



**Special Meeting Agenda
City Council**

12:00 p.m. (Noon) Special Meeting
Tuesday, February 18, 2020
Large Conference Room – City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call.**
2. **Visitors to Be Heard.**
3. **Discussion on role of Commissions – John Prescott.**
4. **Update on efforts to promote the 2020 Census – James Purdy**
5. **Plans for the South Dakota Municipal League District 3 Meeting in Vermillion on March 19, 2020. – John Prescott.**
6. **Briefing on the February 18, 2020 City Council Regular Meeting** – Briefings are intended to be informational only and no deliberation or decision will occur on this item.
7. **Adjourn.**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Tuesday, February 18, 2020
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. February 3, 2020 Special Meeting; February 3, 2020 Regular Meeting.
4. **Adoption of the Agenda**
5. **Visitors to be Heard**
6. **Public Hearings**
 - a. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about April 2, 2020 at the Sanford Coyote Sports Center Main Competition Court and Concourse at 1101 N Dakota Street for annual banquet.
 - b. Vacation of Alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smiths Addition, City of Vermillion, Clay County, South Dakota. (Alley between Forest Avenue and Harvard Street; ½ block south of E. Main Street)
7. **Old Business**
8. **New Business**
 - a. Home Rule Committee charge.
9. **Bid Openings**
 - a. Janitorial Services for City of Vermillion Facilities.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
13. **Adjourn**

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

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please 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.

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. The City Council typically has a Special Meeting on the first and third Monday of each month at Noon.

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

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
February 3, 2020
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, February 3, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Hellwege, Holland, Price, Sorensen, Mayor Powell

Absent: Humphrey, Ward, Willson

2. Visitors to be Heard - None

3. County Courthouse / Public Safety Center building project update - Bob Fuller

Bob Fuller, Chairman of the County Building Committee, provided an update on the committee work to date regarding the Courthouse, Jail and Public Safety Center. Bob reported that the Committee recommendation which was accepted by the County Commissioners was to build a new facility. Bob stated that the Committee is currently in the process of recommending an architect firm to the County Commissioners and provided a proposed timeline that called for public input in May - June on the project, with the County Commission considering the plan & budget in July with community outreach on the plan in August through October. Bob stated that the architect is also being asked for cost estimates on remodeling of the current facility. Bob stated that the County Commission would like to have bond funding included on the November general election ballot. Bob noted that the County Commission will be contracting with an architectural firm and will be asking the City to share in the costs similar to the initial study at 17% noting that the contract will be in the \$85,000 to \$100,000 range.

Discussion followed with Bob Fuller, Travis Mockler and Matt Betzen, committee members, answering questions of the City Council on the project. The committee members noted that, as the project proceeds, they will be holding public meetings to obtain public input as the Committee proceeds.

4. Vermillion River water line project repair - Shane Griese

Shane Griese, Utility Manager, reported that the water main that goes under the Vermillion River along Dakota Street has a leak and needs to

be replaced. Shane reported that the water main was installed in 1984 following flood damage to the existing water main. Shane reviewed the water loss noting the increase in 2019 over 2018. Shane reviewed the makeup of water loss noting that the industry average is about 13% while the city average for 2019 was 28%. Shane reported that the cost estimates for the replacement project are for engineering of \$10,000, soil testing of \$2,500 and the water line boring of \$70,000 to \$100,000. Shane stated that the City is working with Banner Engineering to develop plans for the water main replacement. Shane stated that on tonight's agenda is a request to declare this project an emergency to allow staff to accept quotes instead of the time period required for requesting bids. Shane answered questions of the City Council on the water main replacement project.

5. Briefing on the February 3, 2020 City Council Regular Meeting

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

6. Adjourn

18-20

Alderman Sorensen moved to adjourn the Council special session at 12:58 p.m. Alderman Collier-Wise seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 3rd day of February, 2020.

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
February 3, 2020
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, February 3, 2020 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Hellwege, Holland, Humphrey, Price, Sorensen, Ward, Mayor Powell, Student Representative Yetter

Absent: Willson

2. Pledge of Allegiance

3. Minutes

A. Minutes of January 20, 2020 Special Session; January 20, 2020 Regular Session

19-20

Alderman Sorensen moved approval of the January 20, 2020 Special Session and January 20, 2020 Regular Session minutes. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

20-20

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

5. Visitors to be Heard

A. #LOVermillion Day Proclamation

Alderman Sorensen read the proclamation recognizing February 13, 2020 as #LOVermillion Day in Vermillion. Mayor Powell presented the proclamation to Nate Welch. Nate Welch, Executive Director of the VCDC, thanked the Mayor and City Council for the proclamation.

6. Public Hearings - None

7. Old Business

A. Second reading of Ordinance 1411 to amend Title XV, Land Usage; Chapter 150 Building Regulation; Section 150.02(B)(7) International Building Code to add roofing and siding as work requiring a permit.

Farrel Christensen, Building Official, reported that the Vermillion Historic Preservation Commission approached staff and the City Council with a desire to require permits for siding and roof replacement. Farrel stated that the City's current codes exempt these type of projects from needing a permit and as a result makes it very difficult for the Historic Preservation Commission to advise property owners of the possible benefits of repairs consistent with the historic character of the property. Farrel stated that it was discovered that most first class cities in South Dakota do require permits for siding and roof replacement. Farrel reported that the City has adopted both the 2018 International Building Code and the 2018 International Residential Code that when adopted there were exceptions for roof and siding replacement permits. Farrel stated that proposed Ordinance No. 1411 amends the International Building Code to remove the permit exception for roof and siding replacement. Farrel stated that first reading of the ordinance was at the January 20th meeting and recommended approval of second reading. Farrel reported that he has been in contact with local contractors who had concerns about how long it might take to get the building permit approved.

21-20

Second reading of title to Ordinance No. 1411 entitled an Ordinance amending Title XV, Land Usage; Chapter 150 Building Regulation; Section 150.02(B)(7) International Building Code to add roofing and siding as work requiring a permit of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1411 entitled an Ordinance amending Title XV, Land Usage; Chapter 150 Building Regulation; Section 150.02(B)(7) International Building Code to add roofing and siding as work requiring a permit of the City of Vermillion was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 20th day of January, 2020 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 3rd day of February, 2020 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

ORDINANCE 1411

AN ORDINANCE AMENDING TITLE XV: LAND USAGE; CHAPTER 150 BUILDING REGULATIONS SECTION 150.02 INTERNATIONAL BUILDING CODE AS MODIFIED BY THE CITY OF VERMILLION.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Title XV: Land Usage; Chapter 150, Section 150.02(B)(7) and (8) International Building Code of the 2018 International Building Code shall be amended, added, or deleted by the City as follows. All other portions of the 2018 International Building Code as published shall remain the same.

(7) "105.1 Permit Required"

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, replace windows, siding, roofs, or change the occupancy of a building or structure of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Fees shall be set by Resolution. The building official may exempt permits for minor work.

(a) Replacement windows in existing openings:

All window replacement shall require a building permit. Replacement windows shall conform to the code for new construction whenever possible, including but not limited to light, ventilation, safety glazing and egress. Windows that cannot meet the code for new construction within the existing opening shall utilize the opening to its maximum potential to comply. Double hung windows or sliding windows that limit light, ventilation or egress are required to be changed to a casement style or similar to maximize the opening. Windows located in rental housing shall meet the requirement to provide for the health, safety and welfare of the occupants.

