



**Special Meeting Agenda
City Council**

12:00 p.m. (noon) Special Meeting
Monday, December 15, 2014
Large Conference Room-City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – City Council discussion on malt beverage markup – John Prescott.**
3. **Briefing on the December 15, 2014 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
4. **Recess and/or Adjourn to Tour of the new Liquor Store location at 820 Cottage Avenue.**
(If a quorum will be going on the tour the meeting will recess to 820 Cottage Avenue and adjourn following the tour, if not a quorum going on the tour the meeting will be adjourned.)

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, December 15, 2014
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. December 1, 2014 Special Session; December 1, 2014 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
6. **Public Hearings**
 - a. Special Assessment roll for Sidewalk Repairs (Northwest Quadrant).
 - b. Special Assessment roll for Construction of Concrete Surfacing along the North to South Alley in Block 68, Bigelow's Addition from East Clark Street to East Cedar Street.
7. **Old Business**
 - a. Second Reading of Ordinance 1323 – 2014 Supplemental Budget Appropriations Ordinance.
8. **New Business**
 - a. Final Plat of Lots 1 and 2, Max Christol Addition to the City of Vermillion, Clay County, South Dakota.
 - b. Resolution amending electric rates.
 - c. Resolution authorizing issuance of General Obligation Bonds, Series 2015.
 - d. First Reading of Ordinance No. 1324 Creating a bond fund and levying taxes for the payment of General Obligation Bonds, Series 2015.
 - e. Commercial Collectors License renewals.
 - f. Public Safety Center Board appointment.
 - g. City fee schedule.
 - h. Grant Pre-Application Checklist for the Design of the Apron Reconstruction at Harold Davidson Field Airport.
 - i. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Installation of Street Lighting Along North Norbeck Street from Roosevelt Street to East Cherry Street.
 - j. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Repairs.
 - k. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Safety Improvements.
 - l. Resolution supporting South Dakota Municipal League legislative effort for a Third Penny General Local Sales Tax Option.

9. Bid Openings

10. City Manager's Report

11. Invoices Payable

12. Consensus Agenda

- a. Set a bid opening date of January 27, 2015 for water and wastewater chemicals.
- b. Set a bid opening date of January 13, 2015 for electric transformers.

13. Adjourn

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

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

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

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

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Vermillion City Council's Values and Vision

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



Unapproved Minutes
Council Special Session
December 1, 2014
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, December 1, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Erickson (arrived 12:05 p.m.), Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell

Absent: Collier-Wise

2. Educational Session - Main/Center/Court intersection Report on Public Comments - José Dominguez

Jose Dominguez, City Engineer, reported that there have been four public input meetings held to review the Banner Associates report on the Main/Center/Court intersection. Jose stated that the issue of delays at this intersection was a public concern documented in the 2012 Traffic Study conducted for the City. Jose stated that, as we are looking at upgrades to the traffic signals along Main Street, it was time to review the issue that was raised in the 2012 Traffic Study of the delays at this intersection. It was also noted that this intersection had a number of accidents. Jose stated that Banner Associates was hired to develop options for the intersection to reduce the delays and accidents. Jose reviewed the four options and how the changes would address the delays and accidents.

Alderman Erickson arrived at 12:05 p.m.

Jose reported that from the traffic counts the intersection is at less than fifty percent of capacity. Jose noted that he provided a listing of the comments received from the public meetings noting that with four meetings there may be multiple comments from any one individual. Jose stated that the comments were reviewed with Banner Associates. Jose stated that he recommends temporarily shutting the traffic signal off and placing stop signs on Court and Center Streets. He stated that this should be done for approximately three months and at the end of the period another traffic study will be done to see what effects the change would have on the other streets. Jose noted that this option may reduce the delays but not the accidents which should be similar to the other neighboring offset intersections. Discussion followed on the

recommendation with Jose noting that it would not be possible to try the other options for short periods as is being done with this option. John Prescott, City Manager, stated that notice will be made for the temporary change at this intersection and that at the end of the period public comments will be gathered and presented to the Council.

3. Briefing on the December 1, 2014 City Council Regular Meeting Agenda
Council reviewed items on the agenda with City staff. No action was taken.

4. Executive Session - Economic Development matters per SDCL 9-34-19

Alderman Ward moved to go into executive session at 12:36 p.m. for economic development matters pre SDCL 9-34-19. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted and the City Council in executive session.

Alderman Holly Meins requested to be excused at 12:59 p.m.

Mayor Powell declared the Council out of executive session at 1:02 p.m.

5. Adjourn

388-14

Alderman Ward moved to adjourn the Council special session at 1:03 p.m. Alderman Clarene Meins seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of December, 2014.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
December 1, 2014
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, December 1, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of November 17, 2014 Special Session; November 17, 2014 Regular Session; November 25, 2014 Special Session.

389-14

Alderman Collier-Wise moved approval of the November 17, 2014 Special Session, November 17, 2014 Regular Session and November 25, 2014 Special Session minutes. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

390-14

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

5. Visitors to be Heard

A. Elijah Wergin - Recognize Eagle Scout project of placing new flagpole at Prentis Park baseball field

Jim Goblirsch, Parks and Recreation Director, updated the City Council on the Eagle Scout project of Elijah Wergin that replaced the aging flag pole at the Prentis Park baseball field. Jim stated that Elijah raised the funds and assisted with the installation. Jim noted that Elijah did such a good job of raising funds that he had \$1,750 extra that he donated for additional improvements planned for the baseball field. Jim extended his personal thanks along with that of the City to Elijah for the flag pole in Prentis Park baseball field. Elijah thanked the City for allowing him to do the project and for all the assistance provided.

6. Public Hearings

A. Annual liquor and wine license renewals

Mike Carlson, Finance Officer, reported that this was the time set for the public hearing for the annual liquor and wine license renewals. Mike stated the notice of hearing and the Police Chief's report are included in the packet. From the police report, there are two license holders that had failed a compliance check. As required by ordinance, a management plan from the Fraternal Order of Eagles and Hy-Vee Stores, Inc. is included in the packet. Mike read the list of license applications requesting renewal.

Mike noted that, for City Council actions, the Council may first want to consider the renewal of the retail on-sale liquor license for the Old Lumber Company, Inc for the Old Lumber Company Bar and Grill at 15 Court Street. When the license was transferred from John Grunewaldt to the Old Lumber Company, Inc in April 2012, as well as the previous renewals, the license had the following condition "interior of the building, at said location". The City Council will need to consider if it wants to continue to restrict the license to the interior of the building. The second action would be to consider the renewal of the balance of the on-sale retail liquor licenses, on-off sale wine licenses, package wine (Farm Winery) license and municipal package off sale license. Mike noted if not approved the reason for the denial must be stated.

391-14

Alderman Holland moved approval of the renewal of the on-sale retail liquor license for the Old Lumber Company, Inc for the Old Lumber Company Bar and Grill at 15 Court Street with the restriction that the license is for the interior of the building at 15 Court Street and the renewal of the following licenses: On-Sale-Retailer Liquor: Bebee Street II, LLC for Carey's Bar at 18 West Main; Charcoal Lounge, Inc. for Charcoal Lounge at 6 & 8 East Main; Leo's Sports Bar & Grill, LLC for Leo's Lounge at 11 South Market; Fraternal Order of Eagles for Eagles Club 2421 at 114 West Main; Bunyans, LLC for Bunyans at 1201 West Main; Main Street Pub, Inc. for Main Street Pub at 11 West Main; City of Vermillion for The Bluff's Golf Course at 2021 East Main; Maya Jane's, Inc. for Maya Jane's at 9 W Main; J.N.J. Management, Inc. for The Road House at 911 East Cherry; Red Steakhouse, Inc for Red Steakhouse at 1 East Main Street; Augustus Management, LLC for Howler's Bar & Grill at 912 North Dakota; Retail On-Off Sale Wine: Spanrex, Inc. for Chae's at 8 West Main; Mexico Viejo, Inc. for Mexico Viejo Mexican Restaurant 432 E Cherry; Blue Inc, for Little Italy's at 831 East Cherry; HyVee Food Stores Inc. for HyVee at 525 West Cherry Street; Silk Road Café, Inc. for Silk Road Café at 12 West Main Street; Wal-Mart Stores, Inc. for Wal-Mart #3734 at 1207 Princeton Street; Café

Brule, Inc. for Café Brule at 24 West Main; Red Steakhouse, Inc. for Red Steakhouse at 1 East Main Street; Sunset Oil, Inc. for Lucky Seven Casino at 629 Stanford Street Suite C; Varsity Pub, Inc for The Varsity at 113 East Main; Package Wine (Farm Winery): Valiant Vineyards, Inc. for Valiant Vineyards at 1500 West Main; Municipal Off-Sale Package Liquor: City of Vermillion for Municipal Liquor Store at 826 Cottage. Alderman Erickson seconded the motion. Motion carried 8 to 1. Mayor Powell declared the motion adopted.

B. Site transfer of the City of Vermillion Liquor Store municipal off-sale package liquor license from 826 Cottage to 820 Cottage on or about January 6, 2015

Mike Carlson, Finance Officer, reported that with the relocation of the liquor store from 826 Cottage to 820 Cottage a site transfer of the off sale package license is required. Mike noted that the current plan is to be open at the new location on January 6, 2015 but the notice lists on or about that date in case any unforeseen issues would come up. Discussion followed on the new location with John Prescott, City Manager, reporting that a tour of the new location has been scheduled for following the December 15th noon meeting.

392-14

Alderman Collier-Wise moved approval of the site transfer of the City of Vermillion Liquor Store municipal off sale package liquor license from 826 Cottage to 820 Cottage on or about January 6, 2015. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Retail on-off sale malt beverage license for the City of Vermillion Liquor Store at 820 Cottage for video lottery room

Mike Carlson, Finance Officer, reported that as part of the liquor store relocation and new management agreement it provided for video lottery that will require an on sale license. The application is for an on-off sale malt beverage license that will cost \$300 per year. The license will be for just the video lottery room thus restricting the on-sale to that room only. Discussion followed on video lottery and the on sale license.

393-14

Alderman Willson moved approval of the retail on-off sale malt beverage license for the City of Vermillion Liquor Store at 820 Cottage for the video lottery room. Alderman Erickson seconded the motion. A roll call vote of the Governing Body was as follows: Collier-Wise-N, Erickson-Y, Holland-Y, Clarene Meins-Y, Holly Meins-Y, Price-N, Ward-N, Willson-Y,

Mayor Powell-Y. Motion carried 6 to 3. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. First Reading of Ordinance 1323 - 2014 Supplemental Budget Appropriations Ordinance

Mike Carlson, Finance Officer, reported that the supplemental appropriations ordinance is needed to adjust the budget for items that have changed since the budget was adopted in September 2014. Mike reviewed the amounts of the changes proposed in the General Fund, Second Penny Sales Tax Fund, Parks Capital, Golf Course Fund, Water Fund, Liquor Fund, Capital Projects TIF #6 Fund and Copier, Fax & Postage Fund. Discussion followed.

394-14

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

BE IT RESOLVED, that the minutes of this meeting shall show that the title to proposed Ordinance No. 1323 entitled 2014 Budget Supplemental Appropriations Ordinance 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 1st day of December, 2014 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 vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

B. Final Plat of Lot 1A, Block 3, Erickson Addition to the City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, reported that a plat was received from Polaris Industries, Inc. to combine their two existing lots into one lot. Jose noted that the property owner stated that it is positioning the property for future development with this action. Jose stated that the Planning Commission recommended approval of the plat at their November 24th meeting. Discussion followed.

395-14

After reading the same once, Alderman Holland moved approval of the following plat:

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lot 1A, Block 3, Erickson Addition to the City of Vermillion, Clay County, South Dakota for approval.

BE IT RESOLVED that the attached and foregoing plat has been submitted to and a report and recommendations thereon made by the Vermillion Planning Commission to the City Council of Vermillion which has approved the same.

BE IT FURTHER RESOLVED that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion which has examined the same, and it appears that the systems of streets and alleys set forth therein conforms to the system of streets and alleys of the existing plat of such city, and that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid and that such plat and survey thereof have been executed according to law, and the same is hereby accordingly approved.

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

C. Declare Prentis Park house to be surplus property to be sold by sealed bids

Jim Goblirsch, Parks and Recreation Director, reported that with the recent voter approval to issue \$3.1 million of General Obligation bonds to assist with funding park improvements, there are many steps to be completed to bring about the changes. Jim stated that the removal of the former Prentis Park caretaker house is one step. Jim reported that staff has been working with the State and local historical society to evaluate removal of the house from Prentis Park. Jim stated that the Clay County Historic Preservation Commission at their November meeting authorized the removal of the house from Prentis Park. The Clay County Historic Preservation Commission encouraged the City to try to relocate the house if possible but provided for demolition if a buyer could not be found. Jim noted that given the time of year and no immediate need for the space, a longer schedule has been proposed to facilitate a bidder buying the house and having a chance to relocate the house. The timeline proposed would call for bid opening on February 12th, with

City Council action on February 16th, require a moving permit application by April 1st and the house to be removed by May 15, 2015. Jim stated that the City Council will need to declare the house as surplus and authorize the appraisal by the Surplus Property Appraisal Committee. Discussion followed.

396-14

Alderman Willson moved to declare the park house at 34 Prentis as surplus and authorize the appraisal by the Surplus Property Appraisal Committee to be advertised for sale by sealed bids. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Professional Service Agreement with Burbach Aquatics for Phase II and III work related to the Prentis Park pool replacement

Jim Goblirsch, Parks and Recreation Director, reported that on November 4th the 3.1 million dollar Prentis Park improvements bond was passed by the voters 75% to 25%. Jim stated that the City Council contracted with Burbach Aquatic, Inc on July 18th, 2014 to complete Phase I which includes an existing pool evaluation, develop a conceptual design, meet with City staff and Pool Committee members, anticipate probable construction and operation costs, and assist with public informational meetings. Jim noted that City staff felt Burbach Aquatics did excellent work during this Phase and was easy to work with. Jim reported that the next step in the replacement of the Prentis Park pool is to enter into agreements with Burbach Aquatics for Phase II and III. Jim stated that Phase II details include the soil boring, soil survey, site evaluation, and the bid documentation preparations and Phase III includes the advertisements of bid documents, review of received bid documents, and construction administration. Jim stated that the agreement has been reviewed by the City Attorney. Jim reported that the cost for Burbach Aquatics, Inc. would be 7.25% of project as bid for Phase II services, and 3.5% as built for Phase III services. Jim requested Council approval to enter into a contract with Burbach Aquatics, Inc for Phase II and Phase III for the pool. Discussion followed on the pool plan.

397-14

Alderman Ward moved approval of entering into a contract with Burbach Aquatics, Inc for Phase II and Phase III for the pool project. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Utilities Committee report on electrical rate adjustment

John Prescott, City Manager, reported that the city receives approximately 60% of our electric power from Western Area Power

Administration (WAPA) and the balance of our power from Missouri River Energy Services (MRES). John stated that for 2015 WAPA was not adjusting rates but it was reported at the MRES area meeting that their power rates would be increasing 8.5% starting in 2015 for increased operating costs and debt service. John stated that City staff has worked with MRES staff to develop a rate proposal to present to the Utilities Committee. John noted that the Utilities Committee reviewed and recommended approval of the rate proposal. John stated that the blended rate between WAPA and MRES results in a 2.5% increase for a Vermillion Light and Power customer. John stated that the electric rate proposal includes a change in the customer service charge, energy charge and demand charge. John noted that the City Council can accept the Utility Committee Report at tonight's meeting and a rate resolution will then be brought forward to the December 15th meeting for consideration to be effective with bills mailed in January due February 10, 2015. Discussion followed on utility rates and utility supply. Discussion followed on the electric rates and electric supply contracts.

398-14

Alderman Willson moved to accept the report of the Utility Committee on the proposed electric rate adjustment. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Brunick's Service on Item 1 and Stern Oil on Items 2 and 3.

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$2.3973, Brunick's Service \$2.30; Item 2 - 3,000 gal No. 1 & 2 Diesel fuel dyed: Stern Oil \$3.13, Brunick's Service \$3.45; Item 3 - 1,000 gal No. 1 & 2 diesel fuel-clear: Stern Oil \$3.38, Brunick's Service \$3.7 0

399-14

Alderman Ward moved approval of the low quote of Brunick's Service on Item 1 and Stern Oil on Items 2 and 3. Alderman Price seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that the Tree Board will be meeting on Wednesday, December 10th at 9:30 a.m. in the City Hall large conference room.

B. John reported that the VCDC's Parade of Lights is this Friday night. He stated that there will be temporary street closing on Main Street between Elm Street and Market Street between 6:15 p.m. and 7:00 p.m. for the parade and lighting of the Christmas tree.

C. John stated that the City has been soliciting feedback on the proposals for the Main/Center/Court intersection. He noted that the City is planning a 2 to 3 month trial where the Main Street traffic signal will be shut off and stop signs will be utilized on Center and Court Streets. John stated that more information will be available at the next City Council meeting.

D. John reported that the City received notification from Midcontinent Communications today that they are bringing gigabit internet to Vermillion by the end of 2017. John stated that more information on the actual deployment will be forthcoming.

11. Invoices Payable

400-14

Alderman Collier-Wise moved approval of the following invoices:

3E Electrical Engineering	Led Lights	2,004.41
AGK Electric	Norbeck Lighting Project	24,837.85
Aglab Express	Testing	37.00
Aramark Uniform Services	Uniform Cleaning	181.00
Argus Leader Media #1085	Subscription	98.42
Automatic Building Control	Annual Inspection	334.00
Baker & Taylor Books	Books	943.49
Banner Associates, Inc	Professional Services	4,927.91
Batteries Plus	Batteries	699.70
Better Homes & Gardens	Books	35.94
Blackstone Audio Inc	Books	300.00
Blake Carver	Subscription	104.00
Bomgaars	Uniforms	251.97
Border States Elec Supply	Supplies	288.97
Bound Tree Medical, LLC	Supplies	980.26
Brandt Land Surveying, Inc	Professional Services	500.00
Broadcaster Press	Advertising	247.88
Brown Traffic Products	Supplies	21.00
Burns & McDonnell	Professional Services	2,000.00
Butler Machinery Co.	Repairs/Parts	46,015.27

C&H Distributors, Inc	Supplies	143.00
CAM Commerce	Software Upgrade	465.00
Campbell Supply	Supplies/Equipment	3,912.58
Cask & Cork	Merchandise	1,408.05
Center Point Large Print	Books	172.69
Century Business Leasing	Copier Lease	138.25
Centurylink	Telephone	742.86
Chad Passick	Meal Reimbursement	62.00
Chesterman Co	Merchandise	236.73
City Of Vermillion	Copies	237.17
City Of Vermillion	Utility Bills	34,992.14
Class C Solutions Group	Parts	46.70
Classic Industrial Supplies	Uniforms	334.95
Clay Co Register Of Deed	Filing Fees	60.00
Climate Systems, Inc	Maintenance Contract	1,450.00
Cobra Puma Golf, Inc	Merchandise	273.07
Colonial Life Acc Ins.	Insurance	3,326.49
Concrete Materials	Sand	890.83
Continental Research Corp	Supplies	1,353.58
CorTrust Bank	TIF #6 Bond Payment	6,062.00
D-P Tools	Parts	79.90
Dakota Beverage	Merchandise	9,303.18
Dakota Hospital Foundation	TIF #6 Bond Payment	6,062.00
Dakota PC Warehouse	Computer/Repairs	479.95
Dale Husby	Safety Boots Reimbursement	100.00
Dan Hanson	Safety Boots Reimbursement	100.00
Dear Reader.Com	Subscription	300.00
Delta Dental Plan	Dental Insurance	6,383.22
Deluxe Advertising	Advertising	334.51
Demco	Supplies	187.83
Dennis Martens	Maintenance	833.34
Dept Of Revenue	Testing	312.00
DGR Engineering	Professional Services	4,066.70
Ditch Witch Of SD	Parts	4,871.17
Dust Tex	Mats	80.00
E.A Sween Company	Merchandise	42.70
Echo Electric Supply	Parts	1,059.55
Electric Pump, Inc	Parts/Repairs	15,688.83
Electronic Engineering	Repairs	945.00
Energy Laboratories	Professional Services	1,150.00
Ernie Halverson	Safety Boots Reimbursement	100.00
Fair Manufacturing, Inc	Parts	28.50
Farmer Brothers Co.	Supplies	116.73

First Bank & Trust	TIF #6 Bond Payment	6,062.00
First Dakota National Bank	TIF #6 Bond Payment	6,062.00
Foreman Media	Council Meeting	100.00
Fred Haar Co, Inc	Repairs	393.92
G & R Controls	Maintenance	1,244.34
Gale	Books	265.51
Graham Tire Co.	Tires	1,497.64
Grainger	Parts	173.96
Graymont Capital Inc	Quicklime	3,986.50
Gregg Peters	Freight	9,824.72
Gregg Peters	Rent	937.50
Guarantee Oil Co Inc	Supplies	105.90
Hancock Concrete Products	Repairs	1,260.00
Hander Inc. Plumbing & Heating	Professional Services	9,901.72
Hartington Tree LLC	Stump Removal	1,667.75
Hauff Mid-America Sports	Repairs	698.75
Hauger Yard/Snow Service	Service Agreement	82.00
Hawkins Inc	Chemicals	912.95
HD Supply Waterworks	Parts	1,294.43
Heiman, Inc.	Inspection/Service	154.00
Helget Safety Supply, Inc	Supplies	103.55
Henderson Exhaust Plus	Car Wash	50.00
Herren-Schempp Building	Supplies	128.14
Higman Sand & Gravel	Ice Sand	1,857.64
Hillyard Floor Care Supply	Supplies	168.64
Holtz Industries Inc	Parts	190.88
Hy Vee Food Store	Supplies	25.41
In Control, Inc	Professional Services	520.00
Independence Waste	Hauling/Port Toilet Rental	876.10
Ingram	Books	3,248.07
Insurance Benefits Inc.	Airport Insurance	2,431.00
Interstate All Battery Center	Batteries	197.25
Isaac Voss	Safety Boots Reimbursement	100.00
Istate Truck Center	Parts	51.42
ITP	Repairs	3,430.06
Jacks Uniform & Eqpt	Uniforms	185.85
John A Conkling Dist.	Merchandise	4,060.05
Johnson Brothers Famous Brands	Merchandise	20,702.20
Johnson Controls	Service Agreement	1,922.96
Johnson Feed, Inc	Repairs	1,452.82
Johnstone Supply	Supplies	94.06
Johnys Electric	Underground Reimbursement	1,250.00
Jones Food Center	Open House Expenses	1,817.08

