



**Special Meeting Agenda
City Council**

12:00 p.m. (Noon) Special Meeting
Monday, June 15, 2020
Large Conference Room – City Hall
25 Center Street
Vermillion, South Dakota 57069

Oath of Office Lindsey Jennewein

1. **Roll Call.**
2. **Visitors to Be Heard.**
3. **USD Student and Faculty plans for Fall return – Kim Grieve and Kurt Hackemer.**
4. **Briefing on the June 15, 2020 City Council Regular Meeting** – Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn.**

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

Addressing the Council: Persons addressing the Council shall 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 other electronic devices be turned off during the meeting.



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, June 15, 2020
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. June 1, 2020 Special Meeting; June 1, 2020 Regular Meeting.
4. **Adoption of the Agenda**
5. **Visitors to be Heard**
 - a. Juneteenth proclamation.
6. **Public Hearings**
 - a. Renewal of retail on-off sale malt beverage license and SD Farm Wine for Aramark Educational Services, LLC for Aramark at 1101 N. Dakota Street and Vermillion Cultural Association for Coyote Twin at 10 East Main Street.
 - b. Special daily malt beverage and wine license for the Vermillion Area Chamber & Development Company on or about Thursday July 9, July 16, July 23, July 30, August 6, August 13, August 20 and August 27, 2020 on Ratingen Platz, half block of Market Street south of W. Main Street and W. Main Street as it abuts the Platz east to Center Street for Thursdays on the Platz events.
7. **Old Business**
 - a. Request to close N. Plum Street from E. Cherry Street to SD Highway 50 on Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020 from 6:00 am to 4:00 pm for USD's Move-In Day.
 - b. Request to close Rose Street from Coyote Village north to the Dakota Dome on Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020 from 5:00 am to 4:00 pm for USD's Move-In Day.
8. **New Business**
 - a. MidAmerican Energy annual report.
 - b. Emergency Resolution addressing COVID-19.
 - c. Request to close Market Street from W. Main Street to the south end of Ratingen Platz, as well as W. Main Street from the west line of the W. Main and Court Streets intersection west through the west side of Ratingen Platz from 4:00 pm - 8:00 pm on the dates of July 9th, July 16th, July 23rd, August 6th, August 13th, August 20th, and August 27th, 2020 for Thursdays on the Platz hosted by the Vermillion Area Chamber and Development Company.
 - d. First reading of Emergency ordinance 1415 to amend title XI, Chapter 112 amending Section 112.01 Special Event Definitions and 112.18 amending Special Event Licensing to include current license holders.
9. **Bid Openings**

10. City Manager's Report

11. Invoices Payable

12. Consensus Agenda

- a. Set a public hearing for noon of June 22, 2020 for a special daily malt beverage and wine license for the Vermillion Chamber of Commerce and Development Company on or about June 23 through June 27, June 29 through July 4, July 6 through July 11, July 13 through July 18, July 20 through July 25, July 27 through August 1, August 3 through August 8, August 10 through August 15, August 17 through August 22 and August 24 through August 29, 2020 on three sections of closed parking spaces on Main Street between Prospect Street and Center Street, one section of closed parking spaces on Court Street between Main Street and Kidder Street and one section of closed parking spaces on Kidder Street between Court Street and Market Street for special event.

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.

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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
June 1, 2020
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, June 1, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Hellwege (teleconference), Holland (teleconference), Humphrey (teleconference), Price (teleconference), Sorensen, Ward (teleconference), Willson (teleconference), Mayor Collier-Wise (teleconference)

2. Visitors to be Heard

Jim Waters, with Café Brule and Dakota Brick House, reported that an email letter regarding second reading of Ordinance No. 1414 was sent to all City Council members. He stated that, if anyone has not received the letter, he would provide a copy. Jim noted that the local businesses that signed the letter are concerned about their business as well as their employees should the occupancy restrictions continue. Jim stated that they would be back at the evening meeting but did not know if there would be discussion at the noon meeting on the ordinance. Jim stated that they support the City Council on items that the community needs but now the businesses need the support of the City Council so they can stay open. Jim stated that getting another loan is not the answer as it just adds another payment which, if the business is restricted to 33% or 50% capacity, there is not the revenue to support the loan. Jim offered to answer any questions of the City Council.

Monica Iverson, with Café Brule and Dakota Brick House, reported that all the business owners that signed the letter had concerns regarding the restrictions contained in Ordinance No. 1414. Monica reported that all food service businesses currently need to address safety issues in serving food and understand the issues related to the virus. Monica reported that they would be back to the evening meeting.

3. Park amenities openings, baseball / softball game scheduling, and Recreation program offerings - Jim Goblirsch

Jim Goblirsch, Director of Parks & Recreation, stated, as a follow up to the May 18th meeting, that he was looking for direction from the City Council on opening the playgrounds/basketball courts, if the softball and baseball associations can start scheduling games, opening of parks

and golf course bathrooms, opening of picnic shelters and just received a request from soccer about scheduling camps and practices. Discussion followed on the parks and recreations items including signage, social distancing of home and away fans at baseball and softball games.

Mayor Collier-Wise asked if we could hear about the public health update before taking any action and suggested that Jim provide a list of the items for tonight's meeting.

4. USD Public Health project on COVID-19 Decision making risks - Dr. Meghan O'Connell

Mayor Collier-Wise introduced Dr. Megan O'Connell, Dr. Vicki Walker and Chelsea Wesner with the USD Public Health project on COVID-19 to address decision making risks. Dr. O'Connell stated that the public health project was to provide information for local officials in opening up communities. Dr. O'Connell explained her recommendations on how to address COVID-19 by physical or social distancing to reduce the respiratory droplets that spread the virus. Dr. Vicki Walker reviewed issues dealing with testing, social distancing and the data being generated on the virus. Dr. O'Connell reviewed data from around the state as well as Clay County. Chelsea Wesner reported on development of community guidelines that can be used to determine risk associated with different activities and how to change social norms. Discussion followed on how to safely allow businesses to open back to capacity as well as risks with parks and recreation activities.

Alderman Ward stated that he needed to leave for another commitment at 12:58 p.m.

The individuals answered questions of the City Council on COVID-19 issues. Alderman Holland stated that he has made some changes to Ordinance No. 1414 which ask businesses if they have a social distancing area that has been designated. Alderman Holland asked John Prescott to forward the information to the rest of the Council.

Mayor Collier-Wise asked if this discussion could be continued to the evening meeting.

5. Review of applications for vacant Central Ward City Council seat - Mayor Collier-Wise

Mayor Collier-Wise reported that four central ward residents have completed expression of interest forms. Discussion followed with the consensus to appoint Lindsey Jennewein. Mayor Collier-Wise reported that a motion will be needed for the appointment at tonight's meeting.

6. Briefing on the June 1, 2020 City Council Regular Meeting

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

6. Adjourn

138-20

Alderman Price moved to adjourn the Council special session at 1:23 p.m. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of June, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
June 1, 2020
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, June 1, 2020 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

Present: Hellwege (teleconference), Holland (teleconference), Humphrey (teleconference), Price (teleconference), Sorensen, Ward (teleconference), Willson (teleconference), Mayor Collier-Wise (teleconference)

2. Pledge of Allegiance

3. Minutes

A. Minutes of May 18, 2020 Special Meeting; May 18, 2020 Regular Meeting Session

139-20

Alderman Price moved approval of the May 18, 2020 Special Meeting and May 18, 2020 Regular Meeting Session minutes. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

140-20

Alderman Price moved approval of the agenda with the addition to Item 5 Visitors to be heard (B) Proclamation Recognizing Vermillion as a Community of Tolerance and Peace. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

5. Visitors to be Heard

A. LGBTQ+ Pride Month proclamation

Alderman Sorensen read the proclamation declaring the month of June 2020 as "LGBTQ+ Pride Month" in Vermillion and encouraged the citizens of our community to recognize the accomplishments and contributions of all citizens and visitors.

B. Proclamation Recognizing Vermillion as a Community of Tolerance and Peace

Alderman Hellwege read the proclamation continuing the recognition of Vermillion as a community of tolerance and peace.

6. Public Hearings

A. Annual malt beverage and South Dakota farm wine license renewals

Mike Carlson, Finance Officer, reported that the Notice of Hearing and the Police Chief's report for the applicants are included in the packet. Mike noted that City ordinance requires a management plan upon re-application if a violation occurred since last renewal. Mike noted that the management plan from Dwight Iverson for Cherry Pit Stop at 23 East Cherry was included in the packet. Mike noted that in May 2018 when the Old Lumber Company, Inc applied to expand the license into 11 Court Street it was contingent upon the final inspection and occupancy permit

that has not been completed. Mike read the list of licenses that had applied for renewal and recommended that renewal of all licenses with the contingency on Old Lumber Company, Inc. Discussion followed.

141-20

Alderman Hellwege moved approval of the renewal of the following retail on-off sale malt beverage with SD Farm Wine licenses for the licensing period of July 1, 2020 to June 30, 2021: Bunyan's LLC for Bunyan's Video Lottery at 1201 West Main Street Suite 106; BeBee Street II, Inc for Carey's Bar at 18 West Main Street; Café Brule, Inc. for Café Brule at 24 West Main Street; Casey's Retail Company, Inc. for Casey's General Store#2806 at 615 Jefferson St; Casey's Retail Company, Inc. for Casey's General Store#3525 at 1302 Princeton St; Charcoal Lounge, Inc. for Charcoal Lounge at 6 & 8 West Main Street; Circle 13, LLC for Public Room 13 at 1313 West Cherry; City of Vermillion for The Bluff's Golf Course at 2021 East Main Street; City of Vermillion for Municipal Liquor Store 820 Cottage Avenue; Coyote Convenience, Inc. for Coyote Convenience at 116 East Cherry Street; D&D Foods, Inc for Hartford Steak Co Tavern at 7 Court Street; Dwight Iverson for Cherry Pit Stop at 23 East Cherry Street; Fireworks, Inc for Dakota Brick House at 15 West Main Street; HyVee Food Stores, Inc. for HyVee at 525 West Cherry Street; I Mart Stores, LLC for I Mart Stores USA at 830 East Cherry Street; Jon Donald Enterprises for Silk Road Café at 12 West Main Street; Mexico Viejo, Inc. for Mexico Viejo Mexican Restaurant at 432 E. Cherry Street; NPC International, Inc. for Pizza Hut #2788 at 928 East Cherry Street; Old Lumber Company, Inc for Old Lumber Company Bar and Grill at 11 & 15 Court St; Prairie River, Inc. for R Pizza at 2 West Main Street; Pump N Stuff of Vermillion, Inc. for Pump N Stuff VL room #1 at 203 E Main St; Pump N Stuff of Vermillion, Inc. for Pump N Stuff VL room #2 at 203 E Main St; R & D Management, LLC for El Fredo Pizza Vermillion at 831 East Cherry Street; Red Steakhouse, Inc. for Red Steakhouse at 1 East Main Street; Sunset Oil, Inc. for Lucky 7 Casino at 629 Stanford Suite A; Sunset Oil, Inc. for Sunset Casino at 629 Stanford Suite B; Valiant Vineyard, Inc for Valiant Vineyard at 1500 West Main; Varsity Pub, LLC for The Varsity at 113 East Main Street; Wal-Mart Stores, Inc. for Wal-Mart Super Center #3734 at 1207 Princeton Street with the contingency on the Old Lumber Company that before expanding into 11 Court that the Building Official complete an inspection and issue an occupancy permit. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Special assessment roll for installation of street lighting along West Main Street west of Stanford Street

Shane Griese, Utility Manager, reported that, at the October 21, 2019 meeting, the City Council approved a Resolution Adopting the Resolution of Necessity for Installation of Street Lighting along West Main Street west of Stanford Street. Shane stated that the work has been completed and the final payment has been made. Shane noted that the special assessments were calculated and filed with the Finance Officer on April 27, 2020 and at the May 4, 2020 meeting the City Council approved a resolution setting the public hearing date for June 1, 2020. Shane stated that notice of this hearing was advertised in the newspaper and mailed to affected property owners. Shane noted that he has not received any comments from the property owners and recommended approval of the resolution.

