



**Special Meeting Agenda
City Council**

12: 00 pm. (noon) Special Meeting
Monday, December 7, 2015
Large Conference Room-City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Educational Session – MRES S-1 Agreement Amendment #5– Joni Livingston.**
3. **Educational Session – Northeast Substation project update – Mark Koller.**
4. **Briefing on the December 7, 2015 City Council Regular Meeting** - Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, December 7, 2015
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. November 16, 2015 Special Meeting, November 16, 2015 Regular Meeting.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
6. **Public Hearings**
 - a. Annual liquor and wine license renewals.
7. **Old Business**
8. **New Business**
 - a. Pool Plans acceptance and set a bid opening date.
 - b. Professional Services Agreement with Confluence for design of conceptual downtown streetscape improvements.
 - c. Resolution adjusting water rates.
 - d. Resolution adjusting electrical rates.
 - e. Resolution adjusting landfill rates.
 - f. City Fee schedule.
 - g. Amendment #5 to the Joint Powers Agreement to reflect Yankton transfer station loan.
 - h. First Reading Ordinance 1334 – 2015 Supplemental Appropriations Ordinance.
 - i. Transfer of abandoned bikes to First United Methodist Church.
9. **Bid Openings**
 - a. Fuel Quotes
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
13. **Adjourn**

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Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please raise your hand to be recognized, go to the podium and state your name and address.

a. Items Not on the Agenda Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made at this time.

b. Agenda Items: Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only City Council members and staff may discuss the current agenda item unless a Council member moves to allow another person to speak and there is unanimous consent from the Council. Questions from Council members, however, may be directed to staff or a member of the public through the presiding officer at any time.

Meeting Assistance: The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

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Vermillion City Council's Values and Vision

This community values its people, its services, its vitality and growth, and its quality of life and sees itself reinforcing and promoting these ideals to a consistently increasing populace.



Unapproved Minutes
Council Special Session
November 16, 2015
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 16, 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. Educational Session Park pool plans - Park and Recreation Director Jim Goblirsch

Jim Goblirsch, Parks and Recreation Director, reported on the improvements made in Prentis Park consisting a new bathroom for the baseball field and park, new maintenance building, fencing around the baseball field, the park house has been removed and trees and bushes have been cleared. Jim noted that in planning for the pool project the Electric Department has rerouted electrical service in the park to be outside of the construction area. Jim stated that staff has been working with Burbach Aquatics on the design and features for the new pool with the goal of having the final plans for City Council consideration on the December 7th meeting agenda. Jim reviewed the project plans for the pool project including the individual features. Jim answered questions of the City Council on the pool plans.

3. Educational Session Changes to ambulance billing prices and categories - Matt Callahan

Matt Callahan, EMS Division Chief, updated the City Council on proposed changes to the ambulance charges that will be presented at the December 7th meeting. Matt reported that ambulance rates were last changed in January 2013 with fees established for each individual item or service provided. Matt noted that Medicare and other insurance carriers are declining to reimburse some of the individual services that are billed and the industry is moving to a bundled billing for ambulance service plus the loaded mile fee. Matt reviewed the rates that are being proposed noting that the bundled rate now includes the individual fees that would have been billed separately in the past. Matt reported on the rates as they compared to other ambulance services in the state.

Matt answered questions of the City Council on the ambulance rates being proposed.

4. Briefing on the November 16, 2015 City Council Regular Meeting

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

5. Adjourn

341-15

Alderman Ward moved to adjourn the Council special session at 12:39 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of November, 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
November 16, 2015
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on November 16, 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, Student Representative Ireland

2. Pledge of Allegiance

3. Minutes

A. Minutes of November 2, 2015 Special Meeting, November 2, 2015 Regular Meeting

342-15

Alderman Price moved approval of the November 2, 2015 Special Meeting and November 2, 2015 Regular Meeting minutes. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

343-15

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

5. Visitors to be Heard - None

6. Public Hearings

A. Resolution Adopting a Resolution of Necessity for Sidewalk Repairs (Northeast Quadrant)

Jose Dominguez, City Engineer, reported that the City instituted a sidewalk inspection program in 2010 which is meant to bring deficient portions of sidewalks up to a proficient standard. Jose stated that the program divides the city into four quadrants with the northeast (north of Main Street and east of Dakota Street) quadrant being inspected this year. Jose explained the inspection process used to determine deficient sidewalks. Jose stated that property owners were mailed a notice of the public hearing and the resolution was published twice. Jose stated that the property owners will be given until June 30, 2016 to demonstrate they have the work under contract to be completed by the end of 2016. Jose noted that, if the property owners do not demonstrate that they either have the work under contract or that the work has been completed, the work will be completed by the City. Jose noted that, following the completion of repairs completed by a City-hired contractor, the City Council will adopt a resolution approving the special assessment roll with any added adjustments in the amounts. Jose stated that some property owners have already responded to the notification mailing that they prefer to have the City hire the contractor and assess them for repairs. Discussion followed.

344-15

After reading the same once, Alderman Collier-Wise moved adoption of the following:

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

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regularly called meeting thereof, in the Council Chambers of said City Hall at 7:00 p.m. on the 16th day of November, 2015, that the necessity has arisen for sidewalk repairs along the parcels of land hereinafter named, viz:

VIOLATION ADDRESS	VIOLATION LEGAL DESCRIPTION	VIOLATION PARCEL NUMBER
447 N. PLUM	LOT D & E & S 20' OF E 280' OF LOT C, LOT 1 OF NE 1/4 SW 1/4 18-92-5~1 EXC PLUM ST MISC	15880-09251-183-08
419 ADAMS	LOT 10 THRU 13 EXC S 33' OF LOT 10 BLK 2 REPLAT OF BLESSING	15080-00200-100-03
519 ADAMS	LOTS 7 & 8 BLK 2 REPLAT OF SAMMELSONS 2ND ADDN	15690-00200-080-00
520 PRENTIS	LOTS 1 & 2 BLK 2 REPLAT OF SAMMELSONS 2ND ADDN	15690-00200-020-00
502 PRENTIS	S 8' OF LOT 3 & N 44' OF LOT 4 BLK 2 REPLAT OF SAMMELSONS 2ND	15690-00200-040-00
438 PRENTIS	LOT 1 EXC S 13' OF 1 BLK 2 REPLAT OF BLESSING	15080-00200-010-00
422 PRENTIS	LOT 3 BLK 2 REPLAT OF BLESSING	15080-00200-030-00
416 PRENTIS	LOT 4 BLK 2 REPLAT OF BLESSING	15080-00200-040-00
410 PRENTIS	LOT 5 BLK 2 REPLAT OF BLESSING	15080-00200-050-00
918 MADISON	W 72' OF 8 & S 15' OF 9 BLK 2 REPLAT OF BLESSING	15080-00200-090-00
922 CLARK	E 50' OF LOT HM-1 SW 1/4 18-92-51 MISC	15880-09251-182-43
206 N. PLUM	LOTS 5, 6 & 7 BLK 9 BIGELOW'S UNIVERSITY	15060-00900-070-00
214 N. PLUM	LOTS 3 & 4 BLK 9 BIGELOW'S UNIVERSITY ADDN	15060-00900-040-00
701 E. CLARK	LOT 14 BLK 9 BIGELOW'S UNIVERSITY	15060-00900-140-00
323 N. PINE	LOT 17 & S 1/2 OF 18 BLK 10 BIGELOW'S UNIVERSITY	15060-01000-180-00
334 N. PLUM	LOT 3 & N 1/2 OF 4 BLK 10 BIGELOW'S UNIVERSITY ADDN	15060-01000-040-00
338 N. PLUM	LOTS 1 & 2 BLK 10 BIGELOW'S UNIVERSITY	15060-01000-020-00
326 N. PLUM	S 1/2 OF 4 & ALL OF 5 BLK 10 BIGELOW'S UNIVERSITY ADDN	15060-01000-050-00
320 N. PLUM	LOT 6 & N 1/2 OF LOT 7 BLK 10 BIGELOW'S UNIVERSITY	15060-01000-070-00
314 N. PLUM	S 1/2 OF 7 & ALL OF 8 BLK 10 BIGELOW'S UNIVERSITY	15060-01000-080-00
720 E. CLARK	E 1/2 OF 9 & 10 & 11 BLK 10 BIGELOW'S UNIVERSITY	15060-01000-110-03
430 N. PLUM	S 1/2 OF 4 & ALL OF 5 BLK 13 BIGELOW'S UNIVERSITY	15060-01300-050-00
423 N. PINE	LOT 18 & 19 BLK 13 BIGELOW'S UNIVERSITY	15060-01300-190-00
723 E. CHERRY	E 92' OF LOTS 1 & 2 BLK 16 BIGELOW'S UNIVERSITY W 203' OF LOTS A & B OF LOT 1 SW 1/4 18-92-51 EXC CHERRY & PLUM ST & ~EXC S 2' OF N 35' OF W 42' OF LOT A GOV LOT 1 & EXC LOT HI NE 1/4~SW 1/4 MISC~	15060-01600-020-00
801 E. CHERRY	LOT 1 BLK 1 EXC E 2' ARNOLD ADDN	15880-09251-183-02
825 E. CHERRY	LOT 1 BLK 1 EXC E 2' ARNOLD ADDN	15013-00100-010-00
929 E. CHERRY	E 100' OF LOT B-1 NE 1/4 SW 1/4 18-92-51 MISC	15880-09251-183-10
440 ADAMS	LOT 2 MICHELS	15440-00000-020-00
856 MADISON	LOT 3A MICHELS	15440-00000-030-00
403 N. PLUM	LOT L-1 IN NE 1/4 SW 1/4 MISC	15880-09251-183-19
407 N. PLUM	S 2' OF 5 & ALL OF 6 BLK 1 LARSONS	15380-00100-060-00
19 N. HARVARD	LOT 7 & S 1/2 OF LOT 8 BLK 62 BIGELOW'S ADDN	15050-06200-080-00
23 N. HARVARD	W 71' OF N 1/2 OF LOT 8 & W 71' OF LOT 9 BLK 62 BIGELOW'S ADDN	15050-06200-090-00
210 E. MAIN	LOT 5 BLK 61 BIGELOW'S ADDN	15050-06100-050-00
17 N. DAKOTA	W 107' OF LOT 8 & W 107' OF S 10' OF LOT 9 BLK 61 BIGELOW'S ADDN	15050-06100-090-03
222 N. YALE	LOTS 8 & 9 BLK 68 BIGELOW'S	15050-06800-090-00

110 N. YALE	LOT 12 BLK 65 BIGELOW'S ADDN	15050-06500-120-00
105 N. YALE	LOTS 1 & 2 BLK 64 BIGELOW'S	15050-06400-020-00
124 N. UNIVERSITY	E 120' OF LOTS 8 & 9 BLK 64 BIGELOW'S	15050-06400-090-00
114 N. UNIVERSITY	LOTS 10,11& N 1/2 OF 12 BLK 64 BIGELOW'S	15050-06400-120-00
26 N. UNIVERSITY	E 165' OF 11 & E 165' OF N 37' OF LOT 12 BLK 63 BIGELOW'S	15050-06300-120-03
18 N. UNIVERSITY	E 165' OF S 10' OF 12 & E 170' OF LOT 13 BLK 63 BIGELOW'S	15050-06300-130-03
424 E. MAIN	LOT 1 & E 10' OF 2 BLK 63 BIGELOW'S ADDN	15050-06300-020-00
408 E. MAIN	LOT 5 & E 1/2 OF LOT 6 & W 1/2 VAC ALLEY BLK 63 BIGELOW'S ADDN	15050-06300-060-00
21 N. YALE	LOT 8 & S 12' OF LOT 9 & W 1/2 VAC ALLEY BLK 63 BIGELOW'S ADDN	15050-06300-090-00
204 N. UNIVERSITY	E 125' OF LOTS 13 & 14 BLK 69 BIGELOW'S	15050-06900-140-06
411 E. CLARK	LOT A REPLAT OF 6 & 7 BLK 69 BIGELOW'S	15050-06900-070-00
219 N. YALE	N 1/2 OF 4 & ALL OF 5 BLK 69 BIGELOW'S	15050-06900-050-00
209 N. YALE	LOT 3 & S 1/2 OF LOT 4 BLK 69 BIGELOW'S	15050-06900-040-00
201 N. YALE	W 100' OF 1 & 2 BLK 69 BIGELOW'S	15050-06900-020-00
412 E. CEDAR	W 50' OF LOTS 13 & 14 BLK 69 BIGELOW'S	15050-06900-140-00
520 E. MAIN	E 104' OF S 126' OF 1 BLK 1 BIGELOW'S UNIVERSITY AUD TRACT C OF LOT 2 SW 1/4 18-92-51 AUD TRACT BIGELOW'S UNIVERSITY	15060-00100-010-03
5 N. UNIVERSITY		15070-09251-180-03
100 WILLOW	S 10' OF 6 & ALL OF 7 BLK 6 BIGELOW'S UNIVERSITY	15060-00600-070-00
110 WILLOW	S 1/2 OF 5 & N 34' OF 6 BLK 6 BIGELOW'S UNIVERSITY	15060-00600-060-00
124 WILLOW	LOTS 1 & 2 BLK 6 BIGELOW'S UNIVERSITY ADDN	15060-00600-020-00
206 WILLOW	LOT 6 BLK 7 BIGELOW'S UNIVERSITY	15060-00700-060-00
210 WILLOW	LOTS 4 & 5 BLK 7 BIGELOW'S UNIVERSITY	15060-00700-050-00
225 N. UNIVERSITY	W 86' OF LOTS 13 & 14 BLK 7 BIGELOW'S UNIVERSITY	15060-00700-140-00
217 N. UNIVERSITY	LOTS 11 & 12 BLK 7 BIGELOW'S UNIVERSITY	15060-00700-120-00
208 N. PINE	LOT 5 & N 1/2 OF 6 BLK 8 BIGELOW'S UNIVERSITY	15060-00800-060-00
222 N. PINE	LOTS 1, 2 & N 1/2 OF 3 BLK 8 BIGELOW'S UNIVERSITY	15060-00800-030-00
216 N. PINE	S 1/2 OF 3 & ALL OF LOT 4 BLK 8 BIGELOW'S UNIVERSITY	15060-00800-040-00
708 E. MAIN	LOT 7 & E 25' OF LOT 8 BLK 3 BIGELOW'S UNIVERSITY	15060-00300-080-00
20 N. PLUM	S 34' OF E 103' OF LOT 2 & ALL OF LOT 3 BLK 3 BIGELOW'S UNIVERSITY	15060-00300-030-00
102 N. PLUM	LOTS 6 & 7 BLK 4 BIGELOW'S UNIVERSITY	15060-00400-070-00
118 N. PLUM	LOTS 1, 2 & 3 BLK 4 BIGELOW'S UNIVERSITY	15060-00400-030-00
1317 MADISON	LOT 9A BLK 2 DAKOTA ADDN	15206-00200-090-00
1309 MADISON	LOT 8A BLK 2 DAKOTA ADDN	15206-00200-080-00
1301 MADISON	LOT 7A BLK 2 DAKOTA ADDN	15206-00200-070-00
1326 MADISON	LOT 13A BLK 1 DAKOTA ADDN	15206-00100-130-00
1321 ROOSEVELT	LOT 15 BLK 1 DAKOTA ADDN	15206-00100-150-00
1305 LINCOLN	LOT B BLK 2 OUELLETES ADDN	15540-00200-130-00
1115 LINCOLN	LOTS 12 THRU 19 BLK 2 OUELLETES	15540-00200-130-17
507 JEFFERSON	S 275' OF LOT 2-S NE 1/4 SW 1/4 18-92-51 MISC	15880-09251-183-29
1320 LINCOLN	LOT 15 BLK 1 OUELLETES	15540-00100-150-00
1326 LINCOLN	LOT 16 BLK 1 OUELLETES	15540-00100-160-00
612 N. NORBECK	S 90' OF E 173.2' OF LOT 17 BLK 1 OUELLETES	15540-00100-170-03
1325 E. CHERRY	E 173.2' OF LOT 17 BLK 1 EXC S 90' & EXC LOT H1 OUELLETES	15540-00100-170-02
1407 E. CHERRY	LOT 12 BLK 1 MEISENHOLDER EAST	15450-00100-120-00
427 PRENTIS	LOT 2 BLK 1 REPLAT OF BLESSING	15080-00100-020-00
503 PRENTIS	LOT 1 BLK 1 REPLAT OF SAMMELSONS 2ND	15690-00100-010-00
515 PRENTIS	LOT 3 BLK 1 REPLAT OF SAMMELSONS 2ND	15690-00100-030-00
1011 LINCOLN	LOT 3-S EXC S 144' NE 1/4 SW 1/4 18-92-51 MISC	15880-09251-183-35
506 JEFFERSON	S 144' OF LOT 3-S NE 1/4 SW 1/4 18-92-51 MISC	15880-09251-183-38

432 JEFFERSON	N 66.26' OF LOT 10 BLK 1 BRECHTELS	15100-00100-100-00
426 JEFFERSON	N 47' OF LOT 9 & S 19' OF LOT 10 BLK 1 BRECHTELS	15100-00100-100-02
420 JEFFERSON	N 33' OF LOT 8 & S 33' OF LOT 9 BLK 1 BRECHTELS	15100-00100-090-00
314 JEFFERSON	S 78' OF LOT 3 BLK 1 BRECHTELS	15100-00100-030-00
139 PRENTIS	LOT 2 BLK 1 SAMMELSONS	15680-00100-020-00
11 PRENTIS	S 1/2 OF LOT 4 & LOT 5 BLK 2 SAMMELSONS	15680-00200-050-00
954 E. MAIN	E 102' OF W 198' OF LOT HD-1 IN SE 1/4 SW 1/4 18-92-51 MISC	15880-09251-183-72
105 ANDERSON	LOT 4 BLK 2 POTTERS	15580-00200-040-00
1120 E. MAIN	LOT 1A BLK 1 POTTERS ADDN	15580-00100-010-00
1209 MADISON	LOT 6 BLK 2 DAKOTA ADDN	15206-00200-060-00
1117 MADISON	LOT 5 BLK 2 DAKOTA ADDN	15206-00200-050-00
333 JEFFERSON	LOT 4 BLK 2 DAKOTA ADDN	15206-00200-040-00
1106 E. CLARK	LOT 1 BLK 5 POTTERS	15580-00500-010-00
1116 E. CLARK	LOT 2 BLK 5 POTTERS	15580-00500-020-00
1202 E. CLARK	LOTS 3 & 4 BLK 5 POTTERS	15580-00500-030-00
1214 E. CLARK	LOT 5 BLK 5 POTTERS	15580-00500-050-00
1220 E. CLARK	LOT 6 BLK 5 POTTERS	15580-00500-060-00
1322 E. CLARK	LOT 1 BLK 2 MEHLHAF ADDN	15435-00200-010-00
928 E. CHERRY	E 20' OF LOT A & W 75' OF LOT B OF GOVT LOT 1 NW 1/4 18-92-51 MISC	15880-09251-182-20
713 N. PLUM	URUP TRACT A OF LOT 2 GOV'T LOT 1 SE 1/4 NW 1/4 18-92-51 MISC	15880-09251-182-01
1110 E. CHERRY	LOT 2A FIRST DAKOTA ADDN	15291-00000-020-00
1122 E. CHERRY	W 150' OF LOT 1 W 1/2 SW 1/4 NE 1/4 18-92-51 MISC	15880-09251-181-11
720 N. UNIVERSITY	BLK 1 URUPS UNIVERSITY ADDN	15790-00100-000-00
440 E. CHERRY	E 81.3' OF S 213' OF SE 1/4 NE 1/4 13-92-52 MISC	15880-09252-131-26
320 E. CHERRY	LOTS T-1, W-1, W-2 & W-3 IN NE 1/4 EXC LOT H1 13-92-52 MISC	15880-09252-131-08
202 E. CHERRY	LOT 13 EXC LOT H1 & H2 MCKELLARS	15430-00000-130-00
833 E. DUKE	URUP TRACT C OF LOT 2 OF GOV'T LOT 1 SE 1/4 NW 1/4 18-92-51 MISC	15880-09251-182-05
833 E. DUKE	URUP TRACT C OF LOT 2 OF GOV'T LOT 1 SE 1/4 NW 1/4 18-92-51 MISC	15880-09251-182-05
911 E. DUKE	LOT 2 BLK 1 EXC N 56' OF E 95.5 OF LOT 2 & EXC W 8' OF S 99.7' OF LOT 2 SUMMERSET	15750-00100-020-00
911 E. DUKE	LOT 2 BLK 1 EXC N 56' OF E 95.5 OF LOT 2 & EXC W 8' OF S 99.7' OF LOT 2 SUMMERSET	15750-00100-020-00
816 JEFFERSON	N 56' OF E 95.5 OF LOT 2 BLK 1 SUMMERSET	15750-00100-020-05
816 E. CLARK	LOTS SL-1 & SL-2 SW 1/4 18-92-51 MISC	15880-09251-183-20

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 19th day of October, 2015 was approved and that the Engineer shall proceed with the work in the manner provided by law.

BE IT FURTHER RESOLVED, that the property owner shall, at their own expense, repair the sidewalk according to the specifications filed in the office of the City Engineer. The repairs must be under contract by the 30th day of June 2016 for completion by December 31, 2016.

Dated at Vermillion, South Dakota this 16th day of November, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

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

7. Old Business

A. Second reading of Ordinance 1333 amending Chapter 90, Trees, Plants, and Shrubs, Section 90.75 and adding Section 90.86.

