickson seconded the motion. Discussion followed on the other business parking needs. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Tree Board appointments

Mayor Powell reported that there are currently two openings on the Tree Board. Mayor Powell stated that an expression of interest form was received from Clarence Pederson and he recommended his appointment to the Tree Board.

298-14

Alderman Willson moved approval of the appointment of Clarence Pederson to the Tree Board. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Annual supply of propane for Solid Waste Department

Jason Anderson, Assistant City Engineer, reported that bids were opened August 13th for the annual supply of propane for the Landfill and Recycling Center. The low bid was from Tri County Oil & Propane for \$1.349 per gallon. Jason stated that the bid was for up to 17,000 gallons to be delivered as needed to the Landfill and Recycling Center and if the usage exceeds that amount the City will need to purchase at the market rate.

Bids: Butch's Propane \$1.359, Ferrrellgas \$1.499, Long's Propane \$1.49, Tri County Oil & Propane \$1.349

299-14

Alderman Willson moved approval of the low bid of Tri County Oil & Propane of \$1.349 per gallon for up to 17,000 gallons of propane to be delivered to the Landfill and Recycling Center as needed. Alderman Ward seconded the motion. Motion carried 9 to 0.

10. City Manager's Report

A. John reported on the receipt of a raffle notice from the Vermillion After Prom Committee. They will be selling tickets at \$2.00 each or 3 for \$5.00 from August 22nd to October 17th. The prize is the opportunity to sit on a couch and recliner at field level during a home football game. One individual and 4 friends will enjoy pizza and soft drinks while watching the game at field level. The prize is valued at \$40. Proceeds go to the After Prom Committee for their annual event.

B. John reported that there are a number of street closings:

1. Pine Street from Cedar Street to National Street from 4:00 p.m. to 10:00 p.m. on Thursday, August 21st for an event at Alpha Phi sorority.
2. Market Street for Thursdays on the Platz from Main Street south ½ block on Thursday, August 21st from 5:00 p.m. to 8:00 p.m.
3. N. Plum Street from Cherry Street to Highway 50 & Rose Street from Coyote Village from 5:00 a.m. to 3:00 p.m. on Friday, August 22nd for USD Move-in Day.
4. Kidder Street from Court Street to alley ½ block west from 2:00 a.m. on Saturday, August 23rd to 4:00 a.m. on Sunday, August 24th for a fundraising event at the Old Lumber Company.

C. John reported that City offices are closed on Monday, September 1st for Labor Day and the next City Council meeting is on Tuesday, September 2nd.

PAYROLL ADDITIONS AND CHANGES

Library: Susan Heggstad \$10.99/hr; Golf Clubhouse: Mike Mettler \$7.75/hr, Kasie Olson \$8.00/hr; Wastewater: Nick Anglin \$9.00/hr

11. Invoices Payable

300-14

Alderman Collier-Wise moved approval of the following invoices:

RICH HOLLAND	MILEAGE REIMBURSEMENT	201.28
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Alderman Clarene Meins seconded the motion. Alderman Holland requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

301-14

Alderman Willson moved approval of the following invoices:

BLUETARP FINANCIAL, INC	OIL TRANSFER KIT	799.99
BROADCASTER PRESS	ADVERTISING	1,044.69
BUREAU OF ADMINISTRATION	TELEPHONE	230.18
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CENTURYLINK	TELEPHONE	1,491.71
CITY OF VERMILLION	LANDFILL VOUCHERS	732.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	386.93
DAKOTA BEVERAGE	MERCHANDISE	700.20
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,562.54
GREGG PETERS	MANAGERS FEE	5,375.00
HY VEE FOOD STORE	SUPPLIES	50.00
KARSTEN MFG CORP	MERCHANDISE	1.17
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
LSC ENVIRONMENTAL PRODUCTS	DAILY COVER APPLICATOR	11,850.91
MATHESON TRI-GAS, INC	SUPPLIES	277.59
MIDAMERICAN	GAS USAGE	2,655.79
MIDCONTINENT COMMUNICATIONS	CABLE/INTERNET SERVICE	118.68
REPUBLIC NATIONAL DIST.	MERCHANDISE	5,197.28
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
SD PARKS & RECREATION ASSOC	REGISTRATION	450.00
SDWWA	REGISTRATION	240.00
SHERRY JUNEAU	REFUND ELEC/WA SERVICE FEES	20.60
STERN OIL CO.	FUEL	22,043.13
TEOSCIA LOVE	REFUND METER DEPOSIT & FEES	40.60
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,000.00
VERMILLION CHAMBER OF COMMERCE	BLISS POINTE GRANT	595,788.88
VISA/FIRST BANK & TRUST	FREIGHT CHARGES	59.85
DAVE STAMMER	BRIGHT ENERGY REBATE	35.00
OMPRAKASH THANGAVELU	BRIGHT ENERGY REBATE	1,100.00

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

12. Consensus Agenda

A. Set a bid opening date of September 10, 2014 for the purchase of transformers for the Light & Power Department

302-14

Alderman Willson moved approval of the consensus agenda. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

303-14

Alderman Clarene Meins moved to adjourn the Council Meeting at 8:14 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 18th day of August, 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
Direct Support Professionals Recognition Week

WHEREAS, direct support workers, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals, are the primary providers of publicly-funded, long term support and services for more than 4,000 individuals with disabilities in day, residential, and family support programs in South Dakota; and

WHEREAS, a direct support professional assists an individual with disabilities with the most intimate needs on a daily basis, and provides a broad range of support in order to live meaningful, productive lives; and

WHEREAS, a direct support professional provides essential support to keep an individual with disabilities connected to their family and the community, and is key to assisting them to live successfully in their own community; and

WHEREAS, there are over 3,700 direct support professionals working in the family support program, the 19 Community Support Provider agencies, and the South Dakota Developmental Center; and

WHEREAS, SESDAC, Inc., a Community Support Provider in Vermillion, employs 100 direct support professionals who provide services and supports for 100 people to realize independence and happiness; and

WHEREAS, it is fitting and proper as citizens to honor the direct support professional workforce for the tremendous difference they make each day in the lives of South Dakotans and Vermillion citizens with varying needs and abilities.

NOW, THEREFORE, we the Governing Body of the City of Vermillion, South Dakota, do hereby proclaim September 7-13, 2014 as

DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

in Vermillion, and call upon citizens to observe this week with appropriate programs, activities, and ceremonies in recognition of Direct Support Professionals in their community.

Dated at Vermillion, South Dakota this 2nd day of September, 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: Andy Colvin, Assistant City Manager

Meeting: September 2, 2014

Subject: First Reading of Ordinance 1320 – Community Oriented Healthcare Planned Development District

Presenter: Andy Colvin

Background: Tim Tracy, on behalf of the Dakota Hospital Foundation, approached the City to obtain a permit to construct a maintenance garage on property across the street from the hospital. In looking at the plan and the City zoning ordinance, it became clear that the project could not be permitted because the proposed use would be considered an accessory building on a different parcel than the primary structure. Under the zoning ordinance, accessory buildings are only permitted as accessories to, and on the same parcel as, the primary structure.

Staff met with Mr. Tracy and discussed the issue of the maintenance garage and the future needs of the hospital. It appears that the best possible solution that would provide some flexibility, while still allowing opportunities for public input, would be a Planned Development District. Planned Development Districts are custom zoning districts that combine uses with the goal of developing and redeveloping areas of the community. The concept of a Planned Development District makes sense in this area of town because several healthcare and medical uses are concentrated along Plum Street with Sanford, the Vermillion Medical Clinic, and Chiropractic Wellness Center. Additionally, a PDD would allow these organizations and businesses to grow and better serve the needs of the community in the future.

Discussion: Banner Associates is the consultant working with the DHF to put together the PDD. The property to be included in the PDD is currently zoned R-2 Residential and Neighborhood Commercial – a map is included in the packet. The uses permitted in the district are those that would typically be related to healthcare facilities, including hospitals, offices, clinics, nursing homes, pharmacies and related uses. It is important to remember that these uses are currently permitted in the area. The PDD will allow the property owners flexibility with respect to how and where buildings are constructed. The plan would provide for more of a campus-type layout and development plan.

With respect to neighborhood impact, the PDD approach would be more beneficial than the traditional zoning approach. Issues such as parking, traffic and density can all be addressed in the approval process with neighborhood input, looking at this specific area of town.

Consideration of the district regulations and initial development plan is the first step in the approval process. The initial development plan provides a broad overview of the area and gives a general idea of what will be allowed. Prior to construction on any lots, a final development plan is submitted to the Planning Commission for approval. The only planned item ready for a final development plan at this time will be a maintenance garage, which will be considered at a future Planning Commission meeting. The Planning Commission considered the PDD regulations and initial development plan and unanimously recommended approval.

Dakota Hospital Foundation hosted a community information session at the Edith B. Siegrist Vermillion Public Library on August 26 at 7:00 p.m. Residents in the neighborhood as well as DHF members received an invitation to the session, which outlined the future plans for the hospital as well as the Planned Development District and initial construction designs. Thirty-eight people attended the meeting.

Financial Consideration: Fees for the required legal notices and publication.

Conclusion/Recommendations: The City Council is required to hold a public hearing and receive public input on the proposed rezoning. Administration recommends approval of creating a Community Healthcare Oriented Planned Development District.

