



Special Meeting Agenda
City Council
12:00 p.m. (noon) Special Meeting
Monday, May 2, 2016
Austin Whittemore House
15 Austin Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Item – Information on Austin Whittemore House – Dan Christopherson.**
3. **Informational Item – COPS Grant - Police Chief Matt Betzen.**
4. **Briefing on the May 2, 2016 City Council Regular Meeting** - Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

Please note – The hosts are providing lunch and building tours for interested City Council members beginning at 11:30.

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, May 2, 2016

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069



1. Roll Call

2. Pledge of Allegiance

3. Minutes

- a. April 18, 2016 Special Meeting, April 18, 2016 Regular Meeting, April 19, 2016 Special Meeting.

4. Adoption of the Agenda

5. Visitors To Be Heard

- a. National Nurses Week Proclamation.

6. Public Hearings

- a. Special permit to exceed permissible sound levels for Coyoteopoly, Inc and South Dakota Shakespeare Festival beginning Monday, June 6 through Saturday, June 11, 2016 from 6:00 p.m. to 10:00 p.m. and Sunday, June 12, 2016 from 3:00 p.m. to 7:00 p.m. for Shakespeare festival performances.
- b. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company, Inc. on or about June 9-12, 2016 at the Prentis Park band shell area for the Shakespeare performances.
- c. Special daily malt beverage and wine license for the Fraternal Order of Eagles on or about May 20, 21 & 22, 2016 at Prentis Park baseball field for a fundraising tournament.
- d. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company, Inc. on or about May 15, 2016 at the Prentis Park baseball field for a baseball game.
- e. First Reading of Ordinance 1338 – Amending Section 155.008, Definitions, and Section 155.071, Accessory Uses and Structures, to provide definitions and regulations for constructing and maintaining a chicken coop for the keeping or housing of chickens as permitted by ordinance.
- f. First Reading of Ordinance 1339 - Amending Section 155.032, R-2 Residential District to provide for Fraternities, Sororities and boarding and lodging houses as conditional uses and providing for lot and yard regulations for such uses.
- g. First Reading of Ordinance 1340 – Amending Section 155.072 Off Street Parking to modify language pertaining to fraternities and sororities, remove the exemptions to parking in the front and side yards and modifying language pertaining to parking allowances in all districts.
- h. First Reading of Ordinance 1341 – Amending Section 155.008 Definitions, amending the definition of an Accessory Building or Use.
- i. First Reading of Ordinance 1342 – Amending Section 155.077, Landscaping Standards, providing additional requirements for living ground cover in all residential, commercial and industrial districts.

7. Old Business

8. New Business

- a. Request from Coyoteopoly & Shakespeare Festival to close E. Main Street from Plum Street through the Walker Street intersection during the performances on June 9-12, 2016 and limit E. Main Street parking.
- b. Request to close High Street as it abuts the Fairgrounds immediately south of W. Cherry Street on May 7, 2016 from 5:00 pm to 10:00 pm for the Spring Demolition Derby.
- c. Request to close Prentis Avenue from E. Main Street to E. Clark Street on May 15, 2016 from 2:00 pm to 5:00 pm for exhibition baseball game at Prentis Park.
- d. Library Board request for a permit for consumption but not sale on May 20, 2016 from 6:00 to 8:00 p.m. at 18 Church for “Books & Brew” event.
- e. 2016-2020 Capital Improvement Plan.
- f. Library Board of Trustees appointments.
- g. 2016 – 2018 AFSCME agreement for eligible employees of the Communications Center.
- h. Resolution of support for DENR tire disposal grant program.

9. Bid Openings

- a. Fuel quotes
- b. Landfill Bale Bags

10. City Manager’s Report

11. Invoices Payable

12. Consensus Agenda

- a. Set a public hearing date of May 16, 2016 for annual malt beverage license renewals.

13. Executive Session – Personnel Matters

14. 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
April 18, 2016
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 18, 2016 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

Absent: Erickson, Holly Meins

2. Presentation of Police Department Life Saving awards - Police Chief Matt Betzen

Matt Betzen, Police Chief, recognized two members of the Police Department for their life saving actions on February 5, 2016. Chief Betzen noted their outstanding performance and presented Life Saving Awards to Sergeant Ryan Hough and Officer Jessica Newman. Mayor Powell on behalf of the City Council and community thanked the Police Officers for their life saving actions.

3. Informational Session - Conceptual Designs for Bliss Pointe Park - Jim Goblirsch

Jim Goblirsch, Director of Parks and Recreation, reported that the Bliss Pointe housing development included an area for a park. Jim stated that the project design parameters were to serve ages 5-12 years, fit into a 50X80 foot area, be ADA compliant, and include bike racks and seating. Jim stated that a donation was received from the Bremer Estate of \$75,000 which will fund the improvements. Jim stated that he requested conceptual designs from three regional companies for play equipment, installation, ADA compliant surface and border. Jim reviewed the design information received from each company and requested input from the City Council on what options they would prefer. Jim answered questions of the City Council noting that from their input Jose will prepare bidding documents to have the park equipment installed by the end of July of this year.

4. Informational Session - Proposed Plan for Downtown Public Infrastructure Improvements - Jose Dominguez

Jose Dominguez, City Engineer, reported that the Downtown Public Infrastructure Improvement will be explained in a public meeting on Tuesday, April 19th at 6:30 p.m. Jose stated that the Downtown Committee has been providing input to get to this point in the project. Jose noted that this is just a conceptual plan which can be changed. Jose reviewed the conceptual plan with the City Council noting the plan included sidewalks, bump outs, trees, planting areas, seating, addressed safety issues and cost estimates by section. Jose reported that this started with the need to replace a number of downtown area sidewalks to address trippers and the traffic signal project at Main, Center and Court Streets to look at a larger project to improve downtown. Jose answered questions of the City Council on the plan noting that everyone was invited to the public meeting on Tuesday night.

5. Briefing on the April 18, 2016 City Council Regular Meeting

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

6. Adjourn

103-16

Alderman Ward moved to adjourn the Council special session at 12:59 p.m. Alderman Holland seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of April, 2016.

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
April 18, 2016
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday April 18, 2016 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise (arrived at 7:02 p.m.), Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell, Student Representative Ireland

2. Pledge of Allegiance

3. Minutes

A. Minutes of April 4, 2016 Special Meeting, April 4, 2016 Regular Meeting

104-16

Alderman Willson moved approval of the April 4, 2016 Special Meeting and April 4, 2016 Regular Meeting session minutes. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

105-16

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

5. Visitors to be Heard

Alderman Collier-Wise arrived at 7:02 p.m.

Brad Waage, 945 Sunset, provided the City Council with information on his concerns about the operations of the Fire Department. Brad reviewed some of the items included in the information handed out and encouraged the City Council to review the information.

Harlow Hatle, 2022 Augusta Drive, stated that before he left last fall an offer was made to City Council members to view his property with the windows that he needs to replace to comply with the City code. He stated this inspection would provide for a better understanding of what is being voted upon, but no one accepted his offer. Mr. Hatle questioned why the City does not require owner occupied homes to have bedroom windows that meet the same standard as rental bedrooms. Mr.

Hatle extended the offer to tour his rental units to inspect the windows in question.

Ben Murra stated that he was voted off the Fire Department because he did not complete the required training. Ben stated that he was insulted by the Fire Chief at a meeting and nothing has been done. Ben stated that he received a letter requesting his uniform shirts be returned and had them with him to return. John Prescott, City Manager, stated that he investigated the grievance presented by Mr. Murra and, following the investigation which consisted of interviewing all present at the meeting, could not confirm what Mr. Murra stated was said.

6. Public Hearings

A. Special permit to exceed allowable sound levels on June 18, 2016 for Old Lumber Company Bar & Grill, LLC on Kidder Street from Court Street to Market Street for Heartland Humane Society "Taste & Tour" event

Mike Carlson, Finance Officer, reported that an application has been received from Chad Grunewaldt with Old Lumber Company for a special permit to exceed permissible sound levels by no more than 50% for a fundraising event with Heartland Humane Society on June 18th from 7:00 p.m. to 2:00 a.m. on June 19th. Mike stated that the application, diagram, notice of hearing and letter from Heartland Humane Society are included in the packet. Mike noted that the City Council will need to determine, at the public hearing, if it is in a suitable location, with appropriate facilities, during the allowable time, and if the applicant can demonstrate the public benefit of the event. Mike stated that Chad with Old Lumber Company and Kerry with Heartland Humane Society had indicated that they would be present to answer questions. Discussion followed questioning the 2:00 a.m. end time when the band was only playing until 11:00 p.m. Kerry with Heartland Humane Society stated that this is their 5th year with this event and the first for an outside event. Kerry stated that the band may play past 11:00 p.m. but in past years the event was done by 11:00 p.m. Discussion followed noting that there is residential property across the street and maybe by midnight would be time to limit the noise permit.

106-16

Alderman Willson moved approval of the special permit to exceed permissible sound levels for Old Lumber Company from 7:00 p.m. until midnight on June 18th on Kidder Street from Court Street west to the alley. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Second reading of Ordinance 1336 amending Chapter 92, Fire Prevention and Protection Section 92.08 to add installation of a Rapid Entry System on all fraternities and sororities.

Shannon Draper, Fire Chief, stated that Ordinance No. 1336 will amend the rapid entry system ordinance to require the rapid entry system known as Knox Box on all existing fraternities and sororities as well as new construction. Shannon stated that this change was proposed in response to a request from Laura Roof, USD Director of Sorority/Fraternity Life. Shannon stated that this was presented to the City Council at the March 21st noon meeting and first reading was approved on April 4, 2016. Discussion followed.

107-16

Second reading of title to Ordinance No. 1336 entitled An Ordinance Amending Title IX General Regulations, Chapter 92 Prevention and Protection, Section 92.08 Rapid Entry System, Adding Fraternity And Sorority Housing as Required Structures for Rapid Entry System of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1336 entitled An Ordinance Amending Title IX General Regulations, Chapter 92 Prevention and Protection, Section 92.08 Rapid Entry System, Adding Fraternity And Sorority Housing as Required Structures for Rapid Entry System of the City of Vermillion 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 4th day of April, 2016 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 18th day of April, 2016 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 1336

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE IX GENERAL REGULATIONS, CHAPTER 92 FIRE PREVENTION AND PROTECTION, SECTION 92.08 RAPID ENTRY SYSTEM, ADDING FRATERNITY AND SORORITY HOUSING, 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 92 be amended as set forth below:

§ 92.08 RAPID ENTRY SYSTEM.

- (A) The following newly constructed structures shall be equipped with a key lock box at or within 15 feet of the main entrance or such other location required by the Fire Chief.
 - (1) Commercial or industrial structures that are secured in a manner that restricts access during an emergency;
 - (2) Multifamily residential structures that have restricted access; and
 - (3) Governmental structures and nursing care facilities.
- (B) All newly constructed and existing fraternity and sorority housing.
- (C) All newly constructed structures or complexes subject to this section shall have the key lock box installed and operational prior to the issuance of an occupancy permit.
- (D) The Fire Chief shall designate the type of key lock box system to be implemented within the city and shall have the authority to require all structures to use the designated system.
- (E) The owner or operator of a structure or complex required to have a key lock shall, at all times, keep a key in the lock box, or maintain the operation of the box at all times.
- (F) The Fire Chief shall be authorized to implement rules and regulations for the use of the lock box system.
- (G) Any person who owns or operates a structure or complex subject to this section shall be subject to the penalties set forth in all sections of the Code for any violation of this section, provided that the maximum fine for a conviction for a violation of this section shall be \$100.
- (H) All requests for the designated key lock box system shall be coordinated through the Fire Chief. The Fire Chief shall approve the location of the box on each site.
- (I) (1) The Fire Chief shall provide a list of compatible entry systems.
 - (1) Box systems must be UL Listed and text box system.
- (J) All surface mount box systems shall be securely installed on the address side of the building and 7-10 feet from ground level or if

a recessed box is installed, the box may be installed at eye level on the address side of the building.

(K) Inside the box system, a master key for all exterior and interior locks must be placed inside.

(1) No more than 2 keys permitted inside the box without approval of the Fire Chief.

(2) If 2 keys are present inside the box, the keys must be clearly labeled "Exterior Doors," and the like.

(3) Master electronic key cards may be placed inside instead of a physical key.

(L) The location of the installation must be approved by the Fire Chief or his designee prior to being installed.

Dated at Vermillion, South Dakota this 18th day of April, 2016.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

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

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

8. New Business

A. First reading of Ordinance 1337 - Amending City of Vermillion Code of Ordinances Title IX general regulations, Chapter 93 Animals and Fowl, to amend section 93.01 and add section 93.50 to include definitions, conditions, limitations and permit requirements for the keeping and housing of chickens within city limits.

Andy Colvin, Assistant to the City Manager, reported that, at a February 2015 City Council meeting, a request was made by a resident to allow chickens within Vermillion City limits. Andy reported that the City Council Policies and Procedures Committee discussed the issue and decided to poll residents via the City's website. Andy stated that the results showed that 46% were in favor of permitting backyard chickens, while 53% stated that they were against it. Andy reported that the committee decided to send the issue to the City Council. Andy reported that, in June of 2015, City staff presented information on backyard chickens to the City Council at a noon meeting and again at another noon Council meeting on January 18th, 2016. Andy noted that, at the January 18th meeting, staff outlined the proposed changes to different sections of City code with regard to allowing backyard chickens. Andy stated that the suggested changes would allow residents to keep up to four hens in a separate coop on the rear or side of the property, the coop would have to meet City regulations on area and height, and that structure would have to be accompanied by an attached run or exercise yard. Andy reported that the ordinance requires that for a permit the applicant must have the approval the adjacent neighbors. Andy noted that the City Council has discussed the issue of permitting backyard chickens on several occasions and at the March 21st meeting the City Council asked for clarification on a few items to be included in the final draft. The items were to allow permits for owner-occupied property that is zoned single-family, unused coops and runs for a period of one year will need to be removed or would be declared a nuisance. Andy stated that the City Council has the ability to adopt the ordinance as presented, make changes to the ordinance, or reject the ordinance completely. Andy reported on other South Dakota cities that have addressed the issue of backyard chickens.

A number of citizens spoke in support of allowing backyard chickens and encouraged the City Council to adopt the ordinance to allow them to have chickens.

Discussion followed between the City Council members on the proposed ordinance including amendments to limit the number of permits.

108-16

Alderman Price moved approval of first reading of Ordinance No. 1337 - Amending City of Vermillion Code of Ordinances Title IX general regulations, Chapter 93 Animals and Fowl, to amend section 93.01 and add section 93.50 to include definitions, conditions, limitations and permit requirements for the keeping and housing of chickens within city limits. Alderman Collier Wise seconded the motion. Discussion followed.

109-16

Alderman Ward moved to call the question to end debate. Alderman Erickson seconded the motion. A roll call vote of the Governing Body was as follows: Collier-Wise-N, Erickson-Y, Holland-N, Clarene Meins-N, Holly Meins-Y, Price-N, Ward-Y, Willson-N, Mayor Powell-Y. Motion failed 4 to 5. Mayor Powell opened discussion on the proposed ordinance.

Discussion followed on tabling, postponing action to a future date or tabling indefinitely.

110-16

Alderman Collier-Wise moved to table action on proposed Ordinance No. 1337 indefinitely. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Collier-Wise-Y, Erickson-N, Holland-Y, Clarene Meins-N, Holly Meins-N, Price-Y, Ward-Y, Willson-Y, Mayor Powell-N. Motion carried 5 to 4. Mayor Powell declared the item tabled indefinitely. Jim McCulloch, City Attorney, stated that, when the City Council wanted to take this item off the table, it would need to be included on the agenda to provide notice to the public.

B. Request from Old Lumber Company, LLC to close Kidder Street from Court Street west to the alley from 7:00 a.m. on June 18 to 2:00 a.m. on June 19, 2016 for Heartland Humane Society "Taste & Tour".

John Prescott, City Manager, reported that a request to close Kidder Street from Court Street west to the alley from 7:00 a.m. on June 18th to 2:00 a.m. on June 19th was received from Old Lumber Company, LLC for the Heartland Humane Society "Taste & Tour" event. John stated that the street closing request along with the letter from the Heartland Humane Society is included in the packet. John noted that the start time of the street closing is quite some time before the event but the request stated that the businesses have been notified. John noted that staff had suggested the request be to close the parking stalls on the north and south side of the street earlier in the day with the street closing later in the day but Chad wanted the street closed starting at 7:00 a.m. John stated that Heartland Humane Society noted that they would like to set up by 4:00 p.m. and Chad will need to have the fence and stage set up prior to that so will need to close the street earlier. Discussion followed.

111-16

Alderman Willson moved approval of the request to close Kidder Street from Court Street west to the alley from 1:00 p.m. on June 18 to 2:00 a.m. on June 19, 2016 for the "Taste & Tour" event at the Old Lumber Company and that the parking stalls on the north and south side of this portion of Kidder Street can be posted no parking by the applicant from

7:00 a.m. to 1:00 p.m. on June 18th. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Permit for Consumption on a portion of Kidder Street June 18th and 19th for Old Lumber Company, LLC for Heartland Humane Society "Taste & Tour" event

Mike Carlson, Finance Officer, stated that the permit to exceed permissible sound levels has been approved along with the closing of the street. The request now is for a permit for consumption for Old Lumber Company, LLC on the portion of Kidder street that was closed from 4:00 p.m. on June 18th to 2:00 a.m. on June 19th for the Heartland Humane Society "Taste & Tour" event. Mike noted that the request is just for the consumption not the sale. Mike stated that a release and indemnification and certificate of insurance have been received but the City Council may want to include other restrictions such as fencing, clean up and setting the time for the permit. Mike noted that the request, Police Chief's letter and letter from Heartland Humane Society are attached. Mike stated that the City Council may place conditions on the approval such as the area must be fenced, have a plan for clean up and set the hours that consumption will be allowed. Mike noted that when the liquor license was approved it was restricted to the interior of the building so a motion to approve should include a suspension of the restriction of consumption only on the interior for this event. Discussion followed on the event and conditions. Alderman Ward asked Kerry with the Heartland Humane Society if a condition that only those 21 and over would be allowed in the area would harm the event. Kerry stated that there was one individual under 21 last year and this would not be a problem.

113-16

Alderman Erickson moved approval of the permit for consumption but not sale on Kidder Street from Court west to the alley from 4:00 p.m. on June 18th to 2:00 a.m. on June 19th for Old Lumber Company, LLC for the "Taste & Tour" event with the following conditions: a) Require the applicant identify and utilize a fenced area where alcoholic beverages may be consumed but not sold, as well as a plan to monitor the entrances and exits from this area to ensure that those under the age of 21 are not allowed and coordinate the fencing and security plan with the Police Department in advance of the event, b) Require a plan for the cleanup and disposal of materials after the event, c) Suspension of the restriction of the requirement for consumption only on the interior of the structure for the event. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Request from the Vermillion Chamber of Commerce and Development Company to utilize three parking stalls on W Main Street from 11:30

a.m. on April 21, 2016 until 10:00 a.m. on April 22, 2016 for a display related to the Earth Day event at Ratingen Platz

Cole Bockelmann, Communications Intern, reported that a request was received from the Vermillion Chamber and Development Company to close three parking stalls on West Main Street adjoining the Ratingen Platz to place a Builder's Choice "tiny home" as part of the Green Thursday events on the Platz. The request is to close the parking stalls from 11:30 a.m. on June 21st to 10:00 a.m. on June 22nd.