Jim Goblirsch, Parks and Recreation Director, reported that in May 2014 the Tree Board recommended several changes to the tree ordinance section that were adopted by the City Council. Jim noted that it became apparent that the changes adopted in the ordinance prevented plantings from taking place in the public right-of-way in the downtown area which was not the intent of the revised ordinance. Jim stated that the suggestion was to revise Section 90.75 - Distance from Curb and Sidewalk and add section 90.86 to allow the City Tree specialist to interpret and, if in the best interest of the community, make exceptions based on certain circumstances if the distance from the sidewalk to the curb is less than seven feet. Jim noted that at first reading he had reported the width should be reduced to five feet from curb to sidewalk but after review request maintaining the seven foot curb to sidewalk width. Jim stated that section 90.75 has had new language inserted to clarify right-of-way. Jim noted that section 90.86 permits the Tree Specialist to reduce or extend the minimum width if circumstances warrant, based on policies identified in the tree manual. Jim noted that this ordinance will allow flexibility to look at some special circumstances, while at the same time outlining a solid policy of tree planting, care and maintenance. Jim recommended approval of second reading of the ordinance. Discussion followed noting that the ordinance provided an appeal process.

345-15

Second reading of title to Ordinance No. 1333 entitled An Ordinance Amending Chapter 90, Trees, Plants and Shrubs, Section 90.75 and adding Section 90.86 interpretations and exemptions of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1333 entitled An Ordinance Amending Chapter 90, Trees, Plants and Shrubs, Section 90.75 and adding Section 90.86 interpretations and exemptions was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 2nd day of November, 2015 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 16th day of November, 2015 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

ORDINANCE 1333

AN ORDINANCE AMENDING TITLE IX GENERAL REGULATIONS CHAPTER 90 TREES, PLANTS AND SHRUBS SECTION 90.75, DISTANCE FROM CURB AND SIDEWALK, AND ADDING SECTION 90.86, INTERPRETATION, EXCEPTIONS, OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA that Title IX, Chapter 90 be amended as follows:

§ 90.75 DISTANCE FROM CURB AND SIDEWALK.
In general, no tree shall be planted in a right-of-way where the distance between the curb and sidewalk is less than seven (7) feet.

§ 90.86 INTERPRETATION; EXCEPTIONS.
The City Tree Specialist of designated official may interpret and if necessary make exception to these regulations if in the interest of the public.

Dated at Vermillion, South Dakota this 16th day of November, 2015.

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

ATTEST:
By _____
Michael D. Carlson, Finance Officer

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

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

8. New Business

A. Business Improvement District #1 reappointments

Mayor Powell reported that the City Council on September 16, 2013 adopted a resolution establishing the Board of Directors for Business Improvement District #1 that would be comprised of five people. Mayor Powell noted that the terms of office are for three years. The initial appointment of a Board in 2013 was two members appointed to a one-year term expiring in 2014, two members appointed to a two-year term expiring in 2015, and one member to be appointed to a three-year term expiring in 2016. Mayor Powell stated that the current members of the BID Board and term expiration year are: Dan Kenton (2017), Jim Peterson (2017), Amy Christensen (2015), David Herbster (2015), and Joe Eckert (2016). Mayor Powell reported that Amy Christensen and David Herbster have agreed to serve a three year term and recommended their reappointment.

346-15

Alderman Willson moved approval of the reappointment of Amy Christensen and David Herbster to three year terms on the Business Improvement District #1 Board expiring in 2018. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Resolution relating to the issuance of refunding certificates of participation - City Hall certificates of participation

Mike Carlson, Finance Officer, reported that Tom Grimmond with Dougherty & Company, LLC presented information at the November 2nd noon meeting on projected savings by advance refunding of the 2007 Certificates used to finance the City Hall project. Mike stated that the advance refunding projections would issue \$2,700,000 of new certificates that will be held in escrow to pay the outstanding principal on the original certificates at the call date of December 15, 2017 of \$2,565,000, the interest on the refunding certificates until the call date net of interest earned and costs if issuance for new certificates. Mike reported that Tom projected the new certificates are estimated to have an interest rate of 1.25% to 2.65% and would mature

on December 2026 like the original issue. Mike stated that the lower interest rate is projected to save \$137,550 over the remaining nine years of the issue life or just over \$15,000 per year. Mike reported at the November 2nd evening meeting that the information was reviewed by the City Council at which time staff was authorized to work with bond counsel to develop a resolution to authorize the advance refunding of the City hall certificates. Mike stated that the resolution included in the packet was prepared by Dorsey & Whitney, LLC bond counsel. Discussion followed.

347-15

After reading the same once, Alderman Collier-Wise moved adoption of the following:

RESOLUTION RELATING TO THE ISSUANCE OF REFUNDING CERTIFICATES OF PARTICIPATION; AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO LEASE-PURCHASE AGREEMENT AND FIRST SUPPLEMENTAL DECLARATION OF TRUST AND APPROVING AND AUTHORIZING EXECUTION OF RELATED DOCUMENTS

BE IT RESOLVED by the City Council of the City of Vermillion, South Dakota (the City), as follows:

Section 1. Recitals and Authorization.

1.01. The City is a political subdivision of the State of South Dakota and a body corporate and politic. Under the laws of the State of South Dakota, the City is possessed of all powers which are necessary, requisite or proper for the government and administration of its local and municipal matters, and all rights and powers that now or hereafter may be granted to municipalities by the laws of the State of South Dakota.

1.02. The City is authorized by Chapter 10-52, South Dakota Codified Laws (the Act) to levy a "non-ad valorem tax" (as defined by the Act) on the sale, use, storage and consumption of items taxed under Sections 10-45 and 10-46, South Dakota Codified Laws, subject to certain exceptions; and the City has adopted and enacted Chapter 34 , Title III, Vermillion Code of Ordinances (the Ordinance) pursuant to the Act imposing the sales taxes authorized by the Act within the City (the Sales Tax).

1.03. The City is authorized by South Dakota Codified Laws, Chapters 9-12, 9-38 and 9-40, as amended, to acquire real and personal property by lease or purchase that the governing body finds it is necessary and appropriate to carry out its governmental and proprietary functions.

1.04. The City has previously entered into a Ground Lease and Easement Agreement with The First National Bank of Sioux Falls, South Dakota (the Trustee), dated as of September 15, 2007 (the Ground Lease),

whereby the Trustee acquired certain interests in real property (the Land) from the City and the Trustee has leased its interest in the Land and has leased and agreed to sell the Facilities (as hereafter defined) acquired, renovated, constructed and equipped thereon to the City pursuant to a Lease-Purchase Agreement, dated as of September 15, 2007 (the Original Lease).

1.05. The Trustee has executed and delivered a Declaration of Trust, dated as of September 15, 2007 (the Original Trust Agreement), joined in by the City, pursuant to which the Trustee has (i) issued Certificates of Participation in the lease payments to be made by the City under the Original Lease (the Series 2007 Certificates) for the purpose of financing the construction and equipping of improvements on the Land, consisting of a new city hall (the Facilities) described in the Lease (as hereinafter defined).

1.06. The City has determined it to be advantageous to refinance the lease payments payable under the Original Lease by refunding in advance of maturity the Series 2007 Certificates maturing in years 2021 and later (the Refunded Certificates), currently outstanding in the aggregate principal amount of \$2,565,000, in an advance crossover refunding (the Refunding).

1.07. The City and the Trustee, acting in the capacity of escrow agent (the Escrow Agent), will execute and deliver an escrow agreement, to be dated as of the date of closing (the Escrow Agreement), under which the Escrow Agent will receive, hold and disburse that portion of the proceeds of the Series 2015 Certificates, as hereinafter defined, to be used for payment of the interest on the Series 2015 Certificates through and including December 15, 2017 (the Crossover Date) and principal of the Refunded Certificates on the Crossover Date.

1.08. The City will accomplish the Refunding by entering into a First Amendment to Lease-Purchase Agreement (the First Amendment to Lease, together with the Original Lease, the Lease) and a First Supplemental Declaration of Trust (the First Supplemental Trust Agreement, together with the Original Trust Agreement, the Trust Agreement) with the Trustee, pursuant to which the Trustee will issue Certificates of Participation, Series 2015 (the Series 2015 Certificates) in the Lease and the payments to be made by the City thereunder. The Series 2015 Certificates shall be issued in the principal amount not to exceed the sum of (i) the amount necessary to refund the Series 2007 Certificates, (ii) an amount necessary to pay the costs of issuance of the Series 2015 Certificates, including underwriter's discount and (iii) original issue discount (not to exceed 2% of the principal amount of the Series 2015 Certificates) on the Series 2015 Certificates.

1.09. The City has determined that the issuance of Series 2015 Certificates complies with the terms and conditions for the issuance of refunding Obligations set forth in Section 11.2 of the Original Lease.

Section 2. Approvals.

2.01. Authorization and Approval of the Documents. The financing described above is found to be favorable and is hereby approved. The Mayor and Finance Officer are authorized to approve the execution and delivery of the First Amendment to Lease and the Series 2015 Certificates, in a principal amount not to exceed the amount determined in Section 1.08, the Series 2015 Certificates to be dated as of the date of delivery, to bear interest at an average yield not to exceed 2.72% and to mature no later than December 15, 2026. The Mayor and Finance Officer are directed to enter into a purchase agreement (the Certificate Purchase Agreement) with Dougherty & Company LLC (the Underwriter) whereby the Underwriter will agree to purchase the Series 2015 Certificates; the execution of the Certificate Purchase Agreement by the Mayor and Finance Officer shall be conclusive evidence of their approval of the principal amount, purchase price, interest rates and other terms set forth therein. The Mayor, Finance Officer and City Attorney are authorized to approve the final forms of the First Amendment to Lease, the First Supplemental Trust Agreement, the Certificate Purchase Agreement, the Escrow Agreement and the Official Statement by which the Underwriter will offer the Series 2015 Certificates for sale to the public (collectively, the Documents) and the Mayor and Finance Officer are directed to execute the Documents. Copies of all Documents shall be delivered, filed and recorded as provided therein. The Mayor, Finance Officer and City Attorney are also authorized and directed to execute such other instruments as may be required to give effect to the transactions herein contemplated. The City will cooperate in the issuance of the Series 2015 Certificates and the Mayor, Finance Officer and the City Attorney shall execute such other instruments as are necessary to the issuance of the Series 2015 Certificates.

2.02. Appointment of Bond Counsel. The law firm of Dorsey & Whitney LLP, Minneapolis, Minnesota, is hereby appointed as bond counsel and disclosure counsel with respect to the issuance of the Series 2015 Certificates.

2.03. Additional Obligations. The City acknowledges that the Lease will contain provisions limiting the City's ability to issue or incur Additional Obligations (as defined in the Lease) while the Lease is in force and the Series 2007 Certificates, the Series 2015 Certificates and any additional certificates prepared and delivered by the Trustee pursuant to the Trust Agreement (the Certificates) are Outstanding. The City will not approve or participate in the issuance of any Additional Obligations unless the conditions set forth in the Lease for issuance of Additional Obligations have been satisfied.

2.04. Reserve Account. The Reserve Account has previously been established as a separate account within the Trust Fund (as defined in the Trust Agreement). If the balance on hand in the Lease Payment Account (as defined in the Trust Agreement) is not sufficient to pay principal and interest on the Series 2007 Certificates, Series 2015

Certificates and any additional parity certificates payable therefrom, the Trustee shall transfer from the Reserve Account to the Lease Payment Account an amount equal to such deficiency. Moneys credited to the Reserve Account may be used only for the payment of principal of and interest on the outstanding Certificates and shall be used only in the event that there are insufficient moneys on hand to meet such principal and interest payments promptly when due. The interest from any investment of the Reserve Account shall be transferred from time to time to the Lease Payment Account, provided that no transfer of investment income shall be made from the Reserve Account at any time when the balance therein is less than the Reserve Requirement. Such investments shall be subject to the limitations of South Dakota law.

2.05. Pledged Revenues. So long as the Lease is in effect, the amount of Sales Tax received in excess of the first 1% (the Pledged Revenues) are (subject to any subsequent pledge to Additional Obligations) expected to be applied to Lease Payments.

Section 3. Modifications, Absence of Officers. The approval hereby given to the Documents includes an approval of such additional details therein as may be necessary and appropriate and such modifications thereto, deletions therefrom and additions thereto as may be necessary and appropriate and approved by the City Attorney prior to the execution of the Documents. The execution of any instrument by the appropriate officer or officers of the City herein authorized shall be conclusive evidence of the approval of such documents in accordance with the terms hereof. In the absence of the Mayor or the Finance Officer, any of the Documents authorized by this resolution to be executed may be executed by such officers as, in the opinion of the City Attorney, may execute documents in their stead, including the acting Mayor, City Manager or acting Finance Officer.

Section 4. Payment of Lease Payments. The City will pay to the Trustee promptly when due, all of the Lease Payments (as defined in the Lease) and other amounts required by the Lease. To provide moneys to make such payments, the City will include in its annual budget, for each fiscal year during the term of the Lease, moneys sufficient to pay and for the purpose of paying all Lease Payments and other amounts payable under the Lease, and will take all other actions necessary to provide moneys for the payment of the obligations of the City under the Lease from sources of the City lawfully available for this purpose. The agreements of the City in this section are subject to the provisions for termination set forth in the Lease, which shall provide that the Lease will be subject to termination by the City, without penalty, at the end of any fiscal year of the City, if the City Council notifies the Trustee, not later than July 1 of that fiscal year that it will not budget or appropriate money for the payment of the City's obligations under the Lease for the succeeding fiscal year.

Section 5. Tax and Arbitrage Matters.

5.01. Covenant. The City covenants and agrees with the owners from time to time of the Series 2015 Certificates, that it will not take, or permit to be taken by any of its officers, employees or agents, any action which would cause the interest component of the Lease Payment to become subject to taxation under the Internal Revenue Code of 1986, as amended (the Code) and any regulations issued thereunder (the Treasury Regulations), in effect at the time of such action, and that it will take, or it will cause its officers, employees or agents to take, all affirmative actions within its powers which may be necessary to insure that the interest component of the Lease Payment will not become subject to taxation under the Code and the Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Series 2015 Certificates. The City represents and covenants that the City is or will be the owner of the Facilities and uses them for its municipal functions. So long as the Series 2015 Certificates are outstanding, the City will not enter into any lease, use agreement or other contract or agreement respecting the Facilities which would cause the Lease or the Series 2015 Certificates to be considered "private activity bonds" or "private loan bonds" pursuant to the provisions of Section 141 of the Code.

5.02. Arbitrage Certification. The Mayor and Finance Officer being the officers of the City charged with the responsibility for issuing the Series 2015 Certificates pursuant to this resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and Section 1.148-2(b) of the Treasury Regulations, stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Series 2015 Certificates which make it reasonable to expect that the proceeds of the Certificates will not be used in a manner that would cause the Lease and the Series 2015 Certificates to be arbitrage bonds within the meaning of the Code and Treasury Regulations.

5.03. Arbitrage Rebate Exemption. (a) It is hereby found that the City has general taxing powers, that no Certificate is a "private activity bond" within the meaning of Section 141 of the Code, that 95% or more of the net proceeds of the Series 2015 Certificates are to be used for local governmental activities of the City, and that the aggregate face amount of all tax-exempt obligations (other than private activity bonds) issued by the City and all subordinate entities thereof during the year 2015 is not reasonably expected to exceed \$5,000,000. Therefore, pursuant to Section 148(f)(4)(D) of the Code, the City shall not be required to comply with the arbitrage rebate requirements of paragraphs (2) and (3) of Section 148(f) of the Code.

(b) Notwithstanding the provisions of paragraph (a) of this Section 5.03, if the arbitrage rebate provisions of Section 148(f) of the Code apply to the Series 2015 Certificates, the City hereby covenants and

agrees to make the determinations, retain records and rebate to the United States the amounts at the times and in the manner required by said Section 148(f) and applicable Regulations.

Section 6. Continuing Disclosure. The City acknowledges that the Series 2015 Certificates are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (17 C.F.R. § 240.15c2-12) (as in effect and interpreted from time to time, the "Rule"). The Rule governs the obligations of certain underwriters to require that issuers of municipal obligations enter into agreements for the benefit of the holders of the obligations to provide continuing disclosure with respect to the obligations. To provide for the public availability of certain information relating to the Series 2015 Certificates and the security therefore and to permit participating underwriters in the primary offering of the Series 2015 Certificates to comply with the Rule, which will enhance the marketability of the Series 2015 Certificates, the Mayor and the Finance Officer are hereby authorized and directed to execute a Continuing Disclosure Undertaking, by which the City agrees to provide such information, either directly or through a disclosure agent, and the City hereby covenants and agrees to observe and perform the covenants and agreements contained therein, unless amended or terminated in accordance with the provisions thereof, for the benefit of the registered owners or beneficial owners from time to time of the Outstanding Certificates as therein provided.

Section 7. Qualified Tax-Exempt Obligations. The City hereby designates the Series 2015 Certificates as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code relating to the disallowance of interest expense for financial institutions, and hereby finds that the reasonably anticipated amount of qualified tax-exempt obligations (within the meaning of Section 265(b)(3) of the Code) which will be issued by the City and all subordinate entities during calendar year 2015 does not exceed \$10,000,000.

Section 8. Redemption of Series 2007 Certificates. The Finance Officer is hereby authorized and directed forthwith to call, or to cause the Escrow Agent to call, for redemption on the Crossover Date all Refunded Certificates. Notice of redemption of the Refunded Certificates shall be given in accordance with the terms of the Trust Agreement.

Section 9. Amendment. This resolution may be amended from time to time, prior to the issuance of the Series 2015 Certificates, by an administrative resolution adopted by this Council.

Adopted this 16th day of November, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Erickson. 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.

9. Bid Openings - None

10. City Manager's Report

A. John reported that City offices will be closed on Thursday, November 26th for Thanksgiving Day. John noted that the curbside recycling pickup scheduled for Thursday, November 26th will be on Monday, November 30th.

B. John reminded citizens that Main Street will be closed on Friday, December 4th from 6:15 p.m. to 7:00 p.m. for the Parade of Lights.

C. John reported that the final pool plans and the City fee schedule will be part of the December 7th agenda.

PAYROLL ADDITIONS AND CHANGES

Engineering: Shane Griese \$22.27/hr; Police: Isaac Voss \$22.68/hr;
Code: Jim Balleweg \$20.01/hr

11. Invoices Payable

348-15

Alderman Willson moved approval of the following invoices:

Broadcaster Press	advertising	391.50
Bureau Of Administration	long distance	251.00
Centurylink	telephone	1,494.51
City Of Vermillion	landfill vouchers	300.00
Clay Rural Water System	water usage	58.50
Clay-Union Electric Corp	electricity	1,572.12
Clerk Of Courts	refund parking ticket	45.00

Dakota Rock Farms	wastewater sludge hauling	14,546.86
Dept Of Environment & Natural Res	loan payments	66,031.47
Dept. Environment Natl Res	landfill operations fee	3,248.49
Graham Tire Co.	tires	518.76
Gregg Peters	managers fee	6,000.00
Independence Waste	waste hauling-extra pickups	31.50
John C. Prescott	travel reimbursements	144.00
Loren Fischer Disposal	haul cardboard	210.00
MidAmerican	gas usage	915.18
Midcontinent Communication	internet/cable service	118.68
Noridian	ambulance refund	100.00
Republic National Distributing	merchandise	26,020.52
Reserve Account	postage for meter	950.00
SD Dept Of Revenue	transporter license	25.00
Stern Oil Co.	fuel	13,174.27
The Equalizer	advertising	1,598.31
United Parcel Service	shipping	45.91
Us Postmaster	postage for utility bills	1,100.00
Vermillion Taekwondo	online registration	160.61
Kalins Indoor Comfort	Bright Energy Rebate	500.00
Troy Gregoire	Bright Energy Rebate	3,570.00
Masaba	Bright Energy Rebate	683.59

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

12. Consensus Agenda

A. Set a public hearing date of December 7, 2015 for annual liquor and wine license renewals

349-15

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

13. Adjourn

350-15

Alderman Ward moved to adjourn the Council Meeting at 7:19 p.m. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of November, 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 _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 7, 2015
Subject: Public Hearing for Alcoholic Beverage License Renewals
Presenter: Mike Carlson

Background: The Police Chief has prepared a report indicating the performance of each of the establishments during 2015. The report notes compliance checks and other activity for each of the establishments. In the letter sent to all license holders with the renewal application, the applicants were encouraged to attend the public hearing or have someone represent the business. City ordinance requires a written management plan upon reapplication for a licensee convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. The ordinance is as follows:

112.04 UNLAWFUL TO VIOLATE LIQUOR LAWS; REAPPLICATION UPON CONVICTION.

(A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.

(B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

Management plans were required for this renewal period from Augustus Management for Howlers (October 23, 2014 and October 26, 2015), Old Lumber Company (April 29, 2015) and Charcoal Lounge (April 29, 2015 and November 16, 2015). The management plans are included in the packet.

