



**Special Meeting Agenda  
City Council**

12:00 p.m. (Noon) Special Meeting  
Monday, March 2, 2020  
Large Conference Room – City Hall  
25 Center Street  
Vermillion, South Dakota 57069

1. **Roll Call.**
2. **Visitors to Be Heard.**
3. **Discussion on a potential Germany trip to visit sister city of Ratingen - Kami Dibley and Lenni Billberg.**
4. **Update on the Tree Board – Jim Goblirsch.**
5. **Briefing on the March 2, 2020 City Council Regular Meeting** – Briefings are intended to be informational only and no deliberation or decision will occur on this item.
6. **Adjourn.**

Access the City Council Agenda on the web – [www.vermillion.us](http://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, March 2, 2020  
City Council Chambers  
25 Center Street  
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
  - a. February 18, 2020 Special Meeting; February 18, 2020 Regular Meeting.
4. **Adoption of the Agenda**
5. **Visitors to be Heard**
  - a. Intellectual and Developmental Disabilities Awareness month proclamation.
6. **Public Hearings**
  - a. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about April 2, 2020 at the Sanford Coyote Sports Center Main Competition Court and Concourse at 1101 N Dakota Street for annual banquet.
7. **Old Business**
8. **New Business**
  - a. Annual Library Report.
  - b. Home Rule Charter Committee appointments.
  - c. Request to close North Pine Street from East Cedar Street to the End of the Alpha Phi House South Property Line for Alpha Phi's Sorority Recruitment Bid Day on August 20, 2020.
  - d. 2019 Unaudited Annual Report.
  - e. Consultant Agreement with S.E.H. for the Final Report on the SD Highway 50 Drainage Improvements Project.
  - f. Resolution Authorizing the Purchase of a Combination Sewer Cleaner Truck for the Waste Water Department.
9. **Bid Openings**
  - a. Fuel quotes.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
  - a. Set a public hearing date of March 16, 2020 for a special daily malt beverage and wine license for the USD Military Science Department on or about April 17 at the Muenster University Center second floor large room for a military ball event.

### **13. Adjourn**

**Access the City Council Agenda on the web – [www.vermillion.us](http://www.vermillion.us)**

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

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

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

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

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

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

#### ***Vermillion City Council's Values and Vision***

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

Unapproved Minutes  
Council Special Session  
February 18, 2020  
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, February 18, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Hellwege, Vice-President Holland, Humphrey, Price, Sorensen, Ward

Absent: Collier-Wise, Willson, Mayor Powell

2. Visitors to be Heard - None

3. Discussion on role of Commissions - John Prescott

John Prescott, City Manager, reported that in 2018 the City created a Historic Preservation Commission and a Human Relations Commission. John reviewed the purpose for each commission which was part of the ordinances that created the individual commissions. John stated that the Human Relations Commission and the Historic Preservation Commission have asked if they, as a commission, are allowed to take a position on State legislative issues and/or local government issues. John noted that his reply was that he would bring this to the City Council for direction.

Discussion followed on the Commission request noting that, if a commission takes a position, there should be a disclaimer indicating this is the position of the Commission and not that of the City Council. Discussion followed with the consensus that staff will develop proposed disclaimer language that would be reviewed by the Policy and Procedures Committee and check with other cities on how this issue is addressed.

4. Update on efforts to promote the 2020 Census - James Purdy

James Purdy, Assistant City Manager, reported on efforts to promote the 2020 Census. James reported on the membership of the Complete Count Committee noting that each entity involved has developed a work plan. James reviewed the City of Vermillion work plan for the Complete Count Committee. James answered questions of the City Council on Complete Count Committee work plan and discussion followed on how to reach those at risk of not completing the census information.

5. Plans for the South Dakota Municipal League District 3 Meeting in Vermillion on March 19, 2020. - John Prescott

John Prescott, City Manager, reported that last March at the SD Municipal League District 3 Meeting the City offered to host the 2020 District 3 Meeting. John reported that the District 3 Meeting will be on March 19th with the social starting at 6:00 p.m., dinner at 7:00 p.m. with the program beginning at 7:30 p.m. John stated that the meeting is usually attended by about 125 local government officials from southeast SD. John stated that the event will be held at the second floor of the Old Lumber Company and asked Council members who plan to attend to let him know as the RSVP is due by March 5th.

6. Briefing on the February 18, 2020 City Council Regular Meeting

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

7. Adjourn

34-20

Alderman Ward moved to adjourn the Council special session at 12:35 p.m. Alderman Sorensen seconded the motion. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

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

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA  
BY \_\_\_\_\_  
Rich Holland, Vice-President

ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Unapproved Minutes  
City Council Regular Session  
February 18, 2020  
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, February 18, 2020 at 7:00 p.m. by Vice-President Holland.

1. Roll Call

Present: Hellwege, Vice-President Holland, Humphrey, Price, Sorensen, Ward

Absent: Collier-Wise, Willson, Mayor Powell

2. Pledge of Allegiance

3. Minutes

A. Minutes of February 3, 2020 Special Meeting; February 3, 2020 Regular Meeting, 2020, Regular Session

35-20

Alderman Sorensen moved approval of the February 3, 2020 Special Meeting and February 3, 2020 Regular Meeting minutes. Alderman Price seconded the motion. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

4. Adoption of Agenda

36-20

Alderman Price moved approval of the agenda. Alderman Humphrey seconded the motion. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

5. Visitors to be Heard - None

6. Public Hearings

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

John Prescott, City Manager, reported that the Vermillion Area Chamber of Commerce and Development Company has asked to continue the hearing until the next meeting but noted as the public hearing was advertised any public comment should be received. Vice-President Holland opened the public hearing and hearing no comment closed the public hearing.

37-20

Alderman Price moved to continue the public hearing on the special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company until the next regular Council meeting.

Alderman Humphrey seconded the motion. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

B. Vacation of Alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smiths Addition, City of Vermillion, Clay County, South Dakota. (Alley between Forest Avenue and Harvard Street; ½ block south of E. Main Street)

Jose Dominguez, City Engineer, reported that the City received petitions to vacate the alleyway right-of-way adjacent to Lots 1 through 6 and Lot 7, Block 74, Smith's Addition. Jose noted that there is a diagram included in the packet and reviewed the location of the alley. Jose noted that there are four individual property owners owning property along this alleyway and all four property owners submitted petitions to the City for the vacation of the alley. Jose noted that the petitions are included in the packet. Jose stated that there are several private utilities running through the alleyway. Jose stated that the utility providers were contacted by the one of the owners seeking the vacation of the alleyway and the utilities have agreed with the vacation as long as a utility easement is maintained in the same area for their use. Jose noted that the City has an electric utility line on the south side of the alley. Jose stated that the statute requires a public hearing where the City Council will hear all evidence and testimony of the parties interested in vacating the alley. Jose noted that a 2/3 vote of the City Council is required to vacate the alley. Jose noted that, when vacating a used street/alley, staff considers the impact to access to properties, fire protection and general traffic. Jose reported that staff recommends approval of the resolution to vacate the alleyway.

Steve Smith, adjoining resident at 18 Forest, stated that he was in support of vacating the alley.

Carson Merkwan, adjoining resident at 221 East Main, stated that he was in support of vacating the alley and will be making improvements to the property vacated in the spring. Carson offered to answer any questions. Discussion followed.

38-20

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

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

WHEREAS, the City of Vermillion has received a petition for the vacation of the 20-foot wide alleyway lying between Lots 1 through 6 and Lot 7,

Block 74, Smiths Addition, City of Vermillion, Clay County, South Dakota;  
and,

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

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

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

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

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

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

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_  
Rich Holland, Vice-President

ATTEST:

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Hellwege. Discussion followed and  
the question of the adoption of the Resolution was presented for a vote  
of the Governing Body. 6 members voted in favor of and 0 members voted  
in opposition to the Resolution. Vice-President Holland declared that  
the Resolution was adopted.

7. Old Business - None

8. New Business

A. Home Rule Committee charge

John Prescott, City Manager, reported that last year a home rule study committee was appointed to review whether it made sense for Vermillion to consider appointing a Home Rule Charter Committee to bring a home rule charter forward for a public vote. John noted that the recommendation of the Home Rule Study Committee presented at the January 20, 2020 Noon meeting was to proceed with establishing an official Home Rule Charter Committee. John reported that the Home Rule Study Committee offered that Home Rule would enable the City to meet previously unseen challenges and to enable the City Council to authorize even more responsive services for Vermillion residents. John stated that, at the February 3, 2020 meeting, the City Council approved establishing a five-person Home Rule Charter Committee and also proposed that one City Council member serve on the Committee as a non-voting member. John noted that the City Council would like to have the report of the Home Rule Charter Committee by August 1, 2020 so the question can be included on the November 3rd general election ballot. John noted that the City is currently seeking members to serve on the Home Rule Charter Committee which is anticipated to be appointed by the City Council at the March 2, 2020 meeting. John noted that, during the discussion at the February 18, 2020 meeting, the need for a Committee Charge was discussed. John reported that Staff has been working on a charge for the Home Rule Committee that is included in the packet. Discussion followed on the Home Rule Charter Committee charge as presented noting that the charge should serve as a general guideline for the committee.

39-20

Alderman Hellwege moved approval of the Home Rule Charter Committee charge as presented. Alderman Ward seconded the motion. Discussion followed. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

## 9. Bid Openings

### A. Janitorial Services for City of Vermillion Facilities

Jose Dominguez, City Engineer, reported that bids were opened on February 12th for janitorial services for city facilities. Jose reported that the low bid was from Service Master of Southeast South Dakota for \$44,160.31. Jose noted that Service Master of Southeast South Dakota was awarded the contract in 2017 and the current one-year renewal in the amount of \$40,162.12 will be expiring on February 20, 2020. Jose noted that the contract is for one year with two one-year renewal options. Jose reported that bid information was sent to four cleaning services and only two bids were received. Jose stated that the other bid was from Professional Pro Clean in the amount of \$47,880.00. Jose recommended accepting the low bid from Service Master of Southeast South Dakota in the annual amount of \$44,160.31. Discussion followed.

40-20

Alderman Ward moved approval of the low bid of Service Master of Southeast South Dakota in the annual amount of \$44,160.31 and authorized the City Manager to sign the janitorial services contract. Alderman Price seconded the motion. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

10. City Manager's Report

A. John reported that the Planning Commission meets next Monday night at 5:30 p.m. at the large conference room at City Hall. John stated that there are currently two items on the agenda. The first is for a Conditional Use permit for an RV area at the Studio 13 property at 1313 West Cherry Street and the second item is beginning work with the County and SECOG on the Comprehensive Plan update for the joint jurisdictional area.

B. John reported that the Tree Board is meeting on Wednesday, February 26th at 9:30 a.m. in the large conference room at City Hall.

C. John reported that Expression of Interest forms are available at City Hall and on the City's website for individuals to serve on the Home Rule Charter Committee. John requested that the forms be returned by Noon on Thursday, February 27th in anticipation that the City Council will make appointments at the March 2nd meeting.

PAYROLL ADDITIONS AND CHANGES

Recreation: Ryan Baedke \$26.48/hr, Tyler Tragerser \$18.37/hr; Parks: Cylie Hanson \$18.37/hr, Tyler Williamson \$19.25/hr; Golf Maintenance: Travis Taggart \$18.78/hr

11. Invoices Payable

41-20

Alderman Ward moved approval of the following invoices:

A & A Refrigeration	repairs	231.75
Absolute Suppliers, Inc	sewage pump	767.00
AT&T Mobility	mobile hot spots	394.51
Bluetarp Financial, Inc	supplies	437.46
Broadcaster Press	advertising	751.24
Brunick's Service Inc	fuel	17,594.23
Buhl's Cleaners	mat/mop service	467.06
Bureau Of Administration	telephone	215.45

Cask & Cork	merchandise	1,887.50
CenturyLink	telephone	1,588.67
Clay Rural Water System	water usage	53.90
Clay-Union Electric Corp	electricity	2,262.55
Clubhouse Hotel & Suites	lodging	618.00
Dakota Beverage	merchandise	7,898.05
Division Of Motor Vehicle	title/plates	21.20
Echo Electric Supply	supplies	157.80
Farmers Pride	oil	930.83
Global Dist.	merchandise	118.14
Gregg Peters	managers fee	6,000.00
In Control, Inc	operation interface terminal	15,171.61
John A Conkling Dist.	merchandise	4,393.65
Johnson Brothers Of SD	merchandise	31,909.59
Jones Food Center	supplies	214.38
Lessman Elec. Supply Co	supplies	695.00
Mark Clark	reimburse travel expenses	1,517.01
Mart Auto Body	tow charge	75.00
Matheson Tri-Gas, Inc	cylinder rental	87.13
MidAmerican	gas usage	8,296.20
Midcontinent Communication	cable/internet service	746.57
Neofunds	postage for meter	1,208.08
Netsys+	subscription renewal	29.00
Plain Talk Publishers	subscription	26.00
Print Source	envelopes	110.00
Republic National Distributing	merchandise	36,777.58
Running Supply, LLC	supplies	571.60
SD DENR	landfill operations fee	3,027.49
Southern Glazer's Of SD	merchandise	3,490.10
Sturdevants Auto Parts	parts	69.26
Syncb/Amazon	dvds/books/supplies	399.54
The Equalizer	advertising	194.00
Tractor Supply Credit Plan	parts	2.99
Us Postmaster	postage for utility bills	975.00
Utility Equipment Co.	water meters	13,000.00
Vermillion Ace Hardware	supplies	236.46
Vermillion Youth Wrestling	online registration	1,651.80
Vessco, Inc	repairs	3,417.47
Waste Management Of WI-MN	waste hauling	915.80
Chelsey Harrington	Bright Energy Rebate	400.00
AMS Building Systems	Bright Energy Rebate	373.58

Alderman Price seconded the motion. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

42-20

Alderman Ward moved to adjourn the Council Meeting at 7:20 p.m. Alderman Price seconded the motion. Motion carried 6 to 0. Vice-President Holland declared the motion adopted.

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

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

BY \_\_\_\_\_  
Rich Holland, Vice-President

ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Published once at the approximate cost of \_\_\_\_\_.



# PROCLAMATION

## INTELLECTUAL & DEVELOPMENTAL DISABILITIES AWARENESS MONTH

**WHEREAS**, individuals with intellectual and developmental disabilities, their families, friends, neighbors, and co-workers encourage everyone to focus on the abilities of all people; and

**WHEREAS**, the most effective way to increase this awareness is through everyone's active participation in community activities and the openness to learn and acknowledge each individuals' contribution; and

**WHEREAS**, opportunities for citizens with intellectual and developmental disabilities to function as independently and productively as possible must be fostered in our community; and

**WHEREAS**, we encourage all citizens to support opportunities for individuals with intellectual and developmental disabilities in our community including full access to education, housing, employment, and recreational activities; and

**WHEREAS**, individuals with intellectual and developmental disabilities deserve nothing less.

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

### INTELLECTUAL & DEVELOPMENTAL DISABILITIES AWARENESS MONTH

in Vermillion, South Dakota, and call upon the residents of this great city to join in observing this month by hosting and supporting initiatives and activities that support and promote providing employment opportunities for people with disabilities.

Dated at Vermillion, South Dakota this 2<sup>nd</sup> day of March, 2020.

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

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer



## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer

**Meeting:** March 2, 2020

**Subject:** Special Daily Malt Beverage License for the Vermillion Area Chamber & Development Company for the annual banquet on April 2, 2020 at the Sanford Coyote Sports Center Main competition court and concourse at 1101 North Dakota Street (continued from the February 18 meeting)

**Presenter:** Mike Carlson

**Background:** The Vermillion Area Chamber & Development Company has submitted an application for a special daily malt beverage and wine license for their annual banquet on Thursday, April 2, 2020 at the Sanford Coyote Sports Center Main competition court and concourse at 1101 North Dakota Street. The public hearing was advertised and held at the February 18 meeting at which time the VCDC requested to continue the request until the next meeting. The City Council then voted to table the issuance of the license.

Our city ordinance on special daily licenses reads as follows:

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

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

State Statute for the special daily licenses is as follows:

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

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

subdivision 35-4-2(4), (6), or (16) in addition to any other licenses held by the special events license applicant; or

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

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

**Discussion:** Attached are the Police Chief's memo and notice of public hearing. As the event will be held on USD property, the VCDC has indicated that the USD President has given permission for the event. The Police Chief's memo indicates that the VCDC will be using a local restaurant to provide staff who will be checking identification. There have not been any issues with previous events. At the February 18 meeting there was no public comment received at the public hearing. At the time of writing this memo, the city has not heard back from the VCDC if they have resolved their issues with the special daily license request.

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

**Conclusion/Recommendations:** Administration hopes to have additional information from the VCDC before the meeting to report on if the request is to approve, continue the hearing until next meeting or withdraw the application for the issuance of the special daily malt beverage and wine license to the VCDC for their annual banquet on April 2, 2020 at the USD Coyote Sports Center.

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



Date: January 23, 2020

To: Vermillion City Council

From: Matthew Betzen   
Chief of Police

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

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

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

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

NOTICE OF PUBLIC HEARING OF APPLICATIONS  
FOR SALE OF ALCOHOLIC BEVERAGES

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

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

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

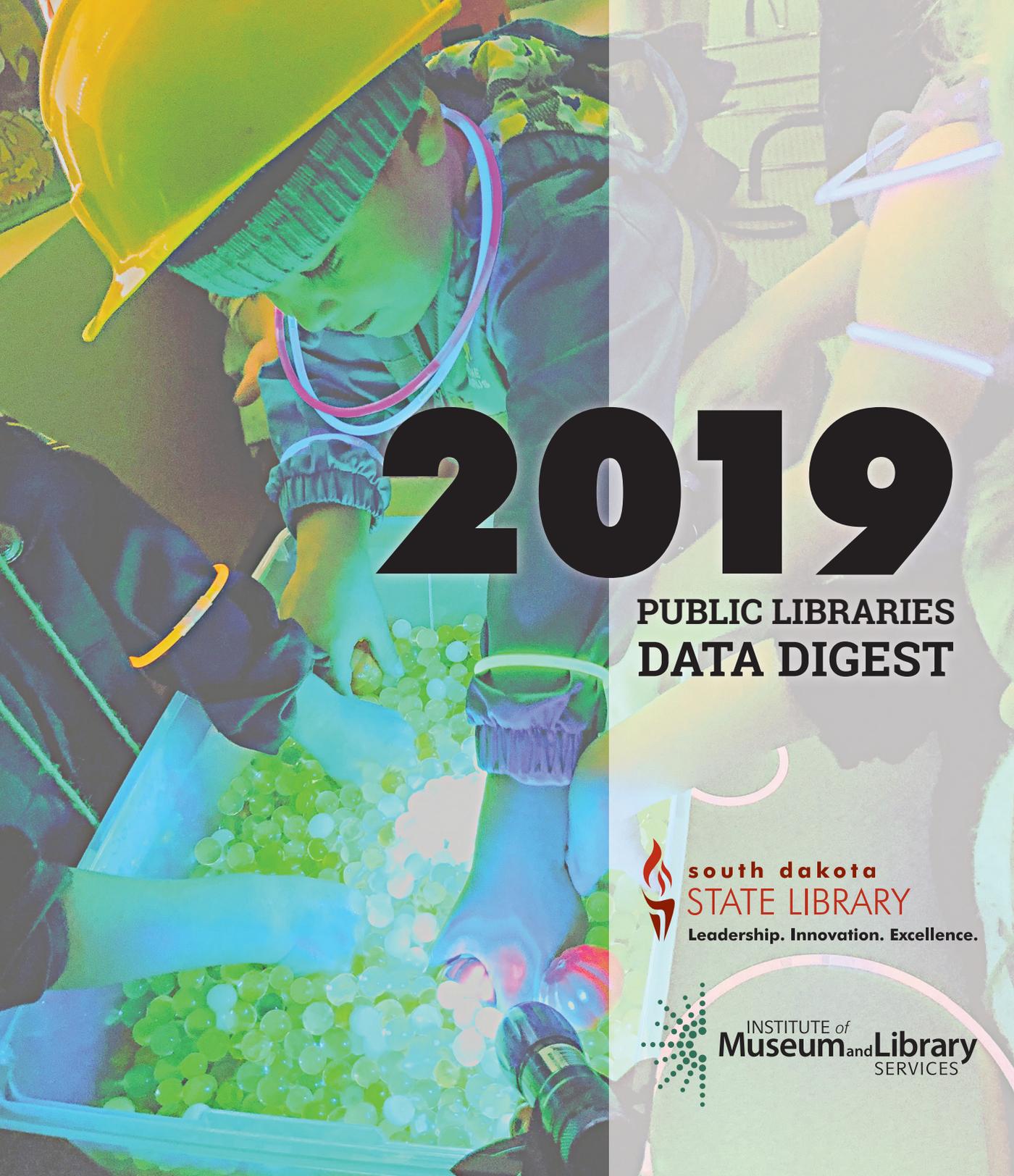
NOTICE IS FURTHER GIVEN THAT any person, persons, or their attorney may appear and be heard at said scheduled public hearing who are interested in the approval or rejection of any such application.