114-16

Alderman Holland moved approval of closing three parking stalls on West Main Street as requested by the Vermillion Chamber of Commerce and Development Company from 11:30 a.m. on June 21st to 10:00 a.m. on June 22nd as part of the Green Thursday events. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Resolution to amend the Equal Opportunity statement to include gender identity and expression discrimination

John Prescott, City Manager, reported that the Policies and Procedures Committee met on March 29th and one of the items on the agenda dealt with gender identity and expression as they pertain to the delivery of City services and employment. John stated that the City Council received the Committee's recommendation to amend the City Equal Opportunity Statement as part of the April 4, 2016 meeting noting that no action could be taken at the meeting in which the report was received. John stated that the attached resolution is to amend the City Equal Opportunity Statement.

115-16

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

RESOLUTION
AMENDING THE CITY OF VERMILLION
EQUAL OPPORTUNITY STATEMENT

WHEREAS, the City of Vermillion strives to provide employment opportunities and public services in a non-discriminatory manner; and,

WHEREAS, the provision of municipal employment and services in a non-discriminatory manner reflects the fundamentals of good government and democracy; and,

WHEREAS, the Policies and Procedures Committee of the City Council has recommended amending the City's Equal Opportunity Statement to include the listing of gender identity and expression as grounds for which there will be no discrimination.

BE IT HEREBY RESOLVED, the Governing Body of the City of Vermillion, South Dakota, does hereby adopt the following Equal Opportunity Statement:

It is the policy of the City of Vermillion to provide equal opportunity for all residents, applicants, and employees as it pertains to the provision of services and employment opportunities in order to ensure that there will be no discrimination against any person on the basis of race, color, religion, sex, age, gender identity and expression, national origin, ancestry, political affiliation, or any other basis prohibited by state or federal law.

Dated at Vermillion, South Dakota this 18th day of April, 2016.

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.

F. Declaration of surplus items for City auction

Mike Carlson, Finance Officer, reported that a list is included in the packet of abandoned vehicles and surplus City property. Mike noted that, before the City can dispose of property, the City Council will need to declare it surplus and authorize the sale at public auction. Mike noted that the last four abandoned vehicles will be used by the Fire Department for training and then sold as scrap metal. Mike noted that the School District will also be including items on the auction. Hazen Bye has been contacted and can do the auction on May 13th at 5:30 p.m. at the Municipal Service Center.

116-16

Alderman Price moved to declare the following property surplus to be sold at public auction or as scrap:

Abandoned vehicles: 1993 Mazda 626, 2003 Saturn ION, 1993 Honda Accord, 2000 Pontiac Bonneville, 1998 Chevy Monte Carlo, 1998 Jeep Cherokee, 1998 Chevy Blazer, 1997 Ford Ranger, 1995 Buick Regal, 1997 Buick Lesabre, 2001 Chrysler Sebring, 2004 Chevy Malibu, Homemade Trailer; Surplus city property: misc computer equipment, paper punch, clip board, 2- wooden flag poles w/base, round table, Dell Axim X50 PDA with charger, 2-Marantz portable cassette recorders, Sharp camcorder viewcam, 2-office partitions, desk, meter tester, 2-dry type transformers, 2-hanging file holders, mower blade sharpener, chain saw chain sharpener, 2-compressors, magazine rack, chain link fence, Toro push mower, pickup truck topper, 2 dark-colored computer chairs, print loveseat, hunter green stuffed chair. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Softball Field Lights

Shane Griese, Utility Manager, reported that Lions Park has two softball fields which are located just east of the Armory at 603 Princeton Street. Shane noted that, over the last several years, the City has made improvements to baseball fields but has not made many improvements to the softball fields. Shane reported that the east softball field located at Lions Park has an outdated lighting system that provides poor lighting, makes for an inadequate atmosphere for viewing games and is very expensive to operate. Shane reported that the City advertized for bids for new lighting for this field and bids were opened on April 12, 2016 at 2:00 p.m. with one bid received from Musco Sports Lighting, LLC at a bid price of \$38,000. Shane recommended approval of the only bid for lighting of the softball field.

117-16

Alderman Willson moved approval of the only bid of Musco Sports Lighting, LLC of \$38,000 for lighting the east softball field at Lions Park. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reminded citizens that Market Street will be closed from Main Street to ½ block south on Thursday, April 21st from 3:30 p.m. to 8:00 p.m. for Greening Vermillion event.

B. John reported that on-line registration for Summer Park and Recreation Department programs will open for all programs starting on May 2nd. John noted that the Prentis Park pool is scheduled to open May 26th, weather permitting.

C. John reported that a groundbreaking for the Prentis Park pool projects has been scheduled for Wednesday, April 27th at 4:00 p.m. John stated that the event is at Prentis Park, free and the public is invited to attend.

D. John reported that the May 2nd City Council meeting will include R-2 zoning changes related to off-street parking that was presented at the March 7th Noon meeting and approved by Planning Commission at the March 29th meeting.

E. John reported that two terms on the Library Board of Directors will be expiring this year and requested interested citizens to complete the Expression of Interest form and return by Noon on April 22nd.

F. John reported that there is a public meeting on Tuesday, April 19th at 6:30 p.m. in the City Council chambers for a presentation on the proposed plan for downtown public infrastructure improvements. John stated that a conceptual plan will be presented and an opportunity to provide feedback will be available

PAYROLL ADDITIONS AND CHANGES

Street: Ben Kramer \$9.00/hr; Ambulance: Aaron Fest \$8.55/hr-\$8.55/hr training-\$12.83/hr holiday, Tara Rohan \$10.70/hr; Recreation: Peyton Laron \$9.00/hr, Tomalyn Peckham \$9.00/hr; Golf Clubhouse: Kelsey Bilthoft \$8.75/hr, Sam Craig \$8.75/hr, Connor Larson \$8.75/hr, Danny Brown \$8.55/hr; Golf Maintenance: Tyler Husby \$9.75/hr; Recycling: Jim Zimmerman \$19.23/hr

11. Invoices Payable

118-16

Alderman Price moved approval of the following invoices:

Broadcaster Press	advertising	542.00
Brunicks Service Inc	fuel	2,529.00
Bureau Of Administration	telephone	260.89
Centurylink	telephone	1,495.41
Clay County Auditor	joint election cost	2,800.00
Clay Rural Water System	water usage	43.20
Clay-Union Electric Corp	electricity	1,935.57

Dakota Beverage	merchandise	11,613.53
Dept. Environment Natl Res	landfill operations fee	3,195.68
First National Bank	city hall debt service	64,351.72
Fred Pryor Seminars	registration	198.00
Gregg Peters	managers profit/monthly fee	33,418.81
John A Conkling Dist.	merchandise	6,622.65
Johnson Brothers Of SD	merchandise	12,601.57
Loren Fischer Disposal	haul cardboard	210.00
Mart Auto Body	towing	375.00
MidAmerican	gas usage	3,153.75
Midcontinent Communication	internet/cable service	718.68
Moore Welding & Mfg	repairs/materials	235.80
Prairie Berry Winery	merchandise	744.00
Republic National Dist.	merchandise	15,196.39
Reserve Account	postage for meter	550.00
SD Public Assurance Alliance	boiler/machinery coverage	10,756.00
Staples Advantage	supplies	1,324.16
Stern Oil Co.	fuel	5,567.47
The Equalizer	advertising	1,287.54
The Growler Station	licensing fee/maintenance	749.97
United Parcel Service	shipping	11.16
US Postmaster	postage for utility bills	1,050.00
Verizon Wireless	wireless communication	79.60
Vermillion Area Community	round up program	312.33
Vermillion Now!	annual pledge	50,000.00
Danny Brown	Bright Energy Rebate	36.00
Todd Nelson	Bright Energy Rebate	250.00

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

12. Consensus Agenda

A. Set a public hearing date of May 2, 2016 for a special permit to exceed permissible sound levels for Coyoteopoly, Inc and South Dakota Shakespeare Festival between Monday, June 6 through Saturday, June 11, 2016 from 6:00 p.m. to 10:00 p.m. and Sunday, June 12, 2016 from 3:00 p.m. to 7:00 p.m. for Shakespeare festival performances

B. Set a public hearing date of May 2, 2016 for a special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company, Inc. on or about June 9-12, 2016 at the Prentis Park band shell area for the Shakespeare performances

C. Set a public hearing date of May 2, 2016 for a special daily malt beverage and wine license for the Fraternal Order of Eagles on or about May 20, 21 & 22, 2016 at Prentis Park baseball field for a fundraising tournament

D. Set a public hearing date of May 2, 2016 for a special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company, Inc. on or about May 15, 2016 at the Prentis Park baseball field for a baseball game

119-16

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

120-16

Alderman Ward moved to adjourn the Council Meeting at 8:41 p.m. Alderman Holly Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of April, 2016.

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 _____.

Unapproved Minutes
Council Special Session
April 19, 2016
Tuesday, 6:30 p.m.

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, April 19, 2016 at 6:30 p.m. at the City Hall council chambers.

1. Members Attending

Present: Collier-Wise, Erickson, Clarene Meins, Holly Meins, Mayor Powell

Absent: Holland, Price, Ward, Willson,

2. Public Meeting to discuss, present and answer questions about possible improvements to the downtown portion of the City (Main Street from Dakota to Washington Street and one block north and south of Main Street)

A quorum of City Council members attended the public meeting with no action taken.

3. Adjourn

Those attending the public meeting left by 8:00 p.m.

Dated at Vermillion, South Dakota this 19th day of April, 2016.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

**PROCLAMATION
NATIONAL NURSES WEEK**

WHEREAS, the nearly 3.1 million nurses in the United States comprise our nation's largest health care profession; and

WHEREAS, the depth and breadth of the nursing profession meets the different and emerging health care needs of the American population in a wide range of settings; and

WHEREAS, the American Nurses Association, as the voice for the nurses of this country, is working to chart a new course for a healthy nation that relies on increasing delivery of primary and preventive health care; and

WHEREAS, a renewed emphasis on primary and preventive health care will require the better utilization of all of our nation's registered nursing resources; and

WHEREAS, professional nursing has been demonstrated to be an indispensable component in the safety and quality of care of hospitalized patients; and

WHEREAS, the demand for nursing services will be greater than ever because of the aging of the American population, the expansion of life-sustaining technology, and the growth of home health care services; and

WHEREAS, that more qualified nurses will be needed in the future to meet the increasingly complex needs of health care consumers in this community; and

WHEREAS, the cost-effective, safe and quality health care services provided by nurses will be an ever more important component of the U.S. health care delivery system in the future; and

WHEREAS, along with the American Nurses Association, the South Dakota Nurses Association, has declared the week of May 6-12, 2016 as **NATIONAL NURSES WEEK** with the theme "*Culture of safety. It starts with YOU.*" in celebration of the ways in which nurses strive to provide safe and high quality patient care and map out the way to improve our health care system.

NOW, THEREFORE, BE IT RESOLVED, we, the governing body of the City of Vermillion, South Dakota, do hereby proclaim the week of May 6-12, 2016 as

NATIONAL NURSES WEEK

BE IT FURTHER RESOLVED, that the residents of Vermillion celebrate nursing's accomplishments and efforts to improve our health care system and show our appreciation for the nation's nurses not just during this week, but at every opportunity throughout the year.

Dated at Vermillion, South Dakota this 2nd day of May, 2016.

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

By _____
John E. (Jack) Powell, Mayor

Attest:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: May 2, 2016

Subject: Special Permit to Exceed Permissible Sound Levels by No More than 50% for Coyoteopoly and the South Dakota Shakespeare Festival in the Band Shell Area of Prentis Park on June 6-11, 2016 from 6:00 p.m. to 10:00 p.m. for the Shakespeare Festival

Presenter: Mike Carlson

Background: Scott Mollman, on behalf of Coyoteopoly and the South Dakota Shakespeare Festival, has applied for a special permit to exceed allowable noise levels for the Shakespeare Festival on June 6-11, 2016 from 6:00 p.m. until 10:00 p.m. and June 12, 2016 from 3:00 p.m. to 7:00 p.m. in the band shell area of Prentis Park. It should be noted that a change this year is the Sunday performance is a matinee. Included is a copy of the application and published notice of the hearing.

The city noise ordinance is as follows:

Sec. 90.01. Noises prohibited.

- (a) General prohibitions: In addition to the specific prohibitions outlined below, it shall be unlawful for any person to make, continue, or cause to be made or continued any loud or unusual noise so as to disturb the peace of the public, any neighborhood, any business operation, family, lawful assembly of persons, or any person by committing any act or acts of disturbance within the limits of the City of Vermillion.
- (b) The following acts are declared to be in violation of this chapter.
 - 1) Sound equipment prohibited: Except for emergency vehicles, it shall be unlawful for any person to operate or cause to be operated upon the streets or public places in the city a sound truck or car with sound amplification equipment in operation. "Sound truck" as used herein means any vehicle having thereon or attached thereto any sound amplification equipment. "Sound amplification equipment" as used herein means any machine or device for the amplification of the human voice, music or other sound, but shall not include radio or warning devices on vehicles used for traffic warning or control purposes.
 - 2) Stereos, radios, television sets, musical instruments and similar devices:
 - a. Using, operating or permitting the use or operation of any stereo, radio, musical instrument, television, phonograph, drum or other machine or device for the production or reproduction of sound, except as provided for in paragraph (1) above, in such a manner as to violate this section or cause a noise disturbance.
 - b. The operating of any such device between the hours of 11:00 p.m. and 7:00 a.m. the following day in such a manner as to be plainly audible at the property boundary of the source or plainly audible at fifty

6. Public Hearing; item a

(50) feet from such device when operated within a vehicle parked on a public right-of-way or when operated from within a private residence.

- 3) Maximum permissible sound levels: It shall be unlawful for any person to operate or permit the operation of any stationary source of sound in such a manner as to create a sound pressure level during any ten-minute measurement period which exceeds the limits set forth for the following receiving land use districts when measured at the boundary or at any point within the property affected by the noise. Sound level measurements shall be made at a distance of fifty (50) feet from source with a sound level meter of type 2 or better, using the "A" weighting scale, in accordance with standards promulgated by the American National Standards Institute.

Use District	11:00 p.m.-6:00 a.m.	6:00 a.m.-11:00 p.m.
Residential	50 dB(A)	55dB(A)
Commercial	55 dB(A)	60dB(A)
Industrial & Agricultural	75 dB(A)	80dB(A)

- (c) It shall be a violation of this section if the sound which is measured creates a sound pressure level greater than the levels set forth for the receiving land use district for ninety (90) per cent of the time in any measurement period, such as the level exceeded for nine (9) minutes of a ten-minute period.
- (d) Special Permit The City Council may, following a Public Hearing, issue a Special Permit to exceed allowable sound levels by not more than 50% of the allowable limit within the Use District, in a suitable location with appropriate facilities, during the allowable time. It shall be required of any applicant for a Special Permit to demonstrate that the event for which the permit is requested be of public benefit. An applicant shall submit a diagram clearly showing the sound level projections beginning at a point fifty (50) feet from the source, and continuing out through a radius of two hundred (200) feet from the source. Application for a Special Permit shall be made with the City Finance Officer, and shall be accompanied with an application fee of \$25.00. Application for a Special Permit shall be completed no later than 30 days prior to the proposed event, and it shall contain all applicable information relative to the nature and purpose of the event. (Ord. No. 1100, 10-1-01)
- (e) Semi-tractors; prohibited noises: It shall be unlawful for any person within the city limits of Vermillion, to make, or cause to be made, loud or disturbing or offensive noises with any mechanical devices operated by compressed air and used for purposes of assisting braking on any semi-tractor, except for the aversion of imminent danger. (Ord. No. 1102, 10-15-01)

Violation: Any person violating any provision of this section may be punished by a fine of not more than one hundred dollars (\$100.00) or by imprisonment not to exceed thirty (30) days, or by both such fine and imprisonment. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

Discussion: As the diagram indicates, the band shell will serve as the stage with the speakers facing out from the band shell. The sound level projections are indicated on the attached map noting that the sound levels will not be above the 150% in the audience area and drop off outside this area. It should be noted the request is from June 6 – 12 while the actual event is June 9 – 12. The performers will be rehearsing on June 6 - 10 and there will be some testing of the sound equipment during the rehearsal days. Staff is not aware of any problems related to the issuance of the noise permit in previous years.

The City Council will need to determine, at the public hearing, if the event is in a suitable location with appropriate facilities during the allowable time, and if the applicant can demonstrate the public benefit of the event. Relevant questions for a public gathering

when a noise permit is sought are the availability of restroom facilities, clean-up of the area, parking and disposal of waste.

Representatives from Coyoteopoly will be present to answer questions on the event.

Financial Consideration: The \$25 fee for the special permit has been paid.

Conclusion/Recommendations: Administration recommends issuance of the special permit unless information is presented at the public hearing that indicates that there will be problems related to the noise.

**REQUEST FOR SPECIAL PERMIT
TO EXCEED PERMISSIBLE SOUND LEVELS
BY NO MORE THAN 50%
OF CITY NOISE ORDINANCE**

This application shall be completed no later than thirty (30) days prior to the proposed event and shall contain all applicable information relative to the nature and purpose of the event.

Organization Requesting Coyoteopoly and South Dakota Shakespeare Festival

Contact Person Scott Mollman Phone 605-677-5738

Contact Person Address Scott Mollman

Location of Event Prentis Park- Amphitheater Date of Event June 6th-12th 2016

Duration of event from time 6:00 PM to Time 10:00 PM

The ordinance asks if this is a suitable location with appropriate facilities:

Yes

The ordinance asks the applicant to demonstrate that the event for which the permit is requested be of public benefit. Describe the public benefit:

The Shakespeare Festival will mount a production free for the public the evenings of June 9th-12th in Prentis Park.

This is an opportunity for the community to learn about the Fine Arts and to be exposed to the arts in this cultural community uniting event.

