



## City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Monday, August 19, 2019

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069

### 1. Roll Call

### 2. Pledge of Allegiance

### 3. Minutes

- a. August 5, 2019 Special Meeting; August 5, 2019 Regular Meeting; August 14, 2019 Budget Session; August 15, 2019 Budget Session.

### 4. Adoption of the Agenda

### 5. Visitors to be Heard

- a. Slam Out Hunger proclamation.

### 6. Public Hearings

- a. Special daily malt beverage and wine license for the Fraternal Order of Eagles on or about October 4, 2019 for a fenced in designated area at 429 N Plum Street.
- b. Special daily malt beverage and wine license for the Vermillion Area Arts Council on or about September 14, 2019 for a Steampunk Pirate Festival at 202 Washington Street.

### 7. Old Business

### 8. New Business

- a. Resolution Approving Grant Offer for Airport Improvement Program for the Design Engineering for Design Reconstruction of the Hangar Taxiway with the FAA.
- b. Business Improvement District #2 member appointment.
- c. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Nuisance Abatement.

### 9. Bid Openings

### 10. City Manager's Report

### 11. Invoices Payable

### 12. Consensus Agenda

- a. Set a public hearing date of September 3, 2019 for a special daily malt beverage and wine license for the Vermillion Area Chamber & Development Company on or about September 27 & 28, 2019 at Ratingen Platz and portions of Market and Main Street for Oktoberfest event.
- b. Set a public hearing date of September 3, 2019 for a special permit to exceed permissible sound levels for the Vermillion Area Chamber of Commerce and Development Company on or about September 27 & 28, 2019 at Ratingen Platz and portions of Market and Main Street from 5:00 p.m. to 11:00 p.m. for Oktoberfest events.

### **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  
August 5, 2019  
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, August 5, 2019 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Price, Sorensen, Willson, Mayor Powell

Absent: Collier-Wise, Ward

2. Visitors to be Heard

3. Educational Session- ADA Transition Plan-Intern Jolly Omar

Jolly Omar, Administrative Intern, stated that his summer project was the development of an ADA Transition Plan for the city. Jolly reviewed the authority requiring an ADA Transition Plan for governmental entities with more than 50 employees. Jolly reviewed the required components of the ADA Transition Plan. Jolly reported that he worked with the Engineering Department in using GIS to document sidewalk and intersection inspections for compliance. Todd Nordyke, Engineering GIS Technician, reviewed the process used to inspect intersections and sidewalks and reviewed the map developed. Jolly reviewed the process used to prioritize repairs to be completed over the next ten years estimating that four intersections would be completed each year. Jolly noted that, if other street reconstruction is completed for an intersection, it would be completed earlier. Jolly answered questions of the City Council on the ADA Transition Plan noting that when plan is completed, it will be presented to the City Council for adoption.

4. Educational Session Update- Proposed Sign Ordinance- Assistant City Manager James Purdy

James Purdy, Assistant City Manager, handed out a draft sign ordinance updated to be content neutral. James reported that the signs could be regulated based upon zoning districts. James stated that within each zoning district there would be requirements for permanent, temporary and exempt signs. James answered questions of the City Council on the draft ordinance noting that further review will be made before sending to the City Attorney before being placed on a future agenda for adoption.

5. Informational Session - Electric transmission line refunding - Finance Officer Mike Carlson

Mike Carlson, Finance Officer, stated that the refunding of the 2009 Electric Revenue bonds was completed July 30th with final closing on September 12th. Mike noted that the 2009 Electric Revenue bonds are callable on December 1, 2019. Mike stated that with the city contribution of \$2 million the new bond will be for \$3,315,000 with an average interest rate of 1.9% over the nine year life compared to the 4.09% average interest on the old bond that would mature in 2036. Mike noted that over the 17 years the city will see a savings of over \$1.7 million that at net present value is \$995,000. Mike noted that the resolution authorizing the refunding was adopted in February and the rate resolution for the new bond was adopted in July. Mike answered questions of the City Council on the refunding.

6. Briefing on the August 5, 2019 City Council Regular Meeting

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

7. Adjourn

113-19

Alderman Sorensen moved to adjourn the Council special session at 12:49 p.m. Alderman Price seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 5th day of August, 2019.

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

ATTEST:

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

Unapproved Minutes  
City Council Regular Session  
August 5, 2019  
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, August 4, 2019 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Price, Sorensen, Willson, Mayor Powell

Absent: Collier-Wise, Ward

2. Pledge of Allegiance

3. Minutes

A. Minutes of July 15, 2019 Special Meeting; July 15, 2019 Regular Meeting

214-19

Alderman Sorensen moved approval of the July 15, 2019 Special Meeting and July 15, 2019 Regular Meeting minutes. Alderman Humphrey seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

215-19

Alderman Holland moved approval of the agenda. Alderman Price seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Alderman Humphrey reported that Midwest All Pro Wrestling will at the National Guard Armory on Friday August 30th with the sponsors working with the Vermillion Food Pantry to collect nonperishable food items that evening at the door.

6. Public Hearings

A. Off-street parking variance request for Vermillion Madison Park Apartments II LLC at 411 N. Norbeck Street. (Development to be constructed at the northeast corner of N. Norbeck Street and Roosevelt Street.)

James Purdy, Assistant City Manager, reported that the City received a Petition for Variance from Mr. Benjamin Ide representing Vermillion Madison Park Apartments II LLC with regard to off-street parking

requirements at 411 N. Norbeck Street. James reported that in March 2018 Ordinance 1367 which eliminated garages from counting as off-street parking spaces for multiple family dwelling units went into effect. James noted that by the current ordinance the applicant would need to provide 100 off-street parking spots. James noted that the applicant proposes providing a minimum of 40 attached garage parking spaces, 40 driveway parking spaces, and 22 surface parking spaces for a total of 102 off-street parking spaces. James noted that the applicant is asking for the parking requirement to be calculated using the method applied when Vermillion Madison Park Apartments I were built in 2015 just to the south. James reviewed the City ordinance on the parking requirements as well as the timeline of the amendment and when Vermillion Madison Park Apartments II, LLC started talking to the City about the project. James reviewed the ordinance as it applied to the City Council acting as Board of Adjustment for a variance and the issues that are to be considered as determining factors in whether or not the issuance of a variance is justified. James stated that the variance application is included in the packet. James reported that strict interpretation of the ordinance as written would result in the City Council denying the petition and upholding the requirements set forth in the off street parking ordinance.

Benjamin Ide, Director of Development for Haan Development, the developer of Vermillion Madison Park Apartments II, LLC, reported that Phase 1 of this development to the south was built under the old requirement that counted the garage parking spaces. Mr. Ide stated that they have been working on Phase II for a number of years with the project receiving federal tax credit funding last August. Mr. Ide reported that the garages in the project are attached to each unit and are included in the unit rent. Mr. Ide noted that the federal program excludes renting units to households that are all students, thus these units are not student housing.

Discussion followed with Mr. Ide answering questions of the City Council. Mr. Ide noted that to include the total parking spaces as required by the ordinance would require the project to be adjusted and would require reapplication for the federal tax credit program. The discussion included that the two adjoining housing projects should be considered consistently. Mr. Ide reviewed a parking survey conducted at Madison Park I that reported 11 to 16 parking spaces being vacant during different times of the day. Mr. Ide also reported that drainage has been an issue with the site and more hard surfaced parking spaces will make this more difficult.