Joseph A Ostrem	Meal Reimbursement	21.00
Josten Concrete Products	Concrete	152.00
JP Cooke Co	License Tags	61.95
JPR Deliveries	Supplies	375.00
Junior Library Guild	Books	975.00
Karl Bottesini	Safety Boots Reimbursement	57.99
Karsten Mfg Corp	Merchandise	186.52
Lawson Products Inc	Uniforms	172.46
Laynes World	Awards/Plaques	1,272.96
Leadsonline	Software Renewal	1,428.00
Leisure Lawn Care	Service	211.90
Lessman Elec. Supply Co	Parts	190.00
Lincoln Republic Insurance	Insurance	482.26
Locators And Supplies, Inc	Uniforms	2,799.48
LSC Environmental Products	Supplies	4,257.01
Luke Trowbridge	Meal Reimbursement	62.00
Malloy Electric	Parts	230.62
Mart Auto Body	Towing	225.00
Matheson Tri-Gas, Inc	Oxygen	135.69
McCulloch Law Office	Professional Services	2,889.00
Mead Lumber	Supplies	983.63
Medical Waste Transport	Haul Medical Waste	321.64
Menards	Parts	119.41
Metal Creations Inc	Parts	360.00
Micro Marketing LLC	Books	172.95
MidAmerican	Gas Usage	5,143.70
Midcontinent Communication	Internet Service	118.68
Midwest Alarm Co	Alarm Monitoring	63.00
Midwest Building Maintenance	Mat Service	783.60
Midwest Ready Mix & Equipment	Repairs	3,277.86
Mills & Miller, Inc	Deicing Salt	3,061.47
Minn Municipal Utility Ass	Testing Materials	506.00
Missouri Valley Maintenance	Repairs	1,305.40
Moore Welding & Mfg	Repairs	952.75
National Fire Protection Assoc.	Membership	165.00
Netsys+	Professional Services	1,795.28
New York Life	Insurance	84.02
Newman Traffic Signs	Parts	771.28
Northeast Wisconsin	Registration	25.00
Novelty Machine & Supply	Parts	63.94
Office Systems Co	Copier/Supplies	9,213.18
Ogio	Merchandise	353.50
Okoboji Wines-SD	Merchandise	638.75

Paul Conway Shields	Uniforms	682.35
PCC, Inc	Commission	2,074.28
Pfeifer Implement Co.	Parts	28.32
Pomps Tire Service, Inc.	Parts	199.75
Precision Lawn Care	Sidewalk Snow Removal	930.00
Pressing Matters	Supplies	68.00
Presto-X-Company	Pest Service	50.18
Proefrock Electric Inc	Controller Installation	25.00
Progressive Business Publication	Subscription	94.56
Quality Motors	Repairs	77.25
Quill	Supplies	1,731.37
Racom Corporation	Maintenance Contract	395.50
Random House, Inc	Books	153.75
Randy Voss	Professional Services	439.99
Recorded Books, Inc	Books	359.06
Regent Book Co.	Books	27.46
Republic National Distribution	Merchandise	13,571.36
Resco	Testing	6,660.00
Reserve Account	Postage For Meter	950.00
Runge Enterprises, Inc	Norbeck Street Contract	146,934.20
Safety Benefits Inc	Registration	195.00
Sanford Health Plan	Participation Fees	66.00
Sanitation Products	Repairs	1,321.14
Schaeffer Mfg. Co	Supplies	638.40
SD Dept Of Revenue	Transporter License	25.00
SD Governmental Finance Officers	Membership Dues	70.00
SD Municipal Street Maintenance	Membership Dues	35.00
SD Police Chiefs Association	Membership Dues	269.60
SD Public Assurance Alliance	Law Enforcement Coverage	9,735.60
SD Redbook Fund	Books	128.16
SD Retirement System	Retirement	50,145.66
SD State University	Testing	63.00
SDWWA	Membership	90.00
Servall Towel & Linen	Shop Towels	16.80
Siouxland Humane Society	Drop-Off Fee	37.00
Skarshaug Testing Lab.	Testing	971.80
Slattery Construction Inc	Water Heater Rebate	1,200.00
Sooland Bobcat	Parts	37.14
Southern Living Books	Books	42.91
Stan Houston Eqpt Co	Parts	123.60
Standard & Poor's	Rating Fees	2,500.00
Standard Ready Mix Concrete	Repairs	97.13
State Hygienic Laboratory	Testing	861.00

Stewart Oil-Tire Company	Repairs	45.00
Storey Kenworthy/Matt Parrott	Supplies	1,013.45
Sturdevants Auto Parts	Parts	1,689.90
Thatcher Company	Soda Ash	13,574.88
The Active Network, Inc	Professional Services	2,700.00
The Equalizer	Advertising	686.00
Tires Tires Tires	Tires	482.74
Titleist Drawer Cs	Merchandise	295.00
Tom Kruse	Meal Reimbursement	18.00
Tom's Electric	Repairs	1,179.13
Traffic Parts	Parts	301.38
True Value	Supplies	306.41
Tyler Technologies	Maintenance	1,030.76
United Parcel Service	Shipping	148.44
United Way	Contributions	458.46
Us Postmaster	2015 Permit	220.00
USA Bluebook	Repairs	457.02
USD	Wellness Center Grant	68,000.00
USD Foundation Office	TIF #6 Bond Payment	6,062.00
Valley Ag Supply	Lime Removal	2,500.00
Verizon Wireless	Wireless Communications	2,360.19
Vermeer High Plains	Parts	1,296.50
Vermillion Ace Hardware	Supplies	836.25
Vermillion Area Dance	Registrations	41.75
Vermillion Chamber Of Commerce	BID#1/Bliss Pointe Grant	59,833.04
Vermillion Youth Wrestling	Registrations	91.50
Visa/First Bank & Trust	Fuel/Lodging/Supplies	5,064.79
Wal-Mart Community	Supplies	1,019.45
Walker Construction	Misc Concrete Contract	17,273.77
Walt's Homestyle Foods, In	Merchandise	65.40
Wesco Distribution, Inc	Parts	2,932.80
Wow! Business	911 Circuit	1,365.50
Yankton Fire & Safety	Inspection	86.00
Yankton Irrigation	Repairs	1,624.04
Yankton Janitorial Supply	Supplies	336.70
Zee Medical Service	Supplies	814.35
Zimco Supply Co	Chemicals	6,295.00
Derry Hochholter	Bright Energy Rebate	300.00
Barb Weyhrich	Bright Energy Rebate	275.00
March Films	Bright Energy Rebate	100.00
Harry Scholten	Bright Energy Rebate	275.00

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 February 12, 2015 for the sale of surplus property at 34 Prentis Avenue.

401-14

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

13. Adjourn

402-14

Alderman Ward moved to adjourn the Council Meeting at 7:43 p.m. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of December, 2014.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

Council Agenda Memo

From: José L. Domínguez, City Engineer

Meeting: December 15, 2014

Subject: Resolution Amending the Special Assessment Rolls and Notice of Special Assessments for Sidewalk Repairs

Presenter: José L. Domínguez

Background: On August 6, 2012, the City Council approved a Resolution Adopting the Resolution of Necessity for Sidewalk Repairs. This resolution involved the sidewalks in the northwest quadrant of the community. Work has been completed and the final payment has been authorized. The special assessments were calculated and filed with the Finance Officer on November 12, 2014. At the November 17, 2014 meeting, the City Council approved a resolution setting December 15th as the hearing date. Notice of this hearing was placed in the newspaper and mailed to the affected property owners.

Discussion: State statute requires a public hearing to be held to consider the assessment roll. At this meeting, the City Council may approve, equalize, amend or reject the assessment roll.

Since the notices were mailed staff received several phone calls regarding the cost of some of the assessments. The number of calls led us to review the assessment again. During our review we discovered that one of the calculations was incorrect. The calculation that was incorrect evenly spread amongst all properties affected the cost associated with the grading and gravel. Although evenly distributed, this put a larger share of the cost on the property owners with smaller portions of sidewalks being assessed. Staff corrected this by distributing the cost of grading and gravel based on the amount of sidewalk that was replaced on each property. For example, if you had 4-foot by 4-foot panel of sidewalk replaced rather than paying \$264.10 you would be paying \$159.65. However, if you had 63-feet of 4-foot sidewalk replaced your cost would go from \$1,468.23 to \$1,736.07.

Additionally, the contract for the sidewalks actually had two assessment projects combined into one. The second sidewalk assessment project was called-in by the Council to complete sidewalks gaps within the City. This resolution was also adopted by the Council on August 6, 2012. Staff combined both of these projects to get a better price

during the bidding process by increasing the size of the project. However, the sidewalk projects that were called-in were not separated prior to the assessment roll being completed and presented to the Council.

Financial Consideration: The construction cost of the sidewalk repair assessment was \$61,609.04 and the other sidewalk construction cost was \$13,009.56. This brought the total for both projects to \$77,665.69, of which \$74,618.60 is to be assessed. This assessable value does not include the administrative fee; which is either \$50 or 8% of the construction cost, whichever is greater.

Conclusion/Recommendations: Administration recommends adoption of the resolution amending the assessment roll for sidewalk repairs to show the adjustment to the final cost due to the miscalculation in quantities and the removal of the properties that fall under the sidewalk safety improvement assessment.

As the assessment roll is being amended two resolutions setting public hearing dates will be presented to the Council later on the agenda.

**RESOLUTION AMENDING THE SPECIAL ASSESSMENT ROLLS
FOR SIDEWALK REPAIRS
IN THE CITY OF VERMILLION, SOUTH DAKOTA**

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has amended the special assessment rolls for defraying the cost of construction of sidewalks and related improvements against the several tracts of real property fronting and abutting upon as listed below:

PARCEL NUMBER	PROPERTY ADDRESS	LEGAL DESCRIPTION	OLD COST	AMENDED COST
15415-00200-080-00	400 Bower	LOTS 6 7 & 8 BLK 2 LOTUSWOOD	\$469.25	\$412.59
15415-00100-040-00	214 Bower	LOT 4 BLK 1 EXC W 101' LOTUSWOOD	\$283.35	\$184.83
15410-00100-020-00	809 Carleton Circle	LOT 2 BLK. 1 LEER	\$1,123.77	\$1,285.62
15700-00100-000-03	400 Carr	REPLAT OF BLK 1 EXC S 30' & E 30' & N 30' Blk 1 SARACEN COURTS	\$453.53	\$407.38
15760-00000-000-18	731 W Cedar	E 79.5' OF S 144' OF W 199.5' & W 25' of C-6 of outlot C TORSTENSONS	\$819.02	\$887.08
15770-09252-133-09	829 Cedar St	W86' OF E261' OF S150' OF OUTLOT V-1 In SE 1/4 SE 1/4 Sec 14 & SW 1/4 13-92-52 TORSTENSONS UNPLATTED	\$773.64	\$802.88
15720-04900-070-00	204 Center	LOTS 6 & 7 BLK. 49 SNYDERS	\$2,638.61	\$3,266.59
15720-04900-050-00	210 Center	LOT 5 BLK. 49 SNYDERS	\$869.10	\$952.58
15720-04900-040-00	214 Center	LOT 4 BLK. 49 SNYDERS	\$698.06	\$728.90
15720-04800-130-00	217 Center	LOTS 11 12 & THE S. 1/2 OF LOT 13 BLK. 48 SNYDERS	\$993.16	\$1,083.18
15840-00400-010-00	1701 Constance	LOT 1 BLK. 4 WESTGATE	\$358.61	\$278.13
15840-00500-060-03	1806 Constance Dr	LOTS 6 & 6A BLK. 5 WESTGATE	\$341.97	\$261.49
15840-00400-120-00	1851 Constance Dr	LOT 12 BLK. 43 WESTGATE	\$264.10	\$159.65
15730-08600-050-15	415 Cottage	4A OF LOTS 4 & 5 BLK. 86 ADDN TO SNYDERS	\$357.65	\$276.90
15730-08500-080-12	432 Cottage Ave	N. 2/3 OF THE W. 1/2 OF LOT 8 BLK. 85 ADDN TO SNYDERS	\$263.66	\$159.08
15186-00100-080-00	508 Cottage	LOT 8 BLK 1 COTTAGE PL ADDN	\$263.66	\$159.08
15186-00100-080-00	514 Cottage	LOT 8 BLK 1 COTTAGE PL ADDN	\$436.38	\$379.72
15730-08500-050-03	524 Cottage Ave	N. 45' OF THE S. 94' OF THE E. 143' OF LOT 5 BLK. 85 ADDN TO SNYDERS	\$306.75	\$208.90
15186-00100-030-00	530 Cottage	LOT 3 BLK 1 COTTAGE PL ADDN	\$476.15	\$421.24
15186-00100-030-00	602 Cottage	LOT 3 BLK 1 COTTAGE PL	\$427.28	\$373.05

		ADDN		
15730-08500-030-03	608 Cottage Ave	E. 150' OF LOT 3 BLK. 85 ADDN TO SNYDERS	\$522.60	\$487.48
15730-08700-000-12	15 E Cherry St	Lots LC-1 & LC-2 & W 218' of S 66' of N 192' Blk 87 ADDN TO SNYDERS	\$264.10	\$159.65
15340-00100-010-01	24 E. Duke	S. 320' EXCEPT THE W. 120' OF LOT 1 AND THE S. 320' OF LOT 4 BLK 1 JOHNSON'S	\$366.05	\$287.45
15340-00100-190-00	1000 Elm St.	LOT 19 BLK 1 JOHNSON'S	\$469.25	\$412.59
15720-04600-100-00	111 Elm	LOT 10 BLK. 46 SNYDERS	\$802.95	\$866.07
15720-04500-030-03	120 Elm St	E. 85' OF LOTS 2 & 3 BLK. 45 SNYDERS	\$908.31	\$1,003.86
15720-04700-100-00	209 Elm	LOT 10 BLK. 47 SNYDERS	\$611.47	\$613.91
15720-04700-130-00	221 Elm St	LOT 13 BLK. 47 SNYDERS	\$307.85	\$216.87
15720-04800-020-00	224 Elm St	N. 40' OF LOT 2 BLK. 48 SNYDERS	\$247.03	\$137.33
15720-04800-010-00	226 Elm	LOT 1 BLK. 48 SNYDERS	\$478.03	\$439.41
15720-05900-030-03	318 Elm	S. 12' OF THE E. 110' OF LOT 2 & 3 EXCEPT THE N. 6' OF THE W. 40' OF LOT 3 BLK. 59 SNYDERS	\$429.03	\$375.34
15720-04800-030-00	218/220 Elm	S. 4' OF LOT 2 & N. 38' OF LOT 3 BLK. 48 SNYDERS	\$776.96	\$832.09
15720-03800-110-00	15 Franklin	N. 20' OF LOT 11 BLK. 38 SNYDERS	\$317.91	\$230.02
15720-04100-110-00	115 Franklin	LOT 11 BLK. 41 SNYDERS	\$417.22	\$359.89
15720-04100-120-00	119 Franklin	LOT 12 BLK 41 SNYDERS	\$404.97	\$343.87
15720-04000-030-03	124 Franklin	N. 1/2 OF LOTS 1 2 & 3 BLK. 40 SNYDERS	\$370.85	\$299.25
15720-05500-140-00	325 Franklin	W. 82' OF LOTS 13 & 14 BLK. 55 SNYDERS	\$264.10	\$159.65
15730-08400-040-00	417 Franklin	N. 81' OF THE W. 66' OF LOT 4 BLK. 84 ADDN TO SNYDERS	\$1,468.23	\$1,736.07
15730-08400-050-03	421 Franklin St	N. 44' OF THE E. 1/2 OF LOT 5 & W. 1/2 OF LOT 5 BLK. 84 ADDN TO SNYDERS	\$1,074.57	\$1,178.11
15390-00000-160-00	201 Hall	N. 58' OF LOT 16 & ALL OF LOT 17 LARSON'S SUBDIVISION	\$530.90	\$498.34
15390-00000-500-00	218 Hall	LOT 50 LARSON'S SUBDIVISION	\$890.82	\$958.88
15730-08500-140-00	439 High (435)	LOT 14 BLK 85 exc the N58' of E 113' ADDN TO SNYDERS	\$1,065.66	\$1,209.62
15730-08400-070-03	436 High St.	E 230' OF LOT 7 BLK 84 ADDN TO SNYDERS	\$426.85	\$372.48
15730-08500-140-00	431 High (435)	LOT 14 BLK 85 exc the N58' of E 113' ADDN TO SNYDERS	\$647.78	\$661.40

15720-04200-070-00	102 High	S. 38' OF LOT 6 & ALL OF LOT 7 BLK. 42 SNYDERS	\$796.80	\$858.04
15720-04200-030-00	114 High	LOT 3 & THE N. 20' OF LOT 4 BLK. 42 SNYDERS	\$429.03	\$375.34
15720-04200-010-00	124 High	LOT 1 BLK. 42 SNYDERS	\$434.08	\$382.27
15720-04300-140-03	125 High	W. 106' OF THE N. 6' OF LOT 13 & THE W. 106' OF LOT 14 BLK. 43 SNYDERS	\$429.47	\$375.91
15720-05100-060-03	210 High	LOT 5 & N. 9' OF LOT 6 BLK. 51 SNYDERS	\$823.41	\$870.39
15720-05100-040-00	216 High	LOTS 3 & 4 BLK. 51 SNYDERS	\$429.03	\$375.34
15730-08400-080-03	406 High	S. 54' OF THE E. 198' OF LOT 8 BLK. 84 ADDN TO SNYDERS	\$283.35	\$184.83
15730-08400-080-03	416 High St	S 54' OF E 198' OF 8 BLK 84 ADDN TO SNYDERS	\$283.35	\$184.83
15730-08500-120-00	417 High	N. 73' OF THE W. 118' OF LOT 12 BLK. 85 ADDN TO SNYDERS	\$429.03	\$375.34
15730-08400-080-00	Lot north of 416 High (422)	LOT 8 EXC S 54' OF E 198' BLK 84 ADDN TO SNYDERS	\$429.03	\$375.34
15840-00300-020-00	900 James St	LOT 1 & THE S. 5' OF LOT 2 BLK. 3 WESTGATE	\$264.10	\$159.65
15840-00200-060-00	1009 James St	LOT 6 BLK. 2 WESTGATE	\$264.10	\$159.65
15840-00200-080-00	1025 James St	LOT 8 REPLAT OF PART OF BLK. 2 WESTGATE	\$429.47	\$375.91
15720-04700-050-00	empty lot north of 202 Dakota (212 N Dakota)	S 1/2 OF 3 & ALL OF 4 & 5 BLK 47 SNYDERS	\$1,958.21	\$2,376.82
15550-00200-050-00	702 N. Dakota	66' OF SPRUCE ST ADJ LOT 1 & LOTS 1234 & n 8.2' OF LOT 5 BLK 2 PARKS	\$1,046.96	\$1,150.65
15720-04600-050-00	110 N. Dakota	LOT 5 BLK. 46 SNYDERS	\$672.28	\$694.92
15720-04600-030-00	118 N. Dakota	LOTS 3 & 4 BLK. 46 SNYDERS	\$50.00	\$50.00
15720-04700-030-00	220 N. Dakota	S. 1/2 OF LOT 2 & THE N 1/2 OF LOT 3 BLK. 47 SNYDERS	\$550.66	\$534.39
15720-06000-010-00	324 N. Dakota	LOT 1 BLK. 60 SNYDERS	\$550.66	\$534.39
15730-08600-070-27	422 N. Dakota	LOT 7B OF LOT 7 BLK. 86 ADDN TO SNYDERS	\$426.42	\$366.80
15730-08600-070-39	508 N. Dakota	LOT R-1 BLK. 86 ADDN TO SNYDERS	\$1,042.04	\$1,178.73
15400-00100-030-00	602 N. Dakota	65.9' X 143' LOT 3 BLK. 1 LAWRENSEN'S	\$264.10	\$159.65
15550-00100-120-00	820 N. Dakota	LOTS 1 2 3 11 & 12 AND THE E. 1/2 OF VACATED ELM STREET PARKS	\$233.35	\$134.83
15410-00300-110-00	807 Princeton	LOTS 8 9 10 & 11 BLK 3 LEER	\$264.10	\$159.65
15720-04900-090-00	205 Prospect	LOTS 8 & 9 BLK. 49 SNYDERS	\$1,769.21	\$2,129.66
15720-04900-110-00	211 Prospect	LOTS 10 & 11 BLK. 49	\$413.28	\$354.74

		SNYDERS		
15720-05000-030-00	216 Prospect	S. 1/2 OF LOT 2 & ALL OF LOT 3 BLK. 50 SNYDERS	\$628.55	\$612.28
15720-05800-100-00	309 Prospect	N. 1/2 OF LOT 9 & ALL OF LOT 10 BLK. 58 SNYDERS	\$550.66	\$534.39
15410-00200-050-00	804 Radcliffe Cir	LOT 5 BLK. 2 LEER	\$375.66	\$305.54
15340-00300-270-00	925 Rice Dr	LOT 27 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$263.66	\$159.08
15340-00300-060-00	928 Rice Drive	LOT 6 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$341.53	\$260.91
15340-00300-260-00	931 Rice Dr	LOT 26 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$367.78	\$295.24
15340-00300-080-00	1000 Rice Dr	LOT 8 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$429.47	\$375.91
15340-00300-130-00	1030 Rice Drive	LOT 13 REPLAT OF LOT 1 BLK. 3 JOHNSON'S	\$575.45	\$250.00
15575-00600-010-00	11 Shriner Street	Lot 1 Blk 6 PARTRIDGE	\$280.74	\$176.29
15410-00300-050-00	804 Vassar Circle	LOT 5 BLK. 3 LEER	\$280.74	\$176.29
15810-02800-030-01	1117 W. Main (1115 W Main)	E 72' OF REPLAT LOT 3 BLK 28 VAN METERS	\$700.13	\$722.98
15720-05100-070-00	202 High	E. 1/2 OF LOT 7 BLK. 51 SNYDERS	\$886.32	\$967.77
15720-05300-080-00	413 W. Cedar St	LOTS 7 & 8 BLK 53 SNYDERS	\$788.78	\$847.54
15770-09252-133-45	511 W. Cedar St	E. 55' OF THE S. 1/2 OF IS-1 OF THE SW 1/4 S13-T92-R52 TORSTENSONS UNPLATTED	\$609.28	\$611.05
15770-09252-133-57	525 W. Cedar St	LOT IS-3 IN THE SW 1/4 S13 T92-R52 EXCEPT THE N. 150' TORSTENSONS UNPLATTED	\$672.67	\$681.23
15370-00100-030-00	531 W. Cedar St	LOT 3 BLK 1 LAMBERTS SUBDIVISION	\$280.21	\$175.63
15370-00200-100-00	505 W. Clark	LOTS 9 & 10 & E. 12' OF LOT 8 BLK. 2 LAMBERTS SUBDIVISION	\$280.74	\$176.29
15370-00200-060-00	517 W. Clark	E 10' OF LOT 5 & W 50' OF LOT 6 BLK 2 LAMBERTS SUBDIVISION	\$744.30	\$772.38
15370-00200-050-00	521 W. Clark	W 50' OF LOT 5 BLK 2	\$497.28	\$464.59
15370-00100-050-03	528 W. Clark	LOT 4 & E 13.5' OF LOT 5 BLK 1 LAMBERTS SUBDIVISION	\$264.10	\$159.65
15330-00200-090-00	737 W. Clark	LOT 8 & W 9.8' OF LOT 9 BLK 2 HOLIDAY VILLAGE	\$453.14	\$396.62
15330-00300-030-00	904 W. Clark	LOT 3 BLK 3 HOLIDAY VILLAGE	\$263.66	\$159.08
15330-00100-050-03	913 W. Clark	S. 142' OF LOT 2 & W. 10' OF THE S. 32.7' OF LTO 3 & THE W. 10' OF LOTS 4 & 5 BLK. 1 HOLIDAY VILLAGE	\$341.53	\$260.91

