



**Special Meeting Agenda
City Council**

12:00 p.m. (Noon) Special Meeting
Monday, March 16, 2020
Large Conference Room – City Hall
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call.**
2. **Visitors to Be Heard.**
3. **COVID-19 discussion.**
4. **Briefing on the March 16, 2020 City Council Regular Meeting** – Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn.**

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

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

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

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

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

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



City of Vermillion Council Agenda

7:00 p.m. Regular Meeting
Monday, March 16, 2020
City Council Chambers
25 Center Street
Vermillion, South Dakota 57069

1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. March 2, 2020 Special Meeting; March 2, 2020 Regular Meeting.
4. **Adoption of the Agenda**
5. **Visitors to be Heard**
 - a. Census 2020 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.
 - b. Special daily malt beverage and wine license for the USD Military Science Department on or about April 17, 2020 at the Muenster University Center second floor large room for a military ball event.
7. **Old Business**
8. **New Business**
 - a. Update on the process to select a consultant for downtown infrastructure project (Streetscape project).
 - b. Planning Commission appointments.
 - c. Consolidated Board of Equalization appointments.
 - d. Resolution authorizing the purchase of a Solid Waste Department Loader for the landfill.
 - e. Resolution authorizing the purchase of forklift of the Waste Water Treatment Plant.
 - f. Surplus of Bluffs golf course mower and Sale to the City of Tyndall, South Dakota.
9. **Bid Openings**
 - a. Prentis Park sidewalk along Plum Street.
 - b. 2020 Chip seal project.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**
 - a. Set a public hearing date of April 6, 2020 for the transfer of the retail on sale liquor license from BACT Group, LLC to PR Vermillion, LLC for Pizza Ranch at 912 North Dakota Street.
13. **Adjourn**

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

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

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

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

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

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

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Vermillion City Council's Values and Vision

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



PROCLAMATION

CENSUS DAY

WHEREAS, an accurate census count is vital to our community and residents' well-being by helping planners determine where to locate schools, day-care centers, roads and public transportation, hospitals and other facilities, and is used to make decisions concerning business growth and housing needs; and

WHEREAS, more than \$675 billion per year in federal and state funding is allocated to states and communities based on census data; and

WHEREAS, census data ensures fair Congressional representation by determining how many seats each state will have in the U.S. House of Representatives as well as the redistricting of state legislatures and county and city voting districts; and

WHEREAS, the 2020 Census questionnaire is available online for the first time ever, and went live on March 12th ; and

WHEREAS, the information collected by the census is protected by law and remains confidential for 72 years; and

WHEREAS, it is important to support census takers as they help our community complete an accurate count; and

NOW, THEREFORE, BE IT RESOLVED we, the governing body of the City of Vermillion, South Dakota, do hereby proclaim April 1, 2020, as

CENSUS DAY

And, that the City of Vermillion will commit to partnering with the U.S. Census to help ensure a full and accurate census count.

Dated at Vermillion, South Dakota this 16th 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 16, 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 and March 2 meetings)

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 at the February 18 and March 2 meetings 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 and March 2 meetings 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 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



Date: January 23, 2020

To: Vermillion City Council

From: Matthew Betzen 
Chief of Police

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

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

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

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

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

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

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

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

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

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

Michael D. Carlson, Finance Officer

Publish: February 7, 2020

Published once at the approximate cost of _____.



Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: March 16, 2020

Subject: Special Daily Malt Beverage and Wine License for the USD Department of Military Science on or about April 17, 2020 at the USD Muenster Center second floor large room for military ball event

Presenter: Mike Carlson

Background: The USD Department of Military Science has submitted an application for a special daily malt beverage and wine license for their military ball on Tuesday, April 17, 2020 at the USD Muenster Center second floor large room.

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, a letter from the USD President, and notice of public hearing. As the event will be held on USD property there is attached a letter from the USD President giving permission for the event. The Police Chief's memo indicates that the USD Department of Military Science has established procedures to control who is allowed to consume alcoholic beverages for the event.