Dated at Vermillion, South Dakota this 30<sup>th</sup> day of January, 2020.

Michael D. Carlson, Finance Officer

Publish: February 7, 2020

Published once at the approximate cost of \_\_\_\_\_.



# 2019

## PUBLIC LIBRARIES DATA DIGEST



**south dakota**  
**STATE LIBRARY**

**Leadership. Innovation. Excellence.**



INSTITUTE of  
**Museum and Library**  
SERVICES

# 2019

## PUBLIC LIBRARIES DATA DIGEST



### Libraries are a preferred destination.

In 2018, South Dakota's public libraries were visited **3.8 million times**.

That's an average of **5 visits per resident**.

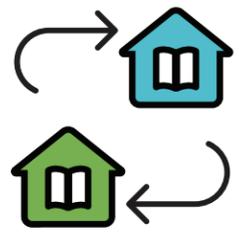
Library websites provide information about the library and access to digital library services.

SD public libraries reported more than **1.6 million website visits**.



### Libraries deliver

literacy • education • value opportunity • enrichment entertainment • access



**72%** of public libraries engaged in **interlibrary loan transactions** to fulfill patron requests.

**38,000 items borrowed** from other libraries on behalf of patrons.



### Online Resources



**100%** of SD residents have **FREE** access to

**58 databases** covering a wide variety of topics.

Residents can access these online resources on library public computers or via any internet connection within the state.



### Virtual Access



**91%** of SD public libraries provide **free Wi-Fi access**.

Library Wi-Fi was used **700,000 times**.

### Technology



Library **public computers** were used **480,000 hours** in 2018.

That's more than **433 hours per computer**.

### Librarians



The ultimate search engines, librarians help everyone find just the right book and quickly guide you to the information you need - in the library or on the web.

**615** people work in public libraries across South Dakota.

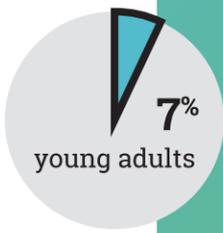
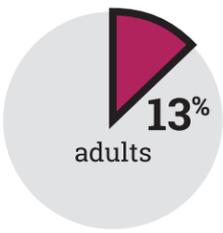
Library staff provided assistance & answers to **350,000** patron **questions**.



### Library Programs

Libraries hosted more than **17,000 programs**.

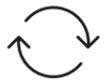
**337,000 people attended** library programs.



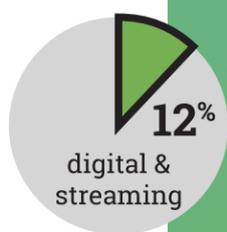
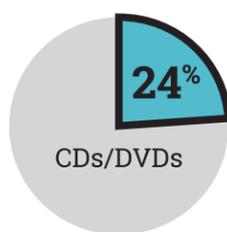
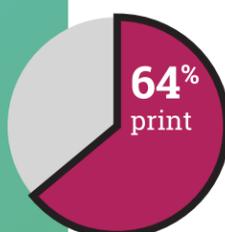
**88%** of libraries hosted a children's **summer reading program**.

**27,000 people** were helped through **one-to-one programs** like literacy activities, homework help, test proctoring, and homebound delivery.

### Circulation



Libraries circulated more than **5.8 million physical & digital materials**.



**41%** of these items were **children's materials**.

### Libraries are the heart of the community.



**1,479 people** volunteered a total of **33,000 hours** in public libraries.

**650 residents** volunteered their time as **library trustees**.

**19%** of public libraries have a **Friends of the Library** group.

**10%** of public libraries have a **library foundation**.



## Community support builds strong public libraries.

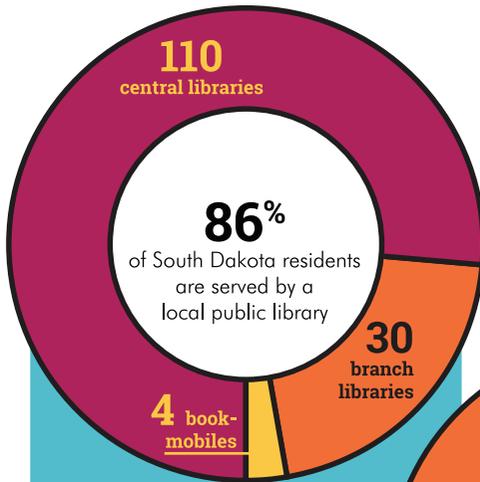
Local governments  
contributed  
**\$26.3 million**  
for public library  
operating revenue.

For every dollar spent  
on SD public libraries,  
residents receive a  
**RETURN ON INVESTMENT**  
of more than \$4  
in programs & services used.



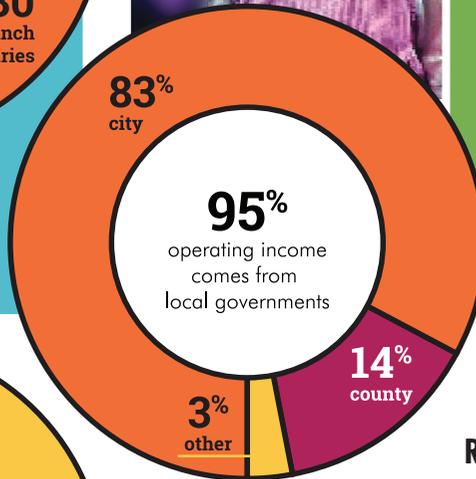
## Libraries are community partners.

Dynamic libraries attract businesses and new residents to the community. Libraries are anchors for downtown revitalization and community cultural centers.

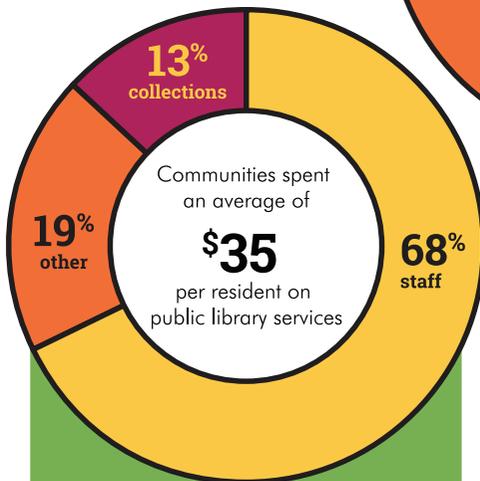


**86%**  
of South Dakota residents  
are served by a  
local public library

**49%** of state residents  
have a library card.



**95%**  
operating income  
comes from  
local governments



Communities spent  
an average of  
**\$35**  
per resident on  
public library services

Libraries purchased an average  
of **\$4.59** per resident  
on new materials.

# National/Regional Comparisons FY2017

Per capita\*

	SD	MN	NE	ND	WY	USA
Total Operating Revenue	\$34.27	\$41.82	\$39.05	\$30.44	\$65.59	\$42.34
Total Operating Expenditures	\$33.08	\$40.89	\$37.11	\$28.76	\$54.82	\$39.59
Collection Expenditures	\$4.23	\$4.43	\$4.97	\$3.98	\$4.22	\$4.39
FTE Staff /25,000 pop.	11.2	10.1	12.7	8.9	18.2	11.4
Registered Users	0.47	0.70	0.69	0.40	0.62	0.55
Reference Transactions	0.42	0.63	0.53	0.74	0.82	0.77
Library Visits	4.7	4.2	4.9	3.2	5.8	4.2
Total Circulation	7.6	8.9	7.9	5.3	8.0	6.9
Program Attendance /1,000 pop.	403	297	546	333	643	379
Public Internet Computers /5,000 pop.	7.1	5.2	9.2	5.6	7.8	4.8
Public Computer Use Sessions	1.3	0.8	1.1	0.7	1.1	0.8
<b>OTHER RATIOS:</b>						
MLS degreed librarians as percentage of total FTE staff	13%	25%	15%	19%	13%	24%
Children's Circulation (% of total)	40%	40%	47%	37%	39%	35%
Computer user sessions per computer	905	790	615	648	724	859

\*Per capita population is based on unduplicated population of legal service areas.



## Thank you for supporting your local public library!

The information contained in this digest reflects the activity of South Dakota's public libraries. State data comprises information collected and submitted via the 2019 Public Libraries Survey for the fiscal year completed December 31, 2018.

PHOTO ABOVE: Sturgis Public Library; Photography by Deb Holland, Black Hills Pioneer © 2019

COVER PHOTO: Freeman Public Library; Photography by Tim Waltner, Freeman Courier © 2019



## *Council Agenda Memo*

**From:** Daniel Burniston, Library Director

**Meeting:** March 2, 2020

**Subject:** Annual Library Report

**Presenter:** Dan Burniston

**Background:** State law requires the Library to prepare and submit an annual report to the South Dakota State Library and its governmental body. The annual report of the Edith B. Siegrist Vermillion Public Library is provided to the City Council and Clay County Commissioners as they each provide funding for the library.

SDCL 14-2-40. Duties of trustees. Each board of public library trustees shall:

- (1) Appoint a librarian to serve at the pleasure of the board. Any paid librarian shall receive any employee benefits provided all other employees of the local governmental unit and shall be compensated at rates determined by the governing body's compensation schedule, if such schedule exists. If no such schedule exists, the salary shall be set by the local governing body;
- (2) Adopt bylaws for the conduct of their business and adopt policies for the selection of public library materials, the governance of the library, and the use of public library services and materials;
- (3) Prepare and submit an annual budget request to its governing body;
- (4) Adopt a final annual budget within those funds certified to it as being appropriated in the annual budget of its governing body;
- (5) Meet at least once during each quarter of the year;
- (6) Prepare and submit an annual report to its governing body and to the South Dakota State Library on such forms as may be provided by the State Library.

**Discussion:** The annual report was presented and accepted by the Library Board of Trustees at their February 20, 2020 meeting. The report is compiled and submitted electronically. The report is typically presented in the spring.

**Financial Consideration:** None

**Conclusion/Recommendations:** Administration recommends that the City Council acknowledge receipt of the 2019 Annual Report for the Edith B. Siegrist Vermillion Public Library.

# 2019

# YEAR IN REVIEW

EDITH B. SIEGRIST VERMILLION PUBLIC LIBRARY



**85,503**

VISITORS TO THE LIBRARY

**60,152**

BOOKS CHECKED OUT

**18,406**

DVDs CHECKED OUT

**10,332**

ELECTRONIC BOOKS  
CHECKED OUT\*

\* INCLUDES E-BOOKS & E-AUDIOBOOKS



OUTREACH

**703**

DELIVERIES MADE

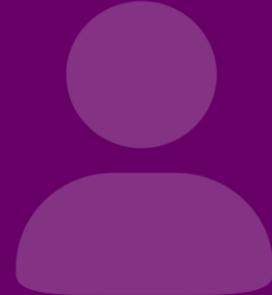
**4432**

ITEMS DELIVERED



**561**

NEW  
PATRON  
CARDS



**6972**

ITEMS ADDED TO  
COLLECTION



PROGRAMS

**1,391**

EVENTS OFFERED

**15,510**

ATTENDEES



INTERLIBRARY

LOANS

**632**

ITEMS BORROWED FROM  
OTHER LIBRARIES

**550**

ITEMS LOANED TO  
OTHER LIBRARIES

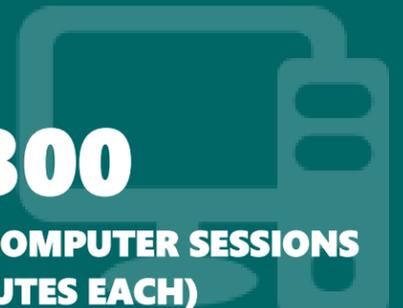


**3,635**

HOURS OPEN

**31,300**

PUBLIC COMPUTER SESSIONS  
(30-MINUTES EACH)



**3701**

REFERENCE  
QUESTIONS  
ANSWERED



**119**

NEW  
FACEBOOK  
FOLLOWERS

SOCIAL MEDIA



**230**

NEW  
INSTAGRAM  
FOLLOWERS

**\$58,691**

SPENT ON NEW BOOKS



**46,535**

WEBSITE VISITS



EDITH B. SIEGRIST VERMILLION PUBLIC LIBRARY

18 CHURCH STREET

VERMILLION, SD 57069

605-677-7060 | VERMILLIONPUBLICLIBRARY.ORG



## FY2019 Annual Survey of South Dakota Public Libraries

Shaded fields are prefilled in the online survey. Contact the SDSL Data Coordinator to make changes to these fields:  
[shawn.behrends@state.sd.us](mailto:shawn.behrends@state.sd.us) / 605-280-5834 / toll free 800-423-6665

### SECTION A. – GENERAL INFORMATION

Library Name	County

Mailing Address	Street Address
Mailing City	Zip Code

#### Contact

Library Director	Email address of director
Library Phone	

#### Admin

Fiscal year reporting	Legal Service Area Boundary Change	Government unit under which library is legally established	Year legally established

#### Population

Population of the Legal Service Area <i>Based on Census population estimates for your legal service area.</i>	
Estimated population of total service area <i>Estimate the population you <u>actually</u> serve.</i>	

What does the library charge for a nonresident library card?	
--	--

#### Outlets

Number of Central Libraries	Number of Branch Libraries	Number of Bookmobiles

Building/ remodeling of library	Building/remodeling explanation	Total square footage main library

#### Codes

Legal Basis Code	Geographic Code

## Library Hours - Public service hours of the main branch.

	Open	Close	Total hours
Sunday			
Monday			
Tuesday			
Wednesday			
Thursday			
Friday			
Saturday			

<b>Total hours open per week</b>	
----------------------------------	--

## SECTION C. -- PERSONNEL

## Head Librarian

Head Librarian	Current Annual Salary	Hours worked per week by head librarian	Highest education level achieved by head librarian	Total number of years head librarian has worked in the field

## Other Librarians

Total number of OTHER paid librarians	Total number of OTHER librarians worked per week	Total hours worked per week-ALL librarians	Total paid librarians FTE

## All Other Paid Staff

Total number of all other paid staff	Total number of all other paid staff hours worked per week	All other paid staff FTE	Total paid employees FTE

## Staff paid by non-library sources

Number of staff paid from other sources	Non-library pay sources	Average hours/week by staff paid by non-library source

## Volunteers

Total number of volunteers	Average number of hours worked by volunteers per week

## ALA-MLS Librarians

Total number of ALA-MLS librarians	Hours worked per week – ALA-MLS librarians	FTE librarians ALA-MLS librarians

## SECTION D -- INCOME

## Operating Income received during fiscal year

Operating income – City/Town	
Operating income – County	
Operating income – School District	
Operating income – Tribal Appropriation	
Operating income – College Appropriation	
Operating income – Other Contracts (other libraries or towns)	
Local Government Revenue	
State Appropriations	
Federal Income	
What amount of federal operating income is from LSTA grants?	
Other Operating Income	
<b>Total Operating Income</b>	

## Capital Income

Local government capital income	
State government capital income	
Federal government capital income	
Other capital income	
<b>Total capital income</b>	

## SECTION E -- EXPENDITURES

## Staff Expenditures

Salaries and Wages for Library Staff	
Total employee benefits	
Total all salaries and benefits	

## Collection Expenditures

Print materials expenditures	
Electronic materials expenditures	
Other materials expenditures	
Total expenditures for library materials	

## Other Operating Expenditures

All other operating expenditures	
----------------------------------	--

<b>Total operating expenditures</b>	
-------------------------------------	--

If there is a large difference between total operating income and total operating expenditures, please provide an explanation for the difference and what happens to unspent revenue.	
---	--

## Capital Expenditures

Capital expenditures on facility	
Capital expenditures on technology	
Other capital expenditures	
<b>Total Capital Expenditures</b>	

<b>Total Expenditures</b>	
---------------------------	--

## SECTION F – LIBRARY HOLDINGS

## Books

Books (print)	
Ebooks accessed through SDTG	
Other ebooks units* owned, leased, licensed	
Total Ebooks	

## Subscriptions

Current print serial subscriptions	
------------------------------------	--

## Audio, Video, Other

Audio – physical units*	
Audio – downloadable units* accessed through SDTG	
Other downloadable audio units* owned, leased, or licensed	
Total downloadable audio	
Video – physical units*	
Video – downloadable units*	
Other (films, multimedia kits, maps)	

## Electronic Collections (Databases)

Local/other licensed electronic collections (databases)	
State licensed electronic collections (databases)	
Total licensed electronic collections (databases)	

<b>Total Holdings</b>	
-----------------------	--

## SECTION G – SERVICE ACTIVITIES

## Library Service Indicators

Annual public services hours per year (ALL outlets)	
Annual total attendance in the library	
Annual total reference transactions completed.	
Registered users	

## Collection Use

## Circulation of Physical Materials

Books	
Magazines and other print items not included above	
Non print physical items	
<b>Total Physical Item Circulation</b>	

## Circulation of Electronic Materials

Ebooks	
Audiobooks (and music)	
Video	
Use (circulation) of Electronic Materials	

## Electronic Collection (database) Use

SDSL-provided electronic collections use	
Other electronic collection use	
<b>Successful Retrieval of Electronic Information</b>	

**Total Circulation of Materials**

Children's Materials Circulated	
<b>Total Electronic Content Use</b>	
<b>Total Collection Use</b>	

## Library Programs

	Library Programs	Library Program Attendance
--Birth thru PreK		
--Kindergarten thru age 11		
<b>Children</b> <i>Ages 0-11</i>		
<b>Young Adult</b> <i>Ages 12-18</i>		
<b>Adult</b> <i>Ages 19 and over</i>		
<b>Total</b>		

## One-to-One Programs / Summer Reading

How many one-to-one program sessions did the library conduct?	
Has the library hosted a summer reading program in the past year?	

## Makerspaces

What types of tools and materials do the library's makerspaces include?	
---	--

## Internet

Total number of Internet computers for use by general public	
Annual number of public access/ internet use sessions (30-minute sessions)	
Does the library offer public Wi-Fi service?	
Annual wireless sessions	
URL of the library's webpage	
Annual Website Visits	
Does the library actively maintain a social media presence?	

## Library Policies and Practices

Does the library charge fines for overdue materials?	
What automation system do you use?	
If you have an automated system, is it connected to the internet?	

## Resource Sharing / Interlibrary Loan

	Received from/ borrowed from other libraries	Provided/sent/loaned to other libraries
Out-of-state total		
In-state total		
<b>Total ILLs</b>		

## SECTION H – LIBRARY TRUSTEES

## Library Board Members

Name	Address	Office Held	Term Expires
		President	

## Library Board Information

Trustee meetings held per year	
Trustees appointed by what governing body?	
Trustee meeting schedule	
Date of last public library board meeting	
Are you aware of and do you comply with the SD Open Meetings law?	
Does the library board need training in any of the following areas?	

