



**Special Meeting Agenda
City Council**

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

1. **Roll Call.**
2. **Visitors to Be Heard.**
3. **Update on Vermillion Municipal Liquor Store – Gregg Peters.**
4. **Update on the audio and visual upgrade for the City Council chambers – James Purdy.**
5. **Briefing on the November 2, 2020 City Council Regular Meeting** – Briefings are intended to be informational only and no deliberation or decision will occur on this item.
6. **Adjourn.**

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

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, November 2, 2020

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069

1. Roll Call

2. Pledge of Allegiance

3. Minutes

- a. October 19, 2020 Special Meeting; October 19, 2020 Regular Meeting.

4. Adoption of the Agenda

5. Visitors to be Heard

6. Public Hearings

7. Old Business

- a. Review of Emergency Resolution encouraging the use of face coverings or face masks and determine continuation of the Emergency Resolution.
- b. Review of Emergency Ordinance 1422 to require signage at the entrance to buildings open to the public that states Face Masks Expected per City Resolution.
- c. COVID-19 issues.
- d. Second reading of Ordinance 1424 – An Ordinance amending Title XV: Land Usage; Chapter 150 Building Regulations Section 150.38 Building and Development in Flood Plain.

8. New Business

- a. Appointments to Business Improvement District #1 Board.
- b. Set a special meeting date for canvass of City Home Rule Charter election results.
- c. Annual write-off of old accounts receivable.
- d. Resolution for Grant Application to Volkswagen Environmental Mitigation Trust Program.

9. Bid Openings

- a. Fuel quotes.

10. City Manager's Report

11. Invoices Payable

12. Consensus Agenda

- a. Set a public hearing date of November 16, 2020 for annual liquor and wine license renewals.
- b. Set a public hearing date of November 16, 2020 for a Retail (On-Off Sale) Malt Beverage with SD Farm Wine for PR Vermillion, LLC for Vermillion Pizza Ranch at 912 North Dakota.

13. Adjourn

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

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

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

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

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

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

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

Vermillion City Council's Values and Vision

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

Unapproved Minutes
Council Special Session
October 19, 2020
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, October 19, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Letellier, Price, Ward, Willson, Mayor Collier-Wise (all joined by teleconference)

2. Visitors to be Heard - None

3. Update on the Emerald Ash Borer - Park and Recreation Director Jim Goblirsch

Jim Goblirsch, Director of Parks and Recreation, provided an update to the City Council on the Emerald Ash Borer (EAB). Jim noted that the EAB is not here yet, but was reported in May 2020 in northern Lincoln County north of Canton. Jim reported that the state asked cities to take action when the EAB has been reported within 30 miles. Jim stated that, when that time arrives, we will require citizens who are going to treat their trees to complete an application with the City and will be preventing the transporting of ash wood between Memorial Day and Labor Day. Jim reported that links to the South Dakota Department of Agriculture with additional information are available on the City web site under Parks and Recreation. Jim noted that proposed Ordinance No. 1423 is on tonight's agenda to have first reading and at the time the City is notified the EAB is within 30 miles the ordinance can have second reading. Jim answered questions of the City Council on EAB and trees.

4. Update on the electric vehicle charging station - Assistant City Manager James Purdy

James Purdy, Assistant City Manager, provided an update on the electric vehicle charging station located in the City Hall parking lot. James noted that the City entered into a three-year lease with Chargepoint in 2019 and received a grant from Missouri River Energy Services which covered more than a year's lease payment. James reported on the different types of charging stations: Level I - a home charging station that takes all night to charge, Level II - (which the city has) takes several hours to charge and a Level III or DC fast charger that takes less than an hour to charge. James reported on the usage for the charging station noting that two of the last three months have been the busiest months.

James noted that the State currently has a grant program as does MRES for charging stations. James noted that if both grants are approved, the City could acquire the Level III charging station costing \$50,000 after grants for less than \$10,000. James noted that the State grant application is due by November 13, 2020 and was looking for direction if the Council wanted to proceed. Discussion followed on the charging station and the grant programs with James answering questions. The consensus was to move forward with the State grant application for a Level III charging station.

5. Briefing on the October 19, 2020 City Council Regular Meeting

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

Alderman Ward requested to be excused at 12:58 p.m.

6. Adjourn

342-20

Alderman Holland moved to adjourn the Council special session at 1:03 p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of October, 2020.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
October 19, 2020
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, October 19, 2020 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Letellier, Price, Ward, Willson, Mayor Collier-Wise (all joined by teleconference)

2. Pledge of Allegiance

3. Minutes

A. Minutes of October 5, 2020 Special Meeting; October 5, 2020 Regular Meeting

343-20

Alderman Willson moved approval of the October 5, 2020 Special Meeting and October 5, 2020 Regular meeting minutes. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

344-20

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

5. Visitors to be Heard

A. Extra Mile Day Proclamation

Alderman Price read the proclamation designating November 1, 2020 as "Extra Mile Day" in Vermillion to recognize the individuals and organizations within the community who go the extra mile in order to make a difference in the community.

B. National Veteran Small Business Week Proclamation

Alderman Ward read the proclamation designating November 2 - 6, 2020 as "National Veterans Small Business Week" in Vermillion.

6. Public Hearings

A. Vacation of the west 12-feet of South Harvard Street right-of-way lying adjacent to Lots 6 and 7, Block 74 and Lots 1, 17, 18, 19 and 20, Block 76, Smith's Addition, City of Vermillion, Clay County, South Dakota. (properties between E. Main Street and Summer Street)

Jose Dominguez, City Engineer, reported that the City received petitions to vacate the west 12-feet of the South Harvard Street right-of-way between East Main Street and Summer Street from all seven of the adjacent property owners. Jose noted that the request to vacate the portion of South Harvard Street was commenced by the owner of 221 E. Main as they want to construct a retaining wall along South Harvard Street sidewalk to increase the usable yard space on their property. Jose noted that the utility providers were contacted by the owner seeking the vacation of the portion of the street. Jose noted that the utilities have agreed with the vacation as long as a utility easement 20-foot-long by 12-foot-wide is maintained at the intersection between the previously vacated alleyway and South Harvard Street. Jose reviewed the State statute that requires a public hearing for a vacation of a portion of a street. Jose reviewed impacts of vacating a street in use including access to properties, fire protection, and general traffic. Jose recommended adoption of the resolution to vacate a portion of the street noting a 2/3 of all of the members of the City Council is required on vacations.

Sandy Dickenson, project designer for 221 E Main Street, noted that all property owners along the west side of Harvard support the vacation and the adjoining property owners on the east side of Harvard have signed the petitions. Sandy stated that the property line is 12 feet behind the sidewalk while the normal property line is at the sidewalk. Sandy provided pictures showing the current property line in relation to the sidewalk. Carson Merkwan, owner of 221 E. Main, requested approval of the variance and offered to answer any questions.