Discussion: The City Council has the ability to renew a license on basically two criteria: suitable person and suitable location. With respect to the location criteria, licenses have previously been approved for all of the locations. A South Dakota legal ruling defined that other items can impact the location criteria. The character of neighborhoods and

businesses tend to change over time and a local governing body has a legitimate interest in managing the alcoholic beverage licensing in its jurisdiction to assess whether an alcohol sales location continues to be suitable. With respect to the suitable person criteria, the City Council can also determine that an applicant is not of suitable moral character and not renew a license. If an application is denied, the motion must state the reason for denial. A denial of a liquor license would mean the loss of a liquor license to the city, as the city is now two licenses over the number provided by state statute. As to the denial of a wine license, the applicant cannot reapply for this type of license for one year.

The liquor license for the Old Lumber Company, Inc was transferred from John Grunewaldt to the Old Lumber Company, Inc in April 2012. For that transfer along with subsequent renewals, the motion to approve included the following condition “approval of the on-sale liquor license to the Old Lumber Company, Inc. for the Old Lumber Company, at 15 Court Street for the interior of the building, at said location”. The City Council will need to consider if it wants to continue to restrict the license to the interior of the building.

Financial Consideration: The City receives \$1,500 for each on-off sale retailer liquor license, \$500 for a retailer wine license and \$500 for the off-sale municipal package license. For those businesses with video lottery machines, the fee is \$50 per machine, unless this fee was paid with their malt beverage license renewal in June.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval or denial of the renewal of the liquor and wine licenses. On the renewals, the City Council might want to break it down into these separate actions:

1. The first action would be to consider the renewal of the retail on-sale liquor license for the Old Lumber Company, Inc for the Old Lumber Company at 15 Court Street. When the license was transferred from John Grunewaldt to the Old Lumber Company, Inc., on April 2, 2012 along with subsequent renewals, the motion to approve included the following condition “approval of the on-sale liquor license to the Old Lumber Company, Inc. for the Old Lumber Company, at 15 Court Street for the interior of the building, at said location”. The City Council will need to consider if it wants to continue to restrict the license to the interior of the building as has been done with the liquor license and malt beverage license renewals.
2. The second action would be to consider the renewal of the balance of the on-sale retail liquor licenses, on-off sale wine licenses and municipal package off sale license.

CITY OF VERMILLION
December 7, 2015 MALT BEVERAGE PUBLIC HEARING
MANAGEMENT PLANS REQUIRED

The following are management plans for the December 7, 2015 license renewals. The owners have been asked to be present to answer questions:

Augustus Management for Howlers failed October 23, 2014 and October 26, 2015

Old Lumber Company failed April 29, 2015

Charcoal Lounge failed April 29, 2015 and November 16, 2015

License Holder Name: Chad Grunewaldt

Local Business Name: Old Lumber Company

Contact Phone: 605-280-3520

Local Business Address: 15 Court Street (physical) P.O Box 568 Vermillion, SD 57069

Contact name: Chad Grunewaldt

1) Please describe the violation since the last renewal and why management believes the compliance check was failed.

The incident involved a past employee who failed a compliance check during a routine check. He did not card the person and proceeded to serve them alcohol under the assumption they were 21. I do believe the reason why this compliance check was failed was because the employee was not paying attention to their job, assuming the person of interest was of age.

2) What Changes to management plan policies have been **implemented** since the violation listed above?

Since the last violation, staff is require to card everyone. Carders have been implemented on Thursday-Saturday nights when there are more people in the building. To get in you have to get carded and be of age(21 +). If you do not have an I.D you will not be let into the building.

3) Have any changes in management plan polices been **discontinued** from current use? (Please include a copy of changes to policies)

No changes have been discontinued only implemented.

4) How have the changes addressed the defects that resulted in the violation?

Carders have helped out the servers and the bartenders so when its busy they will not forget to card. If we have a carder at the door , staff knows everyone has been carded successfully.

5) Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

Termination is a direction correlation with an employee making an illegal alcohol sale. They have been trained to if they do not do it, it is their own fault and are not following the companies policies.

6) How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

Management plan policies are communicated to employees during the time of training, before and during every shift.

7) If the employee who committed the violation are still with the license holder, please provide information on the specific training provided to the individual after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

Employee is no longer employed with Old Lumber Company. Termination is a direct correlation to failing a compliance check.

8) If the employee who committed the violation are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

9) The employee was terminated the day of failed compliance check and it was involuntary.

4/30/2015

10) List failed alcohol compliance checks, with dates for license holder for the past five years.

12/7/2012

04/29/2015

10) Attach a copy of your written employee management plan regarding selling alcohol to minors and checking ID's.



Employee Management Plan

-Hours of sale: 11am-1:45am. No alcohol will be served outside those set times. Monday-Sunday.

-Always ask for an ID when asked in a sale of alcohol.

When asking for ID always take physical control of the ID and always request it be taken out of wallets or covers so that you may:

-Check the back, look for poor photocopy quality(blurred image) or digitalize lettering. Also look for wording that indicates it is not an issued by a branch of government, a disclaimer, or statement of authenticity

-Check for the thickness, unevenly cut corners and bumpy surfaces indicating a picture has been replaced or the card has been hand cut

-Check for color-bleed on security features and font on the front of the ID card all images should be crisp and clear

-Check the picture and physical information to see that it matches the person attempting to gain entrance or be served

Pay special attention to the date of birth and confirm that individual is old enough and that it has not been altered.

-Make sure the ID has not expired

-Always check the date on the ID Issued to make sure they are of age. If you are unsure look at the clock on the back of the wall. This clock will always have the age of a 21 person to date.

-If it is a paper ID, Old Lumber Company does not accept that as a form of ID. They must have a valid ID. A Passport would be the only acceptable paper ID accepted.

-Old Lumber Company does not accept expired ID's , or an ID that still says the person is under 21. The customer can get those renewed. Old Lumber Company will not accept as a valid ID

-Old Lumber Company does not allow minors to drink in the restaurant period. There is no exception to the rule if they are with a legal guardian or parent. Old Lumber Company does not advise of this service. Will not serve any minor period.

-If an underage person presents an ID at time of sale, and you have checked to know they are underage. Refuse service of alcohol.

-If you come across a fake ID. Refuse service to the customer, take ID tell the person the reason being-and escort them out of the building. Then report to manager and police department.



Management Plan Form

25 Center Street
Vermillion SD 57069

City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.

(B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly. (Businesses are encouraged to attend the public hearing to answer questions on the violations and/or management plan.)

License Holder Name: Augustus Management, LLC

Local Business Name: Howler's Bar & Grille

Local Business Address: 912 N. Dakota Street

Contact Name: Santhya T. Robertson Phone: 605.624.2657

Title: Member

Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

Server neglected to check the ID.

What changes to management plan policies have been **implemented** since the violation(s) listed above?

None. We talk constantly about carding and serving minors. We remind our staff daily at each shift the importance of checking IDs

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

No

How have the changes addressed the defect(s) that resulted in the violation?

N/A

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

1st offense they are reprimanded and taken off schedule for 1 week
2nd offense termination

How are management plan polices communicated to employees to allow them to understand the policies and procedures for selling alcohol?

Verbally and by signed contract

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

one on one conversation

If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

N/A

List failed alcohol compliance checks, with dates, for license holder for the past five years.

Oct 2015

Attach a copy of your written employee management plan regarding selling alcohol to minors and checking IDs.

Other Comments:

Submitted by Signature: [Signature] Phone: 605.624.2657

Print name: Jonathan T. Robertson Date: 11/11/15

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069

CHECKING IDS

Every person that comes in and orders any type of alcoholic beverage that looks like they are thirty-five(35) years of age or younger, must have his or her ID checked. There are no exceptions to this rule. According to state law, the employee caught serving a minor will be charged and will face a \$100 fine and an automatic 30-day suspension of driving privileges.

Anyone while checking IDs finds the individual using a fake id or is simply a minor using their own ID will inform a manager who will call the police and have the individual arrested.

A \$50.00 gift certificate for the Cherry Street Grille or Howler's will be given as a reward if the minor in question is part of a city or state sponsored compliance check. The minor's ID will be confiscated and you will call Jon or Carol Robertson. You will not turn over the ID to anyone until Jon or Carol arrives. ***Under no circumstances will the ID be handed back to the minor.***

I acknowledge by signing this form that I will ID every person appearing to be under the age of 35 who orders any type of alcoholic beverage from me. I also acknowledge I will not knowingly serve any minor while working at this establishment. **I agree to hold harmless this establishment and reimburse the establishment for any cost associated with my failure to comply with this policy.** *This could end up costing you between \$500.00 and \$2000.00.* I further acknowledge that if I am caught serving alcohol to a minor, I could be terminated immediately.

Employee Signature

Date

Management

Date



**Management
Plan Form**
25 Center Street
Vermillion SD 57069

City ordinance section 112.04 requires a written management plan with reapplication if convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control. That ordinance is as follows:

- A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.
- (B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly. (Businesses are encouraged to attend the public hearing to answer questions on the violations and/or management plan.)

License Holder Name: Tom French

Local Business Name: Charcoal Lounge

Local Business Address: SE Main

Contact Name: Tom French Phone: 605-670-9781

Title: Owner

Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

One of the bartenders didn't check an ID. Not totally sure why it happened. Bartender thought the person was old enough.

What changes to management plan policies have been **implemented** since the violation(s) listed above?

Most of the time there is a person to check IDs at the door - that I believe the bartenders of that job.

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

No - just constantly reminding all staff to card every one!

How have the changes addressed the defect(s) that resulted in the violation?

Main person / person at the door responsible for checking IDs.

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

Suspension at minimum - Possible loss of job

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

Numerous discussions + meetings

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

meetings and one on one discussions.

If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

List failed alcohol compliance checks, with dates, for license holder for the past five years.

Attach a copy of your written employee management plan regarding selling alcohol to minors and checking IDs.

Other Comments:

The owner + staff at the Charcoal Lounge do not want to sell to minors! They do everything to not sell to minors!

Submitted by Signature: [Signature] Phone: 605 630-9981
Print name: Rellie L. French Date: 11-16-15

Charcoal Lounge

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069



Management Plan Form

25 Center Street
Vermillion SD 57069

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- A) Violation of liquor laws unlawful. It is unlawful for any licensee under the provisions of the SDCL Title 35, and this chapter, or other person to violate any of the provisions of such laws or of this chapter or to fail to comply therewith within the city limits.
- (B) Reapplication after conviction. Any licensee under this chapter, its agents or employees or the manager or contractual operators, or their agents or employees, of retail establishments licensed under this chapter who in the course of the operation of the license, are convicted of a violation of any law, rule, regulation, or ordinance relevant to alcoholic beverage control, or upon the request of the City Council, shall upon reapplication for a license submit with the reapplication a written management plan which sets forth the licensee's policy for correcting any and all defects in its operation that contributed to a violation or issue related to license renewal. The governing body will review the adequacy of the plan as part of the renewal process. Failure to submit a plan or submission of an inadequate plan shall be considered by the governing body in exercising its discretion to approve or disapprove the application pursuant to SDCL 35-2-1.1.

To assist in the preparation of the management plan please provide answers to each of the following questions. The City Council will take into consideration the management plan during the license renewal public hearing. If more space is needed please attached extra sheets. You can also provide any extra material that is needed to explain your management plan. Please type or print legibly. (Businesses are encouraged to attend the public hearing to answer questions on the violations and/or management plan.)

License Holder Name: Tom French

Local Business Name: Charcoal Lounge

Local Business Address: SE Main

Contact Name: Tom French Phone: 605-670-9781

Title: Owner

Please describe the violation(s) since the last renewal and why management believes the compliance check was failed:

Brand new employee didn't card the person. I was working with him + starting training. I ran home to eat dinner quick with my family. Under the sting.

What changes to management plan policies have been **implemented** since the violation(s) listed above?

We are having all new employees work with me at the door carding people. This gives them confidence + experience to card every one!

Have any changes in management plan policies been **discontinued** from current use? (Please include a copy of changes to policies)

How have the changes addressed the defect(s) that resulted in the violation?

New employee - was in the training process

Please list what the management plan policy has for consequences for an employee making illegal alcohol sales?

job suspension - possible loss of job

How are management plan policies communicated to employees to allow them to understand the policies and procedures for selling alcohol?

verbal discussions + meetings

If the employee(s) who committed the violation(s) are still with the license holder, please provide information on the specific training provided to the individual(s) after the violation occurred to ensure they are familiar with proper alcohol sale techniques.

Working one on one with owner, employee
meetings

If the employee(s) who committed the violation(s) are no longer employed with the license holder, please provide the date of termination, and if the termination was voluntary or involuntary.

List failed alcohol compliance checks, with dates, for license holder for the past five years.

Attach a copy of your written employee management plan regarding selling alcohol to minors and checking IDs.

Other Comments:

This has been a difficult time at the Char-
we lost our manager suddenly & have
been trying to deal with the operations
of the bar.

Submitted by Signature: Rellie T. French Phone: 605-670-9781

Print name: Rellie T. French Date: 12-1-15

Charcoal Lounge

When all information has been prepared, please submit the information with your license renewal to:

Finance Office
City of Vermillion
25 Center Street
Vermillion, SD 57069

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 7th day of December 2015 at the hour of 7:00 P.M. at the City Hall Council Chambers, 25 Center Street will meet in regular session to consider the following applications for an alcoholic beverage license to operate within the municipality for the January 1, 2016 through December 31, 2016 licensing period, which have been presented to the City Council and filed in the Finance Officer's Office:

Re-issuance of On-Sale-Retailer Liquor:

Bebee Street II, LLC.	Carey's Bar at 18 West Main
Charcoal Lounge, Inc.	Charcoal Lounge at 6 & 8 East Main
Leo's Sports Bar & Grill, LLC	Leo's Lounge at 11 South Market
Fraternal Order of Eagles	Eagles Club 2421 at 114 West Main
Bunyan's, LLC	Bunyan's at 1201 West Main
Main Street Pub, Inc.	Main Street Pub at 11 West Main
City of Vermillion	The Bluff's Golf Course at 2021 East Main
Maya Jane's, Inc.	Maya Jane's at 9 W Main
J.N.J. Management, Inc.	The Road House at 911 East Cherry
Red Steakhouse, Inc	Red Steakhouse at 1 East Main Street
Old Lumber Company, Inc.	Old Lumber Company Bar & Grill at 15 Court St
Augustus Management, LLC	Howler's Bar & Grill at 912 North Dakota

Re-issuance of Retail On-Off Sale Wine:

Mexico Viejo, Inc	Mexico Viejo Mexican Restaurant 432 E Cherry
Blue Inc	Little Italy's at 831 East Cherry
HyVee Food Stores Inc	HyVee at 525 West Cherry Street
Silk Road Café, Inc	Silk Road Café at 12 West Main Street
Wal-Mart Stores, Inc.	Wal-Mart #3734 at 1207 Princeton Street
Café Brule, Inc	Café Brule at 24 West Main
Red Steakhouse, Inc	Red Steakhouse at 1 East Main Street
Sunset Oil, Inc	Lucky Seven Casino at 629 Stanford St Suite C
Varsity Pub, LLC	The Varsity at 113 East Main Street

Re-issuance of Municipal Off-Sale Package Liquor:

City of Vermillion	Municipal Liquor Store at 826 Cottage
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NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application.

Dated at Vermillion, South Dakota this 13th day of November, 2015.

Michael D. Carlson, Finance Officer

Publish: November 28, 2015

Published once at the approximate cost of _____.

City of Vermillion
Police Department
15 Washington Street
Vermillion, SD 57069
Phone: (605)677-7070
FAX: (605)677-7166
www.vermillionpd.org



November 19, 2015

To: Vermillion City Council
From: Matt Betzen, Chief of Police
Subject: Alcohol License Renewals/Jan. 2016 – Dec. 2016

So far in 2015, the Vermillion Police Department has conducted 36 compliance checks on businesses that sell alcohol. Vendors failed six of these compliance checks, but were successful in 30 of the checks. So, as of November 17th of 2015 the pass rate for compliance checks is 83%. For comparison, at this time last year (2014) we had conducted 41 compliance checks with 10 failures for a pass rate of 75.6%.

This memo summarizes the police responses to alcohol related events at each alcohol license holder's establishment. Note: only events that occurred inside an establishment are reported. For example if a fight occurred on the sidewalk outside an establishment it is not reported as linked to that establishment, unless the police investigation showed that some portion of the event happened inside the establishment. Also, one should not draw a conclusion based on the number of responses to an establishment. The frequency could be a result of a responsible manager calling the police for events that other managers might ignore, or it could be a reflection of successful business practices resulting in more patrons, which will inevitably result in more events.

Re-issuance of On-Sale-Retailer Liquor:

Bebee Street II, LLC – Carey's Bar at 18 West Main Street

- On 04/16/15 Carey's Bar passed a compliance check; on 11/17/15 Carey's Bar passed a compliance check.
- There were no alcohol related responses to Carey's Bar in 2015.

Charcoal Lounge, Inc, - Charcoal Lounge at 6 & 8 East Main

- On 04/29/15 the Charcoal Lounge failed a compliance check; on 11/16/15 the Charcoal Lounge failed a compliance check.
- Officers were called to remove subject creating a public disorder in the Charcoal Lounge.
- Officers were called twice in 2015 to Charcoal Lounge for false impersonation and underage consumption situations. Individuals were attempting to gain entrance to the establishment with fake ID's, on both occasions it was established they had been drinking prior to arriving at the Charcoal Lounge.

Leo's Sports Bar & Grill, LLC – Leo's Lounge at 11 South Market

- On 04/29/15 Leo's passed a compliance check.
- On one occasion, employees at Leo's contacted Law Enforcement, due to an individual that was attempting to gain entry with a fake ID.

City of Vermillion
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Fraternal Order of Eagles – Eagles Club 2421 at 114 West Main

- On 02/17/15 The Eagles passed a compliance check.
- On one occasion, Police were contacted by management for the Eagles who reported underage persons were on the premise and had consumed or were attempting to consume alcohol. Officers also investigated a fight, which had started in the Eagles. Management cooperated with investigative efforts.

Bunyan's, LLC – Bunyans at 1201 West Main

- On 02/17/15 Bunyan's passed a compliance check.
- No alcohol related events were reported to police.

Main Street Pub, Inc. – Main Street Pub at 11 West Main

- On 04/16/15 The Main Street Pub passed a compliance check.
- Police were contacted by management for the Main Street Pub who reported underage persons were on the premise and had consumed or were attempting to consume alcohol. Officers also investigated a fight which had started in the Main Street Pub. Management cooperated with police investigations.

City of Vermillion – The Bluff's Golf Course at 2021 East Main

- In 2015 no compliance checks were conducted at the Bluff's Golf Course.
- No alcohol related events were reported to police.

Maya Jane's, Inc. – Maya Jane's at 9 W. Main

- On 04/29/15 Maya Jane's passed a compliance check.
- Law Enforcement were conducting a bar walk-through which resulted in three underage consumption citations.
- Maya Jane's was cited for alcohol sale after hours.
- EMS and Law Enforcement responded to Maya Jane's for individual passed out due to heavy consumption of alcohol.
- Management cooperated with all police investigations.

J.N.J. Management, Inc – The Road House at 911 East Cherry

- On 10/26/15 The Road House passed a compliance check.
- No alcohol related events were reported to police.

Red Steakhouse, Inc. – Red Steakhouse at 1 East Main Street

- No compliance checks were done at Red's in 2015.
- No alcohol related events were reported to police.

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Old Lumber Company, Inc. – Old Lumber Company Bar & Grill at 15 Court Street

- On 04/29/15 The Old Lumber Company failed a compliance check.
- On 11/17/15 The Old Lumber Company passed a compliance check.
- On three occasions Officers investigated cases of public disorder.
- EMS and Law Enforcement responded for individual with alcohol poisoning.
- Management also reported an underage person drinking on the premise to officers.
- Management cooperated with all police investigations.

Augustus Management, LLC – Howler’s Bar and Grill at 912 North Dakota

- On 10/26/15 Howler’s failed a compliance check.
- On 11/16/15 Howler’s passed a compliance check.
- On two occasions Officers investigated public disorder cases at Howler's Bar and Grill.
- Management cooperated with police investigative efforts.

Re-Issuance of Retail On-Off Sale Wine:

Mexico Viejo, Inc. – Mexico Viejo Mexican Restaurant 432 E. Cherry

- On 09/02/15 Mexico Viejo passed a compliance check.
- No alcohol related events were reported to police.

Blue Inc. – Little Italy’s at 831 E. Cherry

- On 09/02/15 Little Italy’s passed a compliance check.
- No alcohol related events were reported to police.

HyVee Food Store Inc. – HyVee at 525 West Cherry Street

- On 04/02/15 HyVee passed a compliance check.
- No alcohol related events were reported to police.

Silk Road Café, Inc. – Silk Road Café at 12 West Main Street

- In 2015 no compliance checks were conducted for Silk Road Café.
- No alcohol related events were reported to police.

Wal-Mart Stores, Inc. – Wal-Mart #3734 at 1207 Princeton Street

- On 04/03/15 Wal-Mart passed a compliance check.
- Officer investigated a case of shoplifting of alcohol beverages, individual was underage.
- Management reported the incident and cooperated with the investigation.
- No other alcohol related events were reported to police.

City of Vermillion
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Café Brule, Inc. – Café Brule at 24 West Main

- On 09/03/15 Café Brule passed a compliance check.
- No alcohol related events were reported to police.

Red Steakhouse, Inc. – Red Steakhouse at 1 East Main Street

- In 2015 no compliance checks were conducted for Red Steakhouse.
- No alcohol related events were reported to police.

Sunset Oil, Inc. – Sunset Casino at 629 Stanford Street, Suite C.