Exception: The replacement of glazing only, in nonhazardous location shall not require a permit.

(b) Siding Replacement

Permits for the replacement of siding shall be required when more than 50% of any building wall surface is being replaced or repaired in any given 5-year period.

(c) Roof Replacement

Permits for re-roofing shall be required when more than 50% of any building roof surface is being replaced or repaired in any given 5-year period.

(8) "105.2 Work exempt from permit"

Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

(1) through (8) shall remain unchanged.

(9) Sidewalks and driveways. A driveway permit is required from the City Engineer.

(10) Temporary motion picture, television, and theater stage sets and scenery.

(11) Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

Dated at Vermillion, South Dakota this 3rd day of February, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

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

Motion carried 8 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

B. Second reading of Ordinance 1412 to amend Title XV, Land Usage; Chapter 150 Building Regulation; Section 150.03(B) (5) International Residential Code to add roofing and siding as work requiring a permit.

Farrel Christensen, Building Official, noted that, with the previous agenda item, the City has adopted the 2018 version of both the International Building Code and the International Residential Code. Farrel stated the adoption of both codes were made with exceptions for permits to be issued for roof and siding work. Farrel reported that the previous agenda item was to amend the International Building Code to require permits for roof and siding work. Farrel stated that proposed Ordinance No. 1412 would amend the International Residential Code to remove the building permit exception for roof and siding replacement. Farrel stated that first reading of the ordinance was at the January 20th meeting and recommended approval of second reading.

22-20

Second reading of title to Ordinance No. 1412 entitled an Ordinance Title XV, Land Usage; Chapter 150 Building Regulation; Section 150.03(B)(5) International Residential Code to add roofing and siding as work requiring a permit of the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1412 entitled an Ordinance Title XV, Land Usage; Chapter 150 Building Regulation; Section 150.03(B)(5) International Residential Code to add roofing and siding as work requiring a permit of the City of Vermillion was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 20th day of January, 2020 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 3rd day of February, 2020 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

ORDINANCE 1412

AN ORDINANCE AMENDING TITLE XV: LAND USAGE; CHAPTER 150 BUILDING REGULATIONS SECTION 150.03 INTERNATIONAL RESIDENTIAL CODE AS MODIFIED BY THE CITY OF VERMILLION.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Title XV: Land Usage; Chapter 150, Section 150.03(B)(5) and (6) International Residential Code of the 2018 International Residential Code shall be amended, added, or deleted by the City as follows. All

other portions of the 2018 International Residential Code as published shall remain the same.

(5) "R105.1 Required"

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, replace windows, siding, roofs, or change the occupancy of a building or structure of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit. Fees shall be set by Resolution. The building official may exempt permits for minor work.

(a) Replacement windows in existing openings:

All window replacement shall require a building permit. Replacement windows shall conform to the code for new construction whenever possible, including but not limited to light, ventilation, safety glazing and egress. Windows that cannot meet the code for new construction within the existing opening shall utilize the opening to its maximum potential to comply. Double hung windows or sliding windows that limit light, ventilation or egress are required to be changed to a casement style or similar to maximize the opening. Windows located in rental housing shall meet the requirement to provide for the health, safety and welfare of the occupants.

Exception: The replacement of glazing only, in nonhazardous location shall not require a permit.

(b) Siding Replacement

Permits for the replacement of siding shall be required when more than 50% of any building wall surface is being replaced or repaired in any given 5-year period.

(c) Roof Replacement

Permits for re-roofing shall be required when more than 50% of any building roof surface is being replaced or repaired in any given 5-year period.

(6) "R105.2 Work exempt from permit"

Permits shall not be required for the following. Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

(1) through (8) shall remain unchanged.

(9) Sidewalks and driveways. A driveway permit is required from the City Engineer.

(10) Temporary motion picture, television, and theater stage sets and scenery.

(11) Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.

Dated at Vermillion, South Dakota this 3rd day of February, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

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

Motion carried 8 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Resolution adopting fees for roofing and siding permits

James Purdy, Assistant City Manager, reported that a resolution establishing fees roofing and siding permits is needed following the adoption of second reading of Ordinances No. 1411 and 1412 which removed the exception for building permits for roofing and siding and provided that a permit fee be set by resolution. James reported that staff is recommending that the fee for roofing and siding permits be set at \$25 each which is equal to the fee already established for window permits. James noted that the resolution also provides for a single permit which may combine any or all three permits for a \$40 fee. Discussion followed.

23-20

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

RESOLUTION ESTABLISHING FEES FOR WINDOW REPLACEMENT IN EXISTING OPENINGS, REPLACING SIDING AND ROOF REPLACEMENT

WHEREAS, the City of Vermillion is authorized, under Section 105.1 of International Building Code as adopted and made part of the City of Vermillion Code of Ordinances, to set fees for window replacement, siding replacement and roof replacement by resolution; and

WHEREAS, the City of Vermillion is authorized, under Section R105.1 of International Residential Code as adopted and made part of the City of Vermillion Code of Ordinances, to set fees for window replacement, siding replacement and roof replacement by resolution; and

WHEREAS, the City wishes to set the permit fee for window replacement, siding replacement and roof replacement to be the same as the existing window replacement permit fee.

NOW, THEREFORE, BE IT RESOLVED, the City Council hereby authorizes the fee for each of the permits listed below to be \$25.00 dollars.

- 1. Window replacement, regardless of the number of windows
- 2. Siding replacement
- 3. Roof replacement

Any single permit that combines any or all of the above three permits shall be \$40.00.

Dated at Vermillion, South Dakota this 3rd day of February, 2020

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

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Hellwege. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

B. Consideration of beginning the process to appoint a Home Rule Committee

John Prescott, City Manager, reported that last year a Home Rule study committee was appointed to review whether it made sense for Vermillion to consider appointing a Home Rule committee to bring a Home Rule charter forward for action. John stated that the committee was chaired by Mike Card with the committee members being Matt Fairholm, Julia Hellwege, Stacey Larson, and Travis Letellier. John noted that the recommendation of the Home Rule Study Committee presented at the January 20, 2020 noon meeting was to proceed with establishing an official Home Rule Charter Committee. John noted that the City Council's consensus at the noon meeting was to bring the discussion of appointing a Home Rule committee forward to the February 3, 2020 evening meeting for deliberation and possible action. John reviewed the State statute on Home Rule committee noting that, once appointed, the Home Rule Committee has one year to complete their work and that, if approved by the City Council, the change in city government will require a public vote. John stated that the City Council will need to decide on the number of members for the committee, when to make the appointments, if City Council members are going to serve on the committee and a charge for the committee. Discussion followed with consensus for a five-member committee with appointment at the March 2nd City Council meeting to include City Council membership. Discussion followed on the committee charter with John Prescott noting that he could provide a draft for the City Council to consider. John also noted that the Expression of Interest forms could be used like for other Council committees.

24-20

Alderman Sorensen moved that the City proceed with the Home Rule Committee that should be comprised of five members to be appointed at the March 2nd City Council meeting. Alderman Humphrey seconded the motion. Discussion followed on if a City Council member should be on the committee and if they should be a voting member or a non-voting liaison.

