



**Special Meeting Agenda  
City Council**

12:00 p.m. (noon) Special Meeting  
Tuesday, September 8, 2015  
Large Conference Room-City Hall  
25 Center Street  
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Vermillion Municipal Liquor Store - Gregg Peters.**
3. **Informational Session – Overview of proposed WAPA Firm Electric Service agreement – John Prescott.**
4. **Briefing on the September 8, 2015 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](http://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 8, 2015  
City Council Chambers  
25 Center Street  
Vermillion, South Dakota 57069

### 1. Roll Call

### 2. Pledge of Allegiance

### 3. Minutes

- a. August 17, 2015 Special Meeting, August 17, 2015 Regular Meeting.

### 4. Adoption of the Agenda

### 5. Visitors To Be Heard

- a. Pinning of Vermillion Volunteer Fire Fighters Blaine Schoellerman and Matthew Wannamaker.
- b. Life Saving award for EMS members Matt Callahan, Joe Kyte, John Wetherington and Matt Taggart.
- c. Direct Support Professionals Recognition week.
- d. Vermillion Without Violence Day proclamation.
- e. United Way of Vermillion week proclamation.

### 6. Public Hearings

- a. Resolution setting a Special Assessment roll for nuisance abatement.

### 7. Old Business

### 8. New Business

- a. Review and use of malt beverage markup receipts collected, proposal to use funding during 2016 budget year, and public input on continuation of the wholesale license fee.
- b. First reading of Ordinance 1330 – 2016 Appropriations.
- c. First reading of Ordinance 1331 – 2015 Revised Appropriations.
- d. Developer's agreement with G.A. Haan Development, L.L.C. owner of Lot 1, Block 1, Madison Park Addition.
- e. Resolution extending the cable franchise agreement for 1 year to continue franchise renewal discussions.
- f. Request to temporarily close parking stalls on Center Street for a mural painting project from September 21-25, 2015.
- g. Declare the street department snow blower surplus and authorize its sale to Clay County, SD.

### 9. Bid Openings

- a. Fuel quotes.

### 10. City Manager's Report

### 11. Invoices Payable

## **12. Consensus Agenda**

- a. Set a public hearing date of September 21, 2015 for a special permit to exceed permissible sound levels by no more than 50% for W.H. Over Museum at 1110 North University on October 9 & 10, 2015 for Oktoberfest.
- b. Set a public hearing date of September 21, 2015 for a special daily malt beverage and wine license for Vermillion Area Chamber & Development Company, Inc. on or about October 9 & 10, 2015 at 1110 North University for Oktoberfest.
- c. Set a bid opening date of Wednesday September 30, 2015 for the sale of a surplus Police SUV.

## **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 17, 2015  
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, August 17, 2015 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

Absent: Holly Meins

2. Informational Session - Follow-up on Presentation of legal newspaper proposals - Andy Colvin

Andy Colvin, Assistant to the City Manager, reported that following the August 3<sup>rd</sup> noon session a Council member asked for some additional information on how legal notice charges are calculated in order to make a more informed decision and fully understand the proposals. Andy stated that he contacted both the Equalizer and Plain Talk and asked them to provide the formula used to determine the charge for the Notice of Election, which was published in both newspapers. Andy stated that both newspapers demonstrated how notices and charges are calculated and from this information discovered that both newspapers overcharged the City for the notice. Andy explained the billing error noting that this was the only legal for the Equalizer and a credit was issued. Andy stated that, regarding the overcharging from the Plain Talk, Mr. Wood is aware of the issue and has issued a credit for the difference in the overcharges. Andy stated that Mike Carlson has requested a breakdown of a few specific charges from invoices to more accurately determine that the correct amounts were charged going as far back as 2011 and were unable to reconcile with the billed amount. Andy noted that, as of the writing of this memo, City staff have not received the requested information from Mr. Wood. Andy stated that information received from both newspapers has been included in the packet and representatives from both newspapers are present to answer questions.

Gary Wood, owner of the Plain Talk, stated that there appears to be some question as to the circulation information in his proposal which he noted was certified to the Secretary of State in September 2014. Gary stated that, as to local ownership, he is one of the owners and is present at the Vermillion and Yankton operations. Gary reported that the Plain Talk includes all local news stories and has served the

community for over 100 years. Gary stated that the proposed rate is lower than the rate allowed by the State Administrative Rule.

Scott Munger, owner of Equalizer, reported on the content of the paper noting it provides local as well as regional and national news. Scott stated that the notice of election was published by both newspapers and that the number of lines billed by the Equalizer was 365 compared to 402 for the Plain Talk.

Bruce Odsen, resident of Vermillion and owner of newspapers outside the city, suggested waiting until after October 1, 2015 as both newspapers will need to file their average circulation numbers with the Secretary of State. This will also allow the City time to check the billing noting that the City staff is also at fault for not questioning the newspaper billing.

Scott Munger offered to show his circulation list if the City wanted to review.

Discussion followed on the billing process with Gary and Scott answering questions of the City Council.

Gary Wood reported that, if designated the official newspaper, his rate would be 30% less than the rate allowed by the State Administrative Rule.

Discussion followed on the issue of designating an official newspaper noting that the designation must be retained for twelve months. Mayor Powell stated that the designation of official newspaper is on the agenda for this evening if the Council members want to take action or it can be tabled for a future meeting.

### 3. Briefing on the August 3, 2015 City Council Regular Meeting

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

### 4. Adjourn

253-15

Alderman Ward moved to adjourn the Council special session at 12:55 p.m. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 17<sup>th</sup> day of August, 2015.

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 17, 2015  
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on August 17, 2015 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

2. Pledge of Allegiance

3. Minutes

A. Minutes of August 3, 2015 Special, August 3, 2015 Regular, August 11, 2015 Special Budget, August 13, 2015 Special Budget

254-15

Alderman Clarene Meins moved approval of the August 3, 2015 Special, August 3, 2015 Regular, August 11, 2015 Special Budget and August 13, 2015 Special Budget minutes. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

255-15

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

5. Visitors to be Heard - None

6. Public Hearings

A. Special permit to exceed permissible sound levels by no more than 50% for USD Athletics on Ratingen Platz and half block of Market Street south of W. Main Street on Thursday, September 10, 2015 from 4:00 p.m. to 8:00 p.m. for a kick-off event for the USD and VHS sports seasons.

Mike Carlson, Finance Officer, reported on the receipt of a request for a permit to exceed permissible sound levels by no more than 50% for a kick-off to the USD and VHS sports season event at Ratingen Platz on Thursday, September 10, 2015 from 4:00 p.m. to 8:00 p.m. Mike reported that the application, diagram and notice of hearing are included in the packet and the street closing request for this area is under new business later on the agenda. Mike noted that the City Council will need to determine if this is in a suitable location, with appropriate facilities, during the allowable time, and if the applicant can demonstrate the public benefit of the event. Mike stated that the \$25 fee has been paid and recommended approval of the special permit unless information is presented to indicate there are problems. Mike stated that Joe Thuente, on behalf of USD Athletics, was present to answer questions.

256-15

Alderman Erickson moved approval of the special permit to exceed permissible sound levels by no more than 50% for USD Athletics on Ratingen Platz and portions of West Main Street on Thursday, September 10, 2015 from 4:00 p.m. to 8:00 p.m. for a kick-off event for the USD and VHS sports seasons. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Special permit to exceed permissible sound levels by no more than 50% for USD Marketing on Ratingen Platz and Main Street on Thursday, August 27, 2015 from 6:00 p.m. to 8:00 p.m. for a new USD student welcome event

Mike Carlson, Finance Officer, reported on the request for a permit to exceed permissible sound levels by no more than 50% for an Explore Vermillion event at Ratingen Platz on Thursday, August 27, 2015 from 6:00 p.m. to 8:00 p.m. Mike reported that the application, diagram and notice of hearing are included in the packet and the street closing request is under new business later on the agenda. Mike noted that the City Council will need to determine if this is in a suitable location, with appropriate facilities, during the allowable time, and if the applicant can demonstrate the public benefit of the event. Mike stated that the \$25 fee has been paid and recommended approval of the special permit unless information is presented to indicate there are problems. Mike stated that Lindsay Sparks, on behalf of USD Marketing, was present to answer questions.

257-15

Alderman Ward moved approval of the special permit to exceed permissible sound levels by no more than 50% for USD Marketing on Ratingen Platz and Main Street on Thursday, August 27, 2015 from 6:00 p.m. to 8:00 p.m. for an Explore Vermillion event. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Special permit to exceed permissible sound levels by no more than 50% for Sigma Alpha Epsilon / Tau Kappa Epsilon at 855 Madison Street on Sunday, September 6, 2015 from 4:00 p.m. to 8:00 p.m. for a social event that will include a DJ and sound system

Mike Carlson, Finance Officer, reported on the request for a permit to exceed permissible sound levels by no more than 50% for Sigma Alpha Epsilon / Tau Kappa Epsilon at 855 Madison Street on Sunday, September 6, 2015 from 4:00 p.m. to 8:00 p.m. for a social event that will include a DJ and sound system. Mike reported that the application, diagram and notice of hearing are included in the packet. Mike noted that the City Council will need to determine if this is in a suitable location, with appropriate facilities, during the allowable time, and if the applicant can demonstrate the public benefit of the event. Mike stated that the \$25 fee has been paid and recommended approval of the special permit unless information is presented to indicate there are problems. Mike stated that Kevin Wagner, on behalf of SAE/TKE, was present to answer questions.

258-15

Alderman Erickson moved approval of the special permit to exceed permissible sound levels by no more than 50% for Sigma Alpha Epsilon / Tau Kappa Epsilon at 855 Madison Street on Sunday, September 6, 2015 from 4:00 p.m. to 8:00 p.m. for a social event that will include a DJ and sound system. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Request to close W. Main Street from Washington Street to Church Street, Market Street from W. Main Street south for ½ block, Prospect Street from W. Main Street north for ½ block, Court Street from W. Main Street south for ½ block, and Center Street from Main Street north for ½ block on Thursday, September 10, 2015 from 4:00 p.m. to 7:30 p.m. for Vermillion Day

John Prescott, City Manager, reported a street closing request was received from Joe Thuente, on behalf of USD Athletics, to close W. Main Street from Washington Street to Church Street, Market Street from W. Main Street south for ½ block, Prospect Street from W. Main Street north for ½ block, Court Street from W. Main Street south for ½ block, and Center Street from Main Street north for ½ block on Thursday, September 10, 2015 from 4:00 p.m. to 7:30 p.m. for Vermillion Day. Joe Thuente, USD Athletics, stated that the theme of the event is a "kick-off" to the High School and USD fall sports season with Coaches, teams, marching bands, dance teams and cheerleaders as part of the gathering which will be emceed by Randy Hammer.

259-15

Alderman Willson moved approval of the request to close Main Street from Washington Street to Church Street, Market Street from Main Street south for ½ block, Prospect Street from Main Street north for ½ block, Court Street from Main Street south for ½ block, and Center Street from Main Street north for ½ block on Thursday, September 10, 2015 from 4:00 p.m. to 7:30 p.m. for Vermillion Day. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Request to close W. Main Street from the west edge of Ratingen Platz to Court Street on Thursday, August 27, 2015 from 5:00 p.m. to 9:00 p.m. for Explore Vermillion

John Prescott, City Manager, reported that a street closing request was received from USD Marketing for Main Street from the west side of Ratingen Platz to Court Street and Market Street as it abuts the Ratingen Platz on Thursday, August 27, 2015 from 5:00 p.m. to 9:00 p.m. for their Explore Vermillion Day. Lindsey Sparks, representing USD Marketing, reported on activities planned for the Explore Vermillion event.