Load-in and nightly rehearsals will begin in the park June 6th with performances June 9th-12th 2016

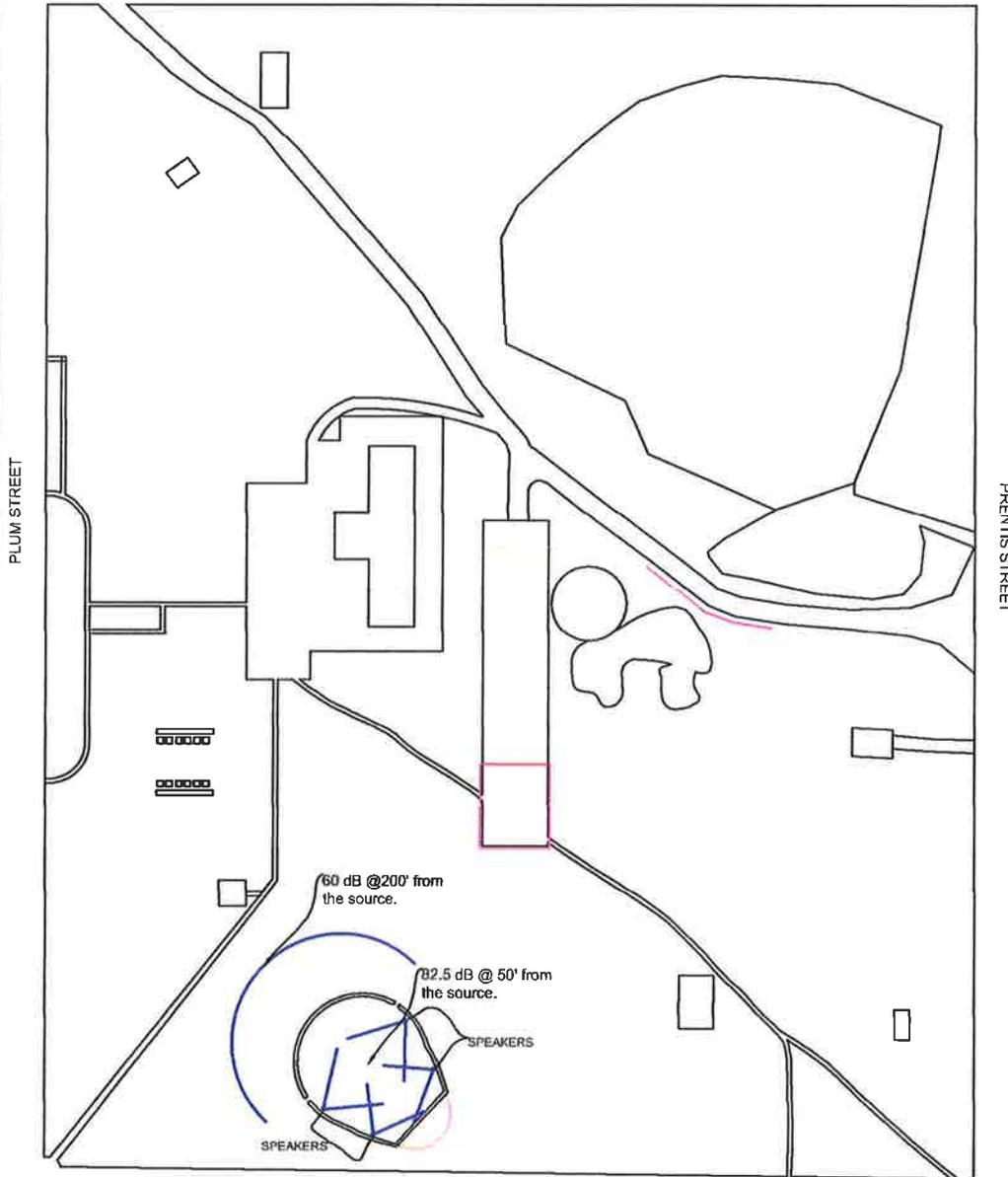
Please attach a diagram clearly showing the sound level projections beginning at a point fifty (50) feet from the source, and continuing out through a radius of two hundred (200) feet from the source.

File this application along with the diagram with the finance officer accompanied with an application fee of \$25.00.

Signature of applicant  date 4-6-16

PRENTIS PARK
SOUTH DAKOTA SHAKESPEARE FESTIVAL & COYOTEOPOLY

E. CLARK STREET



PLUM STREET

PRENTIS STREET

MAIN STREET

INSIDE THE AUDIENCE AREA WE WILL NOT HAVE
dB LEVELS ABOVE 82.5 DECIBELS OUTSIDE THE
GROVE AREA LEVELS WILL DROP OFF.

NOTICE OF PUBLIC HEARING FOR SPECIAL PERMIT
TO EXCEED ALLOWABLE SOUND LEVELS

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 2nd day of May, 2016 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 application for a special permit to exceed allowable sound levels between Monday, June 6th through Saturday, June 11, 2016 between the hours of 6:00 p.m. and 10:00 p.m. and Sunday, June 12, 2016 between the hours of 3:00 p.m. and 7:00 p.m. which has been filed in the Finance Officer's Office:

Coyoteopoly and South Dakota Shakespeare Festival request for a special permit to exceed allowable sound levels in the band shell area of Prentis Park between Monday, June 6, through Saturday, June 11, 2016, from 6:00 p.m. to 10:00 p.m. and Sunday, June 12, 2016, from 3:00 p.m. to 7:00 p.m. for Shakespeare festival performances.

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 for special permit.

Dated at Vermillion, South Dakota this 15th day of April, 2016.

Michael D. Carlson, Finance Officer

Publish: April 16, 2016

Published once at the approximate cost of _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: May 2, 2016

Subject: Special Daily Malt Beverage License for the Vermillion Area Chamber and Development Company for Coyoteopoly Shakespeare Festival June 9-12 in the Prentis Park Band shell area

Presenter: Mike Carlson

Background: The Vermillion Chamber and Development Company has submitted an application for a special daily malt beverage and wine license for the Coyoteopoly Shakespeare Festival for June 9-12, 2016 at the Prentis Park Band shell area.

Our city ordinance on special daily licenses reads as follows:

112.18 SPECIAL LICENSES FOR SALES OF MALT BEVERAGES AND/OR WINE.

The City Council may recommend to the State Department of Revenue that a special malt beverage and/or wine license may be granted to a civic, charitable, educational or fraternal organization in conjunction with a special event. The granting of the special license shall be subject to such conditions and restrictions, as the City Council may deem appropriate and consistent with state law. The fee for such license shall be set by resolution of the City Council.

State Statute for the special daily licenses is as follows:

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

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

wine dealer's licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

Any license issued pursuant to this section may be issued for a period of time established by the municipality or county. However, no period of time may exceed fifteen consecutive days. The local governing body may establish rules to regulate and restrict the operation of the special license.

Discussion: Attached are the notice of public hearing, diagram of the area, memo on the control measures and the Police Chief's memo. The Police Chief's report has recommended parameters for the event. As the event will be held on City property, ordinance allows the City to include "*such conditions and restrictions, as the governing body may deem appropriate and consistent with state law*". The VCDC is requesting the permit to sell beer and wine on the City property. The individuals selling the beer and wine may or may not be VCDC staff or Board members. A certificate of Insurance naming the City of Vermillion as an additional insured and a Release and Indemnification releasing the City from liability for the event have been provided.

As noted, the Police Chief has met with Professor Gregory Huckabee and recommends the following parameters be established for this event. City staff recommends the City Council consider attaching the following conditions:

1. Wristbands will be distributed by the VCDC when IDs are checked to insure purchases and consumers are over 21 years of age.
2. VCDC will provide ushers who will monitor both the purchase area and the audience grounds within the area delineated. Ushers will insure no one removes a beverage from the audience area or the fenced concession area.
3. The fenced concession area and the audience area will have posted signs instructing consumers not to remove alcoholic beverages from the two designated areas, and the direct path between them.
4. The hours of sales are established as half hour prior to the performance to a half hour after the performance.

Financial Consideration: The City has received the \$15 per day license fee and \$15 advertising fee for a total of \$75 that has been received from the applicant.

Conclusion/Recommendations: Administration recommends approving the issuance of the special daily malt beverage and wine license contingent upon the establishment of the hours that sales will be allowed for the event, the City Council is comfortable that the applicant holding the license can properly distribute malt beverages and regulate the event, and there is complete understanding and agreement by the applicant with regard to any conditions and restrictions the City Council may require after further information is provided at the public hearing.

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



Date: April 25, 2016

To: Vermillion City Council

From: Matt Betzen
Chief of Police

Subject: VCDC Application for Malt Beverage and Wine License June 9-12, 2016

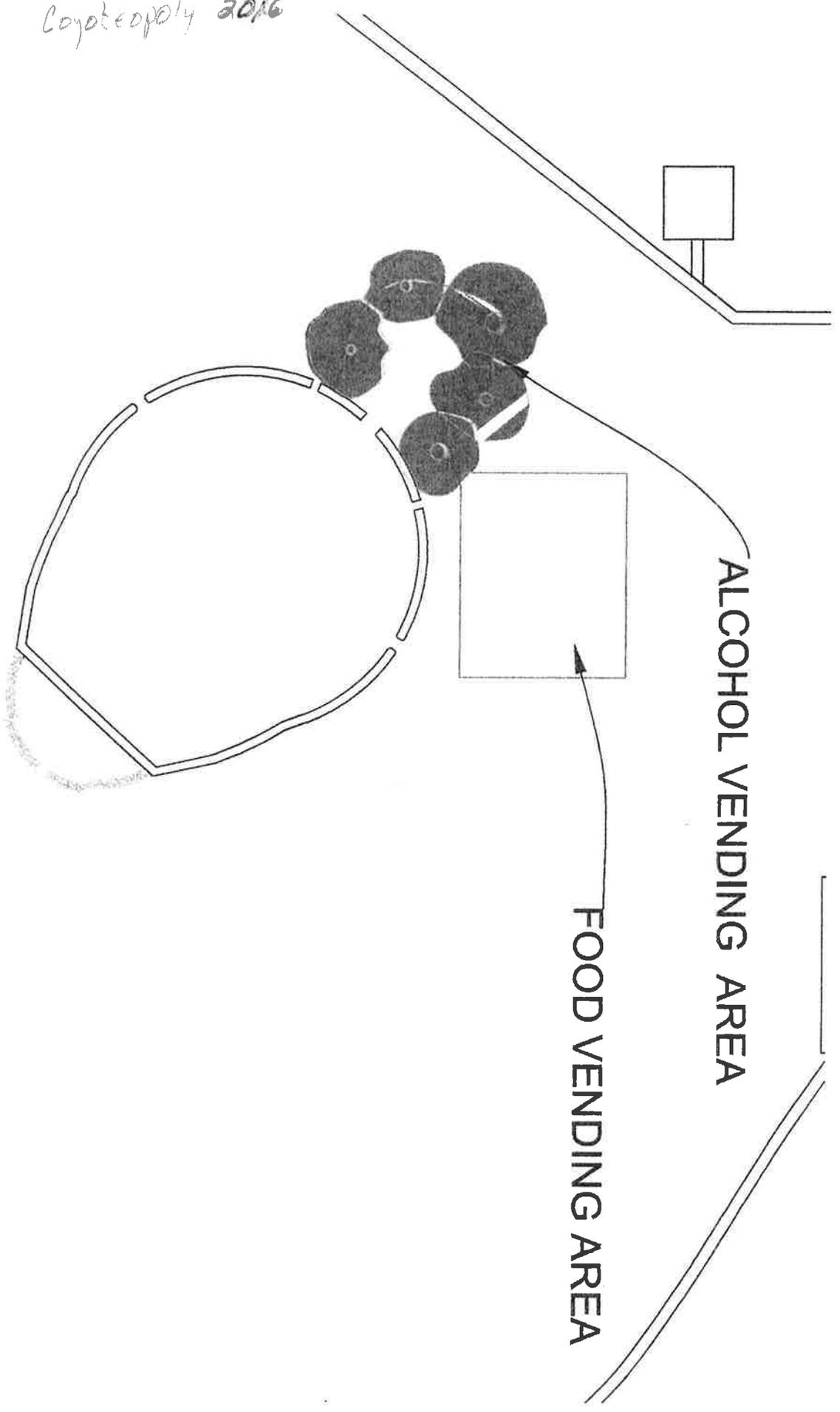
This event occurred for the first time in 2012 and at that time the Eagles obtained a special daily license for the event. Since then there have been no negative issues. The Vermillion Police Department's Records Management System revealed no alcohol related violations or felony convictions in reference the new applicant, the Vermillion Area Chamber & Development Company, Inc.

I have discussed the arrangement for insuring responsible service and consumption of alcohol at this event with Prof. Gregory Huckabee. I believe the following safety measures will mitigate any problems.

1. Wristbands will be distributed by the VCDC when Ids are checked to insure purchasers and consumers are over 21 years of age.
2. VCDC will provide ushers who will monitor both the purchase area and the audience grounds within the area delineated by the hedgerow. Ushers will insure no one removed a beverage from the audience area or the fences concession area.
3. The fences concession area and the audience area will have posted signs instructing consumers not to remove alcoholic beverages from the two designated areas, and the direct path between them.

Based on the history of this event, I do not anticipate any issues.

Coyoteopolis 2016



ALCOHOL VENDING AREA

FOOD VENDING AREA

From: Matt Betzen [<mailto:mbetzen@vermillionpd.org>]
Sent: Thursday, April 07, 2016 4:08 PM
To: Huckabee, Gregory <Gregory.Huckabee@usd.edu>
Cc: mikec@cityofvermillion.com; Mollman, Scott H <Scott.Mollman@usd.edu>
Subject: RE: 2016 SDSF Malt Beverage Concession Update

Prof. Huckabee,

Looks good to me.

Matt Betzen

From: Huckabee, Gregory [<mailto:Gregory.Huckabee@usd.edu>]
Sent: Thursday, April 07, 2016 4:06 PM
To: Matt Betzen <mbetzen@vermillionpd.org>
Cc: mikec@cityofvermillion.com; Mollman, Scott H <Scott.Mollman@usd.edu>; Huckabee, Gregory <Gregory.Huckabee@usd.edu>
Subject: 2016 SDSF Malt Beverage Concession Update

Chief Matt: Attached is our proposed siting which is the same as last year.

1. The concession will be operated by Coyoteopoly under the operation of Rotarians.
2. Wrist bands will be distributed by the concession staff when ID's are checked (like last year) to identify 21 and over authorized purchasers.
3. Monitoring of purchases will be done by the ushers who are policing the theatre area. Other than the fenced concession area, patrons would be authorized only to take beverages back to the band-shell seating area; ushers will monitor to see no patrons take their drinks with them outside that area or the fenced concession area. In addition, they will monitor to ensure no alcohol is brought into the area from outside. This was not a problem last year, but the ushers will monitor the area for the safety of everyone. It only takes one miscreant to ruin this for everyone, so we will make our best effort.
4. After the play is over, the ushers and concession staff will police the area of refuse so we are ready for the next day.
5. We will erect some form of barrier (fence of some type) around the band-shell seating area where the hedges used to be to prevent alcohol from leaving the seating area.
6. Consumption area will be posted with signs like last year "Do not remove alcohol beverages beyond this point."
7. Patrol by your law enforcement enhances good order and discipline. We had no problems of any type last year and we seek to preserve this record for everyone's safety and benefit.
8. Do you have any suggestions for improvement? greg

Gregory M. Huckabee
Associate Professor of Business Law
Beacom School of Business
University of South Dakota
Tel 605-677-5536

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 2nd day of May, 2016 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Vermillion Area Chamber & Development Company, Inc on or about June 9-12, 2016 at the Prentis Park band shell area.

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 15th day of April, 2016.

Michael D. Carlson, Finance Officer

Publish: April 16, 2016

Published once at the approximate cost of _____.

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: May 2, 2016

Subject: Special daily malt beverage and wine license for the Fraternal Order of Eagles on or about May 20, 21 & 22, 2016 at Prentis Park baseball field for a fundraising tournament

Presenter: Mike Carlson

Background: The Fraternal Order of Eagles has submitted an application for a special daily malt beverage and wine license on or about May 20, 21 & 22, 2016 at the Prentis Park baseball field for a fundraising tournament.

City ordinance on special daily licenses reads as follows:

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

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

State Statute for the special daily licenses is as follows:

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

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

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

Discussion: The notice of public hearing is attached. As the event will be held on City property, ordinance allows the City to include “*such conditions and restrictions, as the governing body may deem appropriate and consistent with state law*”. The Fraternal Order of Eagles is requesting the permit to sell beer and wine on City property.

The Police Chief has met with Brad Campbell, representing the Fraternal Order of Eagles and recommends the following parameters be established for this event. Staff recommends the City Council consider and attach most of the following conditions:

1. Five staff members will supervise the event’s distribution and consumption of alcohol.
2. Signage will be posted at the entry gate and the alcohol dispensing point stating:
 - a. Alcohol consumption is only allowed inside the fenced spectator area.
 - b. No one under 21 will be served or allowed to consume alcohol.
 - c. No intoxicated person(s) will be served.
 - d. No alcohol can leave the fenced spectator area.
 - e. No outside alcohol is allowed into the fenced spectator area.
3. Staff will check all persons wishing to purchase and provide a wrist band once their age has been verified.
4. Persons who have not been wrist banded or who appear to be under 21 will not be allowed to purchase or consume alcohol.
5. That hours of sales be established to be a half hour before the game to the end of the game.

Financial Consideration: The City has received the \$15 per day fee and \$15 advertising fee total of \$60.

Conclusion/Recommendations: Administration recommends approval of the special daily malt beverage and wine license, contingent upon the establishment of the hours that sales will be allowed for the event, the City Council is comfortable that the applicant holding the license can properly distribute malt beverages and regulate the event, and there is complete understanding and agreement by the applicant with regard to any conditions and restrictions the City Council may require after further information is provided at the public hearing.

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



Date: 04/25/2016

To: Vermillion City Council

From: Matthew Betzen
Chief of Police

Subject: Special Daily License (On-Sale) Malt Beverage and Wine License-Prentis Park Baseball Field-Baseball tournament.

The Vermillion Fraternal Order of Eagles is making this application for an baseball tournament from May 20-22, 2016 at the Prentis Park Baseball Field.

The Prentis Park Baseball Field has undergone significant improvements including fencing that encloses the spectator area, and controlled access at one point. The VCDC and other organizations wish to pursue special on-sale licensing for specific events.

I have spoken with Brad Campbell, the Business Manager for the Eagles. The following parameters were established for this event:

1. 5 staff members will supervisor the event's distribution and consumption of alcohol.
2. Signage will be posted at the entry gate and the alcohol dispensing point stating:
 - a. Alcohol Consumption is only allowed inside the fenced spectator area.
 - b. No one under 21 will be served or allowed to consume alcohol.
 - c. No intoxicated person(s) will be served.
 - d. No alcohol can leave the fenced spectator area.
 - e. No outside alcohol is allowed into the fenced spectator area.
3. Staff will check all persons wishing to purchase and provide a wrist band once their age has been verified.
4. Person who are not band or who appear to be under 21 will not be allowed to purchase or consume alcohol.

The department will be monitoring this event and will determine if there are any additional safety rules needed for future events.

The applicants are clear of any criminal history that would be cause for concern.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 2nd day of May, 2016 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Fraternal Order of Eagles on or about May 20, 21 & 22, 2016 at Prentis Park Baseball field.

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 15th day of April, 2016.

Michael D. Carlson, Finance Officer

Publish: April 16, 2016

Published once at the approximate cost of _____.

Mike Carlson

From: Moran, Mike [Mike.Moran@usd.edu]
Sent: Friday, April 22, 2016 3:26 PM
To: Mike Carlson
Subject: RE: plans for controlling the sale of beer during the event

Talked to Brad a little bit –

As far as selling beer during the tournament, the Eagles will be in charge of all that. The Eagles will provide wristbands at the beer tent to all who are above age and if no wristband, no beer. Their beer tent will be located to the south of the 3rd base dugout next to the concession stand.

Both Brad and I agreed there will be no beer allowed outside of the fenced in area. The only gate opened during the event will be the new one on the south side. The Grey Sox will have a person at that gate taking admission and also reminding patrons there is absolutely no beer outside the fence. There will also be signs we plan on putting up to clearly mark this as well.

The Eagles plan on selling beer starting 15 minutes prior to the first pitch of the day's first games. The schedule is as follows:

- Friday, 6:30pm – Greysox vs. Tea
- Friday, 8:30pm – Harrisburg vs Wynot
- Saturday, 11am – Greysox vs Valley Springs
- Saturday, 1pm – Harrisburg vs Valley Springs
- Saturday, 3pm – SF Squirrels vs Lennox
- Saturday, 5pm – SF Squirrels vs Larchwood
- Saturday, 7pm – Larchwood vs Crofton
- Sunday, noon – Lennox vs Wynot
- Sunday, 3pm – Red Sox vs Crofton (9)

All games are scheduled for 7 innings with the exception of the Sunday at 3 – that game will be scheduled for 9. Brad said that beer sales will stop starting with the top of the final scheduled inning (most games top of 7).

For clean-up, Brad and the Eagles will cover the clean-up associated with the beer tent. The Grey Sox will be in charge of cleaning up the garbages and any litter that is in the park. Brad also said the police chief has contacted him about going to the park together to show where the tent will be and answer any questions. I told him I could go with, if necessary and he agreed that might be a good idea.

A contact person – you can put me down. I will be there each day. My cell is 920-203-3560. Unfortunately I cannot make the hearing on May 2 – I am umpiring a baseball game that evening in Irene. Do you want someone else from the Grey Sox to be present? I can ask someone to get down there, probably Jay Thaler from Bank of the West, or someone else.

