



**Special Meeting Agenda
City Council**

12:00 p.m. (noon) Special Meeting
Monday, April 6, 2015
Large Conference Room-City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – DENR Secretary’s Award for Drinking Water Excellence.**
3. **Informational Session – Overview of Storm Drainage criteria – Jose Dominguez.**
4. **Informational Session – Prentis Park pool plan design – Jim Goblirsch.**
5. **Briefing on the April 6, 2015 City Council Regular Meeting Agenda** - Briefings are intended to be informational only and no deliberation or decision will occur on this item.
6. **Adjourn**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, April 6, 2015
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. Roll Call

2. Pledge of Allegiance

3. Minutes

- a. March 16, 2015 Special Session; March 16, 2015 Regular Session.

4. Adoption of the Agenda

5. Visitors To Be Heard

- a. Ratingen Week in Vermillion.
- b. National Poetry Month Proclamation.
- c. CASA program in Clay County.

6. Public Hearings

7. Old Business

- a. Second Reading of Ordinance 1326 creating a requirement for Day Care businesses to register, adding certain health and safety requirements, and adding Title XI Business Regulations, Chapter 121.

8. New Business

- a. Referendum petition received for Ordinance 1325 – Malt Beverage markup.
- b. Request to extend platting time requirement for Outlot A, Smith-Quam Addition.
- c. Resolution of sponsorship for Coyoteopoly – South Dakota Shakespeare Festival.
- d. Request from Coyoteopoly – Shakespeare Festival to close E. Main Street from Plum Street through the Walker Street intersection during the performances on June 11-14 and limit E. Main Street parking.
- e. Permit for consumption of alcohol in the Café Brule Furniture Zone Use permit area (Market Street sidewalk as it abuts the building at 24 W. Main).
- f. First Reading of Ordinance 1327 amending Chapter 118.16 (F) to expand hours of operation for the sale and consumption of alcoholic beverages in the furniture zone.
- g. Engineering agreement with Banner Associates for Prentis Avenue lift station assessment.
- h. Grant funding agreement with Vermillion Basin Water Development District.
- i. Declare Zoll E-Series Cardiac monitors and battery charger surplus property to be sold by sealed bids.
- j. Tractor lease for Street and Solid Waste Departments with Fred Haar Company.
- k. Resolution adopting the City of Vermillion's Storm Drainage Design Criteria.
- l. 2015 – 2019 Capital Improvement Plan.

9. Bid Openings

- a. Market Street water tower demolition.
- b. Sale of a surplus golf course utility vehicle.
- c. Three phase electric transformers.
- d. Fuel Quotes.

10. City Manager's Report

11. Invoices Payable

12. Consensus Agenda

- a. Set a bid opening date of April 15, 2015 for the 2015 Cottage Avenue water reconstruction project.
- b. Set a public hearing date of April 20, 2015 for a special permit to exceed permissible sound levels by no more than 50% for Coyoteopoly and South Dakota Shakespeare Festival in the band shell area of Prentis Park from June 8 through June 14, 2015 from 6:00 p.m. to 10:00 p.m. for Shakespeare festival performances.
- c. Set of public hearing date of April 20, 2015 for a special daily malt beverage and wine license for the Clay County Agricultural Fair Association, Inc on or about May 1, 2015 at the Clay County Fairgrounds west arena.
- d. Set a bid opening date of 2:00 p.m. April 30, 2015 for sale of surplus cardiac monitors and battery charger.
- e. Set a public hearing date of April 20, 2015 for a special permit to exceed permissible sound levels by no more than 50% for Vermillion Area Chamber of Commerce and Development Company on Ratingen Platz and half block of Market Street south of Main Street on April 23, July 9, July 23, August 6, August 20, September 3, September 10 and September 17 from 5:30 p.m. to 8:00 p.m. for Earth Day Activities and Thursdays on the Platz.
- f. Set of public hearing date of April 20, 2015 for a special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on Ratingen Platz and half block of Market Street south of Main Street on April 23, July 9, July 23, August 6, August 20, September 3, September 10 and September 17 from 5:30 p.m. to 8:00 p.m. for Thursdays on the Platz.
- g. Set a public hearing date of April 20, 2015 for a retail on-off sale malt beverage license with video lottery for Bunyan's LLC for Bunyan's at 1201 West Main Suite 106 for July 1, 2015 to June 30, 2016.

13. Adjourn

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

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

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

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

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

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, Monday 16, 2015 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Price, Ward, Willson (arrived at 12:04 p.m.), Mayor Powell

Absent: Holly Meins

2. Informational Session - Capital Improvement Plan - John Prescott

John Prescott, City Manager, reported that a capital improvement plan has been presented to the City Council in the spring of each year to inform the City Council of projects that city departments have planned for 2015 to 2019.

Alderman Willson arrived at 12:04.

John reviewed the proposed capital improvement plan for each city department. John and department heads answered questions of the City Council on the capital improvement plan items. John stated that the capital improvement plan will serve as a planning tool to assist the City Council with the budget later this year. Discussion continued on the capital improvement plan items.

3. Briefing on the March 16, 2015 City Council Regular Meeting

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

4. Adjourn

74-15

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

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

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____

John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
March 16, 2015
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on March 16, 2015 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of March 2, 2015 Special Session; March 2, 2015 Regular Session

75-15

Alderman Willson moved approval of the March 2, 2015 Special Session; March 2, 2015 Regular Session minutes. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

76-15

Alderman Collier-Wise moved approval of the agenda with the removal of "at Barstow Park" from item 8.A. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard - None

6. Public Hearings

A. Special daily malt beverage and wine license for the Vermillion Chamber of Commerce and Development Company on or about March 17, 2015 at 1012 Princeton Street

Mike Carlson, Finance Officer, reported that an application was received for a special daily malt beverage and wine license from the Vermillion Chamber of Commerce and Development Company for their annual banquet event on March 17, 2015 at 1012 Princeton Street. Mike stated that the notice of hearing and Police Chief's report are included in the packet.

77-15

Alderman Erickson moved approval of the special daily malt beverage and wine license for the Vermillion Chamber of Commerce and Development Company on or about March 17, 2015 at 1012 Princeton Street. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Fireworks public display permit for April 18, 2015 requested by Dakotathon

Mike Carlson, Finance Officer, reported that a fireworks public display permit was received for the Dakotathon event. Marcus Mahlen with Dakotathon (formerly Dance Marathon) is requesting City Council approval for a fireworks display to be held on Saturday, April 18, 2015. The display is planned to begin at about 9:15 p.m. and would be discharged from the field south of Polaris and west of Carr Street. Tom Taylor and James Taylor will be conducting the show. The event has had a permit in previous years but the location of the fireworks display was at the high school. Mike stated that a copy of the permit application, site plan and diagram are included in the packet. Mike noted that the Fire Chief has reviewed and approved the permit location. Marcus Mahlen, representing Dakotathon stated that this is the same event that was previously held at the high school for years but due to scheduling conflict was moved.

78-15

Alderman Collier-Wise moved approval of the fireworks public display permit for the Dakotathon event on April 18, 2015 at about 9:15 p.m.

for the field south of Polaris and west of Carr Street. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Fireworks public display permit for the 4th of July for the Vermillion Chamber of Commerce

Mike Carlson, Finance Officer, reported that a fireworks public display permit was received for the Vermillion Chamber of Commerce 4th of July event. Mike stated that the Vermillion Chamber of Commerce is requesting City Council approval for a fireworks display to be held on Saturday, July 4, 2015. The display is planned to begin at about 10:00 p.m. and would be discharged from the field south of Polaris and west of Carr Street. Tom Taylor and James Taylor will be conducting the show. The event is in the same location as last year. Mike stated that a copy of the permit application, site plan and diagram are included in the packet. Mike noted that the Fire Chief has reviewed and approved the permit location.

79-15

Alderman Clarene Meins moved approval of the fireworks public display permit for the Vermillion Chamber of Commerce 4th of July event at about 10:00 p.m. for the field south of Polaris and west of Carr Street. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. First Reading of Ordinance 1326 creating a requirement for Day Care businesses to register, adding certain health and safety requirements, and adding Title XI Business Regulations, Chapter 121

John Prescott, City Manager, reported that, during the 2015 budget review sessions, the City Council posed a question about the location of daycare facilities in the community. John stated that it was noted at the time that the City did not have regulations pertaining to daycare facilities. John noted that City staff was asked to look into the matter and report back to the City Council. John stated that at the November 3, 2014 Noon meeting City staff presented a list of what some other South Dakota communities have in their daycare regulations and a draft ordinance. John stated at that time City Council reviewed the information and directed staff to contact some daycare providers to gather feedback. John stated that staff worked to compile a list of providers, sent the information previously provided to the Council, and asked for comments to be returned in December. John stated that several comments were received and provided to the City Council. John stated that Daycare providers were invited to a meeting on January 27, 2015 where staff

explained the proposal and received additional feedback. John stated that the same presentation was made at the Noon Council meeting on February 2, 2015. John stated that a Special City Council meeting was held on February 23, 2015 with the daycare providers to review the proposed ordinance section by section. John stated that all of the providers that the City knows of were mailed a copy of the attached ordinance last week and at the time of packet preparation, no comments have been received since the February 23rd meeting. John reviewed the requirements of the proposed ordinance noting that it would require registration by July 1, 2015 and the inspection will be waived until the June 30, 2016 renewal. John reviewed the requirements for exemption from fencing and noted if adopted a packet of information will be prepared to assist daycare providers in the registration process.

Brandon Wiemers, 855 Eastgate, asked if daycare providers are required to complete the registration or if it is optional. Brandon stated that the registration and inspection are not needed as parents inspect their daycare providers before and during the use. Brandon stated that the City is over stepping its governmental powers by requiring the registration. Brandon questioned why the City would want to take on the liability by requiring registration and inspection and also noted that the registration process in Sioux Falls did not disclose the daycare provider was a drug dealer. Brandon stated that the registration and inspection will not make the daycare providers any safer.

Discussion followed on the proposed ordinance as it applies to registration and inspection noting the need to know the location of daycare providers. Upon request, Jim McCulloch, City Attorney, stated that the city would not have any liability as part of the registration and inspection process. Discussion continues on the registration.

80-15

Mayor Powell read the title to the above mentioned Ordinance and Alderman Willson moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1326 entitled An Ordinance Amending Title XI, Adding Chapter 121, Day Care, to the 2008 Revised Ordinances of the City Of Vermillion, South Dakota, Creating a Requirement for Daycare Businesses to Register with the City Of Vermillion and Providing for Certain Health And Safety Requirements of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the

Governing Body of the City on this 16th day of March, 2015 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Collier-Wise. After discussion, the question of adoption of the Resolution was put to a roll call and the members voted as follows: Collier-Wise-Y, Erickson-N, Holland-Y, Clarene Meins-Y, Holly Meins-N, Price-Y, Ward-Y, Willson-Y, Mayor Powell-Y

Motion carried 7 to 2. Mayor Powell declared that the Ordinance has been adopted

D. Permit for Consumption on portion of Kidder Street on March 28, 2015 for Old Lumber Company, Inc.

Mike Carlson, Finance Officer, reported that Chad Grunewaldt owner of Old Lumber Company Grill and Bar submitted a request for a permit for consumption on Kidder Street from Court Street west to the alley on Saturday, March 28th from 4:00 p.m. to 6:00 p.m. Mike noted that Law Enforcement Torch Run and Special Olympics of South Dakota have previously requested the street closing for the Polar Plunge event that has been previously held at the high school. Mike noted that state statute provides for the permit and the City Council can include conditions to the permit such as requiring a release and indemnification, fencing, clean up and set the times that consumption will be allowed. Mike noted that when the liquor and malt beverage licenses were renewed for the Old Lumber Company that they were restricted to the interior of the building on the location. Mike stated that if the permit is approved the motion should include a suspension of the restriction of the requirement for consumption only on the interior of the structure for this event. Mike noted that Chad is present to answer questions.

Chad Grunewaldt, Owner of Old Lumber Company, stated that he has done several events where the consumption but not sale was allowed on a portion of Kidder Street. Chad stated that as the event starts at 4:00 p.m. he would like to allow the consumption in this area to start at 3:00 p.m. Chad stated that wrist bands would be used to determine who is of age to consume in this location. Chad stated that he did not want to fence the area due to the amount of time required to set up and tear down of the fence for an event that is going to be only a few hours long. Chad answered questions of the City Council on the event noting that this is the first time the event is being held downtown in an attempt to increase participation. Discussion followed with Chad stating that he would

be willing to work with the City to allow the consumption in a designated area.

81-15

Alderman Ward moved approval of suspension of the restriction of the requirement for consumption only on the interior of the structure for this event and authorizes the permit for consumption of alcohol in a designated area on Kidder Street from Court Street west to the east side of the alley from 3:00 p.m. to 6:00 p.m. on Saturday, March 28, 2015 for Old Lumber Company, Inc. if the owner complies with the conditions: a) That a Release and Indemnification to hold the City harmless from claims during the event be provided, b) the application provides for the cleanup and disposal of materials after the event c) the applicant work with City staff for designation of boundaries for the consumption area, as well as a plan to monitor the this area to ensure that those under the age of 21 are not allowed to consume. Alderman Collier-Wise seconded the motion. Discussion followed. Motion carried 8 to 1. Mayor Powell declared the motion adopted.

E. Request by the VCDC to retain Riverbend lot sale proceeds

Nate Welch, Executive Director of the VCDC, stated that he had submitted a letter requesting that the VCDC be allowed to retain the proceeds from the sale of lots 6 & 7 Block 7 and lot 5 Block 8 to be reinvested into further economic development efforts.

82-15

Alderman Holland moved approval of the VCDC request to retain sales proceeds from lots 6 & 7 Block 7 and lot 5 Block 8 to be reinvested into further economic development efforts. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. Certificate of Acceptance - Landfill Cell #5

Jose Dominguez, City Engineer, reported that in 2011 the City Council approved a grant/loan package with the State for the landfill leachate pond, leachate collection system and construction of cell #5. Jose noted that construction of the leachate pond and collection systems were completed last year and the final payment on cell #5 will be approved with tonight's invoices. Jose stated that one of the requirements of the grant/loan package is that the City certify acceptance of the completed project. Jose recommended approval of the Certificate of Acceptance of Landfill Cell #5.

83-15

Alderman Collier-Wise moved approval of the Certificate of Acceptance for Landfill Cell #5 as required by the South Dakota Department of Environment and Natural Resources and authorized the Mayor to sign. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

G. Wastewater sludge removal contract

Jason Anderson, Assistance City Engineer, reported that the City has contracted with Dakota Rock Farms for the removal of the wastewater sludge from the storage lagoons at the Wastewater Treatment Plant and applied the sludge to nearby agricultural land. In 2012 quotes were received for a three year contract with the most recent contract for \$0.02896/gallon which resulted in a 2014 cost of \$12,279.04. Dakota Rock Farms is proposing a three year annual renewal contract for \$0.0295/gallon or a five year annual renewal contract at \$0.0285/gallon. Jason noted that each contract has an annual renewal options that would allow the city to terminate if the contractor is not fulfilling the terms of the contract. Jason stated that City staff is satisfied with the work of Dakota Rock Farms and would recommend the five year annual renewal contract. Discussion followed.

84-15

Alderman Willson moved approval of the wastewater sludge contract with Dakota Rock Farms for a five year agreement with annual renewal options at \$0.0285/gallon. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

H. Resolution authorizing the purchase of a Street Dept. snow blower

Jason Anderson, Assistant City Engineer, reported that the 2015 equipment replacement fund budget included the replacement of the 1995 snow blower. Jason stated that the Street Department Staff has reviewed many different units from different companies and has determined that the Teamco Snow Blast M9000HD best meets their needs. Jason stated that Minnesota's Cooperative Purchasing Venture has bid this machine and the dealer, Titan Machinery, Inc, has agreed to sell a machine at the bid price with options for \$114,197. Jason recommended approval of the resolution to authorize the purchase from the Minnesota Cooperative Purchasing Venture bid. Discussion followed.

85-15

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

RESOLUTION
AUTHORIZING THE PURCHASE OF A
STREET DEPARTMENT SNOW BLOWER

WHEREAS, SDCL 5-18A-37 authorizes a governmental entity to enter into agreements with purchasing agents in any other state for purchases under a joint agreement or contract at the accepted bid price and the concurrence of said bidder; and

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the Cooperative Purchasing Venture of the State of Minnesota for a snow blower from the Teamco, Inc. participating distributor, Titan Machinery, Inc., for the total amount of \$114,197 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Titan Machinery, Inc. and they have agreed to allow the City to purchase a snow blower for the contract price and terms as awarded by the Cooperative Purchasing Venture.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase a new 2015 SnowBlast M9000HD snow blower unit from Titan Machinery, Inc. of Sioux Falls, South Dakota at the above stated price and under the same terms as the Cooperative Purchasing Venture contract.

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

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

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Holland. 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.

I. Reappraisal of surplus golf course utility vehicle

Jason Anderson, Assistant City Engineer, reported that the City Council declared the 2005 Toro Workman golf course utility vehicle

surplus in January 2014 and the Surplus Property Committee appraised the value at \$6,000. Jason reported that when bids were opened in March 2014 no bids were received. Jason noted at that time it was decided to keep the utility vehicle one more year. Jason said the new utility vehicle has been received and he would like to have the Surplus Property Committee reappraise the 2005 utility vehicle for sale by sealed bids.

86-15

Alderman Willson moved approval to authorize the Surplus Property Appraisal Committee to reappraise the 2005 Toro Workman golf course utility vehicle to be sold by sealed bids. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

J. Appointment to the Consolidated Board of Equalization

Mike Carlson, Finance Officer, reported that, as part of the Consolidated Board of Equalization agreement between the County, City and School, the City needs to appoint three members to serve on the Consolidated Board of Equalization that will meet April 7th and, if needed, another day later in April. The appointment should include that the remaining Council members will serve as alternates if one of the members is unable to serve. Discussion followed with Alderman Holland, Price and Ward volunteering to serve.

87-15

Alderman Erickson moved approval of the appointment of Alderman Holland, Price and Ward to serve as the City representatives on the Consolidated Board of Equalization with the remaining members to serve as alternates. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Council Mayor Powell declared the motion adopted.