25-20

Alderman Ward moved to amend the motion to have the committee include one City Council member as a non-voting liaison member. Alderman Humphrey seconded the motion. The vote on the amendment to the motion carried 8 to 0. Mayor Powell declared the motion amended.

Discussion followed.

The vote on the original motion (24-20) as amended passed 8 to 0. Mayor Powell declared the motion adopted.

C. Motion to authorize staff to accept quotes for emergency repair of water line

Shane Griese, Utility Manager, reported that a leak has been detected in the 6-inch water main that crosses under the Vermillion River on South Dakota Street. Shane stated that the main replacement will consist of developing plans for the replacement of the existing main, obtaining soil boring samples, and hiring a directional boring company to bore a new water main under the river that will be connected to the existing water main. Shane noted that the river boring portion of the project is estimated at \$70,000 to \$100,000 and, as the boring contract is estimated to exceed \$50,000, State statute would require competitive sealed bid process to be used for awarding this contract. Shane stated that the location and weather limit our ability to isolate and by-pass the problem area and due to this we would like to expedite the process. Shane reviewed the state statute which allows for emergency procurement without the time involved in advertising for bids. Shane stated that the extent of the damage to the existing water main cannot be determined or how long it will continue to supply water to the customers' south of the river. Staff would request that the City Council declare the replacement of the water main an emergency. Shane stated that staff will work with Banner Engineering to obtain at least two quotes (more if possible) from companies to bore the replacement water main under the river and interconnect to the existing water main. Shane also noted that staff will look at the cost of increasing the water main size to 8-inches at this time to prepare the system for future needs. Shane stated that all information on the quotes and contracts will be documented in the contract file as well as provided to the City Council. Discussion followed.

26-20

Alderman Holland moved to declare the replacement of the water main an emergency and authorize staff to contract for the water main replacement by using quotes as outlined in SDCL 5-18A-9. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

D. Resolution authorizing the purchase of five vehicles

Jose Dominguez, City Engineer, reported that the 2020 equipment replacement budget included the replacement of two police vehicles and pickups for Code Enforcement, Water Department and Electric Department. Jose reported that staff compared prices from the State Contract with similar vehicles from Vermillion Ford and Sourcewell. Jose noted that the State Contract price was lower on all five vehicles. Jose reported that, when purchasing equipment, the City has several options based on State statutes. Jose noted that as the purchase of similar vehicles exceeded \$50,000 bidding would be required unless an exception such as purchase from an already awarded contract that was awarded within 12-months as long as the awarded bid followed the bidding process (5-18A-

22(3)), purchase from a purchasing agency (5-18A-37), or purchase from the state contract list as long as the purchased item is at, or below, the price on the state contract list (5-18C-8). Jose reported that Vermillion Ford was provided the specifications for vehicles based on the awarded State contract prices. Jose noted that Vermillion Ford provided very favorable prices when compared to the Sourcewell prices but the Vermillion Ford prices were not equal to or lower than the State bid prices. Jose noted that staff would like to recommend that the City Council purchase the vehicles from Vermillion Ford but the statute being used (5-18C-8) does not allow for this. Jose stated that the prices from Vermillion Ford would have had to be the same, or lower, than the State bid prices and the statute does not allow for preference to local vendors. Jose recommended approving the Resolution to purchase the following vehicles from the State awarded bidder (Lamb Motors from Oneida, SD); two 2020 Ford Interceptor SUV for \$71,714, and three 2020 Ford F150 XLT, 4x4, Regular Cab for \$83,814 with the price including delivery to Vermillion. Discussion followed noting the desire to purchase locally but the State statute would require the local price to be equal or below the State contract price.

Prices: State Contract - (2) 2020 Ford Interceptors SUV \$35,857 each total \$71,714, (3) 2020 Ford F150 XLT 4x4 regular cab pickups \$27,938 each total \$83,814; Sourcewell - (2) 2020 Ford Interceptors SUV \$36,577 each total \$73,154, (3) 2020 Ford F150 XLT 4x4 regular cab pickups \$29,544 each total \$88,632; Vermillion Ford - (2) 2020 Ford Interceptors SUV \$35,982 each total \$71,964, (3) 2020 Ford F150 XLT 4x4 regular cab pickups \$28,000 each total \$84,000.

27-20

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

RESOLUTION AUTHORIZING THE PURCHASE OF
FIVE VEHICLES

WHEREAS, SDCL 5-18C-8 authorizes a governmental entity to purchase from a state contract list, or from any willing vendor at a price at or below that shown in the state contract; and

WHEREAS, the City of Vermillion approached the local dealer to see if they could match the price found in the state contract for two 2020 Ford Interceptor SUVs and three 2020 Ford F150 XLT, 4x4, Regular Cab pickup trucks; and

WHEREAS, after the prices from the local dealer were compared with the state contract price it was found that the state's contract price was still lower; and

WHEREAS, Lamb Motors of Oneida, South Dakota, is the holder of the State contract for the above listed vehicles and is willing to allow the City to purchase the vehicles for the price with delivery to Vermillion.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase two 2020 Ford Interceptor SUVs (\$35,857 per vehicle) and three 2020 Ford F150 XLT, 4x4, Regular Cab pickup trucks (\$27,938 per vehicle) from Lamb Motors of Oneida, South Dakota, at the above stated price of \$155,528.

Dated at Vermillion, South Dakota this 3rd day of February, 2020.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

E. Resolution authorizing the purchase of a utility vehicle

Jose Dominguez, City Engineer, reported that the 2020 equipment replacement budget included the replacement of a Parks and Recreation utility vehicle. Jose reported that State statute 5-18A-22(19) allows cities to purchase equipment that cost less than \$50,000 without bidding. Jose stated that contacts were made to utility vehicle vendors in the area to get quotes for a replacement vehicle with one quote received. Jose reported that the quote received was from Yankton Motorsports, Yankton, SD, for a 2020 Kawasaki Mule Pro FX EPS for \$16,948.40. Jose recommended approval of the resolution authorizing the purchase of one 2020 Kawasaki Mule Pro FX EPS from Yankton Motorsports for \$16,948.40. Discussion followed.

28-20

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

RESOLUTION AUTHORIZING THE PURCHASE OF
A UTILITY VEHICLE

WHEREAS, SDCL 5-18A-22(19) exempts governmental entity from bidding requirements when purchasing equipment involving the expenditure of less than \$50,000; and

WHEREAS, the City of Vermillion received a quote from Yankton Motorsports, Yankton, SD for a 2020 Kawasaki Mule Pro FX EPS for \$16,948.40.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase one 2020 Kawasaki Mule Pro FX EPS from Yankton Motorsports of Yankton, South Dakota, at the above listed stated price of \$16,948.40.