142-20

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

RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL AND NOTICE OF SPECIAL ASSESSMENTS FOR INSTALLATION OF STREET LIGHTING ALONG WEST MAIN STREET WEST OF STANFORD STREET IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has established a special assessment roll for defraying the cost of installation of street lighting improvements against the several tracts of real property fronting and abutting upon:

<u>Parcel ID</u> <u>Number</u>	<u>Address</u> <u>Legal</u>	<u>Amount</u> <u>(w/fees)</u>
15091-00100-050-00	1200 W. Main Street Lot 5, Blk 1 Bliss 2nd Addn	\$767.50
15090-00100-020-00	1201 W. Main Street Lots 1 & 2, Exc Lot H1 Blk 1, Bliss Addn	1,479.32
15091-00100-040-00	1310 W. Main Street Lot 4, Blk 1 Bliss 2nd Addn	1,756.54
15093-00600-000-00	1317 W. Main Street Lot 12, Blk 6 Pointe Addn	2,106.10
15091-00100-030-00	1324 W. Main Street Lot 3, Blk 1 Bliss 2nd Addn	1,756.54

15093-00600-130-00	1411 W. Main Street Lot 13, Blk 6 Bliss Pointe Addn	1,839.21
15091-00100-020-00	1412 W. Main Street Lot 2, Blk 1 Bliss 2nd Addn	927.04
15091-00100-010-00	1500 W. Main Street Lot 1, Blk 1 Bliss 2nd Addn	216.98

in the City of Vermillion, Clay County, South Dakota. The assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 27th day of April 2020.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing, upon the assessment roll, 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. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment roll, and the time and place for the hearing that the assessment roll would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment roll 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, 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 roll, and the assessments against the respective premises of the owners, and the Governing Body has determined that the assessment roll 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 roll is hereby approved without amendment or change.

BE IT FURTHER RESOLVED, that the approved assessment roll be filed in the office of the City Finance Officer the day after approval of the assessment roll. 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 roll.

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 roll, 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 roll 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 roll 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 roll, will be filed with the City Finance Officer on June 2, 2020. 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. Assessment will be certified to the county treasurer and will be included with property tax statements for respective installment years.

Dated at Vermillion, South Dakota, this 1st day of June, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
Kelsey Collier-Wise, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Sorensen. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

7. Old Business

A. Second reading of Emergency Ordinance No. 1414 to restrict business occupancy due to COVID-19

John Prescott, City Manager, reported that Emergency Ordinance No. 1413 placed restrictions on public gathering places and entertainment venues such as bars, restaurants, movie theaters, video lottery casino operations, and similar places of public accommodation as well as nail and hair salons, barber shops, health clubs, and spas where individuals are in close contact. John noted that Ordinance No. 1413 expired on May 30, 2020, first reading was held on May 18, 2020 on emergency Ordinance No. 1414 which would continue to provide for a gradual removal of restrictions with a focus on social distancing to continue to slow the spread of COVID-19. John stated that proposed emergency Ordinance No. 1414 is very similar to Ordinance No. 1413 as amended by the Resolution adopted on May 4, 2020. John reviewed the changes between the proposed ordinance and the previous ordinance as amended, noting that the occupancy was increased from 33% to 50%. John stated that the emergency ordinance would become effective upon adoption. John also noted that the Parks and Recreation items continued from the noon meeting will need to be addressed.

Monica Iverson with Café Brule and Dakota Brick House read a letter that was prepared by a number of local business owners that explained the impact on their businesses with the restrictions contained in Ordinance No. 1414. Monica noted that most all other first class cities have dropped the restrictions. Jim Waters with Café Brule and Dakota Brick House reported that the local business that signed the letter stated that they need to be allowed to operate their business to stay safe from the virus as is done with serving food. Jim noted that communities around have

opened up and there has not been reports of long lines or congestion of patrons. Collin Lind with Pizza Ranch stated that they have spent the last 60 days refining their business operations and we can police ourselves as well as customers can choose where they feel safe. Collin noted that all businesses should be treated the same, where their buffet cannot be self-serve other stores can have self-serve foods and beverages. Collin stated that their business knows how to protect and serve the customer.

James Purdy, Assistant City Manager, provided comments to the City Council that were posted on the web site.

Discussion followed on the ordinance including the possibility of changing the percentage to 100%, providing notice if a social distancing area is available in the business, if the six-foot distance can be reduced and what changes could be made without needing to return to first reading.

143-20

Alderman Willson moved to deny second reading of proposed Ordinance No. 1414 titled an Emergency Ordinance to restrict business occupancy due to COVID-19. Alderman Humphrey seconded the motion. Discussion followed on the motion and proposed ordinance including allowing additional public input from Monica Iverson and Collin Lind. John Prescott, City Manager, suggested if the City Council would want to consider a resolution instead of an ordinance, noting that a resolution will not include the ability to enforce the recommendations as is provided in an ordinance. John noted that a resolution only requires one Council action. Jim McCulloch, City Attorney, reviewed what proposed changes would require the ordinance to start over with first reading noting that five days is needed for second reading. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-N, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted and that Ordinance No. 1414 was not adopted.

Mayor Collier-Wise noted that the City Council will need to provide direction on the parks and recreation items discussed at noon. Jim Goblirsch, Director of Parks and Recreation, requested Council direction on possible opening for the parks and golf course restrooms, playground & park shelters, basketball courts, and if baseball & softball associations can start scheduling games. Discussion followed on the parks and recreation amenities.

144-20

Alderman Ward moved to open the parks and golf course restrooms, park shelters and to allow baseball and softball associations to begin scheduling beginning June 15th with recommendations provided and that for baseball and softball games with home and away spectators practicing

social distancing and no concessions. This includes basketball courts and playgrounds equipment not opening. Alderman Hellwege seconded the motion. Discussion followed. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-N, Humphrey-N, Price-Y, Sorensen-N, Ward-Y, Willson-N, Mayor Collier-Wise-Y. Mayor Collier-Wise declared with a tie vote the motion failed.

Discussion followed with Mayor Collier-Wise suggesting that a motion be made for each item to be considered.

145-20

Alderman Willson moved approval of opening the golf course restrooms with the recommendations provided. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

146-20

Alderman Willson moved approval of opening the restrooms in the parks with the recommendations provided. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

147-20

Alderman Ward moved approval of allowing baseball and softball associations to schedule games beginning June 15th with the recommendations provided, signage, no concessions and with home and away spectators practicing social distancing. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

148-20

Alderman Price moved approval of opening park shelters with the recommendations provided to small groups. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

149-20

Alderman Holland moved approval of opening the basketball courts and park playground equipment with the recommendations provided. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-N, Holland-Y, Humphrey-Y, Price-N, Sorensen-N, Ward-N, Willson-Y, Mayor Collier-Wise-N. Mayor Collier-Wise declared the motion failed.

Mayor Collier-Wise asked if there was direction on the COVID-149 resolution proposed by the City Manager. Discussion followed with the consensus for the City Manager to develop a resolution for review by members of the business group for future Council consideration. Monica Iverson stated that they would be willing to help.

8. New Business

A. Resolution to establish a fine for a violation of Ordinance 1414

John Prescott, City Manager, noted that, as Ordinance No. 1414 was not adopted, this resolution is not needed so no action is required on this agenda item.

B. Amendment to Consultant Agreement with S.E.H. for the Final Report on the SD Highway 50 Drainage Improvement Project

Jose Dominguez, City Engineer, reported that over the years the City has been experiencing street flooding in City streets (East Cherry Street, Cottage Avenue, Elm Street, Duke Street, North Dakota Street, and Jefferson Street) that can be attributed to poor drainage along the south ditch of SD Highway 50. Jose provided the history of working with S.E.H. and the SDDOT on including the drainage improvements with the state project. Jose stated that the agreement with the S.E.H. for the final report and to provide the SDDOT with the design information was approved on March 2, 2020 with a cost of \$42,790. Jose reported that over several meetings with the DOT since March 2nd, the scope of the project has changed from only requiring the final study from the City to needing a completed construction set of plans ready for construction. Jose noted that this change has increased the consultant's fee to \$72,650, an additional \$29,860 from the original \$42,790 fee agreed to on March 2nd. Jose stated that, due to the significant increase, the City approached the Vermillion Basin Water Development District (VBWDD) to see if a portion of the increased fee could be covered through a grant. Jose reported that the VBWDD awarded the City a \$25,000 grant. Discussion followed.

Alderman Hellwege left the meeting at 9:15 p.m.

150-20

Alderman Humphrey moved approval of authorizing the City Manager to sign the amendment to the contract with Short Elliot Hendrickson Inc. for engineering services to complete the Final Report/Design and Construction Documents for the SD Highway 50 Drainage Improvements Project at the revised amount of \$72,650 and any grant documents with the Vermillion Basin Water Development District. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y,

Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

C. Final plat of McHenry Street right-of-way in Lot 3B in Block 6, Lot 4C in Block 6, and Lot 6B in Block 6, all of Erickson Addition, an addition to the City of Vermillion, Clay County, South Dakota (street right-of-way going west from Princeton Street approximately 390 feet)

Jose Dominguez, City Engineer, reported that a final plat was received for the area located west of Princeton Street, north of Bower Street, east of Carr Street and south of SD Highway 50. Jose provided a map of the area noting the changes proposed. Jose reported that the Planning Commission reviewed the plat at their May 26, 2020 meeting and recommended approval. Jose recommended approval of the final plat.

151-20

After reading the same once, Alderman Willson 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: McHenry Street right-of-way in Lot 3B in Block 6, Lot 4C in Block 6, and Lot 6B in Block 6, all of Erickson Addition, 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 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 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. A roll call vote of the Governing Body was as follows:

Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

D. Declare 38 abandoned bicycles as surplus to be sold at auction

Mike Carlson, Finance Officer, reported that the Police Department documents bicycles found abandoned within the city and ordinance provides that if they are unclaimed after 90 days they can be declared surplus to be sold or disposed. Mike stated that the City usually has a surplus and abandoned property auction each spring but, due to the COVID-19 restrictions, no auction was held. Mike stated that the University of South Dakota contacted the City offering to include any surplus City property in an auction that they have planned for August and the Police Department has contacted them about including 38 abandoned bikes with their auction. Mike stated that the request is to declare the 38 abandoned bikes as surplus and authorize the disposal at the USD auction or to dispose of at the landfill depending upon condition of the bikes. Mike noted that if someone is missing a bicycle to contact the Police Department. Discussion followed.