K. Resolution adopting the City of Vermillion's Storm Water Management Program

Jose Dominguez, City Engineer, reported that, as part of the 1990 Clean Water Act, the City is required to comply with the requirements set in the National Pollutant Discharge Elimination System (NPDES). He noted that the Clean Water Act and the NPDES goals are to reduce or eliminate the amount of pollutants and sediments entering our waters. Jose stated that one of the requirements is that the City needs to adopt a Storm Water Management Program (SWMP). Jose stated that the SWMP was presented at the March 2nd noon City Council meeting for discussion. Jose stated that the SWMP delineates the steps that the City will take to

achieve the goal of reducing or eliminating pollutants and sediments from entering the Vermillion River. He reported that the SWMP will consist of six required control measures. These measures are: public education and outreach, public participation and involvement, illicit discharge detection and elimination, construction site storm water runoff control, post-construction storm water management, and pollution prevention for municipal operations. Jose stated that the SWMP will also have a list of departmental responsibilities along with a schedule that will require the City to create items necessary to implement the control measure, and also to adopt ordinances, or resolutions, to better enforce the ultimate goal of mitigating pollution. Jose recommended adoption of the resolution to adopt the storm water management program. Discussion followed.

88-15

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

RESOLUTION ADOPTING A STORM WATER MANAGEMENT PROGRAM

WHEREAS, the federal Clean Water Act was amended by the United States Environmental Protection Agency in 1987; and,

WHEREAS, this amendment created a phased approach requiring that cities with a separate storm sewer system reduce the amount of pollutants and sediments entering our waters; and,

WHEREAS, in 1999 the City was required by the EPA to start adopting measures to reduce, or eliminate, the amount of pollutants and sediments entering the Vermillion River; and,

Water WHEREAS, part of the requirement is that the City has a Storm Management Program that delineates how the City will be achieving the goal of reducing, or eliminating, the pollutants and sediments entering the Vermillion River.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota that the City adopts as policy the City of Vermillion's Storm Water Management Program, dated March 2015.

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

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

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

L. 2014 Annual report of Vermillion Public Library

Jane Larson, Librarian, reported that State law requires the Library Board to prepare and submit an annual report to the governmental bodies that provide funding to the Library. Jane reviewed the 2014 library annual report that was included and handed out prior to the meeting, noting the changes from last year. Jane answered questions on the City Council on the library operations. Discussion followed on the report

89-15

Alderman Willson moved to acknowledge receipt of the 2014 Library Annual Report. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

M. Transfer of replaced tasers from Vermillion Police Department to Clay County Sherriff's Dept.

John Prescott, City Manager, reported that the Police Department has replaced their tasers that were originally purchased in 2009 as part of a joint grant with the Clay County Sheriff's Office. John noted that the Sheriff's Office continues to use this model of taser and State statute allows one governmental agency to transfer property to another governmental agency. John requested that the City Council declare the following items surplus and authorize the transfer to the Clay County Sheriff's Office: X26 Tasers - 7 total; XDPM (new batteries) - 7 total; 25' XP Cartridges - 8 total; XDPM (used batteries) - 7 total; 21' Cartridges - 2 total; X26 taser holsters - 17 total; 21' Training cartridges - 3 total.

90-15

Alderman Willson moved approval of declaring the taser equipment listed as surplus and authorize the transfer to the Clay County Sheriff's Office. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

N. Authorization to construct Prentis Park storage building

Jim Goblirsch, Director of Parks and Recreation, stated that in 2013 2nd Penny funds of \$110,000 were budgeted for a restroom/storage unit at the Prentis Park baseball field to replace the current bathrooms and provide storage. Jim reported that we were unable to secure a contractor to develop the project at that time and while the Prentis Park Master Plan was being developed the project was placed on hold. Jim stated that, with the adoption of the Prentis Park Master Plan by City Council in January of 2014, the current storage unit (the park care taker's garage) will be demolished and the park caretaker's house will be moved to make room for the new parking lot. Jim noted that City staff spoke with three local contractors about the construction of a storage unit building to replace the garage. Jim stated that only one contractor followed through with conceptual plans but did not follow up those plans after numerous attempts to contact them. Jim reported that a quote was received from Builders Choice of Vermillion for an 18' x 30' storage building that will be used for Prentis Park ball field equipment at a cost of \$25,000. Jim reported that the funding would come from the 2nd penny funds budgeted with the balance remaining for development of a joint park/baseball field restroom facility. Jim provided a drawing of the location of the proposed storage building, proposed future restroom building location and parking lot.

91-15

Alderman Collier-Wise moved approval of the quote from Builders Choice, LLC for an 18' x 30' storage building at a cost of \$25,000. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. One ½ ton pickup truck

Jason Anderson, Assistant City Engineer, reported that bids were opened on March 10th for one ½ ton pickup truck for the Joint Powers landfill. Jason noted that bid specifications were delivered to the local dealers along with the required advertising. Jason stated that contact was made with the local dealers who indicated they

were not going to bid. Jason stated that no bids were received. Jason recommended the purchase from the State contract with Beck Motors for \$28,027 by the approval of the resolution included in the packet. Discussion followed.

92-15

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

RESOLUTION
AUTHORIZING THE PURCHASE OF
ONE PICKUP TRUCK

WHEREAS, SDCL 5-18A-22 authorizes a local government unit to purchase any supplies from the state contract list, or from any willing vendor at a price at or below that shown in the state contract; and

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the State of South Dakota for a 2015 ½ ton crew cab 4WD Chevrolet Silverado pickup from Beck Motors of Pierre, South Dakota, for the total amount of \$28,027.00 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Beck Motors and they have agreed to allow the City to purchase one 2015 ½ ton crew cab 4WD Chevrolet Silverado pickup for the contract price and terms as awarded by the State of South Dakota.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota that the City Finance Officer is hereby authorized to purchase one 2015 ½ ton crew cab 4WD Chevrolet Silverado pickup from Beck Motors of Pierre, South Dakota at the above stated price and under the same terms as the State of South Dakota contract.

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

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

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

B. Shared Used Path Relocation, Phase 1

Jose Dominguez, City Engineer, reported that the city hike/bike trail between the west end of Cotton Park and 12th Street was constructed in 2005. Jose noted that since then the river has been eroding the north bank of the Vermillion River. Jose stated that in 2012 a portion of this trail was closed due the bank being within one foot of the trail. Jose stated that currently the north bank of the Vermillion River is undermining close to 200-feet of the trail.

Jose reported that the City Council adopted a resolution on July 15, 2013 instructing Staff to remove portions of the trail that were falling into the river at this location. The Council also instructed Staff to relocate the trail within platted streets/alleys in the area.

Jose stated that bids were opened March 4, 2015. The City sent request for bids to seven contractors, and to five plan houses. From those requests, the City received five bids. The low bid was from Vermillion Concrete for the amount of \$66,818.75. Jose recommended approval of the low bid of Vermillion Concrete for \$66,818.75 for the shared use path relocation.

Bids: Splitrock Landscaping \$94,029.25, Walker Construction \$92,885.88, Vermillion Concrete \$66,818.75, 3D Digging \$78,840.50, RP&H, Inc \$96,954.13

93-15

Alderman Willson moved approval of the low bid of Vermillion Concrete for the shared use path relocation of \$66,818.75. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that fifteen German students from the Dietrich-Bonhoeffer-Gymnasium along with two teachers will be here from April 4th to April 20th. John stated that they will attend the April 6th evening City Council meeting as part of their visit and welcome to Vermillion.

B. John reported on approval of the following raffle notifications:

Vermillion Rotary Club will be selling \$25 raffle books March 10 to 29, 2015. A limit of 100 books will be sold. Winners will receive between \$50 and \$150. The score of the NCAA Mens Basketball Elite Eight thru Championship game determines the winning number. This is similar to how their Monday Night Football raffle worked. Proceeds will go to the Rotary Club for charitable activates.

USD Civil Service Advisory Council will be selling tickets for \$1 each or 6 for \$5 on May 12, 2015. It is a 50/50 drawing where the winner receives half of the proceeds and the balance goes to the USD CSAC Scholarship fund. They estimate collecting around \$100-\$150 from ticket sales to be split between the winning ticket holder and the scholarship fund.

C. John reported that planning for Prentis Park improvements continues. He stated that the architect anticipates having the drawings at the 90% completion stage for the pool portion of the improvements to share with the City Council at the April 6th noon meeting with the project scheduled to be placed out for bid in June.

D. John reported that the Library will be closed on March 20th as they move to a new integrated library system called Atrium. The move is due to the current system, ALEPH, ceasing to exist in 2016.

E. John reported that the landfill will open on Saturdays from 8:00 a.m. to noon starting on April 4th. John reported that the landfill vouchers will be available starting April 1st.

PAYROLL ADDITIONS AND CHANGES

Police: Jon Cole \$21.65/hr, Jessica Wade \$20.11/hr; Recreation: Morgan Graham \$8.50/hr, Kylee Retzlaff \$8.50/hr; Golf Clubhouse: Kelsey Bilstoft \$8.50/hr, Meghan Dennis \$8.50/hr, Michelle McClellan \$8.50/hr

11. Invoices Payable

94-15

Alderman Ward moved approval of the following invoices:

| | | |
|-----------------------|-------------|-----------|
| Broadcaster Press | advertising | 1,375.78 |
| Brunick's Service Inc | fuel | 10,209.20 |

| | | |
|--------------------------------|-----------------------------|------------|
| Bureau Of Administration | telephone | 259.27 |
| Canon Financial Services | copier lease | 196.27 |
| Centurylink | telephone | 1,496.65 |
| Clay Rural Water System | water usage | 43.20 |
| Clay-Union Electric Corp | electricity | 2,135.43 |
| Dept. Environment Natl Res | landfill operations fee | 2,151.85 |
| Gregg Peters | managers fee | 6,000.00 |
| Lessard Contracting | landfill cell 5 final | 179,898.60 |
| Loren Fischer Disposal | haul cardboard | 210.00 |
| Mark Clark | meals/mileage reimbursement | 259.60 |
| Matheson Tri-Gas, Inc | oxygen | 309.40 |
| MidAmerican | gas usage | 9,041.49 |
| MidContinent Communication | internet/cable service | 118.68 |
| Midwest Turf & Irrigation | utility vehicle | 20,442.00 |
| Republic National Dist. | merchandise | 15,009.15 |
| Reserve Account | postage for meter | 950.00 |
| SD Municipal League | registration | 84.00 |
| The Equalizer | advertising | 184.00 |
| Treasurer-Clay County | storm sewer fees | 6,409.42 |
| US Postmaster | postage for utility bills | 1,125.00 |
| Vermillion Ace Hardware | snow blower | 1,500.00 |
| Vermillion Chamber Of Commerce | Bliss Pointe grant | 45,973.05 |
| Wow! Business | dialup services | 49.95 |
| Yankton Daily Press & Dakotan | advertising | 42.70 |
| Randy Voss | Bright Energy Rebate | 32.00 |
| Marty Gilbertson | Bright Energy Rebate | 1,550.00 |

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

12. Consensus Agenda

A. Set a bid opening date of April 1, 2015 for the sale of a surplus golf course utility vehicle.

B. Set a proposal opening date of April 1, 2015 for the Airport Consultant Selection for the years 2015 through 2019.

C. Set a bid opening date of March 31, 2015 for three phase transformers.

95-15

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

13. Adjourn

96-15

Alderman Ward moved to adjourn the Council Meeting at 8:30 p.m. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

**PROCLAMATION
DECLARING APRIL 6th – 13th, 2015
AS RATINGEN WEEK IN VERMILLION**

WHEREAS, beginning in 1976, the Bicentennial of the United States, Mr. Otto Bartsch, then Stadtjugendpfleger of the City of Ratingen brought 125 youth and adults to the City of Vermillion, South Dakota; and

WHEREAS, following this first visit, Ratingen and Vermillion residents have been encouraged to visit each other's community; and

WHEREAS, the City of Vermillion, South Dakota has been the Sister City of Ratingen, Germany since 1982; and

WHEREAS, the City of Vermillion is very pleased to officially welcome the students and teachers participating in the German American Partnership Program who are visiting us from the City of Ratingen Germany; and

WHEREAS, Vermillion High School participated in a German American Partnership Program visit in May 2014 and had a great experience; and

WHEREAS, students of all ages, educators, and visitors have all benefited through this international exchange and enlightenment; and

WHEREAS, the citizens of Vermillion are very excited and honored to be hosting citizens of Ratingen to further our cultural interaction through the German American Partnership Program.

NOW, THEREFORE, we, the governing body of the City of Vermillion, South Dakota, in the Spirit of Friendship and Cooperation, hereby proclaim the week of April 6 through April 13, 2015 as Ratingen Week in the City of Vermillion, and encourage area residents to welcome and embrace our visiting friends from Ratingen.

Dated this 6th day of April, 2015.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

**PROCLAMATION
RECOGNIZING APRIL AS NATIONAL POETRY MONTH**

WHEREAS, the Academy of American Poets established the month of April as National Poetry Month in 1996; and

WHEREAS, National Poetry Month seeks to highlight the extraordinary legacy and ongoing achievement of American poets; introduce Americans to the pleasures and benefits of reading poetry; bring poets and poetry to the public in immediate and innovative ways; make poetry an important part of our children's education; and

WHEREAS, as National Poetry Month, under the leadership and direction of the Academy of American Poets, is now the largest literary celebration in the world; and

WHEREAS, poetry enhances and enriches the lives of all Americans; and

WHEREAS, poetry, as an essential part of the arts and humanities, affects every aspect of life in America today, including education, the economy, and community pride and development; and

WHEREAS, poetry has produced some of the nation's leading creative artists and has inspired other artists in fields such as music, theatre, film, dance, and the visual arts; and

WHEREAS, Vermillion has been home to many nationally-renown poets; and

NOW, THEREFORE, we the governing body of the City of Vermillion, South Dakota, do hereby proclaim the month of April 2015 as

National Poetry Month

in Vermillion, South Dakota, and call upon the residents of this great city to join in observing this month, to celebrate the cultural riches our community has to offer, and to recognize the important role poetry has in creating and sustaining this great nation with appropriate ceremonies, activities, and programs.

Dated at Vermillion, South Dakota this 6th day of April 2015.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer



Council Agenda Memo

From: John Prescott, City Manager

Meeting: April 6, 2015

Subject: Second Reading of Ordinance 1326 – Daycare Registration

Presenter: John Prescott & Fire Chief Shannon Draper

Background: During the 2015 budget review sessions, the City Council posed a question about the location of daycare facilities in the community. It was noted at the time that the City did not have regulations pertaining to daycare facilities. City staff was asked to look into the matter and report back to the City Council. At the November 3, 2014 Noon meeting City staff presented a list of what some other SD communities have in their daycare regulations and a draft ordinance. City Council reviewed the information and directed staff to contact some daycare providers to gather feedback. Staff worked to compile a list of providers, sent the information previously provided to the Council, and asked for comments to be returned in December. Several comments were received. Daycare providers were invited to a meeting on January 27, 2015. Staff explained the proposal and received additional feedback. The same presentation was made at the Noon Council meeting on February 2, 2015. The City Council requested to have a Special Meeting with providers before placing the ordinance on a future agenda for consideration. The Special City Council meeting was held on February 23, 2015. The City Council approved first reading of Ordinance 1326 on March 16, 2015.

Discussion: The proposed ordinance has not changed much since the February 23 meeting. Some minor language clarifications were made. All of the providers that the City was aware of were mailed a copy of the attached ordinance prior to first reading on March 16.

The ordinance requires a provider to register. To register, a daycare provider will need to demonstrate safety items such as having a fire extinguisher, smoke detector, two ways out of basement space used for a daycare, safe electrical wiring, closets that prevent a child from being locked inside, and other basic safety requirements.

In the development of the proposal, there was a lot of discussion on the requirement to have a fence. While the fence requirement is still part of the ordinance, an exception to having a fence can be obtained if the parents sign a consent form noting that there is not

an enclosed playground at the registered location. The ordinance provides a daycare can register prior to July 1, 2015 without completing an inspection. In this case the first inspection would not be until 2016. Registrations are for a two year period and expire on the June 30 of even numbered years. If the ordinance is adopted, a handout will be developed similar to the power point presentations used at the meetings to assist in explaining the details of the ordinance.

Financial Consideration: A resolution to have a fee for inspections has not been provided at this time. Staff understood that Council direction was not to initially charge a fee for inspections or registration.

Conclusion/Recommendations: Several opportunities have been provided and many comments have been offered over the last several months to shape the ordinance. Administration recommends approval of the second reading of Ordinance 1326. As this is second reading of the Ordinance, a roll call vote is required.

ORDINANCE NUMBER 1326

AN ORDINANCE AMENDING TITLE XI, ADDING CHAPTER 121, DAY CARE, TO THE 2008 REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, CREATING A REQUIREMENT FOR DAYCARE BUSINESSES TO REGISTER WITH THE CITY OF VERMILLION AND PROVIDING FOR CERTAIN HEALTH AND SAFETY REQUIREMENTS.

WHEREAS, the governing body of the City of Vermillion has deemed these regulations and controls to be reasonable and related to the purpose of promoting the health, safety, and general welfare of the City of Vermillion.

NOW, THEREFORE, BE IT ORDAINED, by the governing body of the City of Vermillion, South Dakota, that there be enacted a requirement for all day care businesses within the corporate limits of Vermillion to be registered with the City of Vermillion and Chapter 121 shall be added to Title XI as follows:

121.01 Definitions. The following words, terms and phrases, when used in this article, shall have the meanings provided in this section, except where the context clearly indicates a different meaning:

“Home day care” means the providing of group care and supervision of five or more children on a regular basis for part of a day, with or without compensation, as a supplement to regular parental care, including children under the age of six living in the home and children from more than one unrelated family receiving day care. (This definition may encompass Day Care, Family and Day Care, Group activities defined in the Vermillion Zoning Regulations, Chapter 155.)

“Home day care home” means the private residence wherein day care is provided.

“Provider” means the principal caretaker of children in a family day care home.

121.02 Required. Every person engaged in the business of operating a home day care shall, before engaging in such business, register with the City of Vermillion as provided in this article. The fee for such registration shall be set by resolution.