## Friends of the Library / Library Foundation

Does your library have a Friends of the Library group?	
President's name and address	
Does your library have a Library Foundation?	
President's name and address	

## SECTION I-J. – STANDARDS / POLICIES / EVENTS / SURVEY CONTACTS

## Library policies &amp; Plans

Has the library board reviewed the following policies and plans in the past year?	
Library bylaws	
Public service policies	
Collection development policy	
Public computer / Internet use policy	
Nonresident policy including reevaluating amount of nonresident fee	
Disaster plan	
Technology plan including timetable for software and hardware updates	
We need more information/examples on how to write the following plans/policies:	

## Narrative listing any special events

<p style="font-size: 48px; opacity: 0.3; transform: rotate(-30deg);">DRAFT</p>	
Librarian or staff member completing the survey	
President of Board of Trustees/ or Director of Institution	

## Supplemental Questions

### 2020 Survey of Library Staff Pay

*Comparison data from SD public libraries is available upon request to public libraries & their stakeholders.*

	Lowest hourly wage	Highest hourly wage	List the job titles of staff reported in this row. (List up to five for each category.)
Librarians (reported in C06)			
Other library staff (reported in C10)			
ALA-MLS Librarians (reported in C19)			

### 2020 Supplemental Internet Questions

What type of broadband connection does your library currently have? (select highest capacity if more than one type)	
Who pays for the library's broadband service?	
Who is/are your broadband service provider(s)? (you may have different landline and wireless providers)	
What is the average age of the library's public computers?	
Does the library have access to local IT personnel when needed?	
Describe the technology support available to your library:	
May SDSL staff contact your library's IT support person (or your Internet service provider, if you don't have IT support) if we have questions about your library's broadband service?	

IT support person or business SDSL staff may contact if we have technical questions about your library's broadband service:

Name	Position / Title	Phone number	Email address

## SELECTED KEY RATIOS – FY 2019

These are key ratios and percentages generated by the survey tool. Per capita ratios are based on the population of the library's legal service area (LSA)--the population of the geographic area that the library serves.*	Your library FY 2019	Your library FY 2018	Statewide average FY 2018
<b>Population used for per capita ratios*</b> <i>Per capita ratios: Divides the total monetary or service statistics by the population served. This ratio helps you compare values among libraries of different sizes.</i>			762,122
Financial Measures			
<b>Local government operating revenue per capita</b> <i>All income from local government sources divided by LSA. This is the best single measure of the library's local financial support.</i>			\$34.47
<b>Total operating revenue per capita</b> <i>Includes income from state, federal, and miscellaneous sources.</i>			\$36.28
<b>Total operating expenditures per capita</b>			\$34.85
<b>Collection expenditures per capita</b> <i>This is the dollar amount spent per resident on new library materials.</i>			\$4.59
Service Measures			
<b>Registered borrowers per capita**</b> <i>The ratio of people registered to use library services. This can show what ratio of the community are active library users if the library regularly purges its files of inactive users.</i>			0.49
<b>Library visits per capita</b> <i>The average number of library visits per resident. It is an indicator of public awareness of library services.</i>			5.0
<b>Total circulation per capita</b> <i>The average number of loans made to residents. Low circulation ratios may be a result of low collection expenditures or indicate that the library should evaluate the relevancy of its new materials purchases to community needs.</i>			7.7
<b>Public internet uses per capita</b> <i>The average number of sessions (measured in 30 minute units) per resident that the library's public computers were used.</i>			1.3
Collection and Circulation Ratios			
<b>Circulation turnover</b> <i>The number of circulation transactions divided by the total number of items in the library's collection. It is an indicator of how often each item is checked out. Low turnover rate may also indicate that the library should consider "weeding" its collection of outdated and unused materials.</i>			1.1
<b>Circulation of children's materials as a % of total circulation</b> <i>Compares ratio of children's materials circulated to total circulation. It is useful to know when considering other services to children.</i>			41%
<b>Circulation of electronic materials as a % of total circulation</b> <i>Ratio of digital materials (ebooks, downloadable audiobooks, etc.) to total circulation.</i>			11.8%
Library Program Ratios and Totals <i>Programs require increased allocation of library resources such as staff, time, materials.</i>			
<b>Total program attendance per capita</b> <i>Ratio of people in the community who attended library programs.</i>			0.44
<b>Children's attendance per program</b>			21.6
<b>Young adult attendance per program</b>			13.9
<b>Adult attendance per program</b>			14.8

\*For Lawrence, Meade & Pennington county libraries: We calculated your per capita population based on a formula that combines the library's local population and your library's ratio of total circulation for the county.

\*\*The library's registered borrower records should be purged of inactive users at least every three years.

ANNOTATIONS (attached to individual questions on the annual report form)

DRAFT

SECTION B. – OUTLET / BRANCH INFORMATION -- FY

B01. Location				
B02. Address		B03. City	B04. Zip Code	B05. Zip +4
B06. County		B07. Phone Number	B08. Outlet Code	
B09. Square footage of branch / outlet		B10. Number of bookmobiles in outlet record		
B11. Total public service hours OPEN per year		B12. Total number of weeks per year branch is open		
B13. Branch Librarian			B14. Total Branch Staff paid	
B15. Total hours open during typical week		B16. Total days open during typical week		

DRAFT



## *Council Agenda Memo*

**From:** John Prescott, City Manager  
**Meeting:** March 2, 2020  
**Subject:** Home Rule Charter Committee appointments  
**Presenter:** Mayor Jack Powell

**Background:** Last year a home rule study committee was appointed to review the idea of whether or not it made sense for Vermillion to consider appointing a Home Rule Charter Committee to bring a home rule charter forward for voter consideration. At the January 20, 2020 Noon City Council meeting the home rule study committee presented their recommendation to move forward with the process. The City Council approved appointing a five-member Home Rule Charter Committee at the February 3, 2020 meeting. The City Council approved a charge for the Home Rule Charter Committee at the February 18, 2020 meeting.

**Discussion:** The City advertised the openings on the City's website, through the VCDC's Monday messenger, at City Council meetings, signs at City Hall and the Library, and via social media. Five Expression of Interest forms were received.

**Financial Consideration:** None. The members of the Committee are not compensated.

**Conclusion/Recommendations:** Administration recommends the City Council appoint five members to the Home Rule Charter Committee and identify a City Council member to serve as a non-voting member of the Committee.

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Vermillion](#); [James Purdy](#); [John Prescott](#)  
**Subject:** Online Form Submittal: Citizen Board/Commission Expression of Interest Form  
**Date:** Thursday, February 27, 2020 10:09:35 AM

---

## Citizen Board/Commission Expression of Interest Form

Board/Commission on which you are interested in serving: Home Rule Study Commission

---

Name Michael Card

---

Number of years you have lived in/around Vermillion 34 years (1978-1983, 1991-present)

---

Address

---

City Vermillion

---

State SD

---

Zip Code 57069

---

Phone Number

---

Email Address

---

Occupation Educator

---

Employer University of South Dakota

---

Business Address 129 Dakota Hall, 414 East Clark Street, Vermillion

---

Prior elected or appointed offices held (if any) I have not sought elective office, and have not sought appointment to a governmental leadership position. In South Dakota government, i was appointed as Deputy Secretary of Education and Cultural Affairs and Deputy Secretary of Labor. At USD, I have been appointed to serve as Graduate School Dean, Continuing Education Dean, and Interim Dean of University Center in Sioux Falls.

---

Present and past community volunteer activities Advised young men of Delta Tau Delta franternity (1992-2002), Troop 66 Committee Chair (2002-2015), coached youth soccer, Golf course study committee (1996-7), several activities with religious and service organizations mostly on an ad hoc basis.

---

Why are you interested in serving on this In my capacity as an educator, I specialize in state and local governments. I have appeared in several SD localities to speak

Board/Commission?

of the pros/cons of professional administration for the form of government that the community chooses. Home rule is a major change, allowing the city to engage in activities not specifically prohibited by law.

---

Do you have any unique skills or experience which would be beneficial to the City to know in selecting someone to serve?

I have group facilitation skills, including facilitating citizen meetings regarding the City of Elk Point building a golf course clubhouse and community center and a very broad knowledge of South Dakota government.

---

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

When considering a change in the form of government residents and citizens choose to ensure their rights, a full consideration of all perspectives is in order. Communication of these deliberations should also engage residents in a meaningful dialogue along with closure to reach a decision.

---

Electronic Signature Agreement

I agree.

---

Electronic Signature

Michael A. Card

---

Email not displaying correctly? [View it in your browser.](#)

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Vermillion](#); [James Purdy](#); [John Prescott](#)  
**Subject:** Online Form Submittal: Citizen Board/Commission Expression of Interest Form  
**Date:** Wednesday, February 19, 2020 8:15:29 AM

---

## Citizen Board/Commission Expression of Interest Form

Board/Commission on which you are interested in serving: Home Rule Charter Committee

---

Name Matthew R Fairholm

---

Number of years you have lived in/around Vermillion 17.5

---

Address

---

City Vermillion

---

State SD

---

Zip Code 57069

---

Phone Number

---

Email Address

---

Occupation Professor

---

Employer University of South Dakota

---

Business Address 414 E. Clark St, Dakota Hall 119, Vermillion, SD 57069

---

Prior elected or appointed offices held (if any) Planning Commission Member, Home Rule Study Committee (twice)

---

Present and past community volunteer activities ICAP, Church leadership, BSA, various school district activities, OLLI

---

Why are you interested in serving on this Board/Commission? I have been studying home rule issues in SD and the nation and look forward to helping Vermillion enhance its opportunities and meet unexpected demands through increased, though clearly delineated, self government.

---

Do you have any unique skills or I do have several years exploring home rule charters, laws and precedents as a professor of public administration.

experience which would be beneficial to the City to know in selecting someone to serve?

---

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

---

My goal is to help the city council fulfill its desire to prepare a well-drafted charter for acceptance by City voters.

---

Electronic Signature Agreement

---

I agree.

---

Electronic Signature

---

Matthew R. Fairholm

---

Email not displaying correctly? [View it in your browser.](#)

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Vermillion](#); [James Purdy](#); [John Prescott](#)  
**Subject:** Online Form Submittal: Citizen Board/Commission Expression of Interest Form  
**Date:** Wednesday, February 19, 2020 9:09:35 AM

---

## Citizen Board/Commission Expression of Interest Form

Board/Commission on which you are interested in serving: Home Rule Charter Committee

---

Name Marc Guilford

---

Number of years you have lived in/around Vermillion 4.5

---

Address

---

City Vermillion

---

State SD

---

Zip Code 57069

---

Phone Number

---

Email Address

---

Occupation Attorney

---

Employer Tennessee Department of Health

---

Business Address 665 Mainstream Drive, Nashville, TN 37243

---

Prior elected or appointed offices held (if any) None

---

Present and past community volunteer activities Nothing recent - I am looking to get involved.

---

Why are you interested in serving on this Board/Commission? This sounds like an interesting issue with a significant amount of intricacy, and I would like to be involved in creating the charter that could establish how city government will run for the foreseeable future.

---

Do you have any unique skills or I have never practiced any kind of municipal law, but as an attorney I hope I could bring familiarity with reading and

experience which would be beneficial to the City to know in selecting someone to serve?

interpreting the relevant statutes and regulations.

---

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

A robust process of public input and education and the drafting of a charter that is no longer or more complicated than necessary to achieve the city's desired goals.

---

Electronic Signature Agreement

I agree.

---

Electronic Signature

Marc R. Guilford

---

Email not displaying correctly? [View it in your browser.](#)

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Vermillion](#); [James Purdy](#); [John Prescott](#)  
**Subject:** Online Form Submittal: Citizen Board/Commission Expression of Interest Form  
**Date:** Thursday, February 27, 2020 2:05:48 PM

---

## Citizen Board/Commission Expression of Interest Form

Board/Commission on which you are interested in serving: Home Rule Committee

---

Name Stacey Larson

---

Number of years you have lived in/around Vermillion 3.5

---

Address 

---

City Vermillion

---

State SD

---

Zip Code 57069

---

Phone Number 

---

Email Address 

---

Occupation Income Maintenance Worker

---

Employer State of Iowa DHS

---

Business Address 822 Douglas St, Sioux City IA

---

Prior elected or appointed offices held (if any) *Field not completed.*

---

Present and past community volunteer activities Home Rule Study Committee

---

Why are you interested in serving on this Board/Commission? I served on the Home Rule Study Committee. After doing the research and determining that Home Rule would be a good fit for the community, I am interested in helping to write the charter and educate the public so that hopefully Home Rule can be implemented.

---

Do you have any Through my time on the Home Rule Study Committee I have

unique skills or experience which would be beneficial to the City to know in selecting someone to serve?

become familiar with Home Rule and how it can be beneficial for the community.

---

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

*Field not completed.*

---

Electronic Signature Agreement

I agree.

---

Electronic Signature

Stacey A Larson

---

Email not displaying correctly? [View it in your browser.](#)

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Vermillion](#)  
**Subject:** Online Form Submittal: Citizen Board/Commission Expression of Interest Form  
**Date:** Monday, February 10, 2020 12:13:19 PM

---

## Citizen Board/Commission Expression of Interest Form

Board/Commission on which you are interested in serving: Home Rule Committee

Name	Travis L. Letellier
Number of years you have lived in/around Vermillion	Five (5)
Address	[REDACTED]
City	Vermillion
State	SD
Zip Code	54069
Phone Number	[REDACTED]
Email Address	[REDACTED]
Occupation	Faculty, Lecturer of Economics
Employer	USD
Business Address	Beacom School of Business, 414 East Clark Street, Vermillion SD, 57069
Prior elected or appointed offices held (if any)	Vermillion Home Rule Study Committee (ad hoc, 2019) Vermillion Human Relations Commission (2-year term), currently serving as Chair
Present and past community volunteer activities	USD President's Council for Diversity; VermillionNEXT Young Professionals Network; VCDC Governmental Affairs Committee; Equality South Dakota; South Dakota Council for Economic Education
Why are you interested in serving on this Board/Commission?	I feel the issue of Home Rule could help launch the City of Vermillion into a new era. Vermillion is a bright and energetic community that would benefit from the flexibility that Home Rule would provide the municipal government. I think Vermillion is a nexus of creativity, so I want to be part of the team that helps

draft a Home Rule Charter and then interacts with the public as this political process moves through its different phases.

---

Do you have any unique skills or experience which would be beneficial to the City to know in selecting someone to serve?

Because I served on the initial Home Rule Study Committee, I understand the background of the issue. I have read the other Home Rule Charters from South Dakota cities, and I am familiar with the benefits and the limitations of this form of government. I have a good working relationship with City leaders, the University community, and Diversity groups across the state. I can look at and understand issues from both an academic and a practical perspective. My experiences with numerous Boards and Committees make me comfortable with interacting with the public and presenting complex ideas (like Home Rule) in simple, easy-to-understand conversations.

---

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

Because of statutory timelines, there is a short turnaround for this project to be completed. So the Home Rule Committee needs to hit the ground running. Not only will this committee need to draft an initial Home Rule Charter, but the members will need to hold several public hearings to gather feedback from the voters before it can be placed on a ballot. Being able to interact with citizens, and being able to accurately and factually discuss what Home Rule will and will not do are vital characteristics the Committee will need to fulfill.

---

Electronic Signature Agreement

I agree.

---

Electronic Signature

Travis L Letellier

---

Email not displaying correctly? [View it in your browser.](#)

## *Council Agenda Memo*

**From:** James Purdy, Assistant City Manager

**Meeting:** March 2, 2020

**Subject:** Request to close North Pine Street from East Cedar Street to the End of the Alpha Phi House South Property Line for Alpha Phi's Sorority Recruitment Bid Day on August 20, 2020

**Presenter:** James Purdy

**Background:** The Alpha Phi Sorority has requested the closure of North Pine Street from East Cedar Street to the south property line of the Alpha Phi House at 707 E. Cedar Street. The closure is requested for their Recruitment Bid Day. The street closure is requested for Thursday, August 20, 2020 from 8:00 a.m. to 3:00 p.m.

**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 the Alpha Phi organization after the event concludes, and the street will be cleared immediately.

Alpha Phi's organizer will be meeting with the neighbors to notify them of the street closing prior to the City Council meeting. An Alpha Phi representative was requested to attend the City Council meeting to answer any City Council questions.

This street closure request includes the same location that Alpha Phi's street closure requests have covered since 2017. There have been no issues.

**Financial Consideration:** None.

**Conclusion/Recommendations:** Administration recommends that the City Council approve the temporary closing of North Pine Street from East Cedar Street to the south property line of the Alpha Phi House from 8:00 a.m. to 3:00 p.m. for Alpha Phi's Sorority Recruitment Bid Day on Thursday, August 20, 2020.

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 Taylor A Davis

(Section Break)

#### APPLICATION

Organization Requesting Alpha Phi

Name of Event & Brief Description of Event Alpha Phi Bid Day. This is the event that we hold for our new members.

Expected Participants 110

Name of Primary Contact Person Taylor A Davis

Primary Contact Phone Number + 24 Hour Access Phone Number

[REDACTED]

Name of Secondary Contact Person Elizabeth Miller

Secondary Contact Phone Number + 24 Hour Access Phone Number

[REDACTED]

Date(s) of Closure Requested 8/20/20

Street Closures Times	8:00am- 3:00pm
Street(s) Requested to be Closed	On Pine street from Cedar street to the end of the Alpha Phi House
Optional File Upload	<a href="#">IMG_5067.JPG</a>
Please detail how you have notified or plan to notify those affected by your Street Closure Request:	There is no one that would be affected by the street closure other than the women living in our house! Every year we go over and tell the family next to us that there will be an event going on in our yard/the street but they usually don't mind because they are always at work! All the houses around us are still able to drive to their houses/driveways conveniently.
Please detail your plans for cleaning up after your event:	There should not be any mess in the road because we will just have yard games set up. I plan to clean up all the yard games and make sure there's no trash or other stray items left over in the road.

(Section Break)

#### Release, Hold Harmless and Indemnification Agreement

City of Vermillion, South Dakota  
I,

Name of Event Organizer	Alpha Phi
Dated This	2/25/2020 4:00 PM
First Name	Taylor
Last Name	Davis
Electronic Signature Agreement	I agree.
Electronic Signature	Taylor A Davis

(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





E National St

Pine St

N Pine St

Delta TAU Delta

Alpha Phi House

E Cedar St

E National St

South Dakota

Tau Kappa Epsilon

 37°  
AQI 37

Q Search for a place or address





## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer  
**Meeting:** March 2, 2020  
**Subject:** Presentation of 2019 Annual Financial Report  
**Presenter:** Mike Carlson

**Background:** The annual financial report is required to be presented to the City Council at the first regular meeting of May. The following state statute is applicable:

9-22-21. Annual financial report--Publication--Filing. The financial officer shall report to the governing body no later than the first regular meeting of May of each year, the receipts, expenses and financial condition of the municipality. The report shall include the amount of funds in the treasury at the time the report is made and where and in what amounts the funds are deposited or invested. The report shall be published in the official newspaper, or any other newspaper as the governing body may direct within thirty days after the report is made to the governing body or on completion of an annual audit. By the last day of May each year the financial officer shall file a copy of the report with the Department of Legislative Audit.

The state statute was changed two years ago moving the date from the first meeting in March to the first meeting in May. As the City is required to have an annual audit, having the report done now allows time to complete the balance of the comprehensive annual report and for the auditors to begin their audit work in advance of the onsite field work scheduled for the end of April.

**Discussion:** The report, as presented, is unaudited and contains only the financial section. For the annual audit, the introductory, management discussion and analysis, footnotes, and statistical sections contained in the comprehensive annual financial report will be completed and included in the audited report. Upon acknowledgement of receipt by the City Council, the required exhibits will be published and filed with the Department of Legislative Audit. The City Council has previously approved a contract with Williams & Company, P.C. to audit the financial statements that will be performed in April to June.

In the past, there have been questions on what is included in the report so attached is a more detailed explanation of the unaudited financial statements.

**Financial Consideration:** The cost will be the publication of the required information.

**Conclusion/Recommendations:** Administration recommends that the City Council acknowledge receipt of the 2019 Unaudited Annual Financial Report in the official minutes.