Thanks again- hope this helps. If you have anything else, just let me know.

Mike Moran

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: May 2, 2016

Subject: Special Daily Malt Beverage and Wine License for Vermillion Chamber of Commerce and Development Company on or about May 15, 2016 at Prentis Park baseball field for baseball game

Presenter: Mike Carlson

Background: The Vermillion Chamber of Commerce and Development Company has submitted an application for a special daily malt beverage and wine license on or about May 15, 2016 at the Prentis Park baseball field for a Sioux City Explorers vs. Lincoln Saltdogs baseball game

City ordinance on special daily licenses reads as follows:

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

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

State Statute for the special daily licenses is as follows:

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

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

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

Discussion: The notice of public hearing is attached. As the event will be held on City property, ordinance allows the City to include “*such conditions and restrictions, as the governing body may deem appropriate and consistent with state law*”. The VCDC is requesting the permit to sell beer and wine on City property. The individuals selling the beer and wine may or may not be VCDC staff or Board members. The VCDC has provided a certificate of Insurance naming the City of Vermillion as an additional insured and provided a Release and Indemnification releasing the City from liability for the event.

The Police Chief met with Nate Welch and recommend the following parameters be established for this event. Staff recommends the City Council consider and attach the following conditions:

1. Seven staff members will supervise the events distribution and consumption of alcohol.
2. Signage will be posted at the entry gate and the alcohol dispensing point stating:
 - a. Alcohol consumption is only allowed inside the fenced spectator area.
 - b. No one under 21 will be served or allowed to consume alcohol.
 - c. No intoxicated person(s) will be served.
 - d. No alcohol can leave the fenced spectator area.
 - e. No outside alcohol is allowed into the fenced spectator area.
3. Staff will check all persons wishing to purchase and provide a wrist band once their age has been verified.
4. Persons who have not been wrist banded or who appear to be under 21 will not be allowed to purchase or consume alcohol.
5. That hours of sales be established to be an hour before the game to a half hour after the game.

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

Conclusion/Recommendations: Administration recommends approval of the May 15, 2016 special daily malt beverage and wine license, contingent upon the establishment of the hours that sales will be allowed for the event, the City Council is comfortable that the applicant holding the license can properly distribute malt beverages and regulate the event, and there is complete understanding and agreement by the applicant with regard to any conditions and restrictions the City Council may require after further information is provided at the public hearing.

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Date: 04/25/2016

To: Vermillion City Council

From: Matthew Betzen
Chief of Police

Subject: Special Daily License (On-Sale) Malt Beverage and Wine License-Prentis Park Baseball Field-Exhibition Game

The Vermillion Area Chamber and Development Company, Inc is making this application for an exhibition baseball game on May 15th at the Prentis Park Baseball Field.

The Prentis Park Baseball Field has undergone significant improvements including fencing that encloses the spectator area, and controlled access at one point. The VCDC and other organizations wish to pursue special on-sale licensing for specific events.

I met with Nate Welch, the Director of the VCDC. The following parameters were established for this event:

1. 7 staff members will supervisor the event's distribution and consumption of alcohol.
2. Signage will be posted at the entry gate and the alcohol dispensing point stating:
 - a. Alcohol Consumption is only allowed inside the fenced spectator area.
 - b. No one under 21 will be served or allowed to consume alcohol.
 - c. No intoxicated person(s) will be served.
 - d. No alcohol can leave the fenced spectator area.
 - e. No outside alcohol is allowed into the fenced spectator area.
3. Staff will check all persons wishing to purchase and provide a wrist band once their age has been verified.
4. Person who are not band or who appear to be under 21 will not be allowed to purchase or consume alcohol.

This is the first of event of its kind in recent history following the upgrades to the baseball field. The department will be monitoring this event and will determine if there are any additional safety rules needed for future events.

The applicants are clear of any criminal history that would be cause for concern.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 2nd day of May, 2016 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Vermillion Area Chamber & Development Company, Inc on or about May 15, 2016 at Prentis Park Baseball field and June 9-12, 2016 at the Prentis Park band shell area.

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 15th day of April, 2016.

Michael D. Carlson, Finance Officer

Publish: April 16, 2016

Published once at the approximate cost of _____.

Council Agenda Memo

From: Andy Colvin, Assistant City Manger

Meeting: May 2, 2016

Subject: First Reading of Ordinance 1338

Presenter: Andy Colvin

Background: The issue of backyard chickens has been discussed by the City Council on several occasions. On April 18th, 2016 the City Council was presented an ordinance to permit backyard chickens in City limits. The action of the City Council was to table Ordinance 1337. Ordinance 1338 is a companion amendment for permitting backyard chickens and provides for coops as an accessory building. The public hearing on this zoning amendment was advertised to coincide with the second reading of the backyard chicken ordinance.

Discussion: The amendment would define chicken coops as an accessory building under the zoning ordinance. The zoning amendment is relatively simple and is meant to ensure coops that are constructed to house chickens are following the same size and area rules as other structures, such as garden and storage sheds.

In light of the action to table Ordinance 1337 (Backyard Chickens) on April 18th staff would recommend the following City Council action:

Cancelling the public hearing and action on ordinance 1338, with the direction to staff that a new public hearing will be advertised for this amendment at such time as ordinance 1337 is brought back for further council action.

Financial Consideration: None.

Conclusion/Recommendations: Since the backyard chickens Ordinance 1337 was tabled, and are not otherwise permitted by ordinance, staff would recommend taking the action above to cancel the hearing for Ordinance 1338 and bring the ordinance back to coincide with council action Ordinance 1337.

PROPOSED ORDINANCE NO. 1338

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 155 ZONING REGULATIONS, TO INCLUDE CHICKEN COOPS AS AN ACCESSORY STRUCTURE AND PROVIDING REGULATIONS FOR SUCH STRUCTURES.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota and it is hereby ordained by authority of the same that Chapter 155 be amended as set forth below:

§ 155.008 DEFINITIONS.

[CHICKEN COOP. The structure for the keeping or housing of chickens permitted by ordinance.](#)

§ 155.071 ACCESSORY USE AND STRUCTURES.

Accessory uses and structures shall conform to the following standards:

- (A) A private residential garage used only for the accessory storage of the primary structure. Roofing and siding materials shall be of a type customarily used on site-constructed residence.
- (B) Any accessory building that covers more than 120 square feet shall be secured to the ground to prevent the structure from being moved or damaged by high winds.
- (C) Accessory buildings may not be used for dwelling purposes.
- (D) Accessory buildings in excess of 750 square feet in area should be approved only if there is a legitimate residential purpose for accessory buildings. Special care should be taken to ensure that the applicant is not using the structure for the operation of any business and that the applicant understands that any commercial or industrial use would not be permitted in the accessory building.
- (E) Yard setbacks may be adjusted as according to § [155.082](#).
- (F) [Chicken Coops](#)
 - a. [Chicken coops shall be considered an accessory structure according to the regulations outlined in this section.](#)
 - b. [The construction of chicken coops shall be allowed after obtaining a permit from the Building Official. A fee for such permit may be established from time to time by resolution of the City Council.](#)
 - c. [Any chicken coop must follow the regulations outlined in Chapter 93 of the City of Vermillion revised ordinances.](#)

Dated at Vermillion, South Dakota this 16th day of May, 2016.

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:	May 2, 2016
Second Reading:	May 16, 2016
Publish:	May 21, 2016
Effective Date:	June 10, 2016

Council Agenda Memo

From: Andy Colvin, Assistant City Manager

Meeting: May 2, 2016

Subject: First Reading of Ordinance 1339 – Amending Section 155.032, R-2 Residential District to provide for Fraternities, Sororities and boarding and lodging houses as conditional uses and providing for lot and yard regulations for such uses

Presenter: Andy Colvin

Background: In 2015, City staff was contacted regarding a proposal to construct a new sorority house in place of the existing structure. In looking at the issue, staff identified a number of issues related to new Greek houses and compliance with current zoning codes. A meeting was arranged between staff, USD Greek life, an architect, and the sorority proposing the new structure.

For background, nearly all of the Greek houses are currently non-standard, meaning that they are permitted uses in their zoning district, but do not meet area, yard and parking requirements. This also means that most couldn't be rebuilt without purchasing additional land. Since there has not been a new fraternity/sorority house built for many years, the City has never had to implement a new code. Since the initial meeting last summer, staff has not had further communication from the Greek houses. In order to address the issue, staff proposed some changes to the code to balance out the needs of the Greek houses with the needs of the City and neighborhoods as a whole.

Discussion: Currently, Greek houses, as well as boarding/lodging houses, are permitted uses within the R-2 district. This means they can be built according to current code without a special permit from the City Planning Commission. The proposed ordinance would move these uses to the conditional use category. The reason for this change is to permit a more open approval process for new construction that coincides with relaxing other requirements, such as setbacks, height and parking. Off-street parking seems to be the biggest issue with new construction. The houses tend to be very large, which would then require a very large lot to accommodate parking. Without purchasing additional property and re-platting, it would be difficult to construct a new Greek house in the current R-2 neighborhoods. It would make sense to keep these houses in residential

neighborhoods, closer to campus rather than moving them to the R-3 districts. In addition, most Greek houses are built to fit in with the character of single family construction as opposed to multi-family apartments. The proposed ordinance only addresses the R-2 District changes and provides for lot and area regulations. The parking issue will be handled in a separate zoning amendment.

Financial Consideration: None other than the required publication costs.

Conclusion/Recommendations: The Planning Commission recommended adoption of the amendment. Administration would concur with the Planning Commission recommendation.

PROPOSED ORDINANCE NO. 1339

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 155 ZONING REGULATIONS, TO INCLUDE BOARDING/LODGING HOUSES AND FRATERNITIES AND SORORITIES AS A CONDITIONAL USE IN THE R-2 RESIDENTIAL ZONING DISTRICT AND MODIFYING LOT AND YARD REGULATIONS FOR SUCH USES.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota and it is hereby ordained by authority of the same that Chapter 155 be amended as set forth below:

§ 155.032 R-2 RESIDENTIAL DISTRICT.

(A) *Permitted uses.* The purpose of this district is to provide for certain low to medium density residential areas in the city now developed primarily with single-family, 2-family, and multiple-family dwellings.

<i>Permitted Use</i>	<i>Applicable Standards</i>
Single-family detached dwellings	§§ 155.070, 155.072, 155.076, 155.077
Single-family attached (townhouses) dwellings	§§ 155.070, 155.072, 155.076, 155.077
Multiple-family (apartments and condominiums) dwellings (up to 4 dwellings)	§§ 155.070, 155.072, 155.076, 155.077
Two-family attached (duplex) dwellings	§§ 155.070, 155.072, 155.076, 155.077
Boarding and lodging house	§§ 155.070, 155.072, 155.076, 155.077
Fraternities and sororities	§§ 155.070, 155.072, 155.076, 155.077
Churches	All parking lots being 8 feet from all residential properties. §§ 155.070, 155.072, 155.077
Libraries	All parking lots being 8 feet from all residential properties. §§ 155.070, 155.072, 155.077
Schools	All parking lots being 8 feet from all residential properties. One of the principle frontages shall abut upon an arterial or collector street as defined by the city's major street plan map. §§ 155.070, 155.072, 155.077
Public park areas	§ 155.070
Golf course	§§ 155.070, 155.072
Hospital clinic	§§ 155.070, 155.072, 155.073, 155.077
Private club/lodge	§§ 155.070, 155.072, 155.073, 155.077
Electrical substation	An opaque screen, 6 feet in height, located at all setback lines. §§ 155.070, 155.077
Group day care	A safe pickup and drop off area must be provided for the children. All applicable dwelling standards apply.
Neighborhood utilities	§ 155.070
Group home	Structure must be a single housekeeping unit. Applicant must provide copy of state agency license. All applicable dwelling standards apply.
Railroad right-of-way	Including a strip of land with tracks and auxiliary facilities for track operation, but not including passenger stations, freight terminals, switching and classification yards, repair shops, roundhouses, power houses, interlocking towers, and fueling, sanding and watering stations.
Accessory structure (such as, garage, shed)	§§ 155.071, 155.082(A) (see definition)

(B) *Conditional uses.*

<i>Conditional Use</i>	<i>Applicable Standards</i>
Boarding and lodging house	§§ 155.070, 155.072, 155.076, 155.077
Fraternities and sororities	§§ 155.070, 155.072, 155.076, 155.077
Assisted living facility	Applicant must provide copy of South Dakota Department of Health license. All multiple dwelling standards apply. §§ 155.070, 155.072, 155.077, 155.095(A)
Nursing home	Applicant must provide copy of South Dakota Department of Health license. §§ 155.070, 155.073, 155.077, 155.095(A)
Wireless communication facility on existing support structure	§§ 155.075, 155.095(A)
Public service facility	§ 155.070
Bed and breakfast	§§ 155.070, 155.072, 155.076, 155.077, 155.080, 155.095(A)
Manufactured home parks	§§ 155.070, 155.077, 155.079, 155.095(A)
Off-premise parking lots	§ 155.095(A)

(C) *Lot and yard regulations.* All measurements shall be taken from the lot line to the building line (see definitions). Where a side yard or rear yard is required, half of the required yard must be maintained as a landscaped area.

	<i>Lot Area</i>	<i>Frontage</i>	<i>Building Line</i>	<i>Front Yard</i>	<i>Side Yard</i>	<i>Rear Yard</i>	<i>Maximum Height</i>
Single-family detached dwellings (see #2)	6,500 square feet	50 feet	65 feet see #2	25 feet see #3	8 feet	25 feet	35 feet
Single-family attached (townhouse) dwellings up to 4 attached dwellings (see #5)	2,500 square feet	25 feet	25 feet	25 feet see #3	0 feet or 8 feet on nonparty wall side	25 feet	35 feet
Two-family attached (duplex) dwelling	7,500 square feet	50 feet	65 feet	25 feet see #3	8 feet	25 feet	35 feet
Multiple-family (apartments and condominiums) dwellings (4 units) (1 lot)	7,500 square feet	50 feet	75 feet	25 feet see #3	8 feet side	25 feet	35 feet
Boarding and Lodging Houses; Fraternities and Sororities	7,500 Square feet	50 feet	65 feet	25 feet see #3	8 feet	25 feet	35 feet
All other uses	6,000 square feet	50 feet	60 feet	25 feet see #3	15 feet	25 feet	35 feet
<p>Exceptions:</p> <p>#1 There shall be a required front yard on each street side of a double frontage lot. There shall be a required front yard on each street side of a corner lot.</p> <p>#2 A residence may be constructed on a lot-of-record, which has a lot width of less than 65 feet.</p>							

- #3 One required front yard may be reduced to 20 feet on corner lots.
- #4 See also adjustments to yard regulations (§ 155.082) for other specific exceptions.
- #5 Every 2 units will be staggered.

Dated at Vermillion, South Dakota this 16th day of May, 2016.

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: May 2, 2016
Second Reading: May 16, 2016
Publish: May 21, 2016
Effective Date: June 10, 2016

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: May 2, 2016

Subject: First Reading of Ordinance 1340 – Amending Section 155.072, to modify language pertaining to off-street parking for Fraternities and Sororities, remove the exemptions to parking in the front and side yards and modifying language pertaining to parking allowance in all districts

Presenter: Jose Dominguez

Background: In 2015, City staff was contacted regarding a proposal to construct a new sorority house on the site of the existing structure. In looking at the issue, staff identified a number of issues related to new Greek houses and compliance with current zoning codes. A meeting was arranged between staff, USD Greek life, an architect, and the sorority proposing the new structure. Nearly all of the Greek houses are currently non-standard, meaning that they are permitted uses in their zoning district, but do not meet area, yard and parking requirements. Most couldn't be rebuilt without purchasing additional land. Since there has not been a new fraternity/sorority house built for many years, the City has not had to implement the current code. Since the initial meeting last summer, staff has not had further communication from the Greek houses. In order to address the issue, staff proposed some changes to the parking requirements to balance out the needs of the Greek houses with the needs of the City and neighborhoods as a whole.

Another issue that arose in the past years was the location of off-street parking for multi-family structures. Historically, the City has allowed off-street parking for multi-family structures to be constructed within the required front yard setbacks. This has caused some of the construction within the R-2 District to not have a landscaped front yard or side yard. Other challenges with permitting parking in front yards involve increased storm water runoff to streets that typically don't have the capacity for higher volume.

Discussion: Currently, Greek houses, as well as boarding/lodging houses, are permitted uses within the R-2 district. This means they can be built according to current code without a special permit from the City Planning Commission. Proposed Ordinance 1339 (considered earlier on the agenda) moves these uses to the conditional use category. The reason for this change is to permit a more open approval process for new construction

that coincides with relaxing other requirements, such as setbacks, height and parking. Off-street parking seems to be the biggest issue with new construction. The Greek houses tend to be very large, which would then require a very large lot to accommodate parking. Without purchasing additional property and re-platting, it would be difficult to construct a new Greek house in the current R-2 neighborhoods. The proposed changes to the ordinance would allow Greek houses to have a portion of the required off-street parking on a different lot. The location, and number of parking stalls, would be determined by the Planning Commission during the Conditional Use Permit process.

The other proposed changes to the ordinance will try and remedy the current issues with off-street parking being allowed in the front yard within the R-2 District, or any district, for multi-family structures. The amendment would not allow any parking within the required front yard for multi-family structures within the R-2 District. Additionally, the amendment would limit the amount of required front yard parking for multi-family structures to 25-percent of the required parking in the R-3 District.

It should be noted that the proposed amendment will apply to future construction or structures that lose their nonconforming status. For instance, a 4-plex that is lawfully existing today will not be required to comply with the new requirements unless the use ceases (taken off of the rental registry). However, a new structure built after the ordinance is effective will have to comply.

Financial Consideration: None, other than the costs required for publication.

Conclusion/Recommendations: The Planning Commission forwarded a recommendation to approve the amendment. The City Council is asked to take public comment and take action on the amendment. The proposed amendment will ease the redevelopment process for Greek housing while still providing a level of oversight from the Planning Commission by requiring the parking to be approved during the Conditional Use Permit process. Administration would recommend approval of the amendment.

PROPOSED ORDINANCE NO. 1340

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 155 ZONING REGULATIONS, TO MODIFY LANGUAGE PERTAINING TO OFF-STREET PARKING FOR FRATERNITIES AND SORORITIES, REMOVE THE EXEMPTIONS TO PARKING IN THE FRONT AND SIDE YARDS AND MODIFYING LANGUAGE PERTAINING TO PARKING ALLOWANCES IN ALL DISTRICTS.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota and it is hereby ordained by authority of the same that Chapter 155 be amended as set forth below:

§ 155.072 OFF-STREET PARKING.

(A) *General conditions.*

~~(1) No parking spaces are permitted in the required front or side yard in any residential district, except for multiple family dwellings and portions of the front yard necessary for hard surfaced driveways or as otherwise provided in this chapter as follows:~~

~~a. Single Family Dwellings, Townhouse dwellings and two-family (duplex) dwellings are permitted to provide off-street parking on driveways constructed according to City standards.~~

~~(+)b. Multiple Family dwellings located in the R-3 zoning district may provide no more than 25% of the required area for parking in the required front yard.~~

~~a.c. Commercial uses located in the NRC, CB, GB, NC, GI and HI districts may provide required parking in the required front yard.~~

(2) Parking spaces may be permitted in any required rear yard.

(3) All parking spaces shall be connected to a public street or alley.