- On 04/02/15 The Sunset Casino (AKA Pump N. Pak) passed a compliance check.
- Officers responded to two (2) shoplifting reports both involved theft of alcohol.
- Management cooperated with police investigative efforts.

Varsity Pub, LLC - the Varsity at 113 East Main Street

- On 04/29/15 The Varsity passed a compliance check.
- No alcohol related events were reported to police.

Reissuance of Municipal Off-Sale Package Liquor:

City of Vermillion – Municipal Liquor Store at 826 Cottage

- On 02/17/15 the Municipal Liquor Store passed a compliance check.
- Officers investigated four theft events. Management called to report all events and cooperated with police investigative efforts.
- Officers investigated false impersonation and underage possession of alcohol.

Council Agenda Memo

From: Jim Goblirsch, Parks and Recreation Director
Meeting: December 7, 2015
Subject: New Vermillion public swimming pool
Presenter: Jim Goblirsch/Dave Burbach- Burbach Aquatic Inc.

Background: In January 2014, the Vermillion City Council adopted the Prentis Park Master Plan. In developing the Master Plan it was noted that the Prentis Park municipal swimming pool has outlived its functional lifespan and is in need of replacement. In the spring of 2014 City staff entered into an agreement with Burbach Aquatics as the engineer to design, prepare and review bid documents and for construction administration of a new swimming pool. On November 4, 2014 a \$ 3.1 million dollar general obligation bond for Prentis Park improvements was passed by the voters 75% to 25%. Over the course of 2015 City staff has been working with the architect to develop plans and specifications for the Prentis Park Municipal pool as well as other park renovations.

Discussion: The proposed project will include the demolition of the existing pool, replacing it with a more modern family style water park with amenities such as a lazy river, zero depth entry, shade structures, and two large slides. In addition, a parking lot, basketball courts and walking paths will be adjacent to the new pool.

As with most City projects, some infrastructure work is performed by City staff to avoid contractor costs and architect markup. City staff has or will perform items such as electrical, waste water, and new water service, landscaping or similar items to help reduce the cost of the contractor's bid and related fees.

Financial Consideration: The City has \$1 million from the General Fund, \$1 million from the 2nd Penny Fund, and \$3.1 million from the General Obligation Bond to help cover project costs. Staff continues to identify and apply for grants to help offset costs. The 5% markup on the wholesale cost and freight of malt beverages is planned to cover approximately half the annual debt service on the general obligation bond.

Conclusion/Recommendations: Administration recommends approval of the plans and specifications for the Prentis Park Municipal pool and renovation and setting the bid opening date for Thursday, February 18, 2016 at 2:00 pm.

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: December 7, 2015

Subject: Professional Services Agreement with Confluence for design of conceptual downtown streetscape improvements

Presenter: Jose Dominguez

Background: Through the downtown 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. In order to see if there was any support for a project of that magnitude the City held a couple of public meetings to gather public input regarding possible downtown infrastructure projects.

The City Council has adopted the goals from the 2004 Streetscape Plan as a guide for any projects in the downtown area. In addition, the City has applied for a grant with the State that could be utilized on sidewalk improvements. The City will not know if the grant is awarded until 2016.

The City created the Downtown Public Facilities Committee in October 2015 to come up with a conceptual plan for the downtown area.

Discussion: The committee created in October has already met four times to discuss what the downtown area could look like with some improvements. The City Council charged the committee with developing a plan that can be completed in phases and that would cost less than \$5,000,000 to construct. In order to develop said plan Staff recommends entering into a contract for professional services with Confluence. Confluence is a firm of landscape architects that has worked on several downtown streetscape (most notably the City of Sioux Falls Phillips Avenue area).

Due to the possibility of the City receiving a grant to complete a portion of the downtown sidewalk a schedule requiring the design to be completed in 2016 is required. Because of the tight schedule the committee has already met once with Confluence. The consultant is already in the process of developing the conceptual plan for the downtown area. It should be noted that the plan developed by Confluence will also be used for the improvements at

the intersection of Main and Center/Court. This is a different project than any other possible project that may occur in the downtown area.

The contract with Confluence would be split into three phases; analysis and synthesis, development of the master plan, and final master plan. At this point Confluence is already working on the development of the master plan phase.

Financial Consideration: Originally the cost for hiring a landscape architect was estimated at \$20,000; however, the agreement on hand is for \$32,500. This new cost is for a larger area than what was originally planned. The cost also includes the possibility of having several meetings and renderings. This agreement would be hourly, not to exceed the aforementioned amount. This means that they will bill the City for the work done, but not to exceed the agreed amount. The 2nd budget for 2016 will have to be revised to include this contract amount.

Conclusion/Recommendations: Administration recommends that the City Council enter into an agreement as presented with Confluence.

November 19th, 2015

Jose Dominguez, City Engineer
City of Vermillion
25 Center Street
Vermillion, SD 57069

Re: Proposal for the Provision of Professional Services, Confluence #15059SF
Vermillion Downtown Streetscape Planning: Vermillion, SD

Jose:

Per our conversations with you, we have tailored the following proposal to provide landscape architectural planning and design consulting services for the requested Vermillion Downtown Streetscape Planning.

PROJECT DESCRIPTION:

Confluence will provide the Owner with streetscape planning for Downtown Vermillion within the defined project limits (see Exhibit A). Confluence will work in conjunction with the Owner's planning committee to develop a concept plan and phased cost estimate for streetscape improvements. Improvements are to be a maximum total of \$5,000,000, with each phase not to exceed \$300,000.

SCOPE OF SERVICES:

Services provided by Confluence will be as follows:

A. Phase 1: Analysis and Synthesis

1. City Staff Kick-off Meeting – This meeting is to establish communication paths, identify critical dates, review initial availability of base information.
2. Collect existing planning and site data from City - CONFLUENCE will meet with all relevant City departments to review available information. Both above ground mapping and underground utility information will be required. If sufficient data is not available a site survey will need to be completed. Site survey is not included as a part of this proposal.
3. Field review and photographic inventory of study area – walk study area for mapping verification and provide a photographic inventory of the area
4. Compile collected information into base maps – prepare digital (AutoCAD 2015) and hard copy base maps for use in concept preparation.
5. Review Opportunities and Constraints – CONFLUENCE will review the study area and identify those areas within the study area that provide or limit opportunities for a successful plan.
6. Steering Committee/City Staff Kick-off Meeting – This meeting is to review project goals, opportunities and constraints.

B. Phase 2: Development of the Master Plan

1. Master Plan Preparation – CONFLUENCE team will prepare preliminary design plan alternatives based upon the information gathered in Phase 1 of this contract. These plans shall be in the form of plan graphics and support images.
2. Steering Committee Meeting – CONFLUENCE team will meet with the Steering Committee to review design plan alternatives.
3. Public Information Meeting.
4. Steering Committee Meeting – CONFLUENCE team will meet with the Steering Committee to review public input on design plans and establish the direction of the final design plan.
5. 3D Perspective Illustration – CONFLUENCE will generate a 3D illustration of the typical streetscape improvements. The illustration will be of the Main-Court-Center Street intersection.

C. Phase 3: Final Master Plan

1. Master Plan Finalization- CONFLUENCE team will incorporate Steering Committee, City Staff and public comments into a final concept plan and report.
2. Steering Committee Meeting – CONFLUENCE team will meet with the Steering Committee to review Draft of Final Plan and Report.
3. Prepare preliminary budget based on final concept plan – CONFLUENCE shall prepare preliminary cost opinions and recommend phasing options based upon funding options proposed by the City.
4. Concept Presentation to City Council Meeting.



Owner Responsibilities:

The Owner shall establish the guidelines for the project and shall provide general background information needed for planning and design. The Owner shall provide all base information in DWG/GIS or other electronic format.

Fees and Expenses:

For the performance of the services described in Scope of Services: Paragraphs A, B and C, compensation shall be on the basis of an Hourly Not to Exceed Fee of Thirty-Two Thousand Five Hundred Dollars (\$32,500), plus reimbursable expenses.

Progress payments shall not exceed the anticipated fee schedule, which corresponds to the Scope of Services, as follows:

A. Phase 1: Analysis and Synthesis	\$ 6,500
B. Phase 2: Development of Concept Plan	\$ 16,500
C. Phase 3: Final Master Plan	\$ 9,500
Total	\$ 32,500

Reimbursable expenses, including travel, long-distance telephone, and printing are not included in the services fee. Expenses will be billed in accordance with the rates shown on the attached Exhibit 'B'. Reimbursable expenses will be limited to ten (10) percent of the contracted fee.

Exclusions:

This proposal does not include permitting, topographic surveying, geotechnical, traffic, civil, electrical, mechanical, structural engineering, environmental permitting, construction/bid documents, construction administration and construction staking.

Time of Performance:

We propose to process this work in a timely and expeditious manner. With the understanding that an executed agreement was forthcoming, the first Steering Committee meeting occurred on November 17, 2015. The entire process will be completed no later than March 1, 2016.

Extra Work and the Continuation of Services:

If, during the progress or upon completion of the work outline in the Scope of Services, the Owner finds it desirable or necessary to cause this Consultant to perform additional services other than those outlined in the Scope of Services, the attached hourly schedule and reimbursable expense schedule may apply or a project fee may be negotiated. If the Consultant feels additional services are required or the scope of the agreement has been exceeded, the Consultant will notify the Owner and receive written approval prior to the completion of any additional services.

Termination of Services:

The Owner or Consultant may terminate work on this agreement at any time with written notification. If the project is suspended for more than three (3) months, or abandoned in whole or in part, this firm shall be paid their compensation for services performed prior to receipt of written notice from the Owner of such suspension or abandonment, together with reimbursable expenses then due. Correspondence can be sent to: Confluence, attn: Jon Jacobson, 524 N Main Ave #201, Sioux Falls, SD, 57104.

Pricing Estimates:

Neither Confluence nor Client has any control over the costs of labor, materials, equipment, over contractors' methods of determining bid prices, or over competitive bidding, market or negotiation conditions. Accordingly, Confluence cannot and does not warrant or represent those bids or negotiated prices will not vary from any established budgetary constraints. Client may perform its own cost analysis or retain its own cost consultant and shall be solely responsible for the accuracy and preparation of cost estimates at each appropriate stage of the project. Confluence will cooperate and work closely with any cost consultant to help ensure that the project can be constructed within any appropriate budgetary constraints

Ownership of Documents:

All original documents prepared for this project shall be the property of this firm. A pdf of the final master plan illustrations and documents will be provided to the City. The City may request that reproducible copies be made at cost for their use.

This firm agrees not to sell or assign any design documents prepared by them to anyone without consent.

Successor's and Assignment:

The City of Vermillion and CONFLUENCE each binds itself, partners, assigns and legal representatives to the other party to this agreement and to the partners, successors, assigns and legal representatives of such other party in respect of all covenants of this agreement.

Form of Agreement:

Two (2) copies of this letterform of contract are submitted herewith. The return of one (1) copy, signed and dated in the spaces provided, will constitute your acceptance of this proposal and provide authority for proceeding to accomplish this work.

I have enclosed our hourly rate schedule (See 'Exhibit B'). If you have any questions, please give me or Lyle a call to discuss. Thanks again for your time and this opportunity.

Respectfully,
CONFLUENCE



Jon Jacobson, ASLA
Principal - Confluence

Accepted by:
CITY OF VERMILLION

(signature)

(date)

(printed name/title)

Cc: Lyle Pudwill - Confluence

EXHIBIT A:

Streetscape Planning Limits



Exhibit B (Hourly Rates & Reimbursable Expenses):

STANDARD HOURLY RATES

Senior Principal	\$150.00 - \$175.00 per hour
Principal	\$135.00 - \$150.00 per hour
Associate	\$120.00 - \$135.00 per hour
Senior Project Manager	\$100.00 - \$115.00 per hour
Project Manager	\$90.00 - \$95.00 per hour
Project Landscape Architect II	\$80.00 - \$85.00 per hour
Project Landscape Architect I	\$70.00 - \$75.00 per hour
Project Planner II	\$80.00 - \$85.00 per hour
Project Planner I	\$70.00 - \$75.00 per hour
Landscape Architect Intern II	\$65.00 - \$69.00 per hour
Landscape Architect Intern I	\$60.00 - \$64.00 per hour
Draftsperson	\$50.00 - \$55.00 per hour
Clerical Staff	\$42.00 - \$45.00 per hour

REIMBURSABLE EXPENSES

Filing Fees	1.15 x cost
Long Distance Telephone Calls	1.15 x cost
Foam Core	\$8.00 each
Materials and Supplies	1.15 x cost
Meals and Lodging	1.15 x cost
Mileage	\$.57 1/2 per mile
Postage	1.15 x cost
Printing by Vendor	1.15 x cost
B/W Photocopies/Prints 8½ x 11	\$.05 each
B/W Photocopies/Prints 11x17	\$.09 each
Color Photocopies/Prints 8½ x 11	\$.65 each
Color Photocopies/Prints 11x17	\$1.50 each
Large Format Plotting – Bond	\$2.50/SF
Large Format Plotting - Mylar	\$4.50/SF
Large Format Plotting - Photo	\$5.00/SF
Compact Discs	\$2.50 each
Booklet Binding (cover, coil, back)	\$4.50 each
Foam Core	\$8.00 each
Easel Pads	\$32.75 each
Electronic Files	\$50.00 Each

Effective 1/1/2015

END of APPENDIX

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 7, 2015
Subject: Resolution adjusting Water Rates
Presenter: Mike Carlson

Background: During the 2016 budget process, it was proposed to adjust water rates by 2% to generate additional revenue to meet the increased operating costs of the water utility. The bond resolution for the water treatment plant improvements which created the surcharge fee requires that it be reviewed annually and adjusted so that it generates revenue equal to 1.10% of the principal and interest payments. The water rates were last adjusted in January 2015 by 2.5% to meet the debt service requirements for the water tower.

Discussion: The proposed rate resolution is an overall increase of 2% that is projected to generate \$36,800 in additional revenues for the water fund based upon the same water usage. The water rate is broken down into two components: water treatment and distribution, and the debt service surcharge. The debt service surcharge was revised based upon the number of water customers currently on the system. As there are currently more users, the individual surcharge fee can be reduced and still generate the \$260,000 needed to meet the debt service coverage.

The water charge portion of the billing is proposed to generate \$36,800 of additional revenues to meet the increased costs of chemicals and other operating expenses. The two rates are combined on the customer's monthly billing with the average increase being 2%. The average residential customer uses 690 cubic feet of water per month and the proposed rate would change the monthly billing from \$29.31 to \$29.95 or an increase of \$0.64 cents per month.

As water rates have an impact on the wastewater bill calculation that is done annually in April, staff will monitor this and make the needed adjustment to the wastewater billing percentage to generate the budgeted wastewater revenues.

The "BE IT FURTHER RESOLVED" portion of the rate resolution authorizes the transfer of any surcharge funds in excess of the debt service be returned to the water

8. New Business; item c

utility. At budget time, this transfer was estimated to be about \$33,371 but we will wait until after year end to transfer the exact amount. This language is to move the excess 10% as well as the interest earned on the reserve funds to the water operating account.

Financial Consideration: The proposed water rate resolution will increase water revenues \$36,800 to meet the increased operating costs.

Conclusion/Recommendations: Administration recommends the adoption of the resolution amending the water rates that will be effective for billing after January 1, 2016.

**RESOLUTION
AMENDING WATER RATES FOR 2016**

WHEREAS, Section 53.075 of Title V Public Works of the 2008 Revised Ordinances of the City of Vermillion allows the City Council to establish water rates.

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 7th day of December, 2015, that water rates be established or changed as follows:

a) Meter Service Charge per billing:

(1) Residential

<u>Meter Size (inches)</u>	<u>Service Charge</u>
$\frac{3}{4}$	\$ 14.34 14.63
1	26.44 26.97
1 ½	49.27 50.26
2	75.91 77.43
3	148.93 151.91
4	231.61 236.24
6	457.08 466.22

The above rates include a surcharge fee defined below.

(2) Apartment house and trailer courts per billing:

<u>Meter Size (inches)</u>	<u>Service Charge</u>
1	26.44 26.97
1 ½	49.27 50.26
2	75.91 77.43
3	148.93 151.91
4	231.61 236.24
6	457.08 466.22

The above rates include a surcharge fee defined below.

In addition an apartment or trailer charge as follows shall be assessed for each apartment or trailer unit over one (1) connected to a master meter. The listed rate includes a surcharge fee defined below.

Additional units	\$ 3.94 4.02
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(3) Commercial and industrial per billing:

<u>Meter Size (inches)</u>	<u>Service Charge</u>
$\frac{3}{4}$	\$ 14.34 14.63
1	26.44 26.97
1 ½	49.27 50.26
2	75.91 77.43
3	148.93 151.91
4	231.61 236.24
6	457.08 466.22

The above rates include a surcharge fee defined below.

The effective date of the rates listed in Vermillion City Ordinance 53.073 is for bills effective with a billing date after January 1, 2016.

BE IT FURTHER RESOLVED, that any surcharge funds in excess of the debt service requirements be annually transferred to the water fund.

Dated at Vermillion, South Dakota this 7th day of December, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: John E. (Jack) Powell, Mayor

Attest:

Michael D. Carlson, Finance Officer

Adopted: December 7, 2015

Publish: December 12, 2015

Effective: for services after January 1, 2016

Council Agenda Memo

From: John Prescott, City Manager
Meeting: December 7, 2015
Subject: Resolution amending Electric Rates
Presenter: John Prescott

Background: At the Missouri River Energy Services (MRES) area meeting in October 2015, City staff learned more about the impact of WAPA joining the Southwest Power Pool (SPP). While the purchase power price isn't going up for 2016, the transmission costs for communities in the SPP footprint are increasing. Following the meeting, staff reviewed the impact of the increased transmission costs on Vermillion rates. At the same time the City will be experiencing increased costs to construct the new NE substation.

The City Council last adopted a resolution to adjust electric rates in December 2014. That resolution called for a 2.5% rate increase for bills due in February 2014.

The Utilities Committee was advised of this proposed rate increase via an email. As the 2016 budget discussion and ordinance included a rate increase, the feedback of the Utilities Committee was to send the proposal to the City Council without a meeting to formally make a recommendation.

Discussion: At this time, the Utilities Committee and City staff are proposing an overall 2.9-3.2% increase depending on the customer classification to the Vermillion Light & Power (VLP) electric rate to provide the necessary revenue to meet increased expenses. The rate increase will adjust customer charges, kWh and Kw in the different rate classes and is projected to generate an additional \$165,000 if applied to eleven 2016 billing periods. The proposed rate increase would be implemented with the billing sent out in January that is due no later than February 10, 2016.

Attached is the proposed 2016 rate table and the comparison of monthly residential, small commercial and large commercial bills.

Financial Consideration: The proposed electric rate increase would allow the City to collect the necessary revenue to meet increased purchased power costs projected at \$115,000. For a residential electric customer using 650 kwh per month, this increase

translates into approximately \$2 per month. Residential customers using more than 650 kwh per month will see a slightly lower percentage increase while residential customers using below 650 kwh will see a slightly higher percentage increase. This is due to the customer charge increasing as non-power costs such as construction and the cost of the electrical infrastructure system increase.

Conclusion/Recommendations: Attached is the proposed resolution revising electrical rates for City Council consideration to become effective with bills due in February 2016. Administration recommends approval of the proposed electric rate increase to keep pace with increased energy purchasing costs in 2016.

**Vermillion Light & Power
Proposed 2016 Rates**

Current and Proposed Rates				
Customer Class	Rate Components	Current Rates	2016 Proposed Rates	% Increase
Overall Revenue Increase				3.0%
Residential	Customer Charge	\$9.85	\$11.00	2.9%
	Energy Charge:			
	July-September Billings	0.096	0.098	
	October-June Billings	0.090	0.091	
Small Commercial	Customer Charge			3.1%
	Single Phase	16.50	18.00	
	Three Phase	26.50	28.00	
	Energy Charge:			
	July-September Billings	0.100	0.102	
	October-June Billings	0.094	0.096	
Large Commercial (20 kW or more)	Customer Charge	36.00	40.00	3.1%
	Energy Charge	0.039	0.039	
	Demand Charge:			
	July-September Billings	14.10	15.00	
	October-June Billings	11.80	12.50	
Street Lighting	Energy Charge	0.125	0.129	3.2%
Security Lighting	70 Watt HPS	5.90	5.90	0.0%
	175 Watt MV	7.25	7.25	0.0%
	250 Watt HPS	12.55	12.55	0.0%
	400 Watt HPS	19.40	19.40	0.0%

Notes:

- A) All energy rates above include the \$0.011 per kWh debt surcharge.
- B) The utility reads meters around the middle of each month. Therefore, the higher summer rates apply to usage from approximately mid-June to mid-September.

RESOLUTION
REVISING ELECTRICAL RATES

WHEREAS, Chapter 51 of the 2008 Revised Ordinances of the City of Vermillion allows the City Council to establish and change electrical rates, and;

WHEREAS, the City of Vermillion Light & Power utility receives a fixed power allotment from the Western Area Power Administration and the remaining power allotment is from Missouri River Energy Services, our supplemental power supplier, and;

WHEREAS, our supplemental power supplier has raised the cost of supplemental power due to increased operating costs and debt service, and;

WHEREAS, to recover the increased power costs a rate adjustment of 2% is included in the service rates listed below to be effective for electric billing after January 15, 2016, and;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 7th day of December, 2015, that rates be changed or established as follows:

Sec. 51.22 Residential service rates.