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

Conclusion/Recommendations: Administration recommends approving the issuance of the special daily malt beverage and wine license to the USD Department of Military Science unless information is presented at the public hearing to the contrary.

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



Date: March 2, 2020

To: Vermillion City Council

From: Matt Betzen 
Chief of Police

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

The USD – ROTC is planning their annual Military Ball for 04/17/2020 at the Muenster University Center. They have requested the above license. This event has happened annually and there is no record of problems during this event in the past.

I contacted the event coordinator and ROTC commanding officer, Lt Col. Daniel Sundberg. He stated the following precautions will be taken to mitigate the consumption of alcohol by minors:

1. The cadets who are underage will receive counseling prior to the event to ensure they know they and their under age guests are not to be consuming alcohol.
2. The eight members of the ROTC Cadre (training and supervision) will be carding people at the purchase table and monitoring the event to ensure no one under 21 years of age is served or consumes alcohol.
3. The event is limited to ROTC Cadets, family, guests and alumni with an estimated attendance of 75 persons.

I believe these precautions are adequate, and do not have any objection to the issuance of this special license.



UNIVERSITY OF
SOUTH DAKOTA

February 11, 2020

Lieutenant Col. Dan Sundberg
Department of Military Science
Burr House
University of South Dakota

Dear Lieutenant Col. Sundberg:

You have permission to serve and sell beer and wine only at the ROTC military ball on April 17, 2020, from 5:00 pm – 11:00 pm in the Muenster University Center Ballroom. This permission is pending the required special event license from the City of Vermillion. You may speak with City Finance Officer, Mike Carlson, at (605)677-7092 for information on obtaining this license. Please submit a copy of the license to the Office of the President prior to your event.

I have enclosed a signed copy of your application, a copy of Section E from the Board of Regents Policy 4:27 regarding a drug free environment. Please review the items and implement procedures to ensure compliance with the Board of Regents and USD policies.

Very truly yours,

A handwritten signature in cursive script that reads "Sheila K. Gestring".

Sheila K. Gestring
President
The University of South Dakota

SKG/nls

cc: Dr. Kim Grieve, VP of Student Services, Dean of Students
Mr. Jef Rice, Director of University Police
Mr. Adam Chicoine, Senior Food Service Director, Campus Dining

SHEILA K. GESTRING, PRESIDENT

414 East Clark Street • Vermillion, SD 57069 • 605-658-5641 • 605-677-6520 fax • www.usd.edu

NOTICE OF PUBLIC HEARING OF APPLICATIONS
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 16th day of March, 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:

USD Department of Military Science on or about April 17, 2020 at the Muenster University Center second floor large room for military ball event.

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 27th day of February, 2020.

Michael D. Carlson, Finance Officer

Publish: March 6, 2020

Published once at the approximate cost of _____.

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 16, 2020

Subject: Update on the process to select a consultant for the downtown infrastructure project (Streetscape project)

Presenter: Jose Dominguez

Background: Since 2004, the businesses in downtown Vermillion and the City have been working to improve the Main Street area. Besides improving the building facades, addition of the Pocket Park and Ratingen Platz, the community has been trying to complete a streetscape project that would tie Main Street together and serve as a frame to showcase the downtown area.

Recently, the City create the Business Improvement District #2 (BID). This BID was created with the intent and to provide a funding mechanism to bring the streetscape plan that downtown Vermillion has wanted to complete.

Discussion: The process that the BID chose to select a consultant is based qualifications rather than cost. As such, Staff sent a Request for Qualifications (RFQ) to 21 consultants on February 7, 2020. From these the City received eight proposals on February 25, 2020. The proposals received were reviewed by the BID, and Staff, and shortlisted to the three most qualified consultants. The shortlisted consultants were KLJ, Stockwell Engineers, and Banner Associates.