260-15

Alderman Ward moved approval of the street closing request from USD Marketing for Main Street from the west side of Ratingen Platz to Court Street and Market Street as it abuts the Ratingen Platz on Thursday, August 27, 2015 from 5:00 p.m. to 9:00 p.m. for their Explore Vermillion Day. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Request to close Rose Street from Coyote Village to the Dakota Dome and removing parking stalls on Dakota Street between Alumni Street and Highway 50 for USD Tailgate Nation on September 19, October 3, October 24, November 7, and November 14, 2015 from 8:00 a.m. to 6:00 p.m.

John Prescott, City Manager, reported that the request was similar to previous years for Rose Street and last year for the restriction on parking along Dakota Street due to the construction. David Williams, Deputy Director of Athletics, reported the closing of Rose Street is for pedestrian safety to allow walking from the parking lot to the dome and the request for removing parking along Dakota Street is also for the safety of pedestrians crossing Dakota Street from the west lot. David stated that the request is to allow the visiting team buses to park south of the northwest entrance along Dakota Street. David stated that he has talked to the Holiday Inn Express about the removal of parking along Dakota Street.

261-15

Alderman Holland moved approval of the closing of Rose Street from Coyote Village to the Dakota Dome and removing parking stalls on Dakota Street between Alumni Street and Highway 50 for USD Tailgate Nation on September 19, October 3, October 24, November 7, and November 14, 2015 from 8:00 a.m. to 6:00 p.m. noting that this will allow visiting team buses to park near the northwest service entrance to the dome on Dakota Street. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Resolution fixing the time and place for a hearing and notice of hearing to levy special assessments for nuisance abatement

Mike Carlson, Finance Officer, reported that, as part of the nuisance abatement process, the City incurred costs for tagging, hiring contractors to mow or remove the snow and remove dangerous buildings. The State statute provides for the special assessment of these costs and requires that the City Council set a public hearing date, notify the property owners by sending notice and publishing the notice of hearing. The resolution will set a public hearing date of September 8, 2015 and provides for notice to the property owners. Discussion followed.

262-15

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

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 10<sup>th</sup> day of August, 2015 for the abatement of public nuisance to be levied against the property abutting upon:

NUISANCE ABATEMENT

On various properties as follows:

Property

<u>Location</u>	<u>Legal</u>	<u>Corrective Action</u>	<u>Amount</u>
23 N Harvard	W 71' Of N 1/2 Of Lot 8 & W 71' Of Lot 9 Blk 62 Bigelows Addn	snow tagging & removal 11/15/14	63.60
15 Linden	S 18' Of Lots 1 & 2 & N 32'Of Lot 3 Blk 1 College Park	snow tagging & removal 11/15/14	63.60
		snow tagging & removal 1/7/15	63.60
		grass tagging & mowing 6/5/15	74.20
10 S University	Lot 4 East End	grass tagging & mowing 9/15/14	74.20
		grass tagging & mowing 5/21/15	95.40
		grass tagging & moving 7/17/15	95.40
302 Prospect	Lots 6 & 7 Blk 57 Snyders	snow tagging & removal 11/15/14	84.80
420 Franklin	S 50' Of E 106.25' Lot 2 Blk 83 Addn To Snyders Addn	grass tagging & mowing 9/15/14	63.60
119 Franklin	Lot 12 Blk 41 Snyders	grass tagging & mowing 8/21/14	116.60
		snow tagging & removal 11/15/14	63.60
		grass tagging & mowing 5/21/15	95.40
1005 W Main	Lot 6 Blk 25 Van Meters	grass tagging 6/5/14	10.60
		grass tagging 9/15/14	31.80
601 Lewis	Lot 1 Replat Of Aud Tract . S 1/2 Lot 2 NW 1/4 19-92-51 Aud Tract 19-92-5	snow tagging & removal 11/15/14	84.80
		snow tagging & removal 1/7/15	100.70
		grass tagging & mowing 5/21/15	111.30
624 Lewis	Lot 6 Coverdales	grass tagging & mowing 6/13/14	74.20
		grass tagging & mowing 6/19/15	74.20
110 S Pine	S 21' Of Lot 4 & N 41.5' Of Lot 5 Nelsons	grass tagging 5/16/14	10.60
		grass tagging & mowing 7/25/14	95.40
		grass tagging & mowing 8/21/14	116.60
		grass tagging & mowing 6/19/15	74.20
325 Prentis	Lot 7 Blk 1 Replat Of Blessing	grass tagging & mowing 6/5/14	74.20
		junk & debris removal 6/16/14	387.55

		grass tagging 7/25/14	10.60
		grass tagging 9/15/14	31.80
		snow tagging & removal 11/15/14	63.60
		snow tagging & removal 1/7/15	84.80
324 N Dakota	Lot 1 Blk 60 Snyders	snow tagging & removal 1/7/15	63.60
		snow tagging & removal 2/4/15	63.60
		grass tagging & mowing 5/5/15	74.20
		grass tagging & mowing 6/5/15	95.40
		grass tagging & moving 7/17/15	116.60

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 that 8<sup>th</sup> day of September, 2015, 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 17<sup>th</sup> day of August, 2015.

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

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John E. (Jack) Powell, Mayor

ATTEST:

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Michael D. Carlson, Finance Officer

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

#### E. Designation of Legal Newspaper

Andy Colvin, Assistant to the City Manager, reported as background that the City received a letter from Scott Munger requesting that the City Council consider the Equalizer when it designated an official newspaper. Andy noted that the Plain Talk is currently the legal newspaper and has been for many years. Andy reported that staff prepared a request for proposal that was sent to the Plain Talk and Equalizer. Andy noted that the requests for proposals were reviewed by the City Council at the August 3<sup>rd</sup> noon meeting. Andy stated that following that meeting a City Council member asked for some additional information on how legal notice charges were calculated in order to understand the proposals. Andy reported that, in reviewing the calculations for the June notice of election that was published in both

newspapers, it was determined that there were errors made by both papers in the calculations. Andy stated that the information received from each newspaper has been included in the packet for the August 3<sup>rd</sup> and August 17<sup>th</sup> meetings.

Gary Wood, owner of the Plain Talk, requested the City Council continue with the designation of the Plain Talk as the official newspaper. Gary stated that the Plain Talk circulation is three and a half times higher than the Equalizer and the rate he has proposed is 30% of the State Administrative Rule Rate. This rate will save money for the taxpayers of the city. Gary stated that he is still gathering information regarding the billing error but has identified a figure of over \$5,400 that will be credited or refunded to the City for the column width error since June 2013. Gary stated that we are doing what we can to honor our commitment to the City.

Scott Munger, owner of the Equalizer, stated that his vision of the community is a bright future and wanted to thank the City Council for considering the Equalizer and requested that the City Council designate the Equalizer as the official newspaper.

Discussion followed on the official newspaper.

263-15

Alderman Willson moved to designate the Equalizer as the legal city newspaper starting September 1, 2015. Alderman Ward seconded the motion. Discussion followed on the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. Designate purpose (charge) for Downtown Public Facilities Committee

Jose Dominguez, City Engineer, reported that, through the sidewalk repair project and the proposed improvements to the intersection of Main and Center/Court, the City received several inquiries about the possibility of having a larger downtown project. Jose stated that, in order to see if there was any support for a project of this magnitude, the City held a couple of public meetings to gather public input regarding possible downtown infrastructure projects. Jose stated that the comments from these public meetings were presented to the City Council. Jose stated that the City Council has adopted the goals from the 2004 Streetscape Plan as a guide for any projects in the downtown area. Jose reported that the City has applied to the State for a grant that could be utilized on sidewalk improvements. Jose noted that staff recommends forming a Downtown Public Facilities Committee. The committee would assist Staff with decisions concerning the possible downtown projects. The committee would be comprised of five members, with the City holding an ex-officio position. Jose noted that, per

State Statute, the City Manager would choose the members of the committee. Jose recommended that the City Council set the following parameters as the charge for the committee:

- 1) The plan should provide a safe and inviting experience for downtown businesses, city residents, and visitors to the area; and,
- 2) The plan should reintroduce downtown Vermillion as an exciting and essential part of Vermillion; and,
- 3) The plan should build upon the timelessness and historic character of downtown; and,
- 4) The plan should be developed in a way that can allow for phased implementation of infrastructure improvements; and,
- 5) The plan will only address infrastructure improvements (e.g. roadway, sidewalks, curb and gutter, bump-outs, street lighting, utility improvements, etc...) and landscaping improvements (e.g. planter beds, trees, pedestrian lighting, benches, bike racks, etc...); and,
- 6) The plan shall make an effort to not remove parking spaces unless a safety concern is being addressed (i.e. if a parking location is too close to the intersection and blocks visibility); and,
- 7) The conceptual cost of any proposed improvements shall not exceed \$5,000,000 with the costs being split between the City and the property owners.

These parameters would offer enough leeway to the committee for good, viable, ideas to come forth to the City Council at a later time. Discussion followed on the selection of the committee noting that the committee would report to the City Council.

264-15

Alderman Holland moved approval of the charge for the Downtown Public Facilities Committee to be appointed by the City Manager. Alderman Price seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

## 9. Bid Openings

### A. 2015 Sidewalk repair assessment

Jose Dominguez, City Engineer, provided the background on the sidewalk inspection process noting that property owners were notified in 2013 of sidewalk deficiencies along with the need to get a permit by June 30, 2015 that they are repairing their sidewalk. Jose stated that bid documents were sent to four bidders with three bids received at the August 12<sup>th</sup> bid opening. The low bidder was Walker Construction for \$17,641.28. Jose recommended approval of the low bid.

Bids received: Walker Construction \$17,641.28; M&M Construction \$27,058.84; Masonry Components \$32,729.70

265-15

Alderman Willson moved approval of the low bid of Walker Construction of \$17,641.28 for the sidewalk repair contract. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

#### 10. City Manager's Report

A. John reported on raffle notification included in the packet - St. Agnes Parent & Teacher Association (PTSA) is selling their 100 Club program. Individuals purchase a number between 1 and 100. Three numbers will be drawn from September 2015 through August 2016. The first number drawn wins \$300 while the next two numbers drawn each receive \$100. The profit helps the PTSA with their activities to support teachers. The drawings are held at the end of the month during the social time following 8:00 a.m. mass or during the first Tuesday of the month at the PTSA meeting.

B. John reminded citizens that Market Street will be closed from Main Street south for ½ block on Thursday, August 20, 2015 from 5:30 p.m. to 8:00 p.m. for Thursdays on the Platz.

C. John reminded citizens that USD Move-in day is this Friday, August 21<sup>st</sup> and that Plum Street will be closed to thru traffic from Cherry Street to Highway 50 and Rose Street from Coyote Village to the Dakota Dome from 5:00 a.m. to 3:00 p.m.

D. John reported that the City Council will have first reading of the 2016 budget ordinance at the Tuesday, September 8<sup>th</sup> Council meeting. John noted that, as part of the budget adoption process that evening, there is an agenda item to review malt beverage markup receipts and plans for utilization of the funding for the 2016 budget year.

E. John reported that City offices will be closed on Monday, September 7, 2015 for Labor Day holiday. Next City Council meeting will be on Tuesday, September 8, 2015 due to Labor Day holiday on Monday.

F. John reported that the Market Street water tower is scheduled to be dismantled and removed on Tuesday, August 18<sup>th</sup> and that a portion of Bloomingdale and Market Street may be closed.