For billing made after January 15, 2016 seasonal residential rates will be:

Rate: All KWH per month per KWH at ~~9.0~~ 9.1 cents for October – June billing and at ~~9.6~~ 9.8 cents for July – September billing.

The rate includes a surcharge fee per KWH at .011 cents defined below:

Customer charge: ~~\$9.85~~ 11.00 per month

Sec. 51.23 Small commercial power secondary service rate.

For billing made after January 15, 2016 seasonal small commercial secondary rates will be:

Rate: All KWH per month per KWH at ~~9.4~~ 9.6 cents for October – June billing and at ~~10.0~~ 10.2 cents for July – September billing.

The rate includes a surcharge fee per KWH at .011 cents defined below

Customer charge: ~~\$16.50~~ 18.00 per month for single phase services and ~~\$26.50~~ 28.00 per month for three phase services.

Sec. 51.24 Large commercial power secondary service rate.

For billing made after January 15, 2016 seasonal large commercial secondary service rates will be:

Rate: All KWH per month per KWH at 3.9 cents.

Maximum KW demand at ~~\$11.80~~ 12.50 per KW for October – June billing and at ~~\$14.10~~ 15.00 per KW for July – September billing.

The rate includes a surcharge fee per KWH at .011 cents defined below

Customer charge: \$ ~~36.00~~ 40.00 per month.

Sec. 51.26 Night Watch Flood Service Rate.

For billing made after January 15, 2016 the night watch flood service rate for electrical service shall be as follows:

Lamp Size	Monthly Charge
70 watt	\$5.80 <u>5.90</u>
100 watt	\$7.10 <u>7.25</u>
250 watt	\$12.30 <u>12.55</u>
400 watt	\$19.00 <u>19.40</u>

Sec. 51.27 City Street Lighting.

For billing made after January 15, 2016 city street lighting service rates will be:

Rate: All KWH per month per KWH at ~~12.5~~ 12.9 cents.

The rate includes a surcharge fee per KWH at .011 cents defined below

Surcharge Fee:

There is hereby established and imposed, pursuant to the authority of SDCL 9-40, a surcharge upon the electric service served by the City of Vermillion electric utility. The surcharge shall apply to all classes of electric customers listed above. The surcharge is a special charge for the use of the electric system improvements financed with the proceeds of the City's 2009 Electric Revenue Bonds, and is pledged for the payment of the costs of operating and maintaining said improvements, and the debt service and other charges as may become due and owing on the 2009 Electric Revenue Bonds. The City hereby finds that the said improvements benefit all customers of its electric System and therefore imposes the surcharge fees on each customer of its System. The surcharge shall at all times be sufficient to produce net revenues for each fiscal year at least equal to one hundred twenty (125) percent of the principal and interest on the bonds coming due in such fiscal year. The charges shall be reviewed annually by city personnel and administratively adjusted, upwards or downwards, pursuant to SDCL 9-40-15.1 and 9-40-15 to such amounts as may be necessary to pay principal, interest and other charges as may become due and owing on the bonds. The surcharge fee per monthly billing shall be as follows:

For billing made after January 15, 2016 the surcharge fee shall be .011 cents per KWH.

The Surcharge may be combined with the electric KWH charge on the monthly billing for ease of reporting.

Dated at Vermillion, South Dakota this 7th day of December, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: John E. (Jack) Powell, Mayor

Attest:

Michael D. Carlson, Finance Officer

Adopted: December 7, 2015

Publish: December 12, 2015

Effective: for billing after January 15, 2016

Council Agenda Memo

From: Bob Iverson, Solid Waste Director
Meeting: December 7, 2015
Subject: Resolution Adjusting Landfill Rates
Presenter: Bob Iverson

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

Discussion: The Joint Powers board has been discussing the need to increase rates and, at the December 3, 2015 meeting, after hearing the report on operations for the first ten months of 2015, the Joint Powers Board recommended a rate increase be adopted by the City of Yankton and Vermillion to be effective January 1, 2016. The Joint Powers Board voted to recommend that the per ton garbage rate, gate fee for asbestos and contaminated soil, charge for yard waste, tree branches and untreated lumber, fee for tire disposal and some electronic disposal costs be adjusted.

The Joint Powers landfill operations for the first ten months reported a profit of \$248,714 and recycling operations for the first ten months reported a loss of \$143,868 for a total profit of \$104,846 for the first ten months of 2015. This compares to last year landfill profit of \$5,732 and recycling loss of \$92,788 for a combined loss of \$87,056 over the same period in 2014. The landfill tonnage was 31,154 for 2015 compared to 29,796 for 2014. The 2015 landfill revenue includes approximately \$80,000 of one-time revenue from a project that had a large quantity of contaminated soil.

One other item of cash flow is the repayment of the SRF loan for the construction of the leachate pond and cell 5 of \$1,639,000 began in May 2015 with the annual debt service being \$109,276. Yankton recently received a grant / loan package for an estimated \$750,000 project to replace a scale and make improvements at their transfer station. Joint Powers will be responsible for paying the loan proceeds back over ten years. In addition to an increase in debt service, Joint Powers will be facing several large equipment

purchases over the next couple of years. Replacement of a scraper, dozer and maintainer will all likely be needed over the next five years.

The Yankton City Commission will consider the rate increase at their December 14th meeting.

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

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

RESOLUTION
REVISING DISPOSAL RATES AT THE MUNICIPAL LANDFILL AND
RECYCLING CENTER

WHEREAS, at the December 3, 2015, Joint Powers Advisory Board meeting in Vermillion, the board voted to recommend that both the cities of Vermillion and Yankton increase the tipping fees at each municipality's respective facility; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 7th day of December, 2014 amend the following Landfill and Recycling fees to be effective for January, 1 2016:

	<u>Per ton</u>	<u>Minimum</u>
1. Garbage for Licensed Haulers	\$46.50 \$45.00	\$12.00
2. Garbage for Un-Licensed Haulers	\$52.00 50.00	\$12.00
3. Authorized asbestos materials prepared for disposal in conformance with the EPA and SDDENR Plus a \$125 \$100 gate fee	\$65.00	
4. Contaminated soils Plus a \$125 \$100 gate fee	\$10.00	
5. Electronics recycling fees for disposal of commercial and non-household electronics shall be as follows per item:		
TV's	\$25.00 20.00	
Monitors	\$25.00 20.00	
6. Yard Waste, Tree Branches, Untreated Lumber		
Car or Pickup with five or fewer bags	Free	
Single Axle Truck or Tandem Trailer	\$10 per ton \$10.25/per entry	
Tandem-Axle Trucks	\$10 per ton \$10.25/per entry	
<u>With a six (\$6.00) minimum when per ton charge applies.</u>		
7. Tires:		
Car	\$3.00 2.50 per tire	
Truck (17" – 22.5")	\$6.50 5.50 per tire	
Truck (>22.5")	\$11.00 10.00 per tire	
Construction Equipment	\$16.50 15.00 per tire	
Bulk Tires	\$190.00 185.00 per ton	

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

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

Dated at Vermillion, South Dakota this 7th day of December, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: John E. (Jack) Powell, Mayor

Attest:

Michael D. Carlson, Finance Officer

Adopted: December 7, 2015
Published: December 12, 2015
Effective: January 1, 2016

Council Agenda Memo

From: John Prescott, City Manager

Meeting: December 7, 2015

Subject: City fee schedule

Presenter: John Prescott

Background: Due to the large variety of activities that the City is involved with across the organization, a number of different fees are charged for services provided. Over the last couple of years a fee schedule has annually been presented to the City Council to offer a comprehensive list of fees and to make adjustments as needed. There are still changes in fees during the year. One example is that the sanitary sewer charges are set each May following the winter water consumption.

Discussion: Many sections of the City Code contain language that indicates a fee is set by resolution. The City began utilizing this approach with the code revision in 2008. Three documents are attached. One document lists all of the fees that are assessed as provided for in City Code. The second document provides a complete listing of all city fees whether provided for in City Code, departmental policy or state statute. The third document is a resolution that provides for fee changes in EMS, Golf course and the Police Department.

Fee changes may come from different sources. Some changes arise out of the budget discussion while others come from City Council Committee recommendation, advisory committee or staff recommendations. The fee schedule includes a couple of changes for 2016:

- EMS charges – as noted at the November 16th Noon meeting, a number of individual charges are being dropped in favor of bundled charges. During the presentation it was noted that insurance companies and Medicare are moving to this approach for reimbursing for services provided.
- Golf course rates – The Golf Advisory Board recommended the attached adjustments based on a review of area courses and fees.
- Police Department – With body cameras now utilized by the Department, the fee schedule for videos is proposed to change based on the length of video requested and the amount of redaction required.

- Utility adjustments – The City Council is also considering adjusting electrical, water and landfill fees as part of this agenda. If those fee resolutions are attached, staff would recommend approving the attached fee schedule as amended with these resolutions.

Having a comprehensive list of fees will provide Council and staff with a resource that can be utilized when questions of cost are presented. The document also helps the public have an idea of what is charged for the respective services that are provided. If the Council wants to adjust a fee, this document will also serve as a vehicle to help accomplish this goal. The document also serves as a resource when the Council or staff wants to evaluate fees.

Financial Consideration: As noted there are some fee changes proposed.

Conclusion/Recommendations: Administration recommends approval of the resolution revising fees for EMS, the golf course and Police Department as well as the fee schedule detailing fees currently in place.

RESOLUTION
REVISING CERTAIN EMS, GOLF COURSE and POLICE DEPARTMENT RATES

WHEREAS, the City Council establishes rates and fees for service, and;

WHEREAS, the need for some fees change over time due to industry practices, and;

WHEREAS, rates and fees are adjusted periodically to recover the increased costs of providing a service after January 1, 2016, and;

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 7th day of December, 2015, that rates be changed or established as follows:

Golf Course

Golf		CURRENT	NEW FEE
2 Person Family		\$689.00	\$709.00
plus one child		\$724.00	\$749.00
2+		\$754.00	\$779.00
Adult		\$529.00	\$545.00
College (full time) or under 25		\$264.00	\$269.00
Private Carts			
Cart Storage	Limit to 80 carts	\$349.00	\$359.00
Trail fee (Homeowners)		\$174.00	\$179.00
Cart Passes			
2 Person Family		\$669.00	\$689.00
Adult		\$489.00	\$509.00
Greens Fees			
9 Hole Mon-Thur		\$17.50	\$18.00
18 Hole Mon-Thur		\$23.50	\$24.00
9 Hole Fri-Sun		\$20.50	\$21.00
18 Hole Fri-Sun		\$31.50	\$32.00
9 Hole Punch Card	Mon-Fri, for 10 Rounds	\$157.50	omit
9 Hole Punch Card	Any Day, for 10 Rounds	\$181.00	omit
9 Hole Punch Card	Mon-Fri, for 15 Rounds	\$227.50	omit
9 Hole Punch Card	Any Day, for 15 Rounds	\$247.50	omit
Cart Rental			
9 Hole	per person	\$11.50	\$12.00
9 Hole Punch Card	10 rounds	\$103.50	omit
18 Hole	per person	\$16.50	\$17.00
Driving Range			
Punch Card	10 buckets	\$36.00	omit
Handicap	Required to play in any golf league	\$22.00	\$27.00
League Membership			
1 league			\$150.00
2 leagues			\$250.00
League cart			
1 league			\$100.00
2 leagues			\$150.00
Corporate Punch Card(18holes 1/2 cart)			\$999.00

EMS

Removing the following itemized supplies. These will be included in a bundled billing charge.

On Scene Care BLS	\$400.00
Treat, No Transport BLS	\$75.00
ECG 4 Lead	\$35.00
ECG 12 Lead	\$45.00
Treat, No Transport ALS	\$125.00
Defibrillation BLS	\$45.00
Defibrillation ALS	\$45.00
Cardiac Monitoring	\$75.00
IV Fluids/Supplies	\$50.00
Bag Valve Mask	\$20.00
Esophageal Intubation	\$75.00
C-Collar	\$20.00
Oxygen Supplies	\$35.00
Endotracheal Intubation —	\$75.00
Extra Attendant ALS/BLS	\$35.00
Combi Tube	\$75.00
Blood Glucose Check	\$10.00
ALS/BLS Mileage	\$12.00
Oral/Nasal Airway —	\$7.50
ALS Non-Emergency	\$500.00
Pulse Oximeter —	\$10.00
ALS Emergency	\$660.00
SAM Splint	\$20.00
BLS Non-Emergency	\$425.00
Disposable Splints —	\$10.00
BLS Emergency	\$560.00

Spinal Immobilization —	\$20.00
ALS2	\$800.00
Suction Supplies —	\$25.00
On Scene Care ALS	\$500.00
ECG 12 LEAD	\$45.00
ECG 3 LEAD	\$35.00
Defibrillation Supplies	\$45.00
IV Fluids/Supplies	\$50.00
ALS, Esophageal Intubation Supplies	\$75.00
Oxygen, Oxygen Supplies	\$35.00
Extra Attendant	\$35.00
Cardiac Monitor	\$75.00
Bag Valve Mask	\$20.00
C-Collar	\$20.00
Combi Tube/King LTS D Airway	\$75.00
Endotracheal Intubation	\$75.00
Glucometer	\$10.00
Oral/Nasal Airway	\$7.50
Pulse Oximeter — Disposable Sensor	\$10.00
Sam Splints	\$20.00
Spinal Immobilization	\$20.00
Splint — Disposable	\$10.00
Suction Supplies	\$25.00

EMS RATE CHANGES		CURRENT	NEW FEE
Advanced Life Support - Emergency		\$660.00	\$850.00
Advanced Life Support 2 - Emergency		\$800.00	\$1,000.00
Advanced Life Support - Non Emergency		\$500.00	\$700.00
Advanced Life Support - Treat No Transport		\$125.00	\$200.00
Basic Life Support - Emergency		\$560.00	\$700.00
Basic Life Support - Non-Emergency		\$425.00	\$600.00
Basic Life Support - Treat No Transport		\$75.00	\$150.00
Stand-By for Special Events	per hour/includes 1 ambulance and 2 personnel	\$50.00	\$75.00
Stand-By for Special Events	per additional person per hour	-	\$25.00
Loaded Mileage Charge	per loaded mile	\$12.00	\$14.00

Police Department

Video DVD/CD for Public Information Request	base fee per DVD/CD	\$25.00	no change
Videos > 15 minutes without redaction	Base fee plus per hour to produce video; 1 hr minimum	\$20.00	new fee
Videos > 15 minutes with redaction	Base fee plus per hour to produce video; 1 hr minimum	\$50.00	new fee

Dated at Vermillion, South Dakota this 7th day of December, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: John E. (Jack) Powell, Mayor

Attest:

Michael D. Carlson, Finance Officer

Adopted: December 7, 2015

Publish: December 12, 2015

Effective: January 1, 2016

City of Vermillion
Comprehensive Fee Schedule as of December 7, 2015

TITLE	FEE DESCRIPTION	RATE
<u>Police Department</u>		
Accident Reports		\$5.00
Incident Report	per page	\$2.00
Photos	per photo	\$2.00
Video DVD/CD for Public Information Request	base fee per DVD/CD	\$25.00
Videos longer than 15 minutes without redaction	one hour minimum, charge per hour to produce video	\$20.00
Videos longer than 15 minutes with redaction	one hour minimum, charge per hour to produce video	\$50.00
Parking Tickets	if paid within 10 days	\$15.00
	after 10 days	\$30.00
	after 30 days	\$45.00
Court Money Website Program (Credit Card Payments)	\$2.00 minimum under \$50.00	
	4% of total when over \$50.00	
<u>EMS & Fire Services</u>		
Advanced Life Support - Emergency		\$850.00
Advanced Life Support 2 - Emergency		\$1,000.00
Advanced Life Support - Non Emergency		\$700.00
Advanced Life Support - Treat No Transport		\$200.00
Advanced Life Support - On Scene Care		\$500.00
Basic Life Support - Emergency		\$700.00
Basic Life Support - Non-Emergency		\$600.00
Basic Life Support - Treat No Transport		\$150.00
Basic Life Support - On Scene Care		\$400.00
Stand-by for Special Events	per hour	\$75.00
Additional Standby Staffing	per person, per hour	\$25.00
Loaded Mileage Charge	per mile	\$14.00
<u>Parks & Recreation</u>		
<u>Youth Programs</u>		
Early Childhood Explorers	Ages 4-7, Mon-Thurs at the National Guard Armory	
Session 1	8:30-11:30 am	\$70.00
Session 2	1:00-3:00 pm	\$50.00
Out and About Adventures	Day Camps that include fishing, hiking, archery, baseball games, museums, science center, zoo, etc.	
Single Session Camps		\$15.00
All Four Days of Camp		\$50.00
Tumbling/Gymnastics	(One Lesson per week, Vermillion High School Gymnastics Room)	
Teeny Tots	Walking age to 3 year olds	\$20.00
Tiny Tots	4 & 5 year olds	\$20.00
Beginners	6 or older	\$25.00
Adv. Beginners	6 or older	\$25.00
Pre-Intermediates	6 or older	\$25.00
Intermediates	6 or older	\$25.00
Advanced Intermediates	Instructor Invite Only	\$30.00
MS/HS	(2 days per week) Instructor invitation only, 7th-12th grade students	\$50.00
Youth Tennis	All participants are required to bring a can of new tennis balls along with program fee.	
Pee Wee	Ages 4-6	\$20.00
Beginner	Ages 7-12	\$20.00

City of Vermillion
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Intermediate	Ages 10-16	\$20.00
Youth Wrestling	Run by Vermillion Youth Wrestling Club	
Little Gardeners Club	Ages 9-12, 2 days a week at W.H. Over Museum late May-early August	\$35.00
Youth Track & Field	Ages 9-18, 2 days a week at Vermillion High School	\$25.00
Vermillion Youth Soccer League	Run by the Vermillion Youth Soccer League	
Vermillion Girl's Volleyball Camp	Run by Vermillion High School	
Jr. Football	Run by the Vermillion Youth Football Association, Grades 1-6	
Basketball	Run by the USD Wellness Center	
Youth Volleyball		
4th, 5th, and 6th Grade Youth Volleyball	Sept.-Oct. at Vermillion Middle School on Mondays	\$25.00
Jr. Golf League	June-July at the Bluffs, 1 day a week	\$45.00
Jr. Golf Lessons	June-July at the Bluffs, 1 day a week	\$25.00
Dance	Run by the Vermillion Area Dance Association	
Youth Baseball	Run by the Vermillion Youth Baseball Association	
Youth Softball	Run by the Vermillion Girls Softball Association	
Youth/Adult Programs		
Water Aerobics	Two sessions, minimum participants 6	\$25.00
Co-Volleyball Leagues (A&B)	per team, October - March/Spring Break	\$250.00
Adult Men 5 on 5 Basketball League		
35 and Under	per team, January-March, league is officiated	\$250.00
Miscellaneous Fees		
Camping Fees	per day after 3 days, permission basis only, Lions Park	\$5.00
Armory User Fee	rates vary according to length of time and extent of use	
Swimming Pool		
Season Tickets	Pool is open from May to August (specific dates posted/updated on City website annually)	
Wading Pool		no fee
Family	includes immediate family members living in the same household	\$75.00
Adult	18 & Older	\$45.00
Youth	13-17	\$35.00
Child	1-12	\$30.00
General Admission	Daily	
Wading Pool		no fee
Family	includes immediate family members living in the same household	\$7.00
Adult	18 & Older	\$5.00
Youth	13-17	\$4.00
Child	1-12	\$4.00
Lap Swim		\$5.00
Rental		
Private Parties	plus \$25/per life guard, two life guard minimum, from 9:00 pm - 11:00 pm with 48 hours notice	\$75.00
Swimming Lessons		
All Levels	Five separate sessions, including morning and evening lessons	\$15.00
Golf Course		
Season Passes	fees do not include tax	
Golf		
2 Person Family		\$709.00
plus one child		\$749.00

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2+		\$779.00
Adult		\$545.00
College (full time) or under 25		\$269.00
Junior	18 and under	\$129.00
Range Season Pass		
Family		\$274.00
Adult		\$199.00
Junior	18 and under	\$94.00
Private Carts		
Cart Storage	Limit to 80 carts	\$359.00
Trail fee (Homeowners)		\$179.00
Cart Passes		
2 Person Family		\$689.00
Adult		\$509.00
Greens Fees		
9 Hole Mon-Thur		\$18.00
18 Hole Mon-Thur		\$24.00
9 Hole Fri-Sun		\$21.00
18 Hole Fri-Sun		\$32.00
Cart Rental		
9 Hole	per person	\$12.00
18 Hole	per person	\$17.00
Driving Range		
Bucket	est. 40 balls per bucket	\$4.00
Handicap	Required to play in any golf league	\$27.00
Golf Lessons		
Individual Lessons	Rates vary, depending on number of lessons	
Group Lesson Rates	Rates vary, depending on number of lessons and participants	
League Membership		
1 league		\$150.00
2 leagues		\$250.00
League Cart		
1 league		\$100.00
2 leagues		\$150.00
Corporate Punch Card (18 holes and 1/2 cart)		\$999.00
Utility Rates		
Residential Utility Rates		
Electric Utility	\$0.09 per KWH (Oct-June) and \$0.096 per KWH (July-Sept)	
Customer Charge		\$9.85
Security Lights		
Lamp Size 70 watt	per month	\$5.90
100 watt	per month	\$7.25
250 watt	per month	\$12.55
400 watt	per month	\$19.40
Commercial Utility Rates		
Small Commercial Power Rates	\$0.094 (Oct-June) \$0.10 (July-Sept) per KWH	