(4) Except in conjunction with a legal nonconforming business, it is unlawful for any person to park, store, leave, or permit the parking, storing or leaving of any commercial vehicle with a gross vehicle weight rating (GVWR) of over 13,000 pounds in a NRC, R-1, R-2, R-3 or R-4 Zoning District, unless the vehicle is parked in connection with the performance of a service. The transferring of refuse from a smaller satellite vehicle to a large packer garbage truck is prohibited.

(5) All parking, loading, and maneuvering and drive areas thereto shall be hard surfaced with asphalt, or concrete, ~~or other acceptable paving systems (as determined by City Engineer).~~

~~(6) The parking requirements in this section shall not be applicable to property in the CB Central Business District.~~

~~(6)(7) Off-street parking shall be located on the same zoning lot as the principal use served.~~

(B) *Required parking spaces.*

(1) In computing the number of required off-street parking spaces, the floor area shall mean the gross floor area of the specific use, excluding any floor or portion used for parking. Where fractional spaces result, the parking spaces required shall be the nearest whole number. For the number of off-street parking and loading spaces required in all other districts, see Table 1 below:

Table 1: Minimum Off-Street Parking and Loading Requirements

Uses and Structures	Minimum Parking Requirements
Rooming and boarding houses, sororities and fraternities	1 parking space for each 200 square feet of floor area. <u>In calculating the required parking spaces, these uses may be permitted to include off street parking available</u>

	<u>on a different lot, or zoning lot, than the use served, subject to approval of the use through the Conditional Use Permit process. Parking spaces may not count towards more than one use.</u>
Bowling alleys	4 spaces per lane
Church or temple	1 space for each 4 seats in main seating area
Private club or lodge	1 parking space for each 300 square feet of floor area
High school	4 spaces for each classroom or office room, plus 1 for each 150 square feet of seating area in any auditorium or gymnasium or cafeteria intended to be used as an auditorium
Elementary school	2 spaces for each classroom or office room, plus 1 for each 150 square feet of seating area in any auditorium or gymnasium or cafeteria intended to be used as an auditorium
Eating and drinking places	1 space for each 300 square feet of gross floor area
Hospitals	1 space for each bed
Nursing, convalescent and rest homes	1 space for each 3 beds
Auditoriums, theaters and places of public assembly	1 space for each 4 seats of design capacity
Hotels and motels	1 space for each 2 rental rooms
Funeral homes	1 space for each 4 seats in the chapel
Retail sales establishments	1 space for each 300 square feet of floor area
Medical and dental clinics	1 space for each 2 staff members and full-time employees, plus 1 space for each 600 square feet of gross floor area
Manufactured home parks	2 spaces for each
Industrial uses	1 space for each 2 employees on the maximum working shift
Service establishments	1 space for each 300 square feet of floor area
Wholesale and distribution establishments	1 space for each 2 employees on the maximum working shift

- (2) For parking requirements for residential uses (excluding manufactured homes) see Table 2 below. In order for the alternate parking requirements to be used the following criteria must be met:
- (a) Each unit must have access to their garage through a walk-thru door leading to the garage without going through the outside;
 - (b) Each garage stall shall be a minimum of 10 feet wide by 20 feet long; and
 - (c) The property owner will ensure that the garage space is open for tenant parking as a condition of their rental registry. The garage space cannot be used for any other purpose.

Table 2: Minimum Off-Street Parking and Loading Requirements for Residential Uses

Uses and Structures	Minimum Parking Requirements	Alternate Parking Requirements**
Single-family detached	2 spaces for each dwelling unit	2 spaces for each dwelling unit
Single-family attached (townhouses)	2 parking spaces per each dwelling unit or 1 per bedroom, whichever is greater	2 parking spaces per each dwelling unit or 1 per bedroom whichever is greater
Two-family attached	2 parking spaces per each dwelling unit or 1 per	2 parking spaces per each dwelling unit or 1

(duplex)	bedroom, whichever is greater	per bedroom whichever is greater
Multiple-family (apartments and condominiums)	2 parking spaces per each dwelling unit or 1 per bedroom, whichever is greater	Use either 2 parking spaces per each dwelling unit or 1 per bedroom, whichever is greater. This value shall be multiplied by the following factors. The number of garage stalls shall be subtracted from the product. If garage is 1 stall then the factor will be 1.2 If garage is 2 stalls, or larger, then factor will be 1.4

** The parking stall (10 feet wide by 20 feet long) within the garage and the area directly in front of the garage (9 feet wide by 18 feet long) will count towards the off-street parking requirements.

- (3) All other uses not specified in the above tables shall have minimum off-street parking and off-street loading spaces as determined by the City Council.

Dated at Vermillion, South Dakota this 16th day of May, 2016.

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: May 2, 2016
 Second Reading: May 16, 2016
 Publish: May 21, 2016
 Effective Date: June 10, 2016

Council Agenda Memo

From: Andy Colvin, Assistant City Manager

Meeting: May 2, 2016

Subject: First reading of Ordinance 1341 - Amending Section 155.008
Definitions, amending the definition of an accessory building or use

Presenter: Andy Colvin

Background: In reviewing the parking and landscaping regulations in the City zoning ordinance, the definition of an accessory building or use was in need of clarification. Currently, parking facilities can be located on a lot with different zoning than the principal use served. This can create issues if a business, for instance, is located adjacent to a residential district. The lot could be zoned both commercial and residential, where the building could be on the half zoned commercial and the parking lot located on the half zoned residential.

Discussion: The proposed amendment would require future accessory uses, including parking, to be have the same zoning as the lot of the primary use served. For the above mentioned situation, the zoning would need to be consistent for the entire lot. Consistent zoning is important for the planning and development of any community. The proposed amendment will ensure uses and their accessory uses will have the same zoning designation.

Financial Consideration: None, other than the required costs for publication.

Conclusion/Recommendations: The Planning Commission forwarded a recommendation to approve the amendment. The City Council is asked to take public comment and act on the amendment. Staff would recommend approval of the amendment.

PROPOSED ORDINANCE NO. 1341

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 155 ZONING REGULATIONS, TO MODIFY THE DEFINITION OF AN ACCESSORY BUILDING OR USE.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota and it is hereby ordained by authority of the same that Chapter 155 be amended as set forth below:

§ 155.008 DEFINITIONS.

ACCESSORY BUILDING OR USE . An accessory building or use is one which:

- (1) Is customary and clearly incidental to the principal use;
- (2) Serves exclusively the principal use;
- (3) Is subordinate in area, extent or purpose to the principal use served;
- (4) Contributes to the comfort, convenience, or necessity of occupants of the principal use served; and
- (5) Is located on the same zoning lot as the principal use served, ~~with the single exception of accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot as the building or use served.~~

Dated at Vermillion, South Dakota this _____ day of _____, 2016.

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: May 2, 2016
 Second Reading: May 16, 2016
 Publish: May 21, 2016
 Effective Date: June 10, 2016

Council Agenda Memo

From: Andy Colvin, Assistant City Manager

Meeting: May 2, 2016

Subject: First reading of Ordinance 1342 – Amending Section 155.077, Landscaping Standards, providing additional requirements for living ground cover in all residential, commercial and industrial districts

Presenter: Andy Colvin

Background: Based on input from the Planning Commission as well as community members, staff proposed some changes to the landscaping standards in the zoning regulations. In addition, as most already know, drainage is an issue in many areas of Vermillion. Strengthening the landscaping requirements in the community will help address some drainage problems, in addition to beautifying the community.

Discussion: The proposed amendment addresses the following requirements and changes:

- The parkway, or boulevard, which is the area between the curb and the sidewalk, will be included in the 90% requirement for front yards. Additionally, 50% of the rear yard will now be required to be landscaped except for portions required for driveways and parking.
- The R-1, R-2 and R-3 residential districts will be required to plant one tree per 50 feet of frontage, with a limit on the number permitted in the parkway. The typical residential lot will have at least one tree. Previously, only commercial and industrial zones were required to plant trees.

The City Council has already adopted a revised tree ordinance, which regulates trees planted in the right-of-way and provides a guide for residents. This amendment will work with the tree ordinance in an effort to beautify the community.

As with other zoning amendments, the new requirements will apply to future developments. Existing developments will not be required to comply unless the use is discontinued.

Financial Consideration: None other than the required publication costs.

Conclusion/Recommendations: The Planning Commission forwarded a recommendation to approve the amendment. Administration would recommend approval.

PROPOSED ORDINANCE NO. 1342

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV LAND USAGE, CHAPTER 155 ZONING REGULATIONS, TO MODIFY LANGUAGE PERTAINING TO LANDSCAPING STANDARDS.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota and it is hereby ordained by authority of the same that Chapter 155 be amended as set forth below:

§ 155.077 LANDSCAPING STANDARDS.

It is the desire of the city to encourage development, which is environmentally sensitive and aesthetically pleasing. To assist in these objectives, a minimum standard for landscaping is prescribed.

(A) Within any zoning district, at least 90% of the required front yard setback, including the parkway and 50% of the rear yard, shall be landscaped and maintained with living ground cover except for the portion of the front or rear yard necessary for hard surfaced driveways and parking (§ 155.072).

(B) Within the R-1, R-2, R-3, GB, CB, NC, GI, and HI districts, one (1) tree per 50 feet of lot width frontage is required. A minimum of one (1) tree must be planted in the front yard. No more than 50% of the required trees may be planted in the street right-of-way parkway. No more than 25% of the required trees may be deciduous ornamental, evergreen, or coniferous trees. Exception: If parking facilities or buildings utilize zero setbacks as permitted by ordinance, one (1) tree per 50 feet of frontage shall be required within the parkway, subject to approval by the Zoning Administrator.

(C) Each existing tree of at least 1 3/4-inch caliper in size shall count toward the tree requirement.

(D) Only, permitted, deciduous shade trees may be planted in the street right-of-way.

(E) Where feasible, landscape areas must be capable of providing a substantially full expanse of foliage within three (3) years after planting. All deciduous trees shall be 1 3/4 inch caliper and all deciduous ornamental shall be 1 1/4-inch caliper. Berms or other landscaping techniques may be used for all or part of the six (6)-foot screening if they have a maximum grade of three (3) feet horizontal to one (1)-foot vertical and sodded or planted with other acceptable living ground cover.

(F) A fence, wall, or shrubbery six (6) feet in height and of a character necessary for adequate screening shall be installed or planted when a commercial use is located adjacent to residentially used property or across the right-of-way from residentially used property (unless the right-of-way is an arterial street). Berms or other landscaping techniques may be used for all or part of the six (6)-foot screening if they have a maximum grade of three (3) feet horizontal to one (1)-foot vertical and sodded or planted with other acceptable living ground cover.

(G) A setback of at least five (5) feet shall be provided between a commercial parking lot and residentially zoned property. If proper screening is provided, the setback may be two (2) feet.

(H) When property is adjacent to or within 150 feet of residentially used or zoned property, the following lighting standards apply:

(1) The maximum light level shall be no greater than three (3) foot candles field measured at the property line (ground level).

(2) The maximum height of light luminaries shall be 25 feet above the ground.

(3) Canopy luminaries and other on-site lighting with luminaries greater than 2000 lumens shall include a 90-degree cut-off type, deflector, refractor, or forward throw light fixture.

(4) The maximum number of canopy luminaries shall be determined by the following industry standard:

$$\frac{\text{Canopy length (in feet)} \times \text{canopy width (in feet)} \times 3}{\text{Maximum}}$$

No. of

Luminaries lamp wattage

(5) All other light luminaries shall have a maximum height of 38 feet above the ground. Submittal of photometric plans shall be required with all site plan checks for building projects on property with lighted parking lots or lighted canopies.

(6) The following structures or uses are exempt from these lighting standards: public recreation facilities, parks, pedestrian walkways, illuminated flags or statues, airport runways, telecommunication towers, broadcast towers, and historic period lighting.

Dated at Vermillion, South Dakota this ____ day of _____, 2016.

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:	May 2, 2016
Second Reading:	May 16, 2016
Publish:	May 21, 2016
Effective Date:	June 10, 2016

Council Agenda Memo

From: Cole Bockelmann, Communications Intern

Meeting May 2, 2015

Subject: Shakespeare Festival Street closing

Presenter: John Prescott, City Manager

Background: Coyoteopoly is working with the USD College of Fine Arts and several other partners to present the South Dakota Shakespeare Festival in Prentis Park on June 9, 10, 11, and 12, 2016. The production will take place on June 9, 10 and 11, 2016 at 7:00 pm and on June 12, 2016 at 4:00 pm in the Prentis Park Amphitheater located just north of E. Main Street.

Discussion: Coyoteopoly has submitted the attached street closing request form. The request indicates that they would like to close E. Main Street from Plum Street to Walker Street one hour before the respective production times. The barricades are staffed so that emergency vehicles can get through as needed. The goal of the closure is to limit traffic noise during the production. The June 12 production begins at 4:00 pm while the June 9, 10 and 11 productions begin at 7:00 pm and will end at approximately 6:30 pm on June 12 and 9:30 pm the other three days. The intersection of East Main and Plum Street would remain open during the production.

Coyoteopoly is also requesting to remove parking on E. Main Street from Plum Street to Walker Street from June 6-12, 2016. This would be to remove cars parking too close to the production area. The Shakespeare Festival would have an RV used for cast members and a support vehicle or two parked along this area. Sanford Vermillion has been made aware of the street closing request since the form was submitted.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends the City Council approve the closing of E. Main Street from Plum Street to Walker Street on June 9, 10, 11, 12, 2016 from 3:00 pm to approximately 6:30 pm on June 12 and 6:00 p.m. to approximately 9:30 p.m. on June 9, 10 and 11, 2016. Administration also recommends the removal of parking along the south side of Prentis Park from Plum Street to Walker Street from June 6 through 12, 2016.

Requests to close a public street for an event or activity are taken to the City Council for approval. The following application is requested to be submitted to the City Manager's office one week prior to the Council Meeting.

CITY OF VERMILLION REQUEST TO CLOSE CITY STREET

This application shall be completed in time to be submitted to the City Council for consideration. City Council meetings are the first and third Mondays of each month. Requests are to be submitted to the City Manager's office one week prior to the meeting to be included on the meeting agenda. The proposal shall contain all applicable information relative to the nature and purpose of the event for which the street will be closed. If additional space is needed, please attach additional sheets with the required information.

Organization Requesting Coyoteopoly, Inc.

Contact Person Greg Huckabee Phone 712-574-7782

E-Mail Address ghuckabe@usd.edu

Contact Person Address USD Beacom School of Business, 414 E. Clark St., Vermillion, SD 57069

Event SD Shakespeare Festival Date(s) of Event June 9-12, 2016

Street(s) requested to be closed (Include a map if needed.)

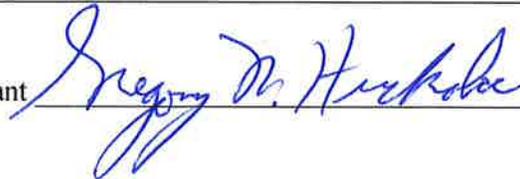
Street Main St. from Plum St. to Walker St.

Street Closing Times 6:00 pm to 10:00 pm, June 9-11, 3:00-7:00 pm June 12

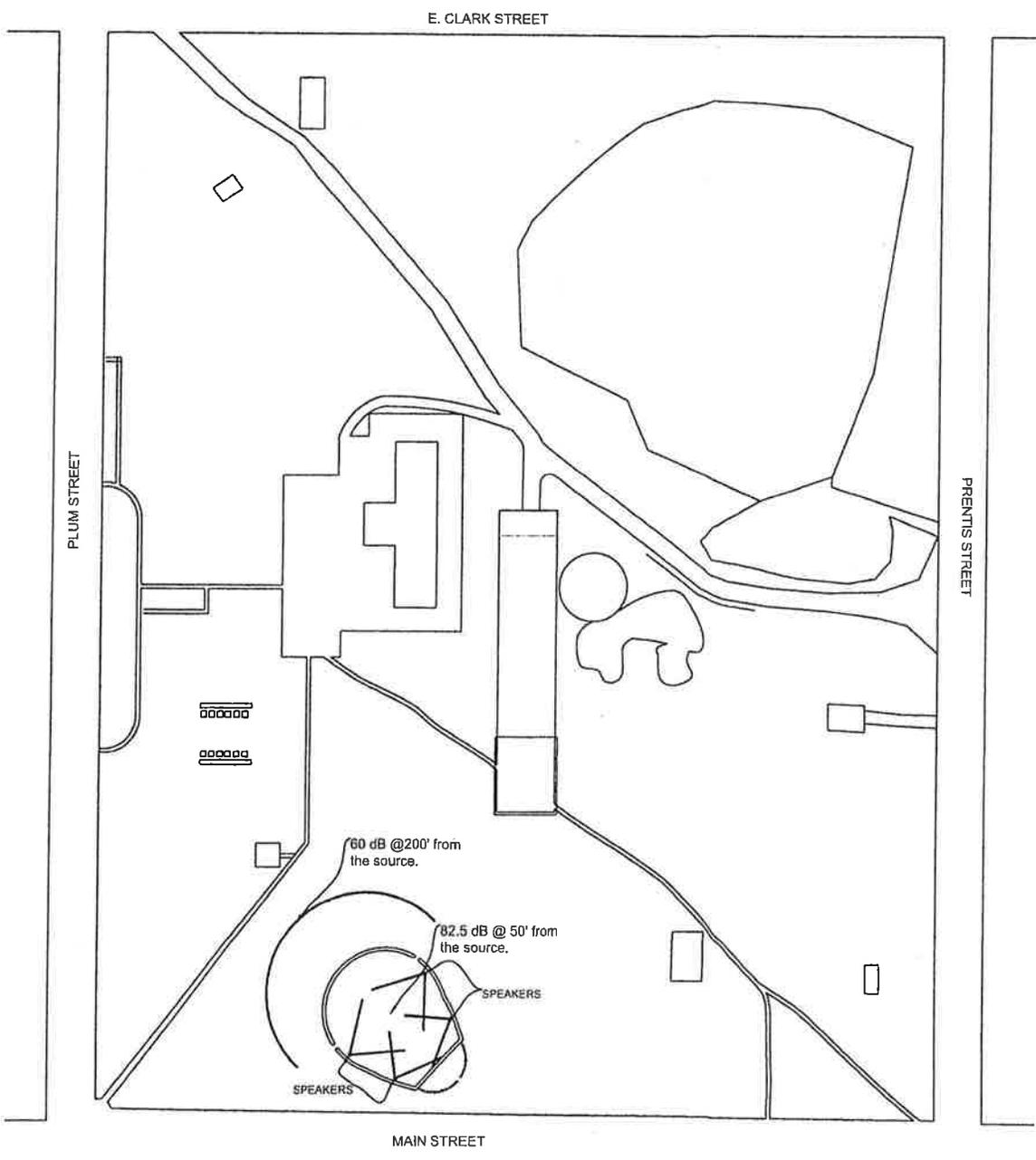
If the street closing requested would affect other residents or businesses have they been notified of the request? Yes _____ No

If approved, the contact person will need to make arrangements with the Street Department for barricades to properly denote the street closing. Have arrangements been made for clean up after the event and other facilities? Please describe:

Yes, SDSF clean-up and security teams; need to remove parking from Walker St. to Plum St. on Main St. from June 6-12.

Signature of Applicant  Date April 11, 2016

PRENTIS PARK SOUTH DAKOTA SHAKESPEARE FESTIVAL & COYOTEOPOLY



-INSIDE THE AUDIENCE AREA WE WILL NOT HAVE
dB LEVELS ABOVE 82.5 DECIBELS OUTSIDE THE
GROVE AREA LEVELS WILL DROP OFF.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: May 2, 2016
Subject: High Street Closing on May 7, 2016
Presenter: Mike Carlson

Background: The Clay County Agricultural Fair Association is hosting a spring Demo Derby on Saturday, May 7, 2016. The group is requesting the temporary closure of a portion of High Street as it abuts the Fairgrounds.