PROJECT NAME: COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT

OWNERS:
 DAKOTA HOSPITAL FOUNDATION YANKTON MEDICAL CLINIC, P.C. ALBACO, LLC
 20 SOUTH PLUM 1104 WEST 8TH STREET 4711 EAST MAIN STREET
 VERMILLION SD 57069 YANKTON SD 57078 VERMILLION SD 57069

ADDRESS: LOCATIONS IDENTIFIED ON PLAN INCLUDING THE BELOW ADDRESSES
 101 SOUTH PLUM STREET, VERMILLION SD
 717 EAST MAIN STREET, VERMILLION SD
 VARIOUS PLUM/WALKER STREET ADDRESSES FOR DAKOTA HOSPITAL FOUNDATION PROPERTIES, VERMILLION SD

EXISTING DAKOTA HOSPITAL FOUNDATION LEGAL DESCRIPTION:

- LOTS 1-4, HOSPITAL ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA
- LOTS 4, 5, 6, 7, 8 AND 9, KAHL'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA
- LOTS 14 AND 15, KAHL'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA
- W 99' OF LOTS 11, 12 AND S 1/2 OF LOT 13, BLOCK 3, EASTSIDE ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, AND SUBJECT TO RIGHTS, IF ANY, FOR PUBLIC TRAVEL ON AN ALLEYWAY ALONG THE WEST SIDE OF DESCRIBED PREMISES
- E 77.7' OF LOTS 11, 12 AND S 1/2 OF LOT 13, BLOCK 3, EASTSIDE ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA
- N 1/2 OF LOT 13 AND ALL OF LOTS 14-20, BLOCK 3, EASTSIDE ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, SUBJECT TO THE ALLEY RIGHT-OF-WAY ON THE WEST AND STREET AND SIDEWALK RIGHT-OF-WAY ON THE EAST

PROPOSED DAKOTA HOSPITAL FOUNDATION LEGAL DESCRIPTION:

- LOT 1, BLOCK 1, AND LOTS 1, 2, 3 AND 4, BLOCK 2, DAKOTA HOSPITAL FOUNDATION ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

EXISTING YANKTON MEDICAL CLINIC LEGAL DESCRIPTION:

- LOTS 10, 11, 12 AND 13, KAHL'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

EXISTING ALBACO, LLC LEGAL DESCRIPTION:

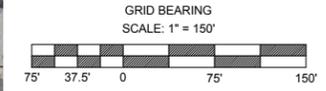
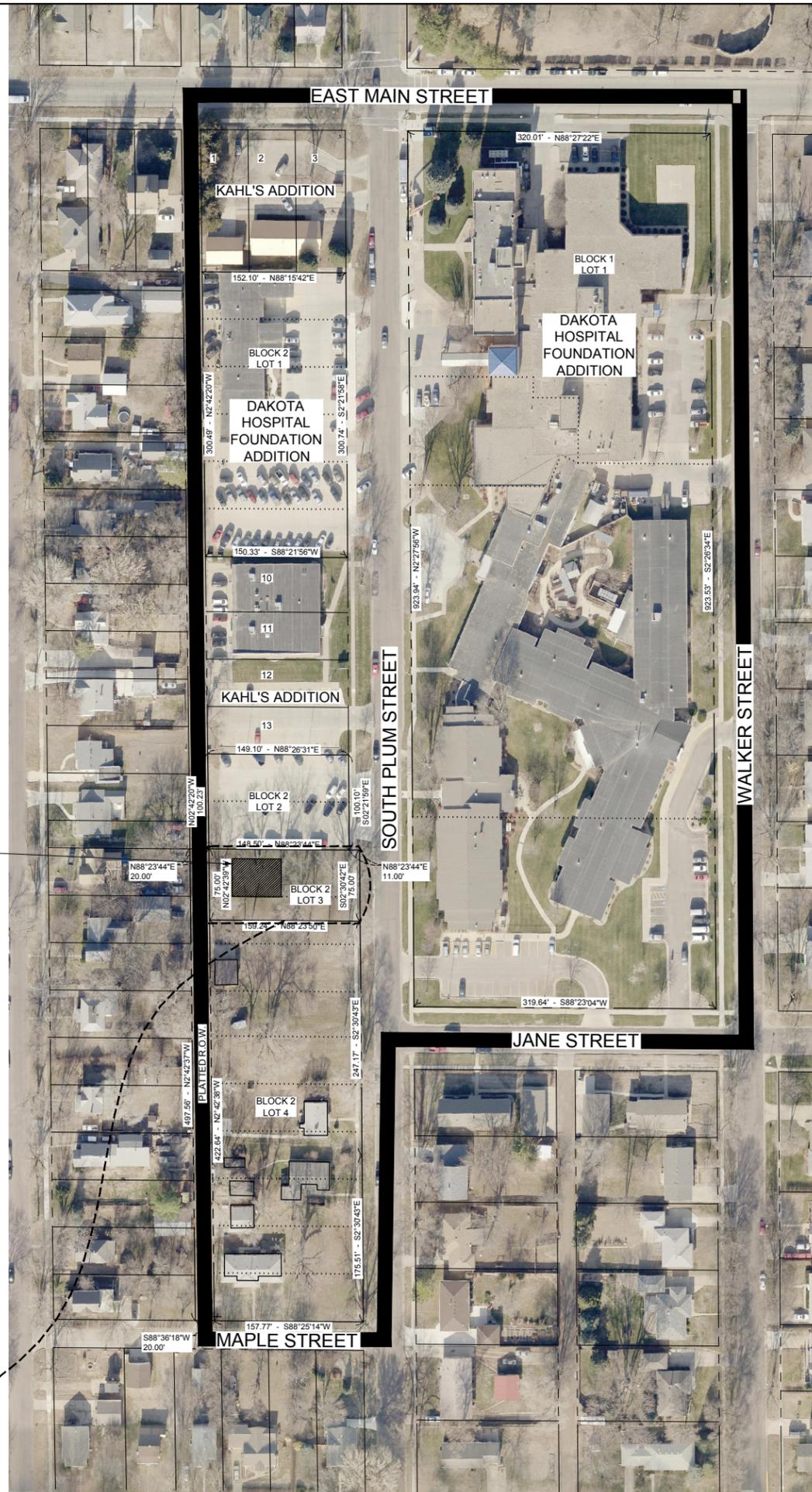
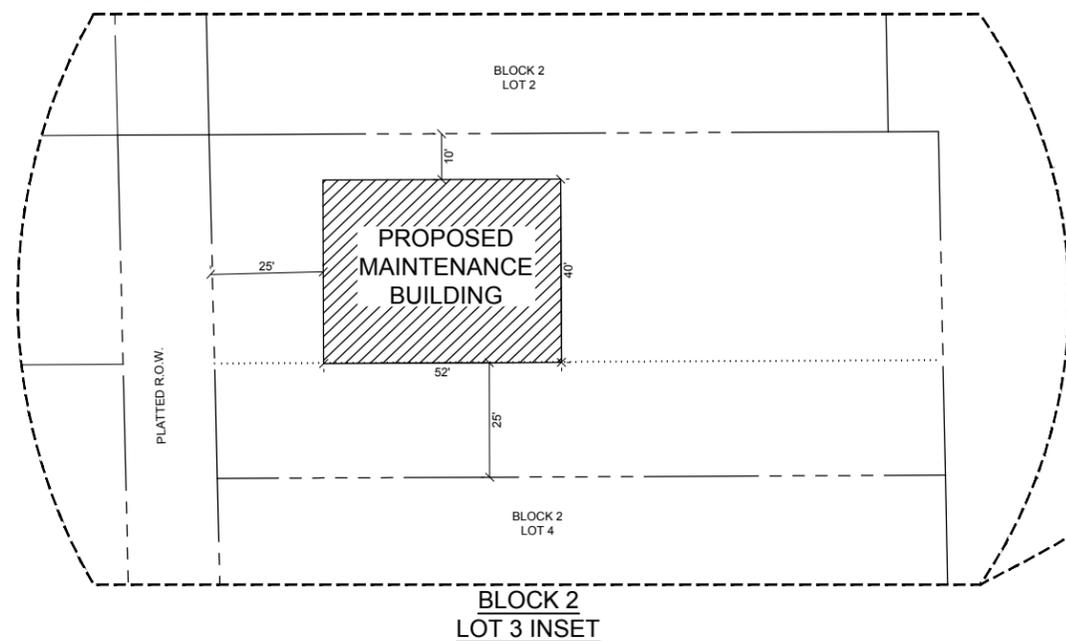
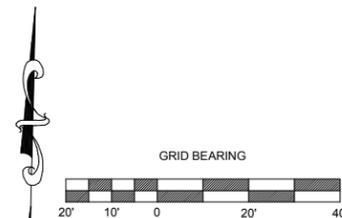
- LOTS 1, 2 AND 3, KAHL'S ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

PERMITTED LAND USES, MINIMUM LOT AREA, MINIMUM SETBACKS, MAXIMUM HEIGHTS - SEE EXHIBIT A

ANTICIPATED DEVELOPMENT SEQUENCE (TIME FOLLOWING PDD APPROVAL)

- LOT 1, BLOCK 1, DAKOTA HOSPITAL FOUNDATION ADDITION (PHASES 1-5 OVER NEXT 5 YEARS)
- LOTS 1-3, KAHL'S ADDITION (NO IMMEDIATE PLANS)
- LOT 1, BLOCK 2, DAKOTA HOSPITAL FOUNDATION ADDITION (NO IMMEDIATE PLANS)
- LOTS 10-13, KAHL'S ADDITION (NO IMMEDIATE PLANS)
- LOT 2, BLOCK 2, DAKOTA HOSPITAL FOUNDATION ADDITION (NO IMMEDIATE PLANS)
- LOT 3, BLOCK 2, DAKOTA HOSPITAL FOUNDATION ADDITION (WITHIN 1 YEAR)
- LOT 4, BLOCK 2, DAKOTA HOSPITAL FOUNDATION ADDITION (RAZING EXISTING BUILDINGS IN THE FUTURE)

PROPOSED MAINTENANCE BLDG



GRID BEARING
SCALE: 1" = 150'

HORIZONTAL DATUM:
- NAD 83
- PROJECTION: SOUTH DAKOTA STATE PLANE COORDINATES SOUTH ZONE (4002)

VERTICAL DATUM:
- NAVD 88
- GEOID 09

BASIS OF BEARING: GEODETIC NORTH

ALL DIMENSIONS SHOWN ARE IN TERMS OF U.S. SURVEY FEET

LEGEND:

PDD BOUNDARY

BANNER

14 W. Main St. Suite A
 Vermillion, South Dakota 57069
 1-855-323-6342
 www.bannerassociates.com

CONSULTANTS:

FOR REVIEW ONLY
 NOT FOR CONSTRUCTION

PROJECT TITLE:

COMMUNITY HEALTHCARE ORIENTED PLANNED DEVELOPMENT DISTRICT

PROJECT LOCATION:
 VERMILLION, SOUTH DAKOTA

REV.	DATE	DESCRIPTION

DRAWN BY: NGE
 DESIGNED BY: RSU
 CHECKED BY: HNH
 JOB NO: 21952.00
 DATE: AUGUST, 2014

SHEET TITLE:

INITIAL DEVELOPMENT PLAN -
 SITE PLAN

SHEET NO.:

1

F:\21952-00\Design Phase\Acad\Maintenance BLDG.dwg:8/21/2014 4:21 PM

August 7, 2014

Mr. Bob Iverson - Planning Commission Chairman
25 Center Street
Vermillion, SD 57069

Re: Request City Initiated Zoning Changes for Dakota Hospital Foundation

Dear Mr. Iverson:

This letter has been prepared on behalf of the Dakota Hospital Foundation to request City initiated zoning changes from R-2 (Residential – Medium Density) to a Community Oriented Healthcare Planned Development District.