216-19

Alderman Holland moved approval of the variance to the Off-street parking requirements for Vermillion Madison Park Apartments II LLC at 411 N. Norbeck Street to include the 40 garage parking spaces in the total

parking spaces. Alderman Hellwege seconded the motion. Motion carried 6 to 1. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Master License Agreement with Verizon for use of the right-of-way for small cell equipment

John Prescott, City Manager, reported that the City Council approved the second reading of Ordinance No. 1402 establishing regulations which provide the framework for the provision of small cell technology infrastructure. John reported that it was noted during the adoption of the ordinance that an individual license agreement would be needed with each company looking to locate facilities in the right-of-way. John stated that the Master License Agreement is with a specific organization granting their use of the public right-of-way vs. the ordinance which established the general policies that would govern the use of the right-of-way as it relates to small cell facilities. John reported that over the last couple of weeks the City Attorney, City staff, and Verizon representatives have had several conference calls to develop the attached Master License Agreement. John reported that, while this agreement would be between the City and Verizon Wireless, the terms established in this agreement would basically be duplicated in future agreements with other providers. John stated that the Master License Agreement brings the requirements of the ordinance to the specific license agreement and provider and acknowledges the fees adopted by the resolution approved by the City Council and details how payment will be made. John reported that the term of the Master License Agreement is for 15 years and automatically renews for another 15 years unless notice is provided 90 days before the end of the initial term that either party will not renew. John noted that the license for each individual location is for 10-years from the date of issuance that will automatically renew for 1-year periods following expiration of the initial 10-year term.

Jeff Armour and Sarah Meuli, Verizon representatives from the Omaha Office, stated that the Master License Agreement was developed as required by the City Ordinance. Jeff and Sarah answered questions of the City Council on terms in the Master License Agreement. Discussion followed.

217-19

Alderman Willson moved approval of the Small Wireless Communications Facilities Master Lease Agreement with CommNet Cellular, Inc d/b/a Verizon Wireless as presented. Alderman Humphrey seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

B. Permit for consumption but not sale of alcoholic beverages for Local Fare at the Fair sponsored by the Vermillion Area Farmers Market on Friday, August 9, 2019 from 3:00 p.m. to 6:00 p.m. at the fairgrounds metal building west of High Street

Mike Carlson, Finance Officer, reported that an application for a permit for consumption but not sale of alcoholic beverages was received from Grace Freeman for the Vermillion Area Farmers Market for the Local Fare at the Fair event at the County Fair on Friday, August 9, 2019 from 3:00 p.m. to 6:00 p.m. at the fairgrounds metal building west of High Street. Mike stated that the application is included in the packet. Discussion followed.

218-19

Alderman Hellwege moved approval of the permit for consumption but not sale of alcoholic beverages for the Vermillion Area Farmers Market for the Local Fare at the Fair event at the County Fair on Friday, August 9, 2019 from 3:00 p.m. to 6:00 p.m. at the fairgrounds metal building west of High Street. Alderman Holland seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

C. Street closure request to remove parking on Dakota Street from Alumni Street to SD Highway 50 and to close Rose Street from Coyote Village to the Sanford Coyote Sports Center for this year's USD home football games on August 31st, September 14, October 5, October 26, November 9, and November 23, 2019 from 6:00 a.m. to 6:00 p.m.

Cameron Wilson, representing USD Athletics, reported that the request is to close Rose Street from Coyote Village to the Coyote Sports Center and remove parking on both the east and west sides of Dakota Street between Alumni Street and Highway 50 on USD home football game days from 6:00 a.m. to 6:00 p.m. Cameron stated that the exception will be to allow the visiting team busses to park on the east side of Dakota Street west of the dome. Cameron stated that this is for pedestrian safety on game days and has been done in previous years. Discussion followed.

219-19

Alderman Humphrey moved approval of the street closing request from USD Athletics to close Rose Street from Coyote Village to the Dakota Dome and remove parking on both the east and west sides of Dakota Street between Alumni Street and Highway 50 except for visiting team busses parked on the east side on August 31st, September 14, October 5, October 26, November 9, and November 23, 2019. August 31st, September 14, October 5, October 26, November 9, and November 23, 2019 from 6:00 a.m. to 6:00 p.m. for home football games. Alderman Willson seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.



D. Request to close Kidder Street from Market Street to Court Street for the Dakota Days street dance and pep rally on October 3, 2019 from 5:30 p.m. to 11:00 p.m.

Jolly Omar, Administrative Intern, reported that a request was received from Douglas Wagner for the Dakota Days Committee for a Pep Rally and Street Dance on Thursday, October 3rd. Jolly stated that the request is to close Kidder Street from Market Street to Court Street on October 3rd from 5:30 p.m. to 11:00 p.m. Jolly reported that the application indicated that the adjoining property owners have been notified and that cleanup will be completed after the event. Jolly stated that the application and a diagram are included in the packet and that Police, Fire and EMS have been notified. Discussion followed on the request.

220-19

Alderman Holland moved approval of the request to close Kidder Street from Market Street to Court Street for the Dakota Days street dance and pep rally on October 3, 2019 from 5:30 p.m. to 11:00 p.m. Alderman Hellwege seconded the motion. Motion carried to 0. Mayor Powell declared the motion adopted.

E. Presentation of the 2020 Budget proposal

John Prescott, City Manager, stated that the 2020 Proposed Budget was included in the binder placed at each seat at the Council table or was sent by email. John stated that the budget utilizes conservative fiscal principals to develop a plan of action for 2020 and will serve as the starting point for the City Council. John stated that the proposed budget will be reviewed during budget sessions scheduled for 5:30 p.m. on August 14th and 15th in the large conference room on second floor of City Hall. John reviewed some of the major items included in the budget. Discussion followed.

9. Bid Openings

A. Fuel quotes

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

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$2.1698, Brunick's Service \$2.20; Item 2 - 1,000 gal unleaded: Stern Oil \$2.5676, Brunick's Service \$2.60; Item 3 - 3,000 gal No. 2 Diesel fuel dyed: Stern Oil \$2.0612, Brunick's Service \$2.09; Item 4 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$2.3577, Brunick's Service \$2.41.

221-19

Alderman Price moved approval of the low quote of Stern Oil on all four items. Alderman Hellwege seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

#### B. Bid Opening for Miscellaneous Concrete

Shane Griese, Utility Manager, reported that bids were opened on July 24th for the miscellaneous concrete project for this year. Shane noted that bid packets were sent to five contractors and four plan houses. Shane stated that two bids were received with the low bid being from M&M Construction for \$89,833.44 and the other bid was from Walker Construction for \$93,289.86. Shane recommended the low bid.

222-19

Alderman Price moved approval of the low bid of M&M Construction of \$89,833.44 for the miscellaneous concrete project. Alderman Humphrey seconded the motion. Motion carried to 0. Mayor Powell declared the motion adopted.

#### C. Bid Opening for Tire Hauling and Recycling Services

Shane Griese, Utility Manager, reported that bids were opened on July 24th for tire hauling and recycling services. Shane noted that the City Joint Powers landfill operations had received a grant from the Department of Environment and Natural Resources (DENR) to reimburse 80% of the tire disposal costs up to \$64,000. Shane noted that bid packets were sent to four contractors with three bids received. Shane noted that only one bid was read as two bids did not include the necessary bid bond. Shane stated that the only bid was from Liberty Tire Service of Ohio LLC DBA Liberty Tire Recycling, LLC of Savage, Minnesota in the amount of \$78,000. Shane recommended acceptance of the only bid. Discussion followed.