**From:** Mike Carlson, Finance Officer  
**Meeting:** March 2, 2020  
**Subject:** 2019 Unaudited Annual Financial Report additional information  
**Presenter:** Mike Carlson

Mayor and City Council:

The 2019 unaudited annual financial report was included in your packet. The annual report is required to be presented to the City Council by the first meeting in May. The report, as presented, is unaudited and the City has contracted with the firm Williams & Company to audit the financial statements. Prior to the audit being complete, we will complete the introductory section, management discussion and analysis, footnotes to the financial statements and statistical sections all required for the comprehensive annual financial report.

There is a lot of information consolidated into this report and the following is provided as explanation of the individual statements contained in the report.

Exhibits 1 and 2, contained on pages 5 and 7, are the government-wide financial statements. These two exhibits report the City operations similar to financial reports of business entities by including all assets, depreciation, receivables, payables and debt. Reported on page 5 is the net position of the City separated into columns for governmental activities, business-type activities and total for the City. The last column is the information of Housing and Redevelopment Authority that is considered to be a component unit of the City as the City Council created the entity and appoints the Board members, thus requiring their information to be included in the City's annual report. The information reported for the Housing and Redevelopment Authority is taken from their audited financial statements.

Exhibit 1, on page 5, the Statement of Net Position, reports that the City has just under \$114 million of assets and deferred outflows of resources (\$112,435,763) plus (\$1,416,987) and just under \$26 million of liabilities and deferred inflows of resources (\$25,110,529) plus (\$663,773) leaving net position of over \$88 million (\$88,078,448). Of the over \$88 million of net position over \$61 million is investment in capital assets. Last year (2018) the City reported over \$86 million of net position (\$86,050,495), thus an increase of over \$2 million (\$2,027,953) in net position for the year ended 2019.

Exhibit 2, on Page 7, the Statement of Activities, lists in the first column the expenses, followed by columns for charges for goods and services, operating and capital grants that are received for the corresponding expenditures. This exhibit shows the revenue and expense including depreciation by activity and the changes in net position for governmental activities and business type activities and a total for the City. Governmental activities net position increased by \$532,755 while business activities net position increased by \$1,495,198 for a total increase in the City's net position of just over \$2 million (\$2,027,953). If the City was a private business, this would be the net income for 2019. Again, as in Exhibit 1, the last column is the activities of the Housing and Redevelopment Authority.

Exhibit 3, on page 8, reports the Governmental Funds Balance Sheet for the individual major funds (General Fund and Second Penny Sales Tax Fund) and a total column for all other governmental funds. The General Fund is considered a major fund as well as any other fund that has over 10% of the total governmental fund assets, liabilities, revenues or expenditures or 5% of the entity total assets, liabilities, revenues or expenditures. This year, the major fund is Second Penny Sales Tax Fund. The total other governmental funds are made up of the 15 remaining governmental funds whose individual fund balance sheets are reported on Exhibit A-1 on pages 22 & 23.

Exhibit 3A, on page 9, is a reconciliation of the Governmental Fund Balance Sheet with a fund balance shown on page 8 of \$11,013,407 to the Total Net Position reported on the Statement of Net Position shown on page 5 of \$42,156,621. The reconciliation adds in capital assets that are not reported in governmental funds, receivables that are not available to pay current period expenditures, prepaid expenses that are expenditures in governmental fund when paid, net assets of internal service funds that provide services to City funds and pension related items. Reductions are long term liabilities, accrued leave payable, accrued interest payable, bond premium and pension related items.

Exhibit 4, on page 10, reports the Governmental Fund Revenues, Expenditures and Changes in Fund Balance for the individual major funds (General Fund and Second Penny Sales Tax Fund) and a total column for all other governmental funds. The total other governmental funds are made up of the 15 remaining governmental funds whose individual fund statement of revenues, expenditures and changes in fund balance are reported on Exhibit A-2 on pages 24 & 25.

Exhibit 4A, on page 11, is a reconciliation of the change in fund balance from page 10 of \$1,068,410 to the changes in net position shown on page 7 of \$532,755. The reconciliation adjusts for inventory, expenditures for capital assets, depreciation, the loss on disposal of capital assets, payment on long term debt, change in prepaid expenses, change in accrued interest, pension related activities and net revenue of internal service funds.

Exhibit 5, 6 & 7, on pages 12, 13 & 14, are the statements of net position, revenues and expenses and changes in net position and statement of cash flows for the business type funds, electric, water, wastewater, liquor, golf, Joint Powers and curbside recycling. The last column is the total of the internal service funds made up of the copier, fax, postage fund, unemployment insurance fund, equipment replacement fund and custodial fund (the individual internal service fund activity is reported on page 31, 32 & 33).

Exhibit 5, on page 12, titled Statement of Net Position, reports for the individual proprietary funds (business-type funds) the fund assets, liabilities and net position.

Exhibit 6, on page 13, Statement of Revenues, Expenses and Changes in Net Position, reported an operating income for all business type funds except the golf course. The golf course reported a (\$182,625) decrease in net position that is attributed to the impact of weather on course volumes. It should be noted the GASB 68 pension adjustment included \$328,100 of pension expenses to be included in the business type funds. Golf course pension adjustment is \$31,720.

Exhibit 7, on page 14, Statement of Cash Flows reports for the proprietary funds (business type funds) the individual fund cash flows. An item to note are in the total column the City enterprise funds acquired \$2,144,480 of capital assets, received refunding bond proceeds of \$3,680,951 and retired \$6,786,149 of debt during 2019 for a net decrease in debt proprietary funds of \$3,416,705. The increase in debt retired was from the contribution of \$2 million to the electric bond refunding.

Exhibit 8, on page 16, reports the general fund revenues and expenditures compared to budget and the variance from budget. The general fund revenues were below the budget by \$59,415 and expenses are below budget by \$359,873. The general fund transfers out budgeted at \$903,786 was not all transferred out with the majority of the funds not transferred were for the STIP capital project for Anderson Street reconstruction. To balance the 2019 budget, it was projected to use \$310,981 of general fund reserves while the actual results the general fund added \$17,616 to the reserve.

Exhibit 9, on page 17, reports the Second Penny Sales Tax fund revenues and expenditures compared to budget and the variance from budget. Revenues are \$39,585 above budget, expenditures are \$228,561 under budget and transfers out were \$35,553 under budget. The largest line item of expenditures under budget was Parks Equipment of \$85,734 which is the Prentis Park bathroom project that was not completed. The Second Penny sales tax budget was an increase of \$123,082 with actual increase of \$426,781 for 2019.

Exhibit 10, on page 18, lists the City Deposit accounts. The City maintains change funds at the City Hall Utility Office, Landfill, Recycling Center, Golf Course, Liquor Store and Police Department. The operating checking account is at CorTrust Bank. City reserve funds are invested in certificates of deposit at local banks and SD Public Funds Investment Trust by comparing yield rates. Investments are with the SD Public Funds Investment Trust for bond reserves, bond payments and landfill closure reserve. The Library Board operations are reported as a governmental special revenue fund and, as such, their depositories are included in the annual report. The investments at First National Bank is the city hall bond reserve. As trustee, for the bonds, they hold the bond reserve funds.

Exhibit A-1 and A-2, on page 22-25, contain the combining balance sheet for non major governmental funds and the combining statement of revenues and expenditures. The total from Exhibit A-1 move forward to page 8 and totals from Exhibit A-2 move forward to page 10. Exhibit A-3, on pages 26-27, report the budget vs. actual for the non-major special revenue funds and Exhibit A-4, on pages 28-29, report the budget vs. actual for the capital projects funds.

Exhibit B-1, B-2 and B-3, on pages 31, 32 & 33, report the activities from the internal service funds. These funds provide goods and services to other funds within the City. The custodial services fund reported decrease in net position of \$6,005 (Note the pension adjustment increased personnel services \$6,011). While not large, we will monitor to see that charges for services meet the costs of providing the services. The totals on these exhibits move forward to Exhibits 5, 6 & 7 on pages 12-14.

## 8. New Business; item c

An item to note is that GASB 68 requires the city to report its proportionate share of the net South Dakota Retirement System (SDRS) assets or liabilities. At June 30, 2018 the SDRS was 100.02% funded thus the city reported a net pension asset of \$6,583. At June 30, 2019 the SDRS was 100.09% funded thus the city is reporting a net pension asset of \$30,568. The reporting of the SDRS net assets/liabilities, pension related deferred outflows and pension related deferred inflows resulted in a \$876,692 decrease in net assets of the city for the calendar year 2019.



# Unaudited Annual Financial Report

Prepared by THE CITY FINANCE OFFICE--Michael Carlson, Finance Officer  
**FISCAL YEAR: January 1, 2019----December 31, 2019**

CITY OF VERMILLION  
UNAUDITED FINANCIAL REPORT  
FOR THE YEAR ENDED DECEMBER 31, 2019

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February 26, 2020

Honorable Mayor and Members of the City Council  
City of Vermillion  
Vermillion, South Dakota 57069

The unaudited annual financial report of the City of Vermillion for the fiscal year ended December 31, 2019 is submitted here with. The City's Finance Office prepared this report, which is responsible for both the accuracy of the information presented and the completeness and fairness of the presentation. Contained herein are the unaudited financial statements which will become part of the comprehensive annual financial report after it is audited by Williams & Company, PC, later this year. By the time of the annual audit the introductory section, management discussion and analysis, footnotes to the financial statements and the statistical sections to be contained in the comprehensive annual financial report will be completed.

The unaudited financial statements contained within are prepared using the GASB 34 reporting model. It requires the consolidated government wide financial statements accompany the more traditional fund based financial reports. Although the focus of the new government wide financial statements will be on the government as a whole, those statements will still distinguish governmental activities from business type activities. This is the fourth year of implementing GASB 68 reporting the Cities share of the SDRS assets or liabilities based upon plan funding. At June 30, 2019, SDRS is 100.09% funded and accordingly has a net pension asset.

The annual report is required by SDCL 9-22-21 to be presented to the City Council by the first meeting in May. The City Council needs to acknowledge receipt of the report in its official minutes. Upon acceptance the required information will be published in the official newspaper and filed with the Department of Legislative Audit.

Respectfully Submitted,



Michael D. Carlson  
Finance Officer

# CITY OF VERMILLION MUNICIPAL OFFICIALS

For the Period January 1, 2019 through December 31, 2019

Mayor

John E. (Jack) Powell

Alderman Central Ward

Kelsey Collier-Wise

Katherine Price

Alderman Northeast Ward

Tom Sorensen

Julia Hellwege

Alderman Northwest Ward

Brian Humphrey

J. Howard Willson

Alderman Southeast Ward

Steve Ward

Rich Holland

City Manager

John Prescott

CITY OF VERMILLION  
STATEMENT OF NET POSITION  
DECEMBER 31, 2019

	Primary Government			Component Unit
	Governmental Activities	Business-type Activities	Total	Housing & Redevelopment
<b>ASSETS</b>				
Cash & cash equivalents	\$ 349,740	\$ 1,062,219	\$ 1,411,959	\$ 69,569
Investments	10,375,000	9,475,000	19,850,000	-
Receivables (net, where applicable, of allowance for uncollectibles)				
Taxes receivables	34,329	-	34,329	-
Accounts receivable	228,050	966,845	1,194,895	-
Unbilled accounts receivable	-	438,411	438,411	-
Special assessments receivable	29,188	-	29,188	-
Interest receivable	174,864	173,805	348,669	-
Due from other governments	623,918	62,045	685,963	-
Internal balances	(544,320)	544,320	-	-
Inventories	95,956	1,341,659	1,437,615	-
Net Pension Assets	19,459	11,109	30,568	-
Prepaid expenses	92,114	91,591	183,705	2,634
Deposits SDPAA	189,776	184,979	374,755	-
Restricted assets:				
Cash	134,021	1,853,257	1,987,278	64,440
Investments	573,879	-	573,879	-
Interest receivable	476	-	476	-
Capital assets:				
Land and construction in progress	1,688,221	3,031,470	4,719,691	-
Other capital assets, net of depreciation	34,732,359	44,402,023	79,134,382	-
Total capital assets	36,420,580	47,433,493	83,854,073	-
Total assets	48,797,030	63,638,733	112,435,763	136,643
<b>DEFERRED OUTFLOWS OF RESOURCES:</b>				
Pension Related Deferred Outflows	884,911	532,076	1,416,987	-
<b>LIABILITIES</b>				
Accounts payable	303,585	849,046	1,152,631	5,418
Customer deposits	-	83,225	83,225	-
Accrued interest payable	10,212	24,735	34,947	-
Revenue collected in advance	11,772	3,500	15,272	3,190
Noncurrent liabilities:				
Due within one year:				
Bonds payable	244,842	1,204,173	1,449,015	-
Notes payable	-	51,169	51,169	-
Capital lease	280,000	-	280,000	-
Accrued leave payable	234,685	152,025	386,710	2,265
Due in more than one year:				
Bonds payable with premium	3,874,258	14,953,563	18,827,821	-
Notes payable	-	93,387	93,387	-
Capital lease	1,855,000	-	1,855,000	-
Closure - postclosure liability	-	393,955	393,955	-
Accrued leave payable	287,357	200,040	487,397	2,522
Total liabilities	7,101,711	18,008,818	25,110,529	13,395
<b>DEFERRED INFLOWS OF RESOURCES:</b>				
Pension Related Deferred Inflows	423,609	240,164	663,773	-
<b>NET POSITION</b>				
Net investment in capital assets	30,147,301	30,929,751	61,077,052	-
Restricted for:				
BBB tax	318,839	-	318,839	-
Debt service	689,626	1,362,403	2,052,029	-
Stormwater	1,452,180	-	1,452,180	-
Parks Capital	36,758	-	36,758	-
Library	63,653	-	63,653	-
Business Improvement District	30,000	-	30,000	-
Landfill closure postclosure	-	77,235	77,235	-
Cumulative reserve-SDPAA	189,776	184,979	374,755	-
SDRS Pension Purposes	480,761	303,021	783,782	-
Other purposes	-	-	-	64,440
Unrestricted	8,747,727	13,064,438	21,812,165	58,808
Total Net Position	\$ 42,156,621	\$ 45,921,827	\$ 88,078,448	\$ 123,248

Unaudited Financial Statements

CITY OF VERMILLION  
STATEMENT OF ACTIVITIES  
FOR THE YEAR ENDED DECEMBER 31, 2018

Functions/Programs	Expenses	Program Revenues			Net (Expense) Revenue and Changes In Net Position			Component Unit Housing & Redevelopment
		Charges for Services	Operating Grants & Contributions	Capital Grants & Contributions	Primary Government		Total	
					Governmental Activities	Business-Type Activities		
<b>Primary government</b>								
<b>Governmental activities:</b>								
General government	\$ 1,562,950	\$ 145,404	\$ 17,949	\$ -	\$ (1,399,597)	\$ -	\$ (1,399,597)	\$ -
Public safety	3,353,043	299,906	327,059	89,667	(2,636,411)	-	(2,636,411)	-
Public works	2,188,993	385,793	-	410,178	(1,393,022)	-	(1,393,022)	-
Health & welfare	798,825	578,609	2,000	-	(218,216)	-	(218,216)	-
Culture & recreation	2,027,810	166,485	52,892	11,398	(1,797,035)	-	(1,797,035)	-
Conservation & development	597,560	-	-	-	(597,560)	-	(597,560)	-
Interest on long-term debt	179,579	-	-	-	(179,579)	-	(179,579)	-
<b>Total governmental activities</b>	<b>10,708,760</b>	<b>1,576,197</b>	<b>399,900</b>	<b>511,243</b>	<b>(8,221,420)</b>	<b>-</b>	<b>(8,221,420)</b>	<b>-</b>
<b>Business-type activities:</b>								
Electric	5,875,606	7,615,970	-	-	-	1,740,364	1,740,364	-
Water	1,684,938	1,823,410	-	-	-	138,472	138,472	-
Wastewater	1,979,783	2,078,229	-	-	-	98,446	98,446	-
Liquor	1,378,102	1,606,911	-	-	-	228,809	228,809	-
Golf	954,449	705,074	-	10,955	-	(238,420)	(238,420)	-
Joint powers landfill	1,722,301	1,910,098	23,639	-	-	211,436	211,436	-
Curbside recycling	139,300	129,473	-	-	-	(9,827)	(9,827)	-
<b>Total business-type activities</b>	<b>13,734,479</b>	<b>15,869,165</b>	<b>23,639</b>	<b>10,955</b>	<b>-</b>	<b>2,169,280</b>	<b>2,169,280</b>	<b>-</b>
<b>Total primary government</b>	<b>\$ 24,443,239</b>	<b>\$ 17,445,362</b>	<b>\$ 423,539</b>	<b>\$ 522,198</b>	<b>\$ (8,221,420)</b>	<b>\$ 2,169,280</b>	<b>\$ (6,052,140)</b>	<b>\$ -</b>
<b>Component Unit</b>								
Housing & redevelopment	1,176,092	469	1,235,902	-	-	-	-	60,279
<b>Total component unit</b>	<b>\$ 1,176,092</b>	<b>\$ 469</b>	<b>\$ 1,235,902</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 60,279</b>
<b>General revenues:</b>								
<b>Taxes:</b>								
Property taxes - levied for general purposes					2,659,569	-	2,659,569	-
Sales taxes					3,961,932	-	3,961,932	-
Sales taxes for special revenues					419,115	-	419,115	-
Other State taxes					69,356	-	69,356	-
Unrestricted investment earnings					223,814	404,312	628,126	375
Miscellaneous revenue					282,703	59,018	341,721	-
Gain on sale of capital assets					274	-	274	-
Transfers					1,137,412	(1,137,412)	-	-
<b>Total general revenues, special item, &amp; transfers</b>					<b>8,754,175</b>	<b>(674,082)</b>	<b>8,080,093</b>	<b>375</b>
Change in net position					532,755	1,495,198	2,027,953	60,654
Net position - beginning					41,623,866	44,426,629	86,050,495	62,594
<b>Net position - ending</b>					<b>\$ 42,156,621</b>	<b>\$ 45,921,827</b>	<b>\$ 88,078,448</b>	<b>\$ 123,248</b>

CITY OF VERMILLION  
 RECONCILIATION OF THE GOVERNMENTAL FUNDS BALANCE SHEET  
 TO THE STATEMENT OF NET POSITION  
 DECEMBER 31, 2019

Amounts reported for governmental activities in the statement  
 of net position are different because:

Total fund balance - governmental Funds (page 8)			\$ 11,013,407
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.			32,935,920
Long-term liabilities, including bonds payable, capital leases and accrued leave payable are not due and payables in the current period and therefore are not reported in the funds.			
	Bonds payable	\$ (4,060,131)	
	Capital Lease	(2,135,000)	
	Accrued leave payable	<u>(515,773)</u>	(6,710,904)
Assets such as taxes receivable (delinquent) and special assessment receivables (current, delinquent and deferred) are not available to pay for current period expenditures and therefore are deferred in the funds.			265,283
Prepaid expenses are reported in the governmental activities but are not reported in the funds as they do not provide current economic resources.			92,114
Accrued interest expense from the balance sheet and amortization that require current financial resources from governmental activities.			(10,212)
Bond premiums are reported in the governmental activities but are not reported in the funds as they do not provide current economic resources			(58,969)
Net Pension Asset reported in governmental activities is not an available financial resource and therefore is not reported in the funds.			19,329
Pension related deferred outflows are components of net pension asset and therefore are not reported in the funds.			874,432
Pension related deferred inflows are components of net pension asset and therefore are not reported in the funds.			(420,952)
Internal service funds are used by management to charge the costs of activities, such as insurance, to individual funds. The assets, deferred outflows of resources, liabilities, and deferred inflows of resources are included in the Statement of Net Position as follows:			
	Governmental Activities:	4,470,469	
	Business-Type Activities:	<u>(313,296)</u>	
			<u>4,157,173</u>
Total net position - governmental activities (page 5)			<u>\$ 42,156,621</u>