121.03 Application. Any person desiring to register as provided in this article shall file with the City Finance Officer a written application on a form provided by the City. The application shall be signed by each adult at least 18 years of age operating the day care. The application shall contain, at a minimum, the following information:

1. A floor plan of the proposed location;
2. The expected number and age range of the children being cared for.

Registration to engage in the business of home day care operation shall be valid until the next June 30 in an even numbered year. Applications for renewal shall be submitted within 45 days of the expiration of the current registration.

121.04 Central registry for child abuse and neglect/sex offender registry. No person whose name is currently, or at any time in the past has been on the state central registry for abuse and neglect, the state sex offender registry, or any similar registry or list maintained by any other state, shall reside in the premises in which the home day care business is being conducted, nor shall such person be employed in any capacity by the home day care. Applicant shall provide an affidavit to this extent.

121.05 Age requirements. No person under 18 years of age may be registered under this article. No person between 14 years of age and 17 years of age may provide child care services in a home day care unless a registered home day care provider is actually present in the home day care facility.

121.06 CPR required. All home day care operators registered under this article must maintain a current cardiopulmonary resuscitation (CPR) certification from the American Red Cross or American Heart Association. Employees of a home day care are recommended to have such certification.

121.07 Inspections. Any day care licensed under this article shall be inspected by the Fire Chief, or designee, prior to registration approval. All home daycares shall be open to announced or unannounced inspection by city officials at any time during normal business hours. The Fire Chief or designee shall re-inspect each premise prior to recommending the renewal of registration.

Exception: All home day cares registered by July 1, 2015 will not be required to complete an inspection for the initial registration.

121.08 Fencing or other barrier. Playground areas shall be enclosed by a fence, hedge, trellis, or other barrier not less than 42 inches high to protect the area from traffic, animals, or other hazards. Openings in a fence, trellis, or other manmade barrier shall not allow passage of a four-inch diameter sphere. Playground areas shall be in rear yard whenever possible. Day care center fence requirements contained in Vermillion Zoning Regulations, Chapter 155, will prevail to the extent they apply and conflict with this provision.

Exception: A registered daycare provider may be exempt from the fencing or other barrier requirement of this section if a written consent form signed by a parent or guardian of each child being cared for stating they understand that there is not an enclosed playground area at the registered location.

121.09 Building code requirements applicable. Nothing in this article shall be construed to exempt any structure from any otherwise applicable portion of the relevant building code or fire code. In any case where the building code requirements are in conflict with the requirements of this article, the more stringent requirement shall apply.

121.11 State registered home day cares. Any home day care which falls within the scope of this article but which is registered as a family day care pursuant to SDCL ch. 26-6 and ARSD ch. 67:42:03 shall be required to register pursuant to this article.

121.12 All home day care facilities shall comply with the most recent version of the International Fire Code and International Building Code as modified and adopted by the City.

Dated at Vermillion, South Dakota this 6th day of April, 2015.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: March 16, 2015
Second Reading: April 6, 2015
Published: April 17, 2015
Effective: May 7, 2015

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: April 6, 2015
Subject: Referendum petition received for Ordinance 1325 – Malt Beverage markup
Presenter: Mike Carlson

Background: The City Council approved second reading of the malt beverage markup ordinance on February 17, 2015. The ordinance was published on February 27, 2015. A referendum petition is required to be filed within twenty days of the publication of the ordinance, which would be March 19, 2015 at 5:00 p.m. On Wednesday afternoon, March 18, Blaine Schoellerman presented me with 26 pages of referendum petition listing “ORDINANCE NUMBER 1325 Adopted: 17 February 2015”. At that time a copy was taken to Jim McCulloch, City Attorney, for his review as to the petition content. A copy of the voter registration list was requested from the County Auditor to determine the 5% requirement and used to check the signatures for voter registration.

The voter registration list received had 5,178 registered voters; therefore, 5% would be 259. I reviewed the signatures on the petitions received noting that Ann Schoellerman called Thursday morning asking if I had enough signatures and stated that Blaine was out of town and she had one more petition which I said could be dropped off anytime. Ann drop off one more petition before noon. Just after noon on Thursday I finished with the review of the petition signatures with a total of 258, thus one short. I called Ann Schoellerman who said she would get more signatures and bring them in. Ann brought in two more petitions around 2:00 p.m. She wanted to know if that was enough signatures to file the petition. I said that with one more valid signature the 5% of the registered voters requirement would be met but that I have not heard from the City Attorney if the form of the petition was valid. She asked what the problem was as Paul Hasse said he had an attorney review the petition. I said that the state statute requires the title of the ordinance being referred and date of passage to be included on the petition and the petition lists “ORDINANCE NUMBER 1325 adopted: 17 February 2015”. She asked when I would know and I replied that I was waiting for the City Attorney opinion. She asked why I was checking the signatures and calling to say the signatures were one short. I replied that if I wait for the attorney’s opinion before starting it would reduce the time that she would have to obtain any additional signatures. At 2:40 p.m. Jim called to say that he had been in contact with the Secretary of State’s office and in his opinion the petition did not

include the title of the ordinance and he recommended that the petition be rejected. I asked Jim for the procedure to notify the petitioner's that the petition was not considered valid. Jim said that I should call and relay his opinion to Ann Schoellerman as that was my contact. I called Ann Schoellerman to relay that in Jim's opinion the petition did not include the title to the ordinance as required by the state statute. She said that Paul Hasse had an attorney review the petition and I suggested that she have them contact Jim if they had questions. She noted that there was only two hours left until the deadline and I said that the petition was brought in yesterday and that I was getting back to her as soon as I had the information.

The statutes that Jim relied upon are as follows with the key areas underlined:

9-20-7. Description in referendum petition of matter covered. If the matter intended to be covered by the referendum petition is the whole of any ordinance or resolution, the petition shall contain the title of such ordinance or the subject of such resolution, and the date of its passage, but if only a portion of such ordinance or resolution is intended to be covered by the petition, such portion shall be set out at length.

9-19-5. One subject expressed in title of ordinance. An ordinance must embrace but one subject which shall be expressed in its title.

9-19-6. Style of ordinance. The style of all ordinances shall be as follows: "An ordinance _____ (inserting the title)" followed by: "Be it ordained by the (city or town) of _____ (inserting the name of municipality)" followed by the substance of the ordinance.

2-14-2.1. Definition of term "shall". As used in the South Dakota Codified Laws to direct any action, the term, shall, manifests a mandatory directive and does not confer any discretion in carrying out the action so directed.

9-20-10. Liberal construction of referendum petition. Such petition may be made up and signed and shall be liberally construed as provided by the statute governing an initiated law.

The following is the first portion of the ordinance:

ORDINANCE NUMBER 1325

AN ORDINANCE AMENDING TITLE XI BUSINESS REGULATIONS, CHAPTER 112 ALCOHOLIC BEVERAGES OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA BY ADDING SECTIONS 112.24 THROUGH 112.31 IMPOSING A CHARGE UPON MALT BEVERAGE PURCHASES PURSUANT TO SDCL 35-4-60.2

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA that Title XI, Chapter 112, Sections 112.24 through 112.31 be added as follows:

One page of the petition is attached.

Discussion: The state statute requires a petition received be presented to the governing body at its first ensuing regular or special meeting. The City Attorney's opinion is that the petition should be rejected as it doesn't contain the title of the ordinance being referred. Statute stated "the petition **shall** contain the title of such ordinance" and the

definition of shall in 2-14-2.1 states it is a mandatory directive and does not confer any discretion in carrying out the action so directed. As such Jim stated he could not apply the liberally constructed provisions of 9-20-10. As this topic is recent for the City Council you may know what ordinance 1325 is but how many citizens would know what was being referred as the petition stated ORDINANCE NUMBER 1325.

Financial Consideration: The city may have legal costs if the opinion of the City Attorney is challenged in court. If the City Council would overturn the opinion of the city attorney and call for an election there would be the costs of an election. There could also be legal expenses if a citizen challenged expending funds for an election when the city attorney's opinion that an election is not needed.

Conclusion/Recommendations: Administration recommends that the City Council acknowledge that a petition was received but that it did not meet the requirements of SDCL 9-20-7 as the title to the ordinance being referred was not contained in the petition and as such is not being accepted.

Received
3-18-15
2 of 26

MUNICIPAL REFERENDUM PETITION IN THE MUNICIPALITY OF VERMILLION

WE, THE UNDERSIGNED qualified voters of the municipality of VERMILLION, the state of South Dakota, petition that the following (ordinance) (~~resolution~~), as passed by the governing board of the municipality, be submitted to the voters for their approval or rejection pursuant to law.

(Here insert the title of the (ordinance) (~~resolution~~) and date of its passage. However, if only a portion of the (ordinance) (~~resolution~~) is intended to be covered by the petition, that portion shall be set out at length.)

ORDINANCE NUMBER 1325

Adopted: 17 February 2015

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

| NAME | | RESIDENCE | DATE/COUNTY |
|--------------------|---|--|---|
| SIGN 1 PRINT | <u>Doris Gasper</u> DORIS GASPER | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>1205 West Gate</u> CITY OR TOWN <u>VERMILLION</u> | DATE OF SIGNING <u>3-15-15</u> COUNTY OF REGISTRATION <u>SO. DAK. CLAY</u> |
| SIGN 2 PRINT | <u>Roy Gasper</u> ROY GASPER | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>1205 West Gate</u> CITY OR TOWN <u>VERMILLION SO DAK</u> | DATE OF SIGNING <u>3-15-15</u> COUNTY OF REGISTRATION <u>SO DAK CLAY</u> |
| SIGN 3 PRINT | <u>Clifford Gasper</u> CLIFFORD GASPER | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>411 Stanford St #53</u> CITY OR TOWN <u>Vermillion So. Dak</u> | DATE OF SIGNING <u>3-15-15</u> COUNTY OF REGISTRATION <u>SO. DAK. CLAY</u> |
| SIGN 4 PRINT | <u>William Brunich</u> William s Brunich | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>2111 E Main St</u> CITY OR TOWN <u>Vermillion SD</u> | DATE OF SIGNING <u>3-16-15</u> COUNTY OF REGISTRATION <u>Clay</u> |
| SIGN 5 PRINT | <u>Margaret Crow</u> Margaret Crow | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>930 Valley View Dr</u> CITY OR TOWN <u>Vermillion SO</u> | DATE OF SIGNING <u>03-16-2015</u> COUNTY OF REGISTRATION <u>Clay</u> |
| SIGN 6 PRINT | <u>Craig DeLadd</u> Craig DeLadd | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>1304 Over Drive</u> CITY OR TOWN <u>Vermillion</u> | DATE OF SIGNING <u>Clay</u> COUNTY OF REGISTRATION <u>3-16-15</u> |
| SIGN 7 PRINT | <u>David Brunich</u> David Brunich | STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER <u>514 Lee St</u> CITY OR TOWN <u>Vermillion S</u> | DATE OF SIGNING <u>3-16-15</u> COUNTY OF REGISTRATION <u>Clay</u> |

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: April 6, 2015

Subject: Request to extend the platting time requirement for Outlot A, Block 7, Smith-Quam Addition

Presenter: Jose Dominguez

Background: The City at one point owned Outlot A in Smith-Quam Addition on E. Main Street. Originally, this outlot was bordered by E. Main Street on the north and by Cypress Drive on the east. In 2005 Mr. Wade Larson purchased Outlot A with the intent to develop it. The original agreement required Mr. Larson to develop the lot within a certain time, if not the City would repurchase the outlot for 70% of the original purchase price. Due to the lack of progress in developing the outlot, the City approached Mr. Larson regarding repurchasing the outlot. On October 20, 2014 the City Council allowed Mr. Larson to sell the outlot to a third party, Three Sisters L.L.C. The new owner plans to build residential units within the outlot.

Discussion: As mentioned, the City Council allowed the transfer of the property on October 20, 2014; however, the City required that the original stipulations with respect to platting and building permit be included with the agreement. The stipulations are as follows:

1. The buyer would agree to follow the platting and construction time requirements set in the original covenants for Outlot A. The covenants required the property to be platted within three months of purchase (deadline was approximately February 12, 2015) and that the construction would begin within 12-months of purchase (approximately November 14, 2015). The construction on the units would have to be completed between 12-months and 18-months from the time construction started.
2. Additionally, Three Sisters, L.L.C. would execute a deed to the property to the City if they failed to meet any of the deadlines.

The stipulations were intended to ensure that the land was developed in a timely manner according to the covenants. The schedule also forces the developer into planning how the land will be developed.

Recently, the City contacted Three Sisters, L.L.C. regarding the platting deadline. The deadline was not met since the owner planned to construct several four-plexes within the lot. This area is zoned R-2 Residential District. This district allows for apartments; however, the largest apartment structure within a lot can only be a four-plex. Considering that the plan was to construct several of these units, the outlot would have needed to be platted into several lots.

On March 19, 2015 the City received a request from Three Sisters, L.L.C. asking that the platting deadline be extended until August 31st, 2015 (or an additional six months from what the original agreement stipulated). The request is based on their misinterpretation of the Zoning Ordinance and the fact that they are also in the process of developing another tract of land in the community.

Financial Consideration: At this point there are no financial considerations for this item.

Conclusion/Recommendations: Although Three Sisters, L.L.C. is requesting the platting deadline to be extended until August 31, 2015 staff recommends that the extension be only until June 30, 2015 (an additional three months from what the original agreement required). The recommendation from Staff would allow the owner ample time to develop a plan for the area and plat the land accordingly. Again, the original intent of the agreement was to allow a private entity to develop the land in a timely fashion. The Staff recommended date of June 30, 2015 would allow ample time for the owner to develop a plan and submit a plat for approval. It should also be noted that the extension does not modify the deadlines for the construction of the buildings. Three Sisters, L.L.C. would still have to comply with those deadlines.

March 19,2015

We are request an extension on platting the property at Outlot A, Except lots 10-15, Blk 7 Smith-Quam Addition to the City of Vermillion, Clay County, South Dakota.

We did not understand that if we were building more than 4 units this had to be platted. We had spoke with Margaret Crew and she didn't think we had to do this, unless we wanted to sub-divide this for future selling. We are in the process of getting a blue print, and would like to have till August 31, 2015 to have this platted and a building permit in place. Troy Gregoire is in the process of building at 14 W. Cherry now and this project will be next.

Three Sisters by Troy Gregoire

Three Sisters

Council Agenda Memo

From: John Prescott, City Manager

Meeting: April 6, 2015

Subject: Resolution of Co-Sponsorship of Coyoteopoly / Shakespeare Festival

Presenter: John Prescott

Background: As Coyoteopoly and the USD College of Fine Arts were planning for the inaugural 2012 Shakespeare Festival in Prentis Park, they requested the City Council adopt a resolution of co-sponsorship. The City Council also adopted a similar resolution of co-sponsorship for the 2014 event.

Discussion: This evening and over the next couple of Council agendas, the City Council will have items related to the third Shakespeare Festival planned for June 2015. The leadership group planning the event is again requesting a resolution of co-sponsorship. The proposed resolution of co-sponsorship is very similar to what was adopted the last two times. The main purpose of the resolution is to designate the City as a civic co-sponsor of the Shakespeare Festival. It does not obligate the City to complete any specific tasks beyond the park preparation that has been completed the last couple of years.

No additional direct financial support is tied to serving as a civic co-sponsor. The 2015 City budget provided \$2,000 of Bed, Board and Booze money to support the project. This award has already been requested and payment made.

City staff has met with the leadership group planning the event once at this point. A second meeting which is an on-site visit to Prentis Park where specifics were reviewed is being coordinated. With respect to the location, street closing request, noise permit and other items needing City involvement, the proposed event is very similar to the 2012 and 2014 Shakespeare Festivals.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends that the City Council adopt a Resolution of Co-Sponsorship for the 2015 Shakespeare Festival.

**RESOLUTION FOR CO-SPONSORSHIP OF COYOTEOPOLY
SOUTH DAKOTA SHAKESPEARE FESTIVAL**

WHEREAS, Coyoteopoly is a service learning class of the University of South Dakota Beacom School of Business, which has been in place for the last eighteen (18) semesters; and

WHEREAS, Coyoteopoly has returned over \$200,000 in benefits to the Vermillion area; and

WHEREAS, Coyoteopoly is partnering with the University of South Dakota College of Fine Arts and College of Arts and Sciences to produce the South Dakota Shakespeare Festival in Vermillion on June 11, 12, 13, and 14, 2015; and

WHEREAS, Coyoteopoly desires to have four (4) evening presentations of the Shakespeare play Macbeth at the Prentis Park Amphitheatre in June 2015, as part of the fourth South Dakota Shakespeare Festival; and

WHEREAS, planning for a community festival of this nature and size takes a strong working relationship between the City of Vermillion, Coyoteopoly, the College of Fine Arts, the College of Arts and Sciences, the School of Business, and other community partners to address and plan for items such as itinerant merchant permits, noise permits, special daily licenses, traffic control, restroom facilities, impact on park facilities, etc.; and

WHEREAS, Coyoteopoly has requested that the City of Vermillion serve as an official co-sponsor for the South Dakota Shakespeare Festival. As such co-sponsor, it is encouraged that planning of park facilities be completed prior to May 8, 2015.

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Vermillion, South Dakota, pledges to serve as a civic co-sponsor with Coyoteopoly on the South Dakota Shakespeare Festival being planned for June 2015. The City Council designates the City Manager as the official city contact for representatives of Coyoteopoly for this event.

Dated at Vermillion, South Dakota this 6th day of April, 2015.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

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

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: John Prescott, City Manager
Meeting April 6, 2015
Subject: Shakespeare Festival Street closing
Presenter: John Prescott

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 11, 12, 13 and 14, 2015. The production will take place each evening at 7:00 pm in the Prentis Park amphitheater located just north of E. Main Street. Coyoteopoly CEO Tyler Reddington will be present to offer background information on the event.

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. 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 production begins at 7:00 pm and will end at approximately 9:30 pm. East Main Street would only be closed during the time of the production on the four nights of the performance. 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 8 - 14, 2015. 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.

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 11, 12, 13 and 14, 2015 from 7:00 p.m. to approximately 10:00 p.m. and the removal of parking along the south side of Prentis Park from Plum Street to Walker Street from June 8 - 14, 2015.