The areas in the proposed Community Oriented Healthcare Planned Development District are shown in the attachment and include:

1. Lots 11-20 of Block 3 of East Side Addition
2. Lots 1-15 of Kahl's Addition
3. Lots 1-4 of Hospital Addition

Currently, lots 1-4 of the Hospital Addition are zoned as R-2 and the remaining lots are zoned NC. However, this request is to consider all the aforementioned lots be rezoned in a Community Oriented Healthcare Planned Development District.

The reason for this request is to encourage a well-planned, community oriented healthcare district. This planned development district will support local access to quality healthcare for the community of Vermillion and surrounding communities. The request is also being made to allow for a planned and coordinated mix of land uses which will allow for flexibility with future improvements within the district. These land uses will be compatible with adjacent land uses and will fit within surrounding environment.

As part of this Planned Development District, the Dakota Hospital Foundation is currently working on a project that will expand and remodel the existing hospital facility. The Planned Development District will also allow for future development of additional healthcare facilities in a coordinated and practical manner.

Thank you for your consideration.

Respectfully,



Richard Uckert, PE, LSIT
Banner Associates, Inc.

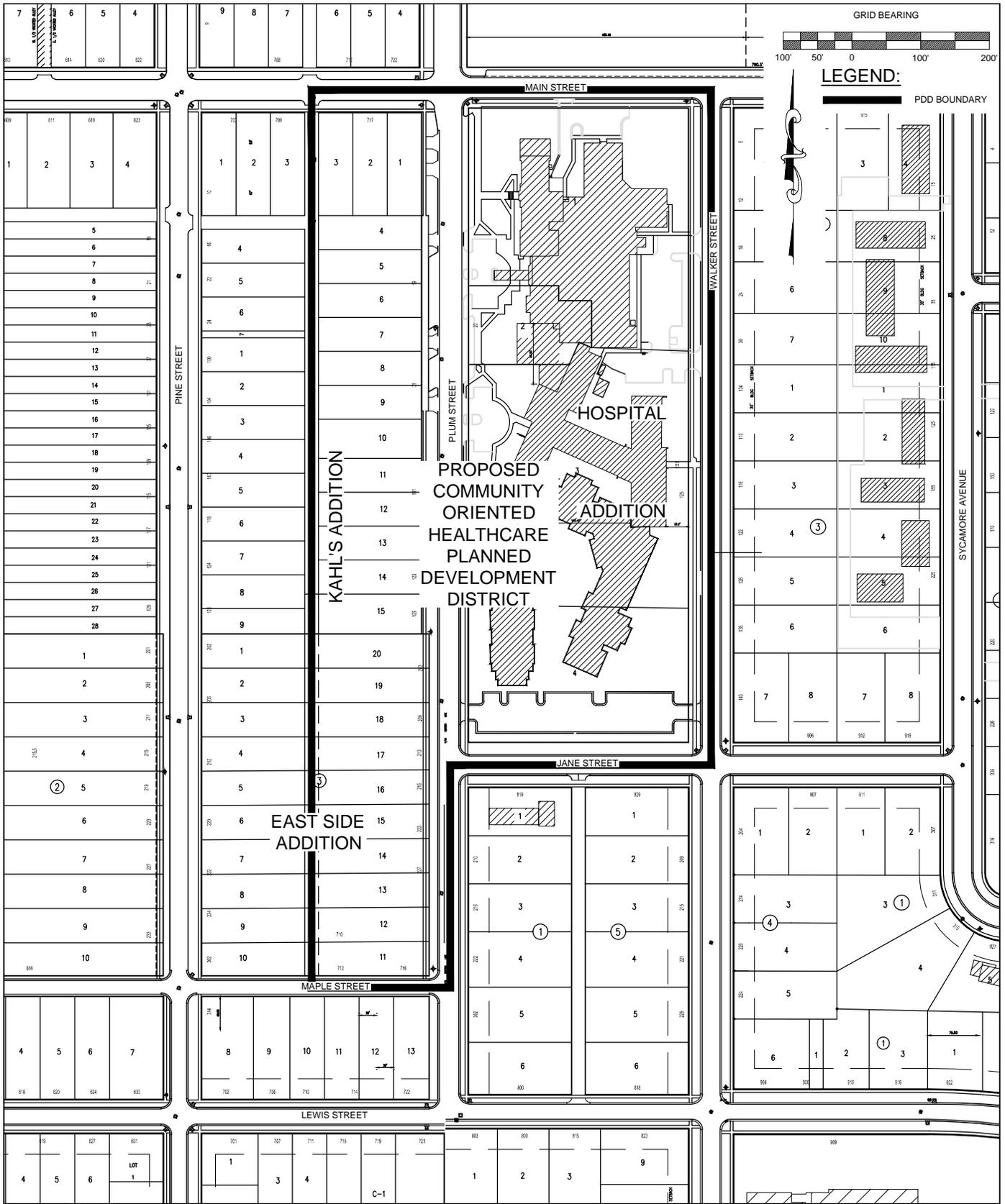
Mr. Bob Iverson
August 7, 2014
Page 2 of 2



Encl.

cc: Andrew Colvin (email)

Timothy Tracy (email)



BANNER ASSOCIATES

14 W. Main St. Suite A
 Vermillion, South Dakota 57069
 1-855-323-6342
 www.bannerassociates.com

PROJECT TITLE :

PROPOSED COMMUNITY ORIENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT

PROJECT LOCATION :

VERMILLION,
 SOUTH DAKOTA

SHEET TITLE :

OVERALL SITE LAYOUT

DRAWN BY: NGE
 DESIGNED BY: RSU
 CHECKED BY: RSU
 JOB NO : 21952.00.01
 DATE : AUGUST, 2014

SCALE REDUCTION BAR

SHEET NO. :

1

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	§§ <u>155.070</u> , <u>155.072</u> , <u>155.073</u> , <u>155.077</u>
Office	§§ <u>155.070</u> , <u>155.072</u> , <u>155.073</u> , <u>155.077</u>
Assisted living facility	§§ <u>155.070</u> , <u>155.072</u> , <u>155.077</u> Applicant must provide copy of South Dakota Department of Health license. All multiple dwelling standards apply.

Nursing Home	§§ <u>155.070</u> , <u>155.072</u> , <u>155.077</u> Applicant must provide copy of South Dakota Department of Health license.
Accessory use (such as, garage, shed)	§§ <u>155.071</u> , <u>155.082</u> (A) (see definition)
Group Home	Structure must be a single housekeeping unit. Applicant must provide a copy of state agency license. §§ <u>155.070</u> , <u>155.072</u> , <u>155.076</u> , <u>155.077</u>
Drug store	§§ <u>155.070</u> , <u>155.072</u> , <u>155.073</u> , <u>155.077</u>
Medical and dental clinics	§§ <u>155.070</u> , <u>155.072</u> , <u>155.073</u> , <u>155.077</u>
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. §§ <u>155.070</u> , <u>155.072</u> , <u>155.073</u> , <u>155.077</u>
Fences	§ <u>155.074</u>
Off-premise parking lots	§ <u>155.070</u> , <u>155.072</u> , <u>155.077</u>

(C) *Conditional uses.*

Dwellings	Dwellings shall be limited to the basement of any permitted primary uses within the district. §§ <u>155.070</u> , <u>155.072</u> , <u>155.073</u> , <u>155.077</u> , <u>155.095</u>
-----------	--

(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	§ <u>155.072</u>	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 (§ <u>155.082</u>) 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

First Reading: September 2, 2014
Second Reading: September 15, 2014
Publication: September 19, 2014
Effective Date: October 9, 2014

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: September 2, 2014
Subject: First Reading of Ordinance No. 1318- 2015 Appropriations
Presenter: John Prescott, City Manager

Background: SDCL 9-21-2 addresses the need for the City Council to adopt an annual budget:

The governing body of each municipality shall, no later than its first regular meeting in September of each year or within ten days thereafter, introduce the annual appropriation ordinance for the ensuing fiscal year, in which it shall appropriate the sums of money necessary to meet all lawful expenses and liabilities of the municipality. The ordinance shall specify the function and subfunction as prescribed by the Department of Legislative Audit for which the appropriations are made and the amount appropriated for each function and subfunction, which amount shall be appropriated from the proper fund. It is not necessary to appropriate revenue to be expended from an enterprise or trust and agency fund if the fund is not supported or subsidized by revenue derived from the annual appropriated tax levy. However, an annual budget for these funds shall be developed and published no later than December thirty-first of each year.