City of Vermillion
Comprehensive Fee Schedule as of December 7, 2015

Single Phase Customer Charge	per month	\$16.50
Three Phase Customer Charge	per month	\$26.50
Large Commercial Power Rates	per KWH	\$0.0390
Customer Charge	per month	\$36.00
Plus a maximum KW demand	\$11.80 per KW (Oct-June) and \$14.10 per KW (July-Sept)	
Electric Service Fee	for new or upgraded commercial and industrial service	
Residential Undeveloped Lot		\$230.00
Single Phase electrical service entrance	for the first 100-ampre, not to exceed 600-ampre	\$380.00
additional	per additional 100-ampre or part thereof	\$85.00
Three Phase electrical service entrance	for the first 100-ampre	\$800.00
additional	per additional 100-ampre or part thereof	\$100.00
Water Utility	per 100 cubic foot	\$2.17
Customer Charges	based upon the size of the meter, per month	
1/2 to 3/4 inch		\$14.34
1 inch		\$26.44
1 1/2 inch		\$49.27
2 inch		\$75.91
3 inch		\$148.93
4 inch		\$231.64
6 inch		\$457.08
Mobile homes, apartments, and commercial/industrial units	per unit attached to one master meter	\$3.94
Outside City Limits	shall pay 1.5 times the aforesaid rates	
Stormwater Fee	the runoff weighting factor X parcel area (in square feet) X unit financial charge (in \$/square ft).	\$0.00037
Sewer Utility Rates		
January, February and March	sewer rate will be 126% of the average water bill for these months	
April through the following March	This rate will apply	
Large Commercial and Industrial Sewer Users		
½ to ¾ inch	per month	\$25.00
1 inch	per month	\$45.00
1 ½ inch	per month	\$65.00
2 inch	per month	\$95.00
3 inch	per month	\$185.00
4 inch	per month	\$290.00
6 inch	per month	\$575.00
Sanitary Sewer Flow Meter	per month	\$575.00
Cost for sewage discharge (includes flow, BOD, TSS, TKN)	per 100 cubic feet up to a maximum of 150,000 cubic feet	\$2.77
Cost for EXCEEDING flow, BOD, TSS, and TKN limits		
Cost for sewage discharge (includes flow, BOD, TSS, TKN)	per 100 cubic feet for anything over 150,000 cubic feet	\$3.60
Cost for BOD	per pound for anything over 210 mg/L	\$0.44
Cost for TSS	per pound for anything over 200 mg/L	\$0.60
Cost for TKN	per pound for anything over 25 mg/L	\$3.31
Utility Policies		
Service Connection Fee	to 4:00pm M-F), per service	\$10.00
After Hours and weekends for water		\$50.00
After Hours and weekends for electric	plus tax	\$50.00
Pulled Meter Water Service Fee	reinstalled within nine (9) months	\$25.00

City of Vermillion
Comprehensive Fee Schedule as of December 7, 2015

Meter Deposits	new residential rental customers	
Electric		\$30.00
Water		\$15.00
Commercial Meter Deposits	equal to one month's estimated billing service	
Disconnect Policy		
Turn-on fee	plus tax, plus payment of the bill in full	\$20.00
After Hours and weekends for water	plus payment of the bill in full	\$50.00
After Hours and weekends for electric	plus tax, plus payment of the bill in full	\$50.00
<u>Code Department</u>		
Building Permit Fee		
Less than \$1,000 valuation		\$25.00
\$1,001 to \$2,000 valuation	plus .75 for each additional \$100 for values over \$1,000.00	\$25.00
\$2,001 to \$25,000	plus \$6.00 per \$1,000 for values over \$2,000	\$32.50
\$25,001 to \$50,000	plus \$4.50 per \$1,000 for values over \$25,000	\$170.00
\$50,001 to \$100,000	plus \$3.00 per \$1,000 for values over \$50,000	\$283.00
\$100,001 and over	plus \$2.50 per \$1,000	\$433.00
Window Permit Fee	per permit regardless of the number of windows in building	\$25.00
Razing Permits	required for the removal or demolition of any building	\$25.00
Sign Permits	required for all signs including the replacement of existing signs	\$30.00
Bill board	per square foot per year	\$0.01
Penalty Fees		
Compliance of Ordinances - (commencing work before obtaining the necessary permits)	Equal to one and one-half of the amount of the permit, but not less that \$100.00 or more than \$500.00	
Inspection Approval not obtained		\$100.00
Certificate of Occupancy not obtained		\$100.00
Appeal Application	fee required regardless of outcome and non-refundable	\$100.00
Providing False Information	Orally or in writing to any Code Official	\$100.00
Failure to Comply	not less than or nor more than \$500.00	\$100.00
Rental Housing	inspected once every two years or upon complaint	
Annual Rental fee	per structure	\$25.00
Plus	per rental unit	\$15.00
Registration Penalty	per unit, per month, added to annual registration fee if not paid by January 15th of each year.	\$5.00
Failure to register a rental unit	first violation within a calendar year	\$100.00
	second violation within a calendar year	\$250.00
	three or more violations within a calendar year	\$500.00
Failure to make required repairs within time allotted		\$100.00
Failure to meet the inspector and provide access to rental units	per structure or \$5.00 per unit, whichever is greater	\$25.00
Dumpster Fee		
Temporary placement of dumpster or portable storage unit on a street or public grounds	Section 96.18 (C)(2)	\$25.00
Failure to obtain permit	plus the cost of the permit	\$50.00
Penalty Fee for failure to comply	plus costs Section 96.18 (J)	\$94.00
Animal Control		
Dog At Large	first offense, violation of this article, cost is set by court system	\$164.00
Subsequent offenses	cost is set by court system	\$164.00
Pick-Up Fee		
Boarding fee at Animal Shelter	per day	\$10.00
Disturbing the Peace	cost is set by court system	\$164.00

City of Vermillion
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Animal Excrement Service Fee	plus the costs of the project, hired by the City	\$25.00
Yearly Dog Registration	Dog owners are required to register and provide proof of vaccination on a yearly basis	\$10.00
Administrative Fees		
Grass & Weed Notice	plus additional \$20 per violation per year, plus costs for service, if necessary	\$10.00
Side Walk Snow Notice	plus additional \$20 per violation per year, plus costs for service, if necessary	\$10.00
Ice, Snow, Leaves, Grass or other debris into public right of way		\$50.00
<u>Engineering</u>		
Conditional Use Permit		\$100.00
Rezone Application		\$150.00
Concurrent Zone Request and Annexation Request		\$75.00
Variance Petition		\$100.00
Plat Fee	for each lot in a subdivision	
Preliminary Plat		free
Final Plat	per lot, minimum \$30	\$3.00
Easement Fee		no fee
Street Vacation Plan		no fee
<u>Landfill</u>		
Municipal Solid Waste		
Commercial Haulers - Packers		\$45.00
Uncompacted/Resident		\$50.00
Minimum		\$12.00
Uncovered Loads		\$15.00
Metals & White Goods		
With capacitor and/or Freon, Refrigerator	each	\$10.00
Yard Waste (Leaves & Grass)		
Car with 4 bags		FREE
Pick up with 5 or more bags		FREE
Single axle Truck or Tandem Trailer	per unit	\$10.25
Tandem-axle Trucks	per unit	\$10.25
Brush, Trees & Untreated Wood	same as charges above	
Waste Tires		
Car tire	per ton - \$2.50 per tire	\$180.00
Truck tire (17"-22.5")	minimum - \$5.50 per tire	\$180.00
Greater than 22.5"	by weight - \$10.00 per tire	\$180.00
Construction Equipment tire	by weight - \$15.00 per tire	\$180.00
Petroleum Contaminated Soils	per ton, pre-approval required + gate fee	\$10.00
Site Testing fee		\$125.00
Asbestos	per ton, pre-approval required + gate fee	\$65.00
Gate Fee		\$125.00
Clay	per ton, if Buyer Loads	\$0.85
	per ton, if Landfill Loads	\$1.35
Mulch		
When available	per Bobcat bucket load	\$5.00
Bag	each	\$1.50
Garbage container	each	\$2.50
Small Truck/Trailer	approx.	\$15.00

City of Vermillion
Comprehensive Fee Schedule as of December 7, 2015

Electronics		
TV's	per item	\$20.00
Monitors	per item	\$20.00
Curbside Recycling		
Monthly Fee	per unit (residential households and multi unit dwellings with five units or less)	\$3.50
Replacement Recycling Bins	replacement recycling bins	\$10.00
Small volume customers not requiring specialized containers or equipment for collection	per month	\$10.00
Recycling Center		
UPS Back-Ups	per pound	\$0.25
Fluorescent bulbs and related items (determined by latest bid) cpu (compact fluorescent)		\$.65-\$1.00
3' Tube Bulb		\$1.50
4' Tube Bulb		\$1.75
Capacitors		\$1.50
<u>Finance office</u>		
Miscellaneous Fees		
Return Check Fee		\$40.00
Small Claims Fee	if defendant loses, he/she pays the court costs	\$7.23
Meter Check Fee		\$10.00
Temporary Disconnect Service		\$20.00
Reconnect Water Meter Temp Removal		\$25.00
Stormwater Drainage	per land use code and runoff weighting factor	\$0.00037
License Fees		
Electricians License	per year	\$100.00
Plumbing Contractor		\$100.00
Plus	Per journeyman	\$20.00
Water Softener Installer		\$50.00
Sewer & Water Installer		\$50.00
Airport Fees		
Pilot Instruction	per year	\$100.00
Aerial Spraying	per year	\$100.00
Hangar Space Lease	per square foot, based on Hangar Size	\$0.05
Storage Fee	per day	\$15.00
Commercial Collector	per year	\$300.00
Alcoholic Beverage Licenses		
Package off sale malt beverage	\$100/city, \$100/state - July 1 to June 30	\$200.00
On-off sale malt beverage	\$150/city, \$150/state - July 1 to June 30	\$300.00
Retail On Sale Wine	city - January 1 to December 31	\$500.00
On Sale Liquor	city - January 1 to December 31	\$1,500.00
Package Wine Farm Winery	city - January 1 to December 31	\$150.00
Package off sale liquor	city - January 1 to December 31	\$500.00
Special daily malt beverage and wine	per day limit 14 days plus \$15.00 to advertise	\$15.00
Video Lottery machine fee	per machine per year	\$50.00
On sale liquor restaurant license	no more than 40% of gross revenues is derived from sale of alcoholic beverages	\$95,000.00
Malt Beverage Markup	5% on the wholesale cost plus freight	
Business Improvement District #1	\$2.00/per night per occupied hotel/motel room	

City of Vermillion
Comprehensive Fee Schedule as of December 7, 2015

Cable TV Franchise Fee	5% of gross revenue in Vermillion	
Mobile Home Placement		\$10.00
Itinerant Merchant, Peddler, Solicitor	\$25/day, \$75/week, \$200/month	
Special Event	\$50/day for <10 vendors or \$100/day >10; plus \$25 for each additional day	
Pawnbroker Fee	per year	\$50.00
Permit to exceed permissible sound level	application required 30 days in advance	\$25.00
Tattoo Establishment	equal to State inspection fee	\$150.00
Tattoo Artist		\$25.00
Taxi Cab business license		\$10.00
Taxi Cab Driver		\$5.00
Court Fines and Costs	Clerk of Courts remits 35% to the State and the rest to the City	
Engineering Copies and CAD Plots	determined by Office	
Video of Council Meeting		\$10.00
Mobile Food Vendors		
30 consecutive day permit		\$35.00
Towing Fees		
Vehicle and up to 1 ton pick up		\$80.00
Motorcycles		\$90.00
Snow Emergency		\$100.00
Impound Storage		\$15.00
Enclosed Storage		\$20.00
Large Truck or Equipment		\$35.00
After Hours Gate Charge		\$20.00
City Owned Vehicles		\$80.00
Recovery Vehicles	Determined by incident	
Usual Clean-Up		\$35.00
	<u>Water</u>	
Water Meter	Varies based on the size of the meter	
1" Far Side	plus \$165.00 for 3/4" meter Plus 2% Excise Tax	\$1,090.00
1" Near Side	plus \$165.00 for 3/4" meter Plus 2% Excise Tax	\$530.00
Tapping fee for over 1" service	charged for time and materials plus 20%, plus the cost of the meter required	
Wastewater		
Sewer Tap		
4" Clay	Plus 2% Excise Tax	\$250.00
6" Clay	Plus 2% Excise Tax	\$250.00
4" PVC	Plus 2% Excise Tax	\$250.00
6" PVC	Plus 2% Excise Tax	\$250.00
Septic Tank Waste Haulers		
0-499	gallon tank	\$25.00
500-1,999	gallon tank	\$30.00
2,000-3,499	gallon tank	\$35.00
3,500 and over	gallon tank	\$40.00
Rental cost		
Jet Truck Cost	per hour	\$125.00
Televising Camera Cost	per hour	\$100.00
Street	Plus excise tax to all fees	

City of Vermillion
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Sawing Asphalt	Fixed Cost	\$65.00
Unit Cost	per Linear Foot	\$10.00
Sawing Concrete	Fixed Cost	\$65.00
Unit Cost	per Linear Foot	\$10.00
Cutting Asphalt with Colter	Fixed Cost	\$130.00
Unit Cost	per Linear Foot	\$5.00
Patching Preparation	Fixed Cost	\$130.00
Unit Cost	per Square Yard	\$15.00
Minimum Charge		\$255.00
Asphalt Placement	Fixed Cost	\$145.00
Unit Cost	per Square Yard per Inch	\$11.00
Minimum Charge		\$270.00

Fees Set By Resolution

SECTION	TITLE	FEE/RATE	RESOLUTION
	Chapter: Finances; Purchasing		
33.01	Accident Reports	\$5.00 per Accident Report	07/20/2009
33.01	DVD	\$25.00 per DVD plus per hour production fee (see below)	12/07/2015
	Videos longer than 15 minutes without redaction	\$20.00/per hour, one hour minimum	12/07/2015
	Videos longer than 15 minutes with redaction	\$50.00/per hour, on hour minimum	12/07/2015
	Chapter: Electricity		
51.05	License For Electrical Wiring Required	\$100.00	04/15/1996
51.07 B	Service Entrance Requirements (Service Line Fee)	\$5.00 up to 100 feet	02/21/2006
51.07 C	Service Entrance Requirements (Meter Relocation)	\$80.00	02/21/2006
51.22 B-3	Residential Service Rate (Rate)	9.0 Cents Per KWH (October-June) 9.6 Cents Per KWH (July-September)	12/15/2014
51.22 B-4	Residential Service Rate (Customer Charge)	\$9.85 Per Month	12/15/2014
51.23 B-3	Small Commercial Power Secondary Service Rate (Rate)	9.4 Cents Per KWH (October-June) 10.0 Cents Per KWH (July-September)	12/15/2014
51.23 B-4	Small Commercial Power Secondary Service Rate (Customer Charge)	\$16.50 Single Phase/\$26.50 Three Phase	12/15/2014
51.24 B-3	Large Commercial Power Secondary Service Rate (Rate)	3.9 Cents Per KWH/ \$14.10 per KW July-September, \$11.80 per KW October-June	12/15/2014
51.24 B-4	Large Commercial Power Secondary Service Rate (Customer Charge)	\$36.00 Per Month	12/15/2014
51.26 B-3	Night Watch Flood Service Rate (Rate)	\$5.90/\$7.25/\$12.55/\$19.40 Depending On Wattage	04/15/1996
51.27 C	City Street Lighting Service Rate (Rate)	12.5 Cents Per KWH	12/15/2014
51.28	Minimum Deposit Required for Residential Users (Electric)	\$30.00	04/15/1996
51.30	Special Service; Discontinuance	\$20.00 During Regular Hours/\$50.00 After Regular Hours	09/20/2010
51.31 A	Service Connection Charge	\$10.00 During Regular Hours/\$50.00 After Regular Hours	09/20/2010
51.32 A	Special Service (Discontinuance Or Renewal To Seasonal Equipment)	\$15.00	04/15/1996
51.32 B	Special Service (Temporary Electrical Service During Construction)	Costs Of Materials And Labor And Not Less Than \$20.00	04/15/1996
51.32 C	Special Service (Drop And Reinstall Line For Tree Removal, Etc.)	\$20.00	04/15/1996
51.32 D	Special Service (Undeveloped Residential Lot)	\$230.00	04/15/1996
51.32 F-1	Special Service (Single Phase Commercial Or Industrial Service)	\$380.00 First 100 Amps, \$85.00 Each Additional 100 Amps	04/15/1996
51.32 F-2	Special Service (Three Phase Commercial Or Industrial Service)	\$800.00 First 100 Amps, \$100.00 Each Additional 100 Amps	04/15/1996
51.32 H	Special Service (Customer Request)	\$10.00 During Regular Hours/\$40.00 After Regular Hours	04/15/1996
51.34 A	Distributed Generation Connection Fee	\$600.00	05/05/2014
	Chapter: Garbage and Trash		
52.10 A	License; Application; Plate To Be Displayed (License Fee)	\$300.00	07/05/1994
	Chapter: Curbside Recycling		
52.32	Curbside Recycling Fee	\$3.50 per month, 5% greater on accounts unpaid by the due	11/02/2015

Fees Set By Resolution

		date stated on utility bill	
	Chapter: Water, Sewage, and Sewage Disposal		
53.016 B	Tapping (Tapping Fee)	See Water, Sewer, and Street Taps and Cuts Fee Schedule	03/17/2014
53.016 C	Tapping (License Fee)	\$10.00	02/20/1979
53.018 A	Rates (Sewage) - Class I	126% Of Usage For The Previous January, February, March	04/07/2014
53.018 B	Rates (Sewage) - Class II	Fixed fee based on meter size and affluent composition	10/19/2015
53.031 B	Application For Service, Residential Users; Deposits (Deposit Fee)	\$15.00	11/21/1983
53.04	Charges (Turning Water On)	\$10.00	11/21/1983
53.055 E	Installation (Water Pipes)	Set By Resolution - Situational	01/01/1956
53.075	Rates (Water)	\$2.17 per 100 Cubic Feet, plus monthly charge based on meter size	03/19/2012
53.076 C	Monthly Collections; Delinquency (Renewal Service Charge)	\$20.00 during regular hours, \$50.00 after regular hours	11/21/1983
53.077 A	Turn-On Charges (Connection Charge)	\$10.00 during regular hours, \$50.00 after regular hours	09/20/2010
53.077 E	Service Connection Charge	\$10.00 during regular hours, \$50.00 after regular hours	09/20/2010
53.119	Review Of Each User's Waste Water Service Charge	Set By Resolution - Situational	07/02/1979
53.135 B-3	Storm Drainage Fee (Unit Financial Charge)	\$.00036 Per Unit	10/20/2014
	Chapter: General Traffic and Parking Regulations		
70.058	Texting While Driving Prohibited	\$54.00 plus court costs (currently \$60.00)	04/01/2013
70.072 E	Prohibited In Certain Places (Bond)	\$10.00/\$15.00	11/17/2003
70.090	Prohibition Of Travel During Emergencies (Violation)	\$15.00/\$30.00/\$45.00	10/20/2008
70.091	Stalled Vehicles (Violation)	\$15.00/\$30.00/\$45.00	10/20/2008
70.092	Abandoned Vehicles In Snow Prohibited (Violation)	\$15.00/\$30.00/\$45.00	10/20/2008
70.093	Special Street Signs For Snow Removal (Violation)	\$15.00/\$30.00/\$45.00	10/20/2008
70.094	Towing of Violators (Storage Charge)	\$15.00/\$30.00/\$45.00	10/20/2008
70.095	Unauthorized Removal Of Impounded Vehicles (Violation)	\$15.00/\$30.00/\$45.00	10/20/2008
70.198 B-1	Enforcement (Parking Violation)	\$15.00/\$30.00/\$45.00	10/20/2008
	Chapter: Health and Safety; Nuisances		
90.01 D	Noises Prohibited (Special Permit)	\$25.00	10/01/2001
90.18 B	Notice To Remove (Administrative Fee)	\$10.00 tagging / \$25.00 for abatement	09/14/1994
90.35 N	Motor Vehicle (Storage Fee)	\$10.00 per day	10/20/2008
90.51 C	Duty To Cut (Failure To Comply)	\$10 for first offense / \$20 increase for each additional	04/03/2006
	Chapter: Airport		
91.08 A 1	Permit Requirement; Fees Fixed Base Operator Permit (Multiple Commercial Aeronautical Services or a Limited Service)	\$200.00	03/17/2014
91.08	Permit Requirement; Fees (Specialized Commercial Flight Services	\$100.00	03/17/2014
91.08	Permit Requirement; Fees Avionics, Instruments and/or Propeller	\$100.00	03/17/2014