Dated at Vermillion, South Dakota this 3rd day of February, 2020.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

F. Resolution authorizing the purchase of two mowers

Jose Dominguez, City Engineer, reported that the 2020 equipment replacement budget included the replacement of a 2009 mower and a 1993 seeder. Jose stated that, since the budget meetings, a Spartan mower that was purchased in 2017 which is scheduled to be replaced in 2022 is in dire need of replacement. Jose reported that staff is proposing to delay the replacement of the seeder, as it still works, and replace the 2017 mower as it is a higher priority. Jose reported that State statute 5-18A-22(19) allows cities to purchase equipment that cost less than \$50,000 without bidding. Jose reported that staff would like to replace the 2009 mower as planned in the 2020 budget and the 2017 Spartan mower which has failed with two new Hustler mowers. Jose reported that the quotes received from Vermillion Ace Hardware, Vermillion, SD, for a 2020 Hustler 60" SD 35HP and a 2020 Hustler 72" RD 27HP for \$25,192.44. Jose

recommended approval of the resolution authorizing the purchase of one 2020 Hustler 60" SD 35HP for \$13,818.31 and one 2020 Hustler 72" RD 27HP for \$11,374.13 from Vermillion Ace Hardware for a total purchase cost of \$25,192.44. Discussion followed.

29-20

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

RESOLUTION AUTHORIZING THE PURCHASE OF
TWO MOWERS

WHEREAS, SDCL 5-18A-22(19) exempts governmental entity from bidding requirements when purchasing equipment involving the expenditure of less than \$50,000; and

WHEREAS, the City of Vermillion received a quote from Vermillion Ace Hardware, Vermillion, SD for a 2020 Hustler 60" SD 35HP for \$13,818.31; and

WHEREAS, the City of Vermillion received another quote from Vermillion Ace Hardware, Vermillion, SD for a 2020 Hustler 72" RD 27HP for \$11,374.13.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase one 2020 Hustler 60" SD 35HP and one 2020 Hustler 72" RD 27HP from Vermillion Ace Hardware of Vermillion, South Dakota, at the above listed stated price of \$25,192.44.

Dated at Vermillion, South Dakota this 3rd day of February, 2020.

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

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Hellwege. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

9. Bid Openings

A. Fuel quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil on all three items.

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$1.9571, Brunick's Service \$2.03, Jerry's Service \$2.17; Item 2 - 3,000 gal No. 1 & 2 Diesel fuel dyed: Stern Oil \$1.8931, Brunick's Service \$1.99, Jerry's Service \$2.33; Item 3 - 1,000 gal No. 1 & 2 diesel fuel-clear: Stern Oil \$2.1808, Brunick's Service \$2.24, Jerry's Service \$2.61.

30-20

Alderman Price moved approval of the low quote of Stern Oil on three items. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that a raffle notification submitted today that was handed out tonight from the USD Class of 2021 School of Law who will be selling 100 -\$20 raffle tickets from February 4 to April 6, 2020 with four winners receiving cash prizes of \$200. The proceeds from the raffle will be used for graduation, hooding ceremony and other class events.

B. John reported that the Heroes Behind the Badge Blood Drive's second opportunity to donate is on Saturday, February 8th from 8:00 a.m. to 1:00 p.m. at the USD School of Medicine at the corner of Clark and Dakota Street. Donors can vote for the Police Department or Fire Department in this friendly competition.

C. John reported that Kidder Street from Court Street to the alley between Court and Market Street will be closed on Sunday, February 15th from 11:00 a.m. to 7:00 p.m. for the Special Olympics Polar Plunge event.

D. John reported that the next City Council meeting is on Tuesday, February 18, 2020 due to the Presidents Day holiday on Monday, February 17th.

PAYROLL ADDITIONS AND CHANGES

General: Jade Muller-Smit \$9.30/hr, Taylor Wipf \$9.30/hr; Ambulance: Madison Christensen \$11.00/hr-\$11.00/training hr-\$16.50/holiday hr, Chase Howe \$11.00/hr-\$11.00/training hr-\$16.50/holiday hr, Zach Laabs \$11.00/hr-\$11.00/training hr-\$16.50/holiday hr, Maria Ordonez \$11.00/hr-\$11.00/training hr-\$16.50/holiday hr

11. Invoices Payable

31-20

Alderman Hellwege moved approval of the following invoices:

A-OX Welding Supply Co	chemicals	1,216.50
A.R.K Media Accounting Service	advertising	135.00
Action Lawn Service	tree removal-bluffs	24,500.00
Allegiant Emergency Service	repairs	315.57
American Underground Supply	supplies	218.46
Appearia	shop towels	45.00
Aramark Uniform Services	uniform cleaning	400.80
Argus Leader Media #1085	subscription	28.00
Banner Associates, Inc	professional services	1,620.70
Blackstone Publishing	books	100.00
Book Systems, Inc	subscription	4,165.00
Border States Elec Supply	uniforms	229.50
Bound Tree Medical, LLC	supplies	2,916.47
Brandon Steeneck	meals reimbursement	37.00
Bronzeage Art Casting, LLC	sculpture repairs	262.50
Butch's Propane Inc	propane	2,349.00
Butler Machinery Co.	parts	873.07
Callaway Golf	merchandise	369.05
Cardis Fence & Iron Co	fence repairs	1,850.00
Cask & Cork	merchandise	878.50
CDW Government, Inc	supplies	623.47
Century Business Products	copier contract/copies	192.93
CenturyLink	telephone	696.20
Chad Christopherson	meals reimbursement	37.00
City Of Vermillion	postage/copies	996.54
City Of Vermillion	utility bills	34,175.55
Clubhouse Hotel & Suites	lodging	1,978.79
Coast To Coast Solutions	supplies	236.98
Colonial Life Acc Ins.	insurance	1,528.78
Core & Main LP	supplies	1,607.78
Cornhusker International	parts	29.28
Coyote Chemical Company	hi-pressure wand	21.70
Curt Haakinson	meals/mileage reimbursement	203.49
Dakota Beverage	merchandise	8,187.98
Dakota Pc Warehouse	computers/repairs	5,057.75
Dakota Riggers & Tool Supply	supplies	158.74
Dale Husby	meals reimbursement	74.00
Danko Emergency Equipment	supplies	2,307.30
Delta Dental Plan	insurance	6,306.46

Demco	supplies	133.21
Dennis Martens	maintenance	833.34
Derek Ronning	gym membership reimbursement	250.00
Donald Zacher	refund parking tckt overpmt	5.00
Dubois Chemicals	soda ash	14,564.00
Echo Electric Supply	supplies	1,098.63
Electric Pump, Inc	parts	382.77
Elliott Equipment Co	parts	754.25
Eric Birkeland	safety boots reimbursement	100.00
Extendobed LLC	fire equipment	6,484.00
Farmer Brothers Co.	supplies	143.70
Fast Auto Glass	repairs	451.83
Fastenal Company	supplies	40.79
Fields Outdoor Adventures	supplies	5,220.00
Foreman Media	council mtg	100.00
Fred Balleweg	meals reimbursement	74.00
Frontier Precision, Inc	eng software license upgrade	1,170.00
Global Dist	merchandise	189.56
Graham Tire Co.	tires	1,185.28
Grainger	motors	258.51
Graymont Capital Inc	chemicals	8,065.44
Gregg Peters	freight	1,419.20
Gregg Peters	rent	937.50
Hansen Locksmithing	repairs	434.17
Hartington Tree LLC	trees	938.00
Herren-Schempp Building	supplies	33.60
High Point Networks	professional services	218.75
Hy Vee Food Store	supplies	21.84
In Control, Inc	professional services	432.00
Industrial Chem Labs	supplies	221.11
Ingram	books	1,831.34
Interstate Power Systems	maintenance inspection	554.00
Jacks Uniform & Eqpt	uniforms	1,512.53
Jim Balleweg	safety boots reimbursement	100.00
John A Conkling Dist.	merchandise	3,404.75
Johnsen Heating & Cooling	repairs	405.51
Johnson Brothers Of SD	merchandise	7,412.14
Jones Food Center	supplies	492.93
Karsten Mfg Corp	merchandise	635.70
Lawson Products Inc	supplies	1,434.22
Laynes World	fire ems awards/decals	245.08
Lessman Elec. Supply Co	light fixtures	119.40
Lion Group, Inc	firefighter equipment repairs	3,360.00