Discussion: The City Manager prepared and presented a budget to the City Council at the August 4 meeting. The City Council reviewed the proposed budget during special meetings held on August 11 and 14, 2014. The City Council's revisions from the budget meetings have been incorporated into the appropriation ordinance. City Council revisions increased the appropriation from reserve to the general fund from \$232,220 to \$239,797 in 2015.

During the budget meetings and the August 4 meeting, funding for Prentis Park improvements was discussed. The issuance of General Obligation bonds which would net \$3 million for construction has been sent to the November 4, 2014 general election ballot. The proposed 2015 budget does not include funding for the Prentis Park improvements as the election has not taken place. The 2015 budget will need to be revised to account for the project if the issuance of the bonds is approved and based on the project costs anticipated to be completed in 2015. Some of the work will stretch into 2016.

The budget continues to work toward achieving community goals or recommendations from the CHLab Talent Attraction Strategy and Workforce Housing Solutions study. The 2015 budget provides funding for the debt service on the Bliss Pointe housing

development infrastructure to help grow housing opportunities in the community. Funding to improve the hike/bike trail along the Vermillion River, which experienced damage shortly after completion, is also included. Funding to help assist with a project that would bring public art sculptures in the fall of 2015 is a new item with this budget. The W. Main Street mill and asphalt overlay project is one of the larger, more visible projects that will take place in 2015. The budget includes the continuation of increased street maintenance funding, library materials, the first year of funding for the Vermillion Now 2! pledge as well as a number of other smaller items which also contribute to the quality of life issues that the study referenced.

Financial Consideration: The City Council must adopt an ordinance to provide for 2015 operations. Placing the 2015 Appropriations Ordinance on the first reading will comply with State law and is another step in providing for the 2015 operations.

Conclusion/Recommendations: Administration recommends approval of the first reading of the 2015 Appropriations Ordinance No. 1318.

PROPOSED 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

Public Safety & Security:

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

Maintenance & Transportation:

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

Human Development & Leisure Services:

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	<u><u>0</u></u>

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	<u><u>0</u></u>

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees	203,550
Expenditures:	15,000
Appropriation to Reserve	(188,550)
STORMWATER FEE FUND BALANCE	<u><u>0</u></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><u>0</u></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><u>0</u></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><u>0</u></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><u>0</u></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 Fund	Copier - Fax- Postage Fund	Custodial Fund	Equipment Replacement Fund
<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 Fund	Water Fund	Wastewater Fund	Joint Powers Fund	Liquor Fund	Golf Course Fund	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 Surchar	575,663	235,669	291,013				
Total Expenditures	<u>5,878,107</u>	<u>1,764,358</u>	<u>1,793,490</u>	<u>1,985,033</u>	<u>1,075,839</u>	<u>791,748</u>	<u>156,418</u>
Transfers Out	(884,950)	(38,583)	(28,679)		(194,200)		
Transfers In	9,000						
(To) From Reserve	134,207	18,454	(22,871)	690,033	13,539	3,623	43,068
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

First Reading: September 2, 2014

Second Reading: September 15, 2014

Publish: September 26, 2014

Effective: October 16, 2014

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: September 2, 2014
Subject: First Reading of Ordinance No. 1319 – 2014 Revised Appropriations
Presenter: John Prescott, City Manager

Background: In order for the City Council to make changes to the 2014 budget, adopted in September 2013, a revised or supplemental appropriations ordinance is required. The proposed changes were presented to the City Council during the budget meetings on August 11 and 14, 2014.

Discussion: The revised appropriations ordinance includes changes and adjustments made to the 2014 budget based upon actual financial information obtained thus far in 2014. Revenues and expenses are different in some instances versus what was anticipated last September. A project such as the French East Addition was anticipated to be completed in 2013 but has stretched into 2014. More of the construction costs related to the new water tower occurred in 2014 versus what was anticipated to happen in September 2013. One of the biggest changes for the General Fund is the funding from the Library Foundation for fixtures and equipment that was included in the capital project in 2013.

In some cases, projects arose after the 2014 budget was adopted. In September 2013, French East Addition, the Bliss Pointe project, repairs to the hike/bike path, West Main Street Mill & Overlay project, and adjustments to the Joint Powers Landfill due to the effects of the fire, were not anticipated with respect to expenditure timing or included in the budget.

Financial Consideration: For the revisions to become effective, the City Council will need to adopt the revised appropriations ordinance.

Conclusion/Recommendations: Administration recommends that the City Council approve the first reading of the 2014 Revised Appropriations Ordinance No. 1319.

PROPOSED 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
<u>EXPENDITURES:</u>		
<u>Policy & Administration:</u>		
General Government	549,673	
Finance Office	177,270	
Engineering	295,797	
Planning and Zoning	800	
Code Compliance	199,328	
Community Promotion	<u>128,800</u>	
Total Policy & Administration		1,351,668
<u>Public Safety & Security:</u>		
Police Administration & Invest.	446,548	
Police Patrol	1,238,291	
Fire & Rescue	229,363	
Emergency Management	3,300	
Ambulance	<u>302,200</u>	
Total Public Safety & Security		2,219,702
<u>Maintenance & Transportation:</u>		
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	<u>124,423</u>	
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		<u>1,266,369</u>
TOTAL GENERAL FUND EXPENDITURES		<u>6,148,411</u>

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><u>0</u></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><u>0</u></u>

PARKS IMPROVEMENT FUND

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

BBB SALES TAX FUND

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

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	<u>0</u>

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	<u>0</u>

STREETSCAPE FUND

Expenditures	364
Appropriation from Reserve	364
STREETSCAPE FUND BALANCE	<u>0</u>

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	<u>0</u>

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	<u>0</u>

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	40,200
WEST MAIN MILL & OVERLAY FUND BALANCE	0

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment Fund	Copier - Fax- Postage Fund	Custodial Fund	Equipment Replacement Fund
<u>Revenues</u>				
Internal Dept Charges		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 Fund	Water Fund	Wastewater Fund	Joint Powers Fund	Liquor Fund	Golf Course Fund	Curbside Recycling Fund
<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	156,850	6,391	4,862	6,000	500	4,000	50
Bond Proceeds		415,000		1,221,590			
Grants		33,000		467,850			
Total Revenues	6,423,850	2,200,516	1,810,697	2,901,590	1,207,500	768,200	112,150
<u>Expenditures</u>							
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		180,230	255,924	188,013			8,408
Surcharge Debt Serv	575,050	235,669	291,013				
Total 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	9,000						
(To) From Reserve	906,129	264,342	288,322	2,389,161	23,616	19,545	1,450
Fund Balance	0	0	0	0	0	0	0

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

First Reading: September 2, 2014
Second Reading: September 15, 2014
Publish: September 26, 2014
Effective: October 16, 2014

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: September 2, 2014
Subject: Firework Public Display Permit, Vermillion High School Homecoming
Presenter: Mike Carlson

Background: The Vermillion School District is requesting City Council approval for a fireworks display to be held during Tanager Week (homecoming), in the practice field south of the High School, after the coronation on September 18, 2014. Tom and James Taylor will be conducting a 10-15 minute show, which will be between 8:00 and 9:00 p.m.

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

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

A letter from High School Principal, Curt Cameron, requesting the permit is attached.

Chief Draper met with Mr. Taylor to review the site. The City Manager will contact local veteran groups to make them aware of the display time and date.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends the City Council authorize the Mayor to sign the Fireworks Public Display permit submitted by Vermillion Public Schools for the field south of the Vermillion High School on September 18, 2014 between 8:00 and 9:00 p.m.

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

Name of Applicant Vermillion High School Phone 605-670-1253

Address 1001 East Main St. City Vermillion State SD Zip 57069

PERSONS ACTUALLY IN CHARGE OF FIRING THE DISPLAY:

Name James Taylor Address 25 Prentis Ave City Vermillion State SD Zip 57069

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

Date of Display 9/18/14 Time of Day Between 8:00-9:00

Exact Location of Display In field to the south of the Vermillion High School, north of Lewis St. and east of Catalina St.

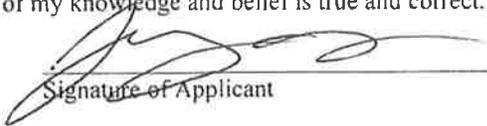
TYPES OF FIREWORKS: U.S. Consumer Product Safety Commission CFR Title 16-1507-1998
American Pyrotechnics Association STD 87-1-1993

Display Fireworks

Consumer Fireworks

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

Date this 26 day of August, 2014


Signature of Applicant

Subscribed and sworn to (or affirmed)

Before me this 26 day of
August, 2014


Notary Public

My Commission Expires 7-5, 2017

Permit Authorized By: _____

Title _____

Location of Issuing Authority _____

Date _____

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

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



Fireworks Display Site Plan

Vermillion Fire Department
25 Center ST Vermillion, SD 57069
(605) 677-9637

Site Plan

Please provide information about your event on page 1, sketch the site on page 2 and fax back to us. Page 4 includes an example of a completed site sketch and firing distance specifications from the NFPA. Page 3 is a checklist you may refer to when planning your event.

ABOUT YOU

Name (first, last) James Taylor
Street address 25 Prentis Ave City Vermillion State SD Zip 57069
Primary phone 605-670-1253 Mobile _____ Email address jtaylor@spyr@dynamidco.net

EVENT INFO

Display date 9/18/14 Rain date 9 Display time (am/pm) around 8-9 Length of display 10-15 min
Exact location of display (for example, park, ball field, office complex, etc) In field south of VHS and North of Lewis St.