The three consultants that were shortlisted were interviewed on March 11, 2020. After the interviews, the BID was going to meet again during the afternoon of Friday, March 13, 2020 to further discuss which consultant to continue working with. At the time of packet preparation, the meeting had not yet concluded. At the evening meeting on Monday, staff will report which consultant the BID Board chose to keep working with to develop a Scope of Engineering, and a cost for the consultants work on the project. These documents are planned to be presented for consideration by the City Council at the April 6th meeting.

Once the Council approves these documents, the City will start working with the chosen consultant on developing the construction documents. At this point, the BID plans on having the construction documents completed by December 2020. The construction of

the project is planned to start in the spring of 2021 with substantial completion occurring no later than September 30, 2021.

Financial Consideration: There is no cost for this portion of the project.

Conclusion/Recommendations: There is no City Council motion needed at this time. The intent of this agenda item is to inform the City Council, and the public, of where the project is at this point.

Council Agenda Memo

From: John Prescott, City Manager

Meeting: March 16, 2020

Subject: Appointment to fill Planning and Zoning Commission term

Presenter: Mayor Jack Powell

Background: By State Statute the City Council is charged with appointing members of the Planning and Zoning Commission.

11-4-11. Appointment of planning and zoning commission--Same as city planning and zoning commission. In order to avail itself of the powers conferred by this chapter, the governing body shall appoint a commission to be known as the planning and zoning commission to recommend the boundaries of the zoning districts and appropriate regulations to be enforced therein.

The Planning and Zoning Commission is comprised of nine citizens. The board terms are for five (5) years and expire in June. Mike Manning and Jeff Kleeman recently resigned from the Planning and Zoning Commission. Mike's term is expiring in June 2020. Jeff's term is expiring in June 2022. In May of this year, the terms expiring in June 2020 will be advertised. The openings were advertised on the City's website, a City Council meeting, social media, and through the VCDC's Monday Messenger.

Discussion: The other current members of the Planning and Zoning Commission and term expiration year are: Don Forseth (2020), Keith Gestring (2022), Ted Muenster (2020), Doug Tuve (2020), Jim Wilson (2020), Matt Fairholm (2022), and Bob Iverson (2022).

Only one Expression of Interest form was received and is attached. One appointee will fill the balance of a Planning and Zoning Commission term which expires in June 2020 while the other appointee will fill the balance of a term expiring in June 2022.

Financial Consideration: Each member of the Planning Commission is paid \$15 per meeting attended.

Conclusion/Recommendations: Administration recommends consideration of the Expression of Interest form and appointment of an individual to the Planning and Zoning Commission to fulfill a term that will expire in June 2020 or appointment of an individual to fill a term expiring in June 2022.

From: noreply@civicplus.com
To: [Vermillion](#); [James Purdy](#); [John Prescott](#)
Subject: Online Form Submittal: Citizen Board/Commission Expression of Interest Form
Date: Sunday, March 1, 2020 7:49:42 PM

Citizen Board/Commission Expression of Interest Form

Board/Commission on which you are interested in serving: Planning and Zoning Commission

Name	Kate Fitzgerald
Number of years you have lived in/around Vermillion	1
Address	[REDACTED]
City	Vermillion
State	South Dakota
Zip Code	57069
Phone Number	[REDACTED]
Email Address	[REDACTED]
Occupation	Director of University Housing
Employer	University of South Dakota
Business Address	414 East Clark Street 100 North Commons
Prior elected or appointed offices held (if any)	Board of Adjustments and Planning and Zoning in Tiffin, Iowa Recreation Board Storm Lake Iowa
Present and past community volunteer activities	Harborfest - Oswego NY Special Olympics - Vermillion SD
Why are you interested in serving on this Board/Commission?	I believe in being involved in my community. I have spent years involved in local government in both Tiffin Iowa and Storm Lake Iowa when I lived there. I was the chair of the Planning and Zoning commission of Tiffin Iowa - the fastest growing community in Iowa. I have a strong understanding of construction and TIF funds. I want to use my skills to help Vermillion. I moved here for my position (and to be close to family in Sioux City). I

enjoy the small community of Vermillion and want to be a part of it. I knew when I interviewed here that Vermillion was the type of community I wanted to be a part of. I was excited to see on twitter that an opening had occurred on the commission.