#### PAYROLL ADDITIONS AND CHANGES

Police: Kyle Blake \$19.43/hr, Andrew Delgado \$20.11/hr, Chet Moser \$20.11/hr, Ben Nelson \$26.69/hr; Code: Eric Birkland \$17.03/hr; Communications: Alyssa LaFramoise \$14.68/hr; Golf Clubhouse: Ashley Hemphill \$8.50/hr

11. Invoices Payable

266-15

Alderman Erickson moved approval of the following invoices:

Bound Tree Medical, LLC	supplies	544.32
Bureau Of Administration	telephone bill	267.35
Centurylink	telephone	1,494.51
City Of Vermillion	landfill	2,152.00
Clay Rural Water System	water usage	68.70
Clay-Union Electric Corp	electricity	1,465.68
Dept. Environment Natl Res	landfill operations fee	3,525.48
Frattalone Co	hydrant deposit refund	312.78
Gregg Peters	managers fee	6,000.00
Little Italys	meals	126.65
Loren Fischer Disposal	haul cardboard	140.00
Matheson Tri-Gas, Inc	oxygen	86.71
MidAmerican	gas usage	1,061.21
Midcontinent Communication	internet/cable service	118.68
Republic National Dist.	merchandise	10,704.71
Reserve Account	postage for meter	950.00
SD Federal Property Agency	wrench	8.47
SD Medicaid Medical Services	ambulance refund	21.17
Stern Oil Co.	fuel/aviation fuel	25,224.33
Testamerica Laboratories	testing	1,601.31
The Equalizer	advertising	66.05
United Parcel Service	shipping	54.80
US Postmaster	postage for utility bills	1,050.00
VISA	fuel/supplies	27.50
Frank Main	Bright Energy Rebate	30.00
Jon Flanagan	Bright Energy Rebate	30.00
Melanie Bryde	Bright Energy Rebate	30.00
Jay Hennies	Bright Energy Rebate	30.00
Ray Hofman	Bright Energy Rebate	30.00
Marvin Gamble	Bright Energy Rebate	350.00
Mike Card	Bright Energy Rebate	375.00
Kalins Indoor Comfort	Bright Energy Rebate	200.00
Alve Kee	Bright Energy Rebate	25.00
Nick Merrigan	Bright Energy Rebate	150.00

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

12. Consensus Agenda - None

13. Adjourn

267-15

Alderman Ward moved to adjourn the Council Meeting at 7:49 p.m. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 17th day of August, 2015.

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 6-12, 2015 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 8<sup>th</sup> day of September, 2015.

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

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer

**PROCLAMATION**  
**Vermillion Without Violence Day**

**WHEREAS**, Vermillion values and strives for neighborhoods free from the harmful effects of violence; and

**WHEREAS**, Vermillion prides itself on being a leader and example to other communities; and

**WHEREAS**, Day Without Violence is committed to having each city within South Dakota proclaim a citywide day without violence on September 29; and

**WHEREAS**, Day Without Violence is committed to having each state proclaim a statewide day without violence on or about September 30; and

**WHEREAS**, Day Without Violence is committed to having the United States proclaim a nationwide day without violence on October 1, to be known as the National Day Without Violence; and

**WHEREAS**, South Dakota, along with the rest of these United States, can join with other nations to celebrate, on October 2, the United Nations International Day of Non-Violence;

**NOW, THEREFORE**, we the Governing Body of the City of Vermillion, South Dakota, do hereby proclaim September 29, 2015 as

**VERMILLION WITHOUT VIOLENCE DAY**

and call upon all citizens to join together in supporting and observing this day to help build a safer community.

Dated in Vermillion, South Dakota this 8<sup>th</sup> day of September, 2015.

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

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer

**PROCLAMATION**  
**Recognizing September 7-13, 2015 as United Way of Vermillion Week**

**WHEREAS**, The United Way of Vermillion helps our community grow stronger and healthier by working with non-profit agencies, businesses, governmental units, local schools, organizations, and individuals; and

**WHEREAS**, the programs and services supported by the United Way of Vermillion involve health, wellness, nutrition, education, recreation, culture, and social services for our youth, seniors, and those with special needs; and

**WHEREAS**, many of our citizens benefit from the efforts of those who contribute their time, talent, and resources to help the United Way of Vermillion to build a stronger community; and

**NOW, THEREFORE**, we the governing body of the City of Vermillion, South Dakota, do hereby proclaim the week of September 7<sup>th</sup> through September 13<sup>th</sup>, 2015 as

**UNITED WAY OF VERMILLION WEEK**

and encourage all citizens to join together with the United Way of Vermillion in giving together to build a stronger community.

Dated at Vermillion, South Dakota this 8<sup>th</sup> day of September, 2015.

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 8, 2015  
**Subject:** Resolution Approving Special Assessment Roll for Nuisance Abatement  
**Presenter:** Mike Carlson

**Background:** On August 17<sup>th</sup> the City Council adopted a resolution setting a public hearing date on September 8<sup>th</sup> for nuisance abatement special assessments. The notice was published and letters were sent by first class mail to the property owners of record. The hearing is required by the following state statute:

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

**Discussion:** The individual billings for each property are listed in the resolution, including the date of the corrective action or the tagging.

The City Council sets the tagging fee. The mowing/snow removal amount is the fee charged to the City by a contractor hired to perform the work. The property clean up is a fee paid to a contractor or the city labor for equipment and disposal fees to correct the situation. If the City Council would adjust the amounts, it might set a precedent for property owners to wait until the City does the mowing, snow removal or property clean up and then question the costs at the hearing to reduce the cost of the cleanup.

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

Since the notices were mailed and published one property has changed ownership and been removed from the assessment rolls.

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

**Conclusion/Recommendations:** It is recommended that the City Council receive any public comments and consider the information. Administration is not aware of any information that has not been previously presented with respect to any of the proposed special assessments that would warrant reducing the amount. After adoption, a copy of the resolution is mailed to the property owners who will be allowed 30 days to pay the assessment without interest.

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

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

**NUISANCE ABATEMENT** as listed at the end of this Resolution

in the City of Vermillion, Clay County, South Dakota. The assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 10<sup>th</sup> day of August, 2015.

**WHEREAS**, said Governing Body, by resolution, fixed this time and place for hearing upon the assessment roll for the 8<sup>th</sup> day of September, 2015 and directed the City Finance Officer of the City of Vermillion, Clay County, South Dakota to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment roll, the time and place for the hearing, that the assessment roll would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment roll for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice by first-class mail, postage thereon fully prepaid, addressed to the property owners of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

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

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

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

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

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

**NOTICE IS HEREBY GIVEN**, that the assessments mentioned in the assessment roll will be payable according to the provisions of Plan One as set forth in SDCL Sections 9-43-102 to 9-43-113.

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

**NOTICE IS FURTHER GIVEN**, that the approved assessment roll will be filed with the City Finance Officer on 9<sup>th</sup> day of September, 2015. The assessment is payable in one (1) installment at ten percent (10%) per annum interest on unpaid installments. The first installment due date is January 1, 2016.

The assessment roll herein referred to is attached.

Dated at Vermillion, South Dakota, this 8<sup>th</sup> day of September, 2015.

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

\_\_\_\_\_  
John E. Jack Powell, Mayor

ATTEST:

\_\_\_\_\_  
Michael D. Carlson, Finance Officer

(SEAL)

CERTIFICATE OF ADOPTION

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

\_\_\_\_\_  
Michael D. Carlson, Finance Officer

City of Vermillion Special Assessment Roll

<u>Name</u>	<u>Parcel Number</u> <u>Legal &amp; Property Address</u>	<u>Service</u>	<u>Amount</u>
Apostolic Faith Church	15050-06200-090-00 W 71' Of N 1/2 Of Lot 8 & W 71' Of Lot 9 Blk 62 Bigelows Addn 23 N Harvard	snow tagging & removal 11/15/14	63.60
Raymond Gill Jr.	15170-00100-030-00 S 18' Of Lots 1 & 2 & N 32' Of Lot 3 Blk 1 College Park 15 Linden	snow tagging & removal 11/15/14 snow tagging & removal 1/7/15 grass tagging & mowing 6/5/15	63.60 63.60 <u>74.20</u>
		total	201.40
Allen & Lisa Hesse	15720-05700-070-00 Lots 6 & 7 Blk 57 Snyders 302 Prospect	snow tagging & removal 11/15/14	84.80
Alice Kutilek & Sheila Isom	15730-08300-020-03 S 50' Of E 106.25' Lot 2 Blk 83 Addn To Snyders Addn 420 Franklin	grass tagging & mowing 9/15/14	63.60
Alice I Kutilek Revolvable Trust	15720-04100-120-00 Lot 12 Blk 41 Snyders 119 Franklin	grass tagging & mowing 8/21/14 snow tagging & removal 11/15/14 grass tagging & mowing 5/21/15	116.60 63.60 <u>95.40</u>
		total	275.60
Anastasia Maul	15810-02500-060-00 Lot 6 Blk 25 Van Meters 1005 W Main	grass tagging 6/5/14 grass tagging 9/15/14 total	10.60 <u>31.80</u> 42.40
Peter, Mark & Karin Monzel	15860-09251-190-24 Lot 1 Replat Of Aud Tract A S 1/2 Lot 2 NW 1/4 19-92-51 Aud	snow tagging & removal 11/15/14 snow tagging & removal 1/7/15 grass tagging & mowing 5/21/15	84.80 100.70 <u>111.30</u>

	Tract 19-92-51		total	296.80
	601 Lewis			
Jeff Peterson	15190-00000-060-00	grass tagging & mowing 6/13/14		74.20
	Lot 6 Coverdales	grass tagging & mowing 6/19/15		<u>74.20</u>
	624 Lewis		total	148.40
Scott Melody	15500-00000-050-00	grass tagging 5/16/14		10.60
	S 21' Of Lot 4 & N 41.5' Of Lot 5	grass tagging & mowing 7/25/14		95.40
	Nelsons	grass tagging & mowing 8/21/14		116.60
	110 S Pine	grass tagging & mowing 6/19/15		<u>74.20</u>
			total	296.80
Abul Shaifullah	15080-00100-070-00	grass tagging & mowing 6/5/14		74.20
	Lot 7 Blk 1 Replat Of Blessing	junk & debris removal 6/16/14		387.55
	325 Prentis	grass tagging 7/25/14		10.60
		grass tagging 9/15/14		31.80
		snow tagging & removal 11/15/14		63.60
		snow tagging & removal 1/7/15		<u>84.80</u>
			total	652.55
Tim Tilden	15720-06000-010-00	snow tagging & removal 1/7/15		63.60
	Lot 1 Blk 60 Snyders	snow tagging & removal 2/4/15		63.60
	324 N Dakota	grass tagging & mowing 5/5/15		74.20
		grass tagging & mowing 6/5/15		95.40
		grass tagging & moving 7/17/15		<u>116.60</u>
			total	413.40

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

## *Council Agenda Memo*

**From:** John Prescott, City Manager  
**Meeting:** September 8, 2015  
**Subject:** Annual Malt beverage markup review  
**Presenter:** John Prescott

**Background:** During the development of the ordinance to implement a 5% markup on the wholesale cost of malt beverages, staff included an annual update to the community in the proposal. Some malt beverage license holders also expressed interest in a report to the community and being made aware of the discussion. Section 112.30 is as follows:

The City Council will annually have a regular meeting agenda item with the adoption of the budget ordinance to update the community on the use of previous receipts collected, where future receipts would be utilized, and to gather public input on the continuation of the wholesale license fee. Notice of the annual update time and place will be mailed to all malt beverage license holders in the City.

All license holders were initially notified of the meeting time in a mailing sent the first week of July. This mailing included information on the malt beverage markup, a copy of the ordinance and information on this hearing date and time. A second mailing which provided notice of this hearing was mailed on Friday, August 28.

**Discussion:** Ordinance 1325 implementing the 5% markup on the wholesale cost of malt beverages became effective on July 1, 2015. At this point in time, the City only has history for the month of July 2015. Invoices from the distributors for August 2015 were due September 5<sup>th</sup> (Saturday). The distributor invoices are being reviewed and invoices for the license holders will be sent out by September 15<sup>th</sup>.