223-19

Alderman Willson moved approval of the only bid of Liberty Tire Service of Ohio LLC DBA Liberty Tire Recycling, LLC of Savage, Minnesota in the amount of \$78,000 for tire disposal costs. Alderman Holland seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

### 10. City Manager's Report

A. John reported that the City Council will have 2020 budget review sessions in the Large Conference room on Wednesday, August 14th and Thursday, August 15th beginning at 5:30 p.m. each evening.

B. John reported that the Historic Preservation Commission meets at 9:00 a.m. in the Mamura Conference room on Wednesday, August 7th.

C. John reported that the Clay County Fair is this week and that High Street will be closed as it passes through the fairgrounds to Cherry Street from Thursday, August 8th at 7:00 a.m. to Sunday, August 11th at 10:00 a.m.

PAYROLL ADDITIONS AND CHANGES

Finance: Sherry Howe \$27.70/hr, Janis Johnson \$18.02/hr, Sara McBride \$14.36/hr; Parks: Alexis Webb \$9.25/hr; Pool: Samuel Schwebach \$10.00/hr; Landfill: Dan Milroy \$17.52/hr, Brian Waage \$17.52/hr

11. Invoices Payable

224-19

Alderman Price moved approval of the following invoice:

Tom Sorensen	Bright Energy Rebate	250.00
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Alderman Humphrey seconded the motion. Alderman Sorensen requested to abstain. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

225-19

Alderman Price moved approval of the following invoices:

A & A Refrigeration	repairs	265.15
A-1 Portable Toilets	portable toilet rental	480.00
Ace Refrigeration Co	repairs	209.25
Adapco, Inc	supplies	3,361.80
Aladtec, Inc	subscription	2,310.00
AMS Building System LLC	curb grinding	153.06
Appeara	shop towels	45.00
Aqua-Pure Inc	chemicals	4,840.00
Aramark Uniform Services	uniform cleaning	471.40
Argus Leader Media #1085	subscription	28.00
Arrow International, Inc	supplies	1,165.50
AWWA	membership dues	208.00
Banner Associates, Inc	professional services	11,908.15
Bierschbach Eqpt & Supply	supplies	433.15
Big State Industrial Supply	supplies	1,145.30
Blackstone Publishing	books	100.00
Border States Elec Supply	supplies	785.62
Bound Tree Medical, LLC	supplies	1,226.27
Brite	police equipment	14,900.00
Brock White Co	supplies	11,478.00

Brunick's Service Inc	propane	175.00
BSN Sports Inc	supplies	309.80
Burns & McDonnell	professional services	6,354.75
Butler Machinery Co.	compactor/parts	47,684.41
BX Civil & Construction	Jefferson street improvements	16,875.64
C & H Golf Ball	merchandise	1,350.00
Callaway Golf	merchandise	969.17
Campbell Supply	supplies	1,799.34
Cannon Technologies, Inc	water nodes	70,686.00
Cask & Cork	merchandise	627.00
Century Business Products	copier contract/copies	194.48
Centurylink	telephone	698.94
Chesterman Co	merchandise	1,421.13
City Of Brookings	registration	25.00
City Of Sioux Falls	testing	29.00
City Of Vermillion	postage/copies	1,224.18
City Of Vermillion	utility bills	44,241.73
Clay County Ems Association	cpr training	15.00
Clia Laboratory Program	certificate fee	180.00
Colonial Life Acc Ins.	insurance	3,056.41
Core & Main LP	supplies	1,365.47
CorInsurance	fire portable equip coverage	827.00
Coyote Chemical Company	supplies	806.00
Coyote Convenience	fuel	11.30
Crouch Recreation	parks equipment	770.00
D-P Tools	supplies	143.78
Dakota Beverage	merchandise	6,971.15
Dakota Pc Warehouse	computer/monitor/resistor	1,492.91
Dakota Riggers & Tool Supply	parts	852.51
Dakota Supply Group	parts	198.60
Danko Emergency Equipment	firefighter equipment	759.66
Delta Dental Plan	insurance	6,596.78
Demco	supplies	167.82
Dennis Martens	maintenance	833.34
Diamond Vogel Paints	traffic paint/parts	1,452.53
Division Of Motor Vehicle	title/plates	30.00
DLT Solutions, Inc	AutoCAD subscription	228.67
Dubois Chemicals	chemicals	7,282.00
Echo Electric Supply	supplies	2,736.09
Elliott Equipment Co	parts	2,208.00
Farmer Brothers Co.	supplies	138.88
Farner Bocken Company	merchandise	5,667.18
Filtertec	filters	151.40

Foreman Media	council mtgs	100.00
Fred Haar Co, Inc	repairs	670.56
Gaylord Bros Inc	supplies	171.62
GCSAA	membership renewal	400.00
Girton Adams Company	parts	254.93
Global Dist.	merchandise	111.00
Graham Tire Co.	tires	1,075.16
Graymont Capital Inc	chemicals	7,968.38
Gregg Peters	rent	937.50
Hach Co	supplies	217.38
Hauff Mid-America Sports	whistles/umpire kit	317.50
Hauger Lawn Service	mowing	132.00
Hawkins Inc	chemicals	7,168.60
Heartland Humane Society	professional services	185.00
Helget Safety Supply, Inc	gloves	107.86
Helms & Associates	professional services	2,335.20
Herren-Schempp Building	supplies	15.96
High Point Networks	professional services	87.50
Hy Vee Food Store	supplies	1,036.66
Imprints Label & Decal	bike registration labels	190.00
IMS Alliance	name tags	57.50
In Control, Inc	ww control computer	15,600.00
Ingram	books	2,588.42
Istate Truck Center	parts	357.78
Jacks Uniform & Eqpt	uniform	720.20
John A Conkling Dist.	merchandise	3,135.05
Johnsen Heating & Cooling	repairs	1,888.13
Johnson Brothers Of SD	merchandise	8,230.91
Johnson Feed, Inc	repairs	58.43
Jones Food Center	supplies	168.03
Kalins Indoor Comfort	repairs	365.02
Kenny Wapniarski	safety boots reimbursement	100.00
Kevin Bliss Construction	remodeling	2,565.14
Knife River Midwest, LLC	asphalt	5,716.75
Lawson Products Inc	supplies	134.89
Laynes World	name plates/holder	37.00
Leisure Lawn Care	repairs	1,256.89
Louies Carpet Clean, Inc	carpet cleaning	1,560.52
Luke Trowbridge	meals reimbursements	52.00
Lyle Signs	supplies	94.11
M & M Construction LLC	repairs	438.60
M.H Eby, Inc	flatbed bodies	13,300.00
Mainland Engraving LLC	medal/ribbons	81.00

Malloy Electric	parts	889.89
Mart Auto Body	towing	1,050.00
Matheson Tri-Gas, Inc	medical oxygen	820.66
McCulloch Law Office	professional services	1,175.00
Mead Lumber	supplies	59.70
Medical Waste Transport, Inc	haul medical waste	236.17
MES-Municipal Emerg Service	parts	105.00
MH Equipment Company	repairs	196.57
Michael Todd & Co.	repairs	518.86
Micro Marketing LLC	books	26.99
Midwest Alarm Co	repairs	2,065.32
Midwest Ready Mix & Equipment	supplies	2,873.08
Midwest Turf & Irrigation	parts	251.50
Midwest Wheel Companies	parts	278.04
Minitex Library	supplies	542.00
Minn Municipal Utility Assoc.	3rd qtr safety mgmt program	7,216.00
Miracle Recreation Eqpt Co	parts	1,762.38
Missouri Valley Maintenance	repairs	2,522.15
Mobotrex Mobility & Traffic	recertification	214.00
Monty Munkvold	safety boots reimbursements	95.84
Moore Welding & Mfg	repairs	602.00
NBS Calibrations	scale calibration	1,989.13
Netsys+	repairs/prof services	3,735.25
O'Reilly Auto Parts	supplies	71.01
Odeys Inc	pro mound clay	209.40
Office Systems Co	copier contract/copies	948.13
Otto Engineering Inc	supplies	2,103.87
PCC, Inc	commission	2,781.21
Penworthy Company	books	100.85
Pepsi Cola Of Siouxland	merchandise	1,694.50
Pilger Sand & Gravel, Inc	bunker sand	1,307.01
PKG Contracting, Inc	wwtf digester improvements	119,454.10
Plain Talk Publishers	subscription	26.00
Polaris	lawn mower/bucket	500.00
Potomac Aviation Technology	parts	508.17
Powerphone, Inc	emer dispatch recertification	129.00
Pressing Matters	supplies	189.00
Presto-X-Company	inspection/treatment	53.00
Print Source	supplies	189.00
Prochem Dynamics	supplies	301.87
Property Maintenance Service	mowing	280.00
Quill	supplies	273.41
Racom Corporation	mobile radios/mic/brackets	15,782.92