Discussion: The Clay County Agricultural Fair Association is requesting that High Street be closed, along the fairgrounds, from 5:00 p.m. until 10:30 p.m. on Saturday, May 7, 2016 to provide a safe entrance and exit from the event.

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

Financial Consideration: None

Conclusion/Recommendations: Administration recommends authorizing the closure of High Street from 5:00 p.m. until 10:30 p.m. on Saturday, May 7, 2016.

Requests to close a public street for an event or activity are taken to the City Council for approval. The following application is requested to be submitted to the City Manager's office one week prior to the Council Meeting.

CITY OF VERMILLION REQUEST TO CLOSE CITY STREET

This application shall be completed in time to be submitted to the City Council for consideration. City Council meetings are the first and third Mondays of each month. Requests are to be submitted to the City Manager's office one week prior to the meeting to be included on the meeting agenda. The proposal shall contain all applicable information relative to the nature and purpose of the event for which the street will be closed. If additional space is needed, please attach additional sheets with the required information.

Organization Requesting Clay County Agricultural Fair Association

Contact Person Sharron Jensen Phone 605-660-3147

E-Mail Address jensensl@msn.com

Contact Person Address 427 Prentis

Event Spring Demo Derby Date(s) of Event 5-7-2016

Street(s) requested to be closed (Include a map if needed.)

Street High Street from along the fair grounds to _____

Street Closing Times 5:00 pm to 10:00 p.m

If the street closing requested would affect other residents or businesses have they been notified of the request? Yes _____ No _____

If approved, the contact person will need to make arrangements with the Street Department for barricades to properly denote the street closing. Have arrangements been made for clean up after the event and other facilities? Please describe:

Signature of Applicant Sharron Jensen Date 4-20-16

Council Agenda Memo

From: Cole Bockelmann, Communications Intern

Meeting: May 2, 2016

Subject: Street Closure Request to close Prentis Avenue from East Clark Street to East Main Street on May 15, 2016

Presenter: John Prescott, City Manager

Background: The Vermillion Chamber of Commerce and Development Company and the Vermillion Parks and Recreation Department have submitted a street closure request for Prentis Avenue from 2:00 p.m. to 5:00 p.m. on Sunday, May 15, 2016. Prentis Avenue would be closed from E. Clark Street to E. Main Street. The request is due to an exhibition baseball game being held at Prentis Park during that timeframe. Closing Prentis Avenue will reduce traffic to a minimum and make it safer for children who may chase foul balls during the game.

Prior to the baseball game, a City sponsored camp for children will be held at the same area. The exhibition game is between the Sioux City Explorers and Lincoln Saltdogs.

Discussion: Parks and Recreation Director Jim Goblirsch has stated that City Staff will be stationed at the barricades during the closure to allow residents access to their homes. All of the Prentis Avenue property owners were mailed a letter on April 20, 2016 advising them of the potential closing and when the City Council would be considering the request. No comments had been received at the time of Council packet preparation. VCDC and Parks and Recreation staff will clean up after the event.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends the City Council approve the closure of Prentis Avenue from East Main Street to E. Clark Street on May 15, 2016 from 2:00 p.m. to 5:00 p.m.

Requests to close a public street for an event or activity are taken to the City Council for approval. The following application is requested to be submitted to the City Manager's office one week prior to the Council Meeting.

CITY OF VERMILLION REQUEST TO CLOSE CITY STREET

This application shall be completed in time to be submitted to the City Council for consideration. City Council meetings are the first and third Mondays of each month. Requests are to be submitted to the City Manager's office one week prior to the meeting to be included on the meeting agenda. The proposal shall contain all applicable information relative to the nature and purpose of the event for which the street will be closed. If additional space is needed, please attach additional sheets with the required information.

Organization Requesting VCDC / Vermillion Parks & Recreation

Contact Person Jim Goblirsch Phone 605 677 7081

E-Mail Address Jamesg@cityofvermillion.com

Contact Person Address 25 Center Street, Vermillion

Event Baseball Exhibition Date(s) of Event May 15, 2016

Street(s) requested to be closed (Include a map if needed.)

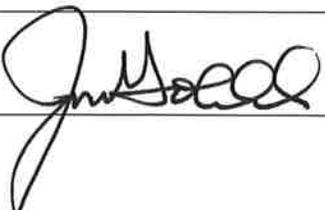
Street Prentis Ave from Clark to Main

Street Closing Times 2 pm to 5 pm

If the street closing requested would affect other residents or businesses have they been notified of the request? Yes No

If approved, the contact person will need to make arrangements with the Street Department for barricades to properly denote the street closing. Have arrangements been made for clean up after the event and other facilities? Please describe:

Yes, VPR & VDC staff to conduct clean up

Signature of Applicant  Date 4/19/16

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: May 2, 2016

Subject: Permit for consumption but not sale at the Edith B. Siegrist Vermillion Public Library at 18 Church Street on May 20, 2016 from 6:00 to 8:00 p.m. for “Books & Brew” event

Presenter: Mike Carlson

Background: Susan Heggstad, on behalf of the Vermillion Public Library, as approved by the Vermillion Public Library Board of Trustees, has requested a permit to consume alcoholic beverages on public property for a “Books & Brew” event at the Edith B. Siegrist Vermillion Public Library garden behind the library from 6:00 p.m. to 8:00 p.m. on May 20, 2016. If the weather doesn’t cooperate the event will be held in the Kozak room. A copy of the request and information on the event are attached.

State statute 35-1-5.5 provides that provides that the Governing Body of a municipality may permit the consumption, but not sale, of any alcoholic beverage on property owned by the public. The statute is as follows:

35-1-5.5. Permit for consumption of alcoholic beverage on property owned by public or nonprofit corporation. The board of county commissioners or the governing body of a municipality may permit the consumption, but not the sale, of any alcoholic beverage on property owned by the public or by a nonprofit corporation within its jurisdiction. The permit period may not exceed twenty-four hours and the hours of authorized consumption may not exceed those permitted for on-sale licensees. However, a municipality or county may permit the sale of alcoholic beverages on publicly owned property or property owned by a nonprofit corporation if it is during a special event for which a temporary license has been issued pursuant to § 35-4-124.

Discussion: The City Council may permit the consumption, but not the sale, of alcoholic beverage on property owned by the public.

Financial Consideration: None

Conclusion/Recommendations: Administration would recommend approval of the special permit to allow the consumption but not sale of alcoholic beverages in the Edith B. Siegrist Vermillion Public Library garden behind the library or the Kozak room from 6:00 p.m. to 8:00 p.m. on May 20, 2016.

**PERMIT FOR THE CONSUMPTION OR BLENDING BUT NOT THE SALE OF
ALCOHOLIC BEVERAGES UPON PROPERTY WHICH IS PUBLICLY OWNED OR
OWNED BY A NON-PROFIT CORPORATION**

Permit requested for: EBS Vermillion Public Library

Address: 18 Church Street

Contact person: Susan Heggestad, Public Relations

Daytime phone: 605.677.7060 Evening: _____

E-mail address: susan.heggestad@vermillionpubliclibrary.org

Location of event: (Please include property address or legal description, if event is not for the whole premises indicate room numbers or include a floor plan indicating the location of the event.)

18 Church St - Backlot. In case of
inclement weather, then indoors in the
Kozak Community Room

Activity or event: Books & Brews

Date and time when alcoholic beverages will be available: _____

FRIDAY, MAY 20TH, 6-8 PM 2016

Please attach a letter of approval from the Public Entity or non-profit corporation authorizing the event with alcoholic beverages on their property.

CERTIFICATE: The undersigned applicant certifies under penalties of perjury by law, provided that all statements herein are true and correct and understands the permit is for authorization for persons to consume or blend alcoholic beverages, but not to engage in the sale thereof, in or upon property on the dates described above. Applicant understands that the charging of a fee of any kind that allows persons to consume alcoholic beverages is engaging in the sale of alcoholic beverages and is not allowed by this permit.

Signature: _____ Date: 4/20/16

April 22, 2016

To Whom It May Concern:

On April 21, 2016, the Library Board of Trustees met and approved the library's plan to have an event allowing the consumption but not sale of alcohol on the library grounds. Please see the attached form.

Wendy Nilson
Acting Director
EBS Vermillion Public Library

PRESS RELEASE

Edith B. Siegrist Vermillion Public Library

Susan M Heggstad, 677-7060

April 25, 2016

LIBRARY INTRODUCES NEW BOOKS AND BREWS PROGRAM

The Edith B. Siegrist Vermillion Public Library is thrilled to announce the start of a new adult program: Books & Brews! With our first event scheduled to coincide with American Craft Beer Week (May 16th-22nd) and our first presenter slated to introduce participants to the history of beer, as well as its finer points, the Library hopes to appeal to beer-lovers, adult learners, and curious folks from across the community. We will invite adults into our 'Beer Garden' – in the garden behind the library – on **Friday, May 20th, from 7 - 9 pm**. Adults aged 21 and up only, of course. There will be a limited selection of craft beers to sample, and participants are encouraged to bring their own favorites.

Our first session will be led by Ed Gerrish of USD, whose presentation 'Your Beer and You: How Just Four Ingredients Shape the Universe of Beer', will give us all the background we need to imbibe with a more educated palate. Ed Gerrish's true passions are his hobbies: homebrewing, gardening, and more. On the side, he is an Assistant Professor of Public Administration at USD. He began homebrewing in 2006 in his DC apartment on a stovetop. Countless "investments" later, he is still brewing all styles: from pales and stouts, to mild and sour ales. Ed is from Watertown, SD, is a graduate of USD in political science and Indiana University in Public Affairs.

The Edith B. Siegrist Vermillion Public Library is located at 18 Church Street in Vermillion. For more information call the Library at 605-677-7060.

Council Agenda Memo

From: Cole Bockelmann, Communications Intern

Meeting: May 2, 2016

Subject: Capital Improvement Plan

Presenter: John Prescott, City Manager

Background: At the April 4, 2016 Noon City Council meeting, staff presented a Capital Improvement Plan for City Council discussion and review. Since the presentation, staff has reviewed the plan and corrected minor errors.

Discussion: The Capital Improvement Plan does not allocate funding for any particular project. One of the goals of the Capital Improvement Plan is to present ideas to the City Council and community about projects that may be undertaken in the next five years. For example, some of larger projects in the 2016-2020 CIP which are proposed to be included in the 2017 budget are:

- Pavement treatments and maintenance - \$215,000
- Main Street traffic signals - \$600,000
- New Library materials - \$95,000
- Construction of new electrical substation \$4,768,800
- 2nd phase of Street lighting upgrades - \$125,000
- Prentis lift station reconstruction - \$1,300,000
- Prentis Park basketball courts - \$75,000
- Linden St. storm drainage ravine project - \$200,000

Some the above projects may begin in 2017 but extend into the 2018 budget as well. There are many other projects included in the CIP for 2017 which are not as costly but will also be beneficial to the community. It may or may not be possible to fund all of the projects included in the CIP in the given budget year. Nonetheless, it is important for the City Council to identify projects for staff to work toward accomplishing. The Capital Improvement Plan will then assist the City Council and staff with planning future budgets. In some instances, the document may help with grant applications as it shows the City is planning for projects to take place.

Financial Consideration: None at this time.

Conclusion/Recommendations: Administration recommends adoption of the 2016-2020 Capital Improvement Plan.

**Capital
Improvement
Plan
2016-2020**

POLICY & ADMINISTRATION

<u>FINANCE</u>	2016	2017	2018	2019	2020	TOTAL
Computer Network and Email Server			\$6,500			
Computer Accounting Server	\$6,000					
TOTAL	\$6,000	\$0	\$6,500	\$0	\$0	\$12,500
<u>ENGINEERING</u>	2016	2017	2018	2019	2020	TOTAL
Robotic Total Station (Radio Control)		\$24,000				
TOTAL	\$0	\$24,000	\$0	\$0	\$0	\$24,000
<u>CODE COMPLIANCE</u>	2016	2017	2018	2019	2020	TOTAL
Replace Roof at Animal Shelter	\$9,000					
TOTAL	\$9,000	\$0	\$0	\$0	\$0	\$9,000
TOTAL POLICY & ADMINISTRATION						\$45,500

SAFETY & SECURITY

Emergency Communications, Fire, Ambulance, and Police

<u>EMERGENCY COMMUNICATIONS*</u>	2016	2017	2018	2019	2020	TOTAL	
Administrative Phone System				\$50,000			
Radio Console Computers/Software			\$40,000				
Replacement Mobile Radios				\$16,000			
Logging Recorder					\$20,000		
	TOTAL	\$0	\$0	\$40,000	\$66,000	\$20,000	\$126,000

**Budget split equally with Clay County*

May be cost for new Communications Center plans/design in 2019 and construction in 2020

SAFETY & SECURITY

<u>FIRE</u>	2016	2017	2018	2019	2020	TOTAL	
Fire Department Equipment	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000		
Personal Protective Clothing	\$6,000	\$6,000	\$6,000	\$6,000	\$6,000		
Station Copier			\$5,000				
Breathing Apparatus *	\$110,000						
Rescue Tools Jaws of Life		\$18,000					
Roof Replacement	\$40,000						
	TOTAL	\$166,000	\$34,000	\$21,000	\$16,000	\$16,000	\$253,000
<u>AMBULANCE</u>	2016	2017	2018	2019	2020	TOTAL	
Stryker Cot Lift System*			\$25,000				
New Ambulance Equipment			\$5,000				
Tank Boss O2 Bottle Lift*		\$2,200					
Rad 57 CO Monitor*	\$5,000	\$10,000					
EZ IO Set Up for 2 Ambulances	\$1,500						
	TOTAL	\$6,500	\$12,200	\$30,000	\$0	\$0	\$48,700

*Possible Grant Funding – will reapply in 2017 if not funded.

SAFETY & SECURITY

<u>POLICE</u>	2016	2017	2018	2019	2020	TOTAL		
Taser Replacement					\$23,000			
Digital Evidence Server		\$12,000						
In Car-Video Upgrade *			\$20,000					
Notebook Transition or InCar Computer Replacement				\$15,000				
Land Acquisition/Design for New Building					\$5,000,000			
Building Space Remodel		\$30,000						
Police Radio Replacement			\$52,000					
Boiler Replacement/Chimney Removal			\$30,000					
	TOTAL	\$0	\$42,000	\$102,000	\$15,000	\$5,023,000	\$5,194,000	
							TOTAL SAFETY AND SECURITY	\$5,609,700

* Possible Grant Funding

MAINTENANCE & TRANSPORTATION

Airport, Service Center, Street, and Mechanics Garage

<u>AIRPORT</u>	2016	2017	2018	2019	2020	TOTAL
Airport Improvements (5% City Share)	\$16,250	\$16,250	\$2,500	\$15,000	\$17,000	
TOTAL	\$16,250	\$16,250	\$2,500	\$15,000	\$17,000	\$67,000

<u>MECHANICS GARAGE</u>	2016	2017	2018	2019	2020	TOTAL
Used Sweeper			\$5,000			
Gas Pumps, Readers and Software		\$30,000				
Blade Sharpener	\$2,800					
Plasma Cutter					\$2,000	
Diagnostic Equipment		\$1,500	\$4,500	\$6,000		
TOTAL	\$2,800	\$31,500	\$9,500	\$6,000	\$2,000	\$51,800

MAINTENANCE & TRANSPORTATION

<u>STREET</u>	2016	2017	2018	2019	2020	TOTAL		
Street Maintenance (asphalt, striping, patching, etc.)	\$80,000	\$90,000	\$90,000	\$100,000	\$110,000			
Pavement Treatments (chip seals, overlays, surfacing, etc.)	\$93,000	\$125,000	\$150,000	\$151,500	\$153,000			
Concrete Projects	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000			
Main Street Traffic Signals		\$600,000						
Jefferson Street (Duke to Clark)			\$750,000					
Clark Street (Jefferson to Anderson)					\$200,000			
Anderson Street (Clark to Main)					\$350,000			
Walk Behind Paint Striper	\$15,000							
Vinyl Lettering Machine		\$6,000						
Snow Plow for Dump Truck	\$13,000		\$14,000					
Snow Box for Dump Truck	\$11,250	\$11,500		\$11,500	\$12,000			
Asphalt Router		\$10,000						
Storage Building/Sander Rack		\$10,000	\$25,000					
Snow Removal Dump Truck	\$6,000							
Asphalt Hotbox Reclaimer		\$25,000						
Loader Mounted Snow Plow		\$25,000						
	TOTAL	\$278,250	\$962,500	\$1,089,000	\$323,000	\$885,000	\$3,537,750	
							TOTAL MAINTENANCE & TRANSPORTATION	\$3,656,550

HUMAN DEVELOPMENT & LEISURE

Library, Armory, and Parks and Recreation

<u>LIBRARY</u>	2016	2017	2018	2019	2020	TOTAL
New Library Materials	\$95,000	\$97,000	\$99,000	\$101,000	\$103,000	
Expansion-Library Parking Lot				\$320,000		
TOTAL	\$95,000	\$97,000	\$99,000	\$421,000	\$103,000	\$815,000

<u>ARMORY</u>	2016	2017	2018	2019	2020	TOTAL
Outdoor Storage Shed		\$10,000				
TOTAL	\$0	\$10,000	\$0	\$0	\$0	\$10,000

HUMAN DEVELOPMENT & LEISURE

<u>PARKS AND RECREATION</u>	2016	2017	2018	2019	2020	TOTAL
Future Athletic Fields					\$500,000	
Softball Complex Lights					\$200,000	
Cotton Park Restroom		\$58,000				
South Barstow Park Restroom (skate park)				\$55,000		
West Barstow Park Restroom				\$60,000		
Lions Park East Softball Field Lights and Repairs	\$48,000					
Sand Pro Drag (Field Maintenance Machine)	\$18,000					
Bliss Park Development*	\$75,000					
Lions Park Campground Renovation				\$75,000		
ADA Update Prentis Playground			\$75,000			
Prentis Baseball Infield		\$20,000		\$30,000		
Scoreboards	\$9,000					
Prentis Park Basketball Court		\$75,000				
Prentis Park Parking Lot			\$450,000			
Prentis Park Pool	\$5,300,000					
Bike Path Repair, Phase 2	\$200,000					
TOTAL	\$5,650,000	\$153,000	\$525,000	\$220,000	\$700,000	\$7,248,000

*Estate Funded

TOTAL HUMAN DEVELOPMENT AND LEISURE \$8,073,000

UTILITIES

Electric, Water, Wastewater, and Solid Waste

<u>ELECTRIC</u>	2016	2017	2018	2019	2020	TOTAL
New Construction & Conversion	\$225,000	\$225,000	\$225,000	\$225,000	\$225,000	
AMI - Meter Disconnects & Billing		\$20,000	\$350,000	\$350,000		
One Vista Style Switch			\$35,000			
New Substation NE Side of Town		\$4,768,800				
Load Management Upgrade			\$220,800	\$220,800		
Street Lighting Upgrade	\$125,000	\$125,000	\$125,000	\$125,000		
Add Circuit C-5 (W. of Stanford, S. of Cherry St.)			\$257,000			
Trouble Spot Work System			\$100,000			
Building					\$1,300,000	
Main Street – Street Lights			\$250,000			
Robotic Total Station (Radio Control)		\$7,000				
	TOTAL	\$350,000	\$5,145,800	\$1,562,800	\$920,800	\$1,525,000