15390-00000-460-00	1028 W. Clark	LOT 46 EXCEPT THE SESTERLY 15' OF LOT 46 & THE E. 25' OF LOT 25 REPLAT OF LOTS 16 & 17 LARSONS SUBDIVISION	\$233.48	\$117.05
15390-00000-530-00	1005/1015 W. Clark	LOTS 51 52 & 53 LARSONS SUBDIVISION	\$537.50	\$501.85
15390-00000-530-00	1021/1031 W. Clark	LOTS 51 52 & 53 LARSONS SUBDIVISION	\$452.16	\$395.37
15390-00000-530-00	923/933 W. Clark	LOTS 51 52 & 53 LARSONS SUBDIVISION	\$554.55	\$523.74
15730-08400-010-00	203 W. Dartmouth	E 183' OF S 67' OF LOT 1 BLK 84 ADDN TO SNYDERS	\$1,727.16	\$2,074.67
15730-08400-020-06	221 W. Dartmouth	W 64.5' OF E 138' OF 2 BLK 84 ADDN TO SNYDERS	\$1,275.45	\$1,483.96
15730-08400-030-03	311 W. Dartmouth	W 72' OF LOT 3 BLK 84 ADDN TO SNYDERS	\$1,098.25	\$1,222.01
15730-08400-040-03	319 W. Dartmouth	E 49' OF LOT 4 BLK 84 ADDN TO SNYDERS	\$623.72	\$629.93
15720-05500-140-03	322 W. Dartmouth	E. 68' OF LOTS 13 AND 14 BLK 55 SNYDERS	\$814.54	\$863.27
15330-00600-080-00	500 W. Dartmouth	LOT 8 BLK 6 HOLIDAY VILLAGE	\$358.61	\$278.13
15330-00600-010-00	616 W. Dartmouth	LOT 1 BLK 6 HOLIDAY VILLAGE	\$414.67	\$399.13
15330-00500-080-03	712 W. Dartmouth	LOT 8 BLK. 5 EXCEPT THE W. 6' HOLIDAY VILLAGE	\$264.10	\$159.65
15330-00500-080-00	716 W. Dartmouth	E. 64' OF LOT 7 AND THE W. 6' OF LOT 8 BLK 5 HOLIDAY VILLAGE	\$264.10	\$159.65
15340-00400-020-00	115 W. Duke	LOT 4 & THE S. 15' OF LOT 5 BLK 4 JOHNSON'S	\$214.10	\$109.65
15410-00300-010-00	316 W. Duke	LOT 1 BLK 3 LEER	\$331.91	\$248.33
15810-01300-000-00	707 W. Main	LOT M1 BLK. 13 VAN METER'S	\$307.85	\$216.87
15810-02700-050-00	813 W. Main	LOTS 4 & 5 BLK. 27 VAN METER'S	\$319.66	\$232.31
15810-02700-030-00	815 W. Main	LOT 3 BLK. 27 VAN METER'S	\$481.46	\$427.90
15810-02500-060-00	1005 W. Main	LOT 6 REPLAT OF LOTS 5 6 & 7 BLK. 25 VAN METER'S	\$666.16	\$686.26
15810-02500-020-00	1025 W. Main	E. 23' OF LOT 1 & ALL OF LOT 2 BLK. 25 VAN METER'S	\$333.84	\$242.86
15720-04400-060-00	9 W. National	LOTS 6 & 7 BLK 44 SNYDERS	\$776.96	\$832.09
15720-04400-090-03	19 W. National (101 Prospect)	W 110' OF LOT 8 & 9 Blk 44 SNYDERS	\$802.95	\$866.07
15810-01400-020-00	4 Walnut St	N. OF MAIN OF LOTS 1 & 2 BLK. 14 VAN METER'S	\$307.85	\$216.87
15330-00700-010-00	310 Walnut St	LOT 1 BLK. 7 HOLIDAY VILLAGE	\$280.21	\$175.63
15720-04100-070-00	100 Washington	LOT 7 BLK. 41 SNYDERS	\$542.78	\$524.09

15720-05200-100-00	202 Washington	S. 40' OF LOT 6 & ALL OF LOTS 7 8 9 & THE S. 12' OF LOT 10 BLK. 52 SNYDERS	\$1,601.15	\$1,956.37
15720-05200-060-00	210 Washington	S. 36' OF LOT 4 & ALL OF LOT 5 & THE N. 4' OF LOT 6 BLK. 52 SNYDERS	\$412.85	\$354.18
15720-05500-020-00	324 Washington	LOTS 1 & 2 BLK. 55 SNYDERS	\$495.53	\$462.30
15390-00000-450-00	1107 Westend Dr	LOT 44 EXCEPT THE SESTERLY 39.2' & SESTERLY 22.6' OF LOT 45 LARSONS SUBDIVISION	\$278.53	\$178.53
15390-00000-040-00	1122 Westend Dr	LOT 4 LARSONS SUBDIVISION	\$1,208.79	\$1,380.23
15390-00000-030-00	1128 Westend Dr	LOT 3 LARSONS SUBDIVISION	\$263.66	\$159.08
15720-03300-040-00	16 N. Dakota St	LOTS 1,2,3 & 4 BLK. 33 SNYDERS	\$6,877.54	\$6,877.54
15840-00400-280-00	1804 Vonnie	LOT 28 BLK 4 WESTGATE	\$1,294.73	\$1,624.21
15720-04100-070-00	100 Washington	LOT 7 BLK. 41 SNYDERS	\$4,268.95	\$5,548.58
15720-03800-140-00	25 Franklin		\$0.00	\$0.00

in the City of Vermillion, Clay County, South Dakota. The amended assessment rolls were filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 10th day of December 2014.

WHEREAS, the Governing Body will by resolution fix a hearing date and place for the hearing upon said amended assessment roll.

NOW, THEREFORE, IT IS RESOLVED, by the Governing Body of the City of Vermillion, Clay County, South Dakota that the amended special assessment rolls are to be published as required by SDCL 9-43-93.

Dated at Vermillion, South Dakota, this 15th day of December, 2014.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

Approved: December 15, 2014
Publish: December 26, 2014
Effective: January 23, 2015

Council Agenda Memo

From: José L. Domínguez, City Engineer

Meeting: December 15, 2014

Subject: Resolution Approving the Special Assessment Rolls and Notice of Special Assessments for Construction of Concrete Surfacing along the North to South Alley in Block 68, Bigelow's Addition from East Clark Street to East Cedar Street

Presenter: José L. Domínguez

Background: On January 6, 2014 the City Council approved a Resolution Adopting the Resolution of Necessity for Construction of Concrete Surfacing along the North to South Alley in Block 68, Bigelow's Addition from East Clark Street to East Cedar Street. This resolution involved the paving the alley in Block 68 of Bigelow's Addition. Work has been completed and the final payment has been authorized. The special assessments were calculated and filed with the Finance Officer on November 12, 2014. At the November 17, 2014 meeting, the City Council approved a resolution setting December 15th as the hearing date. Notice of this hearing was placed in the newspaper and mailed to the affected property owners.

Discussion: State statute requires a public hearing to be held to consider the assessment roll. At this meeting, the City Council may approve, equalize, amend or reject the assessment roll.

Staff have not received any comments, or questions, from the public regarding this assessment. A copy of the final assessment roll is attached.

Financial Consideration: The construction cost was \$43,442.11, of which \$38,532.03 is assessable. This assessable value does not include the administrative fee; which is 8% of the construction cost.

Conclusion/Recommendations: Administration recommends approving the assessment roll for the construction of concrete surfacing along the north to south alley in Block 68, Bigelow's Addition from East Clark Street to East Cedar Street.

RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLLS AND NOTICE OF SPECIAL ASSESSMENTS FOR CONSTRUCTION OF CONCRETE SURFACING ALONG THE NORTH TO SOUTH ALLEY IN BLOCK 68, BIGELOW'S ADDITION FROM EAST CLARK STREET TO EAST CEDAR STREET IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has established special assessment rolls for defraying the cost of construction of sidewalks and related improvements against the several tracts of real property fronting and abutting upon:

<u>PARCEL NUMBER</u>	<u>PROPERTY ADDRESS</u>	<u>LEGAL DESCRIPTION</u>	<u>AMOUNT</u>
15050-06800-070-00	225 N. Harvard	N ½ OF 6 AND ALL OF 7 BLK 68 BIGELOW'S ADDN LOT 5 & S ½ OF LOT 6	\$4,458.70
15050-06800-060-00	221 N. Harvard	BLK 68 BIGELOW'S ADDN LOT 4	\$4,458.70
15050-06800-040-00	215 N. Harvard	BLK 68 BIGELOW'S ADDN N ½ OF LOT 2 & ALL OF LOT 3	\$2,972.47
15050-06800-030-00	209 N. Harvard	BLK 68 BIGELOW'S ADDN LOT 1 & S ½ OF 2	\$4,458.70
15050-06800-020-00	205 N. Harvard	BLK 68 BIGELOW'S ADDN LOT 8 & 9	\$4,458.70
15050-06800-090-00	222 N. Yale	BLK 68 BIGELOW'S ADDN LOTS 10 & 11	\$5,944.95
15050-06800-110-00	218 N. Yale	BLK 68 BIGELOW'S ADDN LOTS 12, 13 & 14	\$5,944.95
15050-06800-140-00	204 N. Yale	BLK 68 BIGELOW'S ADDN	\$8,917.41

in the City of Vermillion, Clay County, South Dakota. The assessment rolls were filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 12th day of November 2014.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing, upon the assessment rolls, and directed the City Finance Officer, of the City of Vermillion, Clay County, South Dakota, to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment rolls, and the time and place for the hearing that the assessment rolls would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment rolls for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice, by first-class mail, postage thereon fully prepaid, addressed to the property owners

of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

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

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

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

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

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

NOTICE IS HEREBY GIVEN, that the assessments mentioned in the assessment rolls will be payable according to the provisions of Plan One, as set forth in Sections 9-43, inclusive of the Codified Laws of the State of South Dakota, unless superseded by a deferred assessments agreement.

NOTICE IS FURTHER GIVEN, that any assessment under Plan One, or any installment thereof, may be paid without interest to the City Finance Officer whose office is located in City Hall at 25 Center Street in the City of Vermillion, South Dakota, at any time, within thirty days after the filing of the approved assessment rolls in the office of said City Finance Officer. Thereafter, and prior to the due date of the first installment, the entire assessment remaining, or any number of installments thereof, plus interest thereon, from the filing date to the date of payment, may be paid to the said City Finance Officer. After the due date of the first installment, provided that the installments, which are due together with interest included thereon, have been paid, any or all of the remaining installments not yet due may be paid without additional interest to the said City Finance Officer. All installments paid prior to their respective due dates shall be paid in inverse order of their due dates. No installment, under Plan One, shall be paid to the said City Finance Officer on or after its due date, and on and after said date such installment shall be paid only to the County Treasurer with interest.

NOTICE IS FURTHER GIVEN, that the approved assessment rolls, will be filed with the City Finance Officer on December 16, 2014. The assessment is payable in ten (10) installments at ten percent (10%), per annum, interest on unpaid installments as stipulated in the assessment roll for each location. The first installment due date is January 1, 2016. Subsequent installments are due January 1st of each succeeding year until the entire assessment is paid.

The assessment rolls herein referred to are attached.

Dated at Vermillion, South Dakota, this 15th day of December, 2014.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

Approved: December 15, 2014
Publish: December 26, 2014
Effective: January 23, 2015

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: December 15, 2014

Subject: Second Reading of Ordinance No. 1323 - 2014 Supplemental Appropriations

Presenter: Mike Carlson

Background: The City Council adopted a revised budget for 2014 as part of the budget process in September 2014. Since that time, some expenses have taken place resulting in the need to revise the budget.

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

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

The City Council approved first reading of Ordinance 1323 on December 1, 2014.

Discussion: The proposed budget adjustments are as follows:

General Fund Revenues:

Appropriation from Reserve increased \$6,000 – For the increase in finance office and snow removal appropriation.

General Fund Expenses:

Finance Office – The cost of publishing are anticipated to exceed the budget by \$2,000 attributed to publication of City Council minutes.

Snow Removal – The equipment repairs and maintenance will need to be increased \$4,000 for unanticipated costs associated with a transmission replacement and snow blower repairs.

Special Revenue Funds Second Penny Sales Tax:

Interfund Loan Repayment Revenues – In 1998 the second penny sales tax fund loaned the golf course fund \$22,000 to assist with the costs of paving cart paths. With the Tax Increment District paid off the loan can now be repaid to the sales tax fund.

Advance to TIF #6 – The second penny sales tax fund funded the city share of subbase and fabric for the Bliss Pointe streets with the increase of \$18,550 reflected in payments on the project.

Appropriation to Reserve – The balance of the loan repayment less the increased Bliss Pointe expenses of \$3,450 will go into reserve.

Special Revenue - Parks Capital

Contributions & Donations – The Eagle Scout project for the flag pole in Prentis Park raised \$2,750 additional funds that will be used for park improvements.

Capital Expenditures – Increased the expense for the park improvements by \$2,750 to reflect the increased contributions.

Enterprise Fund - Golf Course

Appropriation from Reserve – Increase for repayment of the loan from Sales Tax Fund.

Interfund Loan Repayment – Repayment to the second penny sales tax fund for \$22,000 loaned in 1998 to assist with the costs of paving cart paths. As the Tax Increment District loan is retired the sales tax fund can be repaid.

Enterprise Fund – Water Fund

Appropriation from Reserve – Increased \$350 for the funds advanced to Bliss Pointe for the cost of oversized water mains.

Transfer to TIF #6 – Increase cost of oversized water main costs in Bliss Pointe TIF #6 project based upon contractor payments.

Enterprise Fund – Liquor Store

Appropriation from Reserve – Increased for city furniture and equipment costs with new leased space of \$9,722. The funds are to be repaid in 2015 from video lottery proceeds.

Manager Profits – This was decreased by \$20,000 for the leasehold improvements to be paid by the manager.

Furniture & Equipment – Increased for the city costs for furniture and equipment with the new leased space of \$9,722.

Leasehold Improvements – Increased for the manager share of the leasehold improvements with the new leased space of \$20,000.

Capital Projects – TIF #6

Advance from Sales Tax – To offset the increased city costs of subbase and fabric for streets in Bliss Pointe TIF #6 increased \$18,550.

Advance from VCDC – This is preliminary engineering services and estimated final project costs over the TIF bond proceeds to be financed by the VCDC. These advances will be repaid at the end of the TIF is projected at \$136,500.

Transfer from Water – Oversized water main costs paid by water fund increase of \$350.

7. Old Business; item a

Professional Services – Engineering (included preliminary engineering) and testing for Bliss Pointe project increase of \$116,500.

Street & Infrastructure – Adjusted for estimated project costs for Bliss Pointe improvement project increase of \$38,900.

Internal Service – Copier, Postage & Fax

Appropriation from Reserve – Original budget had \$2,100 going to reserve as a new copier was needed that cost about \$9,000 the expenses were increased and now \$6,900 is needed from the reserve.

Equipment Copier – Adjusted to \$9,000 for the purchase of a new copier.

Appropriation to Reserve – Original budget had \$2,100 going to reserve that is now 0 and funds are needed from reserve.

It should be noted that there have been no changes since first reading.

Financial Consideration: The General Fund reserve will be reduced \$6,000 from what was planned when the budget was adopted. The General Fund reserve balance projected for year-end 2014 is \$1,485,233.

Conclusion/Recommendations: Administration recommends approval of the second reading of Ordinance 1323 Supplemental Appropriations Ordinance for 2014. As it is second reading of an ordinance, a roll call vote is needed.

PROPOSED ORDINANCE NO. 1323
2014 SUPPLEMENTAL APPROPRIATIONS ORDINANCE

AN ORDINANCE ADOPTING a 2014 Supplemental Appropriations Ordinance for the City of Vermillion, South Dakota.

BE IT ORDAINED, BY THE GOVERNING BODY of the City of Vermillion, that the following sums are appropriated to meet the obligations of the municipality.

	<u>2014 Budget</u>	<u>Proposed Budget</u>	<u>Amount of Supplemental Budget</u>
<u>General Fund:</u>			
Revenues:			
Appropriation from Reserve	252,097	258,097	(6,000)
Expenditures:			
Finance Office			
Publishing & Advertising	16,000	18,000	2,000
Snow Removal			
Equipment Repair & Maint	11,000	15,000	4,000
<u>Second Penny Sales Tax Fund</u>			
Revenues:			
Interfund Loan repayment	-0-	22,000	22,000
Expenditures:			
Advance to TIF #6	267,862	286,412	18,550
Appropriation to Reserve	137,354	140,804	3,450
<u>Parks Capital</u>			
Revenue:			
Contribution & Donation	950	3,700	2,750
Expenditures:			
Capital Expenditures	9,000	11,750	2,750
<u>Golf Course Fund</u>			
Revenues:			
Appropriation from Reserve	19,545	41,545	22,000
Expenditures			
Interfund Loan Repayment	-0-	22,000	22,000
<u>Water Fund</u>			
Revenues:			
Appropriation from Reserve	264,342	264,692	350
Expenditures:			
Transfer to TIF #6	9,400	9,750	350
<u>Liquor Fund</u>			
Revenues:			

Appropriation from Reserve	23,616	33,338	9,722
Expenditures:			
Manager Profit	73,751	53,751	(20,000)
Furniture & Equipment	2,000	11,722	9,722
Leasehold Improvements	-0-	20,000	20,000
<u>Capital Projects TIF #6</u>			
Revenues:			
Advance from Sales Tax	232,500	251,050	18,550
Advance from VCDC	-0-	136,500	136,500
Transfer from Water	9,400	9,750	350
Expenditures:			
Professional Services	80,000	196,500	116,500
Street & Infrastructure	1,947,000	1,985,900	38,900
<u>Copier Fax Postage Fund</u>			
Revenues:			
Appropriation from Reserve	-0-	6,900	6,900
Expenditures:			
Equipment Copier	-0-	9,000	9,000
Appropriation to Reserve	2,100	-0-	(2,100)

Dated at Vermillion, South Dakota this 15th day of December, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:
BY _____
Michael D Carlson, Finance Officer

First Reading: December 1, 2014
Second Reading: December 15, 2014

Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: December 15, 2014
Subject: Final Plat of Lots 1 and 2, Max Christol Addition to the City of Vermillion, Clay County, South Dakota
Presenter: Jose Dominguez

Background: Brandt Land Surveying submitted a plat on behalf of the owner, Ms. Victoria Winteringham. The plat will combine 15-lots into two larger ones, and dedicate close to 66-feet of Noble Street. There is currently a house on what will become Lot 1.

The owner's intention is to have two lots that she would be able to sell. Lot 1 would have the current house, and Lot 2 would be a buildable lot for a single-family residence.

Discussion: Staff reviewed the final plat and found that it complies with all of the code provisions. The plat will dedicate the 8-foot utility easement along the inside perimeter of each lot.

Access to both of the properties will be off Noble Street.

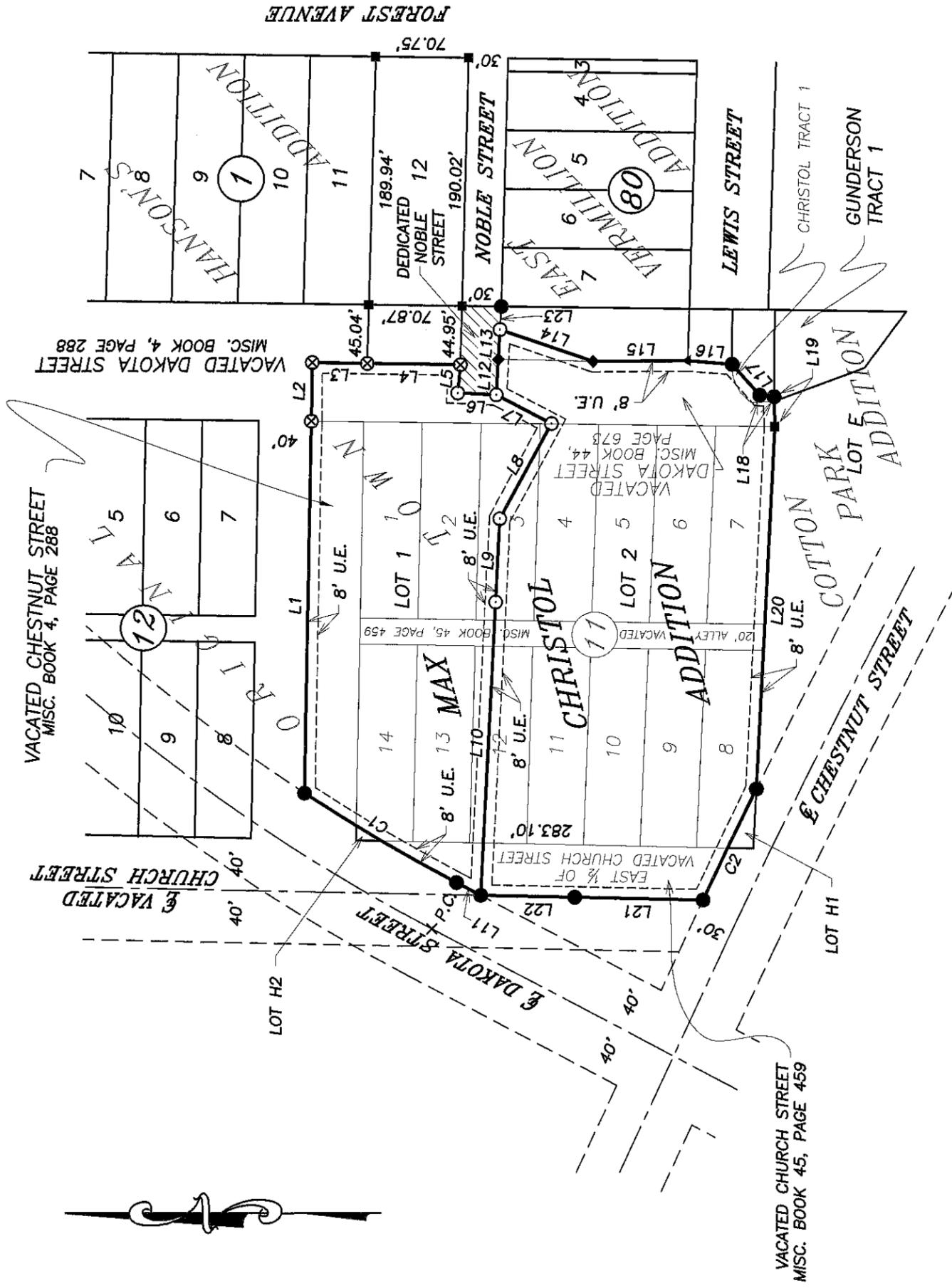
The plat was reviewed by the City's Planning Commission at their December 8th meeting. Several residents of the area attended the meeting with concerns about the plat. The great majority of the concerns were related to zoning issues (future use, possible rezoning, number of dwellings that could be constructed, number of renters in dwellings, architectural features of new construction, etc.) and not with the platting of the property. After comments were heard the Commission recommended unanimously that the City Council approve the plat.