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

I have close to ten years experience serving on the board of adjustments and planning and zoning commission in another community.

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

As a new resident in Vermillion, I do not have any special projects or programs. My goal would be to lend my skills to help make Vermillion the best it can be.

Electronic Signature Agreement

I agree.

Electronic Signature

Kathleen A Fitzgerald

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

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: March 16, 2020
Subject: Appointment to the Consolidated Board of Equalization
Presenter: Mike Carlson

Background: The County, City, and School District have each adopted resolutions to consolidate the Board of Equalization within city limits. The Consolidated Board hears property owner appeals of real estate valuation within the city and is made up of the five County Commissioners, three City Council members, and one School Board member. The County Auditor and Director of Equalization schedule the appointments for the consolidated board.

Prior to having a Consolidated Board of Equalization, the City Council, along with one School Board member, comprised the local Board of Equalization that heard appeals. If the property owner did not agree with the finding of the local board, they would then appeal to the county board. If the Director of Equalization did not agree with the local board's decision, he/she could change the valuation and the property owner would need to go to the county board to make their appeal again. The Consolidated Board makes it easier for the property owner as they only need to go before one board with their appeal.

Discussion: The City Council will need to appoint three members to serve as City representatives on the consolidated board; the remaining members will be designated as alternates to fill a vacancy if a member is unable to attend. Carri Crum, County Auditor, reported the first day of hearings as April 14, 2020 starting about 1:00 p.m. which in the last few years has not taken the entire afternoon.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends the City Council appoint three members to serve on the Consolidated Board of Equalization with the remaining members being designated as alternates.

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 16, 2020

Subject: Resolution Authorizing the Purchase of a Solid Waste Department loader for the landfill

Presenter: Jose Dominguez

Background: At budget sessions in 2019, the City Council reviewed the 2020 budget for the landfill. The 2020 landfill budget includes the replacement of a small loader. The landfill is part of the Joint Powers agreement with the City of Yankton and the counties of Clay and Yankton. Landfill equipment is not part of the equipment replacement fund.

Discussion: Sourcewell formerly the National Joint Powers Alliance (NJPA) has two bids with heavy equipment manufacturers. These are Volvo and Caterpillar Company. After reviewing the bids from both of the manufacturers, Staff would like to proceed with the bid from the Caterpillar Company for a 2020 906M Cat loader for \$86,567.54. The Caterpillar Company's distributor for South Dakota is Butler Machinery of Sioux Falls, SD. Butler has agreed to sell a Cat 906M loader to the City at the Sourcewell awarded bid amount. Additionally, Butler has offered \$23,000 for the City's existing 2014 906H Cat loader. This would bring Butler's bid to \$63,567.54.

The other bid reviewed by Staff was from Volvo. This bid was for a Volvo L25HS for \$82,234.00. Volvo offered \$21,000 for the City's existing loader. This would bring Volvo's bid to \$61,234.

The City also had to purchase tires for the existing 2014 Cat loader. The cost for the tires was close to \$8,000. The tires will fit the 2020 Cat loader, but not the 2020 Volvo loader.

Financial Consideration: The 2019 Landfill Fund includes a budget of \$200,000 for this purchase. The existing loader would be traded-in as part of the purchase.

Conclusion/Recommendations: Staff reviewed both of the bids, took into consideration Staff's familiarity with Cat equipment, the predominance of Cat equipment in the region, and the recent purchase of tires for a Cat loader. After the review, Administration recommends approving the Resolution to trade in the 2014 Cat 906H loader with a trade-in value of \$23,000 and purchase a 2020 906M Cat Loader from the Caterpillar

Company's participating distributor, Butler Machinery of Sioux Falls, SD, at a price of \$86,567.54 for a net cost of \$63,567.54.