Request to Close Public Street

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 Managers office for a street closing one week prior to the Council Meeting.

**REQUEST TO CLOSE CITY STREET
CITY OF VERMILLION**

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 Managers 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 the street closing is requested for, if additional space is needed please attach additional sheets or application letter with the required information.

Organization Requesting Coyoteopoly

Contact Person Greg Huckabee Phone 712-574-7782

Contact Person Address USD Beacom School of Business 414 E. Clark Street

Event SD Shakespeare Festival Date(s) of Event June 11-14 2015

Street(s) Requesting 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

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

Have arrangements been made for clean up after the event and other facilities? Please describe:

Yes, SDSF clean up and Security teams

If approved the contact person will need to make arrangements with the Street Department for barricades to properly denote the street closing.

Signature of applicant Aaron Peterson date 3-20-15

Aaron Peterson

Remove parking on main st. from Walker-st. west to Plum on 8th - 14th

Council Agenda Memo

From: John Prescott, City Manager

Meeting: April 6, 2015

Subject: Permit for Consumption for Café Brule Sidewalk Furniture Use Zone

Presenter: John Prescott

Background: Monica Iverson submitted a completed Furniture Zone Use permit for Café Brule. Their plan is to set up six tables parallel to the Market Street side of the restaurant. Each table would seat two people. The sidewalk permit expires on November 1, 2015. Per code, Administration would approve the sidewalk furniture zone use permit for food consumption once all of the documents are submitted. No problems are anticipated as they are proposing the previously approved area. The area has not been approved for the sale and consumption of alcohol as code requires the City Council to make this decision.

City Code 118.05 provides that the City Council may permit the consumption of alcoholic beverage within the Furniture Use Zone.

118.05. Any furniture zone limited lease granted by the City Council pursuant to this chapter shall convey to the adjoining business the right to use a designated portion of the sidewalk or furniture zone only for those purposes set forth in the lease. The limited lease may contain such restrictions and conditions as deemed necessary by the city and may not be assigned or sublet at any time during its term. The city shall have the right to terminate the limited lease for violation of any material term or condition thereof. Required compliance with all city ordinances and state statutes regarding the sale and service of alcoholic beverages shall be deemed to be a material condition of the limited lease. Compliance with city noise ordinances shall be deemed a material condition of the limited lease. The limited lease term shall not include those dates and times specified for special events approved by the City Council which includes the area of the furniture zone limited lease at the election of the event sponsor.

Discussion: Café Brule will be submitted an alcohol sale plan. Staff anticipates it will be very similar to last year. It will be reviewed by the Police Department. The physical dimensions of the area and the number of tables limit the number of individuals who would be within the area where alcohol could be served. Café Brule would like to have alcohol available for patrons that want to have a drink with their meal. The City Council in August 2013 and April 2014 approved the sale and consumption of alcoholic beverages for the same Café Brule Furniture Zone Use permit area during the hours outlined in the ordinance being noon to 10:00 p.m. for the periods that expired November 1, 2013 and 2014. The Police Chief reported no incidents during these time periods.

In completing the application for a sidewalk use permit, the applicant has addressed many of the special conditions of other uses of city property for alcohol use. An insurance certificate naming the City as an additional insured, cleanup plan, etc. are part of the sidewalk use permit process. The sidewalk furniture use zone application documents received to date are attached for background.

Financial Consideration: Cafe Brule has paid the annual \$35 permit for the furniture zone permit.

Conclusion/Recommendations: Administration would recommend approval of the request to use the sidewalk abutting Café Brule on Market Street for the sale and consumption of alcohol as part of their Furniture Zone Use Permit during the time provided by ordinance.

Café Brule Alcohol Sale Plan

Any lease or permit which includes the sale or consumption of alcohol shall adhere to these additional provisions which shall be deemed to be material conditions of any limited lease:

(A) Compliance with the rules, regulations, and conditions of the alcohol license including documentation that the license holder derives more than 50% of its gross receipts from the sale of prepared food for consumption on the licensed premises.

I certify that Café Brule derives more than 50% of gross receipts from the sale of prepared food for consumption on the licensed premise.

I agree to provide documentation, if requested, that Café Brule derives more than 50% of its gross receipts from the sale or prepared food for consumption on the licensed premise or forfeit the Furniture Use Permit.

(B) Containers for the dispensing of alcoholic beverages must be maintained inside the licensed facility and not in the furniture zone use area. No taps, kegs, cooler, or other alcoholic beverage storage devices are allowed on the furniture zone use area.

I agree that no containers for the dispensing of alcoholic beverages will be maintained in the furniture zone area.

(C) All alcoholic beverages served by the permitted establishment must be consumed in the furniture zone or inside the facility and disposed of on site. Patrons and staff loitering with alcohol on the designated pedestrian pathway is a prohibited activity. Exception: The transport of alcoholic beverages by patrons or staff directly from the indoor premises to the furniture zone use area or to the licensed facility is not prohibited.

I agree to have Café Brule take steps to make patrons aware that all alcoholic beverages must be consumed within the furniture zone area or inside Café Brule. Café Brule will post signs and have servers remind patrons of the appropriate area to consume alcoholic beverages.

(D) The limited lease holder shall have in place a security and crowd management plan for the designated use area approved by the Police Department.

The security and crowd management plan for the Furniture Zone area for Café Brule is:

(E) Any time more than 10 people occupy a furniture zone leased area serving alcohol, the limited lease area shall be staffed such that the furniture zone use area is supervised.

I agree to have a Cafe Brule staff member present at all times there are more than ten people in the furniture zone area.

(F) The hours of operation for the sale and consumption of alcoholic beverages in the furniture zone lease areas shall be noon to 10:00 p.m. The city has the right to limit use of the furniture zone area for alcoholic beverage sales and consumption on specific days.

I agree that alcohol will not be sold and will prohibit the consumption of alcohol in the furniture zone area outside of Noon to 10:00 pm.

I understand that the City of Vermillion may prohibit the sale of alcohol on specific days. The City will provide at least 48 hours notice of the prohibition of alcohol sales on specific days. I understand there is a strong chance that this may occur the weekend of Dakota Days.

(G) A furniture zone limited lease area must be separated from the pedestrian walkway with a physical divider. The divider will be selected by the applicant and approved as part of the lease.

I agree to have and maintain a physical divider separating the pedestrian walkway from the furniture zone area.

Signature of Applicant

Date

| |
|----------------|
| City Use |
| Date Received: |
| Approved: |

City of Vermillion

Remit to:
 City Administration
 City Hall
 25 Center St.
 Vermillion, SD 57069

Application for

605-677-7050

Furniture Zone Use Permit

I, Monica L. Iverson as Owner Partner Officer for and in behalf of
 (FIRST NAME, MIDDLE, AND LAST)

Cafe Brulé Inc. hereby make application for use of the public sidewalks at
 (INDIVIDUAL OR BUSINESS TRADE NAME)

Market St. pursuant to Chapter 96 of the Revised Ordinances of Vermillion, SD.
 (REQUESTED LOCATION)

| | | |
|---|---|---|
| Business Address: <u>24 W. Main St.</u> | Business Phone Number: <u>605-624-2945</u> | Business/Trade Name: <u>Cafe Brulé</u> |
| | Business Email: <u>cafebrule@hotmail.com</u> | Legal Name of Entity: <u>Cafe Brulé Inc.</u> |
| Owner/Partner Name/Contact Information: <u>Monica Iverson 605-624-2945 / 605-677-8404</u> | | |
| Owner/Partner Name/Contact Information: <u>James Waters 605-624-2945 / 605-670-7827</u> | | |

| | | |
|---|---|-----------------------------|
| Do you hold a license to serve on-sale alcohol and intend to serve it on the sidewalk? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Do you hold a license to serve food and intend to serve it on the sidewalk? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Do you acknowledge receipt of and agree to the provisions of the furniture zone? (see attached) | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| Do you agree that violating the provisions of the furniture zone may lead to suspension/revocation? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |

| What types of fixtures (furniture, etc.) do you plan to use in your furniture zone? | | |
|---|-----------|---|
| Item(s) | Number | Description/Shape/Size |
| Tables | <u>6</u> | <u>wrought iron 28x28</u> |
| Chairs | <u>12</u> | <u>wrought iron arm chair</u> |
| Planters | | |
| Rope Stanchions/Bollards | <u>4</u> | <u>Wrough Iron removeable fencing + 2 gates</u> |
| Menu Sign/Stand | | |
| Other (specify) | <u>6</u> | <u>umbrellas</u> |

Required submissions (please attach):

- A description and schematic drawing showing the dimensions of the site and the typical placement of all objects on an 8.5" x 11" sheet.
 - Show dimensions of site and adjacent building
 - Show all objects listed above
 - Show existing objects.
 - Show delineation of site.
- Proof of required insurance.
- Payment of \$35 permit/application fee.
- Crowd Management Plan (for alcohol)
- Additional submissions as required.

Statement of Application and Hold Harmless. I, Monica L. Iverson state that I, the above-named applicant, have filled out this application for permission to use the public right-of-way in the Vermillion Central Business District, and that the contents of the application and all other information supplied by me is true to the best of my knowledge, information, or belief. I agree to comply with all City Ordinances relevant to the proposed furniture zone used. I agree to assume all responsibility and liability for the use of the public right-of-way granted by this permit, and further agree to hold harmless the City of Vermillion, its employees or agents from any and all incidents or claims that may arise from use of the public-right-of-way. I also understand that the City of Vermillion may approve this permit conditionally and modify the conditions by giving written notice to me at any time in accordance with City Ordinances.

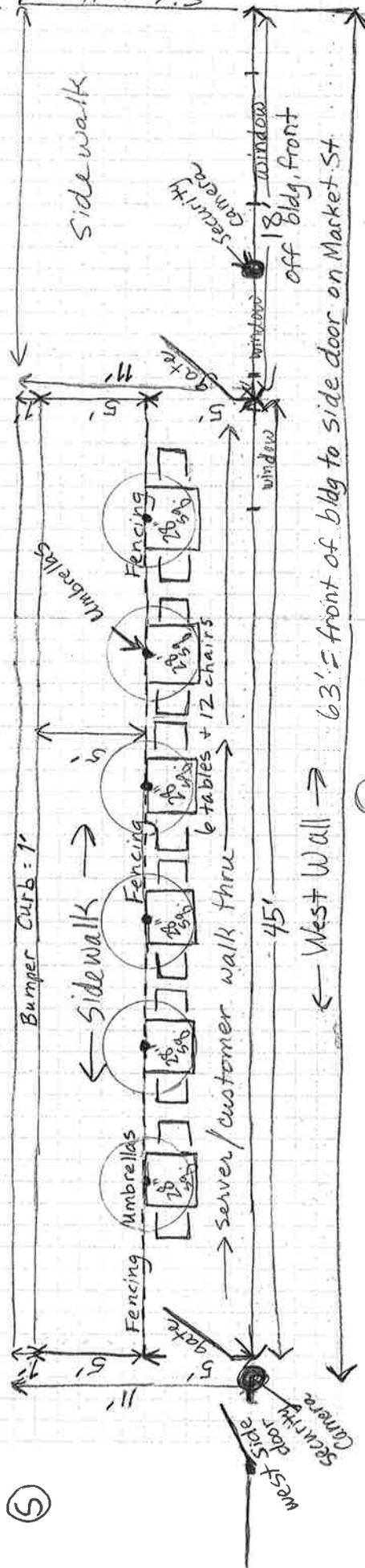
Monica Iverson Monica L. Iverson 3-17-15
 Print Name Applicant's Signature Date

Market St.

(W)

- Fencing - Secured to Umbrellas
- Umbrellas - secured to sidewalk/concrete (capped hole for winter) 1sq = 1ft
- Fencing - 30"-38" h (wrought iron - black)
- Tables - 29" h (wrought iron black) + chairs
- Umbrellas - 9' h
- 4 Topiaries (planters/portable)

Café Brulé Sidewalk Seating Proposal 624-2624



Main St. (N)
Main Street Front
Café Brulé
Front of building

Main Street Front
Café Brulé

Café Brulé

(S)

(E)

Council Agenda Memo

From: John Prescott, City Manager

Meeting: April 6, 2015

Subject: Ordinance 1327 – Amending hours of operation for the sale and consumption of alcoholic beverages in the furniture use zone

Presenter: John Prescott

Background: Café Brule has submitted a request to begin alcohol sale and consumption hours at 7am vs the current code start time of Noon. Specifically, they are interested in the ability to serve a mimosa to breakfast customer. In 2014 when Monica Iverson and Jim Waters were seeking approval from the City Council to sell and provide for the consumption of alcohol in the Furniture Zone for Café Brule, they expressed the desire to expand the allowable hours. As 2014 was going to be the first full season of having alcohol in a furniture zone permit, the City Council did not advance the matter for action. City Code Section 118(F) which sets alcohol sale hours in the furniture zone currently reads as follows:

(F) The hours of operation for the sale and consumption of alcoholic beverages in the furniture zone lease areas shall be noon to 10:00 p.m. The city has the right to limit use of the furniture zone area for alcoholic beverage sales and consumption on specific days.

Discussion: In their request, Café Brule has referenced the ability to serve a mimosa to breakfast customer. The change would also be beneficial for early lunch customers. A change in city code would apply to all current and future furniture zones and not just the Cafe Brule furniture zone. Cafe Brule was issued the only furniture zone permit in 2014. Limited sidewalk space in the downtown area and the location of current restaurants does not provide many opportunities for a furniture zone to exist. The City Council still maintains the authority to approve or disapprove the sale and consumption of alcohol in a furniture zone. The Police Chief has reported no incidents with alcohol sales in the furniture zone area at Cafe Brule.

Financial Consideration: None, other than publication of an ordinance change.

Conclusion/Recommendations: Administration would recommend approval first reading of Ordinance 1327 expanding the hours for sale and consumption of alcoholic beverages in a furniture zone.

ORDINANCE NUMBER 1327

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XI, CHAPTER 118, TO AMEND SECTION 118.16 (F) TO EXPAND HOURS OF OPERATION FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE FURNITURE ZONE.

BE IT ORDAINED BY THE GOVERNING BODY OF VERMILLION, SOUTH DAKOTA that Title XI, Chapter 118, Section 118.16 (F) be amended as follows:

SECTION 1. That section 118.16, Additional Rules Governing Alcoholic Beverage in Furniture Zone, is hereby amended as follows:

(F) THE HOURS OF OPERATION FOR THE SALE AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN THE FURNITURE ZONE LEASE AREAS SHALL BE 7:00 A.M. TO 10:00 P.M. THE CITY HAS THE RIGHT TO LIMIT USE OF THE FURNITURE ZONE AREA FOR ALCOHOLIC BEVERAGE SALES AND CONSUMPTION ON SPECIFIC DAYS.

Dated at Vermillion, South Dakota this 20th day of April 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: April 6, 2015
Second Reading: April 20, 2015
Published: May 1, 2015
Effective: May 22, 2015



24 W. Main St. Vermillion, SD 57069 / 605-624-2945

March 4, 2015

Re: Outdoor Seating Zone Alcohol Hours

Dear Mr. Prescott,

We are interested in providing our customers at Café Brulé the opportunity to have a mimosa with their breakfast in our outdoor seating zone. We are currently permitted to begin serving at noon, but our breakfast menu begins at 7am. We do not seem to attract rowdy customers, so we do not feel that this will negatively impact the community. Please feel free to contact us with any questions and concerns regarding our next step. Thank you for your consideration.

Jim Waters

Monica Iverson

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: April 6, 2015

Subject: Engineering Agreement with Banner Associates for Prentis Avenue Lift Station Assessment

Presenter: Jason Anderson

Background: The recent addition of North Norbeck Street between Roosevelt Street and E. Clark Street has provided access to a lot of development-ready ground east of Norbeck Street. This area is zoned for R-3 development, the City's most dense designation. By the end of 2015, City staff is anticipating the addition of over 150 bedrooms of apartments east of North Norbeck Street.

The sanitary sewer collection system in this area is serviced by the Prentis Avenue lift station. Due to the current growth in the area, City staff would like to assess the useful life of this lift station.

Discussion: City staff has contacted Banner Associates with our concerns for this lift station. Banner has offered to provide an assessment of this lift station for a cost not to exceed \$14,000. This cost will provide City staff with an analysis of the lift station's current condition, current capacity, and expected useful life. The report will also recommend options for future improvement and cost.

Financial Consideration: The engineering agreement is for a total not to exceed \$14,000. The cost of this study will be paid from the Professional Fees and Services line item in the Wastewater Collection budget. The City expects to be reimbursed \$7,000 by a grant received from the Vermillion Basin Water Development District (VBWDD).

Conclusion/Recommendations: Administration recommends approval of the professional services agreement with Banner Associates for the Prentis Avenue Lift Station Assessment.

BANNER

Engineering | Architecture | Surveying

Banner Associates, Inc. | 409 22nd Ave So | PO Box 298

Brookings, South Dakota 57006

Tel | 605.692.6342 Fax | 605.692.5714

Toll Free | 1.855.323.6342

www.bannerassociates.com

March 20, 2015

Mr. Jason Anderson, Asst. City Engineer
City of Vermillion
25 Center Street
Vermillion, SD 7069

Re: Prentis Avenue Lift Station Assessment - Proposal

Dear Jason:

Per our previous discussions, we are pleased to provide this letter agreement to formalize our commitment to provide the services described below for the Prentis Avenue Lift Station. As you are aware, Banner is familiar with this project and the affected areas included in the assessment. The information provided is based on our previous discussions related to the Prentis Avenue Lift Station.

Task 1) Identify current lift station condition: Per the project scope, this task includes evaluation of the condition of the wetwell, condition of the pumps and the current capacity of the lift station. On site investigation of the condition of the wetwell and pumps will be conducted by Banner Associates in conjunction with staff from the City of Vermillion. We will request inspection logs, lift station calibration records, and pump hour meter records. Banner will also work with City staff in conducting a lift station calibration during the field investigations to verify the capacity of the station. This information will be evaluated and considered along with the on-site investigations. A summary of the activities involved in this process will be prepared in report format and will be presented to the City of Vermillion.

Estimated Number of Hours for Task 1 = 18 hours.