TOTAL ELECTRIC \$7,979,400

UTILITIES

<u>WATER TREATMENT</u>	2016	2017	2018	2019	2020	TOTAL
Replace Roof Membrane on original Water Treatment Plant				\$30,000		
Reservoir Painting (inside ceiling)		\$35,000				
Air-Wash System in Filters at Water Treatment Plant				\$50,000		
Robotic Total Station (Radio Control)		\$7,000				
West Broadway Water Main Replacement	\$30,000					
Carr Street Water Main Replacement		\$18,000				
Franklin Street Water Main Replacement	\$10,000					
Luxemburg Street Water Main Replacement	\$10,000					
Bloomington/Market: move 12" ROW			\$15,000			
Harvard Street Water Main Replacement					\$20,000	
West Clark Street (one block of main replacement)				\$10,000		
AMI – Meter Billing			\$135,000	\$135,000		
Replace Filter Media					\$50,000	
Walnut Street Water Main Replacement			\$20,000			
Dakota Street Raw Water Line Extension		\$75,000				
New Well	\$50,000					
New Water Meters	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	
New Fire Hydrants	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	
	TOTAL	\$145,000	\$180,000	\$215,000	\$270,000	\$115,000
					TOTAL WATER	\$925,000

<u>WASTEWATER COLLECTION</u>	2016	2017	2018	2019	2020	TOTAL	
Manhole Rehab	\$40,000	\$40,000	\$40,000	\$40,000	\$40,000		
Robotic Total Station (Radio Control)		\$7,000					
Recoat Lift Station #2	\$150,000						
Sanitary Sewer Slip Lining				\$425,000			
Prentis Lift Station Reconstruction		\$1,300,000					
NE Lift Station (if needed)					\$1,800,000		
Tom St. Improvements (if needed)					\$225,000		
	TOTAL	\$190,000	\$1,347,000	\$40,000	\$465,000	\$2,065,000	\$4,107,000
<u>WASTEWATER TREATMENT</u>	2016	2017	2018	2019	2020		
Replace Two Sludge Wasting Pumps		\$40,000					
Replace Waste Gas Flare		\$50,000					
Replace Aeration Basin Diffusers in Basin 3 and 4	\$5,000						
Replace 3 Windows in Control Building	\$4,000						
Replace Boiler/Heat Exchanger			\$563,000				
Plant Generator Replacement		\$125,000					
Nitrogen/Phosphorus Removal equipment					\$5,000,000		
Replace one of Three Screw Pumps (3 to 4 year project)		\$134,000		\$145,000			
	TOTAL	\$9,000	\$349,000	\$563,000	\$145,000	\$5,000,000	\$6,066,000
					TOTAL WASTEWATER	\$10,173,000	

<u>CURBSIDE RECYCLING</u>	2016	2017	2018	2019	2020	TOTAL
Hydraulic Trailer		\$40,000				
Ford F250 4x4 (2010)	\$36,000					
Recycling Bins			\$5,000			
TOTAL	\$36,000	\$40,000	\$5,000	\$0	\$0	\$81,000
<u>JOINT POWERS LANDFILL/RECYCLING</u>						
Replace 4x4 Pickup (2008)				\$40,000		
Replace 4x4 Pickup (2010)					\$39,000	
Replace 70' Scale				\$240,000		
Replace 621 Scraper			\$850,000			
Replace Freightliner FL80 Roll Off		\$145,000				
Replace/Add Roll Off Container	\$9,000				\$9,000	
Replace 938 Cat Loader			\$210,000			
Replace D6T Dozer with GPS		\$600,000				
Excavator	\$195,000					
Replace Ford Dump Truck				\$75,000		
Replace 914 Cat Loader (2012)					\$150,000	
Replace 140M AWD Cat (2012)				\$325,000		
Replace 906 Loader (2012)				\$98,000		
Equipment Rental	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	
Closure Cell 2/3 Testing/Planning		\$45,000				
Replace Ford 4X4 250 (2011)					\$39,000	
Replace Bobcat (Recycling)		\$42,000				
Replace Sort Line (Recycling)			\$80,000			
New Recycling Trailer		\$10,000			\$12,000	
Replace Forklift (Recycling)				\$30,000		
TOTAL	\$234,000	\$872,000	\$1,170,000	\$838,000	\$279,000	\$3,393,000
					TOTAL SOLID WASTE	\$3,474,000

SPECIAL FUNDS

<u>GOLF COURSE</u>	2016	2017	2018	2019	2020	TOTAL
Course Restroom			\$50,000			
Course Irrigation Update				\$25,000		
TOTAL	\$0	\$0	\$50,000	\$25,000	\$0	\$75,000

<u>STORMWATER</u>	2016	2017	2018	2019	2020	
Miscellaneous System Repairs	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	
Storm Drainage Study*	\$60,000					
Linden Ravine Project		\$200,000				
Erickson Pond Project			\$300,000			
Brooks Industrial Park Pond Project			\$400,000			
TOTAL	\$85,000	\$225,000	\$725,000	\$25,000	\$25,000	\$1,085,000

*Partial grant funding

TOTAL SPECIAL FUNDS \$1,160,000

Council Agenda Memo

From: Cole Bockelmann, Communications Intern

Meeting: May 2, 2016

Subject: Library Board Appointment

Presenter: Mayor Powell

Background: By State Statute, the City Council is charged with appointing members of the Library Board.

9-10-9. Officers and employees appointed by governing body--Others appointed by city manager. The auditor, attorney, library board of trustees, and the treasurer shall be appointed by the governing body and may be removed at any time by such governing body. The auditor and the treasurer shall each appoint all deputies and employees in his office. All other officers and employees, including all members of boards and commissions, except as otherwise provided by law, shall be appointed by the manager and may be removed by him.

The Board is comprised of five (5) citizens, appointed by the City Council, and one (1) member of the City Council. The board terms are for three (3) years and expire in May.

Discussion: The current members of the Library Board and term expiration year are: Jon Flanagin (2016), Carl Gutzman (2016), Daniel Burniston (2017), Diane Leja (2017), and Fern Kaufman (2018). The City Council member is appointed when City Council Committee assignments are made in July of even years. The current council member serving on the board is Kelsey Collier-Wise.

Jon Flanagin and Carl Gutzman have both expressed interest in serving another term on the Library Board. Five other residents of Vermillion have also submitted expression of interest forms for the Board. Copies of all seven Expression of Interest forms are included with the packet. The opening was advertised on the City website, at the Library, and during City Council meetings.

Financial Consideration: With the exception of the City Council representative, each member of the Library Board is paid \$15 per meeting.

Conclusion/Recommendations: Administration recommends appointing two individuals to serve three year terms on the Library Board.

**CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM**

Return completed forms to:
City of Vermillion, John Prescott
25 Center Street
Vermillion, SD 57069

Board/Commission on which you are interested in serving: Library Board

Title: Mr. Mrs./Miss/Ms. Dr. Name: Nick Severson

Home Address: 610 E Lewis St.

Email Address: nicholas.severson@coyotes.usd.edu Phone #: (605)464-7259

Number of years you have lived in/around Vermillion: 33

Occupation: student and researcher Employer: Center for Brain + Behavior Research - USD Med. School

Business Address: 414 E. Clark St., Vermillion, SD

Prior elected or appointed offices held (if any): None

Present and past community volunteer activities: Sharing the Dream in Guatemala, Community Garden,
+ Welcome Table

Why are you interested in serving on this Board/Commission? Having a vested interest in the community's well-being, I seek to ensure that the library continues to provide a variety of beneficial services for patrons of all ages.

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve? Being quite socialable, I interact with a wide variety of Vermillion's citizens, on a routine basis, and am in tune with what services are desired from the library. Besides having an ear for public opinion, as an avid reader and researcher, I keep my eyes open

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board/Commission? Primarily, I would seek for the library to continue providing excellent programming and services, and be prepared for future needs. Also, I would be open to public input, as well as, suggesting my own ideas, such as a tool library

Nick Severson
Signature

4/21/10
Date

for library programming in other communities that could be adopted in Vermillion (a service popular in other communities)

**CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM**

Return completed forms to:
City of Vermillion, John Prescott
25 Center Street
Vermillion, SD 57069

Board/Commission on which you are interested in serving: Library Board member

Title: Mr. (Mrs.)/Miss/Ms. Dr. Name: Carol Glass

Home Address: 322 S. Norbeck St. Vermillion, SD

Email Address: glass_carol@hotmail.com Phone #: 624-1935

Number of years you have lived in/around Vermillion: grew up here - left for 35 years;

Occupation: retired elem. Teacher Employer: my husband retired and we came back.

Business Address: (none) I taught in SD, Minn. & Neb.

Prior elected or appointed offices held (if any): I served on a library board

for 4 years - I was appointed. I was the secretary for 3 years.

Present and past community volunteer activities: Since returning I volunteer at

the Food Pantry, I represent DAR as a volunteer at the Civic

Council. I have done CCD Religion classes, Brownies, summer reading

programs and Veterans activities.

Why are you interested in serving on this Board/Commission? as well as church activities.

It is important that we continue to maintain the

excellent Library by knowing the trends (future) and continuing

to update and keep it relevant to our patrons.

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting

someone to serve? I can easily communicate with people and listen

to concerns they may have. As a former teacher I have

skills in many areas. I am still active at Jolley Elem. as a

constant substitute and that keeps me current with children's needs.

Are there any particular projects, programs or goals you would like to see achieved while serving on the

Board/Commission? I feel you have an excellent library and they

offer so many opportunities for the children as well as

adults and I would like to be a part of this

successful group.

Carol A. Glass

Signature

4-21-16

Date



CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM

Return completed forms to:
City of Vermillion, John Prescott
25 Center Street
Vermillion, SD 57069

Board/Commission on which you are interested in serving: Library Trustee

Title: (Mr.) Mrs./Miss/Ms. Dr. Name: Carl J. Gutzman

Home Address: 1140 Ridgcrest Dr. Vermillion, SD 57069

Email Address: cgutzman@gmail.com Phone #: 605 624 5404

Number of years you have lived in/around Vermillion: 17

Occupation: Human Resources Employer: USD

Business Address: 206 Stage Hall, USD, Vermillion, SD 57069

Prior elected or appointed offices held (if any): I have been serving on Vermillion Library Trustee Board for 12+ years.

Present and past community volunteer activities: Church, Leadership Vermillion, Toastmasters, Lions Club

Why are you interested in serving on this Board/Commission? I believe my years of human resources experience has been helpful to the Trustee Board when handling personnel issues.

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve? 17 years Human Resources Generalist,

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board/Commission? Continue to develop VPL staff leadership.

Carl J. Gutzman
Signature

21 June, 2016
Date



CITIZEN BOARD/COMMISSION EXPRESSION OF INTEREST FORM

Return completed forms to: City of Vermillion, John Prescott 25 Center Street Vermillion, SD 57069

Board/Commission on which you are interested in serving: Vermillion Library Board

Title: Mr. Mrs./Miss/Ms. Dr. Name: Gabrielle Strouse (but don't call me doctor)

Home Address: 315 S University St, Vermillion

Email Address: gabrielle.strouse@gmail.com Phone #: 605-202-0086

Number of years you have lived in/around Vermillion: 7 months

Occupation: Assistant Professor Employer: University of South Dakota

Business Address: 414 E Clark St, Vermillion

Prior elected or appointed offices held (if any):

Present and past community volunteer activities: I just moved to Vermillion from Toronto, where I volunteered as a union steward for the School of Education.

Why are you interested in serving on this Board/Commission? As a new member of the community I am looking for an opportunity to become actively involved. The library is a natural fit for me;

I have moved through a number of internships and podocs before settling here and

I always sign up for a library card my first day, before getting a driver's license or registering my car!

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting

someone to serve? I teach in the School of Education and my research area is in young

children's learning from books and other media. I have strong interest in developing

early literacy skills through parent-child book reading, and in determining how newer

tech like ebooks can be used in educational ways. I see this as an opportunity to combine my research

passion with community service. Are there any particular projects, programs or goals you would like to see achieved while serving on the

Board/Commission? The library has a large number of excellent links to online resources for elementary

school children and teens. I would like to see this expanded to include more high quality resources

for younger children, especially for parents of young children. I have a strong interest in supporting

the summer reading program, and educational programs for families.

Gabrielle Strouse Signature

3/23/16 Date



CITIZEN BOARD/COMMISSION EXPRESSION OF INTEREST FORM

Return completed forms to: City of Vermillion, John Prescott 25 Center Street Vermillion, SD 57069

Board/Commission on which you are interested in serving: Library

Title: Mr. Mrs./Miss/Ms. Dr. Name: Dennis Steffen

Home Address: 155 Sycamore Ave #19 Vermillion, SD 57069

Email Address: dennisbigd2006@yahoo.com Phone #: 605-760-3034

Number of years you have lived in/around Vermillion: Just moved here - from Wakonda

Occupation: Disability Employer: Looking for PT job

Business Address: Pres. SDHSA

Prior elected or appointed offices held (if any): Pres. Optimist Club x2, Pres. SDS 7SA,

Vice-Pres SDDMA, LT Gov- Optimist Club, Pres St/OPS, Sec-Opt, Vice-Pres CI

Present and past community volunteer activities: Food Bank/Missions, CMN, Church (many)

Cancer Society, Optimist, DMA, SDSFSA, Jmca, Diabetes Camps, NA etc, HS/ctw

Why are you interested in serving on this Board/Commission? Get involved in the Community and its a new Board to serve on.

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve? Organization of Conventions / Conferences, Food

Details / Cooking, Speaking, Management

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board/Commission? Having the Community engaged in programs

& events at the Library.

Signature [Handwritten Signature]

Date 4-1-16



CITIZEN BOARD/COMMISSION
EXPRESSION OF INTEREST FORM

Board/Commission on which you are interested in serving: Library Board

Title: Dr.

Name: Jon Flanagan

Home Address: 404 Cottage Avenue

Email Address: jtflanagan@usd.edu

Phone #: (605)624-8984

Number of years you have lived in/around Vermillion: 47

Occupation: retired Employer: _____

Business Address: _____

Prior elected or appointed offices held (if any): Library Board

Present and past community volunteer activities: Library Board, Vermillion Pistol Club

Why are you interested in serving on this Board/Commission: I'm proud of what we have accomplished so far, but I think that there's more to do, particularly in the area of community involvement

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve? I've served on the Board, I read, and I am a staunch supporter of libraries.

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board/Commission? We have done a good job in reaching out to the community and involving them in our diverse programming, but I would like to see this enlarged

Jon Flanagan
Signature

04-05-16
Date

Please return this form to: John Prescott, City Manager
25 Center Street
Vermillion, South Dakota 57069



CITIZEN BOARD/COMMISSION EXPRESSION OF INTEREST FORM

Return completed forms to: City of Vermillion, John Prescott 25 Center Street Vermillion, SD 57069

Board/Commission on which you are interested in serving: Library Board
Title: Mr. Mrs./Miss/Ms. Dr. Name: Martha Muellenberg
Home Address: 327 Prospect Street
Email Address: mwillharm@hotmail.com Phone #: 858-220-4361
Number of years you have lived in/around Vermillion: 11
Occupation: Adjunct Instructor Employer: USD & Morningside College
Business Address: 414 E. Clark Street Vermillion, SD 57069
Prior elected or appointed offices held (if any): -

Present and past community volunteer activities: My past experiences with service were related to my business in Vermillion & my teaching position at Dakota Valley. I also have volunteered at my church, St. Agnes.

Why are you interested in serving on this Board/Commission? My family & I have greatly benefitted from everything the library has to offer. My children love the storytime sessions & we are always so impressed with the level of service employees provide.

Do you have any unique skills or experiences which would be beneficial to the City to know in selecting someone to serve? I have 17 years of K-8 teaching experience and one year of experience teaching at the college level. I owned and operated my own business in downtown Vermillion for four years.

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board/Commission? I can't think of anything at this point in time.

Thank you for considering my application!!

Signature: Martha Muellenberg

Date: 4-18-16

Council Agenda Memo

From: John Prescott, City Manager

Meeting: May 2, 2016

Subject: AFSCME union agreement for Communications Center employees

Presenter: John Prescott

Background: AFSCME (B) represents employees in Telecommunications. Until July 2015 these employees were represented by the Teamsters union. The employees became affiliated with AFSCME in late 2015. The City of Vermillion Labor and Finance Committee met in 2015 and 2016 to review progress on negotiating the union agreement with the AFSCME. A number of negotiation items with this union were largely completed in late 2015 during negotiations with AFSCME on the agreement that covers general employees. A couple of outstanding items were not resolved. The Labor and Finance Committee provided guidance on completing both AFSCME union negotiations.

Discussion: City staff met with the AFSCME union representatives on several occasions in 2016 and reached agreement on a proposal within the guidelines established by the Labor and Finance Committee. The Labor and Finance Committee reported on the progress of negotiations and recommended approval of the agreement at the March 21, 2016 meeting. Nothing has changed since the March recommendation. AFSCME has been developing and proofing the final written agreement since the March meeting.

The agreements of both AFSCME unions are very similar with respect to the larger compensation package offered.

- The proposed agreement would run from January 1, 2016 until December 31, 2018.
- The proposal provides for a cost of living adjustment of 2.5% on January 1, 2016, 2.25% on January 1, 2017, and 2.25% on January 1, 2018.
- All employees will pay a \$30 monthly fee in addition to any health insurance premium for the type of health insurance coverage selected.

A more significant change with this agreement is development of a second payscale for telecommunications employees hired after January 1, 2016. New employees will have more paysteps to move through during their employment but the paysteps are not as far apart as the current payscale provides. A paystep 10 and 11 were added to the payscale for employees hired before January 1, 2016 but the percent difference of a pay increase with these two steps is not as large as with the first 10 paysteps.

The layout of the two AFSCME agreements is different as the AFSCME (B) agreement follows the same layout utilized by the Teamsters union as the members are familiar with the system. The telecommunications employees have some benefits unique to their line of work and the 24 hour nature of the Department which other AFSCME members don't receive. These benefits are not changing from what has been provided.

Financial Consideration: The 2016 budget has funding to provide the benefits called for in the agreement.

Conclusion/Recommendations: Administration recommends approval of the AFSCME agreement covering eligible employees of the Vermillion/Clay Area Emergency Services Communications Center.

Council Agenda Memo

From: Cole Bockelmann, Communications Intern
Meeting: May 2, 2016
Subject: DENR grant funding to remove tires at Joint Powers Landfill
Presenter: Bob Iverson, Solid Waste Manager

Background: The South Dakota Department of Environment & Natural Resources has contacted the Vermillion landfill about a grant to provide a free tire disposal program for Clay, Union, and Yankton counties. Area residents but not commercial contractors would be able to drop off tires at the landfill at no cost. The landfill would contract with a vendor to remove the tires. DENR would reimburse the landfill for tire disposal cost.

The City of Vermillion would administer the program in the coming months. A similar program was offered in 2010.

Discussion: In order to receive grant funding, the DENR has asked the City of Vermillion to adopt a resolution stating that they would comply with the rules and regulations of the grant. If formally offered and accepted, the grant would reimburse the landfill for 100% of the cost for tire removal.

Financial Consideration: None at this time.

Conclusion/Recommendations: Administration recommends adopting a resolution of support to participate in the DENR grant program to dispose of tires.