Fire official Shannon Draper, Fire Chief Phone: (605) 675-9637

Place to meet on date of display _____ Meeting time _____

INSURANCE

Name of insurance certificate holder 1 VHS
Additional insured (list all additional) 2 Vermillion Fire Department
3 _____
4 _____

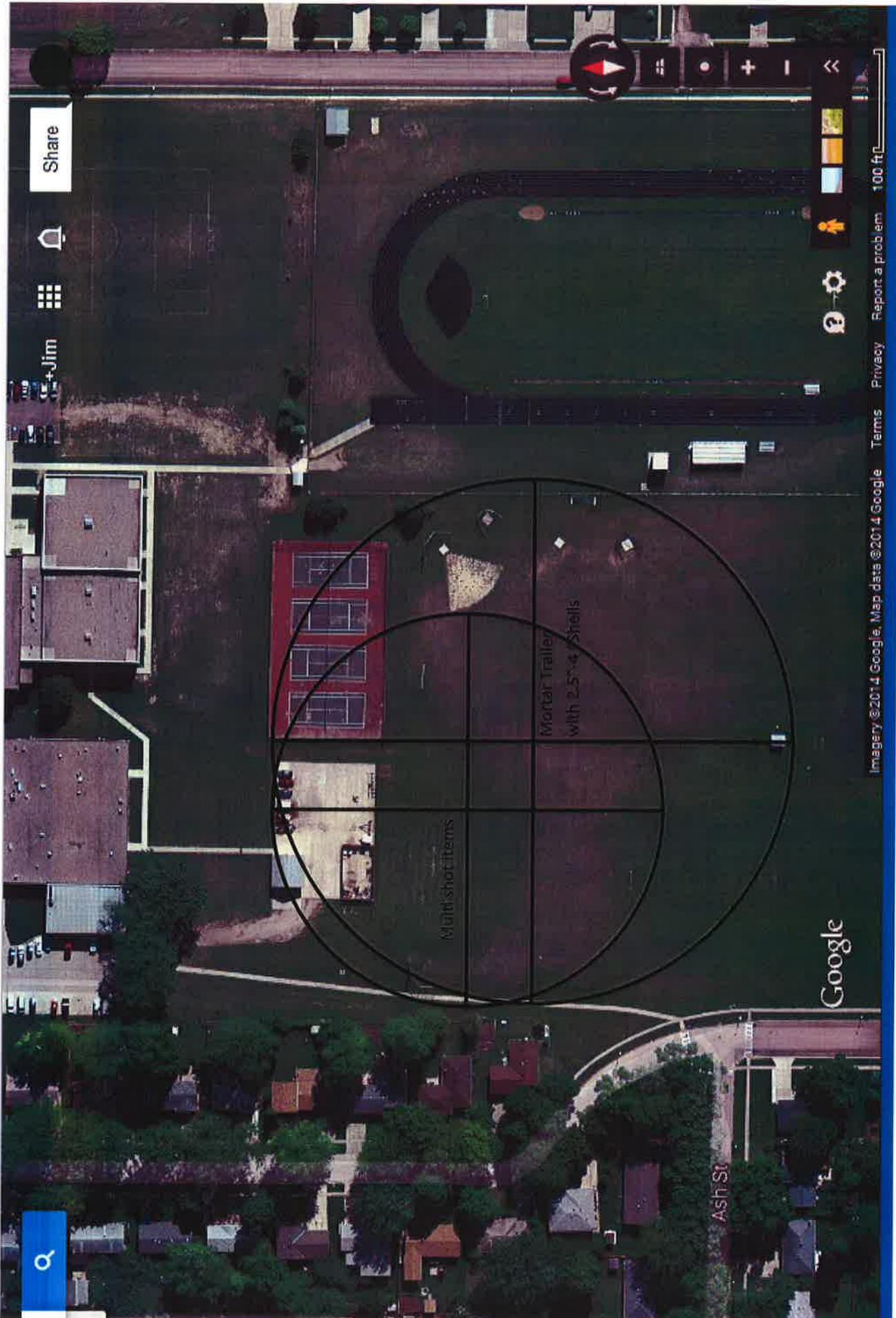
CONTACT INFO FOR DAY OF SHOW

Primary contact James Taylor Home phone 605-670-1253 Work phone _____
Mobile _____ Email jtaylor@spyr@dynamidco.net
Pager _____

Secondary contact Thomas Taylor Home phone 605-670-0757 Work phone _____
Mobile _____ Email _____
Pager _____

Signature of Approving Fire Official: _____

 _____ (Application)
_____ (Site Visit)



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Ash St

Munition items

Mortar Trailer with 2.5" & 4" Shells

Munition items



VERMILLION SCHOOL DISTRICT NO. 13-1

"To Empower All Students To Maximize Their Success In Our Global Community"

Vermillion High School

Curt Cameron, Principal

Jason Huska, Dean of Students

1001 East Main Street • Vermillion, SD 57069

Phone: 605-677-7035

Fax: 605-677-7042

www.vermillion.k12.sd.us

To: Vermillion City Council

Re: Fireworks after Homecoming Coronation

Dear City Council,

The Vermillion High School Administration is asking your permission to have Tom Taylor discharge fireworks on the practice field east of Vermillion High School after Coronation September 18, 2014. The fireworks display will take place at approximately 8:30 p.m.

Thank you for your consideration,

Curt Cameron

Principal

Vermillion High School

1001 East Main

Council Agenda Memo

From: John Prescott, City Manager
Meeting: September 2, 2014
Subject: Resolution Extending the Cable Franchise Agreement
Presenter: John Prescott

Background: In September 1999, the City Council adopted Ordinance 1078. This ordinance provided for a 15-year nonexclusive franchise agreement for cable television services. The original franchise agreement was signed with Zylstra Communications Corporation but has been transferred several times since 1999 and is currently held by Midcontinent Communications.

Discussion: Section 10 of the ordinance addresses the term of the franchise agreement. The term is for fifteen years commencing on the effective date of the ordinance. Section 10.2 provides for two (2) additional twelve-month (12) periods by the Manager with the approval of the Municipality notifying the Company of the same in writing.

The City and Midcontinent Communications have exchanged several emails and had one conference call to discuss a new cable franchise agreement. Meetings to discuss specific terms or concurrence on the language of a new agreement still need to be completed. A review by the Utilities Committee would also be appropriate once draft language specific to the Vermillion franchise is available.

The attached resolution provides for the extension of the franchise agreement for twelve months. Nothing in the resolution would preclude the City Council from adopting a new franchise agreement before the expiration of the twelve months, if agreement is reached.

Financial Consideration: None at this time.

Conclusion/Recommendations: Administration recommends the adoption of the resolution that extends the franchise agreement.

**A RESOLUTION AMENDING ORDINANCE 1078 CABLE COMMUNICATIONS
FRANCHISE ORDINANCE**

WHEREAS, Midcontinent Communications (“Company”) holds a cable communications franchise (“Franchise”) agreement for the construction and operation of a cable communications system within the City of Vermillion, South Dakota (“Grantor”); and

WHEREAS, the City of Vermillion and Company have had preliminary discussions on a new franchise renewal but not extensive discussions that would result in a new franchise agreement to present to the City Council for consideration; and

WHEREAS, Section 10.2 of Ordinance 1078 provides for two (2) twelve-month extensions by the Manager with the approval of the Municipality notifying the Company of the same in writing.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, that the term of the Franchise is hereby amended to expire twelve months after the current expiration of Ordinance 1078 that was approved by the City Council on September 20, 1999, unless the City opts to utilize a second twelve month extension or Grantor and Company have executed and adopted a new cable communications Franchise agreement prior to that date, in which case the Franchise agreement shall expire and terminate concurrently with the effective date of said new Franchise agreement.

BE IT FURTHER RESOLVED, by the Governing Body of the City of Vermillion, South Dakota except as expressly modified herein, all other terms and conditions of the Franchise shall remain in full force and effect.

Dated at Vermillion, South Dakota this 2nd day of September, 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: September 2, 2014

Subject: Request Fixing the Time and Place for a Hearing and Notice of Hearing to Levy Special Assessments for Nuisance Abatement

Presenter: Mike Carlson

Background: As part of the nuisance abatement process, the City incurred costs for grass and weed tagging, hiring contractors to mow or remove the snow, removing debris, and removing dangerous buildings. The following state statute provided for the special assessment of these costs:

21-10-6. Abatement of nuisance--Notice required--Taxing cost of abatement--Civil action. A public nuisance may be abated without civil action by any public body or officer as authorized by law. Any municipality, county, or township may defray the cost of abating a public nuisance by taxing the cost thereof by special assessment against the real property on which the nuisance occurred. If the nuisance abated is an unsafe or dilapidated building, junk, trash, debris, or similar nuisance arising from the condition of the property, the municipality, county, or township may commence a civil action against the owner of the real property for its costs of abatement in lieu of taxing the cost by special assessment.

Any private person may also abate a public nuisance which is specially injurious to such person or any private nuisance injurious to such person by removing or if necessary destroying that which constitutes the nuisance without committing a breach of the peace or doing unnecessary injury. If a private nuisance results from a mere omission of the wrongdoer, and cannot be abated without entering upon the wrongdoer's land, reasonable notice shall be given to the wrongdoer before entering to abate it.

Discussion: The special assessment process provides that the Governing Body: (1) set a public hearing; and (2) notify the property owners of the hearing by both sending notice and publishing the notice of the hearing. The notice calls for the public hearing to be held on October 6, 2014. Following the public hearing, the City Council will adopt a resolution approving the special assessment roll with any added adjustments in the amounts.

Financial Consideration: The cost will be postage and the publication of the notice.

Conclusion/Recommendations: Administration recommends the adoption of the resolution that sets the public hearing date for October 6, 2014.