Estimated Cost for Task 1 = \$1,690.

Task 2) Identify future sanitary sewer load: This task includes quantifying future load growth in the lift station service basin. The plan will include consideration of the potential service area between north to south between Cherry Street and Main Street and east to west between Crawford Road and Norbeck Street. Evaluation of the this area will be based on the current and proposed zoning for the area as well as discussions with the City of Vermillion to estimate usage of the area and prepare a sound basis for development of potential future loadings from the area. A summary of the evaluation procedures and findings will be prepared in report format. This information will be presented to the City of Vermillion.

Estimated Number of Hours for Task 2 = 48 hours.

Estimated Cost for Task 2 = \$4,550.

Task 3) Analyze lift station's useful life: The useful life of the lift station will depend on a number of factors such as the condition of the wetwell and pumps identified in Task 1 and the rate of growth in Prentis Avenue Lift Station service basin. The findings from Task 2 will identify the overall anticipated loads from the service area. Banner will work with the City of Vermillion to identify trigger points that will indicate to the City of Vermillion that it is time to modify or replace the Prentis Avenue Lift Station. Options for modification or replacement of the Prentis Avenue Lift Station will be based on the findings in Tasks 1 and 2. Banner will prepare opinions of probable cost for each viable option. A summary description of the evaluation and findings, including opinions of probable capital cost and operation and maintenance costs, will be prepared in report format and will be presented to the City of Vermillion.

Estimated Number of Hours for Task 3 = 48 hours.

Estimated Cost for Task 3 = \$4,870.

Task 4) Provide a final recommendation for potential Prentis Avenue lift station improvements: To complete this task, Banner will review the draft report information for each of the previous 3 tasks with the City of Vermillion to assure the recommendation meet with the goals of the City staff. The discussions will include both the type of improvement (modification options vs. replacement options) and the timing of the improvements. The basis for recommendations for improvements and findings will be prepared in report format and presented to the City of Vermillion.

Estimated Number of Hours for Task 5 = 30 hours.

Estimated Cost for Task 5 = \$2,890.

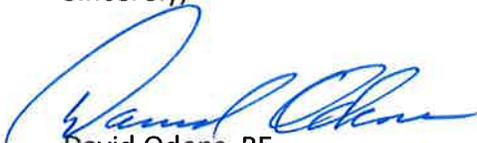
END OF TASKS

As requested, we provided an estimate of the cost of services for each of the numbered items. The following is a summary of the tasks for this project:

| Task | No. of Hours | Estimated Fee |
|--------------|--------------|-----------------|
| 1 | 18 | \$1,740 |
| 2 | 48 | \$4,670 |
| 3 | 48 | \$4,670 |
| 4 | 30 | \$2,920 |
| Total | 144 | \$14,000 |

This estimate of the cost of services is based on the description of the work presented above. We would be happy to discuss our approach to this project and provide additional or modified descriptions of proposed work if it differs from your expectations. We propose to provide these engineering services based on an hourly rate contract not to exceed \$14,000 without prior written approval by the City of Vermillion. We have attached a copy of our Schedule of Labor Rates and Expenses dated January, 2015. Please do not hesitate to contact us should you need any additional information from us. Thank you for this opportunity to present this proposal to you. Should this agreement meet your approval, please sign below and return a copy to us.

Sincerely,


David Odens, PE
Vice President
Banner Associates, Inc.


Dennis Rebelein, PE
Project Manager
Banner Associates, Inc.

ACKNOWLEDGMENT OF ACCEPTANCE

Accepted this _____ day of _____, 2015

By: _____

Title: _____

BANNER

Engineering | Architecture | Surveying

Banner Associates, Inc. | 409 22nd Ave So | PO Box 298
Brookings, South Dakota 57006 | 605.692.6342
www.bannerassociates.com

SCHEDULE OF LABOR RATES AND EXPENSES

January, 2015

| | |
|-------------------------------------|---------------------------|
| Administrative..... | \$40.00 to \$79.00/Hour |
| Surveying/Geomatics..... | \$50.00 to \$94.00/Hour |
| CADD Drafting..... | \$55.00 to \$84.00/Hour |
| Staff Engineer and Architect..... | \$60.00 to \$80.00/Hour |
| Project Engineer and Architect..... | \$85.00 to \$100.00/Hour |
| Project Manager..... | \$100.00 to \$125.00/Hour |
| Sr. Project Manager..... | \$125.00 to \$176.00/Hour |

1. Meals at State Rates.

2. Lodging at actual cost.

3. Reimbursables:

| | |
|---------------------------------------|-------------|
| Mileage..... | \$0.55/Mile |
| Photocopy..... | 0.07/Copy |
| Color Copies..... | 0.30/Copy |
| Black & White 11x17 Laser Prints..... | 0.15/Sheet |
| Vellabond & Plain Paper Plots..... | 0.50/Sq.Ft. |
| Mylar Film Copies and Plots..... | 1.00/Sq.Ft. |

4. All other direct project expenses at actual cost of materials.

We reserve the right to adjust the rates.

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: April 6, 2015

Subject: Grant Funding Agreement with Vermillion Basin Water Development District

Presenter: Jason Anderson

Background: The City requested grant funds from the Vermillion Basin Water Development District (VBWDD) to aid in the financing of a water system leak detection survey and a wastewater lift station evaluation. The water system leak detection survey has been very productive in past years and City staff believes that we are due for another survey. The wastewater lift station evaluation is important at this time due to the residential growth east of N. Norbeck Street. In 2006 and 2009 the VBWDD provided funding to cover the expense of a water system leak detection survey.

Discussion: At their March 18, 2015 meeting, the VBWDD made a motion to award the City of Vermillion \$7,000 for the leak detection survey or the lift station assessment. The VBWDD Board agreed to review their funding levels at the end of the year to consider awarding more money at that time.

Due to the immediate necessity and greater cost of the project, staff has determined that the best use of the grant funding is the Prentis Street lift station assessment.

Financial Consideration: The grant from the VBWDD will reimburse the City \$7,000 for Prentis Street lift station assessment. The remaining cost of the study will be paid from the Professional Fees and Services line item in the Wastewater Collection budget. The cost of the leak detection survey will be paid from the Water Distribution budget.

Conclusion/Recommendations: Administration recommends approving the grant agreement between the VBWDD and the City of Vermillion to perform an assessment of the Prentis Street lift station.

March 9, 2015

Vermillion Basin Water Development District
1111 Railway Street, Suite 2
Centerville, SD 57014
Attn: Board of Directors
Attn: Brad Preheim, Manager

Re: Water Distribution System Leak Detection Survey & Wastewater Lift Station Assessment

Members of the Board:

The City of Vermillion would like the Vermillion Basin Water Development District (VBWDD) to consider awarding grant funding to aid in the financing of a water system leak detection survey and a wastewater lift station evaluation. City staff believes that these two projects are of critical importance to our water and wastewater departments. Before I explain the two projects, I would like to thank Mr. Preheim and the Board of Directors for the opportunity to present this information for consideration for grant funding.

Water

The City of Vermillion operates nearly 51 miles of water distribution pipes, with 416 fire hydrants, and 466 valves. With a system of this size, it can be difficult to identify small leaks. Water leaks are often not located until they become a large problem; typically, these leaks result in thousands of gallons of treated water being wasted, and potentially result in damage to City or private property. To keep water losses to a minimum and stay on top of the issue, it is important that we complete leak detection surveys every few years.

The firms that provide the leak detection survey utilize sonic detection devices with extremely sensitive sound transducers in conjunction with computer correlators to pinpoint leaks in a distribution system. By using the listening devices at the fire hydrants and valves, the City's entire water distribution system can be surveyed for leaks.

In 2006 and 2009, the VBWDD provided the funding to cover the cost of leak detection surveys for the City of Vermillion Water Department. Both surveys were very successful in identifying water leak locations. After completion of the first survey, City staff was able to identify and fix thirteen (13) water leaks. We had seven (7) fire hydrant leaks and two (2) water main leaks. Four (4) leaks were identified and fixed on private service lines. After the second survey, City staff was able to identify and fix five (5) water leaks and inform a trailer park operator of a water leak on their property. Due to the success of past surveys, we would like the VBWDD Board to

consider awarding funding in an amount not to exceed \$8,000 to cover the cost of a leak detection survey in 2015.

Wastewater

The City of Vermillion maintains a wastewater collection system of nearly 36 miles of sewer pipes, 635 manholes, and seven (7) sewer lift stations. Most of the sewer lift stations in Vermillion were constructed many years ago (1960's and 1970's). Due to the age, City staff feels it is important to complete an evaluation of the existing condition and capacity of our lift stations. In doing so, we hope to gain insight into the amount of useful life that remains and identify possible improvements if necessary. In 2014, City staff commissioned a lift station study for our Tom Street lift station.

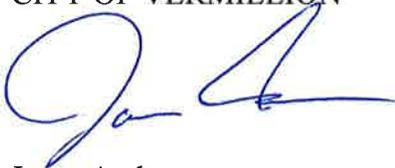
City staff feels it is important to complete an evaluation of the Prentis Street lift station wet well, pumps, and capacity at this time. The lift station is located in an area of the community that is gaining substantial interest in multi-family housing development. Completing this assessment will provide City staff with the necessary information to make an informed decision regarding potential lift station improvements. We would like to ask the VBWDD Board to consider awarding funding in an amount not to exceed \$14,000 to cover the cost of the Prentis Street lift station assessment in 2015.

I understand that the VMWDD Board has limited funding to be divided amongst many studies and projects. City staff would like the Board to give careful consideration to funding these two projects. The projects promote water conservation efforts, residential development in the community, and potentially eliminate future environmental issues.

If you have any further questions, I can be reached by phone at (605) 677-7084 or e-mail at JasonA@CityofVermillion.com. I appreciate and thank you for your time and consideration in this matter.

Sincerely,

CITY OF VERMILLION



Jason Anderson
Asst. City Engineer

Cc: Randy Isaacson, Water Department Superintendent
Paul Brunick, Wastewater Department Superintendent

Council Agenda Memo

From: Matthew R. Callahan, EMS Division Chief
Meeting: April 6, 2015
Subject: Declare Zoll E-Series Cardiac monitors and battery charger surplus property to be sold by sealed bids
Presenter: Matt Callahan

Background: With the purchase of new cardiac monitors for our ambulances last year we now have two Zoll E Series cardiac monitors and one 4-bank battery charger that are not being used. As these units are not usable to us because they are a different brand, are not the most state of the art, and that they cannot be kept in take home vehicles because of the cold weather it is recommended by the EMS Division of the Vermillion Fire EMS Department to surplus these items.

Discussion: The state statute that applies to surplus property is as follows:

6-13-1. Determination of surplus property. The governing board of a political subdivision may sell, trade, destroy, or otherwise dispose of any land, structures, equipment, or other property which the governing board has, by appropriate motion, determined is no longer necessary, useful, or suitable for the purpose for which it was acquired. No motion is required to sell, trade, destroy, or otherwise dispose of consumable supplies, printed text, or subscriptions.

The cardiac monitors and charger will be advertised and sold by sealed bids with a proposed bid opening date of April 30, 2015, which will be set on the Consensus Agenda. If the cardiac monitors and charger are declared surplus, staff will in addition to the notice to bidders provide notice to fire and EMS departments in the region. A bidder will be provided the dates and requirements to be met as part of their packet.

Financial Consideration: The sales proceeds from the sale of the cardiac monitors and charger would be returned to the General Fund. The EMS Division feels that value of the cardiac monitors and charger as a package is \$5,000.00.

Conclusion/Recommendations: Administration recommends declaring the two Zoll E Series cardiac monitors and one 4-bank battery charger as surplus and authorize the appraisal by the Surplus Property Committee appraisal for sale by sealed bids.

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: April 6, 2015

Subject: Tractor Lease for Street and Solid Waste - Fred Haar Co.

Presenter: Jason Anderson

Background: The City has again been approached by Fred Haar Co., a John Deere dealership in Yankton, South Dakota, about leasing two (2) tractors to the City for approximately eight months. John Deere has a governmental lease program that will lease the tractors to a governmental agency for up to eight (8) months or two hundred fifty (250) hours with the hourly lease payment being made by the local John Deere dealership. The dealership can purchase the tractors at governmental discount pricing and, after the lease is up, has two low hour tractors for their inventory. The City would be responsible only for insurance and normal maintenance and repairs during the lease period.

Discussion: The tractors, one of which has a front-end loader, would be used by the Street and Solid Waste Departments. The Street Department would primarily use a tractor for mowing and the landfill would primarily use a tractor for working the compost pile. By using the leased tractors, hours would not be put on other city owned tractors or wheel loaders. Fred Haar Co. has used this program with the SD Department of Transportation, counties, and other cities including the City of Vermillion for the last three years.

Financial Consideration: The cost of insurance has been estimated at \$200 for each tractor. Routine maintenance, such as an oil changes, may be necessary depending on the hours put on each tractor.

Conclusion/Recommendations: Administration recommends authorizing the City Manager to enter into the lease agreement with Fred Haar Co. for the lease of two John Deere tractors for eight (8) months or two hundred fifty (250) hours.

SOUTH DAKOTA JOHN DEERE TRACTOR AGREEMENT WITH FRED HAAR CO

VERMILLION LANDFILL, South Dakota agrees to rent 6175R,,H380 from John Deere Company through Fred Haar Co., Inc. for a term of **8 months** with delivery to begin approximately **_8MAY15** through **_1DEC15** with a base payment of \$0.00 for up to **250 hours**.* Any other payments will be the responsibility of Fred Haar Co your servicing John Deere dealer.

***The hourly rate is \$0.00 up to 250 Hours, (\$95.00 per hour after 250 would be the expense of VERMILLION LANDFILL).**

VERMILLION LANDFILL, South Dakota will be responsible for excessive wear or damage to tires, glass and finish, and any abuse or neglect of units will be the Agency's responsibility.

VERMILLION LANDFILL, South Dakota is responsible for normal maintenance and repairs not covered under manufacturer's standard warranty, (such as but not exclusive to) oil and filters at required maintenance intervals.

VERMILLION LANDFILL, South Dakota is responsible for liability, and property insurance. Fred Haar Co will be the loss payee for claims related to tractor damages. Equipment will only be used for business, commercial, state, county or municipality purposes. No personal use is permitted.
Dealer agrees to provide loaner tractor if the unit is unavailable for use for more than 7 calendar days.

Please sign and date below to acknowledge the terms and conditions of this rental agreement.

| | |
|-----------------------------|------------------------------------|
| (Agency name) | CITY OF VERMILLION (LANDFILL)_____ |
| (Signature) | _____ |
| (Date) | _____ |
| Delivery and Billing | Location: |
| (Address) | 25 CENTER ST_____ |
| (Address line 2) | VERMILLION, SD 57069_____ |
| (Contact Name) | BOB_____ |
| (Contact Phone) | _605- 677- 7059_____ |
| (Contact Fax) | |
| Dealer Information: | Fred Haar Co., Inc. |
| (Address) | 2200 E Hwy 50 |
| (Address line 2) | Yankton, SD 57078 |
| (Address line 3) | |
| (Contact Name) | WAYNE HUBER |
| (Contact Phone) | 605- 665- 3762 |
| (Contact Fax) | 605- 665- 0809 |

SOUTH DAKOTA JOHN DEERE TRACTOR AGREEMENT WITH FRED HAAR CO

VERMILLION STREET DEPT., South Dakota agrees to rent 6150R from John Deere Company through Fred Haar Co., Inc. for a term of **8 months** with delivery to begin approximately **_8MAY15** through **_1DEC15** with a base payment of \$0.00 for up to **250 hours**.* Any other payments will be the responsibility of Fred Haar Co your servicing John Deere dealer.

***The hourly rate is \$0.00 up to 250 Hours, (\$95.00 per hour after 250 would be the expense of _VERMILLION STREET DEPT.).**

VERMILLION STREET DEPT., South Dakota will be responsible for excessive wear or damage to tires, glass and finish, and any abuse or neglect of units will be the Agency's responsibility.

VERMILLION STREET DEPT., South Dakota is responsible for normal maintenance and repairs not covered under manufacturer's standard warranty, (such as but not exclusive to) oil and filters at required maintenance intervals.

VERMILLION STREET DEPT., South Dakota is responsible for liability, and property insurance. Fred Haar Co will be the loss payee for claims related to tractor damages. Equipment will only be used for business, commercial, state, county or municipality purposes. No personal use is permitted. Dealer agrees to provide loaner tractor if the unit is unavailable for use for more than 7 calendar days.

Please sign and date below to acknowledge the terms and conditions of this rental agreement.

| | |
|-----------------------------|------------------------------|
| (Agency name) | _VERMILLION STREET DEPT_____ |
| (Signature) | _____ |
| (Date) | _____ |
| Delivery and Billing | Location: |
| (Address) | 25 CENTER ST_____ |
| (Address line 2) | VERMILLION, SD 57069_____ |
| (Contact Name) | _____ |
| (Contact Phone) | _____ |
| (Contact Fax) | _____ |
| Dealer Information: | Fred Haar Co., Inc. |
| (Address) | 2200 E Hwy 50 |
| (Address line 2) | Yankton, SD 57078 |
| (Address line 3) | |
| (Contact Name) | WAYNE HUBER |
| (Contact Phone) | 605- 665- 3762 |
| (Contact Fax) | 605- 665- 0809 |

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: April 6, 2015

Subject: Resolution adopting the City of Vermillion's Storm Drainage Design Criteria

Presenter: Jose Dominguez

Background: In 2012 the City adopted a Subdivision Ordinance that required developers to provide storm water mitigation. At the time the ordinance was adopted the City did not have any form of storm drainage design criteria. In 2013, the City completed a City wide drainage study. This drainage study, amongst other things, recommended drainage design standards to be adopted by the City. The standards proposed were modified and have been followed by Staff as policy since 2014. These standards were presented to the Council at a noon meeting on January 20, 2014.

Prior to 2014 the City did not have anything requiring developers to mitigate any of the storm water generated by their development. This has become an issue in some parts of the City. Additionally, the recently adopted Storm Water Management Program which also requires that the City adopt a policy addressing post-construction storm water runoff.