CITY OF VERMILLION  
 RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND  
 CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES  
 FOR THE YEAR ENDED DECEMBER 31, 2019

Amounts reported for governmental activities in the statement of activities are different because:

Net change in fund balances - total governmental funds (page 10)	\$ 1,068,410	
Inventories in the governmental funds have been recorded as expenditures when paid. However, the statement of activities will report these items as expenditures in the period that the corresponding asset is exhausted.		12,988
Governmental funds report capital outlays, including infrastructure, as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. Depreciation expense exceeded capital outlays in the current year as follows:		
Expenditures for capital assets	\$ 1,330,809	
Depreciation expense	<u>(1,896,943)</u>	(566,134)
Governmental funds report the proceeds from the sale of fixed assets as revenue whereas the statement of activities reports the gain on the sale of fixed assets. This is the effect on the change in net position on the statement of activities.		(10,567)
The repayment of the principal of long-term debt consumes the current financial resources of governmental funds, however, has any effect on net position. This is the amount of repayment of long term debt.		516,568
Governmental funds report special assessments as revenue when it becomes available, but the statement of activities includes special assessments as revenue when levied.		(14,429)
Governmental funds do not reflect the change in accrued leave as it does not consume current financial resources. The Statement of Activities reflects the change in accrued leave through expenditures.		(50,737)
Revenues in the statement of activities that do not provide current financial resources are not reported as revenues.		(25,060)
The effect of the change in prepaid insurance which is not reported in the governmental funds as it is not available to provide current financial resources.		19,549
Accrued interest expense and amortization of bond premium reported in the Statement of Activities does not require the use of current financial resources and, therefore, is not reported as expenditures in governmental funds.		7,909
Changes in the pension related deferred outflows/inflows are direct components of pension liability(asset) and are not reflected in the governmental funds.		(542,581)
Internal service funds are used by management to charge the costs of certain activities, such as insurance to individual funds. The net revenue (expense) of the internal service funds is reported with governmental activities.		
Governmental Activities:	\$ 168,315	
Business Type Activities:	<u>(51,476)</u>	116,839
Change in net position of governmental activities (page 7)		<u><u>\$ 532,755</u></u>

CITY OF VERMILLION  
 STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN NET POSITION  
 PROPRIETARY FUNDS  
 FOR THE YEAR ENDED DECEMBER 31, 2019

	Business-Type Activities-Enterprise Funds							Governmental Activities- Internal Service Funds	
	Electric	Water	Wastewater	Liquor	Golf Course	Joint Powers Landfill	Non-Major Curbside Recycling		Totals
<b>Operating revenue:</b>									
Charges for goods and services	\$ 5,652,835	\$ 1,524,155	\$ 1,714,486	\$ 1,606,911	\$ 704,574	\$ 1,830,161	\$ 118,030	\$ 13,151,152	\$ 676,179
Surcharge as security for debt	1,063,302	279,083	353,860	-	-	-	-	1,696,245	-
Miscellaneous	899,833	20,172	9,883	-	500	79,937	11,443	1,021,768	-
Total operating revenue	<u>7,615,970</u>	<u>1,823,410</u>	<u>2,078,229</u>	<u>1,606,911</u>	<u>705,074</u>	<u>1,910,098</u>	<u>129,473</u>	<u>15,869,165</u>	<u>676,179</u>
<b>Operating expenses:</b>									
Personal services	1,015,562	644,329	525,516	-	449,944	621,434	125,315	3,382,100	44,809
Other current expense	393,893	328,858	671,379	269,451	293,202	601,278	11,041	2,569,102	55,541
Materials (cost of goods sold)	3,210,767	279,492	-	1,096,457	175,175	-	-	4,761,891	-
Depreciation/amortization	750,616	337,667	643,284	8,737	47,814	453,872	3,425	2,245,415	442,519
Total operating expenses	<u>5,370,838</u>	<u>1,590,346</u>	<u>1,840,179</u>	<u>1,374,645</u>	<u>966,135</u>	<u>1,676,584</u>	<u>139,781</u>	<u>12,958,508</u>	<u>542,869</u>
Operating income (loss)	<u>2,245,132</u>	<u>233,064</u>	<u>238,050</u>	<u>232,266</u>	<u>(261,061)</u>	<u>233,514</u>	<u>(10,308)</u>	<u>2,910,657</u>	<u>133,310</u>
<b>Nonoperating revenue (expense):</b>									
Interest earned	277,128	22,513	41,867	2,710	12,412	46,719	963	404,312	18,634
Rental revenue	-	3,949	-	-	55,069	-	-	59,018	-
Intergovernmental Revenue	-	-	-	-	-	23,639	-	23,639	-
Interest expense and fiscal charges	(448,766)	(85,536)	(151,600)	-	-	(44,535)	(167)	(730,604)	-
Bond Issuance Costs	(78,016)	-	-	-	-	-	-	(78,016)	-
Gain(loss) on discarded equipment	(412)	(13,610)	(348)	(3,457)	-	(1,000)	-	(18,827)	10,841
Total nonoperating revenue (expense)	<u>(250,066)</u>	<u>(72,684)</u>	<u>(110,081)</u>	<u>(747)</u>	<u>67,481</u>	<u>24,823</u>	<u>796</u>	<u>(340,478)</u>	<u>29,475</u>
Income (Loss) before contributions, and transfers	1,995,066	160,380	127,969	231,519	(193,580)	258,337	(9,512)	2,570,179	162,785
Capital contributions	-	-	-	-	10,955	-	-	10,955	-
Transfer in	9,000	-	-	-	-	-	-	9,000	5,530
Transfer out	(884,950)	(38,583)	(28,679)	(194,200)	-	-	-	(1,146,412)	-
Change in net position	<u>1,119,116</u>	<u>121,797</u>	<u>99,290</u>	<u>37,319</u>	<u>(182,625)</u>	<u>258,337</u>	<u>(9,512)</u>	<u>1,443,722</u>	<u>168,315</u>
Total net position - beginning	<u>17,213,783</u>	<u>7,978,660</u>	<u>9,481,841</u>	<u>387,574</u>	<u>3,572,830</u>	<u>5,405,322</u>	<u>124,799</u>		<u>4,302,154</u>
Total net position - ending	<u>\$ 18,332,899</u>	<u>\$ 8,100,457</u>	<u>\$ 9,581,131</u>	<u>\$ 424,893</u>	<u>\$ 3,390,205</u>	<u>\$ 5,663,659</u>	<u>\$ 115,287</u>		<u>\$ 4,470,469</u>
Adjustment to reflect the consolidation of internal service fund activities related to enterprise activities								51,476	
Change in Net Position of Business-type Activities (page 7).								\$ 1,495,198	

**REQUIRED SUPPLEMENTARY INFORMATION**  
**(unaudited)**

In accordance with the Governmental Accounting Standards Statements No. 25, No. 27 and No. 34, the following information is a required part of the general purpose financial statements.

CITY OF VERMILLION  
MAJOR SPECIAL REVENUE FUNDS  
SALES TAX FUND  
SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES  
IN FUND BALANCE - BUDGET AND ACTUAL  
FOR THE YEAR ENDED DECEMBER 31, 2019

	Budgeted Amounts		Actual Amounts (Budgetary Basis)	Variance Favorable (Unfavorable)
	Original	Final		
<b>REVENUES</b>				
Taxes:				
General sales & use taxes	\$ 1,928,000	\$ 1,978,000	\$ 2,017,986	\$ 39,986
Intergovernmental Revenue				
State Grant	-	-	-	-
Federal Grant	-	86,667	86,667	-
Miscellaneous revenue:				
Interest earned	50,000	71,000	70,599	(401)
Total revenue	<u>1,978,000</u>	<u>2,135,667</u>	<u>2,175,252</u>	<u>39,585</u>
<b>EXPENDITURES</b>				
Current:				
Public safety	126,100	207,100	43,212	163,888
Public works	230,200	312,000	231,187	80,813
Health and welfare	31,000	31,000	12,627	18,373
Culture-recreation	249,500	465,890	43,941	421,949
Conservation & development	50,000	150,000	54,969	95,031
Total current exp	<u>686,800</u>	<u>1,165,990</u>	<u>385,936</u>	<u>780,054</u>
Capital Outlay:				
General	-	-	-	-
Public safety	-	-	152,001	(152,001)
Public works	-	-	-	-
Health and welfare	-	-	18,371	(18,371)
Culture-recreation	-	-	381,121	(381,121)
Total capital outlay	<u>-</u>	<u>-</u>	<u>551,493</u>	<u>(551,493)</u>
Total expenditures	<u>686,800</u>	<u>1,165,990</u>	<u>937,429</u>	<u>228,561</u>
<b>OTHER FINANCING SOURCES (USES)</b>				
Transfers out	(1,199,071)	(846,595)	(811,042)	35,553
Total other financing sources (uses)	<u>(1,199,071)</u>	<u>(846,595)</u>	<u>(811,042)</u>	<u>35,553</u>
Net change in fund balance	92,129	123,082	426,781	303,699
Fund balance - beginning	<u>4,681,839</u>	<u>4,681,839</u>	<u>4,681,839</u>	<u>-</u>
Fund balance - ending	<u>\$ 4,773,968</u>	<u>\$ 4,804,921</u>	<u>\$ 5,108,620</u>	<u>\$ 303,699</u>

**CITY OF VERMILLION  
OTHER SUPPLEMENTARY INFORMATION**

The following funds included in this fund type and their purposes are as follows:

**Non-Major Funds:**

**Special Assessment Project Funds** - This fund is used to account for receipt and disbursements of monies used for the construction of capital improvements, which are to be assessed to property owners and for projects funded by the State Transportation Improvement Program (STIP) funds. The projects are financed by the sale of special assessment bonds reported as a transfer in from the debt service fund and payments received from the property owners. The sidewalk project was completed in 2019 but the project was not assessed until 2020. During 2019 the Anderson Street reconstruction was completed that was funded from STIP funds transferred from General Fund.

**Bike Path Fund** - This fund is used to account for the receipts and disbursements of monies used for the construction of bike paths with the use of the federal matching funds. The engineering department is working with the Department of Transportation on options for the trail along the Vermillion River and with the flooding no funds were expended during 2019.

**Airport Fund** - This fund is used to account for receipts and disbursements of monies from federal, state and local matching for improvements at Harold Davidson Field.

**Prentis Park Improvements** – This fund is used to account for the donations, transfers in and bond proceeds used for improvements to Prentis Park. The improvements planned are swimming pool, basketball courts, sidewalks and parking lot. The swimming pool portion of the project was completed in May 2017 and opened in June for the summer. Bids for the basketball court and parking lot portions of the project was completed in early 2018. During 2018 the first phase of sidewalk extensions was completed and in 2019 the second phase of sidewalks were completed along Clark Street.

**DEBT SERVICE FUNDS:** Debt Service Funds account for the accumulation of resources and payment of general long-term obligation bond principal and interest from governmental resources.

The following funds included in this fund type and their purposes are as follows:

**Non-Major Funds:**

**Special Assessment Bonds** - This fund accounts for the accumulation of monies for payment of special assessment bonds. The collection of the special assessments levied against the properties benefiting from the improvements from 2001 through 2018 is recorded in this fund. As the special assessment bonds were purchased by the electric utility the current portion of the inter fund loan is reported as "Due to other funds" and the long term portion is reported as "Advance from other funds". The principal payment for the inter fund loan reduces the liability and the interest is reported as a fund expenditure. The transfer out is the 8% fiscal fee for engineering services transferred to the general fund.

**City Hall Bonds** - This fund accounts for the reserve and the accumulation of monies for payment of the principal and interest on the certificates of participation in a lease-purchase agreement issued to build the new city hall. The certificates of participation were issued September 15, 2007 with the reserve and capitalized interest being recorded in this fund. The city has pledged sales tax revenues for the principal and interest payments through December 15, 2026. Refunding Certificates of Participation in a Lease-Purchase Agreement in the amount of \$2,695,000 were issued on December 30, 2015 as an advance crossover refunding for the original certificates that were retired on December 15, 2017.

**TIF District No. 6 Bonds** – This fund accounts for the accumulation of monies for payment of the tax incremental financing bonds principal and interest. The tax incremental financing bonds were authorized in 2013 with final closing in 2014. Bond payments start in 2014 with the second penny sales tax fund advancing funds until the tax increment can fully fund the repayment. Tax collections in 2019 provided for interest and principal payment to reduce the bond outstanding.

**Prentis Park Improvements** – This fund accounts for the accumulation of monies for payment of the general obligation bonds issued for improvements to Prentis Park. The bonds were issued in February 2016 with funding sources from transfer from general fund of malt beverage markup fee and second penny sales tax. If these amounts are not sufficient the difference will be certified to the county for funding from property taxes.

Capital Project Funds					Debt Service Funds					Total Nonmajor Governmental Funds
Special Assessment Projects	Bike Path	Airport	Prentis Park	Total	Special Assessment Bonds	City Hall Bonds	TIF District No. 6 Bonds	Prentis Park Improvements	Total	
\$ -	\$ 9,585	\$ -	\$ -	\$ 9,585	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 225,711
-	-	-	-	-	-	-	-	-	-	1,825,000
-	-	-	-	-	-	-	-	-	-	7,740
-	-	-	-	-	29,188	-	-	-	29,188	29,188
-	-	22,184	-	22,184	5,552	-	-	-	5,552	33,039
-	-	-	-	-	-	-	-	-	-	145,941
-	-	-	-	-	52,421	4,382	7,637	69,581	134,021	134,021
-	-	-	-	-	300,000	273,879	-	-	573,879	573,879
-	-	-	-	-	-	476	-	-	476	476
-	9,585	22,184	-	31,769	387,161	278,737	7,637	69,581	743,116	2,774,995
4,091	-	11,676	-	15,767	-	-	-	700	700	44,417
80,181	-	10,508	-	90,689	7,567	-	-	-	7,567	168,986
-	9,585	-	-	9,585	-	-	-	-	-	9,585
-	-	-	-	-	27,374	-	163,175	-	190,549	190,549
84,272	9,585	22,184	-	116,041	34,941	-	163,175	700	198,816	413,537
-	-	-	-	-	-	-	-	-	-	6,037
-	-	-	-	-	5,552	476	-	-	6,028	33,515
-	-	-	-	-	-	-	-	-	-	4,546
-	-	-	-	-	16,522	-	-	-	16,522	16,522
-	-	-	-	-	22,074	476	-	-	22,550	60,620
-	-	-	-	-	330,146	278,261	-	68,881	677,288	2,540,648
(84,272)	-	-	-	(84,272)	-	-	(155,538)	-	(155,538)	(239,810)
(84,272)	-	-	-	(84,272)	330,146	278,261	(155,538)	68,881	521,750	2,300,838
\$ -	\$ 9,585	\$ 22,184	\$ -	\$ 31,769	\$ 387,161	\$ 278,737	\$ 7,637	\$ 69,581	\$ 743,116	\$ 2,774,995

Capital Project Funds					Debt Service Funds					Total Nonmajor Funds
Special Assessment Projects	Bike Path	Airport	Prentis Park	Total	Special Assessment Bonds	City Hall Bonds	TIF District No. 6 Bonds	Prentis Park Improvements	Total	
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 178,085	\$ -	\$ 178,085	\$ 250,975
-	-	-	-	-	-	-	-	-	-	417,582
-	-	-	-	-	-	-	-	-	-	251,188
-	-	-	-	-	-	-	-	-	-	58,506
-	-	-	-	-	-	-	-	-	-	950
-	-	36,705	-	36,705	-	-	-	-	-	36,705
-	-	2,039	-	2,039	-	-	-	-	-	2,039
-	-	-	-	-	-	-	-	-	-	320,523
-	-	-	-	-	-	-	-	-	-	50
-	-	-	-	-	-	-	-	-	-	3,787
929	-	-	-	929	-	-	-	-	-	929
-	-	-	-	-	3,880	13,527	63	-	17,470	42,526
-	-	-	-	-	-	-	-	-	-	22,433
-	-	-	-	-	26,542	-	-	-	26,542	26,542
-	-	-	-	-	-	-	-	-	-	6,157
<u>929</u>	<u>-</u>	<u>38,744</u>	<u>-</u>	<u>39,673</u>	<u>30,422</u>	<u>13,527</u>	<u>178,148</u>	<u>-</u>	<u>222,097</u>	<u>1,440,892</u>
-	-	-	-	-	-	-	-	-	-	591,979
19,628	-	-	-	19,628	-	-	-	-	-	62,641
-	-	-	3,826	3,826	-	-	-	-	-	14,112
-	-	-	-	-	-	-	-	-	-	488,645
-	-	-	-	-	-	-	-	-	-	20,365
531,155	-	40,783	-	571,938	-	-	-	-	-	577,143
-	-	-	23,431	23,431	-	-	-	-	-	36,997
-	-	-	-	-	-	280,000	111,568	125,000	516,568	516,568
-	-	-	-	-	1,280	58,810	58,943	70,455	187,488	187,488
<u>550,783</u>	<u>-</u>	<u>40,783</u>	<u>27,257</u>	<u>618,823</u>	<u>1,280</u>	<u>336,810</u>	<u>170,511</u>	<u>195,455</u>	<u>704,056</u>	<u>2,495,938</u>
<u>(549,854)</u>	<u>-</u>	<u>(2,039)</u>	<u>(27,257)</u>	<u>(579,150)</u>	<u>29,142</u>	<u>(323,283)</u>	<u>7,637</u>	<u>(195,455)</u>	<u>(481,959)</u>	<u>(1,055,046)</u>
465,582	-	2,039	369,901	837,522	-	331,084	-	215,802	546,886	1,680,229
-	-	-	-	-	-	-	-	-	-	(1,170)
<u>465,582</u>	<u>-</u>	<u>2,039</u>	<u>369,901</u>	<u>837,522</u>	<u>-</u>	<u>331,084</u>	<u>-</u>	<u>215,802</u>	<u>546,886</u>	<u>1,679,059</u>
(84,272)	-	-	342,644	258,372	29,142	7,801	7,637	20,347	64,927	624,013
-	-	-	<u>(342,644)</u>	<u>(342,644)</u>	<u>301,004</u>	<u>270,460</u>	<u>(163,175)</u>	<u>48,534</u>	<u>456,823</u>	<u>1,675,825</u>
<u>\$ (84,272)</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (84,272)</u>	<u>\$ 330,146</u>	<u>\$ 278,261</u>	<u>\$ (155,538)</u>	<u>\$ 68,881</u>	<u>\$ 521,750</u>	<u>\$ 2,300,838</u>

Parks Capital			Library			Business Improvement District			TIF 5		
Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 65,000	\$ 58,506	\$ (6,494)	\$ 72,890	\$ 73,198	\$ 308,000
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	4,000	4,000	-	-	-	-	-	-	-
15,000	50	(14,950)	-	-	-	-	-	-	-	-	-
-	-	-	3,000	3,787	787	-	-	-	-	-	-
10	10	-	50	88	38	-	-	-	-	-	-
13,500	13,500	-	9,500	8,933	(567)	-	-	-	-	-	-
-	-	-	6,500	6,157	(343)	-	-	-	-	-	-
<u>28,510</u>	<u>13,560</u>	<u>(14,950)</u>	<u>23,050</u>	<u>22,965</u>	<u>(85)</u>	<u>65,000</u>	<u>58,506</u>	<u>(6,494)</u>	<u>72,890</u>	<u>73,198</u>	<u>308</u>
-	-	-	-	-	-	-	-	-	-	-	-
28,000	7,759	20,241	18,000	16,063	1,937	-	-	-	-	-	-
-	-	-	-	-	-	63,700	57,336	6,364	72,890	73,198	(308)
<u>28,000</u>	<u>7,759</u>	<u>20,241</u>	<u>18,000</u>	<u>16,063</u>	<u>1,937</u>	<u>63,700</u>	<u>57,336</u>	<u>6,364</u>	<u>72,890</u>	<u>73,198</u>	<u>(308)</u>
510	5,801	5,291	5,050	6,902	1,852	1,300	1,170	(130)	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	(1,300)	(1,170)	-	-	-	-
-	-	-	-	-	-	(1,300)	(1,170)	-	-	-	-
<u>\$ 510</u>	<u>5,801</u>	<u>\$ 5,291</u>	<u>\$ 5,050</u>	<u>6,902</u>	<u>\$ 1,852</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
	<u>30,957</u>			<u>56,781</u>			<u>30,000</u>			<u>-</u>	
	<u>\$ 36,758</u>			<u>\$ 63,683</u>			<u>\$ 30,000</u>			<u>\$ -</u>	