**RESOLUTION
AUTHORIZING THE PURCHASE OF
A SOLID WASTE DEPARTMENT LOADER**

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 the National Joint Powers Alliance) for a 2020 906M Cat loader from Caterpillar in the amount of \$86,567.54 offers an advantageous price to the City for said item; and

WHEREAS, the proposal offered by Caterpillar also includes a trade-in value for the City's 2014 Caterpillar 906H loader of \$23,000.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Manager or the City's Finance Officer is hereby authorized to purchase **a new 2020 Cat 906M loader from Butler Machinery of Sioux Falls, South Dakota for a price of \$63,567.54 after trade-in.**

Dated at Vermillion, South Dakota this 16th 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



Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: March 16, 2020
Subject: Resolution Authorizing the Purchase of a Forklift for the Waste Water Department
Presenter: Jose Dominguez

Background: The replacement of the 1998 Yale forklift was budgeted for in the 2020 Equipment Replacement Fund. The forklift is used at the Waste Water Treatment Plant.

Discussion: Since it was estimated that the total cost for the equipment would be less than \$50,000, Staff decided to follow SDCL 5-18A-22(19). This statute allows a purchasing agency to purchase equipment that cost less than \$50,000 without going out to bids. Regardless, Staff procured two quotes for the new forklift. Both of the bids included a trade-in value for the existing 1998 Yale forklift.

SUPPLIER	EQUIPMENT	COST	TRADE-IN	TOTAL
Riekes Equipment	Yale GP050MX	\$31,288.40	\$4,400.00	\$26,888.40
MH Equipment	Hyster H50XT	\$31,556.40	\$4,000.00	\$27,556.40

Financial Consideration: The 2020 Equipment Replacement Fund includes a budget of \$31,000 for this purchase. The quote from the Yale forklift would be slightly higher than the budgeted amount. However, when one takes into consideration the trade-in value the City saves \$4,111.60 in comparison to the budgeted amount. It should be noted that Staff estimated the value of the forklift to be closer to \$2,000.

Any of the savings generated through this transaction would remain in the Equipment Replacement Fund and utilized on other purchases.

Conclusion/Recommendations: Administration recommends approving the Resolution to trade-in the City's 1998 Yale forklift with a trade-in value of \$4,400 and purchase a 2020 Yale GP050MX forklift from Riekes Equipment at a price of \$31,288.40 for a net cost of \$26,888.40.

**RESOLUTION
AUTHORIZING THE PURCHASE OF
A WASTEWATER FORKLIFT**

WHEREAS, SDCL 5-18A-22(19) authorizes a governmental entity to purchase equipment that cost less than \$50,000 without going through the formal bid process; and

WHEREAS, the City requested two quotes from different suppliers of forklift equipment; and

WHEREAS, the City of Vermillion has reviewed and determined that the quote for a Yale GP050MX from Riekes Equipment in the amount of \$31,288.40 offers an advantageous price to the City for said item, and

WHEREAS, the proposal offered by Riekes Equipment also includes a trade-in value for the City's 1998 Yale forklift of \$4,400.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Manager or the City's Finance Officer is hereby authorized to purchase **a new 2020 Yale GP050MX forklift from Riekes Equipment of Sioux Falls, South Dakota for a price of \$26,888.40 after trade-in.**

Dated at Vermillion, South Dakota this 16th 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



Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: March 16, 2020
Subject: Surplus of Bluffs Golf Course Mower and Sale to the City of Tyndall, South Dakota
Presenter: Jose Dominguez

Background: At the 2019 budget sessions, the City Council reviewed the 2020 equipment replacement schedule. As part of the 2020 equipment replacement schedule, the Bluffs Golf Course 2011 Toro Greensmaster 3150 was scheduled for replacement.