345-20

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

RESOLUTION VACATING THE WEST 12 FEET OF THE SOUTH HARVARD STREET RIGHT-OF-WAY LYING ADJACENT TO LOTS 6 and 7, BLOCK 74 and LOTS 1, 17, 18, 19 and 20, BLOCK 76, SMITH'S ADDITION, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA

WHEREAS, the City of Vermillion has received a petition for the vacation of the west 12 feet of South Harvard Street lying adjacent to Lots 6 and 7, Block 74 and Lots 1, 17, 18, 19 and 20, Block 76, Smith's Addition,

City of Vermillion, Clay County, South Dakota, which petition has consent in writing from all adjoining property owners; and

WHEREAS, notice of the public hearing has been published for two successive weeks in the official newspaper designated by the City; and

WHEREAS, utilities have been notified and have requested that the existing 20-foot utility easement created through the resolution adopted on February 18, 2020 which vacated the alleyway lying between Lots 1 through 6 and Lot 7, Block 74, Smiths Addition, City of Vermillion, Clay County, South Dakota, be reserved and maintained throughout the above-described portion of South Harvard Street being vacated; and

WHEREAS, the property owners on each side of the street have acknowledged the reservation and maintenance of the mentioned 20-foot-long by 12-foot-wide easement for location, construction, installation, maintenance, reconstruction, repair and operation of utilities along and across the above-described street area being vacated; and

WHEREAS, if a future petition is received requesting the remainder of the mentioned street right-of-way be vacated, and if said petition is approved, 28 feet of the right-of way will revert to the west property owners and 40 feet will revert to the east property owners; and

WHEREAS, SDCL 9-45-9 provides authority for the City Council to vacate streets, alleys or public grounds that have been in use.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vermillion that the west 12 feet of South Harvard Street lying adjacent to Lots 6 and 7, Block 74 and Lots 1, 17, 18, 19 and 20, Block 76, Smiths Addition, City of Vermillion, Clay County, South Dakota is hereby vacated and a 20-foot-long by 12-foot-wide utility easement is reserved and maintained on the vacated street area.

Dated at Vermillion, South Dakota this 19th day of October 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
By _____

Kelsey Collier-Wise, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Humphrey. Discussion followed and the question of the adoption of the Resolution was presented for a roll call vote of the Governing Body as follows: Hellwege-Y, Holland-Y,

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

B. Appeal of Planning and Zoning Commission's decision approving a conditional-use permit for the construction and operation of a motor vehicles sales, display, and rental business at 50 West Cherry Street

Jose Dominguez, City Engineer, reported that the City received an application for a Conditional-Use Permit (CUP) from AMS Building Systems on September 15, 2020. Jose stated that the CUP was for the construction and operation of a motor vehicles sales, display, and rental business at 50 West Cherry Street. Jose reported that the application was presented to the Planning and Zoning Commission (Commission) at their September 28, 2020 meeting and the request for a CUP was approved by the Commission with the condition that no more than 10 vehicles may be displayed at any time outside of the building(s). Jose stated that the Commission vote was 7-0 as one member was absent and another member abstained as the individual joined the meeting toward the end of the discussion on this item. Jose reported that an appeal of the Commission decision was received within the allowable five working days from Mr. Troy Gregoire, property owner, requesting the condition placed by the Commission be removed. Jose reported that the process for conditional uses follows the Code of Ordinances Section 155.095 that sets the Commission as the body that grants CUPs and the Commission's decision can be appealed to the City Council by anyone feeling aggrieved by the conditions placed or the decision reached. Jose stated that the conditions should be "appropriate and necessary to ensure compliance with the Comprehensive Plan and protect health, safety, and general welfare...". Jose noted that, for the CUP being appealed, the Commission placed the condition that no more the 10 vehicles could be displayed outside of a building(s) at any time. Jose reported that the location where the CUP was requested is in the Cottage Place Planned Development District. Jose stated that planned development districts (PDD) are created by the developer with his input, guidance, and approval of the City to "provide flexibility from conventional zoning regulations". Jose stated that the Cottage Place PDD was divided into four areas and each of those areas have different permitted uses and conditional uses. Jose noted that the requested use would be located in Area A, which allows, as a conditional use, the construction of a motor vehicle sales, display, and rental business. Jose stated that Mr. Gregoire is requesting that the City Council amend the Commission's decision by removing the condition placed. Jose reviewed a map of the area being discussed. Jose noted that the area where the proposed use is to be located is not zoned commercial as this area is within the Cottage Place PDD. Jose reported that most of the uses are commercial uses, they are classified differently within the permitted or conditional category. Jose stated "motor vehicle sales, display, and rental" is a permitted use in our General Business zoning district and as a conditional-use

within the Cottage Place PDD while residential uses are not allowed in the General Business zoning district, and they are allowed in the Cottage Place PDD. Jose stated that the Commission's intent was to minimize the number of vehicles being displayed on this section of the Cherry Street corridor in order to protect the adjoining residential uses. Jose stated that there are existing residential uses adjacent to the proposed location, and there could be additional residential uses within Cottage Place PDD. Jose noted that this limitation is similar to the one placed on the Bliss Pointe PDD by the City Council when amending the Bliss Pointe PDD. Jose recommended maintaining the Commission's decision to allow the construction and operation of a motor vehicles sales, display, and rental business at 50 West Cherry Street with the condition that no more than 10 vehicles may be displayed at any time outside of the building(s).

Nick Slattery, AMS Building Systems, stated that Mr. Gregoire wants to expand his car sales and service business to this location at 50 West Cherry. Mr. Slattery noted that, from the diagrams shown, there have been vehicles displayed on the south side of Cherry Street just west of this location on the fairgrounds. Troy Gregoire, property owner, stated that there have been more than 10 vehicles displayed on the fairgrounds property just west of this location and on the north side of Cherry Street there are many more vehicles displayed. Mr. Gregoire stated that he owns the three twin homes located south of the property as well as the property in between. Mr. Gregoire stated that he is building a nice building and did not want to limit the business expansion to no more than 10 vehicles on display after the investment in the building to expand his business. Mr. Gregoire noted that the original intent of the PDD was for a strip mall on the first floor and residential rental on the second story but with the number of apartments being built plans have changed. Mr. Gregoire requested the condition of 10 vehicles displayed outside be removed to promote business expansion.

Mayor Collier-Wise asked Jim McCulloch, City Attorney, to review the procedure to be used by the City Council in hearing the CUP appeal. Jim McCulloch reported that according to ordinance the City Council can uphold, override or amend the conditional use approved by the Planning and Zoning Commission.