Ramkota Hotel	lodging	228.98
Recorded Books, Inc	books	284.61
Redi Towing	towing	185.00
Republic National Distributing	merchandise	14,485.63
Resco	supplies	623.34
Rob Pickens	mileage reimbursement	82.80
Rusty Jensen	membership reimbursement	581.00
Ryan Hough	meals reimbursement	115.00
Sanford Clinic Vermillion	testing	110.00
Sanford Health Occupational	testing	34.00
Sanford USD Medical Center	supplies	295.74
Sanitation Products Inc	freightliner truck/repairs	146,455.61
Schumacher Oil	supplies	459.42
SD Arborists Association	membership	50.00
SD Dept Of Health	testing	150.00
SD Electrical Commission	permit	100.00
SD Golf Association	handicap	5,691.00
SD One Call	locates	454.65
SD Retirement System	contributions	58,280.82
SD Secretary Of State	notary bond fee	30.00
Security Shredding Service	shredding	35.00
Sensus Metering Systems	software support	1,715.95
Service Master Of Se SD	custodial	3,299.69
Sherry A. Howe	meals reimbursement	67.00
Siouxland Humane Society	fees	74.00
Sooland Bobcat	tires	799.96
Southeast Softball Assoc	tournament fees	300.00
Southern Glazer's Of SD	merchandise	1,466.74
Stalker Radar	repairs	160.00
State Farm	notary bond fee	50.00
Stewart Oil-Tire Co	repairs	127.90
Sturdevants Auto Parts	parts	1,858.13
Syncb/Amazon	dvds/books	1,030.80
T And R Electric	repairs	1,200.00
The Home Depot Pro	supplies	132.54
The Ups Store #6751	shipping	569.37
The Walking Billboard	uniform shirts	138.00
Think605	softball shirts	1,355.50
Titleist-Acushnet Company	merchandise	2,655.54
Todd Halverson	safety boots reimbursement	100.00
Todds Electric Service	install load mgmt	153.03
Tractor Supply Credit Plan	supplies	26.94
Triview Communications	repairs/telephone	246.02

Turner Plumbing	repairs	336.32
Twin City Hardware	parts	170.73
Uline	supplies	717.37
United Laboratories	supplies	696.00
United Way	contributions	678.00
Unum Life Insurance Company	insurance	1,449.97
Utility Equipment Co.	supplies	794.00
Van Diest Supply Co	chemicals	2,371.75
Vantek Communications, Inc	batteries	572.00
Vast Broadband	911 circuit/dialup service	1,415.45
Verizon Wireless	cell phones/ipad access	2,175.42
Vermillion Ace Hardware	parts/supplies	2,896.93
Vermillion Chamber Of Commerce	business imp district	14,827.40
Vermillion Fastpitch Softball	umpire class	110.00
Vermillion Ford	truck/repairs	41,675.00
Vermillion Rural Fire Dept	lodging reimbursement	700.88
Visa/First Bank & Trust	fuel/lodging/supplies	5,658.23
Wal-Mart Community	supplies	1,797.86
Walker Construction	cotton park bathroom	3,347.95
Walt's Homestyle Foods, Inc	merchandise	99.00
Wesco Distribution, Inc	meter	477.00
Williams & Co.	2018 audit	1,450.00
Yamaha Motor Finance Corp	golf cars lease	6,270.40
Yankton Fire & Safety	extinguisher recharge	80.00
Yankton Janitorial Supply	supplies	296.95
Yankton Medical Clinic	testing	80.00
Zee Medical Service	supplies	291.65
Ziegler Inc	parts	416.23
Zimco Supply Co	supplies	11,174.00
Zuercher Technologies LLC	annual maintenance fee	36,633.00
Mark Upward	Bright Energy Rebate	400.00
Shannon Fitzsimmons	Bright Energy Rebate	400.00

Alderman Hellwege seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

## 12. Consensus Agenda

A. Set a public hearing date of August 19, 2019 for a special daily malt beverage and wine license for the Fraternal Order of Eagles on or about October 4, 2019 for a fenced in designated area at 429 N Plum Street

B. Set a public hearing date of August 19, 2019 for a special daily malt beverage and wine license for the Vermillion Area Arts Council on or



about September 14, 2019 for a Steampunk Pirate Festival at 202 Washington Street

226-19

Alderman Price moved approval of the consensus agenda. Alderman Holland seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

227-19

Alderman Sorensen moved to adjourn the Council Meeting at 7:53 p.m. Alderman Price seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 5th day of August, 2019.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

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

ATTEST:

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

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

Approved Minutes  
Council Special Budget Session  
August 14, 2019  
Wednesday 5:30 p.m.

The special budget session of the City Council, City of Vermillion, South Dakota was called to order on Wednesday, August 14, 2019 at 5:30 p.m. at the City Hall large conference room.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Price, Sorensen, Ward (arrived 6:11 p.m.), Willson, Collier-Wise President

Absent: Mayor Powell

2. Pledge of Allegiance

3. Adoption of Agenda

228-19

Alderman Price moved approval of the agenda. Alderman Hellwege seconded the motion. Motion carried 7 to 0. President Collier-Wise declared the motion adopted.

4. Visitors to be Heard - None

5. New Business

6. Budget Workshop - 2020 Proposed

John Prescott, City Manager, provided an overview of the budget noting that the budget presented should serve as the starting point for the process of developing the 2020 budget. John reported that for the property tax revenues the State regulated inflationary increase is 2.4% plus growth so property tax revenue increased over \$90,000. John stated that the sales tax revenues budgeted for 2019 were revised up based upon collections to date and for 2020 a 3% increase was budgeted less the half year loss of the sales tax on providing internet services. John stated that the proposed budget supports a wage adjustment of 2.5% as was approved in the union agreement. John noted that proposed budget included a 5% health insurance increase with the actual premiums not known until later this year. John stated that no rate increases were projected for electric, water and wastewater utilities for 2020. John stated that in October we will receive notice of any electric purchase of power rate increases and wastewater rates are reviewed in April of each year. John noted that storm water fee

would increase 4% or about \$8,700 total for the community in 2020. John reported that the proposed budget includes converting a part time library clerk to a full time Youth Library Assistant, adding a landfill equipment operator and a Water Department position. John reviewed the major items that were revised in the 2019 budget since it was adopted about a year ago. John reported that the individual departments will be covering the items in their budget that were revised for 2019 and the 2020 budget items. John stated that he has included a memo on the funding proposed for the outside agencies noting that their funding is in the general fund and BBB sales tax fund. John noted that there was a new outside agency funding application received and requested Council consideration of the funding. John noted that the general fund will be using reserves to balance the 2020 budget. John stated that last year we adopted an ordinance to utilize second penny sales tax funds to help support the 2019 expenditures but based on the 2019 revised proposed budget the general fund will not need the second penny sales tax funds. John noted the need to retain a healthy general fund reserve and that we will monitor the use of the reserve over the next few years. John noted that other policy decisions would be if the City Council wanted to continue the pledge of funding from second penny funds to the downtown project.