At the October 21, 2019, the City Council approved the resolution allowing Staff to purchase a 2020 Toro Greensmaster 3300 TriFlex mower from Midwest Turf & Irrigation of Omaha for the price of \$46,724. At that time the Staff did not ask for the existing mower to be declared surplus due to the fact that we were not sure of when the new mower would arrive.

Discussion: Staff requests that the City Council declare the 2011 Toro Greensmaster 3150 surplus. The City has had difficulty in selling some pieces of golf course maintenance equipment. Staff was contacted by the City of Tyndall in regard to purchasing the 2011 Toro Greensmaster 3150. The City of Tyndall is interested in purchasing the mower and has made a verbal offer of \$10,000 for the mower. State statute allows the transfer of property between governing bodies at terms and conditions agreed upon by the respective governing bodies.

SDCL 6-5-1 All counties, municipalities, sanitary districts, improvement districts, townships and school districts of this state may exchange with each other and to transfer and convey from one to the other any land or property belonging to them and under their respective jurisdictions and to perform and exchange work between themselves. All transfers of property and work as authorized by this section shall be upon such terms and conditions as may be determined and agreed upon by the respective governing bodies thereof. (SDCL 6-5-1)

Financial Consideration: The revenue from the sale of the surplus equipment will be placed in the Equipment Replacement Fund.

Conclusion/Recommendations: Administration recommends declaring the 2011 Toro Greensmaster 3150 surplus and awarding the sale of the equipment to the City of Tyndall contingent on receiving a formal request and a check for \$10,000.

Council Agenda Memo

From: Jose Dominguez, City Engineer
Meeting: March 16, 2020
Subject: Prentis Park Sidewalk, Phase 3 Project Bid Opening
Presenter: Jose Dominguez

Background: As part of the improvements to Prentis Park, the City Council budgeted funds to construct additional sidewalks at Prentis Park in order to make the park more accessible for the public. Construction of sidewalks through, and around, the park started in 2018 with the construction of a sidewalk from the pool north towards East Clark Street and east towards the parking lot. Last year, the second phase of the project constructed a sidewalk on the south side of East Clark Street from North Plum Street to Prentis Avenue. This year the sidewalk will be continued along the west side of the park (North Plum Street) from East Clark Street to East Main Street. The last phase is currently proposed to be completed in 2021.

Bids were opened on March 11, 2020. Bid notices were sent to seven potential bidders and four builder's exchanges. The City received three bids. The low bid was from M & M Construction, from Vermillion, for \$23,636.00. Following is a tabulation of the bids, including the engineer's estimate.

<u>BIDDER</u>	<u>TOTAL BID</u>
M & M Construction, Vermillion, SD	\$23,636.00
Walker Construction, Vermillion, SD	\$27,121.31
T&M Concrete, Sioux Falls, SD	\$54,691.20
Engineer's Estimate	\$30,000

Discussion: Bidding is required by State law when the cost of the project exceeds \$50,000. Although this project was not estimated to be over the limit, it was close enough that Staff felt it was important to follow the bidding requirements set by State law.

This project will construct a sidewalk along the east side of North Plum Street from East Clark Street to East Main Street. The new sidewalk would connect with last year's sidewalk that runs east-west along East Clark Street with the intersection of East Main Street and North Plum Streets.

This year's project is to be completed no later than August 14, 2020.

Financial Consideration: The 2020 budget includes sufficient funding for the cost of the project.

Conclusion/Recommendations: Administration recommends awarding the Prentis Park sidewalk phase 3 project to M & M Construction for \$23,636.00.

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: March 16, 2020

Subject: 2020 Chip Seal Project

Presenter: Jose Dominguez

Background: Chip-sealing is a cost-effective way to extend the life of asphalt streets between more expensive overlays. The process consists of the application of rapid curing polymerized asphalt oil which is covered by quartzite chips. The chip seal oil protects the existing asphalt overlay surface by sealing small cracks and voids. The quartzite chip layer also reduces the sun's UV effects on the surface.