152-20

Alderman Ward moved to declare the 38 abandoned bicycles as surplus and authorize the disposal at the USD auction or at the landfill depending upon condition. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

E. Appointment of an individual to fill vacant Central Ward City Council seat

John Prescott, City Manager, reported that the City Council accepted the resignation of Central Ward Council member Kelsey Collier-Wise at the May 4, 2020 meeting after her appointment as Mayor. John noted that the appointment would be for the term expiring in July 2020 and, as Kelsey Collier-Wise filed a nominating petition for the Central Ward seat in March, if she does not qualify for the alderman seat within ten days of the July 6th meeting the central ward seat will be vacant. John noted that this would provide an opportunity for the City Council to make an appointment at the July 20th meeting. John noted that at the May 18th meeting the City Council requested that expression of interest forms be filed for consideration at tonight's meeting. John noted that there will need to be an election in June 2021 for the balance of the term. John noted that four expression of interest forms were included in the packet.

153-20

Alderman Sorensen moved approval of the appointment of Lindsey Jennewein to fill the vacancy in the Central ward with the oath of office to be completed at the June 15th meeting. Alderman Price seconded the motion. Discussion followed thanking the four individuals that completed the expression of interest forms. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise 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 Stern Oil on all four items.

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$1.507, Brunick's Service \$1.55, Jerry's Service \$1.71; Item 2 - 1,000 gal unleaded regular: Stern Oil \$1.7012, Brunick's Service \$1.75, Jerry's Service \$1.86; Item 3 - 3,000 gal No. 2 Diesel fuel dyed: Stern Oil \$1.1926, Brunick's Service \$1.20, Jerry's Service \$1.53; Item 4 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$1.4884, Brunick's Service \$1.56, Jerry's Service \$1.81.

154-20

Alderman Price moved approval of the low quote of Stern Oil on all four items. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Bid Opening for Miscellaneous Concrete

Jose Dominguez, City Engineer, reported that bids were opened on May 27, 2020 for the miscellaneous concrete projects for the year. Jose stated that bids were sent to six contractors with two bids received. Jose reported that the bid from Walker Construction was not read since it did not include the required bid bond. The other bid was from M&M Construction for \$64,138.31. Jose noted that the engineers estimate was \$67,000. Jose recommended approval of the only bid of M&M Construction for \$64,138.31.

155-20

Alderman Willson moved approval of the only bid of M&M Construction for \$64,138.31 for the miscellaneous concrete project. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

C. Bid Opening for the Hangar Taxilane Improvements at the Airport

Jose Dominguez, City Engineer, reported that bids for hanger taxilane improvements at the airport were opened on May 28, 2020. Jose reported that four bids were received and the low bid is from Webster Scale, Inc in the amount of \$863,943. Jose stated that the bid award will need to be contingent on the FAA Grant Offer. Jose stated that in the past the airport projects were funded by 95% federal and state grant and the City share is 5%. Jose noted that due to the COVID pandemic there is an opportunity for up to 100% federal funding instead of the 5% or \$41,244 City share. Jose noted that, in addition, the motion should authorize the Mayor to sign the FAA Grant Application, FAA Grant Offer and all necessary paperwork for the contract documents. Discussion followed.

Bids: Webster Scale, Inc - \$824,886.60; VanderPol Dragline, Inc - \$826,765.20; Double H Paving, Inc - \$1,048,452.05; Knife River Midwest, LLC - \$1,081,440,00

156-20

Alderman Price moved approval of the low bid of Webster Scale, Inc of \$824,886.60 for the airport hangar taxilane improvements contingent upon receipt of an FAA Grant Offer and to authorize the Mayor to sign the FAA Grant Application, FAA Grant Offer and all necessary paperwork for the contract documents. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

10. City Manager's Report

A. John reported that the request from the University Police Department for the temporary street closings of Plum Street and Rose Street for the August Move-in Days was tabled to this meeting but last Friday USD requested to move the matter to a later meeting date as they refine their plans.

B. John reported that the Historic Preservation Commission is meeting this Wednesday at 9:00 a.m.

C. John reported that there is one term on the Vermillion Housing Authority expiring later this month. John asked interested citizens to complete an Expression of Interest form for the 5-year term by Thursday, June 11th at 5:00 p.m. in anticipation that the City Council will make an appointment at the June 15th meeting.

D. John reported that there are five terms on the Planning and Zoning Commission that are expiring at the end of the month. John asked

interested citizens to complete an Expression of Interest form for the 5-year terms by Wednesday, July 1st at 5:00 p.m. in anticipation that the City Council will make appointments at the July 6th meeting.

E. John invited citizens to attend a public webinar to introduce and gather public input for the Downtown Streetscape Project. John stated that the webinar will be held on Tuesday, June 9th from 7:00 p.m. to 8:30 p.m. via Zoom. John stated that the Zoom link will be on the City web site or to contact City Hall for the link.

F. John noted that the 2020 Census is underway and asked all residents to please take a minute to complete the 2020 Census form. John stated that it is important to the City of Vermillion and Clay County.

G. John reported that the Yankton and Vermillion Police Departments were coordinating efforts to respond to reports that groups would be coming to the communities tonight to protest.

PAYROLL ADDITIONS AND CHANGES

Administration: James Purdy \$24.21/hr; Police: Robin Hower \$30.76/hr; Street: Drew Thelen \$9.50/hr, Dylan Thelen \$9.50/hr; Ambulance: Madison Christenson \$2.00/on call hr-\$3.00/hol on call hr, Maria Glover \$11.60/FTO; Mosquito: Josh Prescott \$10.00/hr; Golf Clubhouse: Jack Cochrane \$9.50/hr, Brock Boerboom \$9.50/hr

11. Invoices Payable

157-20

Alderman Willson moved approval of the following invoices:

A&A Sales Associates	personal protective supplies	407.10
ADAPCO, Inc	supplies	3,685.10
Adidas America, Inc	merchandise	99.78
Amazon Business	gloves	137.96
America's Fence Store Inc	chain link fence	10,536.00
American Legal Publishing	ordinance book update	5,448.00
Appeara	shop towels	45.00
Aramark Uniform Services	uniform cleaning	280.60
Argus Leader Media #1085	subscription	28.00
Austin Strueh	refund parking tckt overpmt	5.00
Avera Occupational Medicine	testing	126.10
Ben's Brewing Co	supplies	44.00
Bierschbach Eqpt & Supply	supplies	257.10
Blackstone Publishing	books	89.99
Border States Elec Supply	supplies	693.50

Bound Tree Medical, LLC	supplies	1,177.50
Brunicks Service Inc	fuel	1,721.50
Butler Machinery Co.	parts	224.94
C & B Operations, LLC	parts	302.54
Cask & Cork	merchandise	1,062.00
Central States Wire Products	supplies	1,914.00
Century Business Products	copier contract/copies	197.42
City Of Vermillion	postage/copies	919.22
City Of Vermillion	utility bills	32,846.61
Clay Co. Conservation District	trees/fabric installation	667.20
Clay Co Director Of Equalization	pictometry	5,630.00
Colonial Life Acc Ins.	insurance	3,032.81
Core & Main LP	supplies	817.11
CorTrust Bank	TIF #6 payment	23,342.06
Coyote Chemical Company	supplies	232.00
Coyote Convenience	fuel	7.87
Cutter & Buck	merchandise	379.09
Dakota Beverage	merchandise	12,700.20
Dakota Fluid Power Inc	supplies	200.00
Dakota Hospital Foundation	TIF #6 payment	23,342.06
Dakota Pc Warehouse	speaker/computer	620.94
Dakota Pump Incorp	parts	718.28
Danko Emergency Equipment	parts	5,302.31
Delta Dental Plan	insurance	6,222.86
Dennis Martens	maintenance	833.34
DENR	annual fees	4,527.00
DGR Engineering	professional services	277.50
Diamond Vogel Paints	white traffic paint	843.00
Dubois Chemicals	soda ash	7,359.00
Eakes Office Solutions	personal protective supplies	1,878.97
Echo Electric Supply	supplies	1,579.19
Emergency Apparatus Maint	repairs	883.47
Erickson Solutions Group	computer/router	4,815.80
Farner Bocken Company	merchandise	1,253.24
Fast Auto Glass	chip repairs	60.00
Fastenal Company	hand sanitizer	293.24
FedEx.	shipping	13.92
Fiegen Construction	refund duplicate payment	25.00
First Bank & Trust	TIF #6 payment	23,342.06
First Dakota National Bank	TIF #6 payment	23,342.06
Frontier Precision, Inc	batteries	337.07
GCSAA	membership dues	400.00
Global Dist.	merchandise	558.12

Global Equipment Company	supplies	80.00
Golf Genius Software	annual subscription	3,200.00
Gregg Peters	freight	1,603.20
Gregg Peters	rent	937.50
Grey House Publishing	books	148.50
Hartington Tree LLC	tree/stump grinding	1,983.00
Hauger Lawn Service	lawn service	66.00
Hawkins Inc	supplies	372.77
Helms & Associates	professional services	2,335.20
Hercules Industries, Inc	supplies	328.28
Herren-Schempp Building	repairs	148.39
High Point Networks	professional services	415.00
Hy Vee Food Store	supplies	64.95
Ingram	books	1,140.98
Interstate All Battery Center	batteries	296.34
Interstate Power Systems	repairs	440.00
Jerry's Chevrolet Buick Gm	repairs	95.80
Jim Lamb Trucking	freight recycling	600.00
Jimmy Hack Golf LLC	merchandise	209.06
John A Conkling Dist.	merchandise	4,046.42
Johnson Brothers Of SD	merchandise	16,762.71
Johnson Controls	service agreement	1,758.99
Jones Food Center	supplies	321.38
Karsten Mfg Corp	merchandise	330.31
Kathryn Birkeland	refund rec fees	109.00
Laynes World	locker tag	8.00
Leisure Lawn Care	fertilize/repairs	92.60
Lessman Elec. Supply Co	Prentiss park lighting	1,115.00
Loffler	copier contract/copies	1,414.52
LSC Environmental Products	parts	306.14
Mart Auto Body	towing	225.00
Masonry Components Inc	Anderson street improvement	4,142.66
Matheson Tri-Gas, Inc	medical oxygen/rental	698.38
Matthew Betzen	tuition reimbursement	1,053.75
McCulloch Law Office	professional services	2,502.20
Medical Waste Transport, Inc	haul medical waste	213.41
Medline Industries, Inc	personal protective supplies	599.26
Midwest Ready Mix & Equipment	rock/flowable fill	567.00
Miracle Recreation Eqpt Co	repair kit	296.00
Missouri Valley Maintenance	repairs	3,683.71
Mobotrex Mobility & Traffic	repairs	918.00
Moore Welding & Mfg	repairs	94.60
Muth Electric Inc	traffic cabinet repairs	33,995.00

Netsys+	repairs	2,208.50
O'Reilly Auto Parts	parts	39.70
Otto Engineering Inc	supplies	1,545.25
PCC, Inc	commission	3,013.50
Penworthy Company	books	282.08
Petrochoice	oil	947.34
PGA Of America	dues	521.00
Prairie Berry Winery	merchandise	693.00
Pressing Matters	supplies	311.00
Print Source	supplies	18.00
Pro-Tainer	parts	525.00
Prochem Dynamics	supplies	677.35
Quill	supplies	261.16
Racom Corporation	maintenance	411.70
Republic National Distributing	merchandise	11,179.58
Resco	alum poles	5,525.00
Ricchio Inc.	supplies	271.18
Rodenburg Law Firm	garnishment	605.33
Rons Auto Glass, Inc	repairs	530.00
Running Supply, LLC	supplies/parts	1,299.91
Sanford Health Occupational	testing	213.00
Sanford Health Plan	participation fee	54.00
Sanford Usd Medical Center	supplies	218.67
SD Dept Of Health	testing	150.00
SD Retirement System	contributions	88,373.75
Security Shredding Service	document shredding	35.00
SEH, Inc	professional services	18,696.13
Service Master Of Se SD	custodial	3,619.70
Shawna Lavin	refund ambulance overpmt	453.99
Siouxland Humane Society	fees	74.00
Southern Glazer's Of SD	merchandise	5,391.86
State Farm Health Operations	refund ambulance overpmt	95.25
State Flag Account	us flags	57.70
Stuart C. Irby Co.	supplies	458.60
Sturdevants Auto Parts	parts	1,192.44
Synch/Amazon	books/dvds/supplies	884.05
TE Underground LLC	water main replacement	108,670.00
Tessman Seed Company	supplies	360.00
The Ups Store #6751	shipping	28.53
Titleist-Acushnet Company	merchandise	188.24
Tractor Supply Credit Plan	supplies	179.30
Turner Plumbing	repairs	174.50
Twin City Hardware	supplies	167.34