Discussion: The proposed criteria will require all new multifamily, commercial, industrial and large scale single family developments to mitigate storm water generated by the development. The type of mitigation will vary depending on the existing lot conditions, size of development and on the amount of imperviousness. For example, a multi-family development which covers 0.75-acres and only has 50% of the area covered with impervious material would not be required to mitigate any storm water. However, if the same multi-family development, covering the same area, but instead has 90% imperviousness would have to mitigate the storm water generated on site.

Additionally, the City would be broken up into seven watersheds. Each watershed was created based on the area that is drained by the existing storm sewer system. Depending on the watershed the developer would know what storm frequency to mitigate. There are two types of storms that the developer is concerned with; the minor or major. The minor storm is one that occurs frequently (several times in one year), while the major storm happens less frequently (a couple of times a year, or less). The developer would have to capture the major storm and release the minor storm. It should be noted that this works

on the assumption that the existing system (streets, curb and gutter, inlets, manholes, pipes, ditches, swales, etc...), although not designed for a particular storm in mind, has been functioning in an acceptable manner during the minor storm events.

These criteria will require that the developer use some of the land for drainage purposes. It will additionally require that the developer hire an engineer to design the drainage facilities for the development.

Financial Consideration: At this point there are no financial considerations for this item.

Conclusion/Recommendations: Administration recommends adopting the resolution adopting the City of Vermillion's Storm Drainage Criteria.



STORM DRAINAGE DESIGN CRITERIA

APRIL 2015

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IMPERVIOUS SURFACE MITIGATION

Volume mitigation will be required for multifamily, commercial and industrial developments meeting the criteria on Table 1. Additionally, large scale single family developments (more than four houses or townhome structures) that meet the criteria will also be required to provide volume mitigation. The developer shall use the minor storm event to determine the volume of runoff that will need to be mitigated using Best Management Practices (BMPs) such as rain gardens, infiltration swales, discharge of runoff onto pervious surfaces. Depending on the size of the development, and the amount of impervious material, the developer may be required to construct a detention pond rather than a smaller BMP to mitigate the storm runoff. Any construction that started on April 6th, 2015, or after, will have to meet the drainage requirements for new developments when any additional impervious areas are constructed. This will include, but is not limited to, construction of new phases, additions to buildings, extension to parking lots (gravel or hard surface), etc...

Table 1

| | IMPERVIOUSNESS | DEVELOPMENT AREA | MITIGATION REQUIREMENT |
|-------------------------------|--------------------------|-------------------------|---|
| NEW DEVELOPMENT (BARE GROUND) | greater than 50% of area | less than 1-acre | Grass buffer, grass swale, porous landscape detention |
| NEW DEVELOPMENT (BARE GROUND) | greater than 50% of area | 1-acre or more | detention pond |
| NEW DEVELOPMENT (BARE GROUND) | 50% or less of area | any amount | nothing is required |
| REDEVELOPMENT | greater than 75% of area | less than 1-acre | Grass buffer, grass swale, porous landscape detention |
| REDEVELOPMENT | greater than 75% of area | 1-acre or more | detention pond |
| REDEVELOPMENT | 75% or less of area | any amount | nothing is required |

DESIGN REQUIREMENTS

The preferred methods of design will be the rational method (Q = CIA), or the NRCS design methodology. These methods are preferred since final computations will be checked using the HydroCAD model which is consistent with both these methods. The City of Yankton’s Intensity-Duration-Frequency (IDF) curve will be used for all storm sewer or minor drainage computations. The IDF curve can be found in South Dakota Drainage Manual, October 2011, Chapter 7, Figure 7.13-S. The storm event shall be based on Table 2. The IDF curve based on Yankton, SD is consistent with computation that can be done using Soil Conservation Service (SCS) (now National Resources Conservation Service or NRCS) methods.

Table 2

| MAJOR WATERSHED | MINOR STORM | MAJOR STORM | DETENTION REQUIREMENT |
|-----------------------------------|--------------------|--------------------|---|
| Highway 50 Watershed | 5-year developed | 100-year developed | Capture the major and release the minor |
| West Cherry Watershed | 5-year developed | 100-year developed | Capture the major and release the minor |
| 12 th Street Watershed | 2-year developed | 25-year developed | Capture the major and release the minor |
| West Vermillion Watershed | 5-year developed | 100-year developed | Capture the major and release the minor |
| Dakota Watershed | 2-year developed | 25-year developed | Capture the major and release the minor |
| University Street Watershed | 2-year developed | 25-year developed | Capture the major and release the minor |

Table 2 *continued*

| MAJOR WATERSHED | MINOR STORM | MAJOR STORM | DETENTION REQUIREMENT |
|--------------------------|--------------------|--------------------|---|
| East Burbank Watershed | 2-year developed | 25-year developed | Capture the major and release the minor |
| USD Watershed | 2-year developed | 25-year developed | Capture the major and release the minor |
| New Areas Not Identified | 5-year developed | 100-year developed | Capture the major and release the minor |

The NRCS runoff curve numbers to be used in the design shall be according to Table 3.

Table 3

| LAND USE | CURVE NUMBER (SOIL GROUP B – FOR USE ABOVE THE BLUFF) | CURVE NUMBER (SOIL GROUP D – FOR USE BELOW THE BLUFF) |
|---|--|--|
| Open space (parks, golf course, cemetery, etc...) | 61 | 80 |
| Commercial (Avg. of 85% impervious) | 92 | 95 |
| Industrial (Avg. of 72% impervious) | 88 | 93 |
| Townhouses and multifamily (Avg. of 65% impervious) | 85 | 92 |
| Single Family Residential (Avg. of 30% impervious) | 72 | 86 |
| Agricultural (row crop with crop residue) | 75 | 85 |

The Time of Concentration shall be calculated using the following methods:

When calculating the Time of Concentration, the longest route possible shall be used. If when calculating the Time of Concentration, and the length is more than 150-feet, then first use the Sheet Flow Procedure and secondly the Shallow Concentrated Flow. Only one Sheet Flow Procedure may be used per route, while multiple Shallow Concentrated Flows may be required.

- Ø Sheet Flow Procedure shall be used at the headwaters of the drainage area and strictly on a plane surface. The following parameters shall be used:
 - Manning’s coefficient for sheet flow:
 - For any paved surface, $n = 0.011$
 - For any agricultural land, $n = 0.17$
 - For any grassed areas, $n = 0.24$
 - For any wooded areas, $n = 0.80$
 - Flow length (L) shall not exceed 150-feet
 - The 2-year, 24-hour rainfall shall be 2.7-inches
- Ø Shallow Concentrated Flow shall be used anywhere where the flow is not sheet flowing, or on any lengths larger than 150-feet. The following parameters shall be used:
 - Velocity factor:
 - For any paved surface, 20.33 ft/sec

- For any gravel surface, 16.13 ft/sec
- For any grassed swale, 15.0 ft/sec
- For any agricultural use, 9.0 ft/sec
- For any wooded area, 2.5 ft/sec

At no point shall the Time of Concentration be any less than 10-minutes.

All pipes shall be designed according to Table 4.

Table 4

| MAJOR WATERSHED | DESIGN EVENT | MIN. PIPE SIZE | MIN. SLOPE |
|-----------------------------------|---------------------|-----------------------|-------------------|
| Highway 50 Watershed | 5-year developed | 18-inches | 0.4% |
| West Cherry Watershed | 5-year developed | 18-inches | 0.4% |
| 12 th Street Watershed | 2-year developed | 12-inches | 0.4% |
| West Vermillion Watershed | 5-year developed | 18-inches | 0.4% |
| Dakota Watershed | 2-year developed | 12-inches | 0.4% |
| University Street Watershed | 2-year developed | 12-inches | 0.4% |
| East Burbank Watershed | 2-year developed | 12-inches | 0.4% |
| USD Watershed | 2-year developed | 12-inches | 0.4% |
| New Areas Not Identified | 5-year developed | 18-inches | 0.4% |

COMPUTATION GUIDELINES

Table 5 can be used to determine C values based on NRCS land uses. If the values that are used are not consistent with those of Table 5, the source or reason for not using the City Standard values shall be documented.

Table 5

| LAND USE | 2-YEAR VALUE (SOIL GROUP B) | 2-YEAR VALUE (SOIL GROUP D) | 5-YEAR VALUE (SOIL GROUP B) | 5-YEAR VALUE (SOIL GROUP D) |
|---|------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| Open space (parks, golf course, cemetery, etc...) | 0.20 | 0.30 | 0.20 | 0.35 |
| Commercial (Avg. of 85% impervious) | 0.60 | 0.70 | 0.65 | 0.70 |
| Industrial (Avg. of 72% impervious) | 0.55 | 0.65 | 0.60 | 0.65 |
| Townhouses and multifamily (Avg. of 65% impervious) | 0.50 | 0.60 | 0.50 | 0.60 |
| Single Family Residential (Avg. of 30% impervious) | 0.30 | 0.45 | 0.35 | 0.45 |
| Agricultural (row crop with crop residue) | 0.25 | 0.35 | 0.30 | 0.35 |

BEST MANAGEMENT PRACTICES

A best management practices, or BMPs, are control measures used to mitigate storm water pollution. Storm water pollution has two main components that are mainly found in urban developments, these are: increase storm water runoff and increase in pollutants in the runoff.

In order to mitigate the amount of runoff reaching our storm sewer system the City will be requiring certain developments to construct BMPs. The BMPs used will depend on the size of the development and on the amount of impervious area (see Impervious Surface Mitigation section).

BEST MANAGEMENT PRACTICE: GRASS BUFFER

Grass buffers are an important part of the storm drainage system as they allow for pollutants to settle on the grass rather than enter the storm sewer system. Additionally, grass buffers allow for some storm water to infiltrate the soil and thus reducing the runoff reaching the storm sewer system.

This type of BMP is typically constructed adjacent to impervious areas. The grass buffer is designed to allow runoff to sheet flow directly over it. Utilize the design procedures and criteria provided in Appendix A for calculating the size of the proposed grass buffer.

BEST MANAGEMENT PRACTICE: GRASS SWALE

Similar to a grass buffer, a grass swale is a conveyance system that collects and slowly conveys runoff. The design of these control measure allows for the settling of pollutants and for storm water to infiltrate back into the ground.

This BMP can be used as an alternative to storm sewer within a development. The grass swale is typically designed as a trapezoidal, or shallow triangular, swale. They are meant to have a low velocity during minor storm events, and to collect and convey the larger runoffs associated with major storm events. Utilize the design procedures and criteria provided in Appendix B for calculating the size of the proposed grass swale.

BEST MANAGEMENT PRACTICE: POROUS LANDSCAPE DETENTION

Porous landscape detention consists of a low vegetated area with drainage media underneath to facilitate drainage. Runoff is meant to be detained in this area and slowly infiltrates down to the drainage media. The drainage media typically consists of a layer of sand with an underdrain to facilitate drainage. The underdrain discharges into a swale or storm sewer. This BMP allows for removal of pollutants and some detention on sites that do not have much open area.

Utilize the design procedures and criteria provided in Appendix C for calculating the size of the proposed porous landscape detention area.

BEST MANAGEMENT PRACTICE: DETENTION POND DESIGN

The accepted method of design will be the NRCS design methodology. The watershed runoff will be based on the CN and travel time methodology to calculate the time of concentration. The storm distribution shall be the 24-hour, Type II storm. Rainfall amounts are summarized below for several recurrence intervals.

| EVENT | RAINFALL (INCHES) |
|--------------|------------------------------|
| 1-year | 2.2 |
| 2-year | 2.7 |
| 5-year | 3.5 |
| 10-year | 4.1 |
| 25-year | 4.8 |

| | |
|----------|-----|
| 50-year | 5.4 |
| 100-year | 6.0 |

All ponds will be designed based on Table 2.

There will be no permanent structures built with an opening that has an elevation that is lower than the major storm event. All ponds will have a planned emergency overflow that is at the elevation of the major storm event and shall demonstrate it can pass a minor storm when the pond is at the major storm elevation without any damage to structures around the pond or downstream. The emergency overflow, when possible, will discharge into the City's right-of-way. If this cannot be accomplished then the developer will ensure that any neighbor will not be negatively impacted by the flow exiting the emergency overflow.

If a restrictive outlet is required for water quality or rate reduction, it shall not be smaller than six inches in diameter unless approved by the City. All outlets that are smaller than 15 inches shall be designed so that there is an emergency over flow in case the outlet pipe becomes plugged. If the outlet pipe is plugged, the design shall include an analysis of a plugged outlet conditions (water at the elevation of the emergency overflow) and show protection is provided for the unblocked major storm event.

Hydraulic outlet computation shall be submitted to the City Engineer for each pond outlet structure. If a computer model is used that computes hydraulics of an outlet, the program reference shall be documented; and if it is not readily available (embedded in the program) background on the programs methodology shall be submitted with the computations.

This document replaces all previous versions of the City of Vermillion's Storm Drainage Design Criteria, effective as of the date below. All changes to this document shall be made by an approved motion of the City of Vermillion City Council.

John E. (Jack) Powell, Mayor

Date: _____

Michael D. Carlson, City Finance Officer

APPENDIX

APPENDIX A: GRASS BUFFER

Design Procedure and Criteria

The following steps outline the grass buffer design procedure and criteria.

Step 1: Design Discharge

Determine the developed two-year flow rate of the area draining to the grass buffer. Also, determine the flow control type: sheet or concentrated.

Step 2: Minimum Length

Calculate the minimum length (normal to flow) of the grass buffer. The upstream flow needs to be uniformly distributed over this length. General guidance suggests that the hydraulic load should not exceed 0.05 cfs/linear foot of buffer during a two-year storm to maintain a sheet flow of less than 1 inch throughout dense grass that is at least 2 inches high. The minimum design length (normal to flow) is therefore calculated as:

$$L_G = \frac{Q_{2\text{-year}}}{0.05}$$

In which:

L_G = Minimum design length (feet)

$Q_{2\text{-year}}$ = Peak discharge supplied to the grass buffers by a 2 year event (cfs)

Longer lengths may be used.

Step 3: Minimum Width

The minimum width (W_G) (the distance along the sheet flow direction) of the grass buffer shall be determined by the following criteria for onsite and concentrated flow control conditions:

- Sheet Flow Control (use the larger value)

$$W_G = 0.2L_1 \text{ or } 10 \text{ feet}$$

In which:

L_1 = The length of flow path of the sheet flow over the upstream impervious surface (feet)

- Concentrated Flow Control (use the larger value)

$$W_G = 0.15(A_t/L_t) \text{ or } 10 \text{ feet}$$

In which:

A_t = The tributary area (square feet)

L_t = The length of the tributary inflow normal to flow spreader (i.e., width of flow spreader (feet))

A generally rectangular-shaped strip is preferred and should be free of gullies or rills that concentrate the overland flow.

Step 4: Maximum Slope

Design slope in the direction of flow shall not exceed 4 percent.

Step 5: Flow Distribution

Incorporate a device on the upstream end of the buffer to evenly distribute flows along the design length. Slotted curbing, modular block porous pavement (MBP), or other spreader devices can be used to apply flows. Concentrated flow supplied to the grass buffer must use a level spreader (or a similar concept) to evenly distribute flow onto the buffer.

Step 6: Vegetation

Vegetate the grass buffer with dense turf to promote sedimentation and entrapment and to protect against erosion.

Step 7: Outflow Collection

Provide a means for outflow collection. Most of the runoff during significant events will not be infiltrated and will require a collection and conveyance system. In some cases, the use of under-drains can maintain better infiltration rates as the soils saturate and help dry out the buffer after storms or irrigation periods.

APPENDIX B: GRASS SWALE

Design Procedure and Criteria

The following steps outline the grass swale design procedure and criteria:

Step 1: Design Discharge

Determine the developed two-year flow rate in the proposed grass swale for water quality.

Step 2: Swale Geometry

Select geometry for the grass swale. The cross section should be trapezoidal or triangular. The side slopes shall be flatter than 4:1 (horizontal/ vertical). The wider the wetted area of the swale, the slower the flow and the more effective it is in removing pollutants.

Step 3: Longitudinal Slope

Maintain a longitudinal slope for the grass swale between 0.2 and 1.0 percent. If the longitudinal slope requirements cannot be satisfied with available terrain, grade control checks or small drop structures must be incorporated to maintain the required longitudinal slope. If the slope of the swale exceeds 0.5 percent, the swale must be vegetated with irrigated turf grass to establish the vegetation.

Step 4: Flow Velocity and Depth

Calculate the velocity and depth of flow through the swale. Based on Manning's equation and a Manning's roughness coefficient of $n=0.05$, find the channel velocity and depth using the 2-year flow rate determined in Step 1.

Step 5: Maximum Flow Velocity

Maximum flow velocity of the channel shall not exceed 1.5 feet per second and the maximum flow depth shall not exceed 2 feet at the two-year peak flow rate. If these conditions are not attained, repeat Steps 2 through 4, each time altering the depth and bottom width or longitudinal slopes until these criteria are satisfied.

Step 6: Vegetation

Vegetate the grass swale with dense turf grass to promote sedimentation, filtration, and nutrient uptake, and to limit erosion through maintenance of low-flow velocities.

Step 7: Drainage and Flood Control

Check the water surface during larger storms such as the minor storm and major storm event to assure that drainage from these larger events is being controlled without flooding critical areas.

APPENDIX C: POROUS LANDSCAPE DETENTION

Design Procedure

The following steps outline the porous landscape detention design procedure and criteria:

Step 1: Basin Storage Volume

Provide a storage volume based on a 12-hour drain time.

- Find the required storage volume (watershed inches of runoff). Using the tributary areas imperviousness, determine the required WQCV (watershed inches of runoff) using Figure 1 in the appendix, based on the porous landscape detention 12-hour drain time.
- Calculate the design volume in cubic feet as follows:

$$Design\ Volume = \left(\frac{WaterQualityCaptureVolume}{12} \right) * Area$$

In which:

Area = The watershed area tributary to the porous landscape detention basin (square feet)

Step 2: Surface Area

- Calculate the minimum required surface area as follows:

$$SurfaceArea = \left(\frac{DesignVolume(ft^3)}{d_{av}} \right)$$

In which:

d_{av} = average depth (feet) of the porous landscape detention basin.