Discussion followed with Alderman Holland asking City Attorney McCulloch if the conditional use can be amended to include a fence or vegetation buffer to the east and south as the property adjoins residential use property. Jim McCulloch stated that, as the Planning and Zoning Commission did not include fencing and/or a buffer in the conditions placed on the property, the City Council could not add to the conditions. Jim noted that this cannot prevent the owner from agreeing to install fencing or a buffer. Alderman Holland asked Mr. Gregoire if he would

install fencing or vegetation buffer on the east and south. Mr. Slattery stated that there currently is a fence on the east side of the property as it adjoins the residential property and at present there are no plans for the property between the twin homes and the proposed business so building a fence or buffer may not be needed at the location to the south. The City Council asked Mr. Gregoire about future use of the remainder of the property as well as the number of vehicles he planned for the business. Mr. Gregoire stated that at present he would like to get the building built and business expanded and could not be definite on uses for the balance of the property or the number of vehicles he would need to expand the business. Discussion followed on the appeal. Mayor Collier-Wise asked Mr. Gregoire for a number of vehicles he would need for the business. Mr. Gregoire stated that 40 vehicles would allow him to expand the business. Discussion followed on the conditional use.

346-20

Alderman Holland moved to amend the conditional use permit as approved by the Planning and Zoning Commission for the construction and operation of a motor vehicle sales, display, and rental business on Lot 1, Block 1, Cottage Place Addition with the condition that no more than ten (10) vehicles may be displayed at any time outside of the building(s) to no more than forty (40) vehicles may be displayed at any time outside of the building(s). Alderman Hellwege seconded the motion. Discussion followed on the amendment to the Planning and Zoning Commission decision. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-N, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

7. Old Business

A. Review of Emergency Resolution encouraging the use of face coverings or face masks and determine continuation of the Emergency Resolution.

John Prescott, City Manager, reported that, at the last City Council meeting on October 5, 2020, the City Council approved an Emergency Resolution encouraging the use of face masks or face coverings in buildings open to the public. John noted that the Emergency Resolution became effective on October 11, 2020. John stated that this Emergency Resolution was very similar to the August 11th Emergency Resolution which expired on October 10, 2020. John stated that both emergency resolutions were designed to promote the use of face coverings to slow the spread of the coronavirus. John stated that the Emergency Resolutions were also designed to provide the language that Emergency Ordinance No. 1419 or Emergency Ordinance No. 1422 would cite upon adoption. John stated that Emergency Ordinance No. 1419 required and Emergency Ordinance No. 1422, on this agenda for second reading, also would require the posting of a

sign that states that face masks are expected per City resolution. John noted that, during adoption of the resolution as the City Council has done with most other emergency measures, there was discussion that the item would be on each regular City Council meeting agenda for review and consideration of continuation. John stated that this is the first opportunity to review the Emergency Resolution since it was adopted on October 5th and recommended that the City Council review information related to COVID-19 and the Emergency Resolution recommending face coverings or face masks in buildings open to the public.

Mayor Collier-Wise reported that, if there is not further information, we can move to the next agenda item.

B. COVID-19 issues

Mayor Collier-Wise noted that this item was requested to be on the agenda for discussion on COVID-19 issues as the issue is continuing to evolve and hearing none stated that we will move on to the next agenda item.

C. Second reading of Emergency Ordinance 1422 to require signage at the entrance to buildings open to the public that states Face Masks Expected per City Resolution

John Prescott, City Manager, reported at the October 5, 2020 meeting, the City Council approved an Emergency Resolution to promote the use of face coverings or face masks inside of buildings which are open to the public and also approved the first reading of Emergency Ordinance No. 1422 requiring the posting of a sign at buildings open to the public stating that Face Masks are expected per City resolution. John noted that emergency ordinances or resolutions are only valid for a maximum of 60 days. John reported that Emergency Ordinance No. 1422 is very similar to previously adopted Emergency Ordinance No. 1419 which expired on October 16, 2020. John stated that Emergency Ordinance No. 1422 requires a business to have signage which reads Face Mask or Face Coverings are expected. John reported that the ordinance is an emergency ordinance to provide the City Council with the ability to more quickly implement and continue the requirement to address the ongoing, immediate health issue. John stated that Emergency Ordinance No. 1422 is drafted to become effective upon adoption as the previous Emergency Ordinance No. 1419, which addressed the same goal, has expired. John noted that with all ordinances, a fine will need to be established and a resolution to establish a fine, if Emergency Ordinance No. 1422 is adopted, is under New Business. Discussion followed.

347-20

Second reading of title to Ordinance No. 1422, entitled an Emergency Ordinance to Require Signage at the Entrance to Buildings Open to the

Public Stating That Face Coverings Are Expected to Help Slow the Spread of COVID 19 (Coronavirus) for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1422, entitled an Emergency Ordinance to Require Signage at the Entrance to Buildings Open to the Public Stating That Face Coverings Are Expected to Help Slow the Spread of COVID 19 (Coronavirus) was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 5th day of October, 2020 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 19th day of October, 2020 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

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

EMERGENCY ORDINANCE NO. 1422

AN EMERGENCY ORDINANCE TO REQUIRE SIGNAGE AT THE ENTRANCE TO BUILDINGS OPEN TO THE PUBLIC STATING THAT FACE COVERINGS ARE EXPECTED TO HELP SLOW THE SPREAD OF COVID 19 (CORONAVIRUS).

WHEREAS, the City of Vermillion (City) has the authority pursuant to SDCL 9-29-1 and 9-32-1 to enact ordinances for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

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

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, which especially among older adults and persons with serious underlying health conditions, can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the United States Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, Governor Kristi Noem issued Executive Order 2020-26 which extended the previously declared state of emergency to exist in the State

of South Dakota in response to the spread of COVID-19 until December 30, 2020; and

WHEREAS, cases of COVID-19 have been confirmed throughout South Dakota including Clay County; and

WHEREAS, the CDC and health experts have advised that the use of face masks or face coverings which cover the nose and mouth will slow the spread of COVID-19; and

WHEREAS, working together now will reduce the widespread proliferation of COVID-19 rather than suffering the unfortunate and devastating medical and economic consequences later; and

WHEREAS, the failure to successfully reduce the spread of COVID-19 will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19; and

WHEREAS, the South Dakota Board of Regents is currently requiring face coverings or face masks for all students, faculty, staff, and visitors in all public indoor spaces on the University of South Dakota campus based on their tiered approach to face coverings to address COVID-19; and

WHEREAS, the Vermillion Public School District is requiring face coverings or face masks for students, faculty, staff and visitors in school district facilities; and

WHEREAS, the Vermillion City Council has adopted a face covering policy requiring face coverings or face masks for staff and visitors in city owned building; and

WHEREAS, the City of Vermillion joins the University of South Dakota and the Vermillion Public School District, in setting a community expectation that masks will be worn while in indoor public spaces to reduce the spread of COVID-19; and

WHEREAS, the City recognizes that while it may not always be practical or necessary for patrons to wear masks or face coverings in all situations, the City wishes to promote a community-wide culture that

emphasizes respect for the health and safety of workers, residents, and visitors by wearing masks or face coverings when in buildings open to the public.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Vermillion that:

1. All restaurants, retail stores, salons, grocery stores, establishments selling alcohol, pharmacies, lodging establishments, exercise facilities, establishments offering goods and services, or soliciting patronage from the general public that are open to the general public will be required to post a sign in a visible location near their entrance(s) no smaller than 8.5" x 11" that indicates that "masks or face coverings are expected pursuant to City Resolution."
2. This ordinance shall remain in effect for a period of sixty (60) days, at which time it shall be automatically repealed unless specifically readopted for an additional period of time by the City Council. Any restriction contained in this ordinance may be modified at any time by a resolution of the City Council.
3. Any violation of this ordinance is subject to a fine set by resolution in compliance with the general penalty provision in Section 10.99 of the City of Vermillion Municipal Code. Each day a violation of this ordinance is allowed to occur is considered a separate offense.

BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13, this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage.

Dated at Vermillion, South Dakota this 19th day of October, 2020.

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

ATTEST:
 BY _____
 Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Hellwege. Thereafter the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body as follows: Hellwege-Y, Holland-Y, Humphrey-

N, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Motion carried 8 to 1. Mayor Collier-Wise declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Resolution to establish a fine for a violation of Emergency Ordinance No. 1422

John Prescott, City Manager, reported that, with the adoption of Emergency Ordinance No. 1422, Section 3 provided for a fine for those found in violation of the ordinance. John stated that the ordinance provides that the fine be set by resolution. John noted that the most common fine cost for City Code violations is \$56.50 and with court costs of \$72.50, a violation would result in a total cost of \$129.00. John noted that this was the fine set for Emergency Ordinance No. 1419 which had the same goal as Emergency Ordinance No. 1422. John stated that a citation for failure to comply with Emergency Ordinance No. 1419 was never issued as buildings open to the public were very good about posting the sign. Discussion followed.

348-20

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

EMERGENCY RESOLUTION

ESTABLISHING A FINE FOR VIOLATION OF ORDINANCE 1422 TO REQUIRE SIGNAGE AT THE ENTRANCE TO BUILDINGS OPEN TO THE PUBLIC STATING THAT FACE COVERINGS ARE EXPECTED TO HELP SLOW THE SPREAD OF COVID 19 (CORONAVIRUS).

WHEREAS, the City Council has adopted an Emergency Ordinance No, 1422 to require signage at the entrance of buildings open to the public stating that face coverings are expected to help slow the spread of the COVID-19 virus; and

WHEREAS, the City of Vermillion joins the University of South Dakota and the Vermillion Public School District, in supporting a community expectation that masks will be worn while in indoor public spaces to reduce the spread of COVID-19; and

WHEREAS, the City recognizes that while it may not always be practical or necessary for patrons to wear masks or face coverings in all situations, the City wishes to help promote a community-wide expectation that emphasizes respect for the health and safety of workers, residents,

and visitors by wearing masks or face coverings when in buildings open to the public; and

WHEREAS, Emergency Ordinance No. 1422 provides that a fine be set by resolution for any violation of the ordinance; and

WHEREAS, Ordinance No. 1422 was adopted as an emergency ordinance to become effective after adoption; this fine resolution shall be considered an emergency to establish the fine for any violation.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m., CDT on the 19th day of October, 2020, that the fine for each violation be \$56.50 plus court costs, (Fine \$56.50 plus court costs of \$72.50 for a total \$129.00)

Dated at Vermillion, South Dakota this 19th day of October, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
Kelsey Collier-Wise, Mayor

Attest:

By _____
Michael D. Carlson, Finance Officer

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

B. First reading of Ordinance 1423 - An Ordinance amending Title IX: General Regulations; Chapter 90 Health & Safety; Nuisances; Adding a Definition of Nuisance Tree Declared to Section 90.71, and Adding Protocol Language to Sections 90.78 Tree Care and 90.81 Tree Removal to Mitigate the Risk of an Emerald Ash Borer Infestation

Jim Goblirsch, Park and Recreation Director, reported that the emerald ash borer (EAB) is a significant threat to the urban and rural forests of South Dakota. Jim reported that in May of 2018 the South Dakota Department of Agriculture Resource Conservation & Forestry Division released information stating that emerald ash borer was detected in Minnehaha County and most recently (May 2020) in northern Lincoln County. Jim noted that in 2013 City of Vermillion tree survey estimated there to be 2,400 ash trees within city limits of which 570 ash trees in the city boulevards, parks, and right-of-ways. Jim reported that the State of

South Dakota Forest Entomologist, Dr. John Ball, suggests that communities generally prepare for the arrival of the EAB, however a sense of urgency should only take place when the insect has been identified within a 30-mile radius of the city. Jim noted that South Dakota Department of Agriculture Resource Conservation & Forestry Division released the "Emerald Ash Borer Readiness Plan for South Dakota Communities" to use as guideline to prepare for EAB. Jim stated that it is suggested that communities update tree codes/ordinances to reduce the risk of EAB infestation, develop management tactics to contain an infestation, and speed the administration process once EAB has been detected within 30 miles of the city. Jim stated that the plan is to have the City Council consider the first reading of the ordinance to amend our current ordinance to address the EAB at this time and to have second reading of the ordinance at a later date when the EAB is within the 30-mile radius. Jim noted that the proposed ordinance does not list a second reading date or effective date as the borer is not yet within the 30-mile radius. Jim reviewed the proposed changes to the ordinance. Discussion followed on the EAB and the ordinance. Alderman Holland suggested adding to the end of the title to the ordinance "or any other harmful evasive specs".

349-20

Mayor Collier-Wise read the title to the above mentioned Ordinance and Alderman Holland moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1423 entitled An Ordinance amending Title IX: General Regulations; Chapter 90 Health & Safety; Nuisances; Adding a Definition of Nuisance Tree Declared to Section 90.71, and Adding Protocol Language to Sections 90.78 Tree Care and 90.81 Tree Removal to Mitigate the Risk of an Emerald Ash Borer Infestation or any other harmful evasive specs of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 19th day of October, 2020 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Price. After discussion the question of adoption of the Resolution was put to a roll call vote of the Governing Body as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

C. First reading of Ordinance 1424 - An Ordinance amending Title XV: Land Usage; Chapter 150 Building Regulations Section 150.38 Building and Development in Flood Plain

Jose Dominguez, City Engineer, reported that Federal Emergency Management Agency (FEMA) has been updating the Flood Insurance Rate Maps (FIRM) throughout the country. Jose noted that as part of the updates FEMA also reviews the City's ordinance regulating construction within the flood plain for amendments to allow the City to continue being eligible for the National Flood Insurance Program (NFIP). Jose reviewed the proposed changes to the building regulations ordinance. Jose recommended approval of first reading of the ordinance. Discussion followed.