With respect to the purposes of the agenda item stated in Section 112.30 of Ordinance 1325, the City will collect \$9,957.47 from the July 2015 malt beverage markup based on invoices. All of the proceeds from the collection in the revised 2015 budget and proposed 2016 budget were placed in the Prentis Park Debt Service fund to repay the general obligation bond which will be issued for park improvements.

**Financial Consideration:** Per ordinance and the proposed budgets, the markup proceeds will be reserved to retire the general obligation bond issued for Prentis Park improvements.

8. New Business; item a

**Conclusion/Recommendations:** Administration recommends review of the information provided, receiving public comment on the malt beverage markup, and continuing the 5% markup on malt beverages.



25 Center Street • Vermillion, SD 57069  
Ph: 605.677.7050 • Fax: 605.677.5461  
[info@cityofvermillion.com](mailto:info@cityofvermillion.com)  
[www.vermillion.us](http://www.vermillion.us)

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August 28, 2015

Bebbe Street II, Inc.  
Carey's Bar  
P.O. Box 57  
Vermillion, SD 57069

Dear Malt Beverage License Holder,

As you know a 5% markup on wholesale cost of malt beverages sold in the city limits of Vermillion took effect July 1, 2015. We appreciate the cooperation of all license holders in collecting and remitting the markup.

When the ordinance was written and subsequently approved, the following language was included:

Section 112.30

The City Council will annually have a regular meeting agenda item with the adoption of the budget ordinance to update the community on the use of previous receipts collected, where future receipts would be utilized, and to gather public input on the continuation of the wholesale license fee. Notice of the annual update time and place will be mailed to all malt beverage license holders in the City.

The City Council will have the first reading of the ordinance to adopt the 2016 budget at the Tuesday, September 8, 2015 City Council meeting. The meeting begins at 7:00 p.m. in City Council chambers on the 2<sup>nd</sup> floor of City Hall. The City Council will receive public comment on the malt beverage markup at this meeting. License holders, as well as the public, are welcome to attend and offer comments for City Council consideration.

Sincerely,

John Prescott, City Manager

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer  
**Meeting:** September 8, 2015  
**Subject:** First Reading of Ordinance No. 1330- 2016 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 3 meeting. The City Council reviewed the proposed budget during special meetings held on August 11 and 13, 2015. The City Council's revisions from the budget meetings have been incorporated into the appropriation ordinance. The general fund appropriation from reserve remained the same at \$1,258,914 which includes \$1,000,000 for the pool, \$31,325 for Norbeck Street special assessment interest, \$10,000 for entrance signage and \$217,589 to meet General Fund obligations.

The 2016 budget included property tax revenues of \$2,190,500 that includes using an increase of 1% plus growth over 2015 where the state statute allows 1.5% plus growth. The budget includes a 2.5% cost of living adjustment for employee wages. The general fund has \$80,000 for street maintenance work such as asphalt patching, traffic paint and sealant material. While the overall amount to be spent on streets will increase in 2016, the amount from general fund decreased as chip sealing costs has been moved to second penny sales tax fund.

Rate increases have been included for electric, water, wastewater, curbside recycling and golf course to offset increased operating costs.

The budget includes the purchase of new library materials, hike/bike path repair or rerouting funding and funding for the Vermillion Now 2! pledge.

**Financial Consideration:** The City Council must adopt an ordinance to provide for 2016 operations. Placing the 2016 Appropriations Ordinance on the first reading will comply with State law and is another step in providing for the 2016 operations.

**Conclusion/Recommendations:** Administration recommends approval of the first reading of the 2016 Appropriations Ordinance No. 1330.

PROPOSED ORDINANCE NO. 1330  
 2016 APPROPRIATION ORDINANCE

AN ORDINANCE ADOPTING the 2016 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>2016 Budget</u>	
<b>GENERAL FUND</b>		
<u>REVENUES:</u>		
General Property Taxes	2,186,500	
Sales Tax	1,695,000	
Penalties & Interest	4,000	
Licenses & Permits	148,200	
Cable TV Franchise	105,000	
State Intergovernmental	315,100	
County Intergovernmental	94,900	
Charges for Goods & Services	557,500	
Fines & Forfeits	38,650	
Miscellaneous Revenues	<u>217,525</u>	
TOTAL GENERAL FUND REVENUES		5,362,375
<u>EXPENDITURES:</u>		
<u>Policy &amp; Administration:</u>		
General Government	569,705	
Finance Office	184,007	
Engineering	314,760	
Planning & Zoning	800	
Code Compliance	205,538	
Community Promotion	<u>92,325</u>	
Total Policy & Administration		1,367,135
<u>Public Safety &amp; Security:</u>		
Police Administration & Invest.	491,105	
Police Patrol	1,377,843	
Fire & Rescue	259,503	
Emergency Management	2,200	
Ambulance	<u>343,941</u>	
Total Public Safety & Security		2,474,592
<u>Maintenance &amp; Transportation:</u>		
Municipal Garage	140,669	
Municipal Service Center	34,550	
Street Department	661,968	
Snow Removal	73,092	
Sweeping & Mowing	114,061	
Carpentry	31,148	
City Hall Maintenance	80,650	
Old Landfill Maintenance	11,000	
Airport	<u>102,315</u>	
Total Maintenance & Transportation		1,249,453

Human Development & Leisure Services:

Library	593,870	
Parks & Forestry	308,227	
Swimming Pool	124,584	
Recreation	176,478	
Mosquito Control	19,657	
National Guard Armory Center	53,918	
Total Human Development & Leisure		<u>1,276,734</u>
TOTAL GENERAL FUND EXPENDITURES		<u>6,367,914</u>

GENERAL FUND NEEDS (1,005,539)

Transfer to 911 Fund - Communications	(278,217)
Transfer to Prentis Park Debt Service	(116,000)
Transfer to Equipment Replacement	
Transfer to Prentis Park Capital Project	(1,000,000)
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	8,000
Transfer from Utilities Engineering Fees	136,387
Transfer from BID #1	1,430
Transfer to Equipment Replacement	(6,000)
Appropriation from Reserve	1,258,914
GENERAL FUND BALANCE	<u>0</u>

**SPECIAL REVENUE FUNDS**

SECOND CENT SALES TAX FUND

Revenues	1,808,500
Expenditures - Second Cent Sales Tax	583,850
Transfer to Airport Capital Projects	(30,000)
Transfer to TIF #6 Debt Service	(55,845)
Transfer to City Hall Debt Service Fund	(348,710)
Transfer to Bike Path Capital Projects	(200,000)
Transfer to Prentis Park Capital Projects	(731,000)
Transfer to Equipment Replacement	(13,500)
Appropriation to Reserve	154,405
SECOND CENT SALES TAX FUND BALANCE	<u>0</u>

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees	3,010
Expenditures - Parks Improvements	3,010
PARKS IMPROVEMENT FUND BALANCE	<u>0</u>

BBB SALES TAX FUND

Revenues	344,080
Expenditures	316,300
Appropriation to Reserve	(27,780)
BBB SALES TAX FUND BALANCE	<u>0</u>

911 FUND -COMMUNICATIONS

Revenues	278,216
Expenditures	556,433
Transfer from General Fund	278,217
911FUND FUND BALANCE	<u><u>0</u></u>

BUSINESS IMPROVEMENT DISTRICT #1

Revenues	71,500
Expenditures	60,000
Transfer to General Fund	1,430
Appropriation to Reserve	(10,070)
Business Improvement District #1 Fund Balance	<u><u>0</u></u>

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees	214,550
Expenditures:	75,000
Appropriation to Reserve	(139,550)
STORMWATER FEE FUND BALANCE	<u><u>0</u></u>

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts	13,015
Expenditures - Library	7,500
Appropriation to Reserve	(5,515)
LIBRARY FINE AND GIFT FUND BALANCE	<u><u>0</u></u>

**DEBT SERVICE FUNDS**

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues	39,653
Expenditures	39,653
Interfund Loan	162,000
Transfer to Capital Projects	(162,000)
DS SPECIAL ASSESSMENT FUND BALANCE	<u><u>0</u></u>

DEBT SERVICE-- TIF District No. 5

Revenues	27,000
Expenditures	27,000
DEBT SERVICE - TIF 5 FUND BALANCE	<u><u>0</u></u>

DEBT SERVICE-- TIF District No. 6

Revenues	4,775
Expenditures	60,620
Transfer from Second Cent Sales Tax Fund	55,845
DEBT SERVICE - TIF 6 FUND BALANCE	<u><u>0</u></u>

DEBT SERVICE - CITY HALL

Revenues	2,000
Expenditures	350,710
Transfer from Second Cent Sales Tax Fund	348,710
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

DEBT SERVICE - PRENTIS PARK BOND

Revenues	116,000
Expenditures	109,565
Appropriation to Reserve	(6,435)
DEBT SERVICE - PRENTIS PARK BOND FUND BALANCE	<u>0</u>

**CAPITAL PROJECTS FUNDS**

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Expenditures	150,000
Transfer to General Fund	(8,000)
Transfer from Debt Service	162,000
Appropriation to Reserve	(4,000)
CP SPECIAL ASSESSMENT FUND BALANCE	<u>8,000</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	470,000
Expenditures	500,000
Transfer from Second Cent Sales Tax Fund	30,000
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - PRENTIS PARK

Revenues	3,150,000
Expenditures	4,881,000
Transfer from General Fund	1,000,000
Transfer from Second Cent Sales Tax Fund	731,000
CP PRENTIS PARK FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BIKE PATH

Revenues	80,000
Expenditures	280,000
Transfer from Second Cent Sales Tax Fund	200,000
CP BIKE PATH FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - MAIN STREET SIGNALS

Revenues	24,000
Expenditures	24,000
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	92,000	433,691
Interest on Investments	130			2,300
Other Revenues				75,500
Total Revenues	<u>130</u>	<u>18,150</u>	<u>92,000</u>	<u>511,491</u>
<u>Expenditures</u>				
Personnel			87,789	
Operating Expenses	130	16,350	3,427	
Capital			500	689,500
Total Expenditures	<u>130</u>	<u>16,350</u>	<u>91,716</u>	<u>689,500</u>
Transfer Out (In)				(28,100)
(To) From Reserve		(1,800)	(284)	149,909
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	5,900,000	1,479,000	1,563,000	1,329,600	1,483,000	731,300	120,000
Surcharge	776,000	270,000	332,000				
Other Revenue	100,000	52,700	8,800	24,000		75,000	200
Interest	152,950	4,320	4,042	1,500	140	4,000	250
Total Revenues	<u>6,928,950</u>	<u>1,806,020</u>	<u>1,907,842</u>	<u>1,355,100</u>	<u>1,483,140</u>	<u>810,300</u>	<u>120,450</u>
<u>Expenditures</u>							
Personnel	1,014,278	649,640	501,722	533,553		376,710	98,371
Operating Expenses	3,945,824	554,297	629,734	871,830	1,266,949	415,316	12,900
Capital	660,504	152,316	418,940	429,345	2,000	13,000	36,250
Debt Service		187,105	251,608	196,814			8,408
Debt Service Surchar	572,463	235,669	291,013				
Total Expenditures	<u>6,193,069</u>	<u>1,779,027</u>	<u>2,093,017</u>	<u>2,031,542</u>	<u>1,268,949</u>	<u>805,026</u>	<u>155,929</u>
Transfers Out	(884,950)	(38,583)	(37,279)		(194,200)		
Transfers In	9,000						
(To) From Reserve	140,069	11,590	222,454	676,442	(19,991)	(5,274)	35,479
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: \$2,190,500

Dated at Vermillion, South Dakota this 21th day of September, 2015

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 8, 2015  
Second Reading: September 21, 2015  
Publish: September 30, 2015  
Effective: October 20, 2015

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer

**Meeting:** September 8, 2015

**Subject:** First Reading of Ordinance No. 1331 – 2015 Revised Appropriations

**Presenter:** John Prescott, City Manager

**Background:** In order for the City Council to make changes to the 2015 budget, adopted in September 2014, 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 13, 2015.