The Council started the review of the 2020 proposed budget, as well as revisions to the 2019 budget, by reviewing the following sections of the budget with the City Manager and department heads: Policy & Administration: Code Compliance; Special Funds: 911 Fund; Public Safety & Security: Police Administration and Investigation, (Alderman Ward arrived at 6:11 p.m.), Police Patrol, Fire and Rescue, EMS/Ambulance, Emergency Management, Human Development and Leisure: Public Library, Library Fund; Utility Fund: Joint Powers Landfill, Joint Powers Recycling, Curbside Recycling; Enterprise Funds: Liquor Store; Special Funds: Second Penny sales tax, BBB Sales Tax, Debt Service Funds: Special Assessments, TIF District No. 5, TIF District No. 6, City Hall Debt Service, Prentis Park Debt Service; Internal Service Fund: Unemployment, Copy/Fax/Postage, Custodial; Maintenance & Transportation: City Hall Maintenance; Policy & Administration: General Government, Finance; Outside Organizations Request: General Fund - Community Services, BBB Fund.

John reviewed the outside agency requests and what funding was included in the proposed budget. John reported that a funding application was received this year from the Vermillion Cultural Association and as the request indicates the funds would be used for operating expenses would need to be funded from the general fund. John noted that the Council will need to decide if it wanted to include funding for this agency and the amount.

City Council discussion followed on outside agency funding with the consensus to include funding for the Vermillion Cultural Association and reducing the funding for the Vermillion Area Arts Council.

5. Adjourn

229-19

Alderman Ward moved to adjourn the Council Meeting at 9:16 p.m. Alderman Price seconded the motion. Motion carried 8 to 0. President Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 14th day of August, 2019.

THE GOVERNING BODY OF THE  
CITY OF VERMILLION, SOUTH DAKOTA  
BY \_\_\_\_\_  
Kelsey Collier-Wise, President

ATTEST:

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

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

Approved Minutes  
Council Special Budget Session  
August 15, 2019  
Tuesday 5:30 p.m.

The special budget session of the City Council, City of Vermillion, South Dakota was called to order on Thursday, August 15, 2019 at 5:30 p.m. at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise President, Hellwege, Holland, Humphrey, Price, Sorensen, Ward, Willson

Absent: Mayor Powell

2. Pledge of Allegiance

3. Adoption of Agenda

230-19

Alderman Price moved approval of the agenda. Alderman Humphrey seconded the motion. Motion carried 8 to 0. President Collier-Wise declared the motion adopted.

4. Visitors to be Heard - None

5. New Business - None

6. Budget Workshop

The Council continued the review of the 2020 proposed budget and 2019 revised budget by reviewing the following sections of the budget with the City Manager and Department Heads: Utility Fund: Water, Wastewater, Electric; Maintenance & Transportation: Service Center, Mechanic's Garage, Street Department, Snow Removal, Sweeping & Mowing, Carpentry; Policy & Administration: Engineering/Planning and Zoning; Maintenance & Transportation: Old Library Maintenance, Old Landfill Maintenance, Airport; Special Funds: Storm Water Collection; Capital Projects Fund: Special Assessment Projects, Airport Improvements, Bike Path, Prentis Park Improvements; Internal Service Funds: Equipment Replacement Fund; Human Development and Leisure: Parks and Forestry, Recreation, Prentis Plunge Swimming Pool, National Guard Armory, Mosquito Control; Special Funds: Parks Capital Improvement; Enterprise Funds: Bluffs Clubhouse, Bluffs Maintenance; Capital Projects Fund: Prentis Park.

The review of the Outside Organizations Requests continued with Nate Welch, Executive Director of the Vermillion Area Chamber of Commerce and Development Company (VCDC), reviewing the VCDC funding request for 2020 of \$265,000. Nate reviewed information presented on the budget request and answered questions of the City Council.

Discussion continued on the 2020 proposed budget.

231-19

Alderman Holland moved to include in the 2020 budget for general fund community services \$4,000 for the Vermillion Cultural Association, to adjust the budget to \$2,000 for the Vermillion Area Arts Council and in the BBB Sales Tax fund to adjust the Vermillion Area Chamber of Commerce and Development Company budget to \$265,000. Alderman Ward seconded the motion. Discussion followed on the agency funding requested. Motion carried 7 to 1. President Collier-Wise declared the motion adopted.

President Collier-Wise thanked the Council members for their time in reviewing the 2020 budget and that with the adjustments the budget ordinance can be prepared for Council consideration in September. President Collier-Wise stated that the VCDC presentation was originally scheduled for the Monday August 19th noon meeting but, as it was tonight, do the members want John to find another topic for the noon meeting or not have a noon meeting as there are some members that will not be able to attend. The consensus was to not have a noon meeting on August 19, 2019.

## 7. Adjourn

232-19

Alderman Sorensen moved to adjourn the Council Meeting at 9:24 p.m. Alderman Ward seconded the motion. Motion carried 8 to 0. President Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 15th day of August, 2019.

THE GOVERNING BODY OF  
THE CITY OF VERMILLION,  
SOUTH DAKOTA  
BY \_\_\_\_\_  
Kelsey Collier-Wise, President

ATTEST:

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

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



**PROCLAMATION  
WRESTLING EVENT TO BENEFIT VERMILLION FOOD PANTRY**

**WHEREAS**, hunger affects millions of people nationwide, including Vermillion and Clay County; and

**WHEREAS**, Midwest All Pro Wrestling is having an event in Vermillion on Friday, August 30, 2019; and

**WHEREAS**, Midwest All Pro Wrestling and their sponsors are working to address hunger through an effort labeled Slam Out Hunger; and

**WHEREAS**, Midwest All Pro Wrestling encourages audience members to bring non-perishable food to the August 30, 2019 food drive; and

**WHEREAS**, Midwest All Pro Wrestling's Slam Out Hunger event is one example of how we can all work to make a difference in the lives of those in our community.

**NOW, THEREFORE**, we, the governing body of the City of Vermillion, South Dakota, do hereby proclaim Friday, August 30, 2019, as

**“SLAM OUT HUNGER DAY”**

in the City of Vermillion, and we encourage attendees at the Midwest All Pro Wrestling event that evening to bring non-perishable food items to the event or drop them off at the Community Connection Center.

Dated at Vermillion, South Dakota this 19<sup>th</sup> day of August, 2019.

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:** August 19, 2019

**Subject:** Special daily malt beverage and wine license for the Fraternal Order of Eagles on or about October 4, 2019 for a fenced in designated area at 429 N Plum Street

**Presenter:** Mike Carlson

**Background:** The Fraternal Order of Eagles has submitted an application for a special daily malt beverage and wine license at 429 N Plum Street for events on Friday, October 4, 2019. It is the 50-year celebration of the opening of the current Beta Theta Pi House building.

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.