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING
ON THE SPECIAL ASSESSMENT ROLL
FOR NUISANCE ABATEMENT
IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota on the 3rd day of September, 2014 for the abatement of public nuisance to be levied against the property abutting upon:

NUISANCE ABATEMENT

On various properties as follows:

<u>Property</u>	<u>Location</u>	<u>Legal</u>	<u>Corrective Action</u>	<u>Amount</u>
809 N Norbeck		Lot G-2 Exc W 110.9 of S 198.91 SW 1/4 SE 1/4	grass tagging & mowing 8/27/13	79.50
		NE 1/4 & SE 1/4 SE 1/4 NE 1/4 & Exc	debris removal 9/2/13	349.80
		Lot 1 18-92-51 Misc Entires		
15 Linden	S 18" of Lots 1 & 2 & N 32' of Lot 3 Blk 1 Cottage Place		grass tagging & mowing 5/29/13	79.50
			grass tagging & mowing 7/16/13	121.90
			grass tagging 6/17/13	31.80
			grass tagging & mowing 8/27/13	143.10
			snow tagging & removal 12/8/13	95.40
813 W Cedar	E75' of S150' of outlot V-1 in SE1/4 14-92-52 & SW 1/4 of 13-92-52 Torstensions unplatted		grass tagging & mowing 5/16/14	74.20
			grass tagging 6/5/14	31.80
			grass tagging 7/25/14	53.00
10 S University	Lot 4, East End Addn		grass tagging 5/23/13	10.60
			grass tagging & mowing 6/18/13	100.70
			snow tagging & removal 12/8/13	106.00
				217.30
21 E Bloomingdale	Comm 80' E of NW corner Lot S to 80' E of SW corner of Lot 3 thence E 44' N to N line of Lot 1 Blk 13 Original Town		debris removal 9/24/13	116.60
			snow tagging & removal 12/8/13	63.60
324 Lewis	S 103' 7.5" of Lots 1 & 2 Blk 81 East Vermillion		snow tagging & removal 12/8/13	63.60
119 Franklin	Lot 12 Blk 41 Snyders		grass tagging & mowing 7/23/13	121.90

		grass tagging & mowing 9/24/13	121.90
		snow tagging & removal 12/8/13	127.20
		Abatement dangerous structure	13,696.98
		grass tagging & mowing 7/2/14	74.20
		grass tagging & mowing 7/25/14	95.40
420 Franklin	S 50' of E 106.25' Lot 2 Blk 83 Addn to Snyders Addn	grass tagging & mowing 5/16/14	74.20
601 Lewis	Lot 1 Replat of Aud Tract A S 1/2 Lot 2 NW 1/4 19-92-51 Aud tract A 19-92-51	grass tagging & mowing 5/23/13	31.80
		grass tagging & mowing 6/21/13	53.00
		grass tagging & mowing 7/2/14	111.30
25 S Yale	Lot 16 Blk 76 Smiths Addn	grass tagging & mowing 7/19/13	10.60
		debris removal 1/14/14	143.10
716 Maple	E 77.7' of 11,12 & E77.7' of S 1/2 of Lot 13 Blk 3 Eastside	grass tagging & mowing 5/29/13	100.70
		grass tagging & mowing 6/25/13	100.70
		grass tagging & mowing 7/30/13	121.90
		grass tagging & mowing 8/27/13	143.10
		grass tagging & mowing 5/16/14	74.20
		grass tagging & mowing 6/13/14	31.80
714 W Clark	E 37' of Lot 10 & W 16' of Lot 11 Blk 4 Holiday Village Addn	grass tagging & mowing 6/21/13	10.60
		grass tagging & mowing 7/16/13	121.90
		grass tagging & mowing 8/27/13	132.50
		grass tagging & mowing 9/24/13	137.80
		grass tagging & mowing 6/13/14	74.20
316 Prentis	Lot 2 Blk 3 Replat of Blessing Addn	grass tagging & mowing 5/23/13	10.60
		debris removal 7/22/13	106.00

in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property for the corrective action.

WHEREAS, said assessment roll now on file in the office of the City Finance Officer of the City of Vermillion, South Dakota, is open for public inspection and is referred to for further particulars.

WHEREAS, said assessment roll shows:

1. The name of the owner(s) of each lot to be assessed as shown by the assessment rolls of the Director of Equalization;
2. A description by lot, block, and addition, or by metes and bounds of each parcel of land to be assessed, recognizing divisions by deed of platted lots, and obtaining the legal description of land as of the date of the adoption of the Resolution of Necessity for such improvement;
3. The amount assessed against each lot;
4. The number of installments, the rate of interest deferred installments shall bear, and the whole of such assessment or any installment thereof may be paid at any time, and that all installments paid prior to the respective due dates shall be deemed paid in inverse order of their due date;
5. Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, IT IS RESOLVED, the 6th day of October, 2014, at the hour of 7:00 p.m. in the City Hall Council Chambers 25 Center Street in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of the said City of Vermillion, South Dakota should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the nuisance abatement.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota shall be and is hereby authorized and directed to cause this Resolution and Notice to be published in the official newspaper in the City of Vermillion, South Dakota, one week prior to the date set for such hearing.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota shall mail a copy of this Resolution and Notice, by first-class mail with postage thereon fully prepaid, addressed to the owner(s) of any property to be assessed for such nuisance abatement at their address as shown by the records of the Director of Equalization. Such mailing shall be done at least one (1) week prior to the date set for said hearing.

Dated at Vermillion, South Dakota, this 2nd 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
(SEAL)

Publish: September 12, 2014

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: September 2, 2014

Subject: Right-of-Way and Utilities Certification Forms for the West Main Street Mill and Overlay Project from High Street to Stanford Streets

Presenter: Jose Dominguez

Background: Currently, West Main Street from High Street to Stanford Street is scheduled to be milled and overlaid during the 2015 construction season. Along with removing, and replacing, a couple of inches from the existing asphalt pavement this project will also bring up to current ADA standards all of the crossings along the project.

Discussion: We do not foresee the need to acquire additional easements, or right-of-way, for the project to be completed. All of the proposed construction will occur within the existing right-of-way. However, the DOT is requiring that the City certify that the affected utilities have been contacted and notified of the project. Additionally, any items that would need to be relocated would need to be relocated without any Federal or State financial assistance. Currently, we do not have any utilities that need to be relocated due to the project.

Financial Consideration: There is no additional cost, besides postage, associated with these forms.

Conclusion/Recommendations: Administration recommends signing the Right-of-Way and Utilities Certification Forms.

RIGHT-OF-WAY CERTIFICATE

TO: Urban Systems Engineer, Local Government Assistance
South Dakota Department of Transportation
700 Broadway Avenue East
Pierre, South Dakota 57501-2586

RE: Project No. P 5708(05), PCN 04AF in Vermillion.

This is to certify that the City Council of Vermillion (City), South Dakota has determined no right of way or temporary easements are required for the construction of Project Number P 5708(05), PCN 04AF in Vermillion (City). All construction activities will take place within the existing right-of-way and will be accomplished in accordance with State and Federal directives.

DATED THIS 2nd DAY OF September, 2014.

CITY COUNCIL

OF _____(CITY)

ATTEST: _____
FINANCE OFFICER
(SEAL)

BY: _____
MAYOR

APPROVED BY: _____
Admin Program Manager Date

TO: Local Government Assistance
South Dakota Department of Transportation
700 Broadway Avenue East
Pierre, South Dakota 57501-2586

RE: UTILITIES CERTIFICATE

PROJECT NUMBER P 5708(05) PCN 04AF

This is to certify that the City Council of the City of Vermillion, South Dakota, will move and/or adjust or will cause to be moved, and/or adjusted, any and all utilities, whether publicly or privately owned, lying in the path of or conflicting with the construction of said project within the limits of said county.

1. The moves and/or adjustments will be accomplished at no cost to the State of South Dakota; and without Federal participation; and will be coordinated with the construction of said project. The following utilities have been contacted and are aware of the project:

<u>Utility Company</u>	<u>Date Contacted</u>
<u>City - Water</u>	<u>2012</u>
<u>City - Sanitary Sewer</u>	<u>2012</u>
<u>City - Electric</u>	<u>2012</u>

2. The utilities referred to in this certificate do not include railroads or railroad owned facilities.
3. All other utilities not included in this certificate are listed below:

telephone, fiber, gas

We also certify that all physical features (fences, signs, posts, etc.) to be removed under utilities negotiations have been moved or will be moved by the date of the letting or that an agreement has been negotiated with the owner involved.

DATED THIS 2nd DAY OF September, 2014.

ATTEST:

CITY OF _____

FINANCE OFFICER
(SEAL)

BY: _____
MAYOR

Approved by: _____
Admin. Program Manager Date

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: September 2, 2014

Subject: Letting Authorization for the West Main Street Mill and Overlay Project from High Street to Stanford Streets

Presenter: Jose Dominguez

Background: Currently, West Main Street from High Street to Stanford Street is scheduled to be milled and overlaid during the 2015 construction season. Along with removing and replacing a couple of inches from the existing asphalt pavement this project will also bring up to current ADA standards all of the crossings along the project.

Discussion: The document that the DOT is requesting the City Council to approve will allow them to bid, review and award the bid without the City's review. This process was followed during the Stanford Street and for the Shared Used path being constructed along Stanford Street between W. Cherry Street and Highway 50 at this time.

Financial Consideration: There is no additional cost, besides postage, associated with these forms. The DOT is estimating that the cost of the mill and overlay will be around \$441,690.23. When you include the engineering fees, the construction administration fees, and the non-participating costs the total project cost would be closer to \$536,000. However, it should be noted that the City has already paid for all of the engineering fees associated with the design of the project. This cost would be split between the STP funds and City funds. The STP funds would cover up to \$300,000 while the rest would be from City funds. At this point we have budgeted \$140,000 of City funds to cover project costs. Once the project is awarded we will have to revise the City's budget to provide for any additional expenses if it becomes necessary.

Conclusion/Recommendations: Administration recommends signing the form authorizing the DOT to let the project.

TO: Local Government Assistance
South Dakota Department of Transportation
700 Broadway Avenue East
Pierre, South Dakota 57501-2586

RE: LETTING AUTHORIZATION FOR PROJECT NO. P 5708(05), PCN 04AF
IN VERMILLION CITY

This acknowledges that the South Dakota Department of Transportation, Office of Local Government Assistance, estimates the following costs for the noted project:

Preliminary Engineering	\$	45,540.91
Utilities Relocations	\$	-0-
ROW Acquisitions	\$	-0-
Construction (LOW BID)	\$	441,690.23
Non-participating Costs	\$	4,507.63
Construction Engineering	\$	44,000.00
Estimated Total Project Cost	\$	<u>535,738.77</u>

The cost of the project will be covered by 81.95% Federal participation and 18.05% in State matching funds up to a maximum of \$300,000. Any costs above that amount as well as any non-participating costs will be paid for by the City and are payable upon billing by the State.