**Discussion:** The revised appropriations ordinance includes changes and adjustments made to the 2015 budget based upon actual financial information obtained thus far in 2015. Revenues and expenses are different in some instances versus what was anticipated last September. Prentis Park improvements for the baseball field restrooms and maintenance building were included in the 2014 budget but due to lack of contractors were not started until 2015. The Prentis Park Capital Improvement fund was supplemented to include a portion of the pool engineering. The electric department substation project was scheduled to be completed in 2014 but due to delays will be completed in 2015. The final payment from the bond proceeds to the VCDC for the final contribution on the Bliss Pointe improvements was made in 2015.

In some cases, projects arose after the 2015 budget was adopted. In September 2014, the water main replacement on Cottage Avenue was not planned but due to water main breaks was moved up to 2015. The malt beverage mark up ordinance adopted in February 2015 that was upheld by the voters was implemented in July 2015 so the estimated revenues and transfer to the Prentis Park Debt Service fund have been included in the revised 2015 budget. These items were not included in the adoption of the 2015 budget in September 2014 as they were unknown or procedural steps had yet to take place such as voter approval of the issuing of the General Obligation bond.

**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 2015 Revised Appropriations Ordinance No. 1331.

PROPOSED ORDINANCE NO. 1331  
 2015 REVISED APPROPRIATION ORDINANCE

AN ORDINANCE ADOPTING the 2015 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>2015 Revised Budget</u>	
<b>GENERAL FUND</b>		
<u>REVENUES:</u>		
General Property Taxes	2,164,900	
Sales Tax	1,648,000	
Penalties & Interest	10,000	
Licenses & Permits	190,200	
Cable TV Franchise	110,000	
State Intergovernmental	294,970	
County Intergovernmental	94,900	
Charges for Goods & Services	546,600	
Fines & Forfeits	38,650	
Miscellaneous Revenues	165,000	
<b>TOTAL GENERAL FUND REVENUES</b>	5,263,220	
<u>EXPENDITURES:</u>		
<u>Policy &amp; Administration:</u>		
General Government	563,863	
Finance Office	182,077	
Engineering	305,140	
Planning and Zoning	800	
Code Compliance	204,219	
Community Promotion	53,455	
<b>Total Policy &amp; Administration</b>	1,309,554	
<u>Public Safety &amp; Security:</u>		
Police Administration & Invest.	461,457	
Police Patrol	1,279,051	
Fire & Rescue	249,705	
Emergency Management	2,200	
Ambulance	341,786	
<b>Total Public Safety &amp; Security</b>	2,334,199	
<u>Maintenance &amp; Transportation:</u>		
Municipal Garage	137,595	
Municipal Service Center	33,440	
Street Department	716,673	
Snow Removal	75,192	
Sweeping & Mowing	111,135	
Carpentry	30,615	
City Hall Maintenance	79,000	
Old Library Maintenance	1,900	
Old Landfill Maintenance	11,000	
Airport	92,236	
<b>Total Maintenance &amp; Transportation</b>	1,288,786	

Human Development & Leisure Services:

Library	592,539	
Parks & Forestry	297,062	
Swimming Pool	118,920	
Recreation	170,925	
Mosquito Control	24,664	
National Guard Armory Center	55,897	
Total Human Development & Leisure		1,260,007
TOTAL GENERAL FUND EXPENDITURES		<u>6,192,546</u>

GENERAL FUND NEEDS (929,326)

Transfer to 911 Fund	(271,085)	
Transfer to Prentis Park Debt Service	(58,000)	
Transfer to Equipment Replacement	(6,000)	
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	17,012	
Transfer from BID #1	1,430	
Transfer from Utilities Engineering Fees	136,387	
Appropriation from Reserve	108,557	
GENERAL FUND BALANCE		<u>0</u>

**SPECIAL REVENUE FUNDS**

SECOND CENT SALES TAX FUND

Revenues	1,660,650	
Expenditures - Second Cent Sales Tax	396,000	
Transfer to Bike Path Capital Projects	(31,533)	
Transfer to Airport Capital Projects	(10,380)	
Transfer to City Hall Debt Service Fund	(352,041)	
Transfer to TIF #6 Debt Service	(55,845)	
Transfer to Prentis Park Capital Projects	(347,000)	
Transfer to W. Main Capital Projects	(173,000)	
Appropriation to Reserve	(294,851)	
SECOND CENT SALES TAX FUND BALANCE		<u>0</u>

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees	3,010	
Expenditures - Parks Improvements	3,010	
PARKS IMPROVEMENT FUND BALANCE		<u>0</u>

BBB SALES TAX FUND

Revenues	337,060	
Expenditures	307,550	
Appropriation to Reserve	(29,510)	
BBB SALES TAX FUND BALANCE		<u>0</u>

911 FUND -COMMUNICATIONS

Revenues	307,105
Expenditures	578,190
Transfer from General Fund	271,085
911FUND- FUND BALANCE	<u>0</u>

BUSINESS IMPROVEMENT DISTRICT #1

Revenues	71,500
Expenditures	85,000
Transfer to General Fund	1,430
Appropriation from Reserve	14,930
Business Improvement District #1 Fund Balance	<u>0</u>

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees	220,900
Expenditures:	35,200
Appropriation from Reserve	(185,700)
STORMWATER FEE FUND BALANCE	<u>0</u>

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts	11,215
Expenditures - Library	8,000
Appropriation to Reserve	(3,215)
LIBRARY FINE AND GIFT FUND BALANCE	<u>0</u>

**DEBT SERVICE FUNDS**

DEBT SERVICE--SPECIAL ASSESSMENT FUND

Revenues	27,559
Expenditures	27,559
Interfund Loan	517,599
Transfer to Capital Projects	(517,599)
SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

DEBT SERVICE - TIF District No. 5

Revenues	204
Expenditures	204
DEBT SERVICE - TIF 5 FUND BALANCE	<u>0</u>

DEBT SERVICE - TIF District No. 6

Revenues	4,775
Expenditures	60,620
Transfer from Second Cent Sales Tax Fund	55,845
DEBT SERVICE - TIF 6 FUND BALANCE	<u>0</u>

DEBT SERVICE - City Hall

Revenues	2,000
Expenditures	354,041
Transfer from Second Cent Sales Tax Fund	352,041
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

DEBT SERVICE - Prentis Park Bond

Expenditures	0
Appropriation to Reserve	(58,000)
Transfer from General Fund Malt Beverage	58,000
DEBT SERVICE - PRENTIS PARK BOND FUND BALANCE	<u>0</u>

**CAPITAL PROJECTS FUNDS**

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Revenues	615,311
Expenditures	100,000
Transfer to General Fund	(17,012)
Appropriation to Reserve	(498,299)
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BIKE PATH

Expenditures	0
Transfer from Second Cent Sales Tax	31,533
Appropriation to Reserve	(31,533)
CP BIKE PATH FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	162,620
Expenditures	173,000
Transfer from Second Cent Sales Tax	10,380
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - PRENTIS PARK

Revenues	
Expenditures	347,000
Transfer from Second Cent Sales Tax	347,000
CP PRENTIS PARK FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - TIF #6 BLISS POINTE

Expenditures	45,973
Appropriation from Reserve	45,973
CP TIF #6 BLISS POINT FUND BALANCE	<u><u>0</u></u>

CAPITAL PROJECTS FUND - MAIN MILL/OVERLAY & SIGNALS

Revenues	324,000
Expenditures	497,000
Transfer from Second Cent Sales Tax	173,000
CP WEST MAIN MILL/OVERLAY & SIGNAL FUND BALANCE	<u><u>0</u></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	40			2,200
Other Revenues				16,200
Total Revenues	<u>40</u>	<u>18,150</u>	<u>87,000</u>	<u>457,797</u>
<u>Expenditures</u>				
Personnel			85,986	
Operating Expenses	40	16,450	3,213	
Capital			500	329,400
Total Expenditures	<u>40</u>	<u>16,450</u>	<u>89,699</u>	<u>329,400</u>
Transfer (Out) In (To) From Reserve		<u>(1,700)</u>	<u>2,699</u>	<u>6,000</u> <u>(134,397)</u>
Fund Balance	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></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	5,580,000	1,425,000	1,526,000	1,243,600	1,456,000	710,400	112,000
Surcharge	749,000	269,000	332,000				
Other Revenue	110,000	52,700	8,800	27,500		73,730	200
Interest	150,950	4,540	4,064	1,650	140	4,000	210
Grants				30,290			
Total Revenues	<u>6,589,950</u>	<u>1,751,240</u>	<u>1,870,864</u>	<u>1,303,040</u>	<u>1,456,140</u>	<u>788,130</u>	<u>112,410</u>
<u>Expenditures</u>							
Personnel	982,277	598,351	486,829	514,443		364,172	94,463
Operating Expenses	3,650,355	552,561	660,093	965,710	1,236,920	409,700	12,450
Capital	1,173,867	285,420	134,300	359,000	11,162	18,937	250
Debt Service	575,663	187,138	253,337	239,989			8,409
Surcharge Debt Service		235,669	291,013				
Total Expenditures	<u>6,382,162</u>	<u>1,859,139</u>	<u>1,825,572</u>	<u>2,079,142</u>	<u>1,248,082</u>	<u>792,809</u>	<u>115,572</u>
Transfers Out	(884,950)	(38,583)	(28,679)		(194,200)		
Transfers In	9,000						
(To) From Reserve	<u>668,162</u>	<u>146,482</u>	<u>(16,613)</u>	<u>776,102</u>	<u>(13,858)</u>	<u>4,679</u>	<u>3,162</u>
Fund Balance	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>	<u><u>0</u></u>

Dated at Vermillion, South Dakota this 21th day of September, 2015.

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 8, 2015  
Second Reading: September 21, 2015  
Publish: September 30, 2015  
Effective: October 20, 2015

## *Council Agenda Memo*

**From:** Jose Dominguez

**Meeting:** September 8, 2015

**Subject:** Developer's Agreement with G.A. Haan Development, L.L.C. Owner of Lot 1, Block 1, Madison Park Addition

**Presenter:** Jose Dominguez

**Background:** G.A. Haan Development, L.L.C. is in the process of constructing several apartment units on Lot 1, Block 1, Madison Park Addition. The lot is located on the southeast corner of the intersection of North Norbeck Street and Madison Street. The area is zoned R-3 (residential – high density) and it allows for the construction of apartment units.

**Discussion:** City ordinance requires that the property owner construct sidewalks, grading, curb and gutter, street surfacing, street lights, water and sewer improvements on all streets abutting a property to be developed. The lot in question fronts North Norbeck Street and Madison Street. The agreement will require that the owner do the following:

- Construct any required sidewalks as a condition to the building permit.
- Construction of Madison Street would be delayed until it's either requested by the City Council, or additional development needing the street is constructed.
- All water and sewer main extensions required along Madison Street will be completed when either the City Council requests the improvements, or when Madison Street is constructed.
- Will not remonstrate against any assessments required along Madison Street regarding street or utility construction.

**Financial Consideration:** The City will incur the filing fee.

**Conclusion/Recommendations:** Administration recommends that the City Council authorize the Mayor to sign the Developer's Agreement with G.A. Haan Development, L.L.C.

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

## AGREEMENT

The City of Vermillion, South Dakota, and G.A. Haan Development, LLC, owners, witnesseth:

In consideration of the mutual covenants herein contained and the benefits to be derived therefrom, the parties agree as follows:

The property owners, their successors or assigns, intend to develop one lot presently described as:

**Lot 1, Block 1, Madison Park Addition, City of Vermillion, Clay County, South Dakota.**

### GENERAL:

1. City Ordinance requires the property owners to construct sidewalks, grading, curb and gutter, street surfacing, streetlights, water and sewer improvements, in accordance with City of Vermillion standard specifications along all streets or alleys abutting the property to be developed. All plans and specifications shall be approved by the City prior to construction.
2. The property owners, their successors or assigns, desire to begin construction before all the improvements listed above, are in place.
3. The property owners, their successors or assigns, shall provide to the City of Vermillion a **PERFORMANCE BOND** for the improvements described in this agreement.
4. This **AGREEMENT** and **PERFORMANCE BOND** shall be binding on the parties, their successors and assigns and will be recorded in the office of the Register of Deeds of Clay County, South Dakota.