EXHIBIT A-4

Airport			Prentis Park		
Final Budgeted	Actual	Variance Favorable (Unfavorable)	Final Budgeted	Actual	Variance Favorable (Unfavorable)
\$ 46,800	\$ 36,705	\$ (10,095)	\$ -	\$ -	\$ -
2,600	2,039	(561)	-	-	-
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>49,400</u>	<u>38,744</u>	<u>(10,656)</u>	<u>-</u>	<u>-</u>	<u>-</u>
52,000	40,783	11,217	-	-	-
<u>52,000</u>	<u>40,783</u>	<u>11,217</u>	<u>372,600</u>	<u>27,257</u>	<u>345,343</u>
<u>(2,600)</u>	<u>(2,039)</u>	<u>561</u>	<u>(372,600)</u>	<u>(27,257)</u>	<u>345,343</u>
2,600	2,039	(561)	372,600	369,901	(2,699)
<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>2,600</u>	<u>2,039</u>	<u>(561)</u>	<u>372,600</u>	<u>369,901</u>	<u>(2,699)</u>
\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	\$ <u>-</u>	342,644	\$ <u>342,644</u>
				<u>(342,644)</u>	
	\$ <u>-</u>		\$ <u>-</u>		

CITY OF VERMILLION  
COMBINING STATEMENT OF NET POSITION  
INTERNAL SERVICE FUNDS  
DECEMBER 31, 2019

	Copier- Fax- Postage	Unemployment Insurance	Equipment Replacement	Custodial Services	Totals
<b>ASSETS:</b>					
Current assets:					
Cash	\$ 9,449	\$ 48	\$ 38,950	\$ 9,945	\$ 58,392
Investments	-	12,500	900,000	-	912,500
Accounts receivable	3,384	-	-	-	3,384
Interest receivable	-	322	13,758	-	14,080
Total current assets	<u>12,833</u>	<u>12,870</u>	<u>952,708</u>	<u>9,945</u>	<u>988,356</u>
Net Pension Asset	-	-	-	130	130
Capital assets:					
Machinery & equipment	8,987	-	6,424,217	1,787	6,434,991
less accumulated depreciation	<u>(8,987)</u>	<u>-</u>	<u>(2,939,557)</u>	<u>(1,787)</u>	<u>(2,950,331)</u>
Total capital assets	<u>-</u>	<u>-</u>	<u>3,484,660</u>	<u>-</u>	<u>3,484,660</u>
Total assets	<u>12,833</u>	<u>12,870</u>	<u>4,437,368</u>	<u>10,075</u>	<u>4,473,146</u>
<b>DEFERRED OUTFLOWS OF RESOURCES:</b>					
Pension Related Deferred Outflows	-	-	-	10,479	10,479
<b>LIABILITIES</b>					
Current liabilities:					
Accounts payable	541	-	-	3,689	4,230
Accrued leave payable	-	-	-	2,707	2,707
Total current liabilities	<u>541</u>	<u>-</u>	<u>-</u>	<u>6,396</u>	<u>6,937</u>
Noncurrent liabilities:					
Accrued leave payable	-	-	-	3,562	3,562
Total non current liabilities	<u>-</u>	<u>-</u>	<u>-</u>	<u>3,562</u>	<u>3,562</u>
Total liabilities	<u>541</u>	<u>-</u>	<u>-</u>	<u>9,958</u>	<u>10,499</u>
<b>DEFERRED INFLOWS OF RESOURCES:</b>					
Pension Related Deferred Inflows	-	-	-	2,657	2,657
<b>NET POSITION</b>					
Investment in capital assets	-	-	3,484,660	-	3,484,660
SDRS Pension Purposes	-	-	-	7,952	7,952
Unrestricted	<u>12,292</u>	<u>12,870</u>	<u>952,708</u>	<u>(13)</u>	<u>977,857</u>
Total net position	<u>\$ 12,292</u>	<u>\$ 12,870</u>	<u>\$ 4,437,368</u>	<u>\$ 7,939</u>	<u>\$ 4,470,469</u>

CITY OF VERMILLION  
INTERNAL SERVICE FUNDS  
COMBINING STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED DECEMBER 31, 2019

	Copier- Fax- Postage	Unemployment Insurance	Equipment Replacement	Custodial Services	Totals
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>					
Cash received from customers	\$ 13,383	\$ -	\$ 581,654	\$ 81,002	\$ 676,039
Cash paid for personal services	-	-	-	(38,576)	(38,576)
Cash paid to suppliers	(13,182)	-	-	(43,132)	(56,314)
Net cash provided operating activities	<u>201</u>	<u>-</u>	<u>581,654</u>	<u>(706)</u>	<u>581,149</u>
<b>CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES</b>					
Acquisition and construction of capital assets	-	-	(527,811)	-	(527,811)
Proceeds from sale of assets	-	-	26,883	-	26,883
Net cash (used for) capital and related financing activities	<u>-</u>	<u>-</u>	<u>(500,928)</u>	<u>-</u>	<u>(500,928)</u>
<b>CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES</b>					
Transfers in	-	-	5,530	-	5,530
Net cash provided by non-capital financing activities	<u>-</u>	<u>-</u>	<u>5,530</u>	<u>-</u>	<u>5,530</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>					
Interest on investments	-	-	13,660	-	13,660
Purchase and sale of investments	-	-	(75,000)	-	(75,000)
Net cash (used for) investing activities	<u>-</u>	<u>-</u>	<u>(61,340)</u>	<u>-</u>	<u>(61,340)</u>
Net increase (decrease) in cash and cash equivalents	201	-	24,916	(706)	24,411
Cash and cash equivalents beginning of year	<u>9,248</u>	<u>48</u>	<u>14,034</u>	<u>10,651</u>	<u>33,981</u>
Cash and cash equivalents end of year	<u>\$ 9,449</u>	<u>\$ 48</u>	<u>\$ 38,950</u>	<u>\$ 9,945</u>	<u>\$ 58,392</u>
<b>RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED BY OPERATING ACTIVITIES</b>					
Operating income (loss)	\$ 90	\$ -	\$ 139,225	\$ (6,005)	\$ 133,310
Adjustments to reconcile net operating income (loss) to net cash provided by operating activities:					
Depreciation	-	-	442,429	90	442,519
(Increase) decrease in assets and increase (decrease) in liabilities:					
Accounts receivable	(140)	-	-	-	(140)
Net Pension Asset	-	-	-	(101)	(101)
Deferred Outflows of Resources	-	-	-	5,626	5,626
Deferred Inflows of Resources	-	-	-	486	486
Accounts payable	251	-	-	(1,024)	(773)
Accrued leave payable	-	-	-	222	222
Net cash provided by operating activities	<u>\$ 201</u>	<u>\$ -</u>	<u>\$ 581,654</u>	<u>\$ (706)</u>	<u>\$ 581,149</u>
Noncash investing, capital and financing activities:					
Gain on disposal of fixed assets	-	-	10,841	-	10,841
Total noncash investing, capital and financing activities	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 10,841</u>	<u>\$ -</u>	<u>\$ 10,841</u>



## *Council Agenda Memo*

**From:** Jose Dominguez, City Engineer  
**Meeting:** March 2, 2020  
**Subject:** Consultant Agreement with S.E.H. for the Final Report on the SD Highway 50 Drainage Improvements Project  
**Presenter:** Jose Dominguez

**Background:** 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 the drainage along the south ditch of SD Highway 50. In order to try and address this issue, the City contracted with Short Elliot Hendrickson Inc. (S.E.H.) in November 2017 to complete a conceptual report that would identify possible options that would reduce the street flooding experienced in the City. This report was completed in December 2018. The findings were presented to the City Council on the April 1, 2019 meeting.

As a result of the April 1<sup>st</sup> meeting, the direction received by Staff was to follow the option of constructing a parallel storm sewer system that would directly convey the storm water from Dakota Street and Cottage Avenue to the south ditch of SD Highway 50. The discharge point of the new system into the ditch would be just east of Over Drive. Along with this, the Council asked Staff to contact the SD Department of Transportation (SDDOT) to see if they would be able to partner on a project since the SDDOT would be reconstructing SD Highway 50 along Vermillion.

At the January 20, 2020 noon City Council meeting, Staff presented what the SDDOT proposed regarding the City's proposed improvements on the SD Highway 50 ditch. The SDDOT expressed their willingness to share the cost of the construction of the project. However, the City would be required to complete a final report, and provide the SDDOT with some design items needed for the construction of the proposed storm sewer pipe. Additionally, the City and SDDOT would need to enter into an agreement that would clarify the construction cost sharing and future maintenance of the new storm sewer pipe. At that meeting, Staff was instructed by the City Council to contact S.E.H. to see if they would be willing to enter in to an agreement with the City to complete the final report, and provide the SDDOT with the design information required.

**Discussion:** The agreement with S.E.H. requires that they provide the City with a final report that would size the proposed storm sewer appropriately. The proposed storm sewer will convey the drainage from Cottage Avenue and Dakota Street through a parallel system and discharge to drainage east of Over Drive. Additionally, the new storm sewer pipe will also be sized to assist the drainage of the ditch by slowly allowing storm water to enter the pipe at certain locations. This will cause the ditch to dry after a rain event and allow the SDDOT or City to clean the ditch.

**Financial Consideration:** The City's cost will be \$42,790 (this is for tasks 1 through 6B). This cost includes the work to delineate any possible wetlands and submit any required permits (tasks 6A and 6B). If the wetlands do not need to be delineated and permitting is not required, the total cost to the City would be \$33,414.

The City has a budget of \$120,000 in the Stormwater Collection System Maintenance Fund for the design of the proposed storm sewer pipe. This cost includes the final report, and the completion of the construction documents. At the time that the budget was created, it was not known that the SDDOT would be completing the construction documents for the project. This work being done by the SDDOT creates a large savings for the City which will remain in the storm sewer fund.

**Conclusion/Recommendations:** Staff recommends allowing the City Manager to enter into an agreement, on behalf of the City, with Short Elliot Hendrickson Inc. for engineering services to complete the Final Report/Design of the SD Highway 50 Drainage Improvements Project.

# General Conditions of the Agreement for Professional Services

## SECTION I – SERVICES OF CONSULTANT

### A. General

1. Consultant agrees to perform professional services as set forth in the Agreement for Professional Services or Supplemental Letter Agreement ("Basic Services"). Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder.

### B. Schedule

1. Unless specific periods of time or dates for providing services are specified, Consultant's obligation to render services hereunder will be for a period which may reasonably be required for the completion of said services.
2. If Client has requested changes in the scope, extent, or character of the Project or the services to be provided by Consultant, the time of performance and compensation for Consultant's services shall be adjusted equitably. The Client agrees that Consultant is not responsible for damages arising directly or indirectly from delays beyond Consultant's control. If the delays resulting from such causes increase the cost or the time required by Consultant to perform its services in accordance with professional skill and care, then Consultant shall be entitled to a equitable adjustment in schedule and compensation.

### C. Additional Services

1. If Consultant determines that any services it has been directed or requested to perform are beyond the scope as set forth in the Agreement or that, due to changed conditions or changes in the method or manner of administration of the Project, Consultant's effort required to perform its services under this Agreement exceeds the stated fee for Basic Services, then Consultant shall promptly notify the Client regarding the need for additional services. Upon notification and in the absence of a written objection, Consultant shall be entitled to additional compensation for the additional services, and to an extension of time for completion of additional services absent written objection by Client.
2. Additional services shall be billed in accord with agreed upon rates, or if not addressed, then at Consultant's standard rates.

### D. Suspension and Termination

1. If Consultant's services are delayed or suspended in whole or in part by Client, or if Consultant's services are delayed by actions or inactions of others for more than 60 days through no fault of Consultant, then Consultant shall be entitled to either terminate its agreement upon 7 days written notice or, at its option, accept an equitable adjustment of rates and amounts of compensation provided for elsewhere in this Agreement to reflect reasonable costs incurred by Consultant.
2. This Agreement may be terminated by either party upon seven days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination.
3. This Agreement may be terminated by either party upon thirty days' written notice without cause. All provisions of this Agreement allocating responsibility or liability between the Client and Consultant shall survive the completion of the services hereunder and/or the termination of this Agreement.
4. In the event of termination, Consultant shall be compensated for services performed prior to termination date, including charges for expenses and equipment costs then due and all termination expenses.

## SECTION II – CLIENT RESPONSIBILITIES

### A. General

1. The Client shall, in proper time and sequence and where appropriate to the Project, at no expense to Consultant, provide full information as to Client's requirements for the services provided by Consultant and access to all public and private lands required for Consultant to perform its services.
2. The Consultant is not a municipal advisor and therefore Client shall provide its own legal, accounting, financial and insurance counseling and other special services as may be required for the Project. Client shall provide to Consultant all data (and professional interpretations thereof) prepared by or services performed by others pertinent to Consultant's services, including but not limited to, previous reports; sub-surface explorations; laboratory tests and inspection of samples; environmental assessment and impact statements, surveys, property descriptions; zoning, deed and other land use restrictions; as-built drawings, electronic data base and maps. The costs associated with correcting, creating or recreating any data that is provided by the Client that contains inaccurate or unusable information shall be the responsibility of the Client.
3. Client shall provide prompt written notice to Consultant whenever the Client observes or otherwise becomes aware of any changes in the Project or any defect in Consultant's services. Client shall promptly examine all studies, reports, sketches, opinions of construction costs, specifications, drawings, proposals, change orders, supplemental agreements and other documents presented by Consultant and render the necessary decisions and instructions so that Consultant may provide services in a timely manner.
4. Client shall require all utilities with facilities within the Client's Project site to locate and mark said utilities upon request, relocate and/or protect said utilities as determined necessary to accommodate work of the Project, submit a schedule of the necessary relocation/protection activities to the Client for review and comply with agreed upon schedule. Consultant shall not be liable for damages which arise out of Consultant's reasonable reliance on the information or services furnished by utilities to Client or others hired by Client.
5. Consultant shall be entitled to rely on the accuracy and completeness of information or services furnished by the Client or others employed by the Client and shall not be liable for damages arising from reasonable reliance on such materials. Consultant shall promptly notify the Client if Consultant discovers that any information or services furnished by the Client is in error or is inadequate for its purpose.

## SECTION III – PAYMENTS

### A. Invoices

1. Undisputed portions of invoices are due and payable within 30 days. Client must notify Consultant in writing of any disputed items within 15 days from receipt of invoice. Amounts due Consultant will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) for invoices 30 days past due. Consultant reserves the right to retain Instruments of Service until all invoices are paid in full. Consultant will not be liable for any claims of loss, delay, or damage by Client for reason of withholding services or Instruments of Service until all invoices are paid in full. Consultant shall be entitled to recover all reasonable costs and disbursements, including reasonable attorney's fees, incurred in connection with collecting amounts owed by Client.
2. Should taxes, fees or costs be imposed, they shall be in addition to Consultant's agreed upon compensation.
3. Notwithstanding anything to the contrary herein, Consultant may pursue collection of past due invoices without the necessity of any mediation proceedings.

## SECTION IV – GENERAL CONSIDERATIONS

### A. Standards of Performance

1. The standard of care for all professional engineering and related services performed or furnished by Consultant under this Agreement will be the care and skill ordinarily exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same locality. Consultant makes no warranties, express or implied, under this Agreement or otherwise, in connection with its services.
2. Consultant neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the work in accordance with its construction contract or the construction documents prepared by Consultant. Client acknowledges Consultant will not direct, supervise or control the work of construction contractors or their subcontractors at the site or otherwise. Consultant shall have no authority over or responsibility for the contractor's acts or omissions, nor for its means, methods or procedures of construction. Consultant's services do not include review or evaluation of the Client's, contractor's or subcontractor's safety measures, or job site safety or furnishing or performing any of the Contractor's work.
3. If requested in the scope of a Supplemental Letter Agreement, then Consultant may provide an Opinion of Probable Construction Cost. Consultant's Opinions of Probable Construction Cost provided for herein are to be made on the basis of Consultant's experience and qualifications and represent Consultant's best judgment as a professional generally familiar with the industry. However, since Consultant has no control over the cost of labor, materials, equipment or service furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids or actual construction cost will not vary from Opinions of Construction Cost prepared by Consultant. If Client wishes greater assurance as to probable Construction Cost, Client shall employ an independent cost estimator or negotiate additional services and fees with Consultant.

### B. Indemnity for Environmental Issues

1. Consultant is not a user, generator, handler, operator, arranger, storer, transporter or disposer of hazardous or toxic substances, therefore the Client agrees to hold harmless, indemnify and defend Consultant and Consultant's officers, directors, subconsultant(s), employees and agents from and against any and all claims, losses, damages, liability and costs, including but not limited to costs of defense, arising out of or in any way connected with, the presence, discharge, release, or escape of hazardous or toxic substances, pollutants or contaminants of any kind at the site.

### C. Limitations on Consultant's Liability

1. The Client hereby agrees that to the fullest extent permitted by law, Consultant's total liability to the Client for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to the Project or this Agreement from any cause or causes including, but not limited to, Consultant's negligence, errors, omissions, strict liability, breach of contract or breach of warranty shall not exceed five hundred thousand dollars (\$500,000). In the event Client desires limits of liability in excess of those provided in this paragraph, Client shall advise Consultant in writing and agree that Consultant's fee shall increase by 1% for each additional five hundred thousand dollars of liability limits, up to a maximum limit of liability of five million dollars (\$5,000,000).
2. Neither Party shall be liable to the other for consequential damages, including, without limitation, lost rentals, increased rental expenses, loss of use, loss of income, lost profit, financing, business and reputation and for loss of management or employee productivity, incurred by one another or their subsidiaries or successors, regardless of whether such damages are foreseeable and are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.
3. It is intended by the parties to this Agreement that Consultant's services shall not subject Consultant's employees, officers or directors to any personal legal exposure for the risks associated

with this Agreement. The Client agrees that as the Client's sole and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Consultant, and not against any of Consultant's individual employees, officers or directors, and Client knowingly waives all such claims against Consultant individual employees, officers or directors.

### D. Assignment

1. Neither party to this Agreement shall transfer, sublet or assign any rights under, or interests in, this Agreement or claims based on this Agreement without the prior written consent of the other party. Any assignment in violation of this subsection shall be null and void.

## SECTION V – DISPUTE RESOLUTION

### A. Mediation

1. Any dispute between Client and Consultant arising out of or relating to this Agreement or services provided under this Agreement, (except for unpaid invoices which are governed by Section III), shall be submitted to nonbinding mediation as a precondition to litigation unless the parties mutually agree otherwise. Mediation shall occur within 60 days of a written demand for mediation unless Consultant and Client mutually agree otherwise.

### B. Litigation – Choice of Venue and Jurisdiction

1. Any dispute not settled through mediation shall be settled through litigation in the state where the Project at issue is located.

## SECTION VI – INTELLECTUAL PROPERTY

### A. Proprietary Information

1. All documents, including reports, drawings, calculations, specifications, CADD materials, computers software or hardware or other work product prepared by Consultant pursuant to this Agreement are Consultant's Instruments of Service ("Instruments of Service") and Consultant retains all ownership interests in Instruments of Service, including all available copyrights.
2. Consultant shall retain all of its rights in its proprietary information including, without limitation, its methodologies and methods of analysis, ideas, concepts, expressions, inventions, know how, methods, techniques, skills, knowledge and experience possessed by Consultant prior to, or acquired by Consultant during, the performance of this Agreement and the same shall not be deemed to be Work Product or Work for Hire and Consultant shall not be restricted in any way with respect thereto.