Loffler	toner cartridges	151.00
Mailfinance	postage meter lease	234.24
Malloy Electric	parts	48.16
Mart Auto Body	towing	825.00
Matheson Tri-Gas, Inc	medical oxygen/cylinder rental	688.78
Matthew Nelson	meals reimbursement	37.00
McCulloch Law Office	professional services	2,460.50
Mead Lumber	supplies	12.19
Menards	supplies	857.38
MES-Municipal Emergency Service	docking stations	4,190.78
Michael Heine	meals reimbursement	74.00
Mid-States Org. Crime	membership	150.00
Midwest Alarm Co	alarm monitoring	153.00
Miles Or Lisa Beacom	refund ambulance overpmt	1,050.70
Minn Municipal Utility Assoc	1st qtr safety mgmt program	6,737.50
Mobotrex Mobility & Traffic	repairs	214.00
MSC Industrial Supply Co	supplies	224.75
National Music Museum	contribution	15,000.00
NCL Of Wisconsin, Inc	testing strips	15.27
Netsys+	professional services/repairs	1,257.30
Northwestern University Center	registration	4,000.00
O'Reilly Auto Parts	parts	144.28
Overhead Door Of Sioux City	repairs	736.00
Pak-Rite	supplies	201.78
Penguin Management Inc	software subscription	1,548.00
Penworthy Company	books	112.32
Pfeifer Implement Co.	fuel filters	48.69
Phil Wiebelhaus	meals reimbursement	37.00
Presto-X-Company	inspection/treatment	62.00
Print Source	printing	164.00
Pro Auto Inc	repairs	64.50
Pro-Tainer	repairs	100.00
Prochem Dynamics	supplies	255.04
Property Maintenance Service	snow removal	627.50
Quality Welding & Mfg	sculpture repairs	433.67
Quill	supplies	689.27
Racom Corporation	maintenance contract	1,592.95
Recorded Books, Inc	books	97.87
Redi Towing	towing	225.00
Relab Software, LLC	maintenance agreement	2,920.00
Republic National Distributing	merchandise	8,385.20
Rons Auto Glass, Inc	replace windshield	245.00
Running Supply, LLC	supplies	1,506.23

Sanford Health Occupational	testing	844.00
Sanford Health Plan	participation fees	54.00
Sanford USD Medical Center	supplies	219.33
Sanford Vermillion Medical	vaccinations	468.00
Schaeffer Mfg. Co	supplies	708.00
SD City Mgmt Association	membership dues	300.00
SD Dept Of Health	testing	150.00
SD Dept Of Public Safety	teletype service	3,590.00
SD Magazine	books	34.95
SD Municipal League	registration	60.00
SD Retirement System	contributions	39,393.33
SDGCSA	registration	630.00
Service Master Of Se SD	custodial	3,409.68
SESDAC, Inc	public transit funding	8,000.00
Sioux City Foundry Co	cutting edges	2,376.00
Siouxland Scale Service	inspection/repairs	489.48
Snap-On Industrial	parts	777.32
Sooland Bobcat	parts	1,046.02
Southern Glazer's Of SD	merchandise	1,168.25
Staples Business Credit	supplies	1,129.15
Stewart Oil-Tire Co	repairs	24.95
Storey Kenworthy/Matt Parrot	year-end forms	99.44
Stryker Sales Corporation	ambulance equipment	8,069.13
Stuart C. Irby Co.	supplies	4,055.00
Sturdevants Auto Parts	parts	2,261.28
Superior Hood Steamers, Inc	hood/vent cleaning	740.18
Syncb/Amazon	books/dvds/supplies	792.48
T's Plumbing & Home Repair	repairs	718.36
Teleflex LLC	supplies	612.50
The Home Depot Pro	bulletin board	830.00
The Ups Store #6751	shipping	19.53
Titleist-Acushnet Company	merchandise	667.01
Todd Halverson	safety glasses reimbursement	150.00
Tractor Supply Credit Plan	supplies	177.55
Traf-O-Teria System, Inc	parking ticket envelopes	473.47
Treasurer-Clay County	storm drainage fee	125.28
Triview Communications	phone system computer	799.50
Turner Plumbing	repairs	235.12
Twin City Hardware	keys	100.78
Two Way Solutions	radio equipment	1,094.95
Tyler Technologies	maintenance	27,226.06
United Laboratories	supplies	759.98
United Way	contributions	425.50

Unum Life Insurance Company	insurance	1,551.10
Valiant Vineyards	merchandise	472.30
Van Diest Supply Co	supplies	665.25
Vast Broadband	911 circuit/dialup service	1,415.45
Verizon Wireless	cell phones/ipad access	2,163.63
Verizon Wireless-Vsat	supplies	50.00
Vermillion Ace Hardware	supplies	1,460.77
Vermillion Chamber Of Commerce	bid #1 4th quarter	13,230.00
Vermillion Ford	repairs	2,001.17
Visa/First Bank & Trust	fuel/lodging/supplies	11,162.84
Wade Mount	meals reimbursement	74.00
Wal-Mart Community	supplies	863.81
Walker Construction	snow removal	450.00
Wesco Distribution, Inc	supplies	1,427.20
Yankton Fire & Safety	extinguishers	485.00
Yankton Janitorial Supply	supplies	239.50
Yankton Motorsports LLC	parts	443.85
Zee Medical Service	supplies	162.10
Ziegler Inc	parts	32.30
Lacey Behl	Bright Energy Rebate	400.00
Andy Karantinos	Bright Energy Rebate	150.00

Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of February 18, 2020 for a special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about April 2, 2020 at the Sanford Coyote Sports Center Main Competition Court and Concourse at 1101 N Dakota Street for the annual banquet

32-20

Alderman Price moved approval of the consensus agenda. Alderman Humphrey seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

33-20

Alderman Ward moved to adjourn the Council Meeting at 7:49 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 3rd day of February, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: February 18, 2020

Subject: Special Daily Malt Beverage License for the Vermillion Area Chamber & Development Company for the annual banquet on April 2, 2020 at the Sanford Coyote Sports Center Main competition court and concourse at 1101 North Dakota Street

Presenter: Mike Carlson

Background: The Vermillion Area Chamber & Development Company has submitted an application for a special daily malt beverage and wine license for their annual banquet on Thursday, April 2, 2020 at the Sanford Coyote Sports Center Main competition court and concourse at 1101 North Dakota Street.

Our city ordinance on special daily licenses reads as follows:

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

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

State Statute for the special daily licenses is as follows:

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

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

licensee licensed pursuant to subdivision 35-4-2(3), (5), (12), (17A), or (19) or chapter 35-12 in addition to any other licenses held by the special events license applicant. A special off-sale package wine dealer's licensee may only sell wine manufactured by a farm winery that is licensed pursuant to chapter 35-12.