United Laboratories	supplies	279.60
United Way	contributions	1,150.50
Unum Life Insurance Company	insurance	1,517.28
Ups Supply Chain Solutions	shipping	54.64
USA Bluebook	personal protective supplies	913.68
USD Foundation Office	TIF #6 payment	23,342.06
Valiant Vineyards	personal protective supplies	312.45
Van Diest Supply Co	supplies	1,530.60
Vast Broadband	911 circuit/dialup service	1,415.45
Verizon Wireless	cell phones/ipad access	2,382.14
Vermeer High Plains	hose reel	668.64
Vermillion Ace Hardware	supplies	1,988.54
Vermillion Chamber Of Commerce	TIF #5 grant/bid reserve	43,763.18
Vessco, Inc	repairs	2,311.00
Visa/First Bank & Trust	fuel/supplies	7,237.32
Walmart	supplies	1,308.52
Walt's Homestyle Foods, Inc	merchandise	243.40
Wesco Distribution, Inc	inspection/repairs/meters	41,713.15
Williams & Co.	audit fee	14,000.00
WSP Us	professional services	13,411.29
Zee Medical Service	supplies	101.60
Ziegler Inc	parts	531.35
Zimco Supply Co	supplies	801.00
Ann Jensen	Bright Energy Rebate	500.00
Kalins Indoor Comfort	Bright Energy Rebate	200.00
Claude Garelik	Bright Energy Rebate	250.00
Harold Holoch	Bright Energy Rebate	25.00
Patricia Durkin	Bright Energy Rebate	350.00
Dorothy Olsen	Bright Energy Rebate	250.00

Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of June 15, 2020 for renewal of retail on-off sale malt beverage license and SD Farm Wine for Aramark Educational Services, LLC for Aramark at 1101 N. Dakota Street and Vermillion Cultural Association for Coyote Twin at 10 East Main

B. Set a public hearing date of June 15, 2020 for a special daily malt beverage and wine license for the Vermillion Area Chamber & Development

Company on or about Thursday July 9, July 16, July 23, July 30, August 6, August 13, August 20 and August 27, 2020 on Ratingen Platz, half block of Market Street south of Main Street and Main Street as it abuts the Platz east to Center Street for Thursdays on the Platz event

158-20

Alderman Price moved approval of the consensus agenda. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

13. Adjourn

159-20

Alderman Ward moved to adjourn the Council Meeting at 9:35 p.m. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of June, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.



PROCLAMATION

JUNETEENTH FREEDOM DAY

WHEREAS, President Abraham Lincoln signed the Emancipation Proclamation on January 1, 1863, declaring the slaves in Confederate territory free, setting in motion the end of slavery, and paving the way for the passing of the 13th Amendment which formally abolished slavery in the United States of America; and

WHEREAS, all people have the right to be treated on the basis of their intrinsic value as human beings; and

WHEREAS, word about the signing of the Emancipation Proclamation was delayed some two and one half years, to June 19, 1865, when Union General Gordon Granger arrived in Galveston Bay, Texas, accompanied by Union troops; and

WHEREAS, on that first Juneteenth, a name that combines June and 19th, the people of Texas were read General Order Number 3, which stated: "The people of Texas are informed that in accordance with a Proclamation from the Executive of the United States, all slaves are free. This involves an absolute equality of rights and rights of property between former masters and slaves, and the connection heretofore existing between them becomes that between employer and free laborer"; and

WHEREAS, Juneteenth is the oldest known celebration commemorating the abolition of slavery in the United States and the emancipation of African American slaves throughout the several States; and

WHEREAS, on a larger scale, celebration of Juneteenth reminds each of us of the precious promises of liberty, equality, and opportunity which are at the core of the American Dream; and

WHEREAS, the celebration of Juneteenth is about more than recognizing history, it is a recognition that social and institutional discrimination against African Americans is still a scourge in our society today; and

WHEREAS, it is the sacred duty of a government that is of the people, by the people, and for the people to identify and abolish institutional and systemic racism in its society; and

WHEREAS, all citizens have the right to hold their government accountable when it legitimizes a culture that makes them feel less than equal and that their lives don't matter; and

WHEREAS, we join together again to commit ourselves to take the action these words require; and

NOW, THEREFORE, BE IT RESOLVED we, the governing body of the City of Vermillion, South Dakota, do hereby proclaim June 19, 2020 as

JUNETEENTH FREEDOM DAY

in the City of Vermillion to celebrate Juneteenth as a day of remembrance, contemplation, and continuing action.

Dated at Vermillion, South Dakota this 15th day of June, 2020.

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

By _____
Kelsey Collier-Wise, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: June 15, 2020

Subject: Renewal of retail on-off sale malt beverage and SD Farm Wine license for Aramark Educational Services, LLC for Aramark at 1101 N. Dakota Street and Vermillion Cultural Association for Coyote Twin at 10 East Main St.

Presenter: Mike Carlson

Background: At the time of completing the annual renewal of the on-off sale malt beverage and SD Farm wine licenses applications from Aramark Educational Services, LLC for Aramark at 1101 N. Dakota Street and Vermillion Cultural Association for Coyote Twin at 10 East Main were not filed in time to be included in the legal notice for the hearing held at the June 1st meeting. The Police Chief prepared a report indicating the performance and when compliance checks were completed on the two establishments since July 1, 2019. In the letter sent to all license holders with the renewal application, the applicants were encouraged to participate in the public hearing or have someone represent the business.

Discussion: The City Council has the ability to renew a license on basically two (2) criteria: suitable person and suitable location. With respect to the location criteria, licenses have been previously approved for both of the locations. A South Dakota legal ruling defined that other items can impact the location criteria. The character of neighborhoods and businesses tend to change over time and a local governing body has a legitimate interest in managing the alcoholic beverage licensing in its jurisdiction to assess whether an alcohol sales location continues to be suitable. With respect to the suitable person criteria, the City Council can also determine that an applicant is not of suitable moral character and not renew a license. If the renewal of an application is denied, the motion must state the reasoning for denial. The applicant cannot reapply for this type of license for one (1) year.

Financial Consideration: The City receives \$150 for each on-off sale malt beverage and SD Farm wine license.

Conclusion/Recommendations: Following the input from the public hearing, the City Council is asked to make a decision on the approval of the re-issuance of the retail on-off

6. Public Hearing; item a

sale malt beverage and SD Farm wine license to the two businesses listed. If the motion is to deny, the reason needs to be included in the motion.

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



June 2, 2020

To: Vermillion City Council

From: Matt Betzen, Chief of Police

Subject: Re-Issuance/issuance of Retail (On-Off Sale) Malt Beverage – July, 2020 – June, 2021

The following two license holders were not included in the original Re-Issuance memo in May.

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

Aramark Educational Services, LLC for Aramark at 1101 North Dakota St

- On 10/05/2019, Aramark passed a compliance check.
- There have been no alcohol related law enforcement responses to Aramark licensed areas in the last 12 months.
- Management proactively assists law enforcement with all criminal investigations and with mitigating the underage purchase or consumption of alcohol.

Vermillion Downtown Cultural Assoc. Inc. for Coyote Twin Theater at 10 East Main

- There were no compliance checks conducted at the Coyote Twin Theater in the last 12 months.
- There have been no alcohol related law enforcement responses to the Coyote Twin Theater in the last 12 months.
- Coyote Twin Theater management has cooperated fully with police investigations.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 15th day of June, 2020 at the hour of 7:00 P.M. located at 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 July 1, 2020 until June 30, 2021, which has been presented to the City Council and filed in the Finance Officer's Office:

Re-issuance of Retail (On-Off Sale) Malt Beverage and SD Farm Wine:

Aramark Educational Services, LLC for Aramark at 1101 North Dakota Street;
Vermillion Downtown Cultural Assoc. Inc. for Coyote Twin Theater at 10 East Main;

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 29th day of May, 2019.

Michael D. Carlson, Finance Officer

Publish: June 5, 2020

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: June 15, 2020

Subject: Special daily malt beverage and wine license for the Vermillion Area Chamber & Development Company on or about Thursday July 9, July 16, July 23, July 30, August 6, August 13, August 20 and August 27, 2020 on Ratingen Platz, half block of Market Street south of Main Street and Main Street as it abuts the Platz east to Center Street for Thursdays on the Platz event

Presenter: Mike Carlson

Background: The Vermillion Chamber of Commerce and Development Company has submitted an application for a special daily malt beverage and wine license for the Thursdays on the Platz events on or about Thursday July 9, July 16, July 23, July 30, August 6, August 13, August 20 and August 27, 2020. The event will be held at Ratingen Platz on the corner of Market Street and Main Street, half block of Market Street south of Main Street, and Main Street as it abuts the Platz east to Court Street. It should be noted the VCDC changed the request for the street closing and special daily license for the east boundary from Center Street to Court Street and it will need to exclude the parking spaces that will be included in the other special event application. The expanded area for this year's event is to allow for social distancing during the event.

City ordinance on special daily licenses reads as follows:

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

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

consecutive days. The granting of the special license shall be subject to such conditions and restrictions as the City Council may deem appropriate and consistent with state law.

(D) The fee for such special licenses shall be set by resolution of the City Council.

State Statute for the special daily licenses is as follows:

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

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

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

Discussion: The Police Chief's report and notice of public hearing are attached. The Police Chief reported there were no incidents with the event held in past years. As the event will be held on a City street and City property, ordinance allows the City to include "*such conditions and restrictions, as the governing body may deem appropriate and consistent with state law*". The VCDC is requesting the permit to sell beer and wine on City property. The individuals selling the beer and wine may or may not be VCDC staff or Board members. The VCDC has provided a Release and Indemnification releasing the City from liability and certificate of insurance naming the city as an additional insured for

the event. The VCDC will be requesting the removal of parking in three areas of Main Street between Market and Court Street to provide outside seating areas and requesting a special daily malt beverage and wine for these areas on dates that will correspond with the Thursday on the Platz request. These areas will need to be removed from this request as there cannot be two special daily licenses for the same area.

Below are some special conditions required by the City Council in the past for other entities that have used city property to sell alcoholic beverages. Adjustments may be appropriate for the last three conditions, but Staff recommends the City Council consider and attach most of the following conditions:

- Require the applicant identify and utilize a fenced area where alcoholic beverages may be sold and consumed, as well as a plan to monitor the entrances and exits from this area.
- Require a plan for the cleanup and disposal of the cups and other materials after the event.
- Restroom facilities. Some groups have used port-a-potties for a similar event. The duration of the event may minimize the need for specific restroom facilities.
- Hours of sale may be limited. The application indicated the hours are from 4:00 pm to 8:00 pm.