Fees Set By Resolution

	Services		
91.08 A-2	Permit Requirement; Fees (Air Taxi and Charter Services Permit)	\$100.00	03/17/2014
91.08 A-3	Permit Requirement; Fees Instructors Permit (Flight Training)	\$100.00	03/17/2014
91.08 A-4	Permit Requirement; Fees Crop Spraying Permit (Permanent and Temporary Aerial Applicators)	\$100.00	03/17/2014
91.08 A-5	Permit Requirement; Fees (Aircraft Sales)) Airframe and Power Plant Repair (Aircraft Maintenance and Repair)	\$100.00	03/17/2014
91.08 A	Aircraft Rental Permit	\$100.00	03/17/2014
91.09	Hangar Space Fee	.05 Cents per sq. ft/year based on building size .10 Cents per sq. ft/year based on unused land being leased	06/04/2012
	Chapter: Animals and Fowl		
93.090	Animal Waste	\$15.00/\$25.00	09/08/2009
93.23 A	Dog Tag License Fee (City Sold)	\$10.00	10/18/1994
93.23 B	Dog Tag License Fee (Veterinarian Sold)	\$10.00	10/18/1994
93.25 B	Impoundment; Disposition (Dogs)	\$20.00	11/17/2003
93.25 C	Impoundment; Disposition (Dogs)	\$17.00 Plus \$10.00 Per Day	11/17/2003
93.41 B-1	Impoundment; Disposition (Cats)	\$25.00	10/18/1994
93.41 B-2	Impoundment; Disposition (Cats)	\$25.00	10/18/1994
93.41 D	Impoundment; Disposition (Cats)	\$10.00 Plus \$3.00 Per Day	02/03/1982
93.99 B	Penalty	\$10.00/\$20.00/\$30.00 Depending On Number Of Offenses	12/05/1988
	Chapter: Rental Housing Code		
94.05 D	Registration Required (Rental Registration Fee)	\$25.00 Per Structure Plus \$15.00 Per Unit	09/06/2011
94.05 I	Registration Required (Penalty)	\$5.00 per unit per day no change	01/01/1992
	Chapter: Streets and Sidewalks		
96.16	Air Conditioning Equipment	\$25.00	01/01/1956
96.36 E	Cutting And Repair Of Pavements	See Water, Sewer, and Street Taps and Cuts Fee Schedule	06/02/2008
	Chapter: Advertising		
111.02	License; Fee	\$.01/\$30.00	01/01/1956
	Chapter: Alcoholic Beverages		
112.18 A	Special On-Sale Malt Beverage and/or Special On-Sale Wine License	\$15 per day and \$15 advertising fee	11/15/2010
112.18 B	Special Off-Sale Package Wine Dealers License	\$15 per day and \$15 advertising fee	11/15/2010
112.23 G	Full Service On-Sale Restaurant License	\$95,000	02/17/2009
	Chapter: Taxicabs		
114.03	License Fee; Expiration; Revocation	\$25.00	11/21/2008
114.09	Fee For Taxicab Driver's License; Expiration; Revocation	\$25.00	11/21/2008
	Chapter: Tattooing		

Fees Set By Resolution

115.12 B-5	Application For Tattoo Artist License and Body Piercing	\$25.00	12/20/2010
	Chapter: Itinerant Merchants		
116.07	Registration Permit Fee	\$25/day, \$75/week, \$200/month	05/19/2008
116.07	Registration Permit Fee-Special Event	\$50/day for <10 vendors or \$100/day >10; plus \$25 for each additional day	04/19/2010
	Chapter: Boxing, Kickboxing, Mixed Martial Arts		
117.04	Event Permit	\$50.00 per permit	12/15/2008
	Chapter: Furniture Zone		
118.04	Furniture Zone Use Permit	\$35.00 per permit per calendar year	04/19/2010
118.06	Furniture Zone Limited Lease	\$35.00 per lease, expires Nov. 1 of year issued	04/19/2010
	Chapter: Mobile Food Vendors		
119.05	Mobile Food Vendor Permit	\$35.00 for each 30 consecutive day period	09/06/2011
	Chapter: Building Regulations		
150.32	Special Permits; Applicant To Pay Cost Of Altering Utility Wires	Actual Employee and Materials Cost	01/03/2012
150.33	Building Permit Fees	\$100 plus Building Permit Fee Schedule	03/07/2014
	Chapter: Mobile Home Parks		
151.06 A	License; Application And Issuance	\$150.00 Or \$3.00 Per Mobile Home, Whichever Is Greater	11/17/2003
151.07	Inspection Fees	\$5.00	09/15/1975
151.18	Parking Fee; Date Payable	\$1.00 per month	09/19/1977
	Chapter: Signs		
152.07 B-2	Permit Required (Fees) Portable Sign	\$25.00	07/16/2012
152.07 C-2	Permit Required (Fees) Building Sign	\$30.00	07/16/2012
152.10 E-1	Freestanding Signs	\$30/<100 sq. ft, \$50/>100 sq. ft, or \$100 for signs meeting definition of a billboard	07/16/2012
	Chapter: Plumbing Code		
153.08 B	License Fee	\$100.00 For Contractor's License/\$20.00 For Plumber's License/\$40.00 For Water License	02/06/1979
	Chapter: Subdivision Regulations		
154.03 B-1	Jurisdiction And Procedure	\$1.00 Per Lot And Not Less Than \$10.00	09/19/1994
	Chapter: Zoning Regulations		
155.095 C	Conditional Use Permit	\$100.00	07/05/2011
155.099 B	Rezone Application/Concurrent Change of Zone Request and Annexation Request/Variance Petition	\$150/\$75.00/\$100	07/05/2011

Council Agenda Memo

From: John Prescott, City Manager
Meeting: December 7, 2015
Subject: Amendment #5 to the Joint Powers agreement
Presenter: Bob Iverson, Solid Waste Director

Background: The cities of Vermillion and Yankton as well as the counties of Clay and Yankton entered into a joint powers agreement in 1994. The operating agreement has had four amendments over time. The members of the Joint Powers Board are:

Vermillion City Council member	Yankton City Commissioner
Vermillion city resident	Yankton city resident
Clay County Commissioner	Yankton County Commissioner
Clay County resident	Yankton County resident
Vermillion City Manager	Yankton City Manager

The Vermillion and Yankton Finance Officers serve as the secretary-financial advisors for the Board.

The purpose of the agreement was to establish a system to jointly operate a solid waste disposal and recycling system. There are currently three main facilities for the Joint Powers operation. A transfer station in Yankton collects trash from the Yankton City collection and private haulers for transportation to the landfill. Recyclables are also collected at the Yankton transfer facility. Most recyclables are transported to Vermillion for processing. The landfill and Vermillion recycling center are also part of the Joint Powers operation.

Discussion: Yankton is planning significant improvements to the transfer station. A new scale is needed. Other improvements include additional concrete paving to better route traffic that currently is backing up onto the street, and an addition to the scale house. Yankton received a \$350,000 grant and \$400,000 loan from DENR to assist with the project. DENR has asked that the four parties to the joint powers agreement adopt an amendment to the agreement. A copy of the amendment is attached. The main point of the amendment is to stipulate that the Joint Powers agreement will not be dissolved prior to the 2015 DENR loan being repaid. Some of the other amendments to the original agreement have also been due to grant/loan financing packages.

As noted above the original Joint Powers agreement was signed in 1994. The duration in the original agreement is for 35 years from the date of signing or 2029. An option to renew for an additional 35 years was also part of the original agreement.

Yankton County approved the amendment at their November 17th meeting. Clay County approved the amendment at their November 24th meeting. The Yankton City Commission is scheduled to consider amendment #5 at their December 14th meeting.

Financial Consideration: The agreement obligates the City to participate in the Joint Powers agreement through the end of repayment of the 2015 loan that is anticipated to be repaid over ten years. The start of grant repayments will be after the final drawdown of funding. The project is anticipated to be completed in 2016.

Conclusion/Recommendations: Administration recommends approval of the 5th amendment to the Joint Powers agreement.

FIFTH AMENDMENT
TO REVISED JOINT POWERS AGREEMENT

THIS FIFTH AMENDMENT TO REVISED JOINT POWERS AGREEMENT, dated as of _____, 2015 (the "Fifth Amendment"), The City of Vermillion, a municipal corporation of the State of South Dakota, The City of Yankton, South Dakota, a municipal corporation of the State of South Dakota, (the "Issuer"), Yankton County South Dakota, a political subdivision of the State of South Dakota, and Clay County, South Dakota, a political subdivision of the State of South Dakota (together with the Issuer, hereinafter referred to as the "Owners").

WITNESSETH:

WHEREAS, the Owners have entered into a Revised Joint Powers Agreement, dated November 14, 2012 (the "Revised Agreement"; the Revised Agreement as amended and supplemented by this Fifth Amendment is referred to hereinafter as the Agreement") for purpose of providing for the joint ownership, administration and operation of a solid waste disposal and recycling system (the "System"); and

WHEREAS, in order to finance certain improvements to the System, the Issuer has agreed to borrow the sum of \$450,000 from the Solid Waste Management Program (the "SWMP Loan"), by entering into a Revenue Obligation Loan Agreement with, and issuing a Revenue Bond to, the South Dakota Board of Water and Natural Resources, and the other Owners have agreed to pay to the Issuer amounts equal to their respective shares of costs under the Agreement, including their respective share of the debt service on the SWMP Loan; and

WHEREAS, the South Dakota Board of Water and Natural Resources has required, as a condition to making the SWMP Loan, that the Owners make certain changes to the Revised Agreement; and

WHEREAS, the Owners have found that the financing provided through the SWMP Loan is advantageous, and in order to secure that financing have agreed to amend certain provisions of the Revised Agreement as set forth in this Fifth Amendment; and

WHEREAS, in order to finance certain improvements to the System, the City of Vermillion has borrowed from the South Dakota State Revolving Fund (the "SRF Loan") and the City of Vermillion has borrowed Regional Landfill Assistance funds (the "RLFA Loan") by entering into Revenue Obligation Loan Agreements with, and issuing Revenue Bonds to, the South Dakota Conservancy District and Board of Water and Natural Resources, and the Owners have agreed, pursuant to the Revised Agreement, to pay to the Issuer amounts equal to their respective shares of the debt service on the SRF Loan and RLFA Loan; and

NOW, THEREFORE, THIS FIFTH AMENDMENT WITNESSETH:

1. That section 8 of the Revised Agreement is hereby amended to read as follows:

8 Financial Management: Operational budget shall be contained in the budget of responsible operating entity. The City of Yankton shall maintain budget for operations in Yankton and Yankton County, and the City of Vermillion shall maintain the budget for operations in Vermillion and Clay County. All expenditures and revenues associated with the joint operation shall be maintained in a separate fund from all other expenditures of the City. The joint operation shall be considered an enterprise for accounting purposes and shall be self-supporting. All moneys contained in the fund belonging to the joint operation shall remain in that fund and shall not be transferred to any other fund of the city without the approval of the governing bodies of all entities that are parties to this Revised Agreement. All expenditures from the joint operations fund shall be approved by the governing body, which is responsible for the budget that contains the joint operation. There shall be established a renewal and replacement fund which shall contain all depreciation funds and any return on assets that are generated by the joint operation. The depreciation shall be based on general accepted accounting principles and shall be an expense item in the budget of the joint operation. The rates for the disposal of solid waste and the handling of recyclable materials shall be sufficient to defray all of the costs of the joint operation including, but not limited to, operational expenses, depreciation, post closure expenses, financial assurance, ground water monitoring and corrective action, State and Federal fees, and such other expenses as may be appropriate.

The fees shall be established upon the recommendation of the board with the approval of all of the governing bodies of the cities of Yankton and Vermillion. This action on the recommendation shall take place within thirty days of the recommendation of the Board. Notwithstanding any other provisions of this Revised Agreement, the rates, charges and fees established under this paragraph shall always be made sufficient to pay the costs of operation and maintenance of the system and to meet the rate covenant set forth in the Revenue Obligation Loan Agreement with the South Dakota Conservancy District and Board of Water and Natural Resources, so long as the SRF Loan, RLA Loan or SWMP Loan are in effect and unpaid.

Section 2. That Section 13 of the Revised Agreement is hereby amended to read as follows:

13. Duration: This Revised Agreement shall be in effect for thirty-five years from the date of execution of this Revised Agreement with an option to renew the Revised Agreement for another period not to exceed thirty-five years by agreement of all of the parties. This Revised Agreement may be dissolved at any time by agreement of the governing bodies of three of the four of the parties to this Revised Agreement; provided that this Revised Agreement shall not be

dissolved, nor shall any party withdraw there from, until the 2015 SWMP Loan (Yankton 2016L-SW-301), 2012 SRF Loan (Vermillion CW-07), and 2007 RLAF Loan (Vermillion 2007L-RLA-204), have been paid in full and any other previous loans have met obligations.

Section 3. That Section 14 of the Revised Agreement is hereby amended to read as follows:

14. Amendments: This Revised Agreement may be amended, modified, or altered only by agreement of three of the four parties to this Revised Agreement. It is recognized and anticipated that amendments may be necessary from time to time due to unforeseen or unanticipated circumstances and it shall be considered to be appropriate for suggestions or recommendations for amendments to originate with the Advisory Board or with staff. So long as the SRF Loan, RLAF Loan or SWMP Loan are in effect and unpaid, no amendment shall be made to Sections 8, 13, 14 hereof, without the written consent of the South Dakota Conservancy District and Board of Water and Natural Resources.

Sub-section a. This Revised Agreement and all its provisions which incorporate all previous amendment language and corrections to the Original Agreement remain in full force and effect, and from and after the date hereof and shall be construed as "the Revised Agreement" instrument.

Sub-section b. If any provision of this document shall be held or deemed to be or shall, in fact be inoperative or unenforceable as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions or in all cases because it conflicts with any provisions of any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance or rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever.

The invalidity of any one or more phrases, sentences, clauses or paragraphs in this Revised Agreement contained shall not affect the remaining portions of this Revised Agreement or part thereof.

Sub-section c. This Revised Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 4. Except as amended by this Fifth Amendment, the provisions of the Revised Agreement remain in full force and effect, and from and after the date hereof, the Revised Agreement and this Fifth Amendment shall be construed as one instrument.

Section 5. If any provision of this Fifth Amendment shall be held or deemed to be or shall, in fact be inoperative or unenforceable as applied in any particular case in any jurisdiction

or jurisdictions or in all jurisdictions or in all public policy, or for any reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable in any other case or circumstance or of rendering any other provision or provisions herein contained invalid, inoperative, or unenforceable to any extent whatever.

The invalidity of any one or more phrases, sentences, clauses or paragraphs in this Fifth Amendment contained shall not affect the remaining portions of this Fifth Amendment or part thereof.

Section 6. This Fifth Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

CITY OF YANKTON
A Municipal Corporation

By: _____
Mayor Date

Attest:

Finance Officer

CITY OF VERMILLION
A Municipal Corporation

By: _____
Mayor Date

Attest:

Finance Officer

YANKTON COUNTY, SD
A Political Subdivision

By: 
Chair

11-17-15
Date

Attest:

Karen Faucher, Dep.
Auditor

CLAY COUNTY, SD
A Political Subdivision

By: 
Chair

11-24-15
Date



Attest:

Cassi R. Crum
Auditor



Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 7, 2015
Subject: First Reading of Ordinance No. 1334 - 2015 Supplemental Appropriations
Presenter: Mike Carlson

Background: The City Council adopted a revised budget for 2015 as part of the budget process in September 2015. Since that time, some expenses have taken place resulting in the need to revise the budget.

To adjust for these items, the City needs to supplement the budget as provided by statute.

SDCL 9-21-7. Supplemental appropriation ordinance for indispensable functions or discharge of municipal duties. In the event of the failure to provide by the annual appropriation ordinance, sufficient revenue to enable the municipality to conduct the indispensable functions of government, in any department, or to discharge any duty which it is the lawful duty of the municipality to discharge, and which requires the incurring of liabilities or expenditures of funds for a purpose or object for which no provision has been made in the annual appropriation ordinance for such fiscal year and, when any of such occasions arise, the governing body of such municipality may make, approve and adopt a supplemental appropriation ordinance, providing therein for appropriations for any or such purposes in such amounts as said governing body may determine necessary and such supplemental appropriation ordinance shall set out in detail each item for which an appropriation is made and the amount thereof. The adoption of such supplemental appropriation ordinance shall be governed by the same laws pertaining to the adoption of the annual appropriation ordinance.

Discussion: The proposed budget adjustments are as follows:

General Fund Expenditures:

Transfer to E911 Fund increased \$1,563 – For the City share of increased E911 expenses.

VCDC Reinvestment Program – In April 2015 the VCDC, USD and City entered into a reinvestment program to reimburse the 2% city sales tax on the new arena, science, health and research lab, and track/soccer complex and related equipment. As of yet we have not received a request, but USD has indicated that there will be a request coming estimated at \$100,000 of which half is general fund and the other half is second penny.

Emergency Management Other Repairs increased \$1,200 – This is for repairs needed on the sirens.

Appropriation from Reserve increased \$52,763 – The increased expenses will require the budget of general fund reserve funds.

Special Revenue Fund Second Penny Sales Tax:

8. New Business; item h

Engineering Downtown Program – Engineering services for the downtown improvement program are estimated at \$12,000.

Parks Equipment – Parks equipment included the Prentis Park restroom, maintenance building fencing, and baseball field backstop that were completed this year with the final cost at \$7,200 over budget. The backstop, at \$5,900, was originally planned for next year but with the nice fall was moved up to be ready for spring baseball. The other projects came in a little over budget.

VCDC Reinvestment Program – As indicated above, in April 2015 the USD, VCDC and City entered into a reinvestment program to reimburse the 2% city sales tax on the new arena, science, health and research lab, and track/soccer complex and related equipment. Half of the estimated \$100,000 will be coming from 2nd Penny.

Appropriation to Reserve – The increased expenditures will reduce the funds being appropriated to reserve.

Special Revenue Fund E911 Fund

County Payment Communications – Half of the increased expense will be funded by the County.

Transfer in from General Fund – City share of the increased expense.

Professional Services – Professional services expenses are being increased \$3,125 for the GIS data contract.

Special Revenue Fund Library Fine & Gift Fund

Contributions and Donations – Increased by \$2,500.

Other Revenues – Increased by \$1,500.

Other Current Expenses – Library expenses increased \$4,000.

Enterprise Fund - Electric Fund

Electric Construction – Electric construction expenses increased by \$73,500 for new services and expanded services.

Appropriation from Reserve – Was increased for the additional construction expenses.

Enterprise Fund – Liquor Store

Furniture & Equipment – Increased \$14,500 for the growler fill station.

Appropriation to (from) Reserve – The increased expense will be funded from reserve.

Debt Service – City Hall Debt Service

Bond Proceeds Refunding – The supplement is for the refunding bond proceeds.

Bond Issuance Costs – The supplement is for the refunding bond issuance costs.

Refunding Bond Escrow – The supplement is for the refunding bond proceeds that will be escrowed for refunding the existing bonds.

Financial Consideration: The General Fund reserve will be reduced \$52,763 from what was planned when the budget was adopted. The General Fund reserve balance projected for year-end 2015 is \$1,659,779.

Conclusion/Recommendations: Administration recommends adoption of first reading of Ordinance No. 1334 Supplemental Appropriations Ordinance for 2015.

PROPOSED ORDINANCE NO. 1334
2015 SUPPLEMENTAL APPROPRIATIONS ORDINANCE

AN ORDINANCE ADOPTING a 2015 Supplemental 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 Budget</u>	<u>Proposed Budget</u>	<u>Amount of Supplemental Budget</u>
<u>General Fund:</u>			
Expenditures:			
Transfer to E911 Fund	271,085	272,648	1,563
VCDC Reinvestment Program	-0-	50,000	50,000
Emergency Mgt Other Repairs	500	1,700	1,200
Transfers/Reserves			
Appropriation from Reserve	108,557	161,320	52,763
 <u>Second Penny Sales Tax Fund</u>			
Expenditures:			
Engineering Downtown Program	-0-	12,000	12,000
Parks Equipment	121,875	129,075	7,200
VCDC Reinvestment Program	-0-	50,000	50,000
Transfers/Reserve:			
Appropriation to Reserve	294,851	225,651	69,200
 <u>E911 Fund</u>			
Revenues:			
County Pymt Communications	271,085	272,647	1,562
Transfer in General Fund	271,085	272,648	1,563
Expenditures:			
Professional Services	7,500	10,625	3,125
 <u>Library Fine & Gift Fund</u>			
Revenue:			
Contribution & Donation	2,700	5,200	2,500
Other Revenue	1,400	2,900	1,500
Expenditures:			
Other Current Expenses	7,000	11,000	4,000
 <u>Electric Fund</u>			
Expenditures:			
Electric Construction	253,000	326,500	73,500
Transfers/Reserves:			
Appropriation from Reserve	668,162	741,662	73,500
 <u>Liquor Fund</u>			
Revenues:			
Appropriation from Reserve	23,616	33,338	9,722

Expenditures:			
Furniture & Equipment	4,000	18,500	14,500
Transfers/Reserves:			
Appropriation to(from) Reserve	13,858	(642)	14,500

City Hall Debt Service Fund

Revenues:			
Bond Proceeds Refunding	-0-	2,700,000	2,700,000

Expenditures:			
Bond Issuance Costs	-0-	57,176	57,176
Transfers/Reserves:			
Refunding Bond Escrow	-0-	2,642,824	2,642,824

Dated at Vermillion, South Dakota this 21st day of December, 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: December 7, 2015
Second Reading: December 21, 2015

Council Agenda Memo

From: Matt Betzen, Police Chief
Meeting: December 7, 2015
Subject: Disposal of abandoned bicycles
Presenter: Matt Betzen

Background: The Police Department has in storage a number of bicycles that have been turned over as abandoned and not claimed. The legal process for disposing of these bikes has been completed and the bikes can be disposed of by the Police Department.