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

Discussion: Attached are the Police Chief's memo and notice of public hearing. As the event will be held on USD property, the VCDC has indicated that the USD President has given permission for the event. The Police Chief's memo indicates that the VCDC will be using a local restaurant to provide staff who will be checking identification. There have not been any issues with previous events.

Financial Consideration: The City has received the \$20 per day license fee and \$15 advertising fee for a total of \$35 from the applicant.

Conclusion/Recommendations: Administration recommends approving the issuance of the special daily malt beverage and wine license to the VCDC for their annual banquet on April 2, 2020 at the USD Coyote Sports Center, unless information is presented at the public hearing to the contrary.

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



Date: January 23, 2020

To: Vermillion City Council

From: Matthew Betzen
Chief of Police



Subject: Vermillion Area Chamber and Development Company: Special Daily License (on-sale) malt beverage and wine license. Annual Banquet on April 2, 2020 at the Sanford Coyote Sports Center.

I have reviewed the applications for the "Special Daily License (On-Sale) Malt Beverage and Wine License" submitted by the Vermillion Area Chamber and Development Company for their Annual Banquet on April 2, 2020.

The event is being coordinated by VCDC employee Katherine Hiene. Katherine told me that VCDC is hiring a local restaurant (TBD) to provide staff who will be checking Identification. They will also work to ensure no one under 21 will purchase or consume alcohol.

The VCDC sponsors several special licenses each year and has a good track record of insuring no one under 21 years of age consume alcohol at these events.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 18th day of February, 2020 at the hour of 7:00 P.M. in the City Hall Council Chambers, 25 Center Street, will meet in regular session to consider the following application for an alcoholic beverage license to operate within the municipality for the licensing period stated below, which has been presented to the City Council and filed in the Finance Officer's Office:

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

Vermillion Area Chamber of Commerce and Development Company on or about April 2, 2020 at the Sanford Coyote Sports Center Main Competition Court and concourse at 1101 North Dakota Street for annual banquet.

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

Dated at Vermillion, South Dakota this 30th day of January, 2020.

Michael D. Carlson, Finance Officer

Publish: February 7, 2020

Published once at the approximate cost of _____.



Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: February 18, 2020

Subject: Vacation of Alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota

Presenter: Jose Dominguez

Background: The City received petitions to vacate the alleyway right-of-way adjacent to Lots 1 through 6 and Lot 7, Block 74, Smith's Addition. There are four individual property owners owning property along this alleyway. All four property owners submitted petitions to the City for the vacation of the alley.

There are several private utilities running through the alleyway. The utility providers were contacted by the one of the owners seeking the vacation of the alleyway. The utilities have agreed with the vacation as long as a utility easement is maintained in the same area for their use. Additionally, the City has an electric utility line on the south side of the alley.

Discussion: There are two statutes that direct municipalities how to vacate street/alley right-of-way. One of the statutes is used when the street/alley has not been used for more than 20-years (SDCL 9-45-10). The alley is currently open and has been used during the last 20-years.

The second statute states that if the street/alley has been used in the last 20-years, then the City Council needs to follow SDCL 9-45-9. This statute requires a public hearing where the City Council will hear all evidence and testimony of the parties interested in vacating the alley. After the hearing, the City Council may declare the alley vacated by a resolution passed by 2/3 (in our case 6 alderman) of all of the members of the City Council.

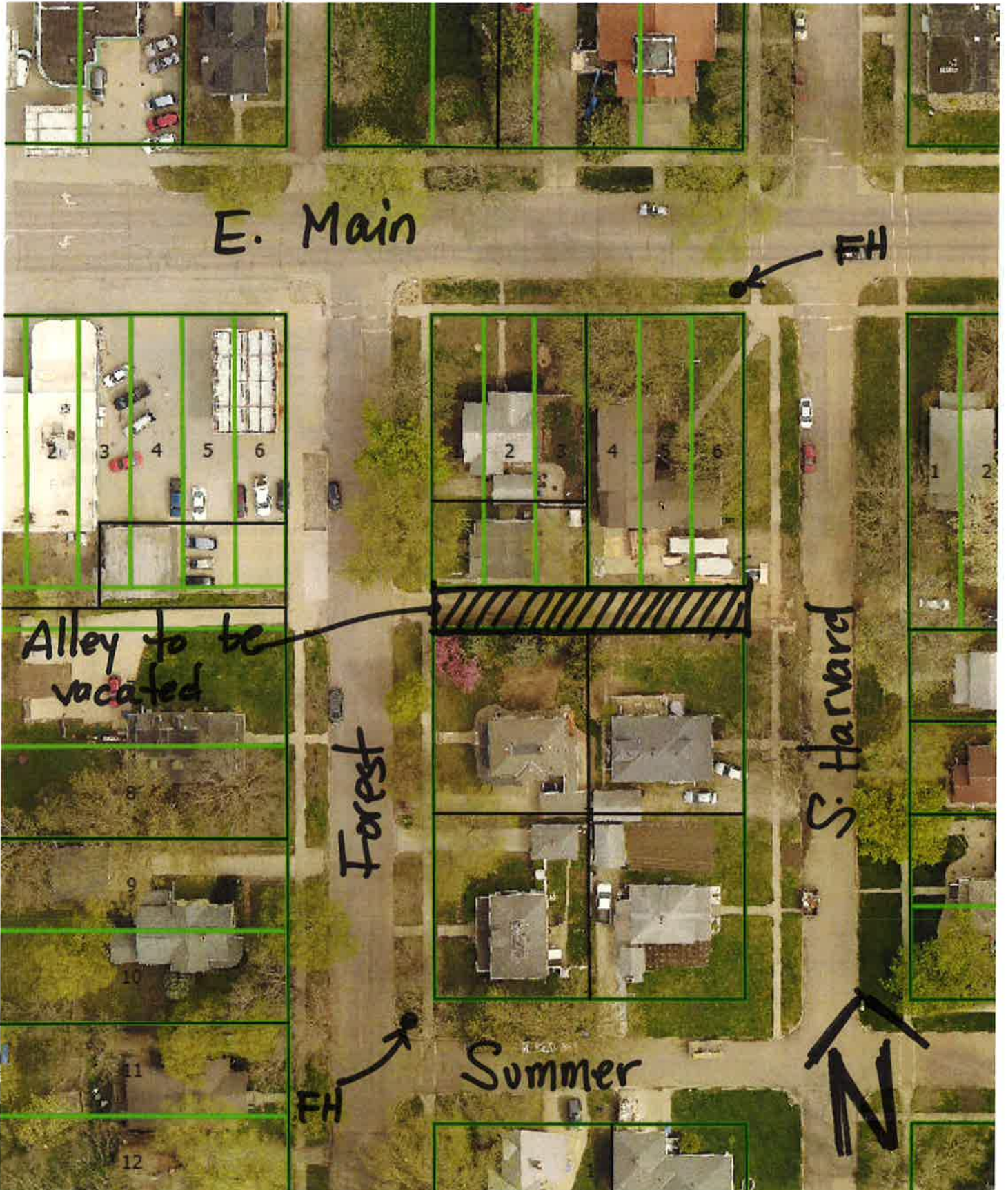
It should be noted that the City did not initiate this vacation. The vacation process was initiated by the adjacent property owners. They have been discussing an alley vacation in some form since 2018.