Financial Consideration: The City has received the \$20 per day fee and \$15 advertising fee.

Conclusion/Recommendations: Administration recommends approval of the special daily malt beverage and wine license for the Vermillion Chamber of Commerce and Development Company on or about Thursday July 9, July 16, July 23, July 30, August 6, August 13, August 20 and August 27, 2020 on Ratingen Platz, half block of Market Street south of Main Street and Main Street as it abuts the Platz east to Center Street to exclude the parking spaces included in another VCDC license application, for Thursdays on the Platz events from 4:00 p.m. to 8:00 p.m. Approval recommended only if the City Council is comfortable that the applicant holding the license can properly distribute malt beverages and regulate the event and the applicant is in complete understanding and agreement with regard to any conditions and restrictions the City Council may require after further information is provided at the public hearing. The motion should also address the request to use the Ratingen Platz.

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



June 3, 2020

To: Vermillion City Council

From: Matthew Betzen
Chief of Police

Subject: Special Daily License (On-Sale) Malt Beverage and Wine License-Thursday on the Platz

The Vermillion Area Chamber and Development Company, Inc is making this application for their annual "Thursday on the Platz" events. These events are scheduled for July 9, July 16, July 23, August 6, August 13, August 20, and August 27. The events involve alcohol sale on the Ratingen Platz and the ½ block of Market St from Main south.

The applicants are clear of any criminal history that would be cause for concern. This event has historically been well managed, and I believe this license should be granted.

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 15th day of June, 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 applications 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 and Development Company on or about July 9, July 16, July 23, July 30, August 6, August 13, August 20 and August 27, 2020 on Ratingen Platz, half block of Market Street south of Main Street and Main Street as it abuts the Platz east to Center Street for Thursdays on the Platz events.

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 29th day of May, 2020.

Michael D. Carlson, Finance Officer

Publish: June 5, 2020

Published once at the approximate cost of _____.





Council Agenda Memo

From: James Purdy, Assistant City Manager

Meeting: June 15, 2020

Subject: Request from USD for temporary street closing of N. Plum Street from E. Cherry Street to Highway 50 on Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020 from 6:00 am to 4:00 pm for USD's extended Move-In Day Event

Presenter: John Prescott, City Manager

Background: The University of South Dakota has requested to close N. Plum Street, between East Cherry Street and SD Highway 50, for USD's extended Move-In Days. This year due to COVID-19 precautions, USD has changed Move-In Day from a one-day event to a three-day event. The traffic control for the move-ins requires the assistance of the City and the DOT. During the Move-In Days, N. Plum Street between E. Cherry Street and SD Highway 50 would be closed to the public during the requested hours.

Discussion: The request for the closure is due to safety concerns with traffic on Plum Street. In order to mitigate the potential danger of the local traffic on N. Plum Street during the event, USD has requested that N. Plum Street, from East Cherry Street to Highway 50 be closed from 6:00 a.m. to 4:00 p.m. Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020. All property owners directly surrounding the potential street closure area who would be affected by closing N. Plum Street for the Move-In Days will be contacted per the application that was submitted. This closure request is similar to what USD had submitted for the May 18, 2020 meeting, except that due to COVID-19 precautions it has been changed from a one-day event to a three-day event. The item was tabled at the May 18 meeting to allow the university time to submit a new request.

Completion of a release, hold harmless and indemnification agreement is important to the City when an activity or special event is going to take place on public property. In past conversations with USD, they are unable to enter into the agreement requested. USD suggested the following language be part of the street closure consideration:

As permitted in accordance with applicable state law, and with respect to any claim or action arising out of the activities described or performed under this Agreement, the parties mutually agree that each will remain responsible for any and all liabilities, claims, damages, charges and expenses (collectively

referred to as “liability”) incurred by reason of the negligence or willful misconduct of its employees, governing board members, faculty, agents or assigns arising from the activities under this Agreement; and that neither party shall by this Agreement transfer such liability to the other.

The City Attorney accepts this language in lieu of completing the indemnification agreement.

The Police, Fire, and EMS Departments have been notified of the street closure requests and have identified no safety concerns. Traffic Solutions will provide barricade set up and removal for the event, and the USD Police Department will further assist in picking up any cones and/or barricades at the end of each event’s conclusion.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends that the City Council approve the temporary closing of N. Plum Street from E. Cherry Street to Highway 50 on Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020 from 6:00 am to 4:00 pm for USD’s extended Move-In Day event with the stipulation that all traffic control devices for the closure be acquired, installed, and removed by the USD Police Department. It is also recommended that the City Council note the hold harmless and indemnification language presented by the University as part of the motion.

8. The City Council reserves the right to accept, modify, or deny all Street Closure Requests.

The City reserves the right to modify the street closing after City Council approval if needed due to unforeseen circumstances.

9. The Applicant is required to sign a "Release, Hold Harmless and Indemnification Agreement."

10. Failure to abide by these instructions or requirements may affect your future closure requests.

11. A deposit may be required for future street closure requests if you fail to return traffic barricades in the condition they were issued to you or if public property is damaged due to your event.

I have read and understand these instructions

I agree.

Electronic Signature Bryant M Jackson

(Section Break)

APPLICATION

Organization Requesting University of South Dakota

Name of Event & Brief Description of Event USD Fall 2020 Move In

Expected Participants 2,000

Name of Primary Contact Person Bryant Jackson

Primary Contact Phone Number + 24 Hour Access Phone Number

Name of Secondary Contact Person Jef Rice

Secondary Contact Phone Number + 24 Hour Access Phone Number

Date(s) of Closure Requested 08/14/2020, 08/15/2020, 08/16/2020

Street Closures Times	6AM until 4PM
Street(s) Requested to be Closed	North Plum Street from East Cherry Street to the Highway 50 Bypass
Optional File Upload	<i>Field not completed.</i>
Please detail how you have notified or plan to notify those affected by your Street Closure Request:	Contact will be made in person with each affected property owner/vendor.
Please detail your plans for cleaning up after your event:	USD will pick up traffic cones. Traffic Solutions INC (TSI) will provide barricade set up and removal.

(Section Break)

Release, Hold Harmless and Indemnification Agreement

City of Vermillion, South Dakota
I,

Name of Event Organizer	Bryant Jackson
Dated This	6/8/2020 9:45 AM
First Name	Bryant
Last Name	Jackson
Electronic Signature Agreement	I agree.
Electronic Signature	Bryant M Jackson

(Section Break)

If turned in less than 7 days before the next Council meeting it will be placed on the following Council meeting agenda. Once submitted, Staff will verify that everything has been filled out correctly. Afterwards, you will be contacted to inform you of when your Street Closure Request will come before the City Council. It is highly recommended that you attend this meeting.

Please enter your email bryant.jackson@usd.edu



Council Agenda Memo

From: James Purdy, Assistant City Manager

Meeting: June 15, 2020

Subject: Request to close Rose Street from Coyote Village to the Dakota Dome on Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020 from 5:00 am to 4:00 pm, for USD's extended Move-In Day event

Presenter: John Prescott, City Manager

Background: In addition to utilizing North Plum Street between SD Highway 50 and Cherry Street, the University of South Dakota has also requested to close Rose Street, between Coyote Village and the Dakota Dome, during USD's extended Move-In Day event on Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020. The traffic control for the move-ins requires the assistance of the City and the DOT. Staff spoke with University Police Department (UPD) regarding the additional one-hour for this closure, and the UPD confirmed that they prefer to close Rose Street an hour earlier than Plum Street to allow for additional set up time.

Discussion: The request for the closure of Rose Street is due to safety concerns with traffic. In order to remove the danger of the local traffic on Rose Street, USD has requested that Rose Street, from Coyote Village to the Dakota Dome, be closed from 5:00 a.m. to 4:00 p.m. on August 14, 15, and 16. These closures do not directly impact a property owner's ability to access their property. This closure request is similar to what USD had submitted for the May 18, 2020 meeting, except that due to COVID-19 precautions it has been changed from a one-day event to a three-day event. The item was tabled at the May 18 meeting to allow the university time to submit a new request.

The Police, Fire, and EMS Departments have all been notified of the closure requests and have found no safety concerns. The USD Police Department will pick up any cones and/or barricades at the end of each event's conclusion.

As noted with the previous agenda item, USD is unable to enter into the standard release, hold harmless and indemnification agreement. USD has suggested the following language be part of the street closure consideration:

As permitted in accordance with applicable state law, and with respect to any claim or action arising out of the activities described or performed under this Agreement, the parties mutually agree that each will remain responsible for any and all liabilities, claims, damages, charges and expenses (collectively referred to as “liability”) incurred by reason of the negligence or willful misconduct of its employees, governing board members, faculty, agents or assigns arising from the activities under this Agreement; and that neither party shall by this Agreement transfer such liability to the other.

The City Attorney accepts this language in lieu of completing the standard indemnification agreement.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends that the City Council approve of the temporary closing of Rose Street from Coyote Village to the Dakota Dome on Friday, August 14, Saturday, August 15, and Sunday, August 16, 2020 from 5:00 am to 4:00 pm for USD’s extended Move-In Day event with the stipulation that all traffic control devices for the closure be acquired, installed, and removed by University Police Department. It is also recommended that the City Council note the hold harmless and indemnification language presented by the University as part of the motion.

8. The City Council reserves the right to accept, modify, or deny all Street Closure Requests.

The City reserves the right to modify the street closing after City Council approval if needed due to unforeseen circumstances.

9. The Applicant is required to sign a "Release, Hold Harmless and Indemnification Agreement."

10. Failure to abide by these instructions or requirements may affect your future closure requests.

11. A deposit may be required for future street closure requests if you fail to return traffic barricades in the condition they were issued to you or if public property is damaged due to your event.

I have read and understand these instructions

I agree.

Electronic Signature Bryant M Jackson

(Section Break)

APPLICATION

Organization Requesting University of South Dakota

Name of Event & Brief Description of Event USD Fall 2020 Move In

Expected Participants 2,000

Name of Primary Contact Person Bryant Jackson

Primary Contact Phone Number + 24 Hour Access Phone Number

Name of Secondary Contact Person Jef Rice

Secondary Contact Phone Number + 24 Hour Access Phone Number

Date(s) of Closure Requested 08/14/2020, 08/15/2020, 08/16/2020

Street Closures Times	5AM til 4PM
Street(s) Requested to be Closed	Rose Street from Coyote Village (USD housing) to the Dakota Dome
Optional File Upload	<i>Field not completed.</i>
Please detail how you have notified or plan to notify those affected by your Street Closure Request:	Affected parties will be notified by UPD.
Please detail your plans for cleaning up after your event:	USD Police Department will pick up any cones and/or barricades.
(Section Break)	
Release, Hold Harmless and Indemnification Agreement	
City of Vermillion, South Dakota I,	
Name of Event Organizer	Bryant Jackson
Dated This	6/8/2020 9:45 AM
First Name	Bryant
Last Name	Jackson
Electronic Signature Agreement	I agree.
Electronic Signature	Bryant M Jackson
(Section Break)	
<p>If turned in less than 7 days before the next Council meeting it will be placed on the following Council meeting agenda. Once submitted, Staff will verify that everything has been filled out correctly. Afterwards, you will be contacted to inform you of when your Street Closure Request will come before the City Council. It is highly recommended that you attend this meeting.</p>	
Please enter your email	bryant.jackson@usd.edu



Council Agenda Memo

From: John Prescott, City Manager
Meeting: June 15, 2020
Subject: Annual MidAmerican Energy Report
Presenter: Tim Forsch, MidAmerican Energy

Background: The City Council adopted Ordinance No. 1164 on January 15, 2007. This ordinance renewed the natural gas franchise with MidAmerican Energy Company for fifteen years, with an option to extend the agreement for an additional five years. Section 15 of the agreement provides for an annual presentation by MidAmerican Energy to the City Council. Since 2007, MidAmerican Energy representatives have annually attended a City Council meeting to present information about different aspects of their service since the last report. Their last report was in May 2019.