350-20

Mayor Collier-Wise read the title to the above mentioned Ordinance and Alderman Holland moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1424 entitled An Ordinance amending Title XV: Land Usage; Chapter 150 Building Regulations Section 150.38 Building and Development in Flood Plain of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 19th day of October, 2020 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Willson. After discussion the question of adoption of the Resolution was put to a roll call vote of the Governing Body as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

D. Grant Pre-Application Checklist for projects at Harold Davidson Field Airport

Jose Dominguez, City Engineer, reported that the latest Capital Improvement Plan for the airport shows that the hangar taxi lane will be reconstructed as part of a multi-year grant in 2021 and the pavement maintenance will also be completed. Jose stated that the FAA started using a grant pre-application process in 2014, which was designed to ease the grant application process. Jose reported that the grant pre-application document provides some basic information about the project to the FAA. Jose recommended authorizing the Mayor to sign the pre-application for the Airport.

351-20

Alderman Willson moved approval of authorizing the Mayor to sign the Grant Pre-Application Checklist for projects at Harold Davidson Field Airport. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y,

Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

E. Appointments to Business Improvement District #2 Board

Mayor Collier-Wise reported that there are two openings on the Business Improvement District #2 Board for three-year terms. Mayor Collier-Wise reported that Patrick Morrison has completed the Expression of Interest Form for reappointment to the Board and Bekki Engquist-Shroeder has completed the Expression of Interest Form. Mayor Collier-Wise thanked Phyllis Packard for her service on the BID #2 Board. Mayor Collier-Wise recommended Patrick Morrison and Bekki Engquist-Shroeder to the three-year terms on the BID #2 Board.

352-20

Alderman Willson moved approval of the reappointment of Patrick Morrison and the appointment of Bekki Engquist-Shroeder to three-year terms on the Business Improvement District #2 Board. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

F. Request to close portions of W. Main Street on Thursday, December 3, 2020 from 4:30 p.m. to 7:30 p.m. for the 5th Annual Vermillion Chamber of Commerce and Development Company's Standstill Parade of Lights

James Purdy, Assistant City Manager, reported that the Vermillion Chamber of Commerce and Development Company (VCDC) is planning the 5th annual Parade of Lights on Thursday, December 3, 2020. James reported that the 2020 parade will be the same as the last few years' where a "stand still" parade will take place on Main Street between Court Street and Ratingen Platz. James stated that the public will be encouraged to walk up and down Main Street to view the different entries then proceed to Ratingen Platz for the tree lighting. James stated that the street closure for this year's event is requested for 4:30 p.m. to 7:30 p.m. James reported that, after some discussion with staff, the VCDC agreed to move the closure back to 4:00 p.m. to allow VCDC staff and volunteers more time to help clear the area and set up for the parade. James reported that the request has been reviewed by the Police, Fire and EMS departments.

353-20

Alderman Holland moved approval of the request to close Main Street from Court Street west to the west side of Ratingen Platz and Market Street from Main Street south through Ratingen Platz for the fifth annual VCDC Parade of Lights on Thursday, December 3, 2020 from 4:00 p.m. to 7:30 p.m. Alderman Humphrey seconded the motion. A roll call vote of the

Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

9. Bid Openings

A. Recycling Center Improvements Project Bid Opening

Jose Dominguez, City Engineer, reported that this bid opening was presented to the City Council at the October 5, 2020 meeting. Jose noted that at that meeting the City Council tabled the award of the project until the October 19, 2020 meeting to allow staff additional time to discuss with the low bidder, Sunkota Construction, Inc, of Sioux Falls, ways to lower the construction cost. Jose noted the low bid was higher than the estimated project cost. Jose reported on the items removed which reduced the bid from \$592,000 to \$561,200 and noted that there may be additional savings during construction that could amount to approximately \$1,500. Jose noted that the budget would need to be amended. Jose stated that once the contractor starts, we will know which year of the budget to amend, as the completion date is in 2021. Jose recommended awarding the contract to Sunkota Construction, Inc. for \$561,200. Discussion followed.

354-20

Alderman Ward moved approval of the low bid as amended with Sunkota Construction, Inc. for \$561,200 for the Recycling Center Improvement Project. Alderman Hellwege seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

10. City Manager's Report

A. John reported that two terms on Business Improvement District #1 Board are expiring. John asked interested individuals to complete an Expression of Interest form by 5:00 p.m. on Thursday, October 29th in anticipation of the City Council making an appointment at the November 2nd City Council meeting.

B. John reported that the Planning Commission of the City of Vermillion and Clay County are meeting at 6:00 p.m. on Monday, October 26th at City Hall. John stated that the purpose of the meeting is to gather public comment on the work to date on the Comprehensive Plan for the Joint Jurisdictional Zoning Area. John noted that the plan is not yet completed but this is one opportunity in the process to offer public comment.

C. John reported that on the November 3rd general election ballot is a section labeled Municipal Question. John noted that the question is in regard to the adoption of a Home Rule Charter for the City of Vermillion. John noted that a Yes vote is to adopt the Charter and a No vote is to not adopt the Charter. John stated that a copy of the entire proposed Home Rule Charter for the City of Vermillion is available on the City's website under latest headlines.

D. John reported on the following raffle notification:

The Family Law and Child Advocacy is selling raffle tickets at \$1 each, 6 for \$5, 13 for \$10, or 30 for \$20 on November 17, 18 and 19, 2020. The drawing will be held on November 20th and the prizes are four separate themed baskets valued between \$40 and \$60. Proceeds will be donated to the Alzheimer's Association or to furnish deployed military goodie bags.

PAYROLL ADDITIONS AND CHANGES

Communications: Amanda Arndt \$18.44/hr; Landfill: Jasper Johnson \$17.56/hr

11. Invoices Payable

355-20

Alderman Willson moved approval of the following invoices:

A&A Refrigeration	repairs	2,340.16
AT&T Mobility	mobile hot spots	457.80
Broadcaster Press	advertising	546.66
Buhl's Cleaners	mat/mop service	584.04
Bureau Of Administration	telephone	406.07
Cask & Cork	merchandise	900.00
CenturyLink	telephone	1,634.07
City Of Vermillion	landfill vouchers	348.00
Clay County Auditor	combined election agreement	2,800.00
Clay Rural Water System	water usage	112.20
Clay-Union Electric Corp	electricity	1,515.28
Cleveland Golf	merchandise	403.74
Dakota Beverage	merchandise	11,439.10
Dakota Pc Warehouse	repairs	94.99
DETCO	supplies	492.54
Echo Electric Supply	supplies	505.97
Fastenal Company	parts	578.46
Global Dist	merchandise	647.06