**RESOLUTION
SUPPORTING AN APPLICATION FOR A TIRE RECYCLING GRANT
BETWEEN THE CITY AND SOUTH DAKOTA DENR**

WHEREAS, the City of Vermillion wishes to provide an opportunity for the City of Vermillion, Clay County, and area residents to recycle tires; and,

WHEREAS, the South Dakota Department of Environment and Natural Resources may have grant funding available for tire recycling efforts in Clay, Yankton and Union Counties; and,

WHEREAS, the Vermillion landfill which is a joint venture of the Cities of Vermillion and Yankton and Counties of Clay and Yankton would be an ideal location to recycle tires for Clay, Yankton and Union counties; and,

WHEREAS, the DENR tire grant recycling program would provide an opportunity for residents of Clay, Yankton and Union counties to recycle tires at no cost for a limited period of time during 2016; and,

WHEREAS, the DENR grant would reimburse the City of Vermillion Joint Powers landfill for the costs to have a vendor remove the tires recycled by the residents.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion authorizes the tire recycling grant application and supports the South Dakota Department of Natural Resources efforts to encourage tire recycling and offers the Vermillion landfill as a potential collection site.

Dated at Vermillion, South Dakota this 2nd day of May 2016.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

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

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: May 2, 2016

Subject: Landfill Bale Bags

Presenter: Jose Dominguez

Background: The Solid Waste Department uses landfill bale bags in its daily operations at the landfill. The baler compresses the solid waste into bales and slides them into the bale bags before the baled waste is transported to the landfill cell. The bags are capable of containing up to 2,800 lbs of solid waste.

Discussion: Bidding is required by State law when the cost of the material exceeds \$25,000. The material was estimated to cost \$54,000.

Staff sent bids to three possible bidders that supply landfill baler bags. The City opened bids on April 21, 2016. One bid was received from Global Packaging Solutions. Their bid was for \$58,500.

Financial Consideration: The 2016 Joint Powers Landfill budget includes funding for the landfill bale bags.

Conclusion/Recommendations: Administration recommends purchasing the landfill bale bags from Global Packaging Solutions for \$58,500 and allowing Staff to issue a purchase order for the material.

CITY OF VERMILLION
 INVOICES PAYABLE-MAY 2, 2016

1 UNIVERSITY CLEANERS	REPAIRS	149.50
2 ALLEGIANT EMERGENCY SERVICES	MED SUPPLIES	660.00
3 AQUA-PURE INC	CHEMICALS	8,800.00
4 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	402.45
5 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	19.89
6 ARIZONA MANUFACTURING & EMBROIDERY	MERCHANDISE	104.70
7 AVERA OCCUPATIONAL MEDICINE	TESTING	488.50
8 BAKER & TAYLOR BOOKS	BOOKS	500.63
9 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	11,254.89
10 BEST WESTERN RAMKOTA INN	LODGING	87.99
11 BHS MARKETING, LLC	SODA ASH	13,645.72
12 BIRSCHBACH EQPT & SUPPLY	PARTS	273.55
13 BORDER STATES ELEC SUPPLY	SUPPLIES	1,419.19
14 BOUND TREE MEDICAL, LLC	SUPPLIES	800.49
15 BROADCASTER PRESS	ADVERTISING	132.00
16 BSN SPORTS INC	DELUXE DIAMOND TURF	2,134.99
17 BURNS & MCDONNELL	PROFESSIONAL SERVICES	1,723.00
18 BUSHNELL OUTDOOR PRODUCTS	MERCHANDISE	1,334.49
19 BUTLER MACHINERY CO.	PARTS	2,749.92
20 CALLAWAY GOLF	MERCHANDISE	390.36
21 CAMPBELL SUPPLY	SUPPLIES	1,350.91
22 CANFIELD BUSINESS INTERIOR	WORKSTATION PANELS	542.58
23 CASK & CORK	MERCHANDISE	1,936.75
24 CENTURY BUSINESS PRODUCTS	COPIER CONTRACT/COPIES	186.92
25 CENTURYLINK	TELEPHONE	744.19
26 CHESTERMAN CO	MERCHANDISE	358.50
27 CITY OF VERMILLION	COPIES/POSTAGE	1,421.14
28 CITY OF VERMILLION	UTILITY BILLS	36,407.67
29 CLASS C SOLUTIONS GROUP	SUPPLIES	97.02
30 CLAY-UNION ELECTRIC CORP	SPONSOR SHARE-BREAKFAST	116.17
31 COBRA PUMA GOLF, INC	MERCHANDISE	168.24
32 COLONIAL LIFE ACC INS.	INSURANCE	3,106.27
33 CONCRETE MATERIALS	SUPPLIES	801.31
34 CONFLUENCE	PROFESSIONAL SERVICES	2,572.73
35 CORY MOORE	SAFETY BOOTS REIMBURSEMENT	100.00
36 CREATIVE PRODUCT SOURCE, INC	SUPPLIES	432.23
37 CUSTOM CONVEYOR CORP.	PARTS	891.60
38 D-P TOOLS	SUPPLIES	23.72
39 DAKOTA BEVERAGE	MERCHANDISE	6,171.72
40 DAKOTA PC WAREHOUSE	MONITOR	199.99
41 DAKOTA RIGGERS & TOOL SUPPLY	SUPPLIES	34.43
42 DANKO EMERGENCY EQUIPMENT	SUPPLIES	3,057.76
43 DEADPERFECT	MERCHANDISE	474.66
44 DELTA DENTAL PLAN	INSURANCE	6,199.94
45 DENNIS MARTENS	MAINTENANCE	833.34
46 DEPT OF REVENUE	TESTING	515.00
47 DGR ENGINEERING	PROFESSIONAL SERVICES	6,267.00
48 DORSEY & WHITNEY	PROFESSIONAL SERVICES	10,000.00
49 DUST TEX	MAT SERVICE	80.00
50 E.A SWEEN COMPANY	SUPPLIES	210.31
51 EARTHGRAINS BAKING CO'S INC	SUPPLIES	100.23

52 ECHO ELECTRIC SUPPLY	SUPPLIES	1,847.22
53 EDC EDUCATIONAL SERVICES	BOOKS	280.53
54 ELECTRONIC ENGINEERING	SUPPLIES	128.00
55 EMBROIDERY & SCREEN WORKS	UNIFORM SHIRTS	2,847.85
56 EMERGENCY APPARATUS MAINTENANCE	REPAIRS	2,320.97
57 FARMER BROTHERS CO.	SUPPLIES	113.80
58 FASTENAL COMPANY	SUPPLIES	28.50
59 FEDEX.	SHIPPING	11.74
60 FIRST NATIONAL BANK	BOND TRUSTEE FEE	300.00
61 FOREMAN MEDIA	COUNCIL MTG	200.00
62 GALE	BOOKS	296.28
63 GRAYMONT CAPITAL INC	QUICKLIME	3,983.75
64 GREAT NORTHERN ENVIRONMENT	SUPPLIES	14,656.46
65 GREGG PETERS	ADVERTISING/FREIGHT	1,488.80
66 GREGG PETERS	RENT	937.50
67 HACH CO	SUPPLIES	1,048.00
68 HARLAND TECHNOLOGY SERVICE	PRINTER RIBBONS	123.25
69 HAUFF MID-AMERICA SPORTS	BACKSTOP PADDING	4,490.00
70 HD SUPPLY WATERWORKS	SUPPLIES	3,202.92
71 HELGET SAFETY SUPPLY, INC	GLOVES	155.66
72 HELMS & ASSOCIATES	PROFESSIONAL SERVICES	3,673.08
73 HERREN-SCHEMPP BUILDING	SUPPLIES	251.85
74 HY VEE FOOD STORE	SUPPLIES	221.70
75 INDEPENDENCE WASTE	WASTE HAULING/PORTABLE TOILET RENT	1,365.09
76 INGRAM	BOOKS	2,431.70
77 JACKS UNIFORM & EQPT	UNIFORMS	114.74
78 JAY'S PLUMBING	REPAIRS	299.96
79 JERRY'S CHEVROLET BUICK GM	REPAIRS	891.73
80 JOHN A CONKLING DIST.	MERCHANDISE	3,190.50
81 JOHNSON BROTHERS OF SD	MERCHANDISE	7,283.50
82 JONES FOOD CENTER	SUPPLIES	1,035.07
83 KARSTEN MFG CORP	MERCHANDISE	2,512.42
84 KEY CONTRACTING, INC	MANHOLE LINING	42,102.00
85 LAKESIDE EQUIPMENT	PARTS	3,166.00
86 LAWSON PRODUCTS INC	SUPPLIES	253.67
87 LAYNES WORLD	PLAQUES	134.34
88 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	392.70
89 LEOS LOUNGE	MEALS	249.00
90 LFS	REPAIRS	2,895.57
91 LOCATORS AND SUPPLIES, INC	WIRE FLAGS	97.41
92 MALLOY ELECTRIC	PARTS	5,021.85
93 MARK MILBRODT	SAFETY BOOTS REIMBURSEMENT	100.00
94 MART AUTO BODY	TOWING	150.00
95 MATHESON TRI-GAS, INC	SUPPLIES	489.49
96 MATTHEW BENDER & CO, INC	BOOKS	46.44
97 MATTHEW BETZEN	MEALS REIMBURSEMENT	70.00
98 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,188.00
99 MED-MEDIA	MAINTENANCE/LICENSE	255.00
100 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	240.77
101 MEDICO LIFE & HEALTH INSURANCE	INSURANCE	461.07
102 MENARDS	STORAGE RACKS	179.97
103 MICRO MARKETING LLC	BOOKS	143.96
104 MID-AMERICAN RESEARCH CHEMICAL	SUPPLIES	407.10
105 MIDWEST ALARM CO	ALARM MONITORING	132.00
106 MIDWEST BUILDING MAINTENANCE	MAT SVC	653.55

107	MIDWEST TURF & IRRIGATION	PARTS	4,541.64
108	MINITEX LIBRARY	SUPPLIES	161.00
109	MINN MUNICIPAL UTILITY ASSOCIATION	ONLINE TESTING	6,115.00
110	MISSOURI RIVER ENERGY SERVICE	EDUCATIONAL SCHOOL KITS	244.32
111	MISSOURI VALLEY MAINTENANCE	REPAIRS	1,051.18
112	MOORE WELDING & MFG	SUPPLIES	146.00
113	McLAURY ENGINEERING	PROFESSIONAL SERVICES	1,400.00
114	NCL OF WISCONSIN, INC	SUPPLIES	2,344.69
115	NETSYS+	PROFESSIONAL SERVICES/SYMANTEC PROTECTION	593.00
116	NEW YORK LIFE	INSURANCE	84.02
117	NORTHERN SAFETY CO. INC	SUPPLIES	228.54
118	NORTHERN TRUCK EQPT CORP	PARTS	355.70
119	O'REILLY AUTO PARTS	SUPPLIES	19.99
120	OFFICE SYSTEMS CO	COPIER CONTRACT/COPIES	457.11
121	OKOBOJI WINES-SD	MERCHANDISE	657.00
122	OLSON MEDICAL CLINIC	PRE-EMPLOYMENT EXAM	202.00
123	OVERHEAD DOOR OF SIOUX CITY	REPAIRS	205.00
124	PAUL CONWAY SHIELDS	SUPPLIES	128.44
125	PCC, INC	COMMISSION	2,892.93
126	PEOPLEFACTS, LLC	SUPPLIES	26.50
127	POMPS TIRE SERVICE, INC.	REPAIRS	1,392.10
128	PRAIRIE BERRY WINERY	MERCHANDISE	696.50
129	PRESSING MATTERS	NOTARY STAMP	31.00
130	PRESTO-X-COMPANY	INSPECTION/TREATMENT	51.36
131	PRINT SOURCE	SUPPLIES	92.00
132	QUEEN CITY WHOLESALE	MERCHANDISE	222.45
133	QUILL	SUPPLIES	97.53
134	RACOM CORPORATION	MAINTENANCE	447.85
135	RADIANT HEAT, INC	REPAIRS	3,965.25
136	RANDY ISAACSON	SAFETY GLASSES REIMBURSEMENT	150.00
137	RECORDED BOOKS, INC	BOOKS	260.20
138	RECOVERY SYSTEMS CO, INC	PRESSURE GAUGE	114.71
139	REINHART FOODSERVICE, LLC	SUPPLIES	623.53
140	REPUBLIC NATIONAL DIST	MERCHANDISE	4,153.33
141	RESCO	SUPPLIES	252.00
142	RI-TECH INDUSTRIAL PRODUCT	SUPPLIES	220.00
143	RICHARD DRAPER	REIMBURSEMENT FOR BACKPACKS	119.64
144	SANFORD CLINIC VERMILLION	SUPPLIES	272.69
145	SANFORD HEALTH PLAN	PARTICIPATION FEES	60.00
146	SANITATION PRODUCTS	STREET SWEEPER	178,803.00
147	SCHAEFFER MFG. CO	SUPPLIES	1,082.41
148	SD ELECTRICAL COMMISSION	WIRING PERMITS	310.00
149	SD FEDERAL PROPERTY AGENCY	FORKLIFT	3,500.00
150	SD GOVERNMENTAL FINANCE OFFICERS ASSOC	REGISTRATION	150.00
151	SD LOTTERY	LICENSE RENEWAL	100.00
152	SD ONE CALL	ONE CALL LOCATES	175.35
153	SD RETIREMENT SYSTEM	CONTRIBUTIONS	49,949.07
154	SDN COMMUNICATIONS	PROFESSIONAL SERVICES	1,376.92
155	SECURITY SHREDDING SERVICE	SHREDDING CONTAINERS	35.00
156	SEH, INC	PROFESSIONAL SERVICES	6,582.60
157	SERVALL TOWEL & LINEN	SHOP TOWELS	73.50
158	STANGER LITHO GRAPHICS	SUPPLIES	162.00
159	STERN OIL CO.	OIL	619.44
160	STEWART OIL-TIRE CO	REPAIRS	494.85
161	STOREY KENWORTHY/MATT PARROT	SUPPLIES	642.52

162 STRYKER SALES CORPORATION	SUPPLIES	281.64
163 STUART C. IRBY CO.	LED LIGHTS/FIXTURES	125,874.85
164 STURDEVANTS AUTO PARTS	PARTS	2,458.67
165 SUBWAY	MEALS	34.00
166 SUNDOG EYEWEAR	MERCHANDISE	697.48
167 TAPCO	MAINTENANCE	142.50
168 TAYLOR MADE	MERCHANDISE	137.49
169 THE EQUALIZER	ADVERTISING	116.00
170 THE GROWLER STATION, INC	FEE/MAINTENANCE PROGRAM	749.97
171 THE WALKING BILLBOARD	UNIFORMS	99.00
172 TIGERT ART GALLERY	FRAMING	366.00
173 TITAN MACHINE-PRODUCTIVITY	SUPPLIES	2,246.56
174 TITLEIST DRAWER CS	MERCHANDISE	2,167.96
175 TRI-B-TRIM SHOP	REPAIRS	250.00
176 TRUE VALUE	SUPPLIES	604.47
177 TYLER TECHNOLOGIES	MAINTENANCE	4,505.09
178 UNITED WAY	CONTRIBUTIONS	557.70
179 US GOLF ASSOCIATION	MEMBERSHIP	110.00
180 USA BLUEBOOK	PARTS	748.15
181 VAN DIEST SUPPLY CO	SUPPLIES	6,146.60
182 VAST BROADBAND	911 CIRCUIT/DIALUP SERVICE	1,415.45
183 VERIZON WIRELESS	CELL PHONES/TABLET ACCESS	2,438.51
184 VERMEER HIGH PLAINS	SUPPLIES	99.16
185 VERMILLION ACE HARDWARE	SUPPLIES	2,155.48
186 VERMILLION CHAMBER AND DEVELOPMENT CO	BID #1 PROMOTION	8,273.90
187 VERMILLION FORD	PARTS	122.22
188 VERMILLION HOUSING AUTHORITY	SUPPORT	1,541.00
189 VERMILLION ROTARY CLUB	DUES/MEALS	134.25
190 VGSA	REGISTRATION	229.00
191 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	7,714.98
192 WAL-MART COMMUNITY	SUPPLIES	1,090.76
193 WALT'S HOMESTYLE FOODS, INC	SUPPLIES	145.60
194 WESCO DISTRIBUTION, INC	PARTS	6,327.82
195 WEXFORD FULFILLMENT SOLUTION	MERCHANDISE	887.08
196 WIGMAN CO	SUPPLIES	360.17
197 WILLSON FLORIST	BLOOMING PLANT	40.00
198 YANKTON AREA EMS ASSOCIATION	REGISTRATION	125.00
199 YANKTON FIRE & SAFETY	REPAIRS	77.00
200 YANKTON JANITORIAL SUPPLY	SUPPLIES	195.50
201 ZEE MEDICAL SERVICE	SUPPLIES	324.30
202 ZIMCO SUPPLY CO	SUPPLIES	8,958.94
203 ZUERCHER TECHNOLOGIES LLC	SUPPORT/MAINTENANCE	1,260.00
204 JUDY SULLIVAN	BRIGHT ENERGY REBATE	24.00
205 MIKE PAULSON	BRIGHT ENERGY REBATE	9.00
	GRAND TOTAL	724,413.16

*Cleo J. Erickson
833 Valley View Dr.
Vermillion, SD 657069*

April 22, 2016

Mr. John Prescott, City Manager
25 Center Street
Vermillion, SD 57069

Dear Mr. Prescott:

Usually when I watch the City Council Meeting, it only takes about half an hour and it is over without much discussion.

I found the meeting this past Monday night to be one of the more interesting meetings that I have watched in a long time. In fact, it was quite entertaining to find that so much time has been spent on trying to decide if a few people in Vermillion should have four chickens in their back yard. I realize that much time has been spent on trying to get this resolved but it seems strange that it has to take so much of the time of Council members. I have a friend whose grandfather lived on High Street in the 1930's and he had chickens in his back yard. Sometime a short time later, he was told he could no longer have chickens in the city limits. It is hard for me to believe that there are people now that wish to pursue this again. I can see problems that would arise if an animal would get into the chicken pen and kill some of the chickens. My personal feeling is that chickens belong out of town on a farm or acreage. It seems that the time that the Council has to spend on this issue might be more useful to talk about the improvements of streets, sidewalks or other needs in our city.

Vermillion is a great city to call home. I thank you, our Mayor and all the Council members for their many hours that they give to keep our city like it is today. The article in our local paper which came today is a perfect example of the planning for the future of our citizens. I would be pleased if you would share my letter with the Council members. Thank you again for letting me share my thoughts.

Sincerely,



Cleo J. Erickson



RAFFLE AND LOTTERY NOTIFICATION FORM

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

- 1. Organization sponsoring raffle/lottery: USD Civil Service Advisory Council
- 2. Person to contact: Valarie Hower
- 3. Phone number: 605-658-6308 4. Email address: vhower@usd.edu
- 6. Date(s) ticket(s) will be sold: May 17, 2016
- 7. Cost per ticket(s): \$1 for 1 ticket or \$5 for 6 tickets
- 8. Date(s) drawing(s) will be held: May ²⁵~~17~~, 2016
- 9. Who is eligible to purchase ticket(s)? Anyone
- 10. Will prize winner(s) be selected at random? Yes No
- 11. Description and approximate value of grand prize:
Estimate \$100 cash
- 12. What will the proceeds be used for?
Scholarships and donations

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

The USD Civil Service Advisory Council will be hosting our annual Spring Meeting on May 17, 2016. It will be held a he USD Muenster Ballroom at 11:00 AM. All staff level employees of he University are invited to come and hear updates from around campus. We will be taking food/monetary donations for the food pantry. The 50/50 cash drawing is \$1 for 1 ticket or \$5 for 6 tickets. The name drawn will get half the cash and the other half goes into the USD CSAC Scholarship Fund. We give out 4 USD Scholarships each spring. The estimated dollar amount collected at the 50/50 will be \$100-200 with those funds split between the winner and the scholarship fund. It has always been a fun event and helps benefit our scholarship fund.

Valarie Hower

Applicant's Signature

3-10-16

Date

APPROVED BY:

John Presert

City Manager

3-10-16

Date