Discussion: This is an opportunity for the City Council to ask MidAmerican Energy questions about their operations in the area. At the time of the franchise renewal in January 2007, the City Council inquired about staffing levels in Vermillion and the surrounding area. This presentation would again provide an opportunity for MidAmerican Energy to update the City Council on this issue and any other issues of interest.

Over the last couple of years, MidAmerican Energy representatives have also provided information on natural gas pricing, the number of gas leaks in Vermillion and the response time, number of new services, projects in the area, customer relations scoring, local partner funding opportunities, and economic development activities.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends providing MidAmerican Energy representative(s) an opportunity to present information on their services in Vermillion. No action is required.



Council Agenda Memo

From: John Prescott, City Manager
Meeting: June 15, 2020
Subject: Emergency Resolution to address COVID-19
Presenter: John Prescott

Background: In March, the City Council conducted special meetings to adopt Emergency Ordinance 1413. This Emergency Ordinance placed restrictions on public gathering places and entertainment venues such as bars, restaurants, movie theaters, video lottery casino operations, and similar places of public accommodation as well as nail and hair salons, barber shops, health clubs, and spas where individuals are in close contact. This ordinance expired on May 30, 2020.

At the last meeting on June 1, 2020 the City Council discussed a number of issues related to COVID-19 during the discussion at the second reading of Emergency Ordinance 1414. The City Council did not adopt Emergency Ordinance 1414 but requested staff to prepare a resolution that was similar to the language in the two ordinances. Staff was then to share that information with the business community prior to the next meeting. A draft of the attached Emergency Ordinance was posted on the City's website on Monday, June 8. A copy was emailed to the group of restaurant and bar owners who had emailed the City Council on May 31, 2020 with their concerns about Emergency Ordinance 1414. The VCDC also included information on the proposed resolution in an email they sent to their membership. At the time of packet preparation, two comments on the resolution had been received by the City staff and provided to the City Council.

Discussion: The proposed emergency resolution is similar to the previous ordinances in a majority of the language. After the "Whereas" recitals, the first part of the resolution identifies the businesses the Emergency Resolution is addressing. The Emergency Resolution would apply to the same segments of the business community that were covered by Emergency Ordinance 1413.

The next section of the Resolution provides the specifics of actions that businesses and members of the public are to take or encouraged to take to help contain the spread of the virus. Some of the more discussed items included in the proposed resolution include:

- There are no occupancy restrictions on any of the businesses in the resolution. It is noted that businesses are not to exceed their posted occupancy.
- Restaurants are encouraged to have at least one table which is six feet away from other tables but they are not required to do so.
- Food service employees are to wear a mask when serving dine-in customers.
- The wearing of masks by the general public when social distancing can't be maintained is recommended with the proposed resolution.
- There is to be a Plexiglas or similar divider between the customer and cashier or the employee serving as a cashier is to wear a mask
- Employees of hair salons, nail salons, spa, and barber shops are required to wear masks during customer contact time. Customers are to be seated six feet apart.
- Video lottery casino operations are to clean the machines between customers.

Over the last couple of meetings, the similarity of COVID-19 regulations between Vermillion and Brookings has been noted. Brookings has recently changed the language in their ordinance addressing COVID-19 from “shall” to “should”.

Over the last couple of meetings, the City Council has also discussed Park and Recreation programming or the opening of city facilities as part of this agenda item. The re-opening of park basketball courts and playground facilities were two items that staff understood the City Council wanted to revisit when regulations related to COVID-19 were discussed at the June 15 meeting. Staff understands that the Vermillion Public School District will be re-opening their playgrounds at the elementary schools to the public as of June 15.

Financial Consideration: The April 2020 sales tax numbers were down in comparison to April 2019. The language of the proposed resolution should not restrict the ability of businesses to operate.

Conclusion/Recommendations: Administration recommends that the City Council thoughtfully review information related to COVID-19 which changes continually and determine if the Emergency Resolution should be adopted. The City Council is also asked to provide staff guidance on the park basketball courts and playground access.

EMERGENCY RESOLUTION

AN EMERGENCY RESOLUTION TO CONTINUE ADDRESSING A PUBLIC HEALTH CRISIS BY CONTINUING AND ENCOURAGING PARTICIPATION IN CERTAIN MEASURES WHICH HAVE BEEN DETERMINED TO SLOW THE COMMUNITY SPREAD OF COVID-19 (CORONAVIRUS)

WHEREAS, the City of Vermillion (City) has the authority pursuant to SDCL 9-29-1 and 9-32-1 to enact resolutions for the purpose of promoting the health, safety, morals, and general welfare, of the community and to do what may be necessary or expedient for the promotion of health or the suppression of diseases; and

WHEREAS, an outbreak of the COVID-19 disease, which is caused by the novel coronavirus, has been confirmed in more than 100 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, or by contact with surfaces contaminated by the virus that in some cases, especially among older adults and persons with serious underlying health conditions, can result in serious illness requiring hospitalization, admission to an intensive care unit, and possibly death; and

WHEREAS, the City Council previously adopted Emergency Ordinance No. 1413 to implement measures to slow the community spread of the COVID-19 virus; and

WHEREAS, Emergency Ordinance No. 1413 was effective for sixty days and expired on May 30, 2020; and

WHEREAS, Emergency Ordinance No. 1413 was effective in establishing social distancing and other measures to reduce the probability of contact between infected persons and those not infected in order to minimize disease transmission; and

WHEREAS, the City Council believes that continuation of the social distancing restrictions are important as occupancy restrictions are lifted and businesses return to more typical operations without causing the number of COVID-19 cases in the City to rise to a level which will negatively impact public health; and

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota at a regular meeting thereof in the City Council Chambers of City Hall at 7:00 pm on the 15th day of June 2020, that the recommendations in this resolution are for the following businesses:

1. All restaurants, coffee houses, bars, wineries, cafes, and other similar places of public accommodation offering food and beverages for on-site consumption including any alcohol licensees with on-sale privileges.
2. All health clubs, hair and nail salons, barber shops, spas, tattoo parlors, massage facilities unless providing prescribed, required, or recommended services as directed by a licensed medical provider.

3. Athletic facilities and theaters, including movie theaters, and music or entertainment venues; all hookah lounges, cigar bars, vaping lounges, or other similar businesses; and
4. All arcades, video lottery casino operations, indoor climbing facilities, and other similar recreational or entertainments facilities.

NOW, THEREFORE BE IT FURTHER RESOLVED that these business are encouraged to observe the following guidelines to continue to reflect the community effort to slow the spread of COVID-19:

- a. Establish, where possible, a minimum six-foot distance between any tables, chairs, and barstools. This provision does not need to be observed between members of the same household. Establishments are encouraged to have at least one table that is a minimum of six-feet from another table.
- b. Restaurants, bars, and video lottery casino operations shall not exceed their posted occupancy at any time.
- c. All businesses will identify their occupancy allowance and post it in a conspicuous location for customers entering the building.
- d. All restaurants and bars shall dispose of, or disinfect, all menus before and after use by each customer. Condiment containers shall be cleaned/disinfected between each group and shall not be shared among multiple groups. Establishments with salad bars and self-service buffets are encouraged to provide gloves or hand sanitizer for patrons to utilize, frequently change utensils used by patrons, and actively monitor self-service operations to sanitize and address potential contamination of items.
- e. Recreation and fitness businesses shall limit customers based on available square footage and shall work to maintain the minimum six-foot distance between customers as much as possible.
- f. Encourage social distance spacing while waiting for service or entry into a business.
- g. Install a Plexiglas or similar divider where physically and practically possible between the cashier and the customer. In lieu of a divider, employees shall wear a mask when serving as a cashier.
- h. Require employees to wash hands at regular intervals.
- i. Food service employees must wear a mask when serving dine-in patrons which covers the employee's nose and mouth.
- j. In video lottery casinos operations, machines must be cleaned and disinfected between each customer.
- k. Employees of hair salons, nail salons, spa, and barber shops must wear masks which cover their nose and mouth during customer contact times. Customers must be seated at least six (6) feet apart.
- l. In gyms and fitness facilities, any equipment and/or exercise mats must be cleaned or disinfected between each use. Customers should be separated by at least six feet when using machines or equipment.
- m. Customer seating in theaters and similar businesses shall be reduced for social distancing with certain seats marked as "not available due to social distancing guidelines" to ensure compliance.
- n. Businesses are encouraged to publicly post a regular cleaning and disinfecting schedule.

- o. Businesses are encouraged to conduct daily employee screenings for illness.
- p. Businesses are encouraged to post signage outside of their facility that encourages customers to not enter if they are not feeling well or have COVID-19 symptoms.
- q. Businesses are encouraged to develop risk mitigation strategies for restrooms or other areas where social distancing requirements are likely to be compromised.
- r. Certain businesses (e.g., gym, recreation facility, video lottery casino, etc.) are encouraged to have customers wipe down their equipment/machines before and after use. However, it will still be the responsibility of the business to ensure proper cleaning and disinfecting is occurring.
- s. Businesses, particularly salons, barber shops, and spas, are encouraged to provide service on an appointment-only basis to ensure proper social distancing and hygiene practices are met.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City encourages all members of the public within the City of Vermillion to continue to follow CDC guidelines, social distancing practices, recommended hygiene, and to utilize face masks when social distancing spacing can't be maintained.

Dated at Vermillion, South Dakota this 15th day of June, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
Kelsey Collier-Wise, Mayor

Attest:

By _____
Michael D. Carlson, Finance Officer

Adopted: June 15, 2020
Effective: June 15, 2020



Council Agenda Memo

From: James Purdy, Assistant City Manager

Meeting: June 15, 2020

Subject: Request to close Market Street from W. Main Street to the southern border of Ratingen Platz and W. Main Street from the west end of Ratingen Platz to the west cross walk of the Main and Court Street intersection for Thursdays on the Plat events

Presenter: John Prescott, City Manager

Background: The Vermillion Area Chamber and Development Company has requested the closure of Market Street from W. Main Street to the southern border of Ratingen Platz and W. Main Street from the west end of Ratingen Platz to the west crosswalk of the Main and Court Street intersection for Thursdays on the Platz on July 9, July 16, July 23, July 30, August 6, August 13, August 20, and August 27, 2020 from 4:00 pm-8:00 pm.

Discussion: The completed street closure request application and diagram are attached. The Street, Police, Fire, and EMS departments have been notified of the street closure request. They did not have any concerns. Cleanup will be handled by VCDC Staff and Thursdays on the Platz Committee Members.

According to the application, the VCDC will meet with businesses individually to let them know of the events requiring street closure. There are a limited number of businesses abutting the area to be closed.

Financial Consideration: None.

Conclusion/Recommendations: Administration recommends that the City Council approve the temporary closing of Market Street from the southern border of Ratingen Platz and Main Street between the west end of Ratingen Platz to the west crosswalk of Main and Court Street for Thursdays on the Platz on July 9, July 16, July 23, July 30, August 6, August 13, August 20, and August 27, 2020 from 4:00 pm-8:00 pm.