Step 3: Sand-Peat Media

Provide, as a minimum, an 18-inch-thick layer of well mixed sand and peat (2/3 sand and 1/3 peat) for plant growth. Keep the top surface as flat as possible, while avoiding side slopes steeper than 4:1.

When installing below the bluff, or no subdrain outlet is possible, use a total sand-peat mixed layer thickness of 36-inches and no granular subbase.

Step 4: Granular Subbase

Whenever an under-drain is used or when installing above the bluff and an under-drain is not used, use an 8-inch layer of granular subbase with all fractured faces meeting the requirements of AASHTO #67 coarse aggregate.

Step 5: Membrane Liner

If installing below the bluff, install an impermeable 15-mil-thick, or heavier, liner on the bottom and sides of the basin.

If installing above the bluff, use porous geotextile fabric to line the entire basin bottom and sides. Porous membrane liner shall be of woven monofilament as manufactured by Carthage Mills-Carthage 15 percent (or equal) having an open surface area of 12-15 percent, with openings equivalent to AOS U.S. Std. Sieve size of 40-50.

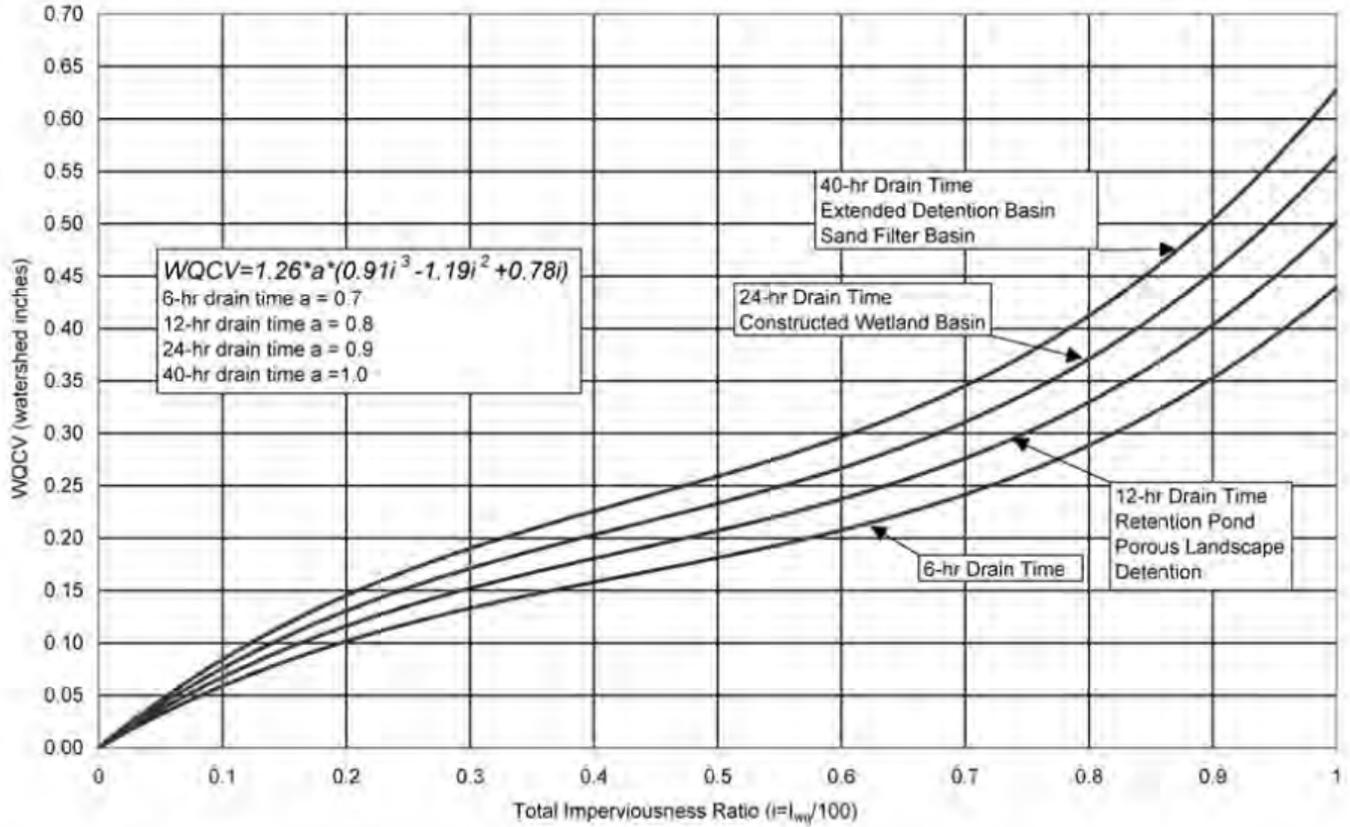
Step 6: WQCV Depth

Maintain an average WQCV depth between 6 inches and 12 inches. Average depth is defined as water volume divided by the water surface area.

Step 7: Drainage and Flood Control

Check the water surface during larger storms such as the minor storm and major storm event to assure that drainage from these larger events is being controlled without flooding critical areas.

FIGURE 1



NOTE: Figure 11.48 from the City of Sioux Falls Engineering Design Standards. WQCV adjusted to Sioux Falls based upon Urban Drainage and Flood Control District Volume 2 procedure page SQ-23.

**RESOLUTION ADOPTING THE STORM DRAINAGE DESIGN
CRITERIA**

WHEREAS, in March 16, 2015 the City adopted the City of Vermillion's Storm Water Management Program, dated March 2015, as required by the Clean Water Act; and,

WHEREAS, this program required that the City adopt requirements in order to address storm water runoff and pollution created by developments; and,

WHEREAS, the City of Vermillion over the years has experienced localized flooding due to development not being required to mitigate any storm water generated on the site; and,

WHEREAS, the Storm Drainage Design Criteria will reduce localized flooding and minimize the amount of pollutants reaching the Vermillion River by requiring that some developers to construct facilities designed to mitigate storm water.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota that the City adopts as policy the City of Vermillion's Storm Drainage Design Criteria, dated April 2015.

Dated at Vermillion, South Dakota this 6th day of April, 2015.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: John Prescott, City Manager

Meeting: April 6, 2015

Subject: Capital Improvement Plan

Presenter: John Prescott

Background: At the March 16, 2015 Noon City Council meeting, staff presented a Capital Improvement Plan for City Council discussion and review. Since the presentation, a couple of typographical errors have been corrected but the document has otherwise remained the same.

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 2015-19 CIP which are proposed to be included in the 2016 budget are:

- Additional electrical circuit - \$335,000
- Main Street traffic signals - \$500,000
- Street Maintenance work - \$160,000
- Fire Department breathing apparatus - \$110,000
- Prentis Park improvements – balance of \$5,200,000
- Begin Street lighting conversion to LED - \$250,000
- Recoat Lift station #2 - \$150,000

There are many other projects included in the CIP for 2016 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 Capital Improvement Plan.

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer
Meeting: April 6, 2015
Subject: Market Street Water Tower Demolition Quotes
Presenter: Jason Anderson

Background: The new 500,000 gallon water tower on Shriner Street was put into service in August 2014. Two of the purposes for constructing the Shriner Street water tower were to provide more elevated water storage and to replace the aging 100,000 gallon Market Street tower.

Discussion: At the January 19, 2015 City Council noon session, City staff presented to the Council information that was obtained from a phone conversation with Iseler Demolition about water tower demolition. Iseler Demolition is a company that specializes in water tank removal and is widely viewed as a top contractor in this line of work. Following a brief presentation and some discussion, the City Council advised City staff to seek quotes from multiple contractors for the removal of the Market Street water tower.

Project documents were sent to three (3) contractors, all with experience in water tank removal. Two quotes were received. Iseler Demolition provided the low quote of \$18,848 to remove the Market Street tower. The contractor also has the rights to the scrap material.

Financial Consideration: The Water Department budgeted \$40,000 for this project based on an estimate provided by Banner Associates.

Conclusion/Recommendations: Administration recommends awarding the project to Iseler Demolition for the amount of \$18,848.



QUOTE SUMMARY
Market Street Water Tower Demolition

25 Center St. Vermillion, SD 57609

March 31, 2015 -- 2:00 P.M.

| <u>COMPANY</u> | <u>ADDENDUM ACKNOWLEDGED</u> | <u>SIGNED PROPOSAL</u> | <u>TOTAL</u> |
|-------------------------|------------------------------|------------------------|--------------------|
| Iseler Demolition | YES | YES | \$18,848.00 |
| All Industrial Services | NO | YES | \$41,307.00 |
| Maguire Iron | NA | NA | NA |



Council Agenda Memo

From: Jason Anderson, Asst. City Engineer
Meeting: April 6, 2015
Subject: Sale of Surplus Golf Course Utility Vehicle
Presenter: Jason Anderson

Background: The 2005 Toro Workman 3200 utility vehicle was included in the Equipment Replacement Fund for replacement in 2015. The vehicle was declared surplus and appraised at the March 16, 2015 City Council meeting. A bid opening date of April 1, 2015 was set for the opening of sealed bids.

Discussion: The 2005 utility vehicle was appraised at \$5,400. The City cannot accept a bid for less than 90% of appraised value, which would be \$4,860.

The bid opening was advertised regionally, and some inquiries were received, but no bids were submitted. Since no bids were received, the City by State law can sell the surplus property by private sale for not less than 90% of appraised value.

Contact has since been made with representatives from the Bakker Crossing golf course in Sioux Falls, and their partners GreatLIFE Malaska Golf & Fitness Club. They have agreed to offer the City \$5,400 for the golf utility vehicle.

Financial Consideration: All revenue from the sale of the surplus parks and golf course equipment will go to the equipment replacement fund.

Conclusion/Recommendations: Administration recommends the City Council acknowledge that no bids were received.

Administration also recommend that the City Council acknowledge that since the bid opening an offer was received and authorize the sale of the surplus 2005 Toro Workman 3200 golf course utility vehicle to GreatLIFE Malaska Golf & Fitness Club for the appraised value of \$5,400.

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: April 6, 2015

Subject: Three Phase Electric Transformers

Presenter: Jason Anderson

Background: The 2015 Electric Distribution budget includes funding for the annual supply of padmount transformers for stock needs and 2015 electric project needs. The City opened bids on March 31, 2015. A copy of the bid summary is attached.

Discussion: Six bids were received from four bidders for electric transformers. Transformer bids are evaluated for operating losses over the transformer life cycle in determining the low bidder. The total base price is the initial cost to acquire the transformers, while the total evaluation price represents the total life cost of operating the transformers. The low bidder on transformers was RESCO with an initial purchase price of \$58,848 and a total evaluated bid of \$124,954.40.

Financial Consideration: The 2015 Electric Distribution fund includes funding for yearly transformer purchases.

Conclusion/Recommendations: Administration recommends awarding the padmount transformer bid to the low bidder, RESCO, with an initial purchase price of \$58,848 and a total evaluated bid of \$124,954.40.



BID SUMMARY
Three Phase Padmounted Electric Transformers

March 31, 2015 -- 2:00 P.M.

| | | | | | | |
|---|--|---|--|--|--|--|
| BIDDER: | Border States Electric | Wesco | RESCO--Bid One | RESCO--Bid Two | Stuart Irby--Bid One | Stuart Irby--Bid Two |
| ADDRESS: | 1401 N. Minnesota Ave Sioux Falls, SD 57104 | 2501 E. Third St. Sioux City, IA 51101 | 4100 30th Ave So Moorhead, MN 56560 | 4100 30th Ave So Moorhead, MN 56560 | 1234 1st Ave South Fort Dodge, IA 50501 | 1234 1st Ave South Fort Dodge, IA 50501 |
| BID SECURITY: | 10% Bid Bond | 10% Bid Bond | 10% Bid Bond | 10% Bid Bond | 10% Bid Bond | 10% Bid Bond |
| Three Phase Pad Mounted Transformers | | | | | | |
| Total Base Price | \$60,000.00 | \$60,740.00 | \$58,848.00 | \$63,575.00 | \$61,257.00 | \$61,170.00 |
| Total Evaluation Price | \$129,540.40 | \$125,246.80 | \$124,954.40 | \$129,967.40 | \$127,661.40 | \$127,574.40 |
| Manufacturer | Cooper Power | ABB | Ermco | CG Power | Howard-Silicon Core | Howard-Silicon Core Flip Top |
| Delivery Date | 8-12 Weeks | 10-13 Weeks | 11-13 Weeks | 14-16 Weeks | 8-10 Weeks | 10-12 Weeks |

CITY OF VERMILLION
 ACCOUNTS PAYABLE-APRIL 6, 2015

| | | |
|---|-----------------------|-----------|
| 1 AMERICINN | LODGING | 85.00 |
| 2 ANDY COLVIN | MEALS REIMBURSEMENT | 26.00 |
| 3 ANIMAL CARE EQUIPMENT & SVC | SUPPLIES | 149.46 |
| 4 ANTIGUA GROUP, INC | MERCHANDISE | 1,450.70 |
| 5 APEX EQUIPMENT, LLC | REPAIRS | 2,305.20 |
| 6 APPLIED CONCEPTS, INC | REPAIRS | 108.10 |
| 7 ARAMARK UNIFORM SERVICES | UNIFORM CLEANING | 134.64 |
| 8 ARGUS LEADER MEDIA #1085 | SUBSCRIPTION | 52.00 |
| 9 ARIZONA MANUFACTURING & EMBROIDERY | MERCHANDISE | 287.91 |
| 10 ARROW INTERNATIONAL, INC | SUPPLIES | 1,248.06 |
| 11 ASHLEY BRUNICK | TEST REIMBURSEMENT | 100.00 |
| 12 AUTOMATED DRIVE SYSTEMS | MAINTENANCE | 3,250.00 |
| 13 AUTOMATIC BUILDING CONTROL | INSPECTION | 2,109.00 |
| 14 AWWA | MEMBERSHIP | 356.00 |
| 15 BAKER & TAYLOR BOOKS | BOOKS | 587.17 |
| 16 BANNER ASSOCIATES, INC | PROFESSIONAL SERVICES | 1,800.84 |
| 17 BENJAMIN NELSEN | MEALS REIMBURSEMENT | 130.00 |
| 18 BIRSCHBACH EQPT & SUPPLY | SUPPLIES | 537.42 |
| 19 BOMGAARS | SUPPLIES | 14.95 |
| 20 BORDER STATES ELEC SUPPLY | SUPPLIES | 501.98 |
| 21 BOUND TREE MEDICAL, LLC | SUPPLIES | 603.66 |
| 22 BOW CREEK METAL INC | SUPPLIES | 118.00 |
| 23 BOYER FORD TRUCKS | REPAIRS | 312.57 |
| 24 BRIGHTWAY ELECTRIC, LLC | INSTALL LOAD MGMT | 25.00 |
| 25 BROADCASTER PRESS | ADVERTISING | 98.00 |
| 26 BROWN TRAFFIC PRODUCTS | SUPPLIES | 3,385.00 |
| 27 BURNS & MCDONNELL | PROFESSIONAL SERVICES | 1,223.89 |
| 28 BUTLER MACHINERY CO. | PARTS | 389.21 |
| 29 CALLAWAY GOLF | MERCHANDISE | 2,097.24 |
| 30 CAMPBELL SUPPLY | SUPPLIES | 1,221.11 |
| 31 CASK & CORK | MERCHANDISE | 1,548.65 |
| 32 CENTER POINT LARGE PRINT | BOOKS | 53.14 |
| 33 CENTRAL STATES WIRE PRODUCTS | SUPPLIES | 1,771.50 |
| 34 CENTURY BUSINESS LEASING | COPIER CONTRACT | 138.25 |
| 35 CENTURY BUSINESS PRODUCTS | COPIES | 180.22 |
| 36 CENTURYLINK | TELEPHONE | 743.16 |
| 37 CERTIFIED LABORATORIES | SUPPLIES | 465.55 |
| 38 CHEMCO, INC | SUPPLIES | 415.86 |
| 39 CHESTERMAN CO | MERCHANDISE | 506.31 |
| 40 CITY OF SIOUX FALLS | TESTING | 30.00 |
| 41 CITY OF VERMILLION | COPIES/POSTAGE | 1,205.53 |
| 42 CITY OF VERMILLION | UTILITY BILLS | 37,251.48 |
| 43 CIVIL AIR PATROL MAGAZINE | SUBSCRIPTION | 145.00 |
| 44 CLASS C SOLUTIONS GROUP | SUPPLIES | 1,129.77 |
| 45 CLAY COUNTY DIRECTOR OF EQUALIZATION | PICTOMETRY | 4,821.22 |
| 46 CLAY COUNTY EMS ASSOCIATION | CPR CARDS | 112.00 |
| 47 CLAY-UNION ELECTRIC CORP | ONE CALL BREAKFAST | 106.64 |
| 48 CLIMATE SYSTEMS, INC | PARTS | 61.63 |