When vacating a used street/alley, Staff considers the impact to: access to properties, fire protection, and general traffic.

Access to Properties	All of the adjoining property owners have signed the petition to vacate the alley. There are two properties that use the alley to access their properties. It is assumed that since the adjoining property owners initiated the vacation process they have taken into consideration access to their properties.
Fire Protection	In discussions with the Fire Department, the vacation of the alley does not negatively impact the City's ability to combat a fire. Even with the alley in use, a fire apparatus would not be deployed into the alley due to the size of the equipment and the width of the alley. Additionally, the closest hydrants are on the corner of Main and Harvard and Forest and Summer.
General Traffic	The great majority of traffic that uses the alley is generated by the adjoining property owners. If traffic needed to be diverted away from Main Street, the traffic would be asked to use Summer Street, and not the alley.

Financial Consideration: The City will record the vacation at a cost of \$30.00.

Conclusion/Recommendations: Administration recommends the vacation of the alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota, and maintaining a 20-foot utility easement in the space occupied by the vacated alley.



E. Main

FH

Alley to be vacated

Forest

S. Harvard

Summer

FH



RESOLUTION VACATING THE RIGHT-OF-WAY LYING BETWEEN LOTS 1 THROUGH 6 AND LOT 7, BLOCK 74, SMITHS ADDITION, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

WHEREAS, the City of Vermillion has received a petition for the vacation of the 20-foot wide alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smiths Addition, City of Vermillion, Clay County, South Dakota; and,

WHEREAS, notice has been published for two successive weeks in the official City newspaper; and,

WHEREAS, utilities have been notified and have requested that a 20-foot utility easement be reserved and maintained throughout the above described alleyway; and,

WHEREAS, the property owners on each side of the alley have acknowledged reservation and maintenance of a 20-foot easement for location, construction, installation, maintenance, reconstruction, repair and operation of utilities along and across the above described alleyway; and,

WHEREAS, State Statute 9-45-9 authorizes the City Council to vacate streets, alleys or public grounds, that have been in use.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Vermillion that the alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smiths Addition, City of Vermillion, Clay County, South Dakota is hereby vacated; and that a 20-foot utility easement be reserved and maintained on the previously described alleyway.

Dated at Vermillion, South Dakota this 18th day of February 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

PETITION TO VACATE ALLEYWAY

The undersigned owners hereby request the Governing Board of the City of Vermillion, South Dakota, to vacate, pursuant to SDCL 9-45-7, that the used alleyway described as:

Alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Owners further state that they are the owners of all abutting and affected property to the portion of the alleyway that the owners request the City to vacate, namely:

South 41' of Lots 1 through 3; and, Lots 4 through 6; and, West Half of North Half of Lot 7; and, East Half of North Half of Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Owners further state that the alleyway requested to be vacated is being used as an alleyway.

The owners further state that to their best information and belief, the public interest will be better served if this alleyway is vacated.

OWNERS:

South 41' of Lots 1 through 3, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Terry Gerber acting as the partner for Superior Partnership.

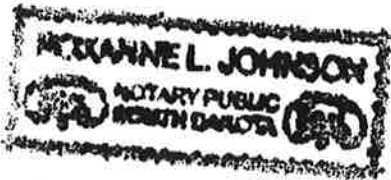
Tim Luytloff acting as the partner for Superior Partnership.

STATE OF SOUTH DAKOTA)
)
) :SS
COUNTY OF _____)

Terry Gerber and Tim Luytloff, acting as the partner and the partner for Superior Partnerships, petitioner, deposes and says that they have read the above petition and know the contents thereof and that the same is true of their own knowledge.

[Signature] and

Subscribed and sworn to before me this 23 day of January, 2020



Ryan L. Johnson
Notary Public

My Commission Expires: Aug. 9, 2022

PETITION TO VACATE ALLEYWAY

The undersigned owners hereby request the Governing Board of the City of Vermillion, South Dakota, to vacate, pursuant to SDCL 9-45-7, that the used alleyway described as:

Alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Owners further state that they are the owners of all abutting and affected property to the portion of the alleyway that the owners request the City to vacate, namely:

South 41' of Lots 1 through 3; and, Lots 4 through 6; and, West Half of North Half of Lot 7; and, East Half of North Half of Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Owners further state that the alleyway requested to be vacated is being used as an alleyway.

The owners further state that to their best information and belief, the public interest will be better served if this alleyway is vacated.

OWNER:

Lots 4 through 6, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Carson Merkwan acting as the owner of 221 E. Main Street, Vermillion, SD

[Signature] acting as the owner of 221 E. Main Street, Vermillion, SD

STATE OF SOUTH DAKOTA)

) :SS

COUNTY OF CLAY)

Carson Merkwan and _____, acting as the owners of 221 E. Main Street, Vermillion, SD, petitioner, deposes and says that they have read the above petition and know the contents thereof and that the same is true of their own knowledge.

[Signature] and
[Signature]

Subscribed and sworn to before me this 2 day of December, 2019



[Signature]
Notary Public

My Commission Expires: My Commission Expires
December 17, 2021

PETITION TO VACATE ALLEYWAY

The undersigned owners hereby request the Governing Board of the City of Vermillion, South Dakota, to vacate, pursuant to SDCL 9-45-7, that the used alleyway described as:

Alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Owners further state that they are the owners of all abutting and affected property to the portion of the alleyway that the owners request the City to vacate, namely:

South 41' of Lots 1 through 3; and, Lots 4 through 6; and, West Half of North Half of Lot 7; and, East Half of North Half of Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Owners further state that the alleyway requested to be vacated is being used as an alleyway.

The owners further state that to their best information and belief, the public interest will be better served if this alleyway is vacated.

OWNERS:

West Half of North Half of Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

[Signature] acting as the owner of 18 Forest Avenue, Vermillion, SD
George S. Smith

[Signature] acting as the owner of 18 Forest Avenue, Vermillion, SD
Carol W. Smith

STATE OF SOUTH DAKOTA)
:SS

COUNTY OF Clay)

George S. Smith and Carol W. Smith, acting as the owners of 18 Forest Avenue, Vermillion, SD, petitioner, deposes and says that they have read the above petition and know the contents thereof and that the same is true of their own knowledge.

[Signature] and

[Signature]

Subscribed and sworn to before me this 3rd day of December, 2019



Glenda Schempp
Notary Public

My Commission Expires: 10/29/25

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The owners further state that to their best information and belief, the public interest will be better served if this alleyway is vacated.

OWNERS:

East Half of North Half of Lot 7, Block 74, Smith's Addition, City of Vermillion, Clay County, South Dakota.

Carl Matter acting as the owner of 17 S. Harvard, Vermillion, SD

Linda Matter acting as the owner of 17 S. Harvard, Vermillion, SD

STATE OF SOUTH DAKOTA)
:SS
COUNTY OF Beadle)

Carl Matter and Linda Matter, acting as the owners of 17 S. Harvard Street, Vermillion, SD, petitioner, deposes and says that they have read the above petition and know the contents thereof and that the same is true of their own knowledge.