8. The City Council reserves the right to accept, modify, or deny all Street Closure Requests.

The City reserves the right to modify the street closing after City Council approval if needed due to unforeseen circumstances.

9. The Applicant is required to sign a "Release, Hold Harmless and Indemnification Agreement."

10. Failure to abide by these instructions or requirements may affect your future closure requests.

11. A deposit may be required for future street closure requests if you fail to return traffic barricades in the condition they were issued to you or if public property is damaged due to your event.

I have read and understand these instructions

I agree.

Electronic Signature Nathan W. Welch

(Section Break)

APPLICATION

Organization Requesting Vermillion area Chamber & Development Company

Name of Event & Brief Description of Event Thursday on the Platz - live music, food, alcoholic and non-alcoholic beverages

Expected Participants 250 people per week

Name of Primary Contact Person Jason Thiel

Primary Contact Phone Number + 24 Hour Access Phone Number

[REDACTED]

Name of Secondary Contact Person Tristan Hargens

Secondary Contact Phone Number + 24 Hour Access Phone Number

[REDACTED]

Date(s) of Closure Requested 07/09/2020, 07/16/2020, 07/23/2020, 07/30/2020, 08/06/2020, 08/13/2020, 08/20/2020, 08/27/2020

Street Closures Times	4:00 pm - 8:00 pm
Street(s) Requested to be Closed	1. Market St. from the southern border of Ratingen Platz and Main St. 2. Main St. between west end of Ratingen Platz to the west crosswak of Main and Court St.

Optional File Upload	TOTP Map Closure 2020.png
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Please detail how you have notified or plan to notify those affected by your Street Closure Request:	Direct contact with affected businesses via phone, person visits, or emails
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Please detail your plans for cleaning up after your event:	Volunteers will be on hand to clean up area and restore to original state. Trash cans will be available for disposal of waste.
--	--

(Section Break)

Release, Hold Harmless and Indemnification Agreement

City of Vermillion, South Dakota
I,

Name of Event Organizer	Nathan Welch
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Dated This	6/8/2020 2:30 PM
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First Name	Nathan
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Last Name	Welch
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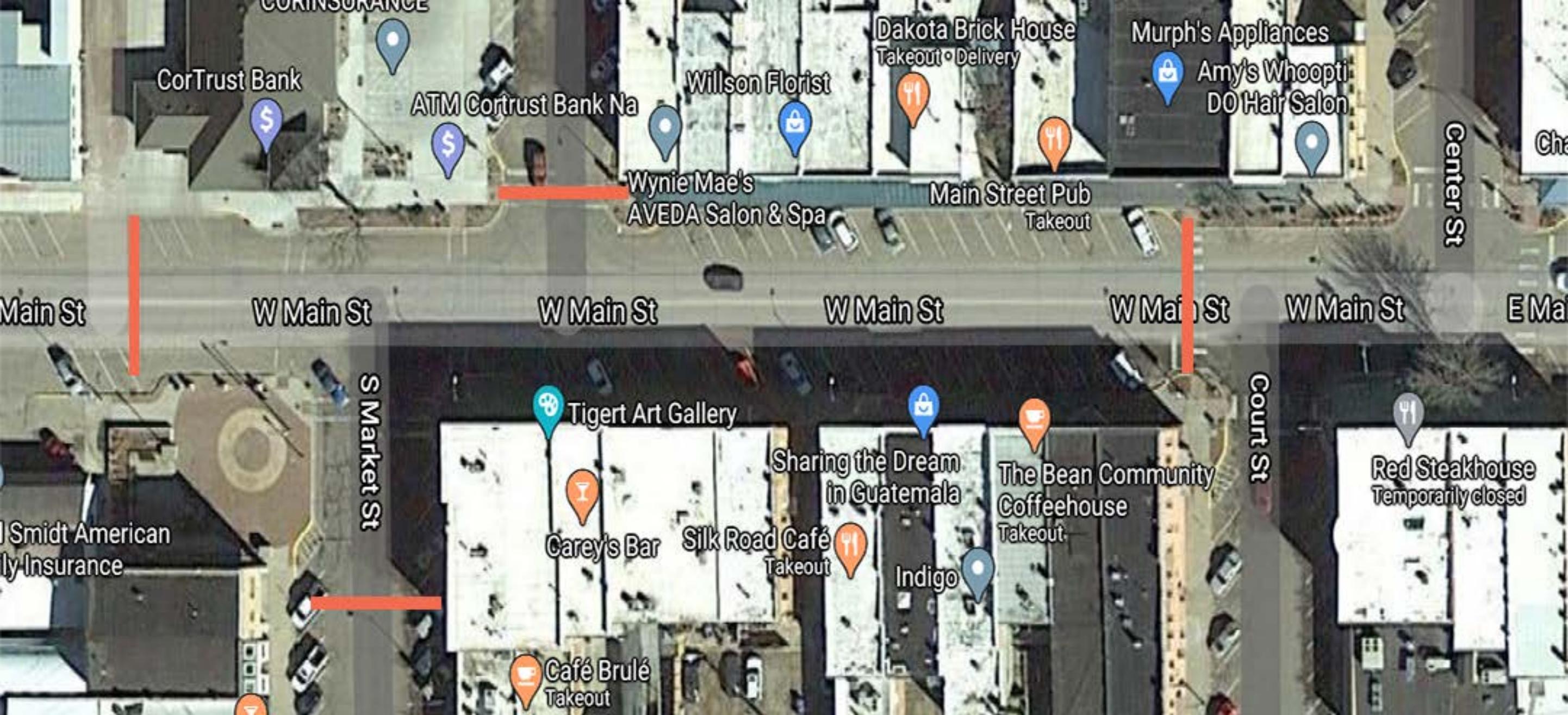
Electronic Signature Agreement	I agree.
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Electronic Signature	Nathan W. Welch
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(Section Break)

If turned in less than 7 days before the next Council meeting it will be placed on the following Council meeting agenda. Once submitted, Staff will verify that everything has been filled out correctly. Afterwards, you will be contacted to inform you of when your Street Closure Request will come before the City Council. It is highly recommended that you attend this meeting.

Please enter your email	jason@vermillionchamber.com
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CorTrust Bank



ATM Cortrust Bank Na



Willson Florist



Wynie Mae's
AVEDA Salon & Spa

Main Street Pub
Takeout

Dakota Brick House
Takeout & Delivery



Murph's Appliances



Amy's Whoopi
DO Hair Salon



Center St

Main St

W Main St

E Main St

S Market St



Tigert Art Gallery



Carey's Bar

Silk Road Café
Takeout



Indigo

Sharing the Dream
in Guatemala

The Bean Community
Coffeehouse
Takeout



Court St

Red Steakhouse
Temporarily closed



Smidt American
ly Insurance



Café Brulé
Takeout



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: June 15, 2020

Subject: First Reading of Ordinance 1415 – Emergency Ordinance to amend the special event definition and expand special licensing to current license holders.

Presenter: John Prescott

Background: State statutes governing special daily licenses were changed in 2010 to allow on-sale wine, on-sale liquor, off-sale package wine dealers selling wine manufactured by SD Farm wineries, special off-sale package malt beverage and that the special licenses could be issued to current license holders. In 2010 the Council's Policies and Procedures Committee studied the license change options. The Committee recommended and the City Council adopted an ordinance that modified the definition of a special event and provided for the issuance of special on-sale malt beverage, special on-sale wine, and special off-sale package wine dealers license for wine manufactured by a farm winery (Valiant Vineyards is a farm winery) licenses. At that time the committee and City Council discussed but did not change the ordinance to allow a special on-sale liquor license or that current license holders could be issued a special license of any type. Special licenses were limited to civic, charitable, educational, veterans, or fraternal organization in conjunction with a special event.

Leslie Gerrish from the Bean contacted the city stating she had been brainstorming with Nate Welch about options for customers to have more areas to social distance as not all customers want to be inside a business at any capacity. She noted that some towns (outside of SD) have been creative with their outdoor spaces by using parking lots, sidewalks, and streets as extensions of restaurants and bars.

Discussion: City staff reviewed the state statutes and city ordinances on special daily licenses and special events licenses. A meeting was held on June 5 with Leslie Gerrish, Nate Welch, Josh (Dakota Brick House) and city staff to look at the options of using some parking spaces along Main Street for outside seating for downtown businesses. At the meeting it was discussed how to allow on-sale alcohol noting the need for an ordinance change as it currently allows on-sale malt beverage, on-sale wine and off-sale package SD

Farm wine. There was also discussion that the ordinance would need to be changed to allow current license holders to be issued a special license. The other option was to have the VCDC apply for a special malt beverage and wine license as the existing ordinance allows civic, charitable, educational, veterans, or fraternal organizations. If the VCDC was issued the license, they could allow local license holders to operate in the closed parking spaces and subcontract the management of the malt beverage and wine sales from the VCDC. In this arrangement, the license holder would need to do all the business from the closed parking spaces and the patrons could not enter or exit the closed parking spaces with an alcoholic beverage. At this meeting, it was proposed that there would be three locations on the block of Main Street from Court Street to Market Street. At the end of the meeting there were still issues that were going to need to be addressed such as the hours alcohol sales were to be allowed, who supplies tables and chairs, clean up in the closed parking spaces, clean up where the street sweeper cannot get to outside the closed parking stalls, who supplies and pays for the traffic barrier (staff has identified a company that rents jersey barriers that can be filled with water to create a proper barrier), any conflicts with the Thursday's on the Platz special license, etc.

In Nate's meetings with the restaurant and bar owners the week of June 8, the areas were expanded from the three on Main Street to include a spot in front of the Hartford Steak House on Court Street and another on Kidder Street by Old Lumber Company. In Nate's meetings, the license holders wanted the ability for customers to purchase inside the business and then go outside as well as to allow for on-sale liquor sales. For a patron to be able to purchase in the business and then walk outside to the parking area the licenses would need to be in the same name. There is also a statute that only allows a license to sell on the property that is owned or leased by the licensee but there is an exception if the licensee is issued a special license.

The VCDC held a meeting Thursday, June 11 to review the different options with the business owners including city staff. The consensus of the group was to request the City Council to amend the ordinance to allow current license holders to apply for a special license for the sale of alcoholic beverages that correspond to the license that they are currently issued. The changes would be done as an emergency ordinance to allow for the implementation prior to mid-July knowing that it will expire in 60 days. The VCDC will continue to work with the group on a recommendation for a beginning and ending time for alcoholic beverage sales, the type of barricades that will be used (need to meet the DOT safety requirements), a recommendation as to uniform days to allow alcohol sales that are less than the 15 consecutive days that state statute specifies as the maximum number of days a special permit can be issued, clean up as the street sweeper cannot access the areas, and how many parking spaces will be closed to have a report at second reading. There was also discussion on the current \$20 per day license fee.

The state statutes are as follows:

35-1-5.6. Consumption of alcoholic beverages on on-sale premises from which beverage not purchased as misdemeanor--Exceptions.

It is a Class 2 misdemeanor for any person to consume any alcoholic beverage upon the premises of a licensed on-sale dealer if the alcoholic beverage was not purchased from the on-sale dealer. However, this provision does not apply to any passenger aboard a vehicle operated by a licensed carrier. A person may consume any alcoholic beverage upon the premises of a licensed on-sale dealer if the beverage is purchased from a licensee who has been issued a temporary license pursuant to § 35-4-124 for a special event occurring on the premises of the licensed on-sale dealer.

35-2-6.3. Ownership or lease of premises required of licensees--Ownership of business.