Govt Finance Officers Assoc	membership	190.00
Graham Tire	repairs	170.00
Graymont (WI) LLC	chemicals	4,152.33
Gregg Peters	managers fee & 3rd qtr profits	42,449.99
John A Conkling Dist.	merchandise	5,104.80
Johnson Brothers Of SD	merchandise	19,978.97
Jones Food Center	supplies	421.04
Lamb Motor Company	2- ford explorers	71,714.00
Lawson Products Inc	supplies	196.06
Lessman Elec. Supply Co	supplies	1,697.34
Loren Fischer Disposal	haul cardboard	1,150.00
M & M Construction LLC	concrete pad-Barstow park	3,000.00
Matheson Tri-Gas, Inc	cylinder rental	87.70
MidAmerican	gas usage	996.80
Midcontinent Communication	modems/internet/cable service	942.57
Mizuno USA, Inc	merchandise	76.84
O'Reilly Auto Parts	parts	33.47
Patricia McDaniel	books	25.00
Quadient Finance USA, Inc	supplies	12.46
Redi Towing	towing	225.00
Register Of Deeds	filing fees	150.00
Republic National Distributing	merchandise	11,231.48
Running Supply, LLC	supplies	6.77
SD DENR	landfill operations fee	3,787.46
SD Humanities Council	professional services	25.00
SD Public Assurance Alliance	liability & vehicle insurance	163,793.70
Sooland Bobcat	parts	379.08
Southern Glazer's Of SD	merchandise	6,675.81
Stern Oil Co.	fuel	9,579.80
Sturdevants Auto Parts	parts	97.61
Syncb/Amazon	books/dvds/supplies	431.37
True Fabrications	merchandise	82.41
US Postmaster	postage for utility bills	900.00
USPS-POC	postage for meter	700.00
Valiant Vineyards	merchandise	286.80
Vermillion Ace Hardware	supplies	38.12
Vermillion Area Community	round up program	240.49
Vermillion Ford	repairs	127.05
Waste Management Of WI-MN	waste hauling	1,663.69
Win-911 Software	software maintenance	495.00
Bill Manger	Bright Energy Rebate	250.00
Larry Mickalowski	Bright Energy Rebate	15.00
John Prescott	Bright Energy Rebate	250.00

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

12. Consensus Agenda - None

13. Adjourn

356-20

Alderman Ward moved to adjourn the Council Meeting at 8:34p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of October, 2020.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

Council Agenda Memo

From: John Prescott, City Manager

Meeting: November 2, 2020

Subject: Review of Emergency Resolution encouraging the use of face coverings or face masks in buildings open to the public

Presenter: John Prescott

Background: At the City Council meeting on October 5, 2020, the City Council approved an Emergency Resolution encouraging the use of face masks or face coverings in buildings open to the public. The Emergency Resolution had an effective date of October 11, 2020. The October 5th Emergency Resolution was very similar to the August 11th Emergency Resolution which expired after 60-days or October 10, 2020. Both emergency resolutions were designed to promote the use of face coverings to slow the spread of the coronavirus. The Emergency Resolutions were also designed to provide the language that Emergency Ordinance 1419 or Emergency Ordinance 1422 would cite upon adoption. The Emergency Ordinances required the posting of a sign that states that face masks are expected per city resolution.

During adoption of the October 5th resolution, as the City Council has done with most other emergency measures, there was a reference that the item would be on each regular City Council meeting agenda during the 60-day life for review and consideration of continuation. There were no changes to the Emergency Resolution at the October 19th City Council meeting.

Discussion: City staff has not received any questions about the Emergency Resolution. This is likely due to the fact that the public is familiar with what the document states. The current Emergency Resolution is very similar to the previous document that was in place for 60 days.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends that the City Council review information related to COVID-19 and the Emergency Resolution recommending face coverings or face masks in buildings open to the public.

**EMERGENCY RESOLUTION CREATING AN EXPECTATION
OF FACE COVERING WEARING DURING THE COVID-19 PANDEMIC**

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

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, which especially among older adults and persons with serious underlying health conditions, can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the United States Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, Governor Kristi Noem issued Executive Order 2020-26 which extended the previously declared state of emergency to exist in the State of South Dakota in response to the spread of COVID-19 until December 30, 2020; and

WHEREAS, cases of COVID-19 have been confirmed throughout South Dakota including Clay County; and

WHEREAS, the CDC and health experts have advised the use of face masks or face coverings over the nose and mouth will slow the spread of COVID-19; and

WHEREAS, the failure to successfully reduce the spread of COVID-19 will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19; and

WHEREAS, the South Dakota Board of Regents is requiring face coverings or face masks for all students, faculty, staff and visitors in all public indoor spaces on the University of South Dakota campus; and

WHEREAS, the Vermillion Public School District is requiring face coverings or face masks for students, faculty, staff and visitors in school district facilities; and

WHEREAS, the Vermillion City Council has adopted a face covering policy requiring face coverings or face masks for staff and visitors in city owned building; and

WHEREAS, there is an expectation in the city of the importance of wearing face coverings or face masks while inside public spaces by all residents, visitors or guests.

NOW, THEREFORE, IT IS RESOLVED, by the Governing Body of the City of Vermillion that:

1. All persons entering a commercial establishment in the City of Vermillion are encouraged to wear a face covering or face mask while inside the establishment.
2. All restaurants, retail stores, salons, grocery stores, establishments selling alcohol, pharmacies, lodging establishments, exercise facilities, establishments offering goods and services, or soliciting patronage from the general public are encouraged to require their employees to wear a face covering or face mask at all times while having face-to-face interactions with the public.
3. It is also understood that there are individuals that due to health or other reasons cannot wear a face mask or face covering and/or other situations where face masks or face coverings cannot be worn and in these instances individuals are encouraged to use other protective measures such as social distancing.

BE IT FURTHER RESOLVED, that, pursuant to SDCL 9-19-13, this resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective October 11, 2020. This resolution shall remain in effect for a period of sixty (60) days, at which time it shall be automatically repealed unless specifically readopted for an additional period of time by the City Council.

Dated at Vermillion, South Dakota this 5th day of October, 2020.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By Kelsey Collier Wise
Kelsey Collier-Wise, Mayor

ATTEST:

By Michael Carlson
Michael Carlson, Finance Officer

Adopted: October 5, 2020
Published: October 16, 2020
Effective Date: October 11, 2020



Council Agenda Memo

From: John Prescott, City Manager

Meeting: November 2, 2020

Subject: Review of Emergency Ordinance 1422 requiring the posting of a sign stating “Masks Expected” at entrances to buildings open to the public

Presenter: John Prescott

Background: At the last City Council meeting held on October 19, 2020, the City Council approved the second reading of Emergency Ordinance 1422. The ordinance requires the posting of a sign at buildings open to the public, which states “Masks are expected per City resolution.” As it was an emergency ordinance, the City Council was able to adopt it with the ordinance becoming effective upon passage.

During adoption of the ordinance, as the City Council has done with most other emergency measures, there was discussion that the item would be on each regular City Council meeting agenda for review and continuation. An Emergency Ordinance or Resolution can be effective for up to 60 days. Emergency Ordinance 1422 was very similar to Emergency Ordinance 1419, which expired on October 16, 2020.