Bids were opened March 11, 2020 for the 2020 Chip Seal Project. Two bids were received. The low bid was from Topkote of Yankton in the amount of \$117,008.50. The other bid was from The Road Guy, from Yankton, in the amount of \$147,144.00.

Discussion: Bid specifications were sent to four potential bidders in the area. Bidding is required by state law when the cost of the project exceeds \$50,000. This project was estimated to cost more than the bid limit so bids were requested.

The proposed project will take place in roads located in the east portion of the City, downtown area, and the areas below the bluff of the City. The contract calls for the project to be completed by August 14, 2020.

Financial Consideration: The Street Department budgeted for the annual chip seal project under the second penny sales tax fund - street construction and asphalt overlays line item.

Conclusion/Recommendations: Administration recommends awarding the 2020 chip seal contract to Topkote for the amount of \$117,008.50.

CITY OF VERMILLION
 INVOICES PAYABLE-MARCH 16, 2020

1	AMS BUILDING SYSTEM LLC	REFUND ELECTRIC CONNECTION FEE	10.65
2	ANDREW WICKRE	SAFETY BOOTS REIMBURSEMENT	100.00
3	AT&T MOBILITY	MOBILE HOT SPOTS	454.63
4	BLACKSTONE PUBLISHING	BOOKS	50.00
5	BROADCASTER PRESS	ADVERTISING	1,876.26
6	BUHLS CLEANERS	MAT/MOP SERVICE	372.64
7	BUREAU OF ADMINISTRATION	TELEPHONE	284.06
8	BUTCH'S PROPANE INC	PROPANE	1,931.40
9	CASK & CORK	MERCHANDISE	499.20
10	CENTURYLINK	TELEPHONE	1,588.67
11	CLAY RURAL WATER SYSTEM	WATER USAGE	64.50
12	CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,923.78
13	CORE & MAIN LP	SUPPLIES	510.00
14	DAKOTA BEVERAGE	MERCHANDISE	9,231.73
15	DAKOTA PC WAREHOUSE	SUPPLIES	179.98
16	DUBOIS CHEMICALS	SODA ASH	22,160.16
17	EAGLE CAULKING	HOUSING REHABILITATION-REPAIRS	1,200.00
18	ECHO ELECTRIC SUPPLY	SUPPLIES	357.72
19	FILTERTEC	FILTERS	1,127.03
20	FRED BALLEWEG	SAFETY GLASSES REIMBURSEMENT	150.00
21	GALE/CENGAGE LEARNING INC	BOOKS	80.80
22	GLOBAL DIST.	MERCHANDISE	410.00
23	GREGG PETERS	MANAGERS FEE/FREIGHT	8,136.00
24	INDUSTRIAL CHEM LABS	SUPPLIES	222.11
25	INGRAM	BOOKS	1,506.86
26	JACKS UNIFORM & EQPT	UNIFORM	39.90
27	JOHN A CONKLING DIST.	MERCHANDISE	5,263.85
28	JOHN C. PRESCOTT	MEALS REIMBURSEMENT	20.00
29	JOHNSON BROTHERS OF SD	MERCHANDISE	11,766.60
30	JONES FOOD CENTER	SUPPLIES	335.68
31	LOCATORS AND SUPPLIES, INC	SUPPLIES	307.88
32	LOREN FISCHER DISPOSAL	HAUL CARDBOARD	2,170.00
33	MALLOY ELECTRIC	PARTS	2,273.64
34	MARK CLARK	LODGING REIMBURSEMENT	140.08
35	MATHESON TRI-GAS, INC	CYLINDER RENTAL	82.28
36	MENARDS	SUPPLIES	150.37
37	MEREDITH BOOKS	BOOKS	36.11
38	MERRICK INDUSTRIES	PARTS	3,255.07
39	MICRO MARKETING LLC	BOOKS	178.96
40	MIDAMERICAN	GAS USAGE	6,192.07
41	MIDCONTINENT COMMUNICATION	INTERNET/CABLE SERVICE	746.57
42	MIDWEST ALARM CO	ALARM MONITORING	156.75
43	MIDWEST TURF & IRRIGATION	PARTS	74.59
44	NCL OF WISCONSIN, INC	CHEMICALS	416.46