Financial Consideration: The platting fee has been paid by the Owner.

Conclusion/Recommendations: Staff finds that the final plat meets ordinance requirements and recommends approval of the final plat.

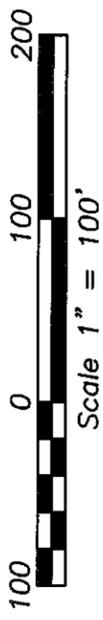
REPLAT OF LOTS 1 THROUGH 14, BLOCK 11, ORIGINAL TOWN, EXCEPT LOT H1 IN LOT 8 AND EXCEPT LOT H2 IN LOT 14 THEREOF; VACATED ALLEY IN BLOCK 11, ORIGINAL TOWN; THE E½ OF VACATED CHURCH STREET ADJACENT THE WEST END OF LOTS 8 THROUGH 14, BLOCK 11, ORIGINAL TOWN, SUBJECT TO DAKOTA STREET RIGHT OF WAY; CHRISTOL TRACT 1 IN A PORTION OF VACATED DAKOTA STREET ADJACENT TO LOT 7, BLOCK 11, ORIGINAL TOWN; VACATED DAKOTA STREET ADJACENT TO LOT 7, BLOCK 11, ORIGINAL TOWN, EXCEPT CHRISTOL TRACT 1, AND EXCEPT YELVERTON TRACT 1, AND EXCEPT THE EAST 40 FEET OF VACATED DAKOTA STREET; VACATED DAKOTA STREET ADJACENT TO LOTS 1 THROUGH 6, BLOCK 11, ORIGINAL TOWN, EXCEPT THE EAST 40 FEET THEREOF; THE EAST 40 FEET OF VACATED DAKOTA STREET ADJACENT TO THE WEST END OF NOBLE STREET; VACATED CHESTNUT STREET ADJACENT TO LOTS 1 & 14 AND THE VACATED ALLEY, BLOCK 11, ORIGINAL TOWN TO THE CENTER LINE OF VACATED CHESTNUT STREET; AND THE AREA OF VACATED DAKOTA STREET ADJACENT TO THE CENTER LINE OF VACATED CHESTNUT STREET FROM THE EAST END OF VACATED CHESTNUT STREET ON THE WEST TO THE CENTER LINE OF VACATED CHESTNUT STREET ON THE NORTH TO THE CENTER LINE OF VACATED DAKOTA STREET ON THE EAST, WHICH IS THE INTERSECTION OF VACATED CHESTNUT STREET AND VACATED DAKOTA STREET; AND A PORTION OF THE E½ OF VACATED DAKOTA STREET ADJACENT TO LOT 7, BLOCK 80, EAST VERMILLION ADDITION; ALL IN THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, HEREAFTER TO BE KNOWN AS:

LOTS 1 AND 2, MAX CHRISTOL ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.



LINE	BEARING	DISTANCE
L1	S89°09'23"E	284.80'
L2	S89°17'26"E	44.92'
L3	S01°06'44"W	41.92'
L4	S00°46'57"W	70.86'
L5	N86°56'19"W	21.73'
L6	S02°49'52"W	29.42'
L7	S27°46'48"W	47.40'
L8	N61°52'20"W	82.45'
L9	N87°18'35"W	64.00'
L10	N87°18'35"W	224.59'
L11	N27°50'25"E	20.96'
L12	S86°56'19"E	27.25'
L13	S86°56'19"E	22.75'
L14	S19°01'45"W	74.78'
L15	S00°23'28"E	72.47'
L16	S04°39'56"W	33.94'
L17	S48°29'26"W	31.73'
L18	S06°20'47"W	10.90'
L19	S88°16'50"W	22.69'
L20	S87°19'12"E	277.85'
L21	N01°13'33"E	98.09'
L22	N01°13'33"E	71.40'
L23	S86°56'19"E	17.68'

CURVE	RADIUS	ARC LENGTH
C1	1392.40'	134.69'
C2	5759.58'	93.81'



LEGEND

- SET 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- FOUND 5/8" REBAR WITH L.S. CAP STAMPED "J. BRANDT R.L.S. 5349"
- ⊗ FOUND REBAR
- FOUND IRON PIPE WITH L.S. CAP STAMPED "JOHNSON 2919"
- ▲ FOUND 5/8" REBAR WITH L.S. CAP STAMPED "GILLEN 1342"
- ◆ FOUND IRON PIPE
- 8' U.E. 8' UTILITY EASEMENT

PREPARED BY:
BRANDT LAND SURVEYING
1202 WILLOW DALE ROAD
YANKTON, SD 57078
(605) 665-8455

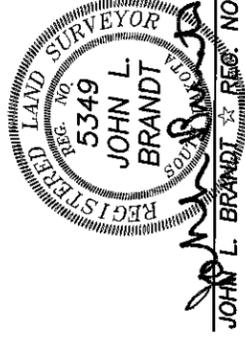
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LOTS 1 AND 2, MAX CHRISTOL ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA.

SURVEYOR'S CERTIFICATE

I, JOHN L. BRANDT, A REGISTERED LAND SURVEYOR, UNDER THE LAWS OF SOUTH DAKOTA, HAVE AT THE DIRECTION OF THE OWNERS, MADE A SURVEY AND REPLAT OF: LOTS 1 THROUGH 14, BLOCK 11, ORIGINAL TOWN, EXCEPT LOT H1 IN LOT 8 AND EXCEPT LOT H2 IN LOT 14 THEREOF; VACATED ALLEY IN BLOCK 11, ORIGINAL TOWN; THE E½ OF VACATED CHURCH STREET ADJACENT THE WEST END OF LOTS 8 THROUGH 14, BLOCK 11, ORIGINAL TOWN, SUBJECT TO DAKOTA STREET RIGHT OF WAY; CHRISTOL TRACT 1 IN A PORTION OF VACATED DAKOTA STREET ADJACENT TO LOT 7, BLOCK 11, ORIGINAL TOWN, EXCEPT CHRISTOL TRACT 1, AND EXCEPT YELVERTON TRACT 1, AND EXCEPT THE EAST 40 FEET OF VACATED DAKOTA STREET; VACATED DAKOTA STREET ADJACENT TO LOTS 1 THROUGH 6, BLOCK 11, ORIGINAL TOWN, EXCEPT THE EAST 40 FEET THEREOF; THE EAST 40 FEET OF VACATED DAKOTA STREET ADJACENT TO THE WEST END OF NOBLE STREET; VACATED CHESTNUT STREET ADJACENT TO LOTS 1 & 14 AND THE VACATED ALLEY, BLOCK 11, ORIGINAL TOWN TO THE CENTER LINE OF VACATED CHESTNUT STREET; AND THE AREA OF VACATED DAKOTA STREET ADJACENT TO VACATED CHESTNUT STREET FROM THE EAST END OF VACATED CHESTNUT STREET ON THE WEST TO THE CENTER LINE OF VACATED CHESTNUT STREET ON THE NORTH TO THE CENTER LINE OF VACATED DAKOTA STREET ON THE EAST, WHICH IS THE INTERSECTION OF VACATED CHESTNUT STREET AND VACATED DAKOTA STREET; AND A PORTION OF THE E½ OF VACATED DAKOTA STREET ADJACENT TO LOT 7, BLOCK 80, EAST VERMILLION ADDITION. I HAVE SET IRON REBAR AS SHOWN AND SAID SURVEY AND PLAT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED THIS 25TH DAY OF NOVEMBER, 2014.



JOHN L. BRANDT, REG. NO. 5349

OWNER'S CERTIFICATE

I, VICTORIA WINTERINGHAM, DO HEREBY CERTIFY THAT I AM THE OWNER OF THE ABOVE SAID REAL PROPERTY AND THAT THE SURVEY AND PLAT WAS MADE AT MY REQUEST AND UNDER MY DIRECTION FOR THE PURPOSE OF MARKING, REPLATTING, AND TRANSFER, AND I FURTHER CERTIFY THAT THE DEVELOPMENT OF THIS LAND SHALL CONFORM TO ALL EXISTING APPLICABLE ZONING, SUBDIVISION AND EROSION AND SEDIMENT CONTROL REGULATIONS, AND I HEREBY DEDICATE THE UTILITY EASEMENT AS SHOWN AND MARKED ON THIS PLAT.

THIS PLAT HEREBY VACATES CHRISTOL TRACT 1, AS RECORDED IN BOOK 8, PAGE 84 AND LOTS 1 THROUGH 14, BLOCK 11, ORIGINAL TOWN, EXCEPT LOT H1 IN LOT 8 AND LOT H2 IN LOT 14 THEREOF, AS RECORDED IN BOOK 1 OF DEEDS, PAGE 215.

DATED THIS _____ DAY OF _____, 20____.

VICTORIA WINTERINGHAM

STATE OF _____

COUNTY OF _____

ON THIS _____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED OFFICER, PERSONALLY APPEARED VICTORIA WINTERINGHAM, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND WHO ACKNOWLEDGED TO ME THAT SHE EXECUTED THE SAME FOR PURPOSES THEREIN CONTAINED.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

RESOLUTION OF APPROVAL

WHEREAS IT APPEARS THAT THE OWNERS THEREOF HAVE CAUSED A PLAT TO BE MADE OF THE ABOVE DESCRIBED REAL PROPERTY.

BE IT RESOLVED THAT THE ATTACHED AND FOREGOING PLAT HAS BEEN SUBMITTED TO AND A REPORT AND RECOMMENDATIONS THEREON MADE BY THE VERMILLION PLANNING COMMISSION TO THE CITY COUNCIL OF VERMILLION AND HAS RECOMMENDED APPROVAL.

BE IT ALSO RESOLVED THAT ACCESS SHALL BE GRANTED TO THE LOT IN ACCORDANCE WITH THE CITY OF VERMILLION STREET ACCESS AND DRIVEWAY APPROACH POLICY, WHICH REQUIRES AN APPLICATION PERMIT.

BE IT FURTHER RESOLVED THAT THE ATTACHED AND FOREGOING PLAT HAS BEEN SUBMITTED TO THE GOVERNING BODY OF THE CITY OF VERMILLION WHICH HAS EXAMINED THE SAME, AND IT APPEARS THAT THE SYSTEM OF STREETS AND ALLEYS SET FORTH THEREIN CONFORMS TO THE SYSTEM OF STREETS AND ALLEYS OF VERMILLION AND THAT ALL TAXES AND SPECIAL ASSESSMENTS, IF ANY, UPON THE TRACT OR SUBMISSION HAVE BEEN FULLY PAID AND THAT SUCH PLAT AND SURVEY HAVE BEEN EXECUTED ACCORDING TO LAW, AND THE SAME IS HEREBY ACCORDINGLY APPROVED.

I, THE UNDERSIGNED, FINANCE OFFICER OF THE CITY OF VERMILLION, SOUTH DAKOTA DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE CITY COUNCIL OF THE CITY OF VERMILLION, SOUTH DAKOTA ON THIS _____ DAY OF _____, 20____.

MAYOR, CITY OF VERMILLION, SOUTH DAKOTA

COUNTY TREASURER'S CERTIFICATE

FINANCE OFFICER, VERMILLION, SOUTH DAKOTA

I, THE UNDERSIGNED, COUNTY TREASURER FOR CLAY COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE AND FOREGOING PLAT, AS SHOWN BY THE RECORDS OF MY OFFICE ON THE _____ DAY OF _____, 20____, HAVE BEEN PAID IN FULL.

DIRECTOR OF EQUALIZATION

COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY DIRECTOR OF EQUALIZATION FOR CLAY COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

REGISTER OF DEEDS

DIRECTOR OF EQUALIZATION

FILED FOR RECORD THIS _____ DAY OF _____, 20____, AT _____ O'CLOCK _____ M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____.

Council Agenda Memo

From: John Prescott, City Manager
Meeting: December 15, 2014
Subject: Resolution Amending Electric Rates
Presenter: John Prescott, City Manager

Background: At the Missouri River Energy Services (MRES) area meeting in October 2014, City staff was informed of a MRES rate increase for 2015 in the amount of 8.5%. The City receives approximately 60% of our electrical power from Western Area Power Administration (WAPA). WAPA provides a fixed amount of power. As the power needs of the community have been and continue to increase beyond the WAPA allotment, MRES has been our supplemental power supplier since 1974. The City of Vermillion currently purchases approximately 40% of its power through MRES. This MRES rate increase is projected to result in a cost increase to the City of approximately \$135,000/year. The Western Area Power Administration (WAPA), our base power supplier, is not projecting any rate changes for 2015.

The City Council last adopted a resolution to adjust electric rates in January 2014. That resolution called for a 2.2% rate increase for bills due in February 2014.

The Utilities Committee met on November 25, 2014 and discussed the impact of the increased rate by our supplemental power supplier on the overall city cost to purchase power. The recommendation of the Utility Committee to increase electric rates was reported to the City Council at the December 1, 2014 meeting.

Discussion: At this time, the Utilities Committee and City staff are proposing an overall 2.5% Vermillion Light & Power (VLP) electric rate increase to provide the necessary revenue to meet increased expenses. The rate increase will adjust customer charges, kWh and Kw in the different rate classes and is projected to generate an additional \$137,500 if applied to eleven 2015 billing periods. The proposed rate increase would be implemented with the billing sent out in January that is due no later than February 10, 2015.

Attached is the proposed 2015 rate table and the comparison of monthly residential, small commercial and large commercial bills. This information compares the current and proposed 2015 Vermillion rate to the rates of the respective providers.

The Light and Power Department is completing improvements to the Service Center substation at an estimated cost of \$1,080,000. After this project is completed, two mainline feeder circuits will be added at a projected cost of \$580,000. A new substation in the northeast portion of the community is also on the horizon. Currently, staff estimates the substation project to cost approximately \$3.6 million.

Financial Consideration: The proposed 2.5% electric rate increase would allow the City to collect the necessary revenue to meet increased purchased power costs. For a residential electric customer using 1,000 kwh per month, this increase translates into approximately \$2.10 per month.

Conclusion/Recommendations: Attached is the proposed resolution revising electrical rates for City Council consideration to become effective with bills due in February 2015. Administration recommends approval of the proposed electric rate increase to keep pace with increased energy purchasing costs in 2015.

RESOLUTION
REVISING ELECTRICAL RATES

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

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

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

WHEREAS, to recover the increased power costs a rate adjustment of 2.5% is included in the service rates listed below to be effective for electric billing after January 16, 2015, and;

NOW THEREFORE BE IT RESOLVED by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m. on the 15th day of December, 2014, that rates be changed or established as follows:

Sec. 51.22 Residential service rates.

For billing made after January 16, 2015 seasonal residential rates will be:

Rate: All KWH per month per KWH at ~~8.9~~ 9.0 cents for October –June billing and at ~~9.4~~ 9.6 cents for July – September billing.

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

Customer charge: ~~\$9.00~~ 9.85 per month

Sec. 51.23 Small commercial power secondary service rate.

For billing made after January 16, 2015 seasonal small commercial secondary rates will be:

Rate: All KWH per month per KWH at ~~9.3~~ 9.4 cents for October – June billing and at ~~9.8~~ 10.0 cents for July – September billing.

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

Customer charge: ~~\$15.00~~ 16.50 per month for single phase services and ~~\$25.00~~ 26.50 per month for three phase services.

Sec. 51.24 Large commercial power secondary service rate.

For billing made after January 16, 2015 seasonal large commercial secondary service rates will be:

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

Maximum KW demand at ~~\$11.30~~ 11.80 per KW for October – June billing and at ~~\$13.30~~ 14.10 per KW for July – September billing.

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

Customer charge: ~~\$33.00~~ 36.00 per month.

Sec. 51.27 City Street Lighting

For billing made after January 16, 2015 city street lighting service rates will be:

Rate: All KWH per month per KWH at ~~12.2~~ 12.5 cents.

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

Surcharge Fee:

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

For billing made after January 16, 2015 the surcharge fee shall be .011 cents per KWH.

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

Dated at Vermillion, South Dakota this 15th day of December, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By: John E. (Jack) Powell, Mayor

Attest:

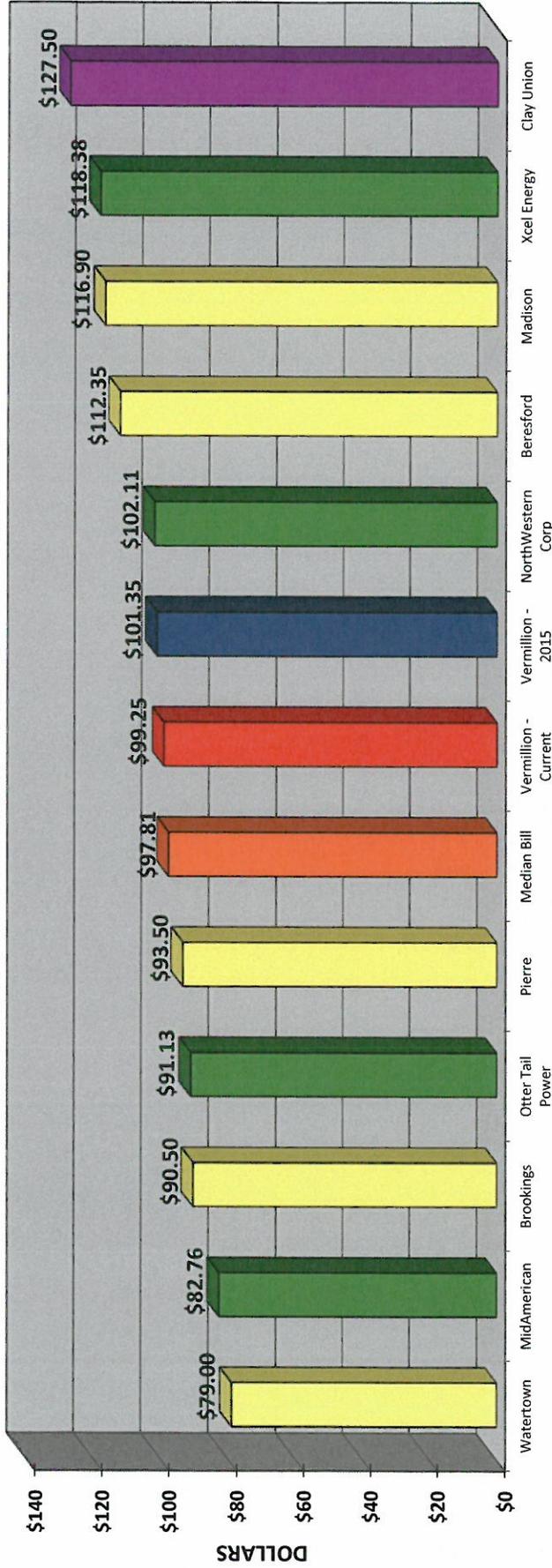
Michael D. Carlson, Finance Officer

Adopted: December 15, 2014

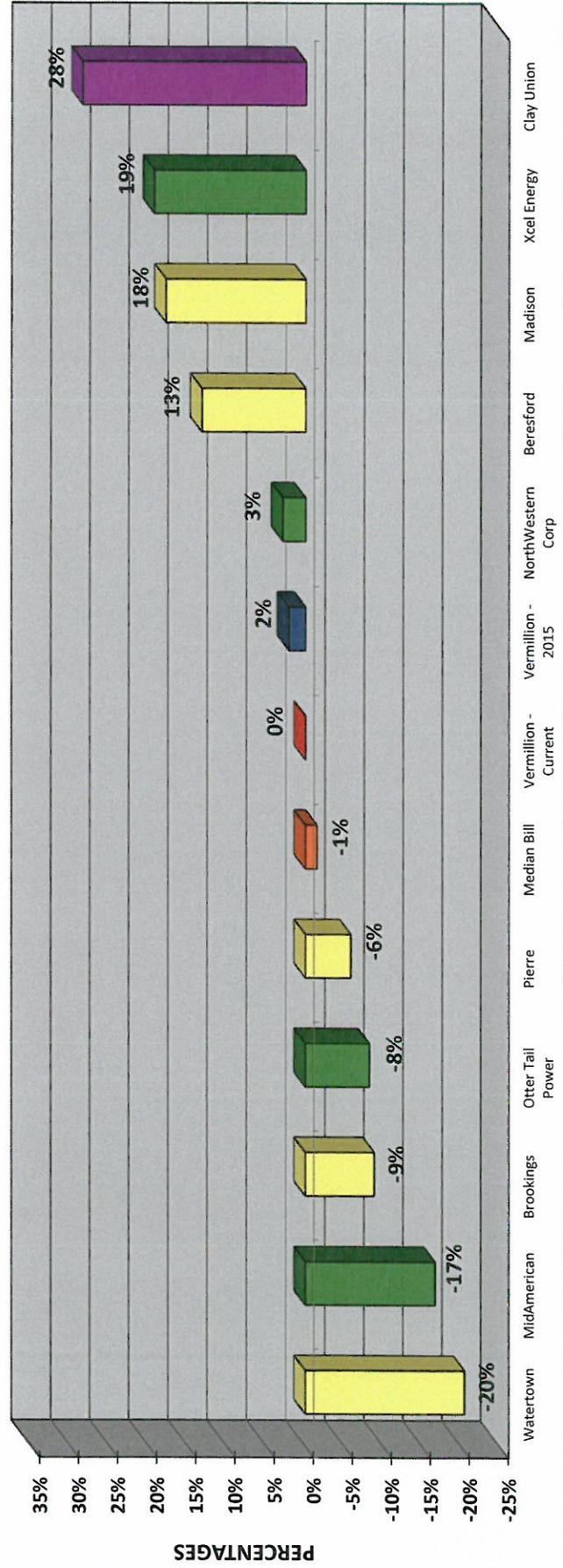
Publish: December 26, 2014

Effective: January 16, 2015

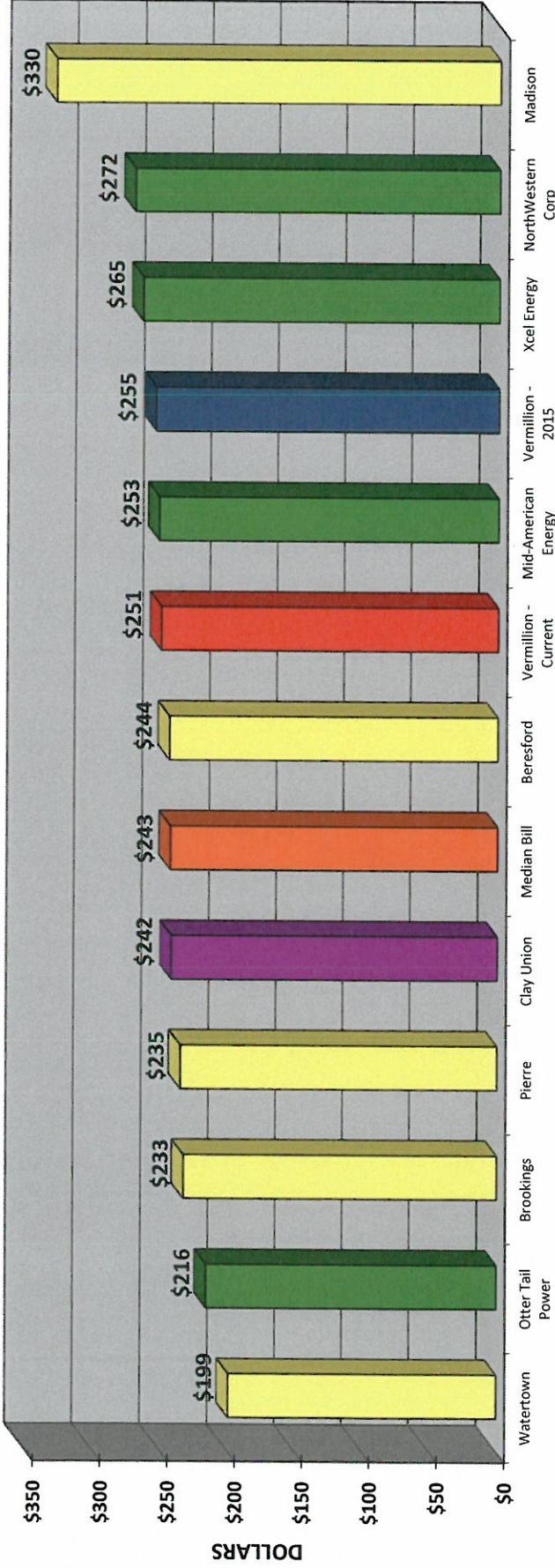
COMPARISON OF MONTHLY RESIDENTIAL BILLS - 1,000 KWH



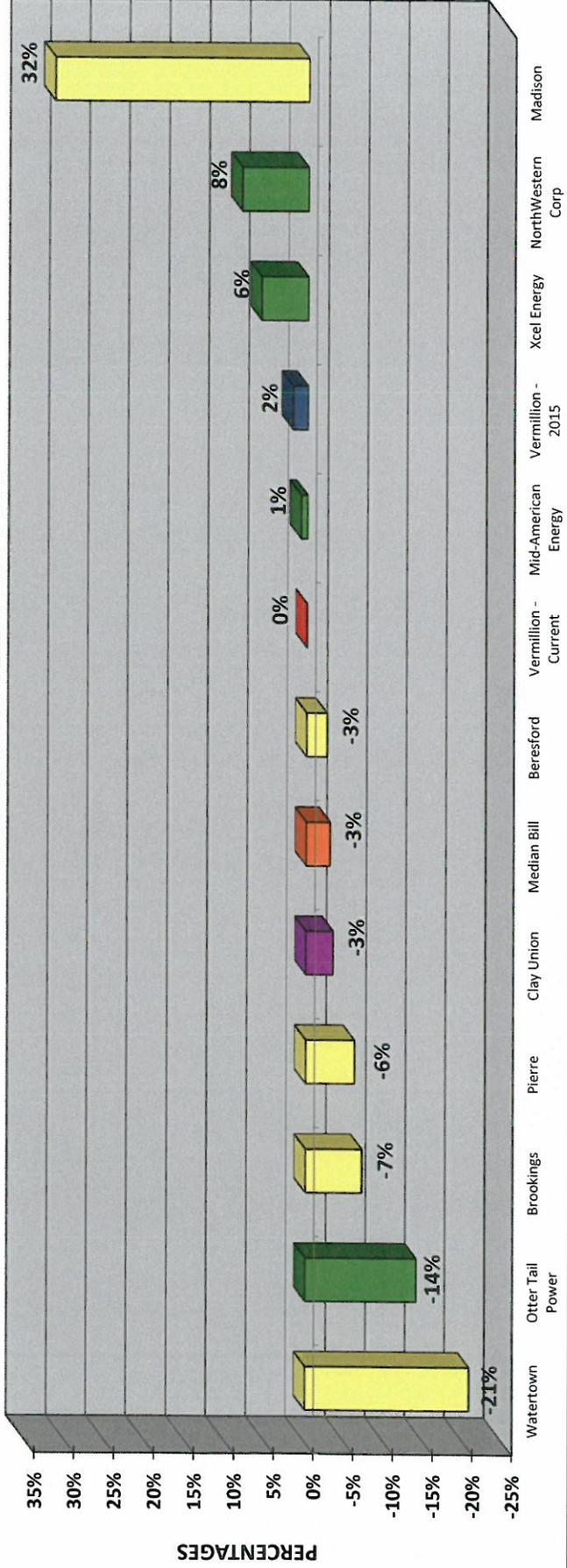
PERCENTAGE DIFFERENCE FROM VERMILLION'S BILL



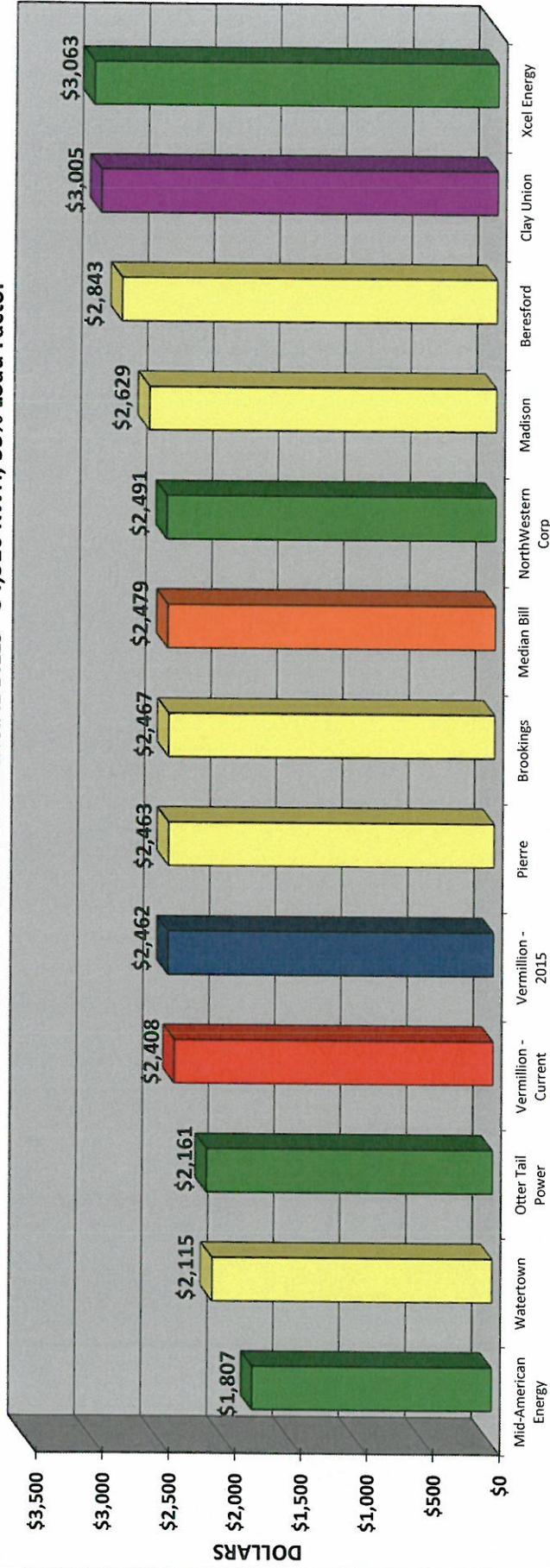
COMPARISON OF MONTHLY SMALL COMMERCIAL BILLS - 2,500 KWH



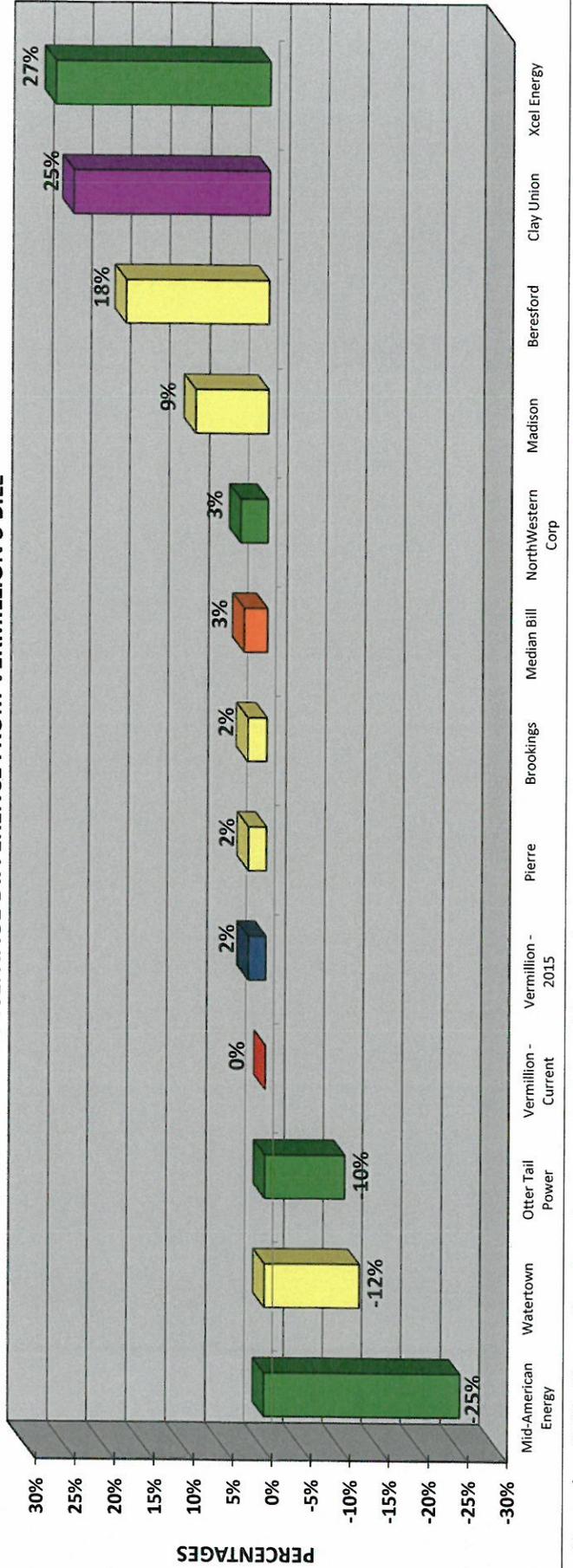
PERCENTAGE DIFFERENCE FROM VERMILLION'S BILL



COMPARISON OF MONTHLY LARGE COMMERCIAL BILLS - 34,510 KWH, 55% Load Factor



PERCENTAGE DIFFERENCE FROM VERMILLION'S BILL



**Vermillion Light & Power
Proposed 2015 Rates**

Current and Proposed Rates				
Customer Class	Rate Components	Current Rates	2015 Proposed Rates	% Increase
Overall Revenue Increase				2.5%
Residential	Customer Charge	\$9.00	\$9.85	2.5%
	Energy Charge:			
	July-September Billings	0.094	0.096	
	October-June Billings	0.089	0.090	
Small Commercial	Customer Charge			2.5%
	Single Phase	15.00	16.50	
	Three Phase	25.00	26.50	
	Energy Charge:			
	July-September Billings	0.098	0.100	
	October-June Billings	0.093	0.094	
Large Commercial (20 kW or more)	Customer Charge	33.00	36.00	2.5%
	Energy Charge	0.039	0.039	
	Demand Charge:			
	July-September Billings	13.30	14.10	
	October-June Billings	11.30	11.80	
Street Lighting	Energy Charge	0.122	0.125	2.5%
Security Lighting	70 Watt HPS	5.80	5.90	1.7%
	175 Watt MV	7.10	7.25	2.1%
	250 Watt HPS	12.30	12.55	2.0%
	400 Watt HPS	19.00	19.40	2.1%

Notes:

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

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 15, 2014
Subject: Resolution authorizing issuance of General Obligation Bonds, Series 2015
Presenter: Mike Carlson

Background: On November 4, 2014 the voters approved the issuance of up to \$3.1 million of General Obligation bonds to fund the improvements in Prentis Park.

Discussion: The next steps will be the “Resolution authorizing issuance, prescribing the form and details and providing for the payment of general obligation bonds, Series 2015” that has been prepared by bond counsel. This resolution authorizes the sale of up to \$3.1 million of bonds at an interest rate not to exceed 4.5 percent. It authorizes the Mayor, Finance Officer and City Attorney to execute the necessary documents for the issuance of the bonds, account for the use of the funds and requires an ordinance for the collections of funds for the repayment. The resolution also addressed the form of the bonds and tax issues. The ordinance creating the bond fund and levying taxes for payment of the general obligation bonds is next on the agenda.

The resolution was prepared by Dorsey & Whitney, LLP, Bond Counsel and has been reviewed by Jim McCulloch, City Attorney.

Financial Consideration: The cost to the city will be the publication of the resolution.

Conclusion/Recommendations: Administration recommends approval of the resolution authorizing issuance of General Obligation Bonds, Series 2015.

RESOLUTION AUTHORIZING ISSUANCE, PRESCRIBING THE FORM AND DETAILS
AND PROVIDING FOR THE PAYMENT OF GENERAL OBLIGATION BONDS,
SERIES 2015

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

SECTION 1. RECITALS, AUTHORIZATION AND SALE.

1.01. Authorization and Election. This Council hereby determines that it is in the best interests of the Issuer to authorize the issuance and sale of its General Obligation Bonds, Series 2015, in a principal amount not to exceed \$3,100,000 (the Bonds), pursuant to Chapters 9-26 and 6-8B, South Dakota Codified Laws, the proceeds of which will be used, together with Issuer funds on hand as may be required, to finance the acquisition and construction of Prentis Park Improvements to consist of a new swimming pool to replace the existing pool, parking lot, basketball courts and related improvements (the Project). Issuance of the Bonds was approved by the electors of the Issuer at an election held on November 4, 2014.

1.02. Sale and Bond Purchase Agreement. The Bonds shall be issued in an aggregate principal amount not to exceed \$3,100,000 for the purpose of financing the Project, paying the costs of issuing the Bonds (including underwriter's discount and the costs of bond insurance, if recommended by the Purchaser) and providing for an original issue discount not exceeding 2% of the principal amount of the Bonds. The Bonds shall be sold to Dougherty & Company LLC, of Minneapolis, Minnesota (the Purchaser) at a purchase price (exclusive of original issue discount) of not less than 98.5% of par, plus accrued interest, the Bonds to bear interest at a rate or rates per annum resulting in an average interest rate not greater than 4.5% per annum and to mature over a period not to exceed 20 years. The Mayor and Finance Officer are hereby authorized and directed to agree with the Purchaser upon the exact purchase price, principal amount, maturities, redemption provisions and interest rate or rates for the Bonds, within the parameters set forth in this section. The execution of a Bond Purchase Agreement setting forth such final terms by the Mayor and Finance Officer is hereby approved and authorized, and such execution shall be conclusive evidence of such agreement and shall be binding upon the Issuer. The provisions of the Bond Purchase Agreement as so executed, including all Exhibits and Appendices thereto, are incorporated herein by reference. The law firm of Dorsey & Whitney LLP, in Minneapolis, Minnesota, is hereby appointed as bond counsel and disclosure counsel for purposes of this issue of Bonds.

1.03. Officials Authorized to Execute Documents. The Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Bond Purchase Agreement and the documents required thereunder, the Official Statement, the Bonds and any other documents required to complete the financing contemplated hereby, including an insurance policy for all or a portion of the Bonds if deemed advisable by the Purchaser. Execution and delivery of such documents by the Mayor and Finance Officer shall constitute evidence that such items are consistent with the terms of this resolution and have been duly authorized, executed and delivered by the Issuer and are enforceable against the Issuer in accordance with their terms, subject to customary exceptions relating to bankruptcy, reorganization, insolvency and other laws affecting creditors' rights. The Mayor, Finance Officer and City Attorney are further

authorized to take such other actions as may be required to effectuate the terms and intent of this resolution. In the event of the absence or disability of the Mayor, Finance Officer or City Attorney, the acting Mayor, the acting Finance Officer or the Assistant City Attorney are hereby authorized to act in the place and stead of the Mayor, Finance Officer and City Attorney, and to take all actions and execute all documents approved hereby.

1.04. Official Statement. The Mayor, Finance Officer and City Attorney are authorized, in cooperation with the Purchaser, to prepare an Official Statement to be distributed to prospective purchasers of the Bonds. The Mayor and the Finance Officer are hereby authorized and directed to approve the Official Statement.

SECTION 2. BOND TERMS, EXECUTION AND DELIVERY AND REGISTRAR.

2.01. Execution, Authentication and Delivery. The Bonds shall be prepared under the direction of the Finance Officer and shall be executed and authenticated on behalf of the Issuer by the signatures of the Mayor and the Finance Officer and countersigned by an attorney resident and licensed to practice in the State of South Dakota. All signatures may be printed, lithographed or engraved facsimiles of the original. In case any officer whose signature or a facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of any Bond, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if such officer had remained in office until delivery. Notwithstanding such execution, no Bond shall be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on each Bond shall be conclusive evidence that it has been authenticated and delivered under this Resolution. After the Bonds have been so prepared and executed, the Finance Officer shall deliver them to the Registrar for delivery to the Purchaser on receipt of the purchase price heretofore agreed upon, and the Purchaser shall not be required to see to the application thereof. Upon delivery of the Bonds to the Purchaser the Finance Officer shall file with the Secretary of State, on the form provided by the Secretary of State, the information required by S.D.C.L., Section 6-8B-19.

2.02. Maturities, Interest Rates and Forms. The Bonds shall be issued in the denomination of \$5,000 each, or any integral multiple thereof, shall mature on the dates and in the respective years and amounts, and shall bear interest from date of original issue until paid or duly called for redemption at the respective annual rates stated opposite such maturity years as shown on Exhibit A to the Bond Purchase Agreement. The Bonds shall be issuable only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, shall be payable by check or draft issued by the Registrar described herein; provided if the Bonds are registered in the name of a securities depository, or a nominee thereof, in accordance with Section 2.08 hereof, principal and interest shall be payable in accordance with the operational arrangements of the securities depository.

2.03. Dates and Interest Payment Dates. Each Bond shall bear a date of original issue as of the date on which the Bonds are delivered to the Purchaser. Upon the initial delivery of the Bonds pursuant to Section 2.01 and upon any subsequent transfer or exchange pursuant to

Section 2.06, the date of authentication shall be noted on each Bond so delivered, exchanged or transferred. The interest on the Bonds shall be payable on the dates shown on Exhibit A to the Bond Purchase Agreement, to the owner of record thereof as the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day. Interest shall be computed on the basis of a 360-day year composed of twelve 30-day months.

2.04. Redemption. The Bonds shall be subject to redemption prior to maturity, at the option of the Issuer, in the years and at the redemption prices set forth in Exhibit A to the Bond Purchase Agreement in such order of maturities as may be designated by the Issuer and, within any maturity, in \$5,000 principal amounts selected by the Registrar by lot, assigned in proportion to their principal amounts. The Finance Officer shall cause notice of the call for redemption thereof to be published as and if required by law, and, at least thirty days prior to the designated redemption date, shall cause notice of the call thereof for redemption to be mailed, by first class mail (or, if applicable, by the bond depository in accordance with its customary procedures), to the registered owners of any Bonds to be redeemed at their addresses as they appear on the bond register described in Section 2.06 hereof, but no defect in or failure to give such mailed notice shall affect the validity of proceedings for the redemption of any Bond not affected by such defect or failure. The notice of redemption shall specify the redemption date, redemption price, the numbers, interest rates and CUSIP numbers of the Bonds to be redeemed and the place at which the Bonds are to be surrendered for payment, which is the principal office of the Registrar. Official notice of redemption having been given as aforesaid, the Bonds or portions of Bonds so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the Issuer shall default in the payment of the redemption price) such Bonds or portions of Bonds shall cease to bear interest. Upon partial redemption of any Bond, a new Bond or Bonds will be delivered to the registered owner without charge, representing the remaining principal amount outstanding.