Discussion: City Code staff visited a number of businesses on Monday, August 24, 2020 after Emergency Ordinance 1419 was adopted. There was good compliance with the sign being displayed at that time. Most businesses continue to have a sign posted as the current ordinance requires. No businesses have been cited for not being in compliance with Emergency Ordinance 1422 or the previous, very similar Emergency Ordinance 1419. The signs continue to be available at City Hall, the VCDC office, or can be printed from the City’s website.

Financial Consideration: None

Conclusion/Recommendations: Administration recommends that the City Council review information related to COVID-19 and Emergency Ordinance 1422 requiring the posting of a sign stating that face masks or face coverings are expected per City resolution.

EMERGENCY ORDINANCE NO. 1422

AN EMERGENCY ORDINANCE TO REQUIRE SIGNAGE AT THE ENTRANCE TO BUILDINGS OPEN TO THE PUBLIC STATING THAT FACE COVERINGS ARE EXPECTED TO HELP SLOW THE SPREAD OF COVID 19 (CORONAVIRUS).

WHEREAS, the City of Vermillion (City) has the authority pursuant to SDCL 9-29-1 and 9-32-1 to enact ordinances for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

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

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, which especially among older adults and persons with serious underlying health conditions, can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the United States Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, Governor Kristi Noem issued Executive Order 2020-26 which extended the previously declared state of emergency to exist in the State of South Dakota in response to the spread of COVID-19 until December 30, 2020; and

WHEREAS, cases of COVID-19 have been confirmed throughout South Dakota including Clay County; and

WHEREAS, the CDC and health experts have advised that the use of face masks or face coverings which cover the nose and mouth will slow the spread of COVID-19; and

WHEREAS, working together now will reduce the widespread proliferation of COVID-19 rather than suffering the unfortunate and devastating medical and economic consequences later; and

WHEREAS, the failure to successfully reduce the spread of COVID-19 will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City's health care providers; and

WHEREAS, it is important that control measures be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19; and

WHEREAS, the South Dakota Board of Regents is currently requiring face coverings or face masks for all students, faculty, staff, and visitors in all public indoor spaces on the University of South Dakota campus based on their tiered approach to face coverings to address COVID-19; and

WHEREAS, the Vermillion Public School District is requiring face coverings or face masks for students, faculty, staff and visitors in school district facilities; and

WHEREAS, the Vermillion City Council has adopted a face covering policy requiring face coverings or face masks for staff and visitors in city owned building; and

WHEREAS, the City of Vermillion joins the University of South Dakota and the Vermillion Public School District, in setting a community expectation that masks will be worn while in indoor public spaces to reduce the spread of COVID-19; and

WHEREAS, the City recognizes that while it may not always be practical or necessary for patrons to wear masks or face coverings in all situations, the City wishes to promote a community-wide culture that emphasizes respect for the health and safety of workers, residents, and visitors by wearing masks or face coverings when in buildings open to the public.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Vermillion that:

1. All restaurants, retail stores, salons, grocery stores, establishments selling alcohol, pharmacies, lodging establishments, exercise facilities, establishments offering goods and services, or soliciting patronage from the general public that are open to the general public will be required to post a sign in a visible location near their entrance(s) no smaller than 8.5” x 11” that indicates that “masks or face coverings are expected pursuant to City Resolution.”
2. This ordinance shall remain in effect for a period of sixty (60) days, at which time it shall be automatically repealed unless specifically readopted for an additional period of time by the City Council. Any restriction contained in this ordinance may be modified at any time by a resolution of the City Council.
3. Any violation of this ordinance is subject to a fine set by resolution in compliance with the general penalty provision in Section 10.99 of the City of Vermillion Municipal Code. Each day a violation of this ordinance is allowed to occur is considered a separate offense.

BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13, this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective immediately upon passage.

Dated at Vermillion, South Dakota this 19th day of October, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY 
Kelsey Collier-Wise, Mayor

ATTEST:

BY 
Michael D. Carlson, Finance Officer

First Reading: October 5, 2020
Second Reading: October 19, 2020
Effective Date: October 19, 2020

Council Agenda Memo

From: Jose Dominguez, City Engineer

Meeting: November 2, 2020

Subject: Second Reading of Ordinance 1424 – An ordinance amending title XV: Land Usage; Chapter 150 Building Regulations Section 150.38 Building and Development in Flood Plain

Presenter: Jose Dominguez

Background: The Federal Emergency Management Agency (FEMA) has been updating the Flood Insurance Rate Maps (FIRM) throughout the country. This is a process that FEMA does periodically. The last time that the FIRM maps were updated for the City was in 2010. As part of the updates, FEMA also reviews the City's ordinance regulating construction within the flood plain. The changes to the ordinance allow the City to continue eligibility for the National Flood Insurance Program (NFIP).

The first reading of this ordinance was approved at the October 19th City Council meeting. There have been no changes to the ordinance since the first reading.

Discussion: As stated above, in order to be eligible in the NFIP, the City will have to amend Chapter 150, Section 150.38. This section of the Code of Ordinance deals with building and developments within the flood plain. This amended ordinance will require additional items to be submitted to the City when any man-made change occurs within the flood plain. In addition, it will require a separate permit to be filed with the City for any construction inside the flood plain.

Besides changes to the ordinance, the City's FIRM maps have also changed. The changes are minor as the great majority of the City is not within the flood plain. However, some areas that might have exhibited minor flooding due to the Vermillion River or wetlands, have increased in size (e.g. area around intersection between Broadway and Luxemburg Streets, 8th Street, and parts of Broadway Street). The increases are mainly due to a change on how FEMA calculates flood plains and to a better level of accuracy in surveying technology.

Financial Consideration: The only cost to the City will be publication costs.

Conclusion/Recommendations: Administration recommends approval of the second reading of Ordinance 1424. State statute requires a roll call for the second reading.

ORDINANCE 1424

AN ORDINANCE AMENDING TITLE XV: LAND USAGE; CHAPTER 150 BUILDING REGULATIONS SECTION 150.38 BUILDING AND DEVELOPMENT IN FLOOD PLAIN.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Title XV: Land Usage; Chapter 150 Building Regulations, Section 150.38(F) and (G) (13) shall be amended, added, or deleted by the City as follows. All other portions of Section 150.38 Building and Development in Flood Plain shall remain the same.

(F) Generally. The City Engineer or designee is hereby appointed the Floodplain Administrator to implement the provisions of this ordinance and other appropriate sections of the NFIP Regulations and 44 CFR pertaining to floodplain management. The flood plain and special flood hazard areas are denoted on a Flood Insurance Rate Map with effective date of December 30, 2020 for the City of Vermillion, South Dakota, according to the following criteria and requirements.

(G) Criteria and requirements.