### SIDEWALKS, GRADING, CURB AND GUTTER, STORM SEWER, STREET SURFACING and STREET LIGHTS:

1. Sidewalks will be constructed as a condition to the building permits along North Norbeck Street.
2. Sidewalks, grading, curb and gutter, storm sewer, street surfacing, and street light improvements along Madison Street shall be completed when requested by the City Council, or when additional development that would utilize the street is constructed, whichever is sooner.
3. If the City Council requires that the construction of these improvements take place prior to the owners schedule a Resolution of Necessity will be required before these improvements can be made. The costs will be assessed to the property owners after improvements are installed. **The property owners of Lot 1, Block 1, Madison Park Addition, City of Vermillion, Clay County, South Dakota, acknowledge that this agreement will run with the land as a restrictive covenant thereon and is binding on the current and future owners, their successors and assigns that they will not remonstrate against the proposed improvements on Lot 1, Block 1, Madison Park Addition, City of Vermillion, Clay County, South Dakota.**

### WATER AND SEWER IMPROVEMENTS:

1. Water improvements will be constructed along Madison Street when requested by the City Council, or when additional development that would utilize the street is constructed, whichever is sooner.
2. Sewer improvements will be constructed along Madison Street when requested by the City Council, or when additional development that would utilize the street is constructed, whichever is sooner.

3. If the City Council requires that the construction of these improvements take place prior to the owners schedule a Resolution of Necessity will be required before these improvements can be made. The costs will be assessed to the property owners after improvements are installed. **The property owners of Lot 1, Block 1, Madison Park Addition, City of Vermillion, Clay County, South Dakota, acknowledge that this agreement will run with the land as a restrictive covenant thereon and is binding on the current and future owners, their successors and assigns that they will not remonstrate against the proposed improvements on Lot 1, Block 1, Madison Park Addition, City of Vermillion, Clay County, South Dakota.**

Dated this 28 day of January

OWNER: G.A. Haan Development, L.L.C.

FOR THE CITY OF VERMILLION

By: [Signature]  
Gerald A. Haan, Member

By: \_\_\_\_\_  
John E. (Jack) Powell, Mayor

STATE OF Michigan )  
:SS  
COUNTY OF Emmet )

On this 28 day of January <sup>2015</sup> 2014 before the undersigned officer, personally appeared Gerald A. Haan, known to me to be the Member of G.A. Haan Development, L.L.C., or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that as a representing said company as owner, he executed the same for the purposes therein contained.

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

[Signature]  
Notary Public

My Commission Expires: 6-18-2017



STATE OF SOUTH DAKOTA )  
:SS  
COUNTY OF \_\_\_\_\_ )

LACY A. TIPPETT  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF EMMET  
My Commission Expires June 18, 2017  
Acting in the County of Emmet

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

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

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

**BOND  
TO ASSUME PERFORMANCE  
BY  
OWNERS**

KNOW ALL MEN BY THESE PRESENTS, that we, G.A. Haan Development, LLC, are held and firmly bound unto the City of Vermillion, a municipal corporation of Clay County, South Dakota (the "City") in a sum or sums which are equal to the total share of the costs of the improvements hereinafter described in the agreement, which are required and may or may not be assessed pursuant to South Dakota law against the following described real property of the owners, viz.:

**Lot 1, Block 1, Madison Park Addition, City of Vermillion, Clay County, South Dakota.**

The improvements contemplated by this agreement are those street improvements (including sidewalk, grading, curb and gutter, streetlights and street surfacing), water and sewer improvements which the City requires to be constructed in accordance with plans and specifications approved by the City.

The condition of this obligation is that if the owners, or their successors in interest, shall promptly install said improvements, or any of them from time to time when required by the City or promptly pay the assessments for the cost or any constructed or installed by the City, then this obligation is to be void; otherwise, to remain in effect.

This bond is given pursuant to Appendix C, the subdivision ordinance of the City of Vermillion and in consideration of the City's consent that the owners may proceed with the development of the property without first having installed all of said improvements and shall constitute and be a lien upon the property.

Dated this 28 day of January, ~~2014~~ <sup>2015</sup>.

By:   
Gerald A. Haan, Member

STATE OF Michigan )  
  :SS  
COUNTY OF Emmet )

On this 28 day of January, ~~2014~~ <sup>2015</sup> before the undersigned officer, personally appeared Gerald A. Haan, known to me to be the Member of G.A. Haan Development, L.L.C., or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that as a representing said company as owner, he executed the same for the purposes therein contained.

In witness whereof I hereunto set my hand and official seal

  
Notary Public

My Commission Expires: 6.18.2017

LACY A. TIPPETT  
NOTARY PUBLIC - STATE OF MICHIGAN  
COUNTY OF EMMETT  
My Commission Expires June 18, 2017  
Acting In the County of Emmett



## *Council Agenda Memo*

**From:** John Prescott, City Manager  
**Meeting:** September 8, 2015  
**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.

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 (October 21, 1999). 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”. At the September 2, 2014 meeting, the City Council authorized the notification by the City Manager to Midcontinent Communications of the first twelve-month extension.

**Discussion:** The City and Midcontinent Communications have met a couple of times over the last year to discuss a new cable franchise agreement. Negotiations have not yet resulted in a proposal to submit to the City Council for consideration. A number of things have changed with respect to cable franchising since the current ordinance was approved in 1999. A review by the Utilities Committee will 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.

**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 discussions on a new franchise that to date have not resulted 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; and

**WHEREAS**, the City Council approved second reading of Ordinance 1078 on September 20, 1999, that was published on October 1, 1999 and became effect October 21, 1999; and

**WHEREAS**, the City Council adopted a resolution on the 2<sup>nd</sup> day of September, 2014 amending the term of the Franchise to extend the expiration date to twelve months after the current expiration of Ordinance 1078.

**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 utilize the second twelve-month extension thus to expire twenty-four months after the expiration of Ordinance 1078 that was approved by the City Council on September 20, 1999, unless the 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 8<sup>th</sup> day of September, 2015.

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:** John Prescott, City Manager

**Meeting:** September 8, 2015

**Subject:** Request from Lumo Studios to close parking stalls on Center Street for a mural painting project

**Presenter:** John Prescott

**Background:** City staff received a request from Lumo Studios/Packard Group to close the parking stalls on the east side of Center Street from Main Street to the alley immediately south of the City Hall property. The parking stalls would be closed along the west side of the Lumo Studios building to facilitate the effort to repaint the building's mural. Painting will take place over the course of five days the week of September 21 – 25, 2015.

**Discussion:** Closure of the parking stalls is necessary in order for crews and equipment to safely access the side of the building.

The Police, Fire, and EMS Departments have been notified of the closure request and have found no safety concerns.

**Financial Consideration:** None.

**Conclusion/Recommendations:** Administration recommends approval of the request to close the parking stalls along the east side of Center Street from Main Street to the alley opening ½ block north of Main Street.

Vermillion Area Arts Council  
Termes Missouri Weave Mural Restoration  
Phyllis Packard Project Coordinator 2 East Main Vermillion, SD 57069

To: City of Vermillion  
25 Center st  
Vermillion, SD 57069

September 2, 2015

The Vermillion Area Arts Council in conjunction with Packard Group LLC / LumoStudios & Gallery request the closure the week of September 21 through September 25th, 2015 (Monday - Friday) of parking spots located in front of 7 Center St and directly west of the building at 2 East Main St to Main Street. The request is made for the protection of the public working and viewing the Termes "Missouri Weave" mural restoration.

City Employees are invited to paint with us any time between noon on Monday September 21 and Friday 25 afternoon. Since this is a large project to be accomplished in a short time we are requesting the ability to extend the closure through Saturday if needed.

Thank you

Phyllis W. Packard  
Vermillion Area Arts Council

605 670 2588  
pwpackard@gmail.com

## *Council Agenda Memo*

**From:** Jason Anderson, Asst. City Engineer  
**Meeting:** September 8, 2015  
**Subject:** Declare the Street Dept. Snow Blower surplus and authorize its sale  
**Presenter:** Jason Anderson

**Background:** A 1995 Fair 9541C snow blower was budgeted in the 2015 Equipment Replacement Fund to be replaced. The snow blower is primarily used to move windrowed snow piles from the City streets to dump trucks prior to being transported out of the downtown area. The replacement snow blower has been received and is ready for service this winter. The 1995 snow blower needs to be declared surplus by the City Council and authorized for sale.

**Discussion:** The Street Department staff has been in contact with Clay County, SD staff regarding the potential to purchase this unit once it is declared surplus. South Dakota State Statute allows the transfer of property between governing bodies at terms and conditions agreed upon by the respective governing bodies.

According to SDCL 6-5-1,

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. (SDCL 6-5-1)

The equipment replacement fund has a salvage value of \$8,000 for the snow blower. Clay County staff is willing to purchase the surplus unit for this amount.

**Financial Consideration:** The sales proceeds of \$8,000 would be returned to the Equipment Replacement Fund.

**Conclusion/Recommendations:** Administration recommends declaring the 1995 Fair 9541C snow blower surplus and authorizing the sale to Clay County, SD for the amount of \$8,000.

CITY OF VERMILLION  
 INVOICES PAYABLE-SEPTEMBER 8, 2015

1 RICH HOLLAND	FUEL REIMBURSEMENT	37.22
2 3D SPECIALTIES INC	SUPPLIES	5,046.90
3 A & A REFRIGERATION	REPAIRS	154.00
4 AGK ELECTRIC	UNDERGROUND REIMBURSEMENT	804.00
5 ALLIED INSURANCE	NOTARY BOND RENEWAL	100.00
6 AMERICAN LEGAL PUBLISHING	ON LINE ORDINANCE RENEWAL	375.00
7 ANTIGUA GROUP, INC	MERCHANDISE	753.87
8 APEX EQUIPMENT, LLC	REPAIRS	1,290.40
9 APPEARA	SUPPLIES	109.70
10 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	209.35
11 BAKER & TAYLOR BOOKS	BOOKS	842.03
12 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	5,152.31
13 BARKLEY ASPHALT	ASPHALT MIX	724.40
14 BASIN ELECTRIC POWER COOPERATION	MAINTENANCE	568.69
15 BEST WESTERN RAMKOTA INN	LODGING	183.98
16 BIRSCHBACH EQPT & SUPPLY	PARTS/RENTAL	3,570.61
17 BLACKSTONE AUDIO INC	BOOKS	185.99
18 BLAINE'S BODY SHOP	REPAIRS	661.95
19 BOB IVERSON	SAFETY GLASSES REIMBURSEMENT	150.00
20 BORDER STATES ELEC SUPPLY	SUPPLIES	2,166.83
21 BOUND TREE MEDICAL, LLC	SUPPLIES	809.54
22 BOW CREEK METAL INC	POWDER COATING	150.00
23 BROADCASTER PRESS	ADVERTISING	103.50
24 BRUNICKS SERVICE INC	PROPANE	57.00
25 BUILDERS CHOICE	REPAIRS	600.00
26 BURNS & MCDONNELL	PROFESSIONAL SERVICES	1,993.09
27 BUTLER MACHINERY CO.	REPAIRS	938.11
28 CAMPBELL SUPPLY	SUPPLIES	2,401.77
29 CANNON TECHNOLOGIES, INC	SUPPLIES	6,240.72
30 CASK & CORK	MERCHANDISE	532.00
31 CENTRAL STATES WIRE PRODUCTS	SUPPLIES	1,751.50
32 CENTURY BUSINESS LEASING	COPIER CONTRACT/COPIES	195.41
33 CENTURYLINK	911 RELAY SERVICE	5.00
34 CENTURYLINK	TELEPHONE	743.46
35 CHEMCO, INC	SUPPLIES	372.52
36 CHESTERMAN CO	MERCHANDISE	1,102.00
37 CHRIS NISSEN	SAFETY BOOTS REIMBURSEMENT	100.00
38 CITY OF SAINT PAUL	TRAINING CLASSES	329.00
39 CITY OF SIOUX FALLS	TESTING	58.00
40 CITY OF VERMILLION	COPIES/POSTAGE	1,569.95
41 CITY OF VERMILLION	UTILITY BILLS	44,987.68
42 CLASS C SOLUTIONS GROUP	SUPPLIES	185.38
43 CLIA LABORATORY PROGRAM	CERTIFICATION FEE	150.00
44 COLONIAL LIFE ACC INS.	INSURANCE	3,276.43
45 CONTINENTAL RESEARCH CORP	SUPPLIES	1,971.59
46 COYOTE CONVENIENCE	FUEL	38.12
47 CULLIGAN WATER	BOTTLED WATER	152.00