2.05. Appointment of Registrar and Registration. The Issuer shall appoint an initial bond registrar, transfer agent and paying agent (the Registrar) pursuant to the Bond Purchase Agreement. The Mayor and the Finance Officer are authorized to execute and deliver, on behalf of the Issuer, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, such corporation shall be authorized to act as successor Registrar. The Issuer agrees to pay the reasonable and customary charges of the Registrar for the services performed. The Issuer reserves the right to remove any Registrar upon thirty (30) days notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar shall deliver all cash and Bonds in its possession to the successor Registrar and shall deliver the bond register to the successor Registrar. No resignation or removal of the Registrar shall become effective until a successor Registrar has been appointed and has accepted such appointment. Any Bond Insurer shall be furnished prompt written notice of the resignation or removal of the Registrar and the appointment of a successor.

2.06. Registration. The effect of registration and the rights and duties of the Issuer and the Registrar with respect thereto shall be as follows:

(a) Register. The Registrar shall keep at its principal corporate trust office a bond register in which the Registrar shall provide for the registration of ownership of Bonds and the

registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender to the Registrar for transfer of any Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until such interest payment date.

(c) Exchange of Bonds. Whenever any Bond is surrendered to the Registrar by the registered owner for exchange, the Registrar shall authenticate and deliver one or more new Bonds of a like aggregate principal amount, interest rate and maturity, as requested by the registered owner or the owner's attorney duly authorized in writing.

(d) Cancellation. All Bonds surrendered upon any transfer or exchange shall be promptly canceled by the Registrar and thereafter disposed of as directed by the Issuer.

(e) Improper or Unauthorized Transfer. When any Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the same until it is satisfied that the endorsement on such Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar shall incur no liability for its refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The Issuer and the Registrar may treat the person in whose name any Bond is at any time registered in the bond register as the absolute owner of such Bond, whether such Bond shall be overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on such Bond and for all other purposes, and all such payments so made to any such registered owner or upon the owner's order shall be valid and effectual to satisfy and discharge the liability of the Issuer upon such Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. For every transfer or exchange of Bonds, the Registrar may impose a charge upon the owner thereof sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to such transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. In case any Bond shall become mutilated or be lost, stolen or destroyed, the Registrar shall deliver a new Bond of like amount, number, maturity date and tenor, in exchange and substitution for and upon cancellation of any such mutilated Bond or in lieu of and in substitution for any such Bond lost, stolen or destroyed, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond lost, stolen or destroyed, upon filing with the Registrar of evidence satisfactory to it that such Bond was lost, stolen or destroyed, and of the ownership thereof, and upon furnishing to the Issuer and the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to the Registrar, in which both the Issuer and the

Registrar shall be named as obligees. All Bonds so surrendered to the Registrar shall be canceled by it and evidence of such cancellation shall be given to the Issuer. If the mutilated, lost, stolen or destroyed Bond has already matured or been called for redemption in accordance with its terms, it shall not be necessary to issue a new Bond prior to payment.

2.07. Bond Form. The Bonds shall be prepared in substantially the form presented to and approved by this Council and on file in the office of the Finance Officer.

2.08. Securities Depository. The Finance Officer may, on or before the date of issue of the Bonds, direct that the Bonds be issued in book-entry only form and if issued in such form, the following provisions shall apply:

(a) For purposes of this section the following terms shall have the following meanings:

“Beneficial Owner” shall mean, whenever used with respect to a Bond, the person in whose name such Bond is recorded as the beneficial owner of such Bond by a Participant on the records of such Participant, or such person’s subrogee.

“Cede & Co.” shall mean Cede & Co., the nominee of DTC, and any successor nominee of DTC with respect to the Bonds.

“DTC” shall mean The Depository Trust Company of New York, New York.

“Participant” shall mean any broker-dealer, bank or other financial institution for which DTC holds Bonds as securities depository.

“Representation Letter” shall mean the Representation Letter pursuant to which the sender agrees to comply with DTC’s Operational Arrangements.

(b) The Bonds shall be initially issued as separately authenticated fully registered bonds, and one Bond shall be issued in the principal amount of each stated maturity of the Bonds. Upon initial issuance, the ownership of such Bonds shall be registered in the bond register in the name of Cede & Co., as nominee of DTC. The Registrar and the Issuer may treat DTC (or its nominee) as the sole and exclusive owner of the Bonds registered in its name for the purposes of payment of the principal of or interest on the Bonds, selecting the Bonds or portions thereof to be redeemed, if any, giving any notice permitted or required to be given to registered owners of Bonds under this resolution, registering the transfer of Bonds, and for all other purposes whatsoever; and neither the Registrar nor the Issuer shall be affected by any notice to the contrary. Neither the Registrar nor the Issuer shall have any responsibility or obligation to any Participant, any person claiming a beneficial ownership interest in the Bonds under or through DTC or any Participant, or any other person which is not shown on the bond register as being a registered owner of any Bonds, with respect to the accuracy of any records maintained by DTC or any Participant, with respect to the payment by DTC or any Participant of any amount with respect to the principal of or interest on the Bonds, with respect to any notice which is permitted or required to be given to owners of Bonds under this resolution, with respect to the selection by DTC or any Participant of any person to receive payment in the event of a partial redemption of the Bonds, or with respect to any consent given or other action taken by DTC as registered owner of the Bonds. So long as any Bond is registered in the name of Cede & Co., as nominee of DTC,

the Registrar shall pay all principal of and interest on such Bond, and shall give all notices with respect to such Bond, only to Cede & Co. in accordance with DTC's Operational Arrangements, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and interest on the Bonds to the extent of the sum or sums so paid. No person other than DTC shall receive an authenticated Bond for each separate stated maturity evidencing the obligation of the Issuer to make payments of principal and interest. Upon delivery by DTC to the Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the Bonds will be transferable to such new nominee in accordance with paragraph (e) hereof.

(c) In the event the Issuer determines that it is in the best interest of the Beneficial Owners that they be able to obtain Bonds in the form of bond certificates, the Issuer may notify DTC and the Registrar, whereupon DTC shall notify the Participants of the availability through DTC of Bonds in the form of certificates. In such event, the Bonds will be transferable in accordance with paragraph (e) hereof. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the Issuer and the Registrar and discharging its responsibilities with respect thereto under applicable law. In such event the Bonds will be transferable in accordance with paragraph (e) hereof.

(d) The execution and delivery of the Representation Letter to DTC by the Mayor or Finance Officer is hereby authorized and directed.

(e) In the event that any transfer or exchange of Bonds is permitted under paragraph (b) or (c) hereof, such transfer or exchange shall be accomplished upon receipt by the Registrar of the Bonds to be transferred or exchanged and appropriate instruments of transfer to the permitted transferee in accordance with the provisions of this resolution. In the event Bonds in the form of certificates are issued to owners other than Cede & Co., its successor as nominee for DTC as owner of all the Bonds, or another securities depository as owner of all the Bonds, the provisions of this resolution shall also apply to all matters relating thereto, including, without limitation, the printing of such Bonds in the form of bond certificates and the method of payment of principal of and interest on such Bonds in the form of bond certificates.

SECTION 3. USE OF PROCEEDS. There is hereby established on the official books and records of the Issuer a General Obligation Bonds, Series 2015 Construction Fund (the "Construction Fund"). The Finance Director shall continue to maintain the Construction Fund until payment of all costs and expenses incurred in connection with the construction of the Project have been paid. To the Construction Fund there shall be credited all proceeds of the Bonds, exclusive of accrued interest, received from the Purchaser and from the Construction Fund there shall be paid all construction costs and expenses of the Project, to the extent not paid from other funds, and the issuance costs of the Bonds. After payment of all costs incurred with respect to the Project which are payable from Bond proceeds and costs of issuance of the Bonds, the Construction Fund shall be discontinued and any proceeds of the Bonds remaining therein shall be credited to the Bond Fund described in Section 4 hereof.

SECTION 4. BOND FUND. The Bonds shall be payable from a separate General Obligation Bonds, Series 2015 Bond Fund (the Bond Fund) of the Issuer, which Bond Fund the Issuer agrees to maintain until the Bonds have been paid in full. If the money in the Bond Fund

should at any time be insufficient to pay principal and interest due on the Bonds, such amounts shall be paid from other moneys on hand in other funds of the Issuer, which other funds shall be reimbursed therefor when sufficient money becomes available in the Bond Fund. The moneys on hand in the Bond Fund from time to time shall be used only to pay the principal of and interest on the Bonds. Into the Bond Fund shall be paid: (a) any amount appropriated thereto pursuant to Section 3 hereof; (b) any ad valorem taxes collected in accordance with the provisions of Section 5 hereof; and (c) any other funds appropriated by the Council for the payment of the Bonds.

SECTION 5. PLEDGE OF TAXING POWERS. For the prompt and full payment of the principal of and interest on the Bonds as such payments respectively become due, the full faith, credit and unlimited taxing powers of the Issuer shall be and are hereby irrevocably pledged. In order to produce amounts needed to meet when due the principal and interest payments on the Bonds, ad valorem taxes are hereby levied on all taxable property in the Issuer, said taxes to be levied and collected as specified in Ordinance No.1324. Said taxes shall be irrevocable as long as any of the Bonds are outstanding and unpaid.

SECTION 6. DEFEASANCE. When all of the Bonds have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the registered owners of the Bonds shall cease. The Issuer may discharge its obligations with respect to any Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full; or, if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The Issuer may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Registrar on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due, provided that notice of such redemption has been duly given as provided herein. The Issuer may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank or trust company qualified by law as an escrow agent for this purpose, cash or securities which are authorized by law to be so deposited, bearing interest payable at such time and at such rates and maturing or callable at the holder's option on such dates as shall be required to pay all principal, interest and redemption premiums to become due thereon to maturity or earlier designated redemption date.

SECTION 7. CERTIFICATION OF PROCEEDINGS. The officers of the Issuer are hereby authorized and directed to prepare and furnish to the Purchaser and to Dorsey & Whitney LLP, Bond Counsel, certified copies of all proceedings and records relating to the Bonds and such other affidavits, certificates and information as may be required to show the facts relating to the legality and marketability of the Bonds, as the same appear from the books and records in their custody and control or as otherwise known to them, and all such certified copies, affidavits and certificates, including any heretofore furnished, shall be deemed representations of the Issuer as to the correctness of all statements contained therein.

SECTION 8. TAX COVENANTS; ARBITRAGE MATTERS; AND DISCLOSURE.

8.01. Tax Covenant. The Issuer covenants and agrees with the registered owners of the Bonds, that it will not take or permit to be taken by any of its officers, employees or agents any actions that would cause interest on the Bonds to become includible in gross income of the recipient under the Internal Revenue Code of 1986, as amended (the Code) and applicable Treasury Regulations (the Regulations), and covenants to take any and all actions within its powers to ensure that the interest will not become includible in gross income of the recipient under the Code and the Regulations. It is hereby certified that the proceeds of the Bonds will be used for the acquisition and betterment of municipal facilities owned and operated by the Issuer and the Issuer covenants and agrees that, so long as the Bonds are outstanding, the Issuer shall not enter into any lease, management agreement, use agreement or other contract with any nongovernmental entity relating to the facilities so financed which would cause the Bonds to be considered “private activity bonds” or “private loan bonds” pursuant to Section 141 of the Code.

8.02. Arbitrage Certification. The Mayor and Finance Officer being the officers of the Issuer charged with the responsibility for issuing the Bonds pursuant to this Resolution, are authorized and directed to execute and deliver to the Purchaser a certificate in accordance with the provisions of Section 148 of the Code, and applicable Regulations stating the facts, estimates and circumstances in existence on the date of issue and delivery of the Bonds which make it reasonable to expect that the proceeds of the Bonds will not be used in a manner that would cause the Bonds to be “arbitrage bonds” within the meaning of the Code and the Regulations.

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

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

8.05. Continuing Disclosure. The Issuer acknowledges that the Bonds are subject to the continuing disclosure requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission under the Securities Exchange Act of 1934 (18 C.F.R. § 240.15c2-12) (as in effect and interpreted from time to time, the Rule). The Rule governs the obligations of certain underwriters to require that issuers of municipal obligations enter into agreements for the benefit of the holders of the obligations to provide continuing disclosure with respect to the obligations. To provide for the public availability of certain information relating to the Bonds and the security therefor and to permit participating underwriters in the primary offering of the Bonds to

comply with the Rule, which will enhance the marketability of the Bonds, the Mayor and Finance Officer are hereby authorized and directed to execute an Undertaking of Continuing Disclosure (the Undertaking), by which the Issuer agrees to provide such information, either directly or through a disclosure agent. The Issuer hereby covenants and agrees to observe and perform the covenants and agreements contained in the Undertaking, unless amended or terminated in accordance with the provisions thereof, for the benefit of the registered owners or beneficial owners from time to time of the Outstanding Bonds as provided in the Undertaking.

SECTION 9. EFFECTIVE DATE; REPEALS. This Resolution shall become effective upon passage and all provisions of resolutions, resolutions and other actions and proceedings of the Issuer which are in any way inconsistent with the terms and provisions of this Resolution are repealed, amended and rescinded to the full extent necessary to give full force and effect to the provisions of this Resolution.

Dated at Vermillion, South Dakota this 15th day of December, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

Seal

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D Carlson, Finance Officer

Adopted: December 15, 2014
Published: December 26, 2014
Effective: January 15, 2015

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 15, 2014
Subject: First Reading of Ordinance No. 1324 creating a bond fund and levying taxes for the payment of General Obligation Bonds, Series 2015
Presenter: Mike Carlson

Background: On November 4, 2014 the voters approved up to \$3.1 million of General Obligation bonds to fund the improvements in Prentis Park.

Discussion: The Resolution authorizing issuance of General Obligation Bonds, Series 2015 considered earlier requires, an ordinance creating a bond fund and levying taxes for the payment of the General Obligation Bonds, Series 2015 (Section 5). The ordinance provided for the certifying 105 percent of the annual debt service to the County Auditor as to the annual tax levy. The 105 percent tax levy is based upon some taxes not being collected each year so there is enough funds for the annual debt service.

The ordinance also provided in Section 3 “except that, when and if appropriations shall hereafter be made into the Bond Fund of cash from any other fund of the City or moneys therefore actually paid into the Bond Fund, the City Council shall have the power to reduce the levy for the ensuing year or years specified in the Certificates as to Tax Levy by an amount equal to the moneys so appropriated, and upon certification thereof the levies above specified shall be accordingly reduced or canceled.” Thus if the City Council appropriates funds for the payment of the General Obligation bonds the tax levy for the payment can be reduced or canceled.

The ordinance was prepared by Dorsey & Whitney, LLP, Bond Counsel, and has been reviewed by Jim McCulloch.

The ordinance calls for Exhibit A to be completed and filed with Clay County Auditor prior to delivery of the Bonds to the Purchaser. This will be done prior to final closing of the bond issue.

Financial Consideration: The initial cost will be the publishing costs. The ordinance will require the levying of additional taxes to pay the annual debt service on the general obligation bond unless the City Council appropriates other funds for the debt service.

Conclusion/Recommendations: Administration recommends approval of first reading of Ordinance No. 1324 creating a bond fund and levying taxes for the payment of General Obligation Bonds, Series 2015.

ORDINANCE NO. 1324

AN ORDINANCE CREATING A BOND FUND AND LEVYING TAXES FOR THE PAYMENT OF GENERAL OBLIGATION BONDS, SERIES 2015

BE IT ORDAINED BY THE CITY OF VERMILLION, SOUTH DAKOTA (the City):

SECTION 1. There is hereby created a Bond Fund for the payment of principal of and interest on General Obligation Bonds, Series 2015 of the City (the Bonds), to be issued pursuant to a resolution adopted by the City Council on December 15, 2014 (the Bond Resolution), into which Bond Fund shall be paid all proceeds of the taxes herein levied.

SECTION 2. For the prompt and full payment of 105% of the principal of and interest on the Bonds as such payments respectively become due, the full faith, credit and unlimited taxing powers of the City shall be and are hereby irrevocably pledged. In order to produce aggregate amounts needed to meet when due 105% of the principal and interest payments on the Bonds, ad valorem taxes are hereby levied on all taxable property in the City for the years and in the amounts set forth on the Certificate as to Tax Levy, a form of which is attached hereto as Exhibit A. The Finance Officer, upon execution of the Bond Purchase Agreement, which is to be entered into between the Purchaser, as defined in the Bond Resolution, and the City, and as more fully described in Section 1.02 of the Bond Resolution, shall compute the required tax levy and shall complete and file the Certificate as to Tax Levy with the Clay County Auditor prior to delivery of the Bonds to the Purchaser.

SECTION 3. The levies shall be irrevocable so long as any of the Bonds or interest thereon shall remain unpaid, except that, when and if appropriations shall hereafter be made into the Bond Fund of cash from any other fund of the City or moneys therefore actually paid into the Bond Fund, the City Council shall have the power to reduce the levy for the ensuing year or years specified in the Certificates as to Tax Levy by an amount equal to the moneys so appropriated, and upon certification thereof the levies above specified shall be accordingly reduced or canceled. The moneys in the Bond Fund shall be used solely for the payment of principal of and interest on the Bonds; provided that, if any payment of principal or interest shall fall due on the Bonds when moneys in the Bond Fund are insufficient therefor, such payments shall be made from the General Fund of the City, and said General Fund shall be reimbursed for the amounts so advanced out of the proceeds of the foregoing taxes when collected.

EXHIBIT A

CLAY COUNTY AUDITOR'S CERTIFICATE AS TO TAX LEVY

Note: To be completed and filed with Clay County Auditor prior to delivery of the Bonds to the Purchaser.

In order to pay when due, the principal of and interest on the General Obligation Bonds, Series 2015, dated as of _____, 2015, there is hereby levied a direct, annual ad valorem tax in amounts equal to 105% of such principal and interest to be spread upon the tax rolls for the years and in the amounts set forth below:

<u>Levy Years</u>	<u>Collection Years</u>	<u>Amount</u>
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Dated at Vermillion, South Dakota this 5th day of January, 2015.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D Carlson, Finance Officer

First Reading: December 15, 2014

Second Reading: January 5, 2015

Publish: January 16, 2015

Effective: February 6, 2015

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 15, 2014
Subject: Commercial Collectors License Renewal
Presenter: Mike Carlson

Background: City ordinance requires approval by the City Council for the issuance of a commercial collector's license. The ordinance sections are as follows:

Sec. 52.09 License-Required.

It shall be unlawful for contract or commercial haulers to use the streets for the collection, removal or disposal of any receivable solid waste and yard waste without first having obtained a license to perform such services from the finance officer. As a condition to the granting of any said license, all commercial haulers shall agree to abide by all city ordinances or landfill regulation involving the collection or depositing of any receivable solid waste and yard waste, including the requirements of sections 52.07, 52.12 and 52-13. In the event any commercial garbage hauler fails to abide by these said ordinances or regulations, the City of Vermillion reserves the right to terminate said license. This requirement does not apply to building contractors removing and disposing of receivable solid waste incidental to a construction contract, nor to any firm or individual who, for a fee, engages in the removal of receivable solid waste for disposal for fewer than two days in any calendar year.

Sec. 52.10. Same-Application; plate to be displayed. Application for license shall be filed at the office of the finance officer five (5) days prior to any consideration and approval by the council. The license fee shall be three hundred dollars (\$300.00) per year for commercial collectors or contract haulers collecting and transporting receivable solid waste including any one of the following types of material: garbage, household waste, industrial waste, and commercial waste. Such license shall also entitle holder to collect and transport yard waste and large trees and limbs. All licenses expire December 31 in the year that they are issued. The license plate or placard issued shall be displayed on each such vehicle at all times. Each license applicant shall, at the time of the submission of the license application, provide written verification to the City that the applicant met the financial liability requirement of state.

Sec. 52.13 Duty of Collectors. Licensed collectors or haulers shall obey all the ordinances and all the rules and regulations of the City of Vermillion or its designated officer and report to the supervising department any violation of this subchapter which may come to their notice. All licensed collectors or haulers may provide a subscription service for each customer. All charges for the collection of yard waste shall be made separate and distinct from any basic charges for all other collection services of receivable solid waste. Any violation of this subchapter or other rules and regulations that may be made from time to time by the City of Vermillion or any nonpayment of the fees provided by this subchapter will result in the suspension or revocation of the license to haul.

Discussion: The following firms have submitted an application to renew their commercial collector's license:

Loren Fischer Disposal - Loren Fischer, Owner
Fischer Disposal, LLC - Lonnie Fischer, Operator
Art's Garbage Service - Division of Waste Connections
Vermillion Garbage Service - Marty Johnson, Owner
Independence Waste - K & P Services Inc, Owner

There were three licenses that were issued for 2014 that did not make application for renewal which were: Little Garbage Guys, Waste Management of South Dakota and Giedd Sanitation.

The licensing requires those licensed to abide by City Ordinances. As part of the application process, the City requests, upon renewal, that they list any violations of City Ordinances during the past year. No violations were listed by the applicants on their applications.

The license applications were sent to the Chief of Police and his report on the records check is attached. It should be noted the Police Chief's review only covers violations of city code or state statutes within the City limits.

Financial Consideration: The annual license fee is \$300 per year.

Conclusion/Recommendations: Administration recommends the City Council review the information on the commercial collections license applications to determine if the licenses should be renewed for 2015.

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



December 8, 2014

To: Mike Carlson, Finance Officer

From: Matt Betzen, Chief of Police

Re: Renewal of Commercial Collector's Licenses

Sir,

The following collectors have applied for renewal of their Commercial Collector's License. A check of the Vermillion Police Department Records by vehicle registration reveals the following.

Independence Waste – K & P Services Inc., Owner

- None of the reported vehicles were involved in a traffic event in 2014.

Loren Fischer Disposal – Loren Fischer, Owner

- On 01/29/2014, one of Loren Fischer's trucks was warned not to drive on the wrong side of the road.

Fischer Disposal, LLC – Lonnie Fischer, Owner

- None of the reported vehicles were involved in a traffic event in 2014.

Art's Garbage Service – Division of Waste Connections – Vicki Bergman, owner

- None of the reported vehicles were involved in a traffic event in 2014.

Vermillion Garbage Service – Marty Johnson, Owner

- On 04/22/14, there was a private property accident reported involving a dump truck from Vermillion Garbage Service. The dump truck was lowering a dumpster and damaging a car.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: December 15, 2014
Subject: Public Safety Center Board Appointment
Presenter: Mike Carlson

Background: When the Public Safety Center was built, there was a Construction and Use Agreement entered into between the City and County on January 21, 1988. The agreement provided for a Public Safety Center Board that would resolve any issues and/or conflicts between the City and County in the use of the facility. Article III of the agreement is as follows:

The County and City agree to form a Public Safety Center Board which shall be the governing body of the Joint Law Enforcement center. The Board shall be comprised of the Sheriff, Chief of Police, Mayor, Chairman of Clay County Commissioners and three residents of Clay County. The political officials shall remain on the Board during their respective terms of office. The residents shall be appointed for a three (3) year term with the first appointees serving a three (3) year term, a two (2) year term, and a one (1) year term, respectively. All appointees to the Board shall be nominated jointly by the Clay County Commission and the Vermillion City Council.