6. Public Hearings; item a

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:** The notice of public hearing and the Police Chief's memo are attached. The routine Police Department records check of the parties involved with the special daily license revealed no alcohol related violations or felony convictions in reference to this application. The Police Chief's memo indicates he met with Mick Breske and recommended the following precautions be taken:

1. There will be two designated servers and two security people at the events responsible for ensuring that no non-Beta member will attend and no one under 21 will be served alcohol.
2. Everyone who wishes to consume alcohol will be ID'd and wrist bands will be issued to those over 21.
3. The tent will have only one entry, which will be controlled by security.
4. The event will last from 4:00 p.m. to 11:00 p.m. on October 4, 2019.

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


**Conclusion/Recommendations:** Administration recommends approving the issuance of the special daily malt beverage and wine license to the Fraternal Order of Eagles on or about Friday, October 4, 2019 for the tent designated area at 429 N Plum Street with the precautions as outlined by the Chief of Police, unless further information is provided at the public hearing.

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: August 7, 2019

To: Vermillion City Council

From: Matt Betzen   
Chief of Police

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

The Fraternal Order of the Eagles is requesting a Special Daily License for an event the evening of 10/4/2019. I met with Mic Breske the applicant and reviewed the plans for the event and efforts that would be made to control alcohol distribution.

The event is a private event being held in a large tent in the parking lot of the Beta House at 429 N. Plum St. It is a 50-year celebration of the opening of the current building. Only current Beta House members, Alumni and invited guests will be permitted at the event.

Additionally, the following precautions will be taken:

1. There will be two designated servers and two security people at the event responsible for ensuring that no non-Beta member will attend and no one under 21 will be served alcohol.
2. Everyone wanting to consume alcohol will be ID'ed and wrist bands will be issued to those over 21.
3. The tent will have only one entry, which will be controlled by security.
4. The event will last from 1700-2300 on 10/4/19, and close promptly at 2300.

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

NOTICE OF PUBLIC HEARING OF APPLICATIONS  
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 19<sup>th</sup> day of August, 2019 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:

Fraternal Order of Eagles on or about October 4, 2019 for a fenced in designated area at 429 N Plum.

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 2<sup>nd</sup> day of August, 2019.

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

Publish: August 9, 2019

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

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer

**Meeting:** August 19, 2019

**Subject:** Special daily malt beverage and wine license for the Vermillion Area Arts Council on or about September 14, 2019 for a Steampunk Pirate Festival at 202 Washington Street

**Presenter:** Mike Carlson

**Background:** The Vermillion Area Arts Council has submitted an application for a special daily malt beverage and wine license at 202 Washington Street for events on Saturday, September 14, 2019 for the Steampunk Pirate Festival.

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.

## 6. Public Hearing; item b

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:** The notice of public hearing and the Police Chief's memo are attached. The routine Police Department records check of the parties involved with the special daily license revealed no alcohol related violations or felony convictions in reference to this application. City staff is not aware of any problems with previous special daily licenses granted to the Vermillion Area Arts Council. Vermillion Area Arts Council Treasurer, Phyllis Packard, completed the application.

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

**Conclusion/Recommendations:** Administration recommends approving the issuance of the special daily malt beverage and wine license to the Vermillion Area Arts Council on or about Saturday, September 14, 2019 at 202 Washington Street, unless further information is provided at the public hearing.

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)



To: Vermillion City Council

Date: August 1, 2019

From: Matthew Betzen  
Chief of Police

A handwritten signature in blue ink, appearing to read "MB", enclosed in a blue circular scribble.

Subject: Vermillion Area Arts Council/Special Daily License (On-Sale) Malt Beverage

I have reviewed the application for "Special Daily License (On-Sale) Malt Beverage and Wine License" submitted by the Vermillion Area Arts Council. This application is for a new event, First Gear, which is schedule for September 14, 2019. This is a new event. The Vermillion Arts Council has had many events of the years and have been responsible license holders.

I spoke with Phyllis Packard regarding how the alcohol will be controlled. She stated they would be carding people and using wrist bands to identify people who are over 21. Further, they will have volunteers at the event who will challenge anyone who appears under 21 and/or does not have wrist band that possess or consume alcohol.

NOTICE OF PUBLIC HEARING OF APPLICATIONS  
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT the Vermillion City Council on the 19<sup>th</sup> day of August, 2019 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 Arts Council on or about September 14, 2019 for a special event at 202 Washington Street.

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 2<sup>nd</sup> day of August, 2019.

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

Publish: August 9, 2019

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



# THE VERMILLION AREA ARTS COUNCIL PRESENTS: FIRST GEAR

Dear Esteemed Sir and/or Madame,

The Vermillion Area Arts Council is pleased to announce our first annual Steampunk Pirate Festival entitled First Gear. Our goal is to foster community through historic science fiction and theatrical piracy. First Gear will be an afternoon to evening event on Saturday, September 14th, 2019 at the Washington Street Art Center, 202 Washington St in Vermillion. The event will begin with family and kid-friendly activities. While thematic vendors peddle their wares, there will be games, art making, costume contests, and steampunk and pirate performers will engage the audience with stage shows. Proceeds will support the Vermillion Area Arts Council.

Your generous sponsorship will greatly benefit the VAAC and our participating artists. Thank you, and we appreciate your support.

## SCHOLAR LEVEL

\$100-249

2 Tickets

Name on Website

## NAVIGATOR LEVEL

\$250-499

4 Tickets

Name on Website & Name on Posters

## ADVENTURER LEVEL

\$500-999

6 Tickets

Name on Website & Small Logo on Posters

Verbal Acknowledgement during Event

## CAPTAIN LEVEL

\$1,000-4,999

6 Tickets

Logo on Website

Large Logo on Posters

Verbal Acknowledgement during Event

## ADMIRAL LEVEL

\$5,000

6 Tickets

Logo on Website

Large Logo on Posters

Top Billing on Posters

Verbal Acknowledgement during Event

VIP Seating

Deadline for logo submission August 1st, 2019.

Donations will included both monetary and in-kind donations to the VAAC.

We are also seeking **DECKHANDS** (volunteers)

Volunteer for 2 Hours Minimum and get free Admission, your name on the website, and our undying appreciation.

Contact: [vermillionareaartscouncil@gmail.com](mailto:vermillionareaartscouncil@gmail.com) or Phyllis Packard (605) 670-2588.

Make checks payable to the Vermillion Area Arts Council  
VAAC, P.O. Box 484, Vermillion, SD 57069

## *Council Agenda Memo*

**From** Jose Dominguez, City Engineer

**Meeting:** August 19, 2019

**Subject:** Resolution Approving Grant Offer for Airport Improvement Program for the Design Engineering for Reconstruction of the Hangar Taxiway with the FAA

**Presenter:** Jose Dominguez

**Background:** The existing airport capital improvement plan and the 2019 budget for the airport states that a project to design the reconstruction of the hangar taxiway would be started this year. The actual reconstruction of the hangar taxiway is planned to take place in 2020.

The grant agreement stipulates how the funding will be made and also has criteria that must be followed during the development of the plan. This is similar to the agreement entered into by the City and FAA in 2015 for the design of the apron reconstruction. Similar to that agreement, the State will still be administering the reimbursements and will also handle any submittals required by the Federal government.

**Discussion:** As part of the grant agreement, the City Council needs to pass a resolution accepting the agreement with the FAA for 90% of the cost to complete the design for the reconstruction of the apron.

**Financial Consideration:** There is no cost to the City at this point. It is estimated that the City will pay \$55,000 for the design of the reconstruction of the hangar taxiway. The City will be reimbursed 90% of the \$55,000 cost from the Federal government and 5% of the \$55,000 cost from the State. This grant agreement is for the Federal allotment.

**Conclusion/Recommendations:** Administration recommends approval of the resolution for the Grant Offer for Airport Improvement Program for the Design Engineering for Reconstruction of the Hangar Taxiway with the FAA.