The South Dakota Department of Transportation is hereby authorized and requested to advertise the project for bids.

The Transportation Commission, under their authority, will review the bids. Approved bids shall be awarded solely by the Transportation Commission.

DATED THIS 2nd DAY OF September, 201 4.

CITY COUNCIL

OF _____ (CITY)

BY: _____
MAYOR

ATTEST: _____
CITY FINANCE OFFICER
(SEAL)

Council Agenda Memo

From: Matt Betzen, Police Chief

Meeting: September 2, 2014

Subject: Surplus and Transfer of Expired Less-Lethal Munitions

Presenter: Matt Betzen

Background: The Police Department has in storage a number of less-lethal munitions that have expired and can only be used for training purposes. The department no longer trains or maintains these munitions as we do not possess an adequate storage facility for them and the expense outweighs any potential benefits to having these munitions readily available.

Discussion: As we no longer have a need for these munitions, the request is to have the City Council declare them surplus but we would like to see them donated to another law enforcement agency. State statute allows one government agency to transfer property to another agency as follows:

6-5-1. Transfers of land or property between political subdivisions permitted--Work exchanges--Agreements of governing bodies. All counties, municipalities, sanitary districts, improvement districts, townships, and school districts of this state may exchange with each other and to transfer and convey from one to the other any land or property belonging to them and under their respective jurisdictions and to perform and exchange work between themselves. All transfers of property and work as authorized by this section shall be upon such terms and conditions as may be determined and agreed upon by the respective governing bodies thereof.

The Yankton Police Department maintains a tactical team that will respond to events in Vermillion and has done so in the past. They can use these munitions to train. The disposal cost of these munitions is unknown but expected to be substantial as they would be considered hazardous materials. The items to be transferred are:

- 10x Defense Technology CM Stinger Rubber Ball OC devices.
- 10x Defense Technology SAF Smoke canisters
- 39x Defense Technology CS (Tear Gas) canisters
- 20x (Approximate) 12ga Less than Lethal impact munitions

Financial Consideration: The items do not have value in the legal market place due to the passage of expiration dates.

Conclusion/Recommendations: Administration recommends the City Council declare the above listed munitions surplus and authorize the transfer to the City of Yankton Police Department.

**RESOLUTION
AUTHORIZING THE TRANSFER OF PROPERTY
TO THE CITY OF YANKTON POLICE DEPARTMENT**

WHEREAS, SDCL 6-5 authorizes political subdivisions to exchange and transfer property to one another; and

WHEREAS, the City of Vermillion Police Department has determined that certain expired munitions are no longer suitable for the purpose for which they were acquired; and

WHEREAS, the cost for the City of Vermillion to dispose of the munitions would be substantial; and

WHEREAS, the City of Yankton Police Department would like to acquire the expired munitions; and

WHEREAS, the City of Yankton Police Department provides assistance and support to the City of Vermillion Police Department when necessary; and

WHEREAS, the City of Vermillion Police Department and City of Yankton Police Department have a good working relationship and have shared both resources and manpower; and

WHEREAS, SDCL 6-5-2 allows for the City of Vermillion to transfer property that is no longer needed for public use to another political subdivision.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to transfer the following property to the City of Yankton Police Department at no cost:

- § 10x Defense Technology CM Stinger Rubber Ball OC devices.
- § 10x Defense Technology SAF Smoke canisters
- § 39x Defense Technology CS (Tear Gas) canisters
- § 20x (Approximate) 12ga Less than Lethal impact munitions

Dated at Vermillion, South Dakota this 2nd 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

CITY OF VERMILLION
 INVOICES PAYABLE-SEPTEMBER 2, 2014

1 UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	26.00
2 A & A REFRIGERATION	REPAIRS	517.33
3 ABB INC.	SUBSTATION BREAKERS	98,800.00
4 ACE REFRIGERATION CO	REPAIRS	47.00
5 ALLIED INSURANCE	NOTARY BOND	100.00
6 APPEARA	SUPPLIES	176.99
7 AQUA-PURE INC	CHEMICALS	8,548.40
8 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	342.57
9 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	48.00
10 AVERA QUEEN OF PEACE HEALTH	TESTING	214.80
11 BAKER & TAYLOR BOOKS	BOOKS	764.02
12 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	18,404.49
13 BARKLEY ASPHALT	ASPHALT	1,288.97
14 BIERSCHBACH EQPT & SUPPLY	PARTS	617.50
15 BLAINE'S BODY SHOP	REPAIRS	2,202.45
16 BOMGAARS	SUPPLIES	17.37
17 BORDER STATES ELEC SUPPLY	SUPPLIES	3,001.67
18 BOUND TREE MEDICAL, LLC	SUPPLIES	955.27
19 BROADCASTER PRESS	ADVERTISING	119.00
20 BROWN TRAFFIC PRODUCTS	SUPPLIES	77.25
21 BRUNICKS SERVICE INC	PROPANE	160.00
22 BURNS & MCDONNELL	PROFESSIONAL SERVICES	5,000.00
23 BUTLER MACHINERY CO.	PARTS	866.38
24 CALLAWAY GOLF	MERCHANDISE	483.42
25 CAM COMMERCE	SOFTWARE MAINTENANCE	1,761.23
26 CAMPBELL SUPPLY	SUPPLIES	1,678.85
27 CANNON TECHNOLOGIES, INC	SOFTWARE INTERFACE/SUPPORT	9,821.34
28 CASK & CORK	MERCHANDISE	801.77
29 CENTURY BUSINESS LEASING	COPIER LEASE	138.25
30 CENTURLINK	TELEPHONE	744.18
31 CHEMCO, INC	SUPPLIES	59.29
32 CHESTERMAN CO	MERCHANDISE	1,260.42
33 CITY OF SIOUX FALLS	WATER TESTING	101.50
34 CITY OF VERMILLION	POSTAGE/COPIES	1,355.44
35 CITY OF VERMILLION	UTILITY BILLS	44,096.00
36 CIVIL AIR PATROL MAGAZINE	SUBSCRIPTION	145.00
37 CLAY COUNTY EMS ASSOCIATION	CPR TRAINING	390.00
38 COFFEE KING, INC	SUPPLIES	125.50
39 COLLINS BROTHERS, INC	MERCHANDISE	937.97
40 COLONIAL LIFE ACC INS.	INSURANCE	3,347.65
41 CONCRETE MATERIALS	CONCRETE	919.15
42 CONTINENTAL RESEARCH CORP	SUPPLIES	509.55
43 CORINSURANCE	INS FIRE PORTABLE EQUIPMENT	1,191.00

44 COYOTE CHEMICAL COMPANY	PARTS	823.00
45 COYOTE CONVENIENCE	FUEL	16.79
46 CREDIT COLLECTIONS BUREAU	COMMISSION	231.73
47 CROSSROADS HOTEL & CONVENTION	LODGING	157.98
48 CULLIGAN WATER	BOTTLED WATER	115.00
49 D-P TOOLS	SUPPLIES	56.77
50 DAKOTA BEVERAGE	MERCHANDISE	11,986.49
51 DAKOTA PC WAREHOUSE	COMPUTER/REPAIRS	886.90
52 DAKOTA SECURITY SYSTEMS, INC	ALARM MONITORING	360.00
53 DAKOTA SUPPLY GROUP	PARTS	55.60
54 DANKO EMERGENCY EQUIPMENT	SUPPLIES	879.21
55 DARLA TASSLER	REFUND REC FEES	20.00
56 DELOSS CONSTRUCTION INC	CRUSHING CONCRETE	24,000.00
57 DELTA DENTAL PLAN	INSURANCE	6,345.92
58 DENNIS MARTENS	MAINTENANCE	833.34
59 DEPT OF REVENUE	TESTING	195.00
60 DGR ENGINEERING	PROFESSIONAL SERVICES	2,895.00
61 DIAMOND VOGEL PAINTS	TRAFFIC PAINT	3,681.60
62 DUANE FULK	SAFETY GLASSES REIMBURSEMENT	150.00
63 DUST TEX	MAT SERVICE	80.00
64 E.A SWEEN COMPANY	SUPPLIES	258.11
65 EARTHGRAINS BAKING CO'S INC	SUPPLIES	79.74
66 ECHO ELECTRIC SUPPLY	SUPPLIES	2,861.46
67 ELECTRONIC ENGINEERING	REPAIRS	814.85
68 ELLIOTT EQUIPMENT CO	PARTS	400.31
69 FARMER BROTHERS CO.	SUPPLIES	113.80
70 FEDEX.	SHIPPING	22.94
71 FOOT-JOY	MERCHANDISE	227.10
72 FRED HAAR CO, INC	PARTS	1,415.67
73 GALE	BOOKS	22.40
74 GALLS INCORPORATED	UNIFORMS	102.83
75 GEOTEK ENGINEERING	TESTING/INSPECTION	2,208.00
76 GOVERNMENT FINANCE OFFICER ASSOC	MEMBERSHIP DUES	170.00
77 GRAYBAR ELECTRIC	SUPPLIES	297.77
78 GRAYMONT CAPITAL INC	CHEMICALS	7,365.49
79 GREGG PETERS	FREIGHT/ADVERTISING	1,932.75
80 GREGG PETERS	RENT	937.50
81 HANDER INC. PLUMBING & HEATING	BOILER PROJECT	27,823.05
82 HANSEN LOCKSMITHING	REPAIRS	1,520.00
83 HAUFF MID-AMERICA SPORTS	SUPPLIES	68.55
84 HAUGER YARD/SNOW SERVICE	MOWING	96.00
85 HAWKINS INC	CHEMICALS	2,664.43
86 HD SUPPLY WATERWORKS	SUPPLIES	8,008.61
87 HDR ENGINEERING, INC	PROFESSIONAL SERVICES	4,177.06
88 HEARTLAND AG-BUSINESS GROUP	SUBSCRIPTION	38.00
89 HERC-U-LIFT	REPAIRS	129.67
90 HERCULES INDUSTRIES, INC	SUPPLIES	151.14