45 NEBRASKA JOURNAL-LEADER	ADVERTISING	437.16
46 NETSYS+	PROFESSIONAL SERVICES	211.50
47 NEWMAN SIGNS, INC	SUPPLIES	280.83
48 O'REILLY AUTO PARTS	PARTS	21.99
49 OFFICE OF FIRE MARSHAL	BOILER INSPECTION	120.00
50 PRAIRIE BERRY WINERY	MERCHANDISE	840.00
51 PRINT SOURCE	SUPPLIES	270.00
52 PROCHEM DYNAMICS	SUPPLIES	156.84
53 QUADIENT	POSTAGE FOR METER	730.00
54 QUILL	SUPPLIES	27.19
55 R&R REPAIR	BALER REPAIRS	24,510.10
56 RDO EQUIPMENT CO	PARTS	369.72
57 RECORDED BOOKS, INC	BOOKS	289.40
58 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	11,328.32
59 RUNNING SUPPLY, LLC	SUPPLIES	358.47
60 SANFORD HEALTH PLAN	PARTICIPATION FEES	54.00
61 SCHAEFFER MFG. CO	SUPPLIES	708.00
62 SD DENR	LANDFILL OPERATIONS FEE	2,676.71
63 SD DEPT OF HEALTH	TESTING	150.00
64 SD HUMANITIES COUNCIL	REGISTRATION	50.00
65 SD RETIREMENT SYSTEM	CONTRIBUTION	50.56
66 SD SPECIAL OLYMPICS	SPONSOR FEE	2,500.00
67 SD STATE POETRY SOCIETY	MEMBERSHIP DUES	35.00
68 SERVICE MASTER OF SE SOUTH DAKOTA	CUSTODIAL	482.63
69 SOOLAND BOBCAT	STUMP GRINDER RENTAL	225.00
70 SOUTHERN GLAZER'S OF SD	MERCHANDISE	3,130.10
71 STAPLES BUSINESS CREDIT	SUPPLIES	1,899.07
72 STERN OIL CO.	FUEL	9,060.30
73 STURDEVANTS AUTO PARTS	PARTS	266.68
74 SYNCB/AMAZON	BOOKS/DVDS/SUPPLIES	680.81
75 THE EQUALIZER	ADVERTISING	1,085.00
76 THE NEW SIOUX CITY IRON CO	BLADE SHARPENING	24.00
77 TITLEIST-ACUSHNET COMPANY	MERCHANDISE	1,809.74
78 TRI TECH SALES	PARTS	230.65
79 TRUE BRANDS	MERCHANDISE	209.84
80 UNITED LABORATORIES	SUPPLIES	990.00
81 UNITED PARCEL SERVICE	SHIPPING	16.18
82 US POSTMASTER	POSTAGE FOR UTILITY BILLS	975.00
83 UTILITY EQUIPMENT CO.	WATER METERS	16,533.22
84 VIKING INDUSTRIAL PAINTING	GROUND STORAGE RESERVOIR IMP	137,689.11
85 WASTE MANAGEMENT OF WI-MN	WASTE HAULING	955.80
86 WESCO DISTRIBUTION, INC	ELECTRIC METERS	4,028.00
87 WH OVER MUSEUM	BOOKS	30.00
88 WHEELER'S HANDYMAN SERVICE	HOUSING REHABILITATION-REPAIRS	3,800.00
89 YANKTON JANITORIAL SUPPLY	SUPPLIES	90.25
90 ZIEGLER INC	REPAIRS	196.47
91 ZIMCO SUPPLY CO	SUPPLIES	1,598.95
	GRAND TOTAL	\$320,217.63