### B. Client Use of Instruments of Service

1. Provided that Consultant has been paid in full for its services, Client shall have the right in the form of a license to use Instruments of Service resulting from Consultant's efforts on the Project. Consultant shall retain full rights to electronic data and the drawings, specifications, including those in electronic form, prepared by Consultant and its subconsultants and the right to reuse component information contained in them in the normal course of Consultant's professional activities. Consultant shall be deemed to be the author of such Instruments of Service, electronic data or documents, and shall be given appropriate credit in any public display of such Instruments of Service.
2. Records requests or requests for additional copies of Instruments of Services outside of the scope of services are available to Client subject to Consultant's current rate schedule.

### C. Reuse of Documents

1. All Instruments of Service prepared by Consultant pursuant to this Agreement are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other Project. Any reuse of the Instruments of Service without written consent or adaptation by Consultant for the specific purpose intended will be at the Client's sole risk and without liability or legal exposure to Consultant; and the Client shall release Consultant from all claims arising from such use. Client shall also defend, indemnify and hold harmless Consultant from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting from reuse of Consultant documents without written consent.

## Master Agreement for Professional Services

This Master Agreement for Professional Services is effective as of February 7, 2020 between City of Vermillion, South Dakota ("Client") and Short Elliott Hendrickson Inc. ("Consultant").

By entering into this Agreement, Client agrees to utilize the professional services of Consultant and Consultant agrees to provide the professional services described in this Agreement, exhibits or attachments. The attached General Conditions of the Agreement for Professional Services (General Conditions Rev. 07.14.16) shall apply to all work performed by Consultant on behalf of Client. Individual projects requested by Client on an as needed basis and accepted by Consultant will be described in Supplemental Letter Agreements ("SLA") with other optional exhibits and attachments cited. Nothing herein shall be deemed to require Client to retain Consultant or require Consultant to provide services beyond those specified in Supplemental Letter Agreements.

The following optional exhibits may be attached to an SLA: Exhibit A-1 for Hourly Payments, Exhibit A-2 or A-3 for Lump Sum Payments, and Exhibit B for Resident Project Representative Duties/Responsibilities.

This Master Agreement for Professional Services, General Conditions, Exhibits, and Attachments to Exhibits (collectively referred to as the "Agreement") represent the entire understanding between Client and Consultant and supersedes all prior contemporaneous oral or written agreements with respect to the services to be provided by Consultant hereunder. This document and the attached General Conditions shall yield to the provisions of subsequent documents and alternate terms that have been specifically agreed to in writing. This Agreement may not be amended except by written agreement signed by the authorized representatives of each party.

### Modifications to the General Conditions are as follows:

The final sentence of Section I (B)(2) is replaced with "If the delays resulting from such causes increase the cost or the time required by Consultant to perform its services in accordance with professional skill and care, then Consultant shall be entitled to a equitable adjustment in schedule and compensation mutually agreed between the parties."

The final sentence of Section I (C)(1) is replaced with "Upon notification and in the absence of written objection within 10 days of notice, Consultant shall be entitled to additional compensation for the additional services, and to an extension of time for completion of additional services absent written objection by Client, all to be mutually agreed between the parties."

Section I(C)(2) is replaced with the following: "Additional services shall be billed in accord with agreed upon rates."

Section I(D)(1) is modified to include: "to be agreed upon between the parties" at the end of the sentence.

Section I(D)(4) is replaced with " In the event of termination, Consultant shall be compensated for services performed prior to termination date, including charges for expenses and equipment costs then due.

Section III(A)(1) is replaced with "Undisputed portions of invoices are due and payable within 30 days. Client must notify Consultant in writing of any disputed items within 15 days from receipt of invoice."

Section III(A)(3) is modified to include: "The prevailing party is entitled to recover reasonable expenses, including attorney's fees, associated with collection under Section III." after the existing sentence.

The final sentence of Section IV(A)(1) is replaced with "Consultant makes no implied warranties under this Agreement, or otherwise, in connection with its services."

Section VI(A)(1) is replaced with "All documents that are not deliverables, including reports, drawings, calculations, specifications, CADD materials, computers software or hardware or other work product prepared by Consultant pursuant to this Agreement are Consultant's Instruments of Service ("Instruments of Service") and Consultant retains all ownership interests in Instruments of Service, including all available copyrights."

Section VI(B)(1) is replaced with "Provided that Consultant has been paid in full for its services, Client shall have the right to use all deliverables provided resulting from Consultant's efforts on the Project. Client and Consultant shall each retain full rights to provided deliverables, including those in electronic form, prepared by Consultant and its subconsultants and the right to reuse component information contained in them in the normal course of Consultant's professional activities and Client's project."

Section VI(B)(2) is deleted.

**Short Elliott Hendrickson Inc.**

**City of Vermillion, South Dakota**

By: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_



Building a Better World  
for All of Us<sup>®</sup>

February 12, 2020

RE: City of Vermillion  
Highway 50 Drainage Improvements Final  
Design  
SEH No. VERMC 148363 14.00

Jose Dominguez, P.E.  
City Engineer  
City of Vermillion  
25 Center Street  
Vermillion, SD 57069

Dear Mr. Dominguez:

Thank you for the opportunity to submit this proposal for engineering services for the Highway 50 Drainage Improvements Final Design project. SEH prepared a concept study for the Highway 50 drainage improvements in 2018 which presented and evaluated alternatives for improving the capacity of the ditch along the south side of Highway 50, thus reducing flood risk for upstream storm sewer areas. Since delivery of that study report, the City has indicated that their preferred approach is to construct a new storm sewer system parallel to and below the south ditch of Highway 50. This storm sewer system will also include inlets along the ditch to more completely drain the ditch between rainfall events.

SEH is proposing to assist the City by finalizing the design of this drainage improvement concept so that the necessary information can be provided to the South Dakota Department of Transportation to incorporate in their Highway 50 reconstruction plans. Our detailed scope of work and corresponding fee estimate are included as attachments. Please contact me at 651-724-8245 if you have any questions regarding this proposal.

Thank you for this opportunity.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.

*Rachel Pichelmann*

Rachel Pichelmann, P.E., C.F.M.  
Project Manager  
(Lic. IA, IN, MN, SD)

REP

Attachments

c: Alec Boyce (SEH)

\\seh\projects\uziv\vermc\common\hwy-50 drainage report\hwy50drainagefinaldesign\_sehproposal\_07feb2020.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 11 Civic Center Plaza, Suite 200, Mankato, MN 56001-7710

SEH is 100% employee-owned | [sehinc.com](http://sehinc.com) | 507.388.1989 | 877.316.7636 | 888.908.8166 fax

## Supplemental Letter Agreement

In accordance with the Master Agreement for Professional Services between the City of Vermillion ("Client"), and Short Elliott Hendrickson Inc. ("Consultant"), effective February 7, 2020, this Supplemental Letter Agreement dated February 12, 2020 authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: Highway 50 Drainage Improvements Final Design.

**Client's Authorized Representative:** Jose Dominguez  
**Address:** 25 Center Street  
Vermillion, SD 57069  
**Telephone:** 605-677-7050 **email:** josed@cityofvermillion.com

**Project Manager:** Rachel Pichelmann  
**Address:** 11 Civic Center Plaza Suite 200  
Mankato, MN 56001  
**Telephone:** 651-724-8245 **email:** rpichelmann@sehinc.com

**Scope:** The Basic Services to be provided by Consultant:  
See attached proposal letter dated February 12, 2020.

**Schedule:** See attached proposal letter dated February 12, 2020.

**Payment:**

The estimated fee is subject to a not-to-exceed amount of \$42,790 including expenses and equipment.

The payment method, basis, frequency and other special conditions are set forth in attached Exhibit A-1.

**Other Terms and Conditions:** Other or additional terms contrary to the Master Agreement for Professional Services that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein:  
None.

\\sehs\projects\tuz\l\verm\l\common\hwy-50 drainage report\suppl letter agreement.docx

**Short Elliott Hendrickson Inc.**

**City of Vermillion**

By: Rachel Pichelmann  
Rachel Pichelmann, PE, CFM

By: \_\_\_\_\_

Title: Project Manager

Title: \_\_\_\_\_

## **SCOPE OF WORK**

### **Task 1 – Project Management/Administration**

This task covers project management and administration work completed by SEH such as project setup, file management, and accounting.

### **Task 2 – Final Design**

It is our understanding that the proposed storm sewer system will begin at Dakota Street and extend westward along the south side of Highway 50 approximately 6,000 feet, ultimately discharging into the ditch between Highway 19 and Over Drive. This storm sewer will be sized to accommodate the known storm sewer connections (Dakota & Cottage Streets) which will be made with this project or in the foreseeable future, but considerations will also be given to the potential for future connections which may limit the capacity of the storm sewer, such as new connection(s) from the USD campus or other areas. Along the Highway 50 south ditch, inlets will be added with connection to the proposed storm sewer system to provide more complete drainage of the ditch between rainfall events, thereby reducing the potential for standing water and increasing the storage capacity of the ditch sections. At the upstream end of the new storm sewer (Dakota Street), a manhole will be proposed with sufficient depth to accommodate future connections from the east.

This final design will be based on the work completed by SEH for the preceding concept study. It is anticipated that the previously developed hydrologic and hydraulic modeling completed for the concept study will be reviewed and refined as needed to complete this design. This work may include adding storage for known ponding areas and incorporating overland flow routes as described in the concept study. While the modeling will be used as the primary basis of design, traditional pipe sizing methods will also be used as a design check.

SEH will review the area downstream of the proposed storm sewer outfall to determine whether channel stabilization/reinforcement is needed, or whether the culvert crossing Over Drive should be replaced as part of the project too.

SEH will provide design recommendations on plan and profile sheets with sufficient detail (pipe size, elevations, etc.) for the SDDOT to incorporate the design in their Highway 50 reconstruction project drawings. SEH assumes that any additional plan sheets or construction specifications will be prepared by the SDDOT.

Utility information provided by the City will be reviewed to identify potential conflicts and adjust the storm sewer design as needed. If it is determined that a conflicting utility must be modified, SEH will work with the City to identify the required adjustment and/or relocation, but detailed design of utility modifications is not included in this scope.

If needed, SEH assumes that the City will collect survey data and provide such data to SEH in CAD format. SEH will work with the City to clearly identify survey needs to limit survey effort.

### **Task 3 – Construction Cost Estimation**

SEH will prepare an estimate for construction costs for the proposed drainage recommendations to assist the City and South Eastern Council of Governments (SECOG) with funding decisions. This cost estimate will include the main components of the drainage improvements, and will not be intended for use beyond the funding discussions. SEH assumes that a detailed, complete construction cost estimate will be prepared by the SDDOT for use in determining the appropriate City/State construction cost split.

#### **Task 4 – Report Preparation**

A design report will be prepared to support the City's application to add this project to the State Water Plan. In particular, SEH will follow the report guidelines provided for a Preliminary Engineering Report as listed in the State Water Plan application. SEH assumes that the City, together with the SECOG, will prepare and submit the State Water Plan application along with other funding applications.

#### **Task 5 – Meetings**

SEH assumes that three primary meetings will be needed for completion of this work:

- **Kickoff Meeting & Site Visit:** This meeting will be held at the City of Vermillion office and include a site walkthrough to review site conditions. At the meeting, the City and SEH will review the design criteria (existing/future areas to be served, connections, design event, etc.) and make adjustments as needed. The SEH project manager will attend this meeting in person and other SEH team members may participate virtually.
- **Draft Submittal Review Meeting:** This meeting will be set up by SEH using GoToMeeting and will be held virtually. The goal of this meeting will be to review the draft plan and profile sheets and the draft design report. Several SEH team members will participate in this meeting.
- **Project Coordination Meeting w/ City & SDDOT:** This meeting will be held either at the City of Vermillion or SDDOT offices to coordinate the proposed storm sewer design with the overall Highway 50 reconstruction project. The SEH project manager will attend this meeting in person and other SEH team members may participate virtually.

#### **Task 6 – Wetland Delineation & Permitting**

The current south ditch of Highway 50 collects roadside drainage and flows west into the Vermillion River, however there is standing water in this area due to the existing drainage issues. Currently, the rules related to what is considered a Water of the United States are in flux, and we cannot be definitive on if this ditch feature is regulated without formal agency consultation. Therefore we propose to complete a wetland delineation and a jurisdictional determination. Depending on the outcome of this initial step, wetland permitting may or may not also be required.

Two subtasks have been identified related to wetland delineation and permitting. One or both of these tasks may not be needed if the SDDOT completes this work as part of their Highway 50 reconstruction project.

- **Task 6A: Wetland Delineation, Functional Analysis and Jurisdictional Determination**

A wetland delineation will be completed following the guidelines of the 1987 Manual and the Midwest Regional Supplement. This work will be done specific to the ditch improvements associated with the City's portion of the Hwy 50 reconstruction project, and will not cover other areas of the Hwy 50 reconstruction project. All areas meeting wetland criteria will be identified, described, marked in the field, and mapped using a GPS unit. It is anticipated that one linear roadside ditch feature is present, but all areas within the City's drainage improvement project area that meet wetland criteria will be included. The wetland will be described in a Wetland Delineation Report, which will be prepared and submitted to the U.S. Army Corps of Engineers (USACE) for review and approval. In anticipation of potential permitting requirements, a functional assessment will also be completed using the Hydrogeomorphic Method (HGM), which will be included within the wetland delineation report.

The wetland delineation report and HGM analysis will be submitted to the U.S. Army Corps of Engineers for review and approval, and will accompany a formal request to complete an Approved Jurisdictional Determination. This process will conclude with a formal identification of which features are or are not regulated by the USACE. This will be the basis for potential permitting needs if any features are determined to be regulated.

- Task 6B: Wetland Permitting (If Required)

If there is wetland present, and it is determined to be regulated by the USACE, permitting may be needed prior to any impacts. This includes both temporary and permanent impacts. If a wetland permit is required, SEH will prepare an application for submittal to the USACE for consideration. Wetland mitigation may be required, and is assumed to be accomplished through purchase of wetland credits.

### FEE

The terms and conditions of all work completed under this scope of services will be based on our Master Service Agreement dated February 7, 2020. Compensation shall be on an hourly, not-to-exceed basis, based on the actual hours worked for SEH personnel assigned to the project, plus reimbursable expenses. The estimated total fee with task-level breakdown for the services described herein is provided below.

Tasks 1-5:	\$33,414
Task 6A:	\$4,912
Task 6B:	<u>\$4,464</u>
Total Cost (Tasks 1 through 6):	\$42,790

### SCHEDULE

We will commence work on the project as soon as possible following execution of a contract or notice to proceed. The preliminary schedule provided below has been prepared based on a deadline for final deliverable to SDDOT of May 1, 2020. If changes to this schedule are needed, SEH will notify the City immediately. A separate schedule will be developed for Task 6 as needed.

Draft Submittal to City for Review (Includes plan and profile sheets, design report, and construction cost estimate)	April 1, 2020
Draft Submittal Review Meeting	Week of April 6, 2020
Final Submittal to City	April 29, 2020

# Project Task Hours (Highway 50 Drainage Improvements Final Design)



	SEH								
	Project Manager Rachel Pichelmann	Sr. Water Resources Engineer Tim Diedrich	Water Resources Engineer Trent Imoleke	Admin Tech Julie Brinkman	Senior Scientist Rebecca Beduhn	Wetland Scientist Bailey Nelson	CAD Technician Kristi Pederson	Accounting Tammy Bartz	
<b>Task 1. Project Management</b>									
Project Management & Administration	4			2					2
<b>Task 2. Final Design</b>									
Update XPSWMM model with storage and overland flow paths	2	4	16						
Establish final design criteria (existing/future areas to be served, connections, design event, etc.)	2	2	2						
Size storm sewer and determine proposed profile. Consider future flows.	2	4	16						
Determine type and spacing of ditch inlets	1	2	8						
Review downstream ditch to determine whether changes are needed to channel or Over Drive culvert	1	4	16						
Identify utility conflicts and provide concept-level recommendations	1	6	2						
Draft plan and profile sheets	2	2	2					16	
Final plan and profile sheets	1	2	4					8	
<b>Task 3. Construction Cost Estimation</b>									
Quantify materials needed for construction		1	4					4	
Draft construction cost estimate	1	2	4					4	
Final construction cost estimate	1	1	2					2	
<b>Task 4. Report Preparation</b>									
Draft report following State Water Plan guidelines	4	8	24	4					
Final report following State Water Plan guidelines	2	4	8	1					
<b>Task 5. Meetings</b>									
Kickoff meeting & site visit (in person)	12	2							
Draft submittal review meeting (virtual)	2	2			2				
Project coordination meeting w/ City & SDDOT (in person)	8	2			2				
<b>Task 6. Wetland Permitting</b>									
6A. Wetland Delineation, Functional Analysis and Jurisdictional Determination	2				4	40			
6B. Wetland Permitting (If Required)	2				6	40			
<b>Total Hours</b>	<b>343</b>	<b>50</b>	<b>108</b>	<b>7</b>	<b>14</b>	<b>80</b>	<b>34</b>	<b>2</b>	

**Design labor cost** \$41,620.00

**Expenses**

Mileage - Task 6A \$500.00  
 Mileage - Other \$500.00  
 Expenses - Task 6A \$170.00

**Total project cost** \$42,790.00

**Exhibit A-1**  
**to Supplemental Letter Agreement**  
**Between City of Vermillion (Client)**  
**and**  
**Short Elliott Hendrickson Inc. (Consultant)**  
**Dated February 26, 2020**

**Payments to Consultant for Services and Expenses**  
**Using the Hourly Basis Option**

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

**A. Hourly Basis Option**

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work.

Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

**B. Expenses**

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services and shall be paid for as described in this Agreement but instead are reimbursable expenses required in addition to hourly charges for services:

1. Transportation and travel expenses.
2. Long distance services, dedicated data and communication services, teleconferences, Project Web sites, and extranets.
3. Lodging and meal expense connected with the Project.
4. Fees paid, in the name of the Client, for securing approval of authorities having jurisdiction over the Project.
5. Plots, Reports, plan and specification reproduction expenses.
6. Postage, handling and delivery.
7. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
8. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
9. All taxes levied on professional services and on reimbursable expenses.
10. Other special expenses required in connection with the Project.
11. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses.

**C. Equipment Utilization**

The utilization of specialized equipment, including automation equipment, is recognized as benefiting the Client. The Client, therefore, agrees to pay the cost for the use of such specialized equipment on the project. Consultant invoices to the Client will contain detailed information regarding the use of specialized equipment on the project and charges will be based on the standard rates for the equipment published by Consultant.

The Client shall pay Consultant monthly for equipment utilization.

\\sehs\projects\luz\l\verm\lcommon\hwy-50 drainage report\exhibit a1.docx



## *Council Agenda Memo*

**From:** Jose Dominguez, City Engineer

**Meeting:** March 2, 2020

**Subject:** Resolution Authorizing the Purchase of a Combination Sewer Cleaner Truck for the Waste Water Department

**Presenter:** Jose Dominguez

**Background:** The replacement of the 2012 Super Products Camel 200 combination sewer cleaner was budgeted for in the 2020 Equipment Replacement Fund.

**Discussion:** Sourcewell, formerly the National Joint Powers Alliance (NJPA), has a bid with Vactor for a 2020 Vactor 2100i Combination Sewer Jetter for \$406,000. The Vactor distributor for South Dakota is Sanitation Products Inc. of Sioux Falls, SD. Sanitation Products has agreed to sell a 2020 Vactor 2100i Combination Sewer Jetter to the City at the Sourcewell awarded bid amount. The proposed truck being considered for purchase is similar in size and capacity to the existing truck.

**Financial Consideration:** The 2020 Equipment Replacement Fund includes a budget of \$395,000 for this purchase.

Due to the fact that the contract between Sourcewell and Vactor does not allow for trading-in equipment, the existing combination sewer cleaner will have to be sold through sealed bids. The sale of the existing equipment will occur soon after the new one is delivered to the City. Staff anticipates being able to sell the existing equipment for approximately \$90,000. Any profits generated through the sale will be placed in the Equipment Replacement Fund.