91 HOLMES WELDING & MFG. CO	SUPPLIES	40.50
92 HUSKER'S CDC	REPAIRS	229.59
93 HY VEE FOOD STORE	SUPPLIES	122.38
94 INDEPENDENCE WASTE	WASTE HAULING	1,134.00
95 INGRAM	BOOKS	244.83
96 INTERSTATE ALL BATTERY CENTER	BATTERY	17.90
97 JACKS UNIFORM & EQPT	UNIFORMS	99.90
98 JENNIFER NELSON	REFUND REC FEES	20.00
99 JOHN A CONKLING DIST.	MERCHANDISE	5,656.10
100 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	16,918.88
101 JOHNSON CONTROLS	SERVICE AGREEMENT/REPAIRS	1,813.31
102 JOHNSON FEED, INC	REPAIRS	856.35
103 JONES FOOD CENTER	SUPPLIES	649.10
104 JONES FOOD CENTER	SUPPLIES	163.89
105 JOSEPH A OSTREM	BOOT REIMBURSEMENT	50.00
106 KALINS INDOOR COMFORT	AIRPORT HEAT PUMP	2,488.00
107 KARSTEN MFG CORP	MERCHANDISE	315.36
108 KOLETZKY IMPLEMENT	PARTS	218.90
109 LARRYS HOME REPAIR	REPAIRS	55.65
110 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	5,783.91
111 LEISURE LAWN CARE	INSPECTION/TREATMENT	382.02
112 LESSARD CONTRACTING	LANDFILL CELL 5 PROJECT	140,797.42
113 LESSMAN ELEC. SUPPLY CO	SUPPLIES	744.86
114 LINCOLN REPUBLIC INSURANCE	INSURANCE	491.68
115 LIVING HERE	SUBSCRIPTION	17.00
116 LOCATORS AND SUPPLIES, INC	PARTS	341.70
117 LONGS PROPANE INC	PROPANE	60.00
118 LSC ENVIRONMENTAL PRODUCTS	SUPPLIES	4,586.52
119 MAGUIRE IRON, INC	WATER TOWER PROJECT	131,150.83
120 MALLOY ELECTRIC	SUPPLIES	410.58
121 MARK MILBRODT	SAFETY BOOTS REIMBURSEMENT	96.29
122 MART AUTO BODY	TOWING	315.00
123 MATHESON TRI-GAS, INC	SUPPLIES	115.82
124 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	2,124.00
125 MCLEODS PRINTING	PRINTING	2,324.55
126 MEAD LUMBER	SUPPLIES	17.48
127 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	297.44
128 MEDMEDIA INC	ANNUAL MAINTENANCE	380.00
129 MIDWEST ALARM CO	ALARM MONITORING	63.00
130 MIDWEST BUILDING MAINTENANCE	MAT SERVICE	834.95
131 MIDWEST READY MIX & EQUIPMENT	SUPPLIES	3,562.00
132 MIDWEST TURF & IRRIGATION	EQUIPMENT/PARTS	24,428.94
133 MINITEX LIBRARY	SUPPLIES	310.50
134 MISSOURI RIVER ENERGY SERVICE	INSPECTION	733.35
135 MISSOURI VALLEY MAINTENANCE	REPAIRS	534.32
136 MOORE WELDING & MFG	REPAIRS	38.00
137 MR. GOLF CAR, INC	REPAIRS	423.50

138 MSC INDUSTRIAL SUPPLY CO	SUPPLIES	55.84
139 NANCY LOSACKER	LIBRARY WORKSHOP	500.00
140 NCL OF WISCONSIN, INC	CHEMICALS	1,002.61
141 NETSYS+	PROFESSIONAL SERVICES/REPAIRS	2,587.50
142 NEW YORK LIFE	INSURANCE	84.02
143 NORTH STAR SAFETY INC	UNIFORMS	186.71
144 OFFICE SYSTEMS CO	SUPPLIES	74.89
145 PCC, INC	COMMISSION	2,730.58
146 PEDERSEN MACHINE INC	PARTS	63.00
147 PNC EQUIPMENT FINANCE	DEFIBRILLATORS	2,000.00
148 POMPS TIRE SERVICE, INC.	TIRES/REPAIRS	6,380.36
149 POWER SOURCE ELECTRIC	PROFESSIONAL SERVICES	41.32
150 PRAETORIAN GROUP, INC	PROFESSIONAL SERVICES	875.00
151 PRAIRIE BERRY WINERY	MERCHANDISE	885.00
152 PRECISION LAWN CARE	MOWING	262.50
153 PRINT SOURCE	ADVERTISING	331.92
154 PUMP N PAK	FUEL	217.27
155 QUEEN CITY WHOLESALE	MERCHANDISE	334.71
156 QUILL	SUPPLIES	1,421.57
157 RACOM CORPORATION	MAINTENANCE CONTRACT	395.50
158 RANDOM HOUSE, INC	BOOKS	103.75
159 RANDY VOSS	PROFESSIONAL SERVICES	260.00
160 RASMUSSEN MOTORS, INC	REPAIRS	220.76
161 RECORDED BOOKS, INC	BOOKS	788.95
162 REINHART FOODSERVICE, LLC	SUPPLIES	1,283.20
163 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	12,175.41
164 RODNEY OR SUSAN OBERLE	WATER HEATER REBATE	255.00
165 ROSEWOOD GREENHOUSE	PLANTS	78.45
166 RUNGE ENTERPRISES, INC	NORBECK STREET IMPROVEMENTS	126,400.63
167 SANFORD HEALTH PLAN	PARTICIPATION FEES	66.00
168 SANITATION PRODUCTS	PARTS	105.00
169 SCHUYLER RUBBER CO, INC	SUPPLIES	1,572.01
170 SD DEPT OF HEALTH	TATTOO INSPECTION FEE	300.00
171 SD FEDERAL PROPERTY AGENCY	CABINET/TOOLS	259.00
172 SD MUNICIPAL LEAGUE	REGISTRATION	100.00
173 SD PLANNERS ASSOCIATION	REGISTRATION	160.00
174 SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	1,664.00
175 SD RETIREMENT SYSTEM	CONTRIBUTIONS	75,629.19
176 SD STATE HISTORICAL SOCIETY	MEMBERSHIP	35.00
177 SDN COMMUNICATIONS	PROFESSIONAL SERVICES	612.20
178 SECURITY SHREDDING SERVICE	SHREDDING	35.00
179 SERVALL TOWEL & LINEN	SHOP TOWELS	16.80
180 SIOUX EQUIPMENT	SUPPLIES	181.35
181 STERN OIL CO.	OIL	1,134.06
182 STEVE'S HEATING & A/C INC	REPAIRS	248.98
183 STEWART OIL-TIRE CO	REPAIRS	81.00
184 STOR-LOC	STORAGE EQUIPMENT	6,400.00

185 STOREY KENWORTHY/MATT PARROT	SUPPLIES	604.19
186 STUART C. IRBY CO.	SUPPLIES	2,256.00
187 STURDEVANTS AUTO PARTS	PARTS	992.26
188 T AND R ELECTRIC	DISPOSAL COST	786.56
189 TAYLOR MADE	SUPPLIES	49.51
190 TENIA NORMAN	REFUND METER DEPOSIT	30.00
191 THATCHER COMPANY	SODA ASH	13,574.88
192 THE EQUALIZER	ADVERTISING	593.55
193 THE NEW SIOUX CITY IRON CO	SUPPLIES	71.60
194 THE RETROFIT COMPANIES, INC	PROFESSIONAL SERVICES	411.96
195 TIA HEMILLER	REFUND REC FEES	15.00
196 TRUE VALUE	SUPPLIES	415.06
197 TURNER PLUMBING	WATER MAIN REPLACEMENT	79,518.28
198 ULTRAMAX	SUPPLIES	468.00
199 UNITED WAY	CONTRIBUTIONS	687.69
200 USA BLUEBOOK	SUPPLIES	636.40
201 VALIANT VINEYARDS	MERCHANDISE	250.70
202 VAN DIEST SUPPLY CO	CHEMICALS	1,060.75
203 VERIZON WIRELESS	CELL PHONES	1,598.85
204 VERMILLION ACE HARDWARE	SUPPLIES	744.35
205 VERMILLION CHAMBER OF COMMERCE	REINVESTMENT PROGRAM GRANT	67,351.80
206 VERMILLION FORD	PARTS	84.03
207 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	3,717.46
208 WADE MOUNT	SAFETY BOOTS REIMBURSEMENT	84.79
209 WAL-MART COMMUNITY	SUPPLIES	1,022.15
210 WALKER CONSTRUCTION	SIDEWALK REPAIRS	54,815.53
211 WALT'S HOMESTYLE FOODS, INC	SUPPLIES	229.80
212 WESCO DISTRIBUTION, INC	SUPPLIES	14,129.05
213 WILLSON FLORIST	FLORAL ARRANGEMENT	44.00
214 WOW! BUSINESS	911 CIRCUIT	1,365.50
215 YAMAHA GOLF & UTILITY	JULY GOLF CARS LEASE	3,772.97
216 YANKTON JANITORIAL SUPPLY	SUPPLIES	440.36
217 DAVE STAMMER	BRIGHT ENERGY REBATE	35.00
218 OMPRAKASH THANGAVELU	BRIGHT ENERGY REBATE	1,100.00
219 JAMES SMITH	BRIGHT ENERGY REBATE	10.00
220 GREG CARD	BRIGHT ENERGY REBATE	35.00
	GRAND TOTAL	\$1,185,899.90