_____ and



described and sworn to before me this

19th day of December, 2019

Ron J. Volesky
Notary Public Ron J. Volesky

My Commission Expires: 3-7-23



Council Agenda Memo

From: John Prescott, City Manager
Meeting: February 18, 2020
Subject: Home Rule Charter Committee charge
Presenter: John Prescott

Background: Last year a home rule study committee was appointed to review whether it made sense for Vermillion to consider appointing a Home Rule Charter Committee to bring a home rule charter forward for action. The recommendation of the Home Rule Study Committee presented at the January 20, 2020 Noon meeting was to proceed with establishing an official Home Rule Charter Committee. The Home Rule Study Committee offered that Home Rule would enable the City to meet previously unseen challenges and to enable the City Council to authorize even more responsive services for Vermillion residents. The report with the Committee's recommendation is available on the City's website. At the February 3, 2020 meeting, the City Council approved establishing a five-person Home Rule Charter Committee. It was also proposed that one City Council member also serve on the Committee as a non-voting member. The City is currently seeking members to serve on the Home Rule Charter Committee. It is anticipated that the City Council will make appointments to the Home Rule Charter Committee at the March 2, 2020 meeting.

Discussion: During the discussion at the February 18, 2020 meeting, the need for a Committee Charge was discussed. Staff has been working on a charge for the Home Rule Committee. The following is proposed as a charge for the Home Rule Committee:

Develop a home rule charter for presentation to and consideration by the City Council prior to August 1, 2020. Should additional time be needed, the Committee is requested to notify the City Manager. A home rule charter should be developed that does not change the form of government from the City Council/City Manager form. The Committee will host multiple public meetings to receive input and educate the public on the home rule charter. The City Council desires to place the question of adopting a home rule charter before the voters of the City of Vermillion at the November 3, 2020 general election. A final report must be completed by March 1, 2021.

Financial Consideration: The approval of the charge for the Home Rule Charter Committee does not have a cost.

Conclusion/Recommendations: Administration recommends the City Council move forward with adopting a charge for the Home Rule Charter Committee.



Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: February 18, 2020
Subject: Bid Opening for Janitorial Services for City of Vermillion Facilities
Presenter: Jose Dominguez

Background: Since February 2017 the City has contracted with a company to perform janitorial services for multiple City owned buildings. The original contract was for one year with the option for two one-year renewals. The current amount for the expiring one-year contract is \$40,162.12. The annual amount has fluctuated since 2017 partially due to additions or reductions in the areas to be cleaned. The last one-year renewal with Service Masters of Southeast South Dakota, will be expiring on February 20, 2020. They have had the janitorial contract since February 2017.

Discussion: State statute 5-18A-14 requires that all contracts for services that are \$25,000 or more be bid. The City requested bids from four cleaning services and published, as is required, the notice in the local newspaper. The City again sought bids for a one-year agreement with the option for two one-year renewals. The City received two bids. The low bid was from Service Master of S.E. South Dakota, Yankton, for \$44,160.31. The other bid received was from Professional Pro Clean, Rapid City, for \$47,880.00.

The buildings cleaned through the janitorial contract are the Service Center, the National Guard Armory, Recycling Center, Waste Water Treatment Plant, Edith B. Siegreest Vermillion Public Library, and the Vermillion Fire and EMS, Station 1. The other City buildings are cleaned by City employees.

Financial Consideration: The 2020 budget includes sufficient funding for the proposed janitorial services contract.

Conclusion/Recommendations: Administration recommends accepting the low bid of \$44,160.31 from Service Master of S.E. South Dakota for janitorial services.

CITY OF VERMILLION
 INVOICES PAYABLE-FEBRUARY 18, 2020

1 A & A REFRIGERATION	REPAIRS	231.75
2 ABSOLUTE SUPPLIERS, INC	SEWAGE PUMP	767.00
3 AT&T MOBILITY	MOBILE HOT SPOTS	394.51
4 BLUETARP FINANCIAL, INC	SUPPLIES	437.46
5 BROADCASTER PRESS	ADVERTISING	751.24
6 BRUNICK'S SERVICE INC	FUEL	17,594.23
7 BUHL'S CLEANERS	MAT/MOP SERVICE	467.06
8 BUREAU OF ADMINISTRATION	TELEPHONE	215.45
9 CASK & CORK	MERCHANDISE	1,887.50
10 CENTURYLINK	TELEPHONE	1,588.67
11 CLAY RURAL WATER SYSTEM	WATER USAGE	53.90
12 CLAY-UNION ELECTRIC CORP	ELECTRICITY	2,262.55
13 CLUBHOUSE HOTEL & SUITES	LODGING	618.00
14 DAKOTA BEVERAGE	MERCHANDISE	7,898.05
15 DIVISION OF MOTOR VEHICLE	TITLE/PLATES	21.20
16 ECHO ELECTRIC SUPPLY	SUPPLIES	157.80
17 FARMERS PRIDE	OIL	930.83
18 GLOBAL DIST.	MERCHANDISE	118.14
19 GREGG PETERS	MANAGERS FEE	6,000.00
20 IN CONTROL, INC	OPERATION INTERFACE TERMINAL	15,171.61
21 JOHN A CONKLING DIST.	MERCHANDISE	4,393.65
22 JOHNSON BROTHERS OF SD	MERCHANDISE	31,909.59
23 JONES FOOD CENTER	SUPPLIES	214.38
24 LESSMAN ELEC. SUPPLY CO	SUPPLIES	695.00
25 MARK CLARK	REIMBURSE TRAVEL EXPENSES	1,517.01
26 MART AUTO BODY	TOW CHARGE	75.00
27 MATHESON TRI-GAS, INC	CYLINDER RENTAL	87.13
28 MIDAMERICAN	GAS USAGE	8,296.20
29 MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	746.57
30 NEOFUNDS	POSTAGE FOR METER	1,208.08
31 NETSYS+	SUBSCRIPTION RENEWAL	29.00
32 PLAIN TALK PUBLISHERS	SUBSCRIPTION	26.00
33 PRINT SOURCE	ENVELOPES	110.00
34 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	36,777.58
35 RUNNING SUPPLY, LLC	SUPPLIES	571.60
36 SD DENR	LANDFILL OPERATIONS FEE	3,027.49
37 SOUTHERN GLAZER'S OF SD	MERCHANDISE	3,490.10
38 STURDEVANTS AUTO PARTS	PARTS	69.26
39 SYNCB/AMAZON	DVDS/BOOKS/SUPPLIES	399.54
40 THE EQUALIZER	ADVERTISING	194.00
41 TRACTOR SUPPLY CREDIT PLAN	PARTS	2.99
42 US POSTMASTER	POSTAGE FOR UTILITY BILLS	975.00
43 UTILITY EQUIPMENT CO.	WATER METERS	13,000.00
44 VERMILLION ACE HARDWARE	SUPPLIES	236.46
45 VERMILLION YOUTH WRESTLING	ONLINE REGISTRATION	1,651.80
46 VESCO, INC	REPAIRS	3,417.47
47 WASTE MANAGEMENT OF WI-MN	WASTE HAULING	915.80
48 CHELSEY HARRINGTON	BRIGHT ENERGY REBATE	400.00
49 AMS BUILDING SYSTEMS	BRIGHT ENERGY REBATE	373.58
	GRANT TOTAL	\$172,377.23