**Conclusion/Recommendations:** Administration recommends approving the Resolution to purchase a 2020 Vactor 2100i Combination Sewer Jetter from the Vactor's participating distributor, Sanitation Products Inc. of Sioux Falls, SD, at a price of \$406,000.

**RESOLUTION  
AUTHORIZING THE PURCHASE OF A  
COMBINATION SEWER CLEANER TRUCK**

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

**WHEREAS**, the City of Vermillion has reviewed and determined that the bid awarded by Sourcewell (formerly known as National Joint Powers Alliance or NJPA) for a combination sewer cleaner truck from Vactor's participating distributor, Sanitation Products Inc, of Sioux Falls, SD, for the total amount of \$406,000 offers an advantageous price to the City for said item.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase **a new 2020 Vactor 2100i Combination Sewer Jetter from Sanitation Products Inc. of Sioux Falls, South Dakota at no more than the above stated price.**

Dated at Vermillion, South Dakota this 2<sup>nd</sup> day of March, 2020.

THE GOVERNING BODY OF THE  
CITY OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_  
John E. (Jack) Powell, Mayor

ATTEST:

By \_\_\_\_\_  
Michael D. Carlson, Finance Officer

CITY OF VERMILLION  
 INVOICES PAYABLE-MARCH 2, 2020

1 BRIAN HUMPHREY	BRIGHT ENERGY REBATE	250.00
2 3D SPECIALTIES INC	SUPPLIES	189.17
3 A & A REFRIGERATION	REPAIRS	384.67
4 ALL AMERICAN GASKET	SUPPLIES	200.62
5 ALLAINA HOWARD	MEALS REIMBURSEMENT	52.00
6 ALTEC INDUSTRIES, INC	REPAIRS	449.50
7 ANDREW DELGADO	MILEAGE REIMBURSEMENT	122.82
8 ANDREW RIPPENTROP	REFUND PARKING TCKT OVERPMT	5.00
9 APPEARA	SHOP TOWELS	45.00
10 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	412.84
11 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	28.00
12 ATCO INTERNATIONAL	SUPPLIES	188.05
13 AUTOMATIC BUILDING CONTROL	FIRE ALARM INSPECTION	848.00
14 AVERA OCCUPATIONAL MEDICINE	TESTING	507.40
15 BEST WESTERN	LODGING	839.92
16 BLACK CLOVER ENTERPRISES	MERCHANDISE	157.95
17 BLACKSTONE PUBLISHING	BOOKS	100.00
18 BOUND TREE MEDICAL, LLC	SUPPLIES	2,287.22
19 CALLAWAY GOLF	MERCHANDISE	226.59
20 CANNON TECHNOLOGIES, INC	AMI ELEC METERS/WATER NODES	214,105.14
21 CASK & CORK	MERCHANDISE	1,003.50
22 CDW GOVERNMENT, INC	PANASONIC TOUGH BOOK COMPUTERS	10,470.00
23 CENTURY BUSINESS PRODUCTS	COPIES/CONTRACT	198.33
24 CERTIFIED LABORATORIES	SUPPLIES	956.19
25 CHESTERMAN CO	MERCHANDISE	331.75
26 CHRISTENSEN RADIATOR & REPAIR	PARTS	1,315.55
27 CITY OF VERMILLION	COPIES/POSTAGE	1,342.86
28 CITY OF VERMILLION	UTILITY BILLS	37,861.58
29 CLARK'S RENTALS INC	STUMP GRINDER	117.50
30 CLAY COUNTY TREASURER	REGISTRATION	50.00
31 COLONIAL LIFE ACC INS.	INSURANCE	3,055.41
32 CORE & MAIN LP	SUPPLIES	1,542.81
33 COYOTE SPORTS PROPERTIES	SPONSORSHIP	2,000.00
34 CROUCH RECREATION	BLEACHER	11,209.00
35 CRYSTAL BRADY	GYM MEMBERSHIP REIMBURSEMENT	175.00
36 CUMMINS CENTRAL POWER, LLC	REPAIRS	532.04
37 D-P TOOLS	SUPPLIES	125.60
38 DAKOTA BEVERAGE	MERCHANDISE	4,216.73
39 DAKOTA PC WAREHOUSE	REPAIRS/SUPPLIES	520.86
40 DAN HANSON	SAFETY BOOTS REIMBURSEMENT	100.00
41 DANKO EMERGENCY EQUIPMENT	FIRE FIGHTER EQUIPMENT	5,575.46
42 DELTA DENTAL PLAN	INSURANCE	6,420.84
43 DEMCO	SUPPLIES	75.95
44 DENNIS MARTENS	MAINTENANCE	833.34
45 DINGES FIRE COMPANY	FIRE FIGHTER EQUIPMENT	632.13
46 DIVISION OF MOTOR VEHICLE	PLATES	14.20
47 DONNA WEISBROD	REFUND PARKING TCKT OVERPMT	10.00
48 DRIVERS LICENSE GUIDE CO	BOOKS	62.85
49 DUBOIS CHEMICALS	SODA ASH	7,282.00
50 EAGLE CAULKING	HOUSING GRANT	2,449.50
51 ECHO ELECTRIC SUPPLY	SUPPLIES	1,815.11

52 ELECTRONIC ENGINEERING	POLICE EQUIPMENT	725.00
53 ENERGY LABORATORIES	TESTING	1,172.00
54 ENVIRONMENTAL SYSTEMS RESEARCH	SOFTWARE LICENSE RENEWAL	598.36
55 EQUIPMENT BLADES INC	PARTS	4,537.00
56 ERICKSON SOLUTIONS GROUP	SERVER & EQUIP UPDATE	5,321.90
57 FARMER BROTHERS CO.	SUPPLIES	143.70
58 FARNER BOCKEN COMPANY	MERCHANDISE	847.68
59 FRED HAAR CO., INC	UTILITY TRACTOR	31,779.00
60 GALE/CENGAGE LEARNING INC	BOOKS	134.33
61 GEOTEK ENGINEERING	TESTING	2,425.00
62 GERMAN AMERICAN PARTNERSHIP	TRIP FUNDING	1,000.00
63 GLENDA JONES	REFUND PARKING TCKT OVERPMT	5.00
64 GRAHAM TIRE CO.	TIRES	5,390.66
65 GRAYBAR ELECTRIC	PART	47.57
66 GRAYMONT (WI) LLC	CHEMICALS	8,398.46
67 GREGG PETERS	REIMBURSE SOFTWARE ACTIVATION	1,836.00
68 GREGG PETERS	RENT	937.50
69 HACH CO	PARTS	4,673.08
70 HEIMAN FIRE EQUIPMENT	REPAIRS	7.95
71 HELMS & ASSOCIATES	PROFESSIONAL SERVICES	2,335.20
72 HERREN-SCHEMPP BUILDING	SUPPLIES	39.53
73 HY VEE FOOD STORE	SUPPLIES	80.79
74 INGRAM	BOOKS	4,181.35
75 INTERSTATE POWER SYSTEMS	REPAIRS	470.52
76 INTL ASSOC. OF CHIEFS OF POLICE	MEMBERSHIP	190.00
77 JACKS UNIFORM & EQPT	POLICE UNIFORMS	385.90
78 JESSICA NEWMAN	FITNESS CENTER REIMBURSEMENT	250.00
79 JOHN A CONKLING DIST.	MERCHANDISE	1,329.16
80 JOHNSEN HEATING & COOLING	REPAIRS	688.78
81 JOHNSON BROTHERS OF SD	MERCHANDISE	10,619.01
82 JOHNSON CONTROLS	REPAIRS	2,293.27
83 JOHNSTONE SUPPLY	TOOLS	28.30
84 JONES FOOD CENTER	SUPPLIES	174.28
85 JORDAN LEACH	MEALS REIMBURSEMENT	52.00
86 JOSE DOMINGUEZ	MEALS/FUEL REIMBURSEMENT	48.43
87 JOSH KLEINHESSELINK	MEALS REIMBURSEMENT	52.00
88 JOSH MANNING	SAFETY BOOTS REIMBURSEMENT	100.00
89 KALINS INDOOR COMFORT	REPAIRS	851.97
90 KALLIE MARIE GOETTSCHE	REFUND PARKING TCKT OVERPMT	5.00
91 KIMBALL MIDWEST	SUPPLIES	204.64
92 KNOX COMPANY	LICENSE RENEWAL	1,572.00
93 LEISURE LAWN CARE	LAWN APPLICATIONS	1,093.95
94 LESSMAN ELEC. SUPPLY CO	LIBRARY/FIRE STATION LIGHTING	13,446.40
95 LIGHT AND SIREN	SUPPLIES	348.22
96 LOCATORS AND SUPPLIES, INC	SUPPLIES	2,222.30
97 LOFFLER	COPIER CONTRACT/COPIES	1,377.19
98 MALLOY ELECTRIC	SUPPLIES	118.92
99 MARBLE ARCH LINCOLN LLC	REFUND RENTAL REG.	185.00
100 MART AUTO BODY	TOWING	600.00
101 MATHESON TRI-GAS, INC	MEDICAL OXYGEN/CYLINDER RENTAL	457.34
102 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	997.50
103 MEAD LUMBER	SUPPLIES	10.99
104 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	217.51
105 MENARDS	PARTS	389.39
106 MERRICK INDUSTRIES	PARTS	3,253.03

107	MICHAEL FREDERICK	SUPPLIES	24.00
108	MICRO MARKETING LLC	BOOKS	195.99
109	MIDWEST ALARM CO	ALARM MONITORING	297.00
110	MIDWEST TURF & IRRIGATION	PARTS	165.08
111	MILLBORN SEEDS	LANDFILL COVER MATERIAL	8,875.00
112	MISSOURI VALLEY MAINTENANCE	REPAIRS	1,851.17
113	MOBILE ELECTRONIC SERVICE	REPAIRS	940.00
114	MOORE WELDING & MFG	FLAT BAR	75.00
115	MOTOROLA INC	PORTABLE RADIOS - POLICE	22,551.00
116	MSC INDUSTRIAL SUPPLY CO	PARTS	106.25
117	NATIONAL FIRE PROTECTION ASSOC	MEMBERSHIP DUES	175.00
118	NEBRASKA JOURNAL-LEADER	ADVERTISING	205.50
119	NETSYS+	PROF SERVICES/SOFTWARE UPDATE	1,659.00
120	O'REILLY AUTO PARTS	PARTS	156.89
121	OTIS ELEVATOR COMPANY	SERVICE CONTRACT	1,269.73
122	OVERHEAD DOOR OF SIOUX CITY	REPAIRS	1,873.80
123	PCC, INC	COMMISSION	4,437.14
124	PENWORTHY COMPANY	BOOKS	142.00
125	PIZZA RANCH	PIZZAS	159.22
126	POWERPHONE, INC	RECERTIFICATION/MAINTENANCE	497.70
127	PRESSING MATTERS	SUPPLIES	415.00
128	PRESTO-X-COMPANY	INSPECTION/TREATMENT	62.00
129	QUILL	SUPPLIES	729.43
130	RACOM CORPORATION	MAINTENANCE	411.70
131	RECORDED BOOKS, INC	BOOKS	308.80
132	REDI TOWING	TOWING	150.00
133	REEL SHARP	SHARPENING/REPAIRS	3,329.51
134	REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	4,651.01
135	RIVERSIDE HYDRAULICS & LAB	PARTS	261.18
136	ROCKMOUNT RESEARCH & ALLOY	PARTS	439.15
137	RUNNING SUPPLY, LLC	SUPPLIES	1,291.08
138	RYNE WHISLER	MEALS REIMBURSEMENT	52.00
139	SANFORD HEALTH OCCUPATIONAL	PRE-PLACEMENT EXAM	213.00
140	SANITATION PRODUCTS INC	PARTS	7,806.79
141	SD CHAPTER APWA	REGISTRATION	50.00
142	SD POLICE CHIEFS ASSOCIATION	PROFESSIONAL SERVICES	375.00
143	SD RETIREMENT SYSTEM	CONTRIBUTIONS	59,750.04
144	SERVICE MASTER OF SE SOUTH DAKOTA	CUSTODIAL	2,969.72
145	SIOUX CITY FOUNDRY CO	SUPPLIES	236.15
146	SIRCHIE	SUPPLIES	96.41
147	SNAP-ON INDUSTRIAL	PARTS	229.02
148	SOOLAND BOBCAT	STUMP GRINDER RENTAL	675.00
149	SOUTHERN GLAZER'S OF SD	MERCHANDISE	479.81
150	SPECIAL T'S AND MORE	WORK SHIRTS	111.75
151	STERN OIL CO.	OIL	1,628.11
152	STOREY KENWORTHY/MATT PARROT	UTILITY BILLS	5,392.50
153	STRYKER SALES CORPORATION	AMBULANCE EQUIPMENT	5,210.00
154	STUART C. IRBY CO.	SUPPLIES	330.00
155	STURDEVANTS AUTO PARTS	PARTS	1,323.31
156	SYNCB/AMAZON	BOOKS/DVDS/SUPPLIES	584.18
157	TASTE OF HOME BOOKS	BOOKS	34.98
158	TAYLOR MADE	MERCHANDISE	649.26
159	THE NEW SIOUX CITY IRON CO	PARTS	90.87
160	THE UPS STORE #6751	LAMINATING	43.00
161	TITLEIST-ACUSHNET COMPANY	MERCHANDISE	275.82

162 TRI TECH SALES	PARTS	139.08
163 TRI-STATE GARAGE DOOR, INC	REPAIRS	7,974.20
164 TROY GERST	REFUND PARKING TCKT OVERPMT	5.00
165 TRUCK-TRAILER SALES	PARTS	217.25
166 UNITED LABORATORIES	SUPPLIES	254.00
167 UNITED WAY	CONTRIBUTIONS	771.00
168 UNUM LIFE INSURANCE COMPANY	INSURANCE	1,557.61
169 US POSTMASTER	POSTAGE	60.00
170 USA BLUEBOOK	PARTS	472.14
171 VAST BROADBAND	911 CIRCUIT/DIALUP SERVICE	1,415.45
172 VERIZON WIRELESS	CELL PHONES/IPAD ACCESS	2,785.81
173 VERMEER HIGH PLAINS	REPAIRS	790.87
174 VERMILLION ACE HARDWARE	SUPPLIES	1,949.27
175 VERMILLION FORD	REPAIRS	66.00
176 VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	10,171.92
177 WALMART	SUPPLIES	1,229.67
178 WATCHGUARD VIDEO	SUPPLIES	192.00
179 WESCO DISTRIBUTION, INC	METERS/SUPPLIES	9,007.60
180 YANKTON FIRE & SAFETY	EXTINGUISHER RECHARGE	158.00
181 YANKTON MOTORSPORTS LLC	PARTS	45.06
182 ZEE MEDICAL SERVICE	SUPPLIES	300.00
183 ZIEGLER INC	PARTS	158.55
184 ROBERT WALSH	BRIGHT ENERGY REBATE	350.00
185 JASON MYRON	BRIGHT ENERGY REBATE	25.00
	GRAND TOTAL	\$630,503.57

## MUNICIPAL ELECTION COMBINED WITH THE PRIMARY ON JUNE 2, 2020

The combined Primary, School and Municipal election will be held June 2, 2020 with all municipal voters voting at the National Guard Armory located at 603 Princeton Street. The City of Vermillion is divided into four wards, with each ward represented by two aldermen. The following offices will become vacant due to the expiration of the present 4-year term of office of the elective officer:

Alderman Central Ward  
Alderman Northeast Ward  
Alderman Northwest Ward  
Alderman Southeast Ward

Nominating petitions can be circulated starting March 1, 2020 and must be filed in the City Finance Office by 5:00 p.m. on March 31, 2020. No person may hold any elected municipal office who is not a qualified voter of the municipality and who has not resided therein at least three months next preceding their election. Municipal nominating petitions are available at the City Finance Office or Secretary of State at [www.sdsos.gov](http://www.sdsos.gov).

The signature requirements for nominating petitions are as follows:

If the candidate is to be voted for by the voters of a ward of a municipality of the first or second class having more than one ward, a nominating petition shall be signed by five percent of the registered voters of the ward based on the number of registered voters recorded by the county auditor on the second Tuesday in January of the year of the election. No petition need be signed by more than fifty voters.

	<u>Registered Voters</u>	<u>Five Percent</u>	<u>Signatures Required</u>
Central Ward	951	48	48
Northeast Ward	896	45	45
Northwest Ward	1,464	74	50
Southeast Ward	1,810	91	50

It is recommended to collect signatures above the minimum to allow for any that may be invalid. It is prudent to submit a petition with ample time prior to the deadline to allow time to collect additional signatures if there are not sufficient valid signatures presented on the initial petition.

A City Ward Boundary Map is available on the city web page at [vermillion.us](http://vermillion.us).

**VOTER REGISTRATION:** Voter registration for the Primary/School/Municipal Election to be held on June 2, 2020 will close at 5:00 p.m. on May 18, 2020. Failure to register by this date will cause forfeiture of voting rights for this election. If a resident is in doubt about whether they are registered, this can be checked at the Voter Information Portal at [www.sdsos.gov](http://www.sdsos.gov) or by calling the County Auditor at 677-7120.

Absentee Voting for the June 2, 2020 election will be available at the County Auditor's office starting on April 17, 2020.

Additional Election information is available on the South Dakota Secretary of State's web site [www.sdsos.gov](http://www.sdsos.gov).



RAFFLE AND LOTTERY NOTIFICATION FORM
See reverse side of form for state laws regarding raffles and lotteries.

- 1. Organization sponsoring raffle/lottery: St Agnes Knights of Columbus
2. Person to contact: Ron Geis
3. Phone number: 712-441-4896 4. Email address: Ron.c.geis@corteva.com
6. Date(s) ticket(s) will be sold: March 1 - March 27, 2020
7. Cost per ticket(s): \$20
8. Date(s) drawing(s) will be held: March 28- April 6, 2020
9. Who is eligible to purchase ticket(s)? anyone
10. Will prize winner(s) be selected at random? [checked] Yes No
11. Description and approximate value of grand prize:
8x\$50 + 4x\$75 + 2x\$150 = total amount given away = \$1,000
12. What will the proceeds be used for?
St Agnes Church / School needs

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

Tickets sold by Knights of Columbus members, generally after church but could be any time. Winners based on final score of the NCAA Men's Elite 8, Final 4 & championship games. Final score diget on these games determines the winners. Chances of winning is equally the same for each of the 100 tickets sold.

[Handwritten Signature: Ronald C. Geis]
Applicant's Signature

February 21, 2020
Date

APPROVED BY:
[Handwritten Signature: John Prescott]
City Manager
[Handwritten Date: 02/22/2020]
Date



RAFFLE AND LOTTERY NOTIFICATION FORM
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- 1. Organization sponsoring raffle/lottery: St Agnes Knights of Columbus
2. Person to contact: Ron Geis
3. Phone number: 712-441-4896 4. Email address: Ron.c.geis@corteva.com
6. Date(s) ticket(s) will be sold: May 1 - Sept 13, 2020
7. Cost per ticket(s): \$20
8. Date(s) drawing(s) will be held: Sept 14 - Dec 28, 2020
9. Who is eligible to purchase ticket(s)? anyone
10. Will prize winner(s) be selected at random? [X] Yes No
11. Description and approximate value of grand prize:
\$50 x 17 games = \$850 total in prizes per 100 books sold.
Anticipate selling 200 books so total winnings = \$1700
12. What will the proceeds be used for?
St Agnes Church / School / Community / Mission / Youth Group needs

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

Tickets sold by Knights of Columbus members, generally after church but could be any time. Winners based on as scrambled matrix of point combinations of the home & visiting team. Chances of winning is equally the same for each of the 100 tickets sold.

- in NFL Monday Night Football games

Ronald C Geis
Applicant's Signature

February 21, 2020
Date

APPROVED BY:
John Prescott
City Manager
02/22/2020
Date