Any manufacturer, wholesaler, or retailer licensee under this title shall be the owner or actual lessee of the premises where the business is conducted and the sole owner of the business operated under the license. However, this section does not apply to a special event licensee issued a temporary license pursuant to § 35-4-124.

Based upon the June 11 meeting, the business group would like to make changes that would be effective by the end of June. If proposed Ordinance 1415 is an emergency ordinance, the changes can be made effective sooner but then will also expire in 60 days. The proposed ordinance would make two changes. The first change is to amend the definition of "Special Event" to remove 112.01 (4) "The event is conducted without the intention of commercial or personal gain or profit". The second change is to 112.18(C) to provide that current license holders could be issued special licenses that correspond to the license(s) they are currently issued to include on-sale liquor. The special license(s) for current license holders can be issued without a public hearing as a public hearing was held when the business was issued their existing license(s). This special license issued to a business adjoining the closed parking spaces would allow for alcoholic beverages to be purchased in the business and taken outside. The license holder is still responsible to make sure the patron doesn't leave the designated area and will need to keep the sidewalks open for pedestrian traffic.

Currently the special daily license is \$20 per day and there is an advertising fee of \$15. If a public hearing is not required there would be a savings of \$15. To operate for eight weeks at 5 days a week is 40 days at \$20 per day is \$800 that the business owners felt needed to be capped at an upper limit. To be issued a special license for city property requires proof of liability insurance and a release and indemnification from liability. There may be some cost for the liquor liability insurance. The license fee is set by resolution thus a change would require an emergency resolution at second reading. The emergency ordinance provides that it can be modified at any time by a resolution. This provides the City Council

the ability to make changes, as needed, through adoption of a resolution versus the lengthier process of adopting a modifying ordinance.

Financial Consideration: There would be no cost at first reading.

Conclusion/Recommendations: Administration recommends that the City Council thoughtfully review the first reading of proposed Ordinance 1415 to assist local business with additional space for customers to practice social distancing to help prevent the spread of COVID-19.

Please note a special meeting has been scheduled for Monday, June 22 at Noon to address related items if the first reading of Emergency Ordinance 1415 is adopted. Items on that agenda related to this topic may include:

- 2nd reading of Ordinance 1415 (if 1st reading is approved)
- Emergency Resolution adjusting special daily fee for license holders if deemed appropriate by City Council
- Street closings for parking spaces to be used for outdoor seating areas
- Special daily licenses from applicant(s). This item would address hours and days of operation, clean-up, restrooms, etc.

PROPOSED EMERGENCY ORDINANCE NO. 1415

AN EMERGENCY ORDINANCE TO ALLOW FOR CURRENT LICENSEES TO BE ISSUED SPECIAL DAILY LICENSES IN CONJUNCTION WITH A SPECIAL EVENT BY AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XI, CHAPTER 112, TO AMEND SECTION 112.01 AND 112.18 FOR SPECIAL EVENT DEFINITIONS AND TO EXPAND SPECIAL LICENSING TO INCLUDE CURRENT LICENSE HOLDERS.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, and it is hereby ordained by authority of the same, that Section 112.01 and 112.18 be amended to clarify special event as set forth below:

§ 112.01 DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

ALCOHOLIC BEVERAGE, WINE, MALT BEVERAGE, and DISTILLED SPIRITS. These words and terms mean the same as the definitions given them by SDCL 35-1-1.

SPECIAL EVENT. For the purposes of this section, “special event” shall be defined as follows:

- (1) a location for which premises do not have an existing malt beverage and/or wine license,
- (2) The event is
 - (a) For the advancement of charitable, educational or community objectives,
 - (b) In conjunction with activities of state, national or international significance, or
 - (c) as designated by the City Council as an event of municipal significance.
- (3) The event is open to the public with, or without, payment of admission. A limitation on number of tickets sold or issued for admission where applicable must be related to size of venue and not a desire to have a private party, and
- ~~(4) The event is conducted without the intention of commercial or personal gain or profit;~~

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

- (A) The City Council may grant, after public hearing, a special on-sale malt beverage and/or a special on-sale wine license to a civic, charitable, educational, veterans, or fraternal organization in conjunction with a special event.
- (B) The City Council may grant, after public hearing, a special off-sale package wine dealers license to a civic, charitable, educational, veterans, or fraternal organization in conjunction with a special event. A special off-sale package wine dealers licensee may only sell wine manufactured by a farm winery that is licensed pursuant to SDCL Ch. 35-12.
- (C) The City Council may grant a special on-sale malt beverage and/or a special on-sale wine license and/or a special on-sale liquor license to any licensee that corresponds to one or

more license(s) currently issued to the licensee in conjunction with a special event pursuant to SDCL 35-4-124.

- ~~(C)~~(D) Any license issued pursuant to this section shall be issued to the person and the location specified on the application. Any license issued pursuant to this section may be issued for a period of time established by the municipality. However, no period of time may exceed 15 consecutive days. The granting of the special license shall be subject to such conditions and restrictions as the City Council may deem appropriate and consistent with state law.
- ~~(D)~~(E) The fee for such special licenses shall be set by resolution of the City Council.

BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13 this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective on June 30, 2020. This ordinance shall remain in effect for a period of sixty (60) days, at which time it shall be automatically repealed unless specifically readopted for an additional period of time by the City Council. Any restriction contained in this ordinance may be modified at any time by a resolution of the City Council.

Dated at Vermillion, South Dakota this 22nd day of June, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael Carlson, Finance Officer

First Reading: June 15, 2020
Second Reading: June 22, 2020
Publish: June 26, 2020
Effective: June 30, 2020

CITY OF VERMILLION
 INVOICES PAYABLE-JUNE 15, 2020

1 ADIDAS AMERICA, INC	MERCHANDISE	988.45
2 AMAZON BUSINESS	HAND SANITIZER	39.99
3 AT&T MOBILITY	MOBILE HOT SPOTS	433.35
4 AUDREY LARSEN	REFUND REGISTRATION FEES	135.00
5 AUSTIN ANDERSON	SAFETY BOOTS REIMBURSEMENT	100.00
6 BLACKSTONE PUBLISHING	BOOKS	150.00
7 BORDER STATES ELEC SUPPLY	SUPPLIES	304.70
8 BRANDI JORGENSEN	REFUND REC PROGRAM FEES	52.00
9 BRITTANY PETERSON	REFUND REGISTRATION FEES	135.00
10 BROADCASTER PRESS	ADVERTISING	1,711.13
11 BRUNICK'S SERVICE INC	FUEL	2,752.65
12 BSN SPORTS INC	SUPPLIES	243.30
13 BUHL'S CLEANERS	MAT/MOP SERVICE	497.04
14 BUREAU OF ADMINISTRATION	TELEPHONE	300.36
15 CALLAWAY GOLF	MERCHANDISE	416.31
16 CASK & CORK	MERCHANDISE	738.00
17 CENTURYLINK	TELEPHONE	1,680.97
18 CHESTERMAN CO	MERCHANDISE	1,254.47
19 CITY OF VERMILLION	LANDFILL VOUCHERS	1,116.00
20 CLAY RURAL WATER SYSTEM	WATER USAGE	154.60
21 CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,561.00
22 CUTTER & BUCK	MERCHANDISE	758.00
23 DAKOTA BEVERAGE	MERCHANDISE	15,606.67
24 EAKES OFFICE SOLUTIONS	SUPPLIES	1,106.28
25 ELECTRIC PUMP, INC	REPAIRS/MAINTENANCE	3,306.53
26 FARNER BOCKEN COMPANY	MERCHANDISE	2,279.00
27 GLOBAL DIST	MERCHANDISE	548.00
28 GREGG PETERS	FREIGHT	7,142.40
29 GREY HOUSE PUBLISHING	BOOKS	112.50
30 INDUSTRIAL CHEM LABS	SUPPLIES	446.86
31 JENNY HANSON	REFUND REC PROGRAM FEES	47.00
32 JOHN A CONKLING DIST.	MERCHANDISE	9,079.80
33 JOHNSON BROTHERS OF SD	MERCHANDISE	22,732.55
34 JONES FOOD CENTER	SUPPLIES	249.26
35 KARSTEN MFG CORP	MERCHANDISE	2,581.00
36 KATIE HOYT	REFUND REC PROGRAM FEES	124.00
37 LAWSON PRODUCTS INC	SUPPLIES	75.50
38 LIBRARY IDEAS	SUBSCRIPTION	2,000.00
39 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	1,180.00
40 MATHESON TRI-GAS, INC	SUPPLIES	783.04
41 MEAD LUMBER	SUPPLIES	112.21
42 MEGAN REEVES	REFUND REC PROGRAM FEES	67.00
43 MICRO MARKETING LLC	BOOK	9.99
44 MIDAMERICAN	GAS USAGE	1,456.72

45 MIDCONTINENT COMMUNICATION	INTERNET/CABLE SERVICE	746.57
46 MIDWEST ALARM CO	ALARM MONITORING	432.75
47 MR. GOLF CAR, INC	REPAIRS	144.45
48 NETSYS+	ONLINE ADVANCED PROTECTION	36.00
49 O'REILLY AUTO PARTS	PARTS	48.87
50 PRESTO-X-COMPANY	INSPECTION/TREATMENT	115.00
51 QUADIENT FINANCE USA, INC	POSTAGE	707.00
52 QUILL	SUPPLIES	186.24
53 REPUBLIC NATIONAL DIST	MERCHANDISE	27,743.59
54 RUNNING SUPPLY, LLC	SUPPLIES	30.40
55 SARA JOHNSON	REFUND REC PROGRAM FEES	47.00
56 SD DENR	LANDFILL OPERATIONS FEE	3,481.88
57 SD ELECTRICAL COMMISSION	LICENSE RENEWALS	240.00
58 SOMMER EISENBEISZ	REFUND REGISTRATION FEES	135.00
59 SOUTHERN GLAZER'S OF SD	MERCHANDISE	18,087.07
60 STAPLES BUSINESS CREDIT	SUPPLIES	762.64
61 STERN OIL CO.	FUEL	2,867.90
62 STURDEVANTS AUTO PARTS	PARTS	156.13
63 SYNCB/AMAZON	BOOKS/DVDS/SUPPLIES	350.33
64 TAMARA DOHN	REFUND REGISTRATION FEE	270.00
65 THE HOME DEPOT PRO	SUPPLIES	273.06
66 TITLEIST-ACUSHNET COMPANY	MERCHANDISE	2,462.41
67 TRACTOR SUPPLY CREDIT PLAN	SUPPLIES	119.97
68 UNITED PARCEL SERVICE	SHIPPING	12.45
69 US POSTMASTER	POSTAGE FOR UTILITY BILLS	900.00
70 UTILITY EQUIPMENT CO.	PARTS	1,488.12
71 VALIANT VINEYARDS	MERCHANDISE	346.75
72 VISTA OUTDOOR SALES, LLC	MERCHANDISE	1,429.20
73 WALT'S HOMESTYLE FOODS, INC	MERCHANDISE	160.40
74 WASTE MANAGEMENT OF WI-MN	WASTE HAULING	1,410.32
75 YAMAHA MOTOR FINANCE CORP	GOLF CARS/BEVERAGE UNIT LEASE	13,245.22
76 YANKTON MEDICAL CLINIC	TESTING	24.00
77 STEVE DONNELLY	BRIGHT ENERGY REBATE	350.00
78 KALINS INDOOR COMFORT	BRIGHT ENERGY REBATE	100.00
	GRAND TOTAL	\$165,479.35