48 DAKOTA BEVERAGE	MERCHANDISE	13,871.62
49 DAKOTA PC WAREHOUSE	SUPPLIES/REPAIRS	953.87
50 DAKOTA SECURITY SYSTEMS	ALARM MONITORING	480.00
51 DAKOTA SUPPLY GROUP	SUPPLIES	607.96
52 DELTA DENTAL PLAN	INSURANCE	6,337.58
53 DEMCO	SUPPLIES	317.08
54 DENNIS MARTENS	MAINTENANCE	833.34
55 DEPT OF REVENUE	TESTING	1,532.00
56 DEREK RONNING	GYM MEMBERSHIP REIMBURSEMENT	175.00
57 DGR ENGINEERING	PROFESSIONAL SERVICES	1,664.50
58 DIAMOND VOGEL PAINTS	WHITE TRAFFIC PAINT	2,475.00
59 DUST TEX	MAT SERVICE	80.00
60 E.A SWEEN COMPANY	SUPPLIES	205.93
61 EARTHGRAINS BAKING CO'S INC	SUPPLIES	252.33
62 EBERLE DESIGN INC	RECERTIFY	356.00
63 ECHO ELECTRIC SUPPLY	SUPPLIES	3,021.15
64 ELBO COMPUTING RESOURCES	PROFESSIONAL SERVICES	106.20
65 ELECTRONIC ENGINEERING	REPAIRS/INSTALLATION	5,242.34
66 ELLIOTT EQUIPMENT CO	PARTS	338.26
67 EMPIRE BUILDING CONST	BLDG REPAIRS	4,297.00
68 ENVIRONMENTAL RESOURCE ASSOC.	SUPPLIES	185.71
69 EZ-LINER INDUSTRIES	REPAIRS	272.56
70 FARMER BROTHERS CO.	SUPPLIES	113.80
71 FAST AUTO GLASS	WINDSHIELD	391.00
72 FASTENAL COMPANY	SUPPLIES	601.03
73 FEDEX.	SHIPPING	24.55
74 FOREMAN MEDIA	COUNCIL MTG	100.00
75 FOUR WINDS INTERACTIVE	HOSTING/MAINTENANCE	381.00
76 GENERAL REPAIR SERVICE	PARTS	354.51
77 GOVERNMENT FINANCE OFFICER ASSOC.	MEMBERSHIP DUES	170.00
78 GRAHAM TIRE CO.	TIRES	281.19
79 GRAYBAR ELECTRIC	SUPPLIES	296.50
80 GREAT NORTHERN ENVIRONMENT	REPAIRS	2,943.24
81 GREGG PETERS	FREIGHT	1,346.40
82 GREGG PETERS	RENT	937.50
83 GUARANTEE OIL CO INC	SUPPLIES	114.73
84 HACH CO	REPAIRS	1,356.60
85 HARTINGTON TREE LLC	STUMP GRINDING	1,877.00
86 HAUGER LAWN SERVICE	MOWING	128.00
87 HAWKINS INC	CHEMICALS	6,262.57
88 HD SUPPLY WATERWORKS	SUPPLIES	7,964.58
89 HERREN-SCHEMPP BUILDING	SUPPLIES	140.39
90 HEWLETT-PACKARD COMPANY	PRINTER	200.00
91 HILLYARD FLOOR CARE SUPPLY	SUPPLIES	31.48
92 HY VEE FOOD STORE	SUPPLIES	250.24
93 IMPRINTS LABEL & DECAL	SUPPLIES	190.00
94 IN CONTROL, INC	PROFESSIONAL SERVICES	499.84
95 INDEPENDENCE WASTE	WASTE HAULING/PORTABLE TOILET RENTAL	1,549.70
96 INGRAM	BOOKS	2,906.59
97 INTERNATIONAL PUBLIC MGMT ASSOC.	TESTING MATERIALS	282.00
98 INTOXIMETERS	SUPPLIES	600.00

99 ISELER DEMOLITION, INC	WATER TOWER REMOVAL	18,848.00
100 JACKS UNIFORM & EQPT	UNIFORM	1,250.74
101 JERRY'S CHEVROLET BUICK GM	PARTS/REPAIRS	1,522.07
102 JIMMY JOHNS	MEETING MEAL	100.52
103 JOHN A CONKLING DIST.	MERCHANDISE	9,187.95
104 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	23,640.81
105 JOHNSON CONTROLS	REPAIRS/MAINTENANCE	2,901.46
106 JONES FOOD CENTER	SUPPLIES	1,637.42
107 KALINS INDOOR COMFORT	REPAIRS	125.61
108 KARSTEN MFG CORP	MERCHANDISE	1,828.83
109 KYLE BLAKE	WELLNESS CENTER/BOOT REIMBURSEMENT	225.00
110 LAKESIDE EQUIPMENT	PARTS	1,234.00
111 LAYNES WORLD	PLAQUE/PHOTO PLATE	24.10
112 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	5,122.41
113 LIFE-ASSIST, INC	SUPPLIES	135.00
114 LINCOLN REPUBLIC INSURANCE	INSURANCE	470.11
115 LISA INGLIS	REFUND SWIM LESSONS FEE	20.00
116 LIVING HERE	SUBSCRIPTION	17.00
117 LOCATORS AND SUPPLIES, INC	SUPPLIES	1,347.51
118 LONGS PROPANE INC	PROPANE	30.00
119 LP GILL, INC	TIRE DISPOSAL	936.00
120 M & M CONSTRUCTION LLC	CONCRETE WORK	24,321.64
121 MAINLAND ENGRAVING LLC	MEDALS/RIBBONS	73.80
122 MALLOY ELECTRIC	PARTS	139.63
123 MARKS MACHINERY	PARTS	101.94
124 MART AUTO BODY	TOWING	375.00
125 MARTY GILBERTSON	REPAIRS	559.98
126 MATHESON TRI-GAS, INC	OXYGEN	418.33
127 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,035.68
128 MEAD LUMBER	SUPPLIES	112.46
129 MED-MEDIA	ANNUAL MAINTENANCE	510.00
130 MEDICAL WASTE TRANSPORT, INC	MEDICAL WASTE DISPOSAL	213.41
131 MERRICK INDUSTRIES	REPAIRS	4,974.73
132 MICRO MARKETING LLC	SUPPLIES	40.00
133 MIDWEST ALARM CO	ALARM MONITORING	416.00
134 MIDWEST BUILDING MAINTENANCE	MAT SVC	454.95
135 MIDWEST READY MIX & EQUIPMENT	FLOWABLE FILL	2,709.04
136 MIDWEST TURF & IRRIGATION	PARTS	2,143.78
137 MILLER & SONS GOLF CARS, LLC	PARTS	69.92
138 MINN MUNICIPAL UTILITY ASSOC.	3RD QTR SAFETY MGMT PROGRAM	5,925.00
139 MISSOURI VALLEY MAINTENANCE	REPAIRS	1,288.60
140 MITCHELL PARK & RECREATION	REGISTRATION	450.00
141 MOORE WELDING & MFG	SUPPLIES	306.00
142 NATIONAL ARBOR DAY FOUNDATION	MEMBERSHIP	20.00
143 NETSYS+	REPAIRS/PROFESSIONAL SERVICES	1,907.94
144 NEW YORK LIFE	INSURANCE	84.02
145 NEWMAN TRAFFIC SIGNS	SUPPLIES	129.27
146 NIKE INC	MERCHANDISE	1,454.99
147 NORTHLAND	SUPPLIES	288.00
148 OFFICE SYSTEMS CO	COPIER CONTRACT/COPIES	495.45
149 OKESPORTS, INC	MERCHANDISE	802.53

150 OKOBOJI WINES-SD	MERCHANDISE	1,014.00
151 OVERHEAD DOOR OF SIOUX CITY	GARAGE DOOR	1,826.00
152 P&K GOLF SUPPLY, LLC	MERCHANDISE	749.36
153 PAULS PLUMBING	REPAIRS	404.77
154 PCC, INC	COMMISSION AMBULANCE	2,738.36
155 PENGUIN RANDOM HOUSE LLC	BOOKS	56.25
156 PENNINGTON COUNTY SHERIFF	EVALUATION	400.00
157 PENWORTHY COMPANY	BOOKS	738.00
158 PEOPLEFACTS, LLC	PROFESSIONAL SERVICES	13.40
159 PETE LIEN & SONS, INC	CHEMICALS	7,472.99
160 PITNEY BOWES, INC	SUPPLIES	203.56
161 POMPS TIRE SERVICE, INC.	TIRES	11,397.30
162 PRECISION LAWN CARE	MOWING/JUNK/DEBRIS REMOVAL	828.75
163 PRESSING MATTERS	SUPPLIES	394.00
164 PRESTIGE FLAG	FLAGS	542.62
165 PRESTO-X-COMPANY	INSPECTION/TREATMENT	93.30
166 PRINT SOURCE	SUPPLIES	429.50
167 PROEFROCK ELECTRIC INC	INSTALL CONTROLLERS	175.00
168 QUEEN CITY WHOLESALE	MERCHANDISE	750.74
169 QUILL	SUPPLIES	2,347.81
170 RACOM CORPORATION	CONTRACT COVERAGE	1,719.85
171 RAPID CITY MEDICAL CENTER	PRE-EMPLOYMENT EXAM	162.00
172 RECORDED BOOKS, INC	BOOKS	714.27
173 REGENT BOOK CO.	BOOKS	16.01
174 REINHART FOODSERVICE, LLC	SUPPLIES	1,525.65
175 RELAB SOFTWARE, LLC	SOFTWARE MAINTENANCE	1,040.00
176 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	11,217.45
177 RI-TECH INDUSTRIAL PRODUCT	SUPPLIES	155.00
178 SANFORD HEALTH PLAN	PARTICIPATION FEES	57.00
179 SANITATION PRODUCTS	PARTS	1,810.24
180 SD CHAPTER IAAI	REGISTRATION	200.00
181 SD DEPT OF PUBLIC SAFETY	TELETYPE SERVICE	3,090.00
182 SD RETIREMENT SYSTEM	CONTRIBUTIONS	50,328.36
183 SD STATE HISTORICAL SOCIETY	MEMBERSHIP	35.00
184 SDN COMMUNICATIONS	REPAIRS	530.50
185 SERVALL TOWEL & LINEN	SHOP TOWELS	16.80
186 SIGN PRO	WRAP & DECALS	1,000.00
187 STAN HOUSTON EQPT CO	PARTS	93.11
188 STANDARD READY MIX CONCRETE	SUPPLIES	459.00
189 STEWART OIL-TIRE CO	REPAIRS	195.00
190 STURDEVANTS AUTO PARTS	PARTS	1,728.58
191 SUSAN ROLFES	3D PRINTER REIMBURSEMENT	1,519.80
192 TEREX UTILITIES, INC	SUPPLIES	4,000.75
193 THE NEW SIOUX CITY IRON CO	SUPPLIES	142.55
194 THE WALKING BILLBOARD	FLEECE JACKETS/SHIRTS	303.00
195 TITLEIST DRAWER CS	MERCHANDISE	698.44
196 TODD HALVERSON	SAFETY BOOTS REIMBURSEMENT	100.00
197 TOPKOTE INC	CHIP SEALING	67,170.08
198 TOWN OF VOLIN	REFUND LANDFILL OVERPAYMENT	7.84
199 TREASURER-STATE	UNCLAIMED PROPERTY	959.50
200 TRI TECH SALES	PARTS	730.39