As far as we can determine, the board has never had to meet.

Discussion: The current members of the board and the expiration of their current term are Robert Fuller, (2016), Dave Thiesse (2015) and Bruce Plate (2014). Sheriff Howe and Police Chief Betzen are recommending the reappointment of Bruce Plate for a term ending December 31, 2017. Sheriff Howe will be recommending to the County Commissioners the reappointment of Bruce Plate to the Public Safety Center Board.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends reappointing Bruce Plate to the Public Safety Center Board with a term expiring December 31, 2017.

Council Agenda Memo

From: John Prescott, City Manager

Meeting: December 15, 2014

Subject: City fee schedule

Presenter: John Prescott

Background: Due to the large variety of activities that the City is involved with among the different Departments, a number of different fees are charged for services provided. The City Council approves most fees via resolution throughout the year. A comprehensive list of fees is something that many businesses maintain.

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

Some years during the annual budget meetings there are discussions about adjusting different fees. The discussion during the 2015 budget meetings did not include a discussion on adjusting any fees with the exception of the storm water drainage fee. The storm water drainage fee has already been adjusted for 2015.

Having a comprehensive list of fees will provide Council and staff with a resource that can be utilized when questions of cost are presented. The document also helps the public have an idea of what is charged for the respective services that are provided. If the Council wants to adjust a fee, this document will also serve as a vehicle to help accomplish this goal. The document also serves as a resource when the Council or staff wants to evaluate fees. Staff intends to present this document to the Council on an annual basis during the 4th quarter of each year.

Financial Consideration: None. The fees are not being adjusted with the document.

Conclusion/Recommendations: Administration recommends approval of the fee schedule.

<u>Police Department</u>		
Accident Reports		\$5.00
Incident Report	per page	\$2.00
Photos	per photo	\$2.00
Video DVD/CD \$10/each additional for shipping	per DVD/CD (additional charge for shipping)	\$10.00
Parking Tickets	if paid within 10 days	\$15.00
	after 10 days	\$30.00
	after 30 days	\$45.00
Court Money Website Program (Credit Card Payments)	\$2.00 minimum under \$50.00	
	4% of total when over \$50.00	
<u>Towing Fees</u>		
Vehicle and up to 1 ton pick up		\$80.00
Motorcycles		\$90.00
Snow Emergency		\$100.00
Impound Storage		\$15.00
Enclosed Storage		\$20.00
Large Truck or Equipment		\$35.00
After Hours Gate Charge		\$20.00
City Owned Vehicles		\$80.00
Recovery Vehicles	Determined by incident	
Usual Clean-Up		\$35.00
<u>EMS & Fire Services</u>		
Advanced Life Support - Emergency		\$660.00
Advanced Life Support 2 - Emergency		\$800.00
Advanced Life Support - Non Emergency		\$500.00
Advanced Life Support - Treat No Transport		\$125.00
Advanced Life Support - On Scene Care		\$500.00
Basic Life Support - Emergency		\$560.00
Basic Life Support - Non-Emergency		\$425.00
Basic Life Support - Treat No Transport		\$75.00
Basic Life Support - On Scene Care		\$400.00
Stand-by for Special Events	per hour	\$50.00
Loaded Mileage Charge	per mile	\$12.00
On Scene Care BLS		\$400.00
Treat, No Transport BLS		\$75.00
ECG3-Lead		\$35.00
ECG12-Lead		\$45.00
Treat, No Transport ALS		\$125.00
Defibrillation BLS		\$45.00
Defibrillation ALS		\$45.00
Cardiac Monitoring		\$75.00
IV Fluids/Supplies		\$50.00
Bag-Valve Mask		\$20.00
Esophageal Intubation		\$75.00
C-Collar		\$20.00
Oxygen Supplies		\$35.00

Endotracheal Intubation		\$75.00
Extra Attendant ALS/BLS		\$35.00
Combi-Tube		\$75.00
Blood Glucose Check		\$10.00
ALS/BLS Mileage		\$12.00
Oral/Nasal Airway		\$7.50
ALS Non Emergency		\$500.00
Pulse Oximeter		\$10.00
ALS Emergency		\$660.00
SAM Splint		\$20.00
BLS Non Emergency		\$425.00
Disposable Splints		\$10.00
BLS Emergency		\$560.00
Spinal Immobilization		\$20.00
ALS2		\$800.00
Suction Supplies		\$25.00
On Scene Care-ALS		\$500.00
ECG 12 LEAD		\$45.00
ECG 3 LEAD		\$35.00
ALS/BLS Defibrillation Supplies		\$45.00
IV Fluids/Supplies		\$50.00
ALS, Esophageal Intubation Supplies		\$75.00
Oxygen, Oxygen Supplies		\$35.00
Extra Attendant		\$35.00
CardiaC Monitor		\$75.00
Disposable Supplies		
Bag Valve Mask		\$20.00
C-Collar		\$20.00
Combi Tube		\$75.00
Endotracheal Intubation		\$75.00
Glucometer		\$10.00
Oral/Nasal Airway		\$7.50
Pulse Oxymeter - Disposable Sensor		\$10.00
Sam Splints		\$20.00
Spinal Immobilization		\$20.00
Splint - Disposable		\$10.00
Suction Supplies		\$25.00
<u>Parks & Recreation</u>		
<u>Youth Programs</u>		
Early Childhood Explorers	Ages 4-7, Mon-Thurs at the National Guard Armory	
Session 1	8:30-11:30 am	\$70.00
Session 2	1:00-3:00 pm	\$50.00
Out and About Adventures	Day Camps that include fishing, hiking, archery, baseball games, museums, science center, zoo, etc.	
Single Session Camps		\$15.00
All Four Days of Camp		\$50.00
Tumbling/Gymnastics	(One Lesson per week, Vermillion High School Gymnastics Room)	

Teeny Tots	Walking age to 3 year olds	\$20.00
Tiny Tots	4 & 5 year olds	\$20.00
Beginners	6 or older	\$25.00
Adv. Beginners	6 or older	\$25.00
Pre-Intermediates	6 or older	\$25.00
Intermediates	6 or older	\$25.00
Advanced Intermediates	Instructor Invite Only	\$30.00
MS/HS	(2 days per week) Instructor invitation only, 7th-12th grade students	\$50.00
Youth Tennis	All participants are required to bring a can of new tennis balls along with program fee.	
Pee Wee	Ages 4-6	\$20.00
Beginner	Ages 7-12	\$20.00
Intermediate	Ages 10-16	\$20.00
Youth Wrestling	Run by Vermillion Youth Wrestling Club	
Little Gardeners Club	Ages 9-12, 2 days a week in Prentis Park, late May-early August	\$35.00
Youth Track & Field	Ages 9-18, 2 days a week at Vermillion High School	\$25.00
Vermillion Youth Soccer League	Run by the Vermillion Youth Soccer League	
Vermillion Girl's Volley Ball Camp	Run by Vermillion High School	
Jr. Football	Run by the Vermillion Youth Football Association, Grades 1-6	
Basketball	Run by the USD Wellness Center	
Youth Volleyball		
4th, 5th, and 6th Grade Youth Volleyball	Sept.-Oct. at Vermillion Middle School on Mondays	\$25.00
Jr. Golf League	June-July at the Bluffs, 1 day a week	\$45.00
Jr. Golf Lessons	June-July at the Bluffs, 1 day a week	\$25.00
Dance	Run by the Vermillion Area Dance Association	
Youth Baseball	Run by the Vermillion Youth Baseball Association	
Youth Softball	Run by the Vermillion Girls Softball Association	
Youth/Adult Programs		
Water Aerobics	Two sessions, minimum participants 6	\$25.00
Co-Volleyball Leagues (A&B)	per team, October - March/Spring Break	\$250.00
Adult Men 5 on 5 Basketball League		
35 and Under	per team, January-March, league is officiated	\$250.00
Miscellaneous Fees		
Camping Fees	per day after 3 days, permission basis only, Lions Park	\$5.00
Armory User Fee	rates vary according to length of time and extent of use	
Swimming Pool		
Season Tickets	Pool is open from May to August	
Wading Pool		no fee
Family	includes immediate family members living in the same household	\$75.00
Adult	18 & Older	\$45.00
Youth	13-17	\$35.00
Child	1-12	\$30.00
General Admission	Daily	
Wading Pool		no fee
Family	includes immediate family members living in the same household	\$7.00
Adult	18 & Older	\$5.00
Youth	13-17	\$4.00

Fee Description

City of Vermillion
 Comprehensive Fee Schedule as of October 26, 2007

Fee

Child	1-12	\$4.00
Lap Swim		\$5.00
Rental		
Private Parties	from 9:00 pm - 11:00 pm with 48 hours notice	\$75.00
Swimming Lessons		
All Levels	Five separate sessions, including morning and evening lessons	\$15.00
Golf Course		
Season Passes	fees do not include tax	
Golf		
2 Person Family		\$689.00
plus one child		\$724.00
2+		\$754.00
Adult		\$529.00
College (full time) or under 25		\$264.00
Junior	18 and under	\$129.00
Range Season Pass		
Family		\$274.00
Adult		\$199.00
Junior	18 and under	\$94.00
Private Carts		
Cart Storage	Limit to 80 carts	\$349.00
Trail fee (Homeowners)		\$174.00
Cart Passes		
2 Person Family		\$669.00
Adult		\$489.00
Greens Fees		
9 Hole Mon-Thur		\$17.50
18 Hole Mon-Thur		\$23.50
9 Hole Fri-Sun		\$20.50
18 Hole Fri-Sun		\$31.50
9 Hole Punch Card	Mon-Fri, for 10 Rounds	\$157.50
9 Hole Punch Card	Any Day, for 10 Rounds	\$181.00
9 Hole Punch Card	Mon-Fri, for 15 Rounds	\$227.50
9 Hole Punch Card	Any Day, for 15 Rounds	\$247.50
Cart Rental		
9 Hole	per person	\$11.50
9 Hole Punch Card	10 rounds	\$103.50
18 Hole	per person	\$16.50
Driving Range		
Bucket	est. 40 per bucket	\$4.00
Punch Card	10 buckets	\$36.00
Handicap	Required to play in any golf league	\$22.00
Golf Lessons		
Individual Lessons	Rates vary, depending on number of lessons	
Group Lesson Rates	Rates vary, depending on number of lessons and participants	

<u>Utility Rates</u>			
Residential Utility Rates			
Electric Utility	\$0.09 per KWH (Oct-June) and \$0.10 per KWH (July-Sept)		
Customer Charge			\$9.85
Security Lights			
Lamp Size 70 watt	per month		\$5.80
100 watt	per month		\$7.10
250 watt	per month		\$12.30
400 watt	per month		\$19.00
RiverWinds Utility Rates			
100 kWh block	additionally per month		\$2.50
Commercial Utility Rates			
Small Commercial Power Rates			
Small Commercial Power Rates	\$0.094 (Oct-June) \$0.10 (July-Sept)		
Single Phase Customer Charge	per month		\$16.50
Three Phase Customer Charge	per month		\$26.50
Large Commercial Power Rates			
Large Commercial Power Rates	per KW		\$0.0390
Customer Charge			\$36.00
Plus a maximum KW demand	\$11.80 per KW (Oct-June) and \$14.10 per KW (July-Sept)		
Electric Service Fee			
Electric Service Fee	for new or upgraded commercial and industrial service		
Residential Undeveloped Lot			\$230.00
Single Phase electrical service entrance	for the first 100-ampre, not to exceed 600-ampre		\$380.00
additional	per additional 100-ampre or part thereof		\$85.00
Three Phase electrical service entrance	for the first 100-ampre		\$800.00
additional	per additional 100-ampre or part thereof		\$100.00
Commercial Meter Deposits	equal to one month's estimated billing service		
Water Utility	per 100 cubic foot		\$2.17
Customer Charges (Residential & Commercial)			
Customer Charges (Residential & Commercial)	based upon the size of the meter		
1/2 to 3/4 inch			\$14.34
1 inch			\$26.44
1 1/2 inch			\$49.27
2 inch			\$75.91
3 inch			\$148.93
4 inch			\$231.61
6 inch			\$457.08
Customer Charges (Apartments & Trailer Courts)			
Customer Charges (Apartments & Trailer Courts)	based upon the size of the meter		
1 inch			\$26.44
1 1/2 inch			\$49.27
2 inch			\$75.91
3 inch			\$148.93
4 inch			\$231.61
6 inch			\$457.08
Mobile homes, apartments, and commercial/industrial units	per unit attached to one master meter		\$3.94
Outside City Limits	shall pay 1.5 times the aforesaid rates		
Stormwater Fee	the runoff weighting factor X parcel area (in square feet) X unit financial charge (in \$/square ft).		
Bulk Water	per gallon		\$0.005741
Sewer Utility Rates			

**City of Vermillion
Comprehensive Fee Schedule as of October 26, 2007**

January, February and March	sewer rate will be 126% of the average water bill for these months		
April through the following March	This rate will apply		
Utility Policies			
Service Connection Fee	plus tax, charged to establish electric or water to an existing residential accounts, during regular business hours (8:00 am to 4:00pm M-F)	\$10.00	
After Hours and weekends for water	plus tax	\$30.00	
After Hours and weekends for electric	plus tax	\$40.00	
Residential Meter Deposits			
Electric	new residential rental customers	\$30.00	
Water		\$15.00	
Disconnect Policy			
Turn-on fee	plus tax, plus payment of the bill in full	\$20.00	
After Hours and weekends for water	plus tax	\$30.00	
After Hours and weekends for electric	plus tax	\$40.00	
Utility Policies			
Service Connection Fee	plus tax, charged to establish electric or water to an existing residential accounts	\$10.00	
After Hours and weekends for water	plus tax	\$30.00	
After Hours and weekends for electric	plus tax	\$40.00	
Disconnect Policy			
Turn-on fee	plus tax, plus payment of the bill in full	\$20.00	
After Hours and weekends for water	plus tax	\$30.00	
After Hours and weekends for electric	plus tax	\$40.00	
<u>Code Department</u>			
Building Permit Fee			
Less than \$1,000 valuation		\$25.00	
\$1,001 to \$2,000 valuation	plus .75 for each additional \$100 for values over \$1,000.00	\$25.00	
\$2,001 to \$25,000	plus \$6.00 per \$1,000 for values over \$2,000	\$32.50	
\$25,001 to \$50,000	plus \$4.50 per \$1,000 for values over \$25,000	\$170.00	
\$50,001 to \$100,000	plus \$3.00 per \$1,000 for values over \$50,000	\$283.00	
\$100,001 and over	plus \$2.50 per \$1,000	\$433.00	
Window Permit Fee	per permit regardless of the number of windows	\$25.00	
Razing Permits	required for the removal or demolition of any building	\$25.00	
Sign Permits	required for all signs including the replacement of existing signs	\$30.00	
Bill board	per square foot per year	\$0.01	
Penalty Fees			
Compliance of Ordinances - (commencing work before obtaining the necessary permits)	Equal to one and one-half of the amount of the permit, but not less that \$100.00 or more than \$500.00		
Inspection Approval not obtained		\$100.00	
Certificate of Occupancy not obtained		\$100.00	
Appeal Application	fee required regardless of outcome and non-refundable	\$100.00	
Providing False Information	Orally or in writing to any Code Official	\$100.00	
Failure to Comply	not less than or nor more than \$500.00	\$100.00	
Rental Housing			
Annual Rental fee	inspected once every two years or upon complaint		
Plus	per structure	\$25.00	
Registration Penalty	per rental unit	\$15.00	
	per unit, per month, added to annual registration fee if not paid by January 15th of each year.	\$5.00	

Fee Description

**City of Vermillion
Comprehensive Fee Schedule as of October 26, 2007**

Fee

Failure to register a rental unit	first violation within a calendar year	\$100.00
	second violation within a calendar year	\$250.00
	three or more violations within a calendar year	\$500.00
Failure to make required repairs within time allotted		\$100.00
Failure to meet the inspector and provide access to rental units	per structure or \$5.00 per unit, whichever is greater	\$25.00
Dumpster Fee		
Temporary placement of dumpster or portable storage unit on	Section 96.18 (C)(2)	\$25.00
Failure to obtain permit	plus the cost of the permit	\$50.00
Penalty Fee for failure to comply	plus costs Section 96.18 (J)	\$94.00
Planting Permit	for trees	no fee
Animal Control		
Dog At Large	First offense, violation of this article	\$40.00
Subsequent offenses	additionally up to \$60.00	\$10.00
Pick-Up Fee		\$20.00
Boarding fee at Animal Shelter	per day	\$10.00
Disturbing the Peace		\$40.00
Animal Excrement Service Fee	plus the costs of the project, hired by the City	\$25.00
Administrative Fees		
Nuisance Abatement	permission to exceed allowable noise levels	\$25.00
Grass & Weed Notice	plus additional \$20 per violation per year, plus costs for service, if necessary	\$10.00
Side Walk Snow Notice	plus costs for service, if necessary	\$10.00
Ice, Snow, Leaves, Grass or other debris into public right of way		\$50.00
Engineering		
Special Use Permit Application		\$30.00
Variance Application		\$100.00
Zone Change Application		\$150.00
Petition for change or amendment	Sec. 14.0120	\$75.00
Plat Fee	for each lot in a subdivision	
Preliminary Plat		free
Final Plat	per lot, minimum \$30	\$3.00
Easement Fee		no fee
Street Vacation Plan		no fee
Landfill		
Municipal Solid Waste		
Commercial Haulers - Packers		\$45.00
Uncompacted/Resident		\$50.00
Minimum		\$12.00
Uncovered Loads		\$15.00
Metals & White Goods		
With capacitor and/or Freon, Refrigerator	each	\$10.00
Yard Waste (Leaves & Grass)		
Car with 4 bags		FREE
Pick up with 5 or more bags		FREE
Single axle Truck or Tandem Trailer	per unit	\$10.25
Tandem-axle Trucks	per unit	\$10.25
Brush, Trees & Untreated Wood	same as charges above	

Fee Description

City of Vermillion
 Comprehensive Fee Schedule as of October 26, 2007

Fee

Pilot Instruction	per year	\$100.00
Aerial Spraying	per year	\$100.00
Hangar Space Lease	per square foot, based on Hangar Size	\$0.05
Storage Fee	per day	\$15.00
Commercial Collector	per year	\$300.00
Alcoholic Beverage Licenses		
Package off sale malt beverage	\$200.00 - \$100/city, \$100/state	
On-off sale malt beverage	\$300.00 - \$150/city, \$150/state	
Retail On Sale Wine	city	\$500.00
On Sale Liquor		\$1,500.00
Package Wine Farm Winery		\$150.00
Package off sale liquor		\$500.00
Special daily malt beverage and wine	per day limit 14 days plus \$15.00 to advertise	\$15.00
Video Lottery machine fee		\$50.00
Cable TV Franchise Fee	5% of gross revenue in Vermillion	
Mobile Home Placement		\$10.00
Itinerant Merchant, Peddler, Solicitor	\$25/day, \$75/week, \$200/month	
Pawnbroker Fee	per year	\$50.00
Permit to exceed permissible sound level		\$25.00
Tattoo Establishment	the State inspection fee	\$150.00
Tattoo Artist		\$25.00
Taxi Cab business license		\$25.00
Taxi Cab Driver		\$25.00
Court Fines and Costs	Clerk of Courts remits 35% to the State and the rest to the City	
Engineering Copies and CAD Plots	determined by Office	
Video of Council Meeting		\$10.00
Mobile Food Vendors		
30 consecutive day permit		\$35.00
Water		
Water Meter	Varies based on the size of the meter	
1" Far Side	plus \$165.00 for 3/4" meter Plus 2% Excise Tax	\$1,090.00
1" Near Side	plus \$165.00 for 3/4" meter Plus 2% Excise Tax	\$530.00
Tapping fee for over 1" service shall be charged for time and materials plus 20%, plus the cost of the meter rec		
WasteWater		
Sewer Tap		
4" Clay	Plus 2% Excise Tax	\$250.00
6" Clay	Plus 2% Excise Tax	\$250.00
4" PVC	Plus 2% Excise Tax	\$250.00
6" PVC	Plus 2% Excise Tax	\$250.00
Rental cost		
Jet Truck Cost	per hour	\$125.00
Televising Camera Cost	per hour	\$100.00
Street		
Sawing Asphalt	Fixed Cost	\$65.00
Unit Cost	per Linear Foot	\$10.00
Sawing Concrete	Fixed Cost	\$65.00

Fee Description

**City of Vermillion
Comprehensive Fee Schedule as of October 26, 2007**

Fee

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

Section	Title	Fee/Rate	Resolution Date
Chapter: Electricity			
51.05	License For Electrical Wiring Required	\$100.00	4/15/96
51.07 B	Service Entrance Requirements (Service Line Fee)	\$5.00 up to 100 feet	2/21/06
51.07 C	Service Entrance Requirements (Meter Relocation)	\$80.00	2/21/06
51.22 B 3	Residential Service Rate (Rate)	9.0 Cents Per KWH (October-June) 9.6 Cents Per KWH (July-September)	12/15/14
51.22 B 4	Residential Service Rate (Customer Charge)	\$9.85 Per Month	12/15/14
51.23 B 3	Small Commercial Power Secondary Service Rate (Rate)	9.4 Cents Per KWH (October-June) 10.0 Cents Per KWH (July-September)	12/15/14
51.23 B 4	Small Commercial Power Secondary Service Rate (Customer Charge)	\$16.50 Single Phase/\$26.50 Three Phase	12/15/14
51.24 B 3	Large Commercial Power Secondary Service Rate (Rate)	3.9 Cents Per KWH/ \$14.10 per KW July-September, \$11.80 per KW October-June	12/15/14
51.24 B 4	Large Commercial Power Secondary Service Rate (Customer Charge)	\$36.00 Per Month	12/15/14
51.26 B 3	Night Watch Flood Service Rate (Rate)	\$5.90/\$7.25/\$12.55/\$19.40 Depending On Wattage	4/15/96
51.27 C	City Street Lighting Service Rate (Rate)	12.5 Cents Per KWH	12/15/14
51.28	Minimum Deposit Required (Electric)	\$30.00	4/15/96
51.30	Special Service; Discontinuance	\$20.00 During Regular Hours/\$50.00 After Regular Hours	9/20/10
51.31 A	Service Connection Charge	\$10.00 During Regular Hours/\$50.00 After Regular Hours	9/20/10
51.32 A	Special Service (Discontinuance Or Renewal To Seasonal Equipment)	\$15.00	4/15/96
51.32 B	Special Service (Temporary Electrical Service During Construction)	Costs Of Materials And Labor And Not Less Than \$20.00	4/15/96
51.32 C	Special Service (Drop And Reinstall Line For Tree Removal, Etc.)	\$20.00	4/15/96
51.32 D	Special Service (Undeveloped Residential Lot)	\$230.00	4/15/96
51.32F 1	Special Service (Single Phase Commercial Or Industrial Service)	\$380.00 First 100 Amps, \$85.00 Each Additional 100 Amps	4/15/96
51.32 F 2	Special Service (Three Phase Commercial Or Industrial Service)	\$800.00 First 100 Amps, \$100.00 Each Additional 100 Amps	4/15/96
51.32 H	Special Service (Customer Request)	\$10.00 During Regular Hours/\$40.00 After Regular Hours	4/15/96