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|--------------------------------|------------------------------|-----------|
| 49 COFFEE KING, INC | SUPPLIES | 62.75 |
| 50 COLONIAL LIFE ACC INS. | INSURANCE | 3,215.16 |
| 51 COYOTE RENTALS | WATER HEATER/WIRING REBATE | 340.00 |
| 52 COYOTE SPORTS PROPERTIES | ADVERTISING | 1,500.00 |
| 53 D-P TOOLS | SUPPLIES | 32.95 |
| 54 DAKOTA BEVERAGE | MERCHANDISE | 15,255.98 |
| 55 DAKOTA PC WAREHOUSE | SUPPLIES | 705.93 |
| 56 DAN GOEDEN | SAFETY GLASSES REIMBURSEMENT | 150.00 |
| 57 DANKO EMERGENCY EQUIPMENT | SUPPLIES | 949.63 |
| 58 DAVE ROETMAN | WATER HEATER/WIRING REBATE | 200.00 |
| 59 DEBRA GAPP | REC FEE REFUND | 25.00 |
| 60 DELTA DENTAL PLAN | INSURANCE | 6,413.46 |
| 61 DENNIS MARTENS | MAINTENANCE | 833.34 |
| 62 DEPT OF REVENUE | TESTING | 202.00 |
| 63 DEPT OF VETERANS AFFAIRS | REFUND AMBULANCE OVERPAYMENT | 1,301.60 |
| 64 DGR ENGINEERING | PROFESSIONAL SERVICES | 1,053.00 |
| 65 DUANE FULK | SAFETY BOOTS REIMBURSEMENT | 100.00 |
| 66 DUST TEX | MATS | 120.00 |
| 67 EARTHGRAINS BAKING CO'S INC | SUPPLIES | 31.68 |
| 68 ECHO ELECTRIC SUPPLY | SUPPLIES | 4,048.42 |
| 69 ELECTRIC PUMP, INC | REPAIRS | 26,382.00 |
| 70 ELECTRONIC ENGINEERING | PARTS | 977.00 |
| 71 ELLIOTT EQUIPMENT CO | SUPPLIES | 335.00 |
| 72 ENERGY LABORATORIES | PROFESSIONAL SERVICES | 1,220.00 |
| 73 ERIC BIRKELAND | TRAVEL/BOOKS REIMBURSEMENT | 388.99 |
| 74 FARMER BROTHERS CO. | SUPPLIES | 179.49 |
| 75 FASTENAL COMPANY | SUPPLIES | 18.94 |
| 76 FIREGUARD INC | SUPPLIES | 440.33 |
| 77 FLAGS UNLIMITED | FLAGS | 458.88 |
| 78 FOREMAN MEDIA | COUNCIL MTG | 100.00 |
| 79 FRONTIER PRECISION, INC | MAINTENANCE | 325.00 |
| 80 GALE | BOOKS | 23.99 |
| 81 GEMPLERS INC | SUPPLIES | 615.45 |
| 82 GRAHAM TIRE CO. | TIRES | 702.30 |
| 83 GRAYBAR ELECTRIC | SUPPLIES | 83.86 |
| 84 GREGG PETERS | FREIGHT | 1,989.60 |
| 85 GREGG PETERS | RENT | 937.50 |
| 86 HACH CO | SUPPLIES | 75.89 |
| 87 HANSEN LOCKSMITHING | REPAIRS | 72.50 |
| 88 HARLAND TECHNOLOGY SERVICE | MAINTENANCE | 1,738.00 |
| 89 HARTINGTON TREE LLC | TREE TRIMMING/REMOVAL | 2,150.00 |
| 90 HD SUPPLY WATERWORKS | SUPPLIES | 1,743.94 |
| 91 HELMS & ASSOCIATES | PROFESSIONAL SERVICES | 10,446.93 |
| 92 HERREN-SCHEMPP BUILDING | SUPPLIES | 168.96 |
| 93 HILLYARD FLOOR CARE SUPPLY | SUPPLIES | 315.96 |
| 94 HOOK-FAST SPECIALTIES, INC | BADGES/AWARD PINS | 2,657.36 |
| 95 HORNUNGS PRO GOLF | MERCHANDISE | 202.89 |
| 96 HY VEE FOOD STORE | SUPPLIES | 72.13 |
| 97 INDEPENDENCE WASTE | WASTE HAULING | 924.75 |
| 98 INGRAM | BOOKS | 1,841.09 |
| 99 INTERNATIONAL CODE COUNCIL | DUES | 125.00 |

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|-------------------------------------|---------------------------------|-----------|
| 100 INTERSTATE ALL BATTERY CENTER | BATTERIES | 2,499.00 |
| 101 INTL ASSOC. OF CHIEFS OF POLICE | REGISTRATION | 2,715.15 |
| 102 ISAAC VOSS | GYM MEMBERSHIP REIMBURSEMENT | 175.00 |
| 103 ISTATE TRUCK CENTER | PARTS | 586.61 |
| 104 JACKS UNIFORM & EQPT | UNIFORMS | 451.70 |
| 105 JACY NELSEN | MEALS REIMBURSEMENT | 130.00 |
| 106 JERRY'S CHEVROLET BUICK GM | PARTS | 23.50 |
| 107 JOHN A CONKLING DIST. | MERCHANDISE | 11,978.56 |
| 108 JOHN POWELL | MEALS REIMBURSEMENT | 22.00 |
| 109 JOHNSON BROTHERS FAMOUS BRANDS | MERCHANDISE | 34,046.38 |
| 110 JOHNSTONE SUPPLY | SUPPLIES | 659.98 |
| 111 JONES FOOD CENTER | SUPPLIES | 1,706.24 |
| 112 JOSE DOMINGUEZ | MEALS REIMBURSEMENT | 33.00 |
| 113 KARSTEN MFG CORP | MERCHANDISE | 1,501.35 |
| 114 KOMLINE-SANDERSON | SUPPLIES | 49.00 |
| 115 LAKE REGION CONTRACTING, INC | HAUL SNOW | 339.20 |
| 116 LAWSON PRODUCTS INC | SUPPLIES | 261.61 |
| 117 LAYNES WORLD | SUPPLIES | 106.17 |
| 118 LEISURE LAWN CARE | TREATMENTS | 607.26 |
| 119 LESSMAN ELEC. SUPPLY CO | SUPPLIES | 2,015.00 |
| 120 LINCOLN REPUBLIC INSURANCE | INSURANCE | 489.78 |
| 121 LOCATORS AND SUPPLIES, INC | SUPPLIES | 202.55 |
| 122 LOGO GOLF CHIPS, INC | MERCHANDISE | 194.00 |
| 123 LP GILL, INC | TIRE DISPOSAL | 862.00 |
| 124 LUDENS INC | REPAIRS | 360.00 |
| 125 MALLOY ELECTRIC | PARTS | 1,773.24 |
| 126 MARK KOLLER | MEALS REIMBURSEMENT | 26.00 |
| 127 MART AUTO BODY | TOWING | 575.00 |
| 128 MARTY GILBERTSON | BOILER SYSTEM | 3,145.00 |
| 129 MATHESON TRI-GAS, INC | OXYGEN | 202.88 |
| 130 MCCULLOCH LAW OFFICE | PROFESSIONAL SERVICES | 1,575.00 |
| 131 MEAD LUMBER | SUPPLIES | 68.34 |
| 132 MEDICAL WASTE TRANSPORT, INC | DISPOSAL OF MEDICAL WASTE | 221.92 |
| 133 MICRO MARKETING LLC | BOOKS | 75.00 |
| 134 MIDWEST ALARM CO | ALARM MONITORING/CCTV SYSTEM | 12,517.49 |
| 135 MIDWEST BUILDING MAINTENANCE | MAT SVC | 641.40 |
| 136 MIDWEST TURF & IRRIGATION | PARTS | 1,936.67 |
| 137 MIZUNO USA, INC | MERCHANDISE | 519.28 |
| 138 MONTY MUNKVOLD | MEALS REIMBURSEMENT | 26.00 |
| 139 MOORE WELDING & MFG | SUPPLIES | 140.00 |
| 140 NATL GOLF FOUNDATION | MEMBERSHIP | 225.00 |
| 141 NATL PEN CORPORATION | SUPPLIES | 220.46 |
| 142 NCL OF WISCONSIN, INC | SUPPLIES | 398.17 |
| 143 NETSYS+ | PROFESSIONAL SERVICES/PROCESSOR | 3,285.50 |
| 144 NEW YORK LIFE | INSURANCE | 84.02 |
| 145 NEWMAN TRAFFIC SIGNS | SUPPLIES | 317.11 |
| 146 NIKE INC | MERCHANDISE | 2,863.05 |
| 147 NORIDIAN | REFUND AMBULANCE OVERPAYMENT | 316.14 |
| 148 NORTHERN TRUCK EQPT CORP | PARTS | 118.08 |
| 149 OFFICE SYSTEMS CO | MAINTENANCE | 434.86 |
| 150 OTIS ELEVATOR COMPANY | REPAIRS | 1,386.65 |

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| 151 PAUL CARNES | PROFESSIONAL SERVICES | 450.00 |
| 152 PAULS PLUMBING | SUPPLIES | 66.36 |
| 153 PCC, INC | COMMISSION | 5,070.27 |
| 154 PENGUIN RANDOM HOUSE LLC | BOOKS | 75.00 |
| 155 PENWORTHY COMPANY | BOOKS | 1,367.86 |
| 156 PETE LIEN & SONS, INC | CHEMICALS | 4,205.35 |
| 157 PITNEY BOWES | POSTAGE METER LEASE | 289.71 |
| 158 POMPS TIRE SERVICE, INC. | TIRES | 580.00 |
| 159 POTOMAC AVIATION TECHNOLOGY | REPAIRS | 818.83 |
| 160 PRAIRIE BERRY WINERY | MERCHANDISE | 840.00 |
| 161 PRESSING MATTERS | SUPPLIES | 107.00 |
| 162 PRESTO-X-COMPANY | INSPECTION/TREATMENT | 49.86 |
| 163 PRINT SOURCE | SUPPLIES | 330.00 |
| 164 PUMP N PAK | FUEL | 36.74 |
| 165 QUALITY BOOKS INC. | BOOKS | 14.07 |
| 166 QUEEN CITY WHOLESALE | MERCHANDISE | 519.02 |
| 167 QUILL | SUPPLIES | 2,002.49 |
| 168 RACOM CORPORATION | MAINTENANCE | 637.85 |
| 169 RASMUSSEN MECHANICAL SERVICE | REPAIRS | 8,000.00 |
| 170 RECORDED BOOKS, INC | BOOKS | 181.20 |
| 171 REINHART FOODSERVICE, LLC | SUPPLIES | 1,011.31 |
| 172 RELIABLE TOWING & ROADSIDE | TOWING | 95.00 |
| 173 REPUBLIC NATIONAL DIST. | MERCHANDISE | 22,442.05 |
| 174 RESCO | PARTS | 1,070.00 |
| 175 RICHARD DRAPER | BUSINESS CARDS | 28.97 |
| 176 ROAD KING, INC | SUPPLIES | 270.18 |
| 177 RON MAHER | SAFETY BOOTS REIMBURSEMENT | 100.00 |
| 178 SANFORD HEALTH PLAN | PARTICIPATION FEES | 57.00 |
| 179 SANFORD PATIENT FINANCIAL | TESTING | 35.00 |
| 180 SANITATION PRODUCTS | PARTS | 408.36 |
| 181 SD ASSOC. OF CODE ENFORCEMENT | REGISTRATION | 50.00 |
| 182 SD BUILDING OFFICIALS ASSOCIATION | REGISTRATION | 150.00 |
| 183 SD CITY MGMT ASSOCIATION | REGISTRATION | 70.00 |
| 184 SD FIRE CHIEFS ASSOCIATION | REGISTRATION | 650.00 |
| 185 SD RETIREMENT SYSTEM | CONTRIBUTIONS | 51,372.94 |
| 186 SDWWA | REGISTRATION | 140.00 |
| 187 SERVALL TOWEL & LINEN | SHOP TOWELS | 29.40 |
| 188 SHERWIN-WILLIAMS | PAINT | 52.45 |
| 189 SIOUX CITY FOUNDRY CO | SUPPLIES | 551.25 |
| 190 SIOUXLAND HUMANE SOCIETY | FEES | 37.00 |
| 191 SOOLAND BOBCAT | PARTS | 44.20 |
| 192 STATE HYGIENIC LABORATORY | TESTING | 186.00 |

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|--|------------------------------|-----------|
| 193 STERN OIL CO. | SUPPLIES | 399.28 |
| 194 STEWART OIL-TIRE CO | TIRES | 153.95 |
| 195 STRAWBALE WINERY | MERCHANDISE | 552.00 |
| 196 STUART C. IRBY CO. | SUPPLIES | 2,766.17 |
| 197 STURDEVANTS AUTO PARTS | PARTS | 2,064.47 |
| 198 SUSAN DAVIS | BOOKS | 15.00 |
| 199 TAPCO | MAINTENANCE | 2,286.60 |
| 200 TAYLOR MADE | MERCHANDISE | 3,876.17 |
| 201 THATCHER COMPANY | SODA ASH | 6,787.44 |
| 202 THE EQUALIZER | ADVERTISING | 150.75 |
| 203 THE WALKING BILLBOARD | UNIFORM SHIRTS | 229.90 |
| 204 TIGERT ART GALLERY | FRAMING | 180.00 |
| 205 TITLEIST DRAWER CS | MERCHANDISE | 13,529.35 |
| 206 TOM KRUSE | REIMBURSEMENT | 7.90 |
| 207 TOTAL FLOORING | REPAIRS | 377.54 |
| 208 TRI COUNTY PROPANE INC | PROPANE | 2,224.67 |
| 209 TRI TECH SALES | PARTS | 505.88 |
| 210 TRUE FABRICATIONS | MERCHANDISE | 327.17 |
| 211 TRUE VALUE | SUPPLIES | 503.07 |
| 212 TURNER CONSERVATION DIST. | SUPPLIES | 445.40 |
| 213 TWIN CITY HARDWARE | REPAIRS | 1,879.00 |
| 214 TYLER WILLIAMSON | SAFETY BOOTS REIMBURSEMENT | 100.00 |
| 215 ULTRAMAX | SUPPLIES | 2,214.49 |
| 216 UNITED LABORATORIES | SUPPLIES | 665.46 |
| 217 UNITED PARCEL SERVICE | SHIPPING | 45.20 |
| 218 UNITED WAY | CONTRIBUTIONS | 549.50 |
| 219 USA BLUEBOOK | SUPPLIES | 152.91 |
| 220 VALARIE HOWER | TEST REIMBURSEMENT | 70.00 |
| 221 VERIZON WIRELESS | WIRELESS COMMUNICATION | 2,252.48 |
| 222 VERMILLION ACE HARDWARE | SUPPLIES | 958.08 |
| 223 VERMILLION AREA ARTS COUNCIL | GRANT FUNDING | 345.58 |
| 224 VERMILLION AREA DANCE ORGANIZATION | REGISTRATION FEES | 8.93 |
| 225 VERMILLION CHAMBER OF COMMERCE | TICKET/CONTRIBUTION | 50,040.00 |
| 226 VERMILLION FASTPITCH SOFTBALL | REGISTRATION FEES | 3,273.83 |
| 227 VERMILLION YOUTH BASEBALL | REGISTRATION FEES | 2,436.89 |
| 228 VGSA | ONLINE REGISTRATION | 4,422.06 |
| 229 VGSA | SILVER SPONSORSHIP | 250.00 |
| 230 VISA/FIRST BANK & TRUST | FUEL/LODGING/SUPPLIES | 8,613.48 |
| 231 WAL-MART COMMUNITY | SUPPLIES | 445.46 |
| 232 WALT'S HOMESTYLE FOODS, INC | SUPPLIES | 137.40 |
| 233 WATER RIGHTS PROGRAM, DENR | FUTURE USE WATER PERMIT | 215.00 |
| 234 WELLMARK BCBS | REFUND AMBULANCE OVERPAYMENT | 541.44 |
| 235 WESCO DISTRIBUTION, INC | SUPPLIES | 8,873.63 |
| 236 WIGMAN CO | PARTS | 258.51 |
| 237 WILLSON FLORIST | ARRANGEMENTS | 88.11 |
| 238 WOW! BUSINESS | 911 CIRCUIT | 1,365.50 |
| 239 YANKTON JANITORIAL SUPPLY | SUPPLIES | 167.95 |
| 240 ZEE MEDICAL SERVICE | SUPPLIES | 404.65 |
| 241 ZEP SALES & SERVICE | SUPPLIES | 499.00 |
| 242 DENNIS ACREA | BRIGHT ENERGY REBATE | 25.00 |
| 243 JONES FOOD CENTER | BRIGHT ENERGY REBATE | 100.00 |

244 VERMILLION ACE HARDWARE
245 WILLIAM D RICHARDSON

BRIGHT ENERGY REBATE
BRIGHT ENERGY REBATE

2,520.00
500.00

GRAND TOTAL

\$501,050.92



Council Memo

From: Mike Carlson, Finance Officer

Meeting: April 6, 2015

Subject: Waste water rates

Background: The annual wastewater rate for customers is computed as a percentage of the average monthly consumption based on the January, February and March water billing for each utility account. The new wastewater fee is computed in April of each year and remains the same for the next twelve months. Since the water usage of each account varies from year to year, wastewater fees are determined on an annual basis.

The wastewater rates were last adjusted in April 2014 to 126% of the January, February and March water billing. As wastewater rates are based on water billing it needs to be noted that water rates were increased 2.5% in January 2015. Based upon this the wastewater revenues would be 126% of the adjusted water billing if the volume of sales remained the same. The first quarter 2015 water sales volume decreased 4% over the same period in 2014. (2014 January through March water sales volume 9,210,804 compared to 2015 water sales volume of 8,821,380).

Discussion: As actual water sales revenues are known for January through March, 2015 and at the current wastewater rate of 126% the projections for 2015 revenues would be \$8,300 above the wastewater budget for 2015. Leaving the wastewater rate at 126% is projected to generate \$1,840,300 or \$8,300 over than the wastewater 2015 budget of \$1,832,000. The proposal is to leave the wastewater rates the same would be an increase of just over two percent to the customer who used the same volume of water during January, February and March as last year.

Financial Consideration: Administration recommends leaving wastewater rate at 126% for the April 2015 through March 2016 billing period. This would be an increase of over 2% from \$30.05 to \$30.78 or \$.73 per month for the customer using the city average of 465 cubic feet of water.

Conclusion/Recommendations: As the current waste of 1.26% was adopted in April 2014 can remain the same no action is needed from the City Council.

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

Date: 03/23/15

1. Name of organization/group Delta Sigma Pi
Contact person: Name: Holly Anderson 712-333-1997

2. Date(s) that tickets/chances will be sold: from 04/11/15 to 04/11/15
Cost of tickets/chances: \$2 per ticket

3. Date(s) of drawing(s): 04/11/15

4. Can anyone purchase tickets? No, only attendees of the event

5. Will the prize winner(s) be selected at random? Yes No

6. Description and approximate value of top prize: \$400

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.

Delta Sigma Pi is partnering with the Backpack Program of Vermillion to host a fundraising dinner for the organizations. The dinner will be held at Old Lumber Company in Vermillion at 6:00 p.m. on April 11th, 2015, with live/silent auctions and raffle immediately following the dinner.

All raffle prizes are donated. Proceeds are split between Backpack program and Delta Sigma Pi.

Holly Anderson
Applicant's Signature

Approval: John Prescott 3-24-15
City Manager Date