201 TRI-B-TRIM SHOP	REPAIRS	420.00
202 TRUE VALUE	SUPPLIES/LAWN MOWER	3,813.55
203 TURNER EXCAVATION	COTTAGE WATER MAIN	17,589.83
204 TYLER ZIMMERMAN	MEALS REIMBURSEMENT	61.00
205 ULTRAMAX	SUPPLIES	229.00
206 UNITED PARCEL SERVICE	SHIPPING	91.83
207 UNITED WAY	CONTRIBUTIONS	537.50
208 UNIVAR USA INC	SODA ASH	15,030.24
209 VALIANT VINEYARDS	MERCHANDISE	194.00
210 VAST BROADBAND	911 CIRCUIT/DIALUP SERVICE	1,416.70
211 VEOLIA ENVIRONMENTAL SERVICE	HAUL ELECTRONICS	7,838.47
212 VERIZON WIRELESS	WIRELESS COMMUNICATION	1,632.48
213 VERMILLION ACE HARDWARE	SUPPLIES	710.78
214 VERMILLION AREA ARTS COUNCIL	FUNDING	5,569.04
215 VERMILLION EQUINE CENTER	ONLINE REGISTRATION	111.20
216 VERMILLION YOUTH FOOTBALL	ONLINE REGISTRATION	3,925.68
217 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	5,827.97
218 WAL-MART COMMUNITY	SUPPLIES	1,173.90
219 WALKER CONSTRUCTION	STORM SEWER HOOKUP	586.50
220 WALT'S HOMESTYLE FOODS, INC	MERCHANDISE	162.00
221 WEEDCOPE, INC	TREATMENT	410.00
222 WESCO DISTRIBUTION, INC	SUPPLIES	1,020.00
223 YANKTON FIRE & SAFETY	EXTINGUISHER RECHARGE	75.00
224 YANKTON JANITORIAL SUPPLY	SUPPLIES	250.35
225 YANKTON MEDICAL CLINIC	PRE-EMPLOYMENT EXAMS	80.00
226 YANKTON WINNELSON CO	SUPPLIES	266.90
227 ZEE MEDICAL SERVICE	SUPPLIES	217.00
228 ZIMCO SUPPLY CO	SUPPLIES	8,897.50
229 EMMA FRAISIER	BRIGHT ENERGY REBATE	30.00
230 LISA HAZLETT	BRIGHT ENERGY REBATE	30.00
231 SCOTT OUELLETTE	BRIGHT ENERGY REBATE	30.00
232 MICHAEL CARLSON	BRIGHT ENERGY REBATE	30.00
233 DAVE STAMMER	BRIGHT ENERGY REBATE	70.13
234 ST. THOMAS MORE NEWMAN CENTER	BRIGHT ENERGY REBATE	855.55
235 WAYNE JAMES	BRIGHT ENERGY REBATE	60.00
236 DAVE BERG	BRIGHT ENERGY REBATE	30.00
237 WILLIAM DENDINGER	BRIGHT ENERGY REBATE	30.00
238 CHERYL BURBACH	BRIGHT ENERGY REBATE	350.00
239 KALINS INDOOR COMFORT	BRIGHT ENERGY REBATE	100.00
		\$556,283.48

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

Date: 8-24-15

1. Name of organization/group Fraternal Order of Eagles #2421  
Contact person: Name: Braed Campbell
2. Date(s) that tickets/chances will be sold: from 8-24-15 to 4-26-16  
Cost of tickets/chances: \$1 each or 6 for \$5
3. Date(s) of drawing(s): 4-26-16
4. Can anyone purchase tickets? Yes
5. Will the prize winner(s) be selected at random? Yes X No \_\_\_\_\_
6. Description and approximate value of top prize: Crown Royal Bag Quilt

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

We are raffling off a Hand Made Crown Royal Bag Quilt to Benefit the Hi Soaring Eagle Ranch.  
Valued at \$300

[Signature]  
Applicant's Signature

Approval:

John Prescott  
City Manager

8-24-15

Date



RAFFLE AND LOTTERY NOTIFICATION FORM
See reverse side of form for state laws regarding raffles and lotteries.

- 1. Organization sponsoring raffle/lottery: St. Agnes Parish
2. Person to contact: Ray or Mary Ring
3. Phone number: 605-624-8136 4. Email address: rringds@gmail.com
6. Date(s) ticket(s) will be sold: Sep. 15 - Oct. 18
7. Cost per ticket(s): \$1.00 per ticket or \$15.00 per 20 tickets
8. Date(s) drawing(s) will be held: Oct. 18
9. Who is eligible to purchase ticket(s)? Anyone
10. Will prize winner(s) be selected at random? [X] Yes No
11. Description and approximate value of grand prize:
No grand prize as such; there will be miscellaneous cash prizes up to \$500.
12. What will the proceeds be used for?
Support St. Agnes Parish and St. Agnes School

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

Parishioners will sell tickets up to the day of the Fall Festival, Oct. 18; drawings will be held on the afternoon of the Fall Festival at St. Agnes.

Ray Ring
Applicant's Signature

31 Aug 15
Date

APPROVED BY:

John Prescott
City Manager

9-1-15
Date



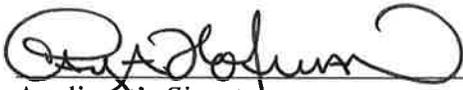
## RAFFLE AND LOTTERY NOTIFICATION FORM

See reverse side of form for state laws regarding raffles and lotteries.

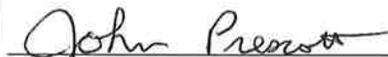
1. Today's date: 8/19/15
2. Organization sponsoring raffle/lottery: St. Agnes - Knights of Columbus
3. Person to contact: Ray Hofman
4. Phone number: 624-6457                      5. Email address: ray4hofman@gmail.com
6. Date(s) ticket(s) will be sold: 8/19/15 - 9/15/15
7. Cost per ticket(s): \$20 / 200 books sold
8. Date(s) drawing(s) will be held: Every 2015 Monday Night Football game will create a winner.
9. Who is eligible to purchase ticket(s)? Anyone
10. Will prize winner(s) be selected at random?     Yes                      No
11. Description and approximate value of grand prize:  
\$50 per Monday Night Football game
12. What will the proceeds be used for?  
Charitable activities of the Knights of Columbus

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

The St. Agnes Knights of Columbus are selling 2015 Monday Night Football booklets as a fundraiser. The buyer will be eligible to win a cash prize on the dates of each Monday Night Football game. The Knights of Columbus is a non-profit organization and the proceeds from this raffle will go to St. Agnes Knights of Columbus in Vermillion, SD. The booklets are sold by book number (ex: book 70). Within your book you will have two numbers associated with your book #. If the associated book numbers match the last digit of the final score for each team you win the cash prize for the week (see attached example - visitor team 9 and home team 3).

  
Applicant's Signature

APPROVED BY:

  
City Manager

8-20-15  
Date



RAFFLE AND LOTTERY NOTIFICATION FORM
See reverse side of form for state laws regarding raffles and lotteries.

- 1. Organization sponsoring raffle/lottery: St Agnes Youth Group
2. Person to contact: Ray Hofman
3. Phone number: 605-624-6457 4. Email address: rhofman@vyn.midco.net
6. Date(s) ticket(s) will be sold: Sept 10 to Oct 18, 2015
7. Cost per ticket(s): 1.00 per chance
8. Date(s) drawing(s) will be held: Oct18, 2015
9. Who is eligible to purchase ticket(s)? anyone
10. Will prize winner(s) be selected at random? [X] Yes No
11. Description and approximate value of grand prize: 2002 KIA REO 4 Dr Auto Valued at \$2900
12. What will the proceeds be used for? St Agnes Youth Group activities

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

The St Agnes Youth Group will be selling car raffle tickets around town for the next few weeks and the drawing will beheld at our Fall Festival dinner on Oct 18,2015

[Signature]
Applicant's Signature

Aug 20, 2015
Date

APPROVED BY:
[Signature]
City Manager
8-21-2015
Date



Vermillion City Council, c/o Mr. John Prescott, City Manager  
25 Center St.  
Vermillion, SD 57069

Dear Mayor & Members of the City Council: Thank you for your support of the South Dakota Shakespeare Festival!

As a stakeholder in Coyoteopoly and the South Dakota Shakespeare Festival (SDSF), we wanted to provide you an end of season report on what your generous investment and support accomplished. While our USD Beacom School of Business Coyoteopoly students produce the SDSF, schools of business do not exist to fund charitable work. Yet students can learn through experience that business can make meaningful contributions to a community while earning a profit. One of the worst kept secrets is that nonprofit businesses must generate a profit to stay in business to engage in good works. Nothing is free in life. Everything costs something.

Faculty members at the University of South Dakota serve as the Artistic Staff of the SDSF, and mentors for Coyoteopoly, using experiential learning to teach our students how to generate revenue, market, manage, strategically plan, direct finance, and so much more. Coyoteopoly produces the SDSF while learning the hard lessons of business in the process. Similarly, students in the Theatre Department receive an extraordinary learning opportunity by joining the professional company of the SDSF as actors, designers, and stage managers. For an all too brief moment, USD business and theatre students work together with talented professional theatre artists from around the country to create something special for our community.

What did your investment in us produce? The SDSF for the first time introduced an **Outreach** program for SESDAC on Thu, June 4 and for Sanford Senior Care Center on Fri, June 5 that featured 6 actors and the director providing a 45 minute mini-performance of *Macbeth* followed by Q&A for **14 SESDAC clients** and **25 Care Center patients**. Thu-Sat, June 11-13, 13 workshops featuring Renaissance Music, Improvisation, Acting Shakespeare, Stage Combat, Creating Characters, and Elizabethan Dancing engaged **63 participants** ranging in age from 8 to 18.

Our production of *Macbeth* engaged an additional **72 high school students** from the Oscar Howe Summer Arts Institute and Upward Bound program. On Sun, June 14 the Shakespeare Scholars' Roundtable Discussion, featuring national and international scholars, was held for the first time in the amphitheatre arena in Prentis Park that ran for two hours and attracted **49 attendees**, more than doubling past ones. In addition to all this, over four nights we had **971 Shakespeare aficionados** attend *Macbeth* (59 Thu-rain stopped just 15 minutes before showtime; 330 Fri; 280 Sat; 302 Sun). The audience gave **standing ovations** all four nights. Total attendance for the entire 2015 SDSF is 1194—an all-time record. You helped make this possible.

We like to remind our students that “nothing is ever truly yours until you give it away.” Thank you for making this extraordinary experiential learning and artistic cultural opportunity possible that provided so much good to young and old alike in our community and region. You made a difference!

Sincerely,

*Chaya Gordon-Bland*

Chaya Gordon-Bland  
Artistic Director

*Scott Mollman*

Scott Mollman  
Technical Director

*Greg Huckabee*

Greg Huckabee  
Executive Director