The following State Statute allows the City to make transfers of property to nonprofit corporations.

6-5-2. Gratuitous transfers of real property to political subdivisions and nonprofit corporations. Any county, municipality, sanitary district, township, or school district may convey and transfer any real property which is held or owned by it, the title to which has been obtained and which is not held for public use or which is about to be abandoned for public purposes, to another political subdivision or nonprofit corporation for public purposes and accommodation without offering the property for sale and without requiring said political subdivision or nonprofit corporation to pay therefore.

Discussion: The First United Methodist Church in Vermillion is working with Kevin Brady to start a program to take abandoned bikes, refurbish them and return them to young people in need. In the past, the abandon bikes collected by the Police Department have been turned over to Springfield State Prison, sold at auction, or taken to the landfill if not sold at auction or utilized by the prison. The Springfield State Prison provided a similar refurbishing service on a statewide basis.

Financial Consideration: The sale of bikes at recent auctions has generated little revenue.

Conclusion/Recommendations: Administration recommends the City Council declare the attached list of 41 bicycles surplus and authorize the transfer of the items to the First United Methodist Church of Vermillion.

Bike & Found Prop. for Auction

IR #	DISPOSITION	Description
201401852-001	Auction	Bike, blue and silver Next Power Climber
201501496-001	Auction	Bike, blue Next Intruder
201501684-001	Auction	Bike, High Country
201501791-001	Auction	Bike, black and yellow Mongoose XR5
201501885-001	Auction	Bike, Huffy Trail Runner
201502023-001	Auction	Bike, Huffy Mountian Pro Reno 18 sp, black and gold with blue spots
201502333-002	Auction	Bike, purple girl's next tiara pro mountain bike
201502587-002	Auction	Bike, Next Power Climber
201502697-001	Auction	Bike, red Schwinn Sidewinder
201503098-001	Auction	Bike, blue Trek 800
201503323-001	Auction	Bike, purple Huffy Megatrail
201503333-001	Auction	Bike, Huffy South Ridge, red and grey
201503530-001	Auction	Bike, gold MOTIV Rockridge
201503566-001	Auction	Bike, blue Schwimm Delmar
201503711-001	Auction	Bike, Murray Mountail Trail
201503829-001	Auction	Bike, grey and blue Roadmaster
201503900-001	Auction	Bike, KOLO 18 spd. Spray painted black
201504044-001	Auction	Bike, Schwinn Sidewinder
201504052-001	Auction	Bike, black and green Huffy
201504070-001	Auction	Bike, green Magna
201504195-028	Auction	Bike, Next Buttercup w/ training wheels
201504195-029	Auction	Bike, blue Rallye w/ training wheels
201504195-030	Auction	Bike, pink plastic tricycle
201504195-031	Auction	Bike, pink Radio Flyer 3 wheel scooter
201504195-032	Auction	Bike, red and blue Huffy Rock It
201504195-033	Auction	Bike, pink and white Huffy Berry Brite
201504195-034	Auction	Bike, red and silver Huffy Rock It
201504195-035	Auction	Bike, purple Huffy Sea Star
201504195-036	Auction	Bike, teal Huffy Miss Rocker
201504195-038	Auction	Bike, purple and white Schwinn Dee Lite
201504195-039	Auction	Bike, green Huffy Rockslide w/ babyseat
201504195-040	Auction	Bike, black and blue Huffy Reno w/ air pump

IR#	DISPOSITION	Description
201504195-041	Auction	Bike, black Huffy Rock Creek Shimato
201504195-042	Auction	Bike, pink and white Schwinn Ranger
201504195-043	Auction	Bike, pink Strawberry Shortcake
201504240-001	Auction	Bike, purple Huffy Expedition
201504320-004	Auction	Bike, Mongoose XR-75
201504320-005	Auction	Bike, Imagine Genesis Assault
201504320-006	Auction	Bike, Next PX 6.0
201505250-001	Auction	Bike, Huffy Rival
201505807-001	Auction	Bike, Huffy Trail Runner

CITY OF VERMILLION
 ACCOUNTS PAYABLE-DECEMBER 7, 2015

1	AGLAB EXPRESS	TESTING	78.00
2	ALYSSA LAFRAMBOISE	NOTARY BOND FILING FEE	30.00
3	AMERICAN LEGAL PUBLISHING	ORDINANCE BOOK UPDATE	1,693.80
4	AMERICAN PUBLIC WORK ASSOC	MEMBERSHIP	600.00
5	AMERICINN	LODGING	182.00
6	APPEARA	SUPPLIES	53.93
7	AQUA-PURE INC	CHEMICALS	4,816.00
8	ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	276.90
9	ARROW INTERNATIONAL, INC	SUPPLIES	240.34
10	ATCO INTERNATIONAL	SUPPLIES	396.75
11	AUTOMATIC BUILDING CONTROL	INSPECTION	347.00
12	BAKER & TAYLOR BOOKS	BOOKS	647.88
13	BATTERIES PLUS	BATTERIES	116.90
14	BLACKSTONE AUDIO INC	BOOKS	100.00
15	BONNIE ROWLAND	UNDERGROUND REIMBURSEMENT	450.00
16	BORDER STATES ELEC SUPPLY	SUPPLIES	1,081.50
17	BOUND TREE MEDICAL, LLC	SUPPLIES	914.88
18	BROADCASTER PRESS	ADVERTISING	288.53
19	BRUNICKS SERVICE INC	FUEL	1,910.00
20	BUILDERS CHOICE	REFUND BLDG PERMIT FEES	814.80
21	BURBACH AQUATICS, INC	SWIMMING POOL PROJECT	340,545.58
22	BURNS & MCDONNELL	PROFESSIONAL SERVICES	7,547.08
23	BUTLER MACHINERY CO.	PARTS	3,116.62
24	CALIFORNIA CONTRACTORS SUPPLY	SAFETY GLASSES	126.96
25	CALLAWAY GOLF	MERCHANDISE	1,209.66
26	CAM COMMERCE	SOFTWARE MAINTENANCE	1,761.23
27	CAMPBELL SUPPLY	SUPPLIES/SALT	8,533.83
28	CANNON TECHNOLOGIES, INC	SUPPLIES	6,996.90
29	CASK & CORK	MERCHANDISE	576.25
30	CENTER POINT LARGE PRINT	BOOKS	369.85
31	CENTURY BUSINESS LEASING	COPIER CONTRACT	138.25
32	CENTURY BUSINESS PRODUCTS	COPIER CONTRACT	66.35
33	CENTURYLINK	TELEPHONE	743.31
34	CHAD CHRISTOPHERSON	SAFETY GLASSES REIMBURSEMENT	150.00
35	CHEMCO, INC	SUPPLIES	475.43
36	CHESTERMAN CO	MERCHANDISE	60.00
37	CITY OF SIOUX FALLS	TESTING	29.00
38	CITY OF VERMILLION	POSTAGE/COPIES	1,285.79
39	CITY OF VERMILLION	UTILITY BILLS	36,358.17
40	CLASS C SOLUTIONS GROUP	SUPPLIES	137.60
41	CLEVELAND GOLF	MERCHANDISE	101.62
42	COLONIAL LIFE ACC INS.	INSURANCE	3,276.43
43	CONCRETE MATERIALS	GOLF SAND	847.83
44	CONTINENTAL RESEARCH CORP	SUPPLIES	222.61
45	CORTRUST BANK	TIF #6 INTEREST PAYMENT	6,062.00
46	COYOTE CHEMICAL COMPANY	PARTS	208.80

47	COYOTE CONVENIENCE	FUEL	12.79
48	CUMMINS CENTRAL POWER, LLC	REPAIRS	112.78
49	D-P TOOLS	SUPPLIES	41.95
50	DAKOTA BEVERAGE	MERCHANDISE	17,033.76
51	DAKOTA HOSPITAL FOUNDATION	TIF #6 INTEREST PAYMENT	6,062.00
52	DAKOTA PC WAREHOUSE	CARTRIDGES/COMPUTERS/REPAIRS	1,834.85
53	DAKOTA PUMP INCORP	PUMP REPLACEMENT	20,999.10
54	DANKO EMERGENCY EQUIPMENT	PARTS	667.86
55	DEAR READER.COM	SUBSCRIPTION	300.00
56	DELTA DENTAL PLAN	INSURANCE	6,451.58
57	DELUXE ADVERTISING	CALENDARS	329.11
58	DEMCO	SUPPLIES	300.19
59	DENNIS MARTENS	MAINTENANCE	833.34
60	DEPT OF REVENUE	TESTING	216.00
61	DGR ENGINEERING	PROFESSIONAL SERVICES	15,118.43
62	DISPLAY SALES COMPANY	SUPPLIES	159.00
63	DOUGLAS SPORTS	BARRIER NETTING	5,195.14
64	DUANE FULK	SAFETY GLASSES REIMBURSEMENT	150.00
65	DUST TEX	SUPPLIES	80.00
66	EBSCO	SUBSCRIPTION	298.77
67	ECHO ELECTRIC SUPPLY	SUPPLIES	2,199.46
68	ELECTRONIC ENGINEERING	REPAIRS	4,624.64
69	EMBROIDERY & SCREEN WORKS	PROFESSIONAL SERVICES	30.00
70	EQUIPMENT BLADES INC	PARTS	178.00
71	FACTORY MOTOR PARTS CO	PARTS	264.52
72	FARMER BROTHERS CO.	SUPPLIES	162.70
73	FASTENAL COMPANY	BATTERIES	141.99
74	FEDEX.	SHIPPING	11.81
75	FINDAWAY WORLD LLC	BOOKS	608.30
76	FIRST BANK & TRUST	TIF #6 INTEREST PAYMENT	6,062.00
77	FIRST DAKOTA NATIONAL BANK	TIF #6 INTEREST PAYMENT	6,062.00
78	FIRST NATL BANK IN SIOUX FALLS	ANNUAL FEE	1,100.00
79	G & R CONTROLS	PARTS	281.50
80	GALE	BOOKS	1,110.57
81	GRAINGER	PARTS	307.50
82	GRAYBAR ELECTRIC	SUPPLIES	98.21
83	GREGG PETERS	FREIGHT	2,160.00
84	GREGG PETERS	RENT	937.50
85	HACH CO	SOFTWARE	970.00
86	HALI-BRITE INC.	SUPPLIES	160.93
87	HARLAND TECHNOLOGY SERVICE	SUPPLIES	121.00
88	HARTINGTON TREE LLC	TREE	50.00
89	HAUGER LAWN SERVICE	MOWING	104.00
90	HAWKINS INC	SODA ASH	1,058.26
91	HD SUPPLY WATERWORKS	PARTS	1,543.48
92	HELMS & ASSOCIATES	PROFESSIONAL SERVICES	1,349.10
93	HERCULES INDUSTRIES, INC	SUPPLIES	495.15
94	HERREN-SCHEMPP BUILDING	SUPPLIES	360.55
95	HY VEE FOOD STORE	SUPPLIES	4.23

96	IN CONTROL, INC	PROFESSIONAL SERVICES	1,726.23
97	INDEPENDENCE WASTE	WASTE HAULING/PORTABLE TOILET RENTAL	1,144.05
98	INGRAM	BOOKS	476.01
99	INTEGRATED PROCESS SOLUTIONS	PARTS	1,294.00
100	INTERSTATE ALL BATTERY CENTER	SUPPLIES	23.40
101	INTL ASSOC. OF CHIEFS OF POLICE	REGISTRATION	1,758.12
102	ISTATE TRUCK CENTER	PARTS	581.59
103	JACKS UNIFORM & EQPT	UNIFORM	2,550.40
104	JAYMAR	SUPPLIES	779.25
105	JEFF MART	SAFETY GLASSES REIMBURSEMENT	150.00
106	JERRY'S CHEVROLET BUICK GM	REPAIRS	767.48
107	JOHN A CONKLING DIST.	MERCHANDISE	6,665.25
108	JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	40,980.23
109	JOHNSON CONTROLS	SERVICE AGREEMENT	2,146.23
110	JOINT UTILITY TRAINING SCHOOL	REGISTRATION	800.00
111	JONES FOOD CENTER	SUPPLIES	908.55
112	JP COOKE CO	SUPPLIES	62.33
113	KALINS INDOOR COMFORT	PARTS	84.18
114	KARL BOTTESINI	SAFETY BOOTS REIMBURSEMENT	99.99
115	KARSTEN MFG CORP	MERCHANDISE	582.56
116	KOLETZKY IMPLEMENT	SUPPLIES	282.25
117	L.G EVERIST, INC	ICING SAND	2,021.52
118	LAYNES WORLD	PLAQUE	52.62
119	LEADSONLINE	ANNUAL CONTRACT	1,428.00
120	LEISURE LAWN CARE	WINTERIZE SPRINKLER	40.00
121	LOCATORS AND SUPPLIES, INC	UNIFORM	821.14
122	LOGIN/IACP NET	NET SERVICE ACCESS	525.00
123	LONGS PROPANE INC	PROPANE	25.00
124	M & M CONSTRUCTION LLC	CONCRETE PROJECT	12,854.00
125	MART AUTO BODY	TOWING	540.00
126	MATHESON TRI-GAS, INC	MEDICAL OXYGEN	430.78
127	MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,466.96
128	MCKENZIE KELLY	PARTS	1,170.00
129	MEAD LUMBER	SUPPLIES	959.08
130	MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	348.79
131	MEDICO LIFE & HEALTH INSURANCE	LIFE INSURANCE	475.71
132	MENARDS	SUPPLIES	364.56
133	MICRO MARKETING LLC	BOOKS	19.99
134	MIDWEST ALARM CO	ALARM MONITORING	150.75
135	MIDWEST BUILDING MAINTENANCE	MAT SVC	603.60
136	MIDWEST RADIATOR & EXHAUST	REPAIRS	65.00
137	MIDWEST READY MIX & EQUIPMENT	SUPPLIES	649.90
138	MIDWEST TURF & IRRIGATION	PARTS	104.89
139	MILLS & MILLER, INC	DEICING SALT	4,562.28
140	MINITEX LIBRARY	SUPPLIES	356.00
141	MISSOURI VALLEY MAINTENANCE	REPAIRS	3,538.93
142	NCL OF WISCONSIN, INC	SUPPLIES	662.32
143	NETSYS+	SOFTWARE RENEWAL/REPAIRS	4,115.50
144	NEW YORK LIFE	INSURANCE	84.02

145	NEWMAN TRAFFIC SIGNS	SUPPLIES	1,632.46
146	NORTHERN TRUCK EQPT CORP	PARTS	128.56
147	OFFICE SYSTEMS CO	COPIER CONTRACT/COPIES	494.25
148	OKOBOJI WINES-SD	MERCHANDISE	324.00
149	OVERHEAD DOOR OF SIOUX CITY	REPAIRS	1,420.50
150	OXMOOR HOUSE	BOOKS	42.91
151	PCC, INC	COMMISSION	2,404.65
152	PEDERSEN MACHINE INC	PARTS	66.39
153	PENGUIN RANDOM HOUSE LLC	BOOKS	159.00
154	PETE LIEN & SONS, INC	CHEMICALS	7,358.23
155	POMPS TIRE SERVICE, INC.	REPAIRS	836.00
156	PRAIRIE BERRY WINERY	MERCHANDISE	690.00
157	PRESTO-X-COMPANY	INSPECTION/TREATMENT	102.72
158	PRINT SOURCE	PRINTING	103.00
159	QT POD	PARTS	339.80
160	QUILL	SUPPLIES	1,642.18
161	RACOM CORPORATION	MAINTENANCE CONTRACT	447.85
162	RECORDED BOOKS, INC	BOOKS	528.60
163	REPUBLIC NATIONAL DIST.	MERCHANDISE	21,682.96
164	RIVERSIDE HYDRAULICS & LAB	PARTS	23.28
165	ROCKMOUNT RESEARCH & ALLOY	PARTS	166.58
166	SAFETY BENEFITS INC	REGISTRATION	260.00
167	SANFORD CLINIC VERMILLION	SUPPLIES	200.45
168	SANFORD HEALTH PLAN	PARTICIPATION FEES	57.00
169	SANITATION PRODUCTS	ROLL OFF CONTAINER	6,195.00
170	SCHADE'S VINEYARD	MERCHANDISE	396.00
171	SCHAEFFER MFG. CO	SUPPLIES	638.40
172	SD ELECTRICAL COUNCIL	MEMBERSHIP DUES	40.00
173	SD GOVERNMENTAL FINANCE OFFICERS	MEMBERSHIP DUES	70.00
174	SD GOVERNMENTAL HUMAN RESOURCES	MEMBERSHIP DUES	25.00
175	SD MUNICIPAL STREET MAINTENANCE	MEMBERSHIP DUES	35.00
176	SD POLICE CHIEFS ASSOCIATION	MEMBERSHIP DUES	219.60
177	SD REDBOOK FUND	TRAINING MATERIALS	440.00
178	SD RETIREMENT SYSTEM	CONTRIBUTIONS	50,496.15
179	SD SECRETARY OF STATE	NOTARY BOND FEE	30.00
180	SDN COMMUNICATIONS	REPAIRS	226.80
181	SERVALL TOWEL & LINEN	SUPPLIES	29.40
182	SIOUX CITY TRUCK SALES, INC	REPAIRS	1,257.36
183	SKARSHAUG TESTING LAB.	TESTING	747.01
184	SOOLAND BOBCAT	SUPPLIES	565.61
185	SPARTAN MOTORS USA, INC	PARTS	452.80
186	STANDARD & POOR'S	FISCAL AGENT FEE	2,500.00
187	STERN OIL CO.	SUPPLIES	182.63
188	STEWART OIL-TIRE CO	REPAIRS	180.00
189	STUART C. IRBY CO.	SUPPLIES	3,604.00
190	STURDEVANTS AUTO PARTS	PARTS	1,747.14
191	SUPPLYWORKS	SUPPLIES	278.82
192	THE EQUALIZER	ADVERTISING	142.00
193	THE GROWLER STATION, INC	GROWLERS/CAPS	1,403.38

194	THE PIN CENTER	LAPEL PINS	350.00
195	THE RETROFIT COMPANIES, INC	BULB RECYCLING	423.61
196	TITAN MACHINE-PRODUCTIVITY	PARTS	49.75
197	TITLEIST DRAWER CS	MERCHANDISE	55.46
198	TODD HALVERSON	MEALS REIMBURSEMENT	22.00
199	TRAVIS TARR	SAFETY BOOTS REIMBURSEMENT	100.00
200	TREASURER OF TURNER COUNTY	REFUND AMBULANCE OVERPAYMENT	277.50
201	TRI COUNTY PROPANE INC	PROPANE	264.05
202	TROY GREGOIRE	WATER HEATER REBATES	900.00
203	TRUE BRANDS	SUPPLIES	765.64
204	TRUE VALUE	SUPPLIES	262.74
205	TURNER EXCAVATION	COTTAGE AVE-WATER MAIN	7,072.73
206	TURNER PLUMBING	REPAIRS	212.76
207	TWIN CITY HARDWARE	SUPPLIES	219.94
208	TYLER TECHNOLOGIES	MAINTENANCE	3,333.84
209	ULINE	SUPPLIES	92.96
210	UNITED WAY	CONTRIBUTIONS	517.50
211	UNIVAR USA INC	SODA ASH	15,030.24
212	US POSTMASTER	FIRST-CLASS PRESORT FEE	225.00
213	USD FOUNDATION OFFICE	TIF #6 INTEREST PAYMENT	6,062.00
214	USD MARKETING & U RELATION	SUPPLIES	110.44
215	VANTIV	REPAIRS	122.97
216	VAST BROADBAND	911 CIRCUIT/DIALUP SERVICE	1,416.70
217	VERIZON WIRELESS	PHONES/WIRELESS COMMUNICATION	4,117.95
218	VERMEER HIGH PLAINS	SUPPLIES	231.26
219	VERMILLION ACE HARDWARE	SUPPLIES	562.83
220	VERMILLION CHAMBER OF COMMERCE	TIF #5 TAX INCREMENT	204.40
221	VERMILLION FORD	SUPPLIES	53.76
222	VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	4,248.32
223	WAL-MART COMMUNITY	SUPPLIES	1,860.51
224	WALKER CONSTRUCTION	SIDEWALK PROJECT	5,917.04
225	WESCO DISTRIBUTION, INC	SUPPLIES	2,532.07
226	WINGFOOT PLASTICS & PRINTING	SUPPLIES	563.59
227	YAMAHA GOLF & UTILITY	GOLF CARS LEASE	3,772.97
228	YANKTON FIRE & SAFETY	INSPECTION	32.00
229	YANKTON JANITORIAL SUPPLY	SUPPLIES	444.80
230	YANKTON MEDICAL CLINIC	TESTING	120.00
231	YANKTON WINNELSON CO	SUPPLIES	175.64
232	ZEE MEDICAL SERVICE	SUPPLIES	187.05
233	ZIMCO SUPPLY CO	SUPPLIES	868.20
234	ZUERCHER TECHNOLOGIES LLC	GIS SERVICES	3,125.00
235	VERMILLION PUBLIC SCHOOL	BRIGHT ENERGY REBATE	23,262.00
236	KALINS INDOOR COMFORT	BRIGHT ENERGY REBATE	100.00
237	ST AGNES CHURCH	BRIGHT ENERGY REBATE	1,400.00
238	POLARIS INDUSTRIES	BRIGHT ENERGY REBATE	34,140.00
		GRAND TOTAL	885,859.54