Additionally, the State has requested that the City Council allow the Mayor to sign all future documents related to this project. This would expedite the process with the State to get future reimbursements associated with this project.

**RESOLUTION**  
**ACCEPTING THE GRANT OFFER FOR THE AIRPORT IMPROVEMENT**  
**PROGRAM FOR THE DESIGN ENGINEERING FOR THE RECONSTRUCTION OF**  
**THE HANGAR TAXIWAY BETWEEN THE FAA AND THE CITY OF VERMILLION**

**WHEREAS**, the City of Vermillion wishes to complete the engineering design for the reconstruction of the hangar taxiway by utilizing a combination of Local, State and Federal Funds, and;

**WHEREAS**, the Governing Body of the City of Vermillion is asked by the United States Department of Transportation Federal Aviation Administration to approve the above mentioned grant agreement by resolution, and;

**WHEREAS**, the Governing Body of the City Vermillion gives permission to the Mayor to sign all future documents related to this project on behalf of the City, and;

**NOW, THEREFORE, BE IT RESOLVED**, that the Governing Body of the City of Vermillion accepts the Grant Agreement between the United States Department of Transportation Federal Aviation Administration and the City of Vermillion for Project 3-46-0056-013-2019.

Dated at Vermillion, South Dakota this 19<sup>th</sup> day of August 2019.

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:** John Prescott, City Manager

**Meeting:** August 19, 2019

**Subject:** Appointment to Business Improvement District #2 Board

**Presenter:** Mayor Jack Powell

**Background:** By State Statute, the Mayor with the approval of the governing body is charged with appointing members of a Business Improvement District Board.

9-55-5. Appointment of business improvement board--Designation of boundaries of district--Duties of board--Proposal of more than one district as part of same development plan. The mayor shall, with the approval of the governing body, appoint a business improvement board consisting of property owners, residents, business operators or users of space within the business area to be improved. The governing body shall, by resolution, designate the boundaries of the business area prior to the time of the appointment of the board. The board shall make recommendations to the governing body for the establishment of a plan or plans for improvements in the business area. If the improvements to be included in one business area offer benefits that cannot be equitably assessed together under this chapter, more than one business improvement district as part of the same development plan for that business area may be proposed. The board may make recommendations to the municipality as to the use of any revenue collected pursuant to § 9-55-2.

On April 16, 2018 the City Council adopted a resolution establishing the boundaries of a proposed Business Improvement District in the Central Business District of Vermillion and created the BID #2 Board. The resolution specified that the BID #2 Board would be made up of five members who would each serve for three years, except for the initial members at the time of establishment. Two of those members shall serve for a one year term, two members for a two year term, and one member for a three year term. At the May 21, 2018 City Council meeting five individuals were appointed to the BID #2 Board: Michelle Maloney, Patrick Morrison, Dr. Paul Roob, James Waters, and Phyllis Packard. Dr. Roob changed his mind and declined the appointment. The City Council then appointed Martin Prendergast to a term on the Business Improvement District #2 Board.

**Discussion:** While the City Council memo in May 2018 talked about appointing the five members to staggered terms, that action did not happen. Until recently, city staff didn't notice that the appointments were not staggered. At their July 17 meeting, the Board determined that Michelle Maloney would receive the 1-year term, Phyllis Packard and Patrick Morrison would receive the 2-year term, and Jim Waters and Martin Prendergast

would receive the three-year term. As it has now been over a year since the appointments were made, it is time to make an appointment to the term that expired after one-year.

Michelle Maloney has expressed interest in continuing to serve. Michelle has been very active with Business Improvement District Board #2. She recently led the second public meeting on July 29, 2019. An expression of interest form for BID #2 from Michelle Maloney is attached.

**Financial Consideration:** None at this time.

**Conclusion/Recommendations:** Administration recommends the reappointment of Michelle Maloney to the Business Improvement District #2 Board for a 3-year term.

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**To:** [Vermillion](#)  
**Subject:** Online Form Submittal: Citizen Board/Commission Expression of Interest Form  
**Date:** Friday, August 09, 2019 8:32:12 AM

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## Citizen Board/Commission Expression of Interest Form

Board/Commission on which you are interested in serving: Bid Board 2

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Name Michelle Maloney

---

Number of years you have lived in/around Vermillion 31

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Address 2822 Cherokee Ct

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City Vermillion

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State SD

---

Zip Code 57069

---

Phone Number 6056779006

---

Email Address Michelle@realestatemaloney.com

---

Occupation Broker

---

Employer Self

---

Business Address 108 E Main St

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Prior elected or appointed offices held (if any) Bid Board 2

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Present and past community volunteer activities VACF, Rotary, USD Alumni Association, VCA

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Why are you interested in serving on this Board/Commission? Improve downtown

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Do you have any unique skills or *Field not completed.*

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? Streetscape finished

---

Electronic Signature Agreement I agree.

---

Electronic Signature Michelle Maloney

---

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

## *Council Agenda Memo*

**From:** Mike Carlson, Finance Officer  
**Meeting:** August 19, 2019  
**Subject:** Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Nuisance Abatement  
**Presenter:** Mike Carlson

**Background:** As part of the nuisance abatement process, the City incurred costs for grass and weed tagging, snow tagging, hiring contractors to mow or remove snow, and removal of debris. The following state statute provided for the special assessment of these costs:

21-10-6. Abatement of nuisance--Notice required--Taxing cost of abatement--Civil action. A public nuisance may be abated without civil action by any public body or officer as authorized by law. Any municipality, county, or township may defray the cost of abating a public nuisance by taxing the cost thereof by special assessment against the real property on which the nuisance occurred. If the nuisance abated is an unsafe or dilapidated building, junk, trash, debris, or similar nuisance arising from the condition of the property, the municipality, county, or township may commence a civil action against the owner of the real property for its costs of abatement in lieu of taxing the cost by special assessment.

Any private person may also abate a public nuisance which is specially injurious to such person or any private nuisance injurious to such person by removing or if necessary destroying that which constitutes the nuisance without committing a breach of the peace or doing unnecessary injury. If a private nuisance results from a mere omission of the wrongdoer, and cannot be abated without entering upon the wrongdoer's land, reasonable notice shall be given to the wrongdoer before entering to abate it.

**Discussion:** The special assessment process provides that the Governing Body: (1) set a public hearing; and (2) notify the property owners of the hearing by both sending notice and publishing the notice of the hearing. The notice calls for the public hearing to be held on September 16, 2019. Following the public hearing on September 16, the City Council will be asked to adopt a resolution approving the special assessment roll with any adjustments in the amounts.

**Financial Consideration:** The cost will be postage and the publication of the notice.

**Conclusion/Recommendations:** Administration recommends the adoption of the resolution that sets the public hearing date of September 16, 2019 for special assessment roll for nuisance abatement.



**RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING  
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL  
FOR NUISANCE ABATEMENT IN THE CITY OF VERMILLION, SOUTH DAKOTA**

**WHEREAS**, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota on the 19<sup>th</sup> day of August, 2019 for the abatement of public nuisance to be levied against the property abutting upon:

**NUISANCE ABATEMENT**

On various properties as follows:

<u>Name</u>	<u>Legal</u>	<u>Corrective Action</u>	<u>Amount</u>
Bradley Campbell	15760-00000-000-18 E 79.5' of S 144' of W 199.5' & W 25' of C-6; Torstensions 731 W Cedar	grass tagging 8-10-2018	31.95
Jamie Clift	15270-00200-080-00 Lot 7 & N 1/2 OF 8 Blk 2 Eastside 227 S Pine	sidewalk snow tagging 2-12-2018 grass tagging 7-12-2018 grass tagging 7-26-2018 total	10.65 31.95 <u>53.25</u> 95.85
CLP Properties, LLC	15410-00200-020-00 Lot 2 Blk 2; Leer 809 Radcliff Circle	grass tagging 7-12-2018	31.95
Scot Mannschreck	15170-00200-160-00 N 27' of Lot 15 & S 16' of Lot 16 Blk 2; College Park 113 Linden	sidewalk snow tagging 2-12-2018 grass tagging 7-12-2018 total	10.65 <u>31.95</u> 42.60
Peter Mark & Karin Monzel	15860-09251-190-24 Lot 1 Replat Of Aud Tract A S 1/2 Lot 2 NW 1/4 19-92-51 Aud Tract 19-92-51 601 Lewis	grass tagging & removal 7-12-2018	117.15
South Dakota Sigma Chapter	Lot 3A Michels 856 Madison	sidewalk snow tagging 12-4-2018	31.95
Tim Tilden	15720-06000-010-00 Lot 1 BLK 60 Snyders	snow tagging & removal 2-16-2019	77.21

324 N Dakota

U Stop Pump & Wash, LLC	15540-00100-170-02	snow tagging 12-4-2018	95.85
	E 173.2' of Lot 17 Blk 1 Exc	snow tagging & removal 2-26-2019	<u>109.16</u>
	S 90' E & Exc Lot H1	total	205.01
	Ouelletes		
	1325 E Cherry		
Zwematt Holdings, LLC	15060-01300-020-00	grass tagging & removal 7-26-2018	95.85
	Lot 1 & N 11' OF Lot 2 Blk	grass tagging 9-6-2018	53.25
	13; Bigelows University	sidewalk snow tagging 2-26-2019	<u>10.65</u>
	444 N Plum	total	159.75

in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property for the corrective action; and

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

**WHEREAS**, said assessment roll shows:

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

**NOW, THEREFORE, BE IT RESOLVED**, that the 16<sup>th</sup> day of September, 2019, at the hour of 7:00 p.m. in the City Hall Council Chambers 25 Center Street in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause as to why the Governing Body of the said City of Vermillion, South Dakota should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the nuisance abatement.

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

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

Dated at Vermillion, South Dakota, this 19<sup>th</sup> day of August, 2019.

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

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John E. (Jack) Powell, Mayor

ATTEST:

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Michael D. Carlson, Finance Officer  
(SEAL)

Publish: September 6, 2019

CITY OF VERMILLION  
 INVOICES PAYABLE-AUGUST 19, 2019

1 JOHN POWELL	TRAVEL REIMBURSEMENT-APPA	1,244.19
2 AT&T MOBILITY	MOBILE HOT SPOTS	384.88
3 BLACK CLOVER ENTERPRISES	MERCHANDISE	115.21
4 BROADCASTER PRESS	ADVERTISING	1,397.00
5 BUHL'S CLEANERS	MOP/MOP SERVICE	610.14
6 BUREAU OF ADMINISTRATION	TELEPHONE	179.17
7 CAMPBELL SUPPLY	SUPPLIES	96.32
8 CARL SMITH	HOUSING REHABILITATION	356.45
9 CASK & CORK	MERCHANDISE	315.00
10 CENTURYLINK	TELEPHONE	1,591.37
11 CITY OF VERMILLION	LANDFILL VOUCHERS	564.00
12 CLAY RURAL WATER SYSTEM	WATER USAGE	173.25
13 CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,658.07
14 DAKOTA BEVERAGE	MERCHANDISE	7,057.55
15 GALLS INCORPORATED	POLICE EQUIPMENT	299.56
16 GLOBAL DISTRIBUTING INC	MERCHANDISE	351.90
17 GREGG PETERS	MANAGERS FEE/FREIGHT	7,388.00
18 HEARTLAND HUMANE SOCIETY	PROFESSIONAL SERVICES	100.00
19 JOHN A CONKLING DIST.	MERCHANDISE	5,455.70
20 JOHNSON BROTHERS OF SD	MERCHANDISE	4,513.63
21 JONES FOOD CENTER	SUPPLIES	965.26
22 JUSTIN MCGREGOR	HOUSING REHABILITATION	1,402.24
23 LOREN FISCHER DISPOSAL	HAUL CARDBOARD	1,250.00
24 MATHESON TRI-GAS, INC	CYLINDER RENTAL	60.15
25 MIDAMERICAN	GAS USAGE	887.62
26 MIDCONTINENT COMMUNICATION	INTERNET/CABLE SERVICE	746.57
27 MIDWEST READY MIX & EQUIPMENT	ROCK/FLOWABLE FILL	231.20
28 NURSERY WHOLESALERS INC	TREES	2,720.17
29 O'REILLY AUTO PARTS	PARTS	39.67
30 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	16,889.95
31 SANFORD HEALTH PLAN	PARTICIPATION FEES	60.00
32 SANFORD VERMILLION SPORTS	ONLINE REGISTRATION	921.68
33 SCHAEFFER MFG. CO	SUPPLIES	1,292.30
34 SCOTT SUPPLY CO.	PARTS	308.87
35 SCULPTURE WALK	SCULPTURE LEASE	7,500.00
36 SD DENR	LANDFILL OPERATIONS FEE	4,208.26
37 SOUTHERN GLAZER'S OF SD	MERCHANDISE	2,901.67
38 STAPLES BUSINESS CREDIT	SUPPLIES	1,633.35
39 STERN OIL CO.	FUEL	18,615.45
40 STURDEVANTS AUTO PARTS	PARTS	242.36
41 UNITED PARCEL SERVICE	SHIPPING	128.60
42 US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,000.00
43 VALIANT VINEYARDS	MERCHANDISE	60.00
44 VERMILLION ACE HARDWARE	SUPPLIES	331.52
45 VERMILLION COMMUNITY THEATRE	ONLINE REGISTRATION	127.14
46 VERMILLION FORD	REPAIRS	243.63
47 WASTE MANAGEMENT	WASTE HAULING	1,339.42
48 YAMAHA MOTOR FINANCE CORP	GOLF CAR LEASE	10,717.73
49 ZIEGLER INC	REPAIRS	1,999.26
	GRAND TOTAL	\$112,675.46



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

1. Organization sponsoring raffle/lottery: Phi Kappa Theta

2. Person to contact: Quentin Judas

3. Phone number: (319) 290-9137      4. Email address: Quentin.Judas@coyotes.usd.edu

6. Date(s) ticket(s) will be sold: September 9th through September 15th 2:30 P.M.

7. Cost per ticket(s): \$5 for 1 \$20 for 5

8. Date(s) drawing(s) will be held: September 15th

9. Who is eligible to purchase ticket(s)? Any one

10. Will prize winner(s) be selected at random?     Yes     No

11. Description and approximate value of grand prize:  
This will be a 50/50 raffle and it will be 50% of the raffle ticket sales.

12. What will the proceeds be used for?  
Donation to Children's Miracle Network

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.  
This is the second year for the Phi Kappa Theta Car Show for Kids. This event is a fundraising event for our fraternity's national philanthropy, Children's Miracle Network. We will have a free will donation entrance for the car show, possible food, and the 50/50 raffle to raise money which will be donated. The location will be at the USD parking lot at the corner of Dakota Street and Duke Street.

[Signature] \_\_\_\_\_ Date 8/7/19  
Applicant's Signature

APPROVED BY:  
[Signature] \_\_\_\_\_ Date 8-8-19  
City Manager