51.34 A	Distributed Generation Connection Fee	\$600.00	5/5/14
Chapter: Garbage And Trash			
52.10 A	License; Application; Plate To Be Displayed (License Fee)	\$300.00	7/5/94
Curbside Recycling			
52.32	Curbside Recycling Fee	\$3.30 per month, 5% greater on accounts unpaid by the due date stated on utility bill	9/21/09
Chapter: Water, Sewage, And Sewage Disposal			
53.016 B	Tapping (Tapping Fee)	See Water, Sewer, and Street Taps and Cuts Fee Schedule	3/17/14
53.016 C	Tapping (License Fee)	\$10.00	2/20/79
53.018	Rates (Sewage)	126% Of Usage For The Previous January, February, March	4/7/14
53.031 B	Application For Service; Deposits (Deposit Fee)	\$15.00	11/21/83
53.031 C	Application For Service; Deposits (Estimated Water Usage Minimum)	\$15.00	11/21/83
53.04	Charges (Turning Water On)	\$10.00	11/21/83
53.055 E	Installation (Water Pipes)	Set By Resolution - Situational	1/1/56
53.075	Rates (Water)	\$2.17 Per 100 Cubic Feet plus meter service charge determined by meter size (set by resolution)	3/9/12
53.076 C	Monthly Collections; Delinquency (Renewal Service Charge)	\$20.00	11/21/83
53.077 A	Turn-On Charges (Connection Charge)	\$10.00 during regular hours, \$50.00 after regular hours	9/20/10
53.077 B	Reconnect when meter is pulled by owner	\$25.00 during regular working hours, \$75.00 after regular hours	9/20/10
53.077 C	Turn-On Charges (Connection Charge)	\$10.00	11/21/83
53.077 E	Service Connection Charge	\$10.00 during regular hours, \$50.00 after regular hours	9/20/10
53.119	Review Of Each User's Waste Water Service Charge	Set By Resolution - Situational	7/02/79
53.135 B 3	Storm Drainage Fee (Unit Financial Charge)	\$.00036 Per Unit	10/20/14
Chapter: General Traffic And Parking Regulations			
70.072 E	Prohibited In Certain Places (Bond)	\$10.00/\$15.00	11/17/03

70.090	Prohibition Of Travel During Emergencies (Violation)	\$15.00/\$30.00/\$45.00	10/20/08
70.091	Stalled Vehicles (Violation)	\$15.00/\$30.00/\$45.00	10/20/08
70.092	Abandoned Vehicles In Snow Prohibited (Violation)	\$15.00/\$30.00/\$45.00	10/20/08
70.093	Special Street Signs For Snow Removal (Violation)	\$15.00/\$30.00/\$45.00	10/20/08
70.094	Towing of Violators (Storage Charge)	\$15.00/\$30.00/\$45.00	10/20/08
70.095	Unauthorized Removal Of Impounded Vehicles (Violation)	\$15.00/\$30.00/\$45.00	10/20/08
70.198 B 1	Enforcement (Parking Violation)	\$15.00/\$30.00/\$45.00	10/20/08

Chapter: Health And Safety; Nuisances

90.01 D	Noises Prohibited (Special Permit)	\$25.00	10/01/01
90.18 B	Notice To Remove (Administrative Fee)	\$10.00 tagging / \$25.00 for abatement	9/14/94
90.35 N	Motor Vehicle (Storage Fee)	\$10.00 per day	10/20/08
90.51 C	Duty To Cut (Failure To Comply)	\$10 for first offense / \$20 for each additional	??

Chapter: Airport

91.08 A 1	Permit Requirement; Fees Fixed Base Operator Permit (Multiple Commercial Aeronautical Services or a Limited Service)	\$200.00	3/17/14
91.08	Permit Requirement; Fees (Specialized Commercial Flight Services)	\$100.00	3/17/14
91.08	Permit Requirement; Fees Avionics, Instruments and/or Propeller Services	\$100.00	3/17/14
91.08 A 2	Permit Requirement; Fees (Air Taxi and Charter Services Permit)	\$100.00	3/17/14
91.08 A 3	Permit Requirement; Fees Instructors Permit (Flight Training)	\$100.00	3/17/14
91.08 A 4	Permit Requirement; Fees Crop Spraying Permit (Permanent and Temporary Aerial Applicators)	\$100.00	3/17/14
91.08 A 5	Permit Requirement; Fees (Aircraft Sales)) Airframe and Power Plant Repair (Aircraft Maintenance and Repair)	\$100.00	3/17/14
91.08 A	Aircraft Rental Permit	\$100.00	3/17/14
91.09	Hangar Space Fee	.05 Cents per sq. ft/year based on building size .10 Cents per sq. ft/year based on unused land being leased	6/4/12

Flowage Fee \$.05 per gallon due by the 5th of each month

Chapter: Animals And Fowl

93.090	Animal Waste	\$15.00/\$25.00	9/08/09
93.23 A	Dog Tag License Fee (City Sold)	\$10.00	10/18/94
93.23 B	Dog Tag License Fee (Veterinarian Sold)	\$10.00	10/18/94
93.25 B	Impoundment; Disposition (Dogs)	\$20.00	11/17/03
93.25 C	Impoundment; Disposition (Dogs)	\$17.00 Plus \$10.00 Per Day	11/17/03
93.41 B 1	Impoundment; Disposition (Cats)	\$25.00	10/18/94
93.41 B 2	Impoundment; Disposition (Cats)	\$25.00	10/18/94
93.41 D	Impoundment; Disposition (Cats)	\$10.00 Plus \$3.00 Per Day	2/03/82
93.99 B	Penalty	\$10.00/\$20.00/\$30.00 Depending On Number Of Offenses	12/05/88

Chapter: Rental Housing Code

94.05 D	Registration Required (Rental Registration Fee)	\$25.00 Per Structure Plus \$15.00 Per Unit	9/6/11
94.05 I	Registration Required (Penalty)	\$5.00 per unit per day no change	1/1/92

Chapter: Streets And Sidewalks

96.16	Air Conditioning Equipment	\$25.00	1/1/56
96.36 E	Cutting And Repair Of Pavements	See Water, Sewer, and Street Taps and Cuts Fee Schedule	6/2/08

Chapter: Advertising

111.02	License; Fee	\$.01/\$30.00	1/1/56
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Chapter: Taxicabs

114.03	License Fee; Expiration; Revocation	\$25.00	11/21/08
114.09	Fee For Taxicab Driver's License; Expiration; Revocation	\$25.00	11/21/08

Chapter: Tattooing

115.12 B 5	Application For Tattoo Artist License and Body Piercing	\$25.00	12/20/10
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Chapter: Building Regulations

150.32	Special Permits; Applicant To Pay Cost Of Altering Utility Wires	Actual Employee and Materials Cost	1/7/14
150.33	Building Permit Fees	See Building Permit Fee Schedule	3/17/14

Chapter: Mobile Home Parks

151.06 A	License; Application And Issuance	\$150.00 Or \$3.00 Per Mobile Home, Whichever Is Greater	11/17/03
151.07	Inspection Fees	\$5.00	9/15/75
151.18	Parking Fee; Date Payable	\$1.00 per month	9/19/77

Chapter: Signs

152.07 B 2	Permit Required (Fees) Portable Sign	\$25.00	7/16/12
152.07 C 2	Permit Required (Fees) Building Sign	\$30.00	7/16/12
152.10 E 1	Freestanding sign of less than 100 sq. ft.	\$30.00	7/16/12
	Freestanding sign of 100 sq. ft or more	\$50.00	7/16/12
	In lieu of the individual permit, for unlimited changes for each freestanding sign meeting the definition of a billboard, per calendar year, or fraction thereof fee	\$100.00	7/16/12

Chapter: Plumbing Code

153.08 B	License Fee	\$100.00 For Contractor's License/\$20.00 For Plumber's License/\$40.00 For Water License	2/06/79
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Chapter: Subdivision Regulations

154.03 B 1	Jurisdiction And Procedure	\$1.00 Per Lot And Not Less Than \$10.00	9/19/94
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Chapter: Zoning Regulations

155.095 C	Conditional Use Permits (Fees)	\$100.00	7/5/11
155.099 B	Building Permits And Fees (Fees)	See Building Permit Fee Schedule	10/20/08

Special Use Application Fee	\$30.00	9/19/94
Variance Application Fee	\$100.00 (stayed the same)	7/5/11
Zone Change Application Fee	\$150.00	7/5/11
Concurrent change of zone request and annexation request	75.00	7/5/11

Chapter: Extraterritorial Zoning

156.15 B 6	Enforcement, Applications, And Permits	See Building Permit Fee Schedule	10/20/08
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Chapter: Alcoholic Beverages

112.18	Special Daily Malt Beverage and/or Wine License	\$15 per day and \$10 advertising fee	10/05/09
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Chapter: Itinerant Merchants, Peddlers & Solicitors

116.07	Itinerant Merchant Fees	\$25/day; \$75/week; \$200/month	5/19/08
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Streetlight Banners

Streetlight Banner Fees	\$25 for 5 or less, \$3 for each additional
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Council Agenda Memo

From: José L. Domínguez, City Engineer

Meeting: December 15, 2014

Subject: Grant Pre-Application Checklist for the Design of the Apron
Reconstruction at Harold Davidson Field Airport

Presenter: José L. Domínguez

Background: The latest capital improvement plan for the airport shows that during the 2015 construction year the City would start the design for the apron reconstruction. In addition to the design of the apron, the State will also be doing some maintenance to the taxiways and some striping. The cost for the maintenance and striping will come directly from the City's allotment for the airport.

Discussion: Prior to this project the FAA has only required a grant application and a grant acceptance to be filed with them. According to the FAA, the grant pre-application is a new step designed to ease the grant application process. The grant pre-application document provides some basic information about the project to the FAA making them aware of any possible issues ahead of time.

Financial Consideration: The design is estimated to cost \$40,000. The City would initially be paying for the entire cost with 94% of the cost being refunded after the project is done. In essence the City only pays 6% of the cost or \$2,400.

Conclusion/Recommendations: Administration recommends allowing the Mayor to sign the Pre-Application Checklist so that the City can start the application process to reconstruct the apron.

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer

Meeting: December 15, 2014

Subject: Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Installation of Street Lighting Along North Norbeck Street from Roosevelt Street to East Cherry Street

Presenter: Jason Anderson

Background: At the August 4, 2014 meeting, the City Council approved a Resolution Adopting the Resolution of Necessity for Installation of Street Lighting along North Norbeck Street from Roosevelt Street to East Cherry Street. Work has been completed and the final payment has been authorized. The special assessments were calculated and filed with the Finance Officer on December 5, 2014.

Discussion: Per State statute, the City is required to hold a public hearing to allow the affected property owners to review and discuss any concerns regarding the assessed value. The property owners to be assessed will also be notified of the hearing by mail. The public hearing notice will be published in the Plain Talk.

Financial Consideration: The construction cost was \$14,010.45. This assessable value does not include the administrative fee of 8%, which brings the total to \$15,131.31.

Conclusion/Recommendations: Administration recommends approving the Resolution to set a hearing date of January 19, 2015 for the special assessments roll for street lighting improvements on North Norbeck Street, from Roosevelt Street to East Cherry Street.

**RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR INSTALLATION OF STREET LIGHTING ALONG NORTH NORBECK STREET
FROM ROOSEVELT STREET TO EAST CHERRY STREET**

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota, on the 5th day of December, 2014, for the installation of street lights along North Norbeck Street from Roosevelt Street to Cherry Street, in front or abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and

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

WHEREAS, said assessment roll shows as follows:

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

NOW, THEREFORE, BE IT RESOLVED, that Monday, the 19th day of January, 2015, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 25 Center Street, in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of said City of Vermillion, South Dakota, should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the construction of said improvement.

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

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota, shall mail a copy of this Resolution and Notice, by first-class mail, with postage thereon fully prepaid, addressed to the owner(s) of any property to be assessed for such

improvement at their address as shown by the records of the Director of Equalization. Such mailing shall be done at least one (1) week prior to the date set for said hearing.

Dated at Vermillion, South Dakota, this 15th day of December, 2014.

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

By: _____
John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

SEAL

CERTIFICATION OF ADOPTION:

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

Michael D. Carlson, Finance Officer

Approved: December 15, 2014
Publish: December 26, 2014
Effective: January 2, 2014

Council Agenda Memo

From: José L. Domínguez, City Engineer

Meeting: December 15, 2014

Subject: Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Repairs

Presenter: José L. Domínguez

Background: On August 6, 2012, the City Council approved a Resolution Adopting the Resolution of Necessity for Sidewalk Repairs. This resolution involved the sidewalks in the northwest quadrant of the community. Work has been completed and the final payment has been authorized. The special assessments were calculated and filed with the Finance Officer on November 12, 2014.

This assessment was amended earlier in today's meeting. The amendment was due to a miscalculation and also because sidewalks that belong to a different assessment project were combined with this project and not removed from the assessment roll.

Discussion: Per State statute, the City is required to hold a public hearing to allow the affected property owners to review and discuss any concerns regarding the assessed value. The property owners to be assessed will also be notified of the hearing by mail. The public hearing notice will be published in the Plain Talk.

Financial Consideration: The construction costs to be assessed are \$61,609.04. This assessable value does not include the administrative fee; which is either \$50 or 8% of the construction cost, whichever is greater.

Conclusion/Recommendations: Administration recommends approving the Resolution to set a hearing date of January 19, 2015 for the amended special assessment roll for the sidewalk repairs.

**RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR SIDEWALK REPAIRS IN THE CITY OF VERMILLION, SD**

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota, on the 10th day of December, 2014, for the repair of sidewalks in front or abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and

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

WHEREAS, said assessment roll shows as follows:

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

NOW, THEREFORE, BE IT RESOLVED, that Monday, the 19th day of January, 2015, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 25 Center Street, in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of said City of Vermillion, South Dakota, should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the construction of said improvement.

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

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

Dated at Vermillion, South Dakota, this 15th day of December, 2014.

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

By: _____
John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

SEAL

CERTIFICATION OF ADOPTION:

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

Michael D. Carlson, Finance Officer

Approved: December 15, 2014
Publish: December 26, 2014 and January 2, 2015

Council Agenda Memo

From: José L. Domínguez, City Engineer

Meeting: December 15, 2014

Subject: Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Safety Improvements

Presenter: José L. Domínguez

Background: In 2009, City Staff was asked, by the City Council, to compile a list of sidewalk gaps within the City. On August 6, 2012, the City Council approved a Resolution Adopting the Resolution of Necessity for Sidewalk Safety Improvements. This resolution involved the sidewalk gaps within the community. This work was combined with the sidewalk repair contract to obtain a better price with a larger package to bid. The work has been completed and the final payment has been authorized. The special assessments were calculated and filed with the Finance Officer on December 10, 2014.

Discussion: Per State statute, the City is required to hold a public hearing to allow the affected property owners to review and discuss any concerns regarding the assessed value. The property owners to be assessed will also be notified of the hearing by mail. The public hearing notice will be published in the Plain Talk.

Financial Consideration: The construction cost was \$13,009.56. All of the cost is assessable. This assessable value does not include the administrative fee; which is either \$50 or 8% of the construction cost, whichever is greater.

Conclusion/Recommendations: Administration recommends approving the Resolution to set a hearing date of January 19, 2015 for the special assessments for the sidewalk safety improvements.

**RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR SIDEWALK SAFETY IMPROVEMENTS IN THE CITY OF VERMILLION, SD**

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota, on the 10th day of December, 2014, for the construction of sidewalks in front or abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and

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

WHEREAS, said assessment roll shows as follows:

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

NOW, THEREFORE, BE IT RESOLVED, that Monday, the 19th day of January, 2015, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 25 Center Street, in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of said City of Vermillion, South Dakota, should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the construction of said improvement.

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

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

Dated at Vermillion, South Dakota, this 15th day of December, 2014.

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

By: _____
John E. (Jack) Powell

ATTEST:

Michael D. Carlson, Finance Officer

SEAL

CERTIFICATION OF ADOPTION:

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

Michael D. Carlson, Finance Officer

Council Agenda Memo

From: John Prescott, City Manager

Meeting: December 15, 2014

Subject: Resolution of support for legislative bill providing an additional penny of local option general sales tax

Presenter: John Prescott

Background: When the City considers large capital projects, one of the first questions is how to finance the improvement. Projects, such as the City's contribution to the USD Wellness Center and City Hall, have required annual installments from the Second Penny fund. The city's portion of the Library expansion and renovation project was made possible by using 2nd Penny funds which were set aside over a number of years. The City has looked at the General Fund, 2nd Penny Fund and a malt beverage mark-up to fund the recently approved general obligation bond for the Prentis Park improvements.

The South Dakota Municipal League in 2010 had House Bill 1198 introduced. This bill would have allowed municipalities to impose an additional penny of sales and use tax for a limited period of time for a specific use. The proposed bill would have required the public to vote on the collection of the sales tax for the specific purpose after the City Council adopted an ordinance to authorize the collection. The number of ongoing annual allocations from the Second Penny fund in Vermillion for additional large capital improvements is limited.

Discussion: The South Dakota Municipal League is working to have a very similar bill to the 2010 proposal introduced in the 2015 Legislature. The South Dakota Municipal League has asked member communities to pass a statement of support for the bill. The bill will likely require the third penny of general local sales tax only to be adopted for particular projects upon a vote of the citizens of that community. The third penny of general local sales tax will likely also include a sunset provision with respect to how long the funds can be collected. The bill has not been presented for review at this time.

Financial Consideration: If the Legislature provides for the option of a third penny local sales tax, and Vermillion voters approve the measure for particular projects, the City should be better positioned to make some future infrastructure and quality of life

improvements as provided for in the Capital Improvement Plan. One penny of general local sales tax is currently estimated to provide about \$1.6 million in receipts a year.

Conclusion/Recommendations: Administration recommends approval of the Resolution encouraging the South Dakota Legislature to consider and support a measure which would allow local voters the option to approve a penny sales tax for particular projects.

RESOLUTION SUPPORTING A THIRD PENNY GENERAL LOCAL SALES TAX OPTION

WHEREAS, Municipalities are the closest level of government to the citizens, and work diligently to meet the needs of the community, and;

WHEREAS, South Dakota municipalities have limited resources to meet the infrastructure needs of their respective communities, and;

WHEREAS, the South Dakota Legislature will have the opportunity to consider during this legislative session an additional funding source to assist municipalities in meeting their infrastructure needs, and;

WHEREAS, the proposed legislation would allow a municipality to adopt a third penny of general local sales tax, and;

WHEREAS, the City of Vermillion strives to develop community infrastructure that provides for growth and amenities desired by residents.

NOW, THEREFORE, LET IT BE RESOLVED, that the City of Vermillion supports a local option additional third penny of municipal sales tax, with the approval of our voters, for specific infrastructure projects.

Dated at Vermillion, South Dakota this 15th day of December, 2014.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D Carlson, Finance Officer

CITY OF VERMILLION
 INVOICES PAYABLE-DECEMBER 15, 2014

1 BOW CREEK METAL INC	REPAIRS	222.38
2 BROADCASTER PRESS	ADVERTISING	1,038.21
3 BUREAU OF ADMINISTRATION	TELEPHONE	337.15
4 CAM COMMERCE	PROFESSIONAL SERVICES	60.00
5 CANON FINANCIAL SERVICES	COPIER LEASE	196.27
6 CENTURYLINK	TELEPHONE	1,492.61
7 CITY OF VERMILLION	LANDFILL VOUCHERS	192.00
8 CLAY RURAL WATER SYSTEM	WATER USAGE	62.60
9 CLAY-UNION ELECTRIC CORP	ELECTRICITY	2,210.72
10 DAKOTA SENIOR MEALS	CONTRIBUTION	3,500.00
11 DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	2,309.76
12 DIVISION OF MOTOR VEHICLE	LICENSE PLATE	9.00
13 FARRELL'S HEATING & AIR CO	REPAIRS	339.36
14 GREGG PETERS	MANAGERS FEE	5,375.00
15 JOINT UTILITY TRAINING SCHOOL	REGISTRATION	800.00
16 KINETIC LEASING	LANDFILL GRADER LEASE	27,818.62
17 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	210.00
18 MATHESON TRI-GAS, INC	SUPPLIES	255.01
19 MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	128.68
20 POMP'S TIRE SERVICE	TIRES	967.98
21 REPUBLIC NATIONAL DIST.	MERCHANDISE	11,115.69
22 RUNGE ENTERPRISES, INC	NORBECK STREET CONTRACT	35,890.33
23 SANFORD HEALTH PLAN	PARTICIPATION FEE	66.00
24 STERN OIL CO.	FUEL	17,557.61
25 STOREY KENWORTHY	SUPPLIES	257.77
26 THE EQUALIZER	ADVERTISING	83.00
27 US POSTMASTER	POSTAGE	1,050.00
28 VERMILLION ACE HARDWARE	SHELVING	12,663.80
29 VERMILLION CHAMBER OF COMMERCE	BLISS POINTE GRANT	16,583.11
30 ZIMCO SUPPLY CO	CHEMICALS	3,668.04
31 CLOYD (JOE) CONROY	BRIGHT ENERGY REBATE	10.00
32 DALE HILL	BRIGHT ENERGY REBATE	275.00
33 ST AGNES SCHOOL	BRIGHT ENERGY REBATE	500.00
	SUBTOTAL 2014	147,245.70
2015 INVOICES PAYABLE		
33 SDML WORKERS COMP FUND	WORKERS COMP INSURANCE	93,347.00
34 SD PUBLIC ASSURANCE ALLIANCE	BOILER INSURANCE	13,860.00
	SUBTOTAL 2015	107,207.00
	GRAND TOTAL	254,452.70