(13) When the City Manager or designee has designated areas of special flood hazards (A Zones) by the publication of a community's FIRM, but has neither produced water surface elevation data nor identified a floodway area, the community shall:

(a) Require permits for all proposed construction and other developments including the placement of manufactured homes, within Zone A on the FIRM; and

(b) Require the application of standards in paragraphs (G)(1), (G)(2), (G)(3), (G)(4), and (G)(5) to development within Zone A on the FIRM.

Dated at Vermillion, South Dakota this 2nd day of November, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: October 19, 2020
Second Reading: November 2, 2020
Published: November 13, 2020
Effective: December 3, 2020

Council Agenda Memo

From: John Prescott, City Manager

Meeting: November 2, 2020

Subject: Appointment to Business Improvement District (BID) #1 Board

Presenter: Mayor Kelsey Collier-Wise

Background: By State Statute, the Mayor, with the approval of the governing body, is charged with appointing members of a BID 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.

The City Council on September 16, 2013 adopted a resolution establishing that the Board of Directors for Business Improvement District #1 would be comprised of five people. The terms of office are for three years. Terms expire in November of a given year. BID Board #1 works with the \$2.00 per night hotel /motel occupancy fee to promote tourism.

Discussion: The current members of BID Board #1 and term expiration year are Greg Huckabee (2020), Dan Kenton (2020), Amy Christensen (2021), David Herbster (2021), and Bill Marketon (2022). The by-laws require that one seat be designated for a hotel/motel owner or manager. Red Roof Inn owner Bill Marketon is currently fulfilling this role. Mike Carlson serves as the City's ex-officio member and Nate Welch serves as the VCDC's ex-officio member. One Expression of Interest form for the two expiring terms was submitted.

Financial Consideration: Per the by-laws, the members of the BID Board #1 are not compensated for their service.

Conclusion/Recommendations: Administration recommends two individuals to fill the terms expiring on the Business Improvement District #1 Board.

From: noreply@civicplus.com
To: [Vermillion](#); [John Prescott](#); [James Purdy](#)
Subject: Online Form Submittal: Citizen Board/Commission Expression of Interest Form
Date: Friday, October 16, 2020 3:30:33 PM

Citizen Board/Commission Expression of Interest Form

Select the Board/Commission on which you are interested in serving. Business Improvement District No. 1

Name Gregory M. Huckabee

Number of years you have lived in/around Vermillion 17

Address [REDACTED]

Phone Number [REDACTED]

Email Address [REDACTED]

Occupation Professor of Bus. Law

Employer USD

Business Address Beacom School of Business, 414 E. Clark, Vermillion

Prior elected or appointed offices held (if any) 3 year BID BD #1

Present and past community volunteer activities BOD, Verm. Chamber of Commerce & Dev. Co., Exec. Dir. SD Shakespeare Festival, Finance Comm. Chair St. Agnes

Why are you interested in serving on this Board/Commission? Community service!

Do you have any unique skills or experience which would be beneficial to the City to know in selecting someone to serve? Business and Law professor at USD

Are there any particular projects, programs or goals you would like to see achieved while serving on the Board/Commission? Desire to continue supporting the VCDC and City Council in bringing new business to Vermillion

Electronic Signature Agreement I agree.

Electronic Signature Gregory M. Huckabee

Date: 10/16/2020

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

Council Agenda Memo

From: Mike Carlson, Finance Officer

Meeting: November 2, 2020

Subject: Set a special meeting date to canvass the November 3, 2020 City Election Results

Presenter: Mike Carlson

Background: State law requires the canvass of the election results by the governing body within seven days of the election.

9-13-24. Return and canvass of votes.

The election returns shall be reported as soon as possible to the finance officer, and within seven days of the election, the governing body shall canvass the election returns, declare the result, and enter the result on its journal.

Discussion: As the next regular City Council meeting (November 16) is beyond seven days after the election, a special meeting must be set to canvas the November 3, 2020 city election results. The County Commission will be canvassing the general election results on Thursday November 5. A special meeting could be set for Friday, November 6, Monday, November 9 or Tuesday, November 10. As the canvass of election usually takes less than 15 minutes proposed meeting times are Noon, 1:00 p.m. or 5:00 p.m.

Financial Consideration: None

Conclusion/Recommendations: Please check for your availability for a special meeting on November 6, 9, or 10, 2020 such as over the noon hour, 1:00 p.m. or 5:00 p.m. to canvass the November 3, 2020 city election results. The canvass board is to open the returns from each precinct which are found in the poll books, satisfy itself that the returns are genuine and not forged, and then sign an abstract of the results. City Attorney, Jim McCulloch suggested that a quorum of the City Council be present to serve as the canvassing board.

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: November 2, 2020
Subject: Write-off of old Accounts Receivable
Presenter: Mike Carlson

Background: The City bills for utilities, landfill fees, ambulance service, and other miscellaneous items (weed and snow tagging, mowing or snow removal, damage to city property, etc.). These billings are considered accounts receivable of the City and, as such, are recorded on the accounting records. To remove uncollectible items, the City Council must take action as required per the following state statute:

9-22-4 Assignment of delinquent accounts receivable--Disposition of uncollectible accounts. Every municipality may assign for collection any or all delinquent accounts receivable. After reasonable collection efforts, the governing body may determine that an account is uncollectible and, by formal action, direct that the uncollectible amount be removed from the records and disclosed on that year's financial report. Evidence of the debt removed from the records by the formal action of the governing body shall be retained by the municipality to support possible subsequent collection of that debt.

Discussion: This action will remove the accounts from the accounting records but collection efforts will continue. The accounts have been sent to small claims court, or a collection agency, unless they were discharged by bankruptcy. The accounts are as follows:

Utility accounts receivable (163 accounts):	\$40,955.98
General accounts receivable (8 accounts):	\$364.76
Landfill fees (1 account):	\$29.58
Return Checks (3 checks):	\$1,277.10
Ambulance (146 accounts):	\$115,329.68

The lists of all these accounts are on file in the Finance Office. As accounts are confidential, the list of individual names and amounts has not been included in your packets.

Attached is a spreadsheet with a summary of account write-offs for the past ten years.

Financial Consideration: There is no cost to the City to remove the accounts.

Conclusion/Recommendations: Administration recommends the City Council authorize the removal of the old utility accounts of \$40,955.98, general accounts receivable of \$364.76, landfill fees receivable of \$29.58 return checks of \$1,277.10, and ambulance accounts receivable of \$115,329.68 from the accounting records, with continuation of collection efforts.

City of Vermillion
Summary of Accounts Receivable Write-off
For the Years 2011-2020

	<u>2020</u>	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>	<u>2015</u>	<u>2014</u>	<u>2013</u>	<u>2012</u>	<u>2011</u>
Utility Accounts Receivable	\$40,956	\$44,216	\$34,258	\$39,952	\$26,183	\$24,668	\$30,910	\$45,166	\$32,817	\$31,655
Number of accounts	163	186	134	125	131	117	107	161	139	119
Annual Billing	\$11,081,841	\$10,996,921	\$10,775,237	\$10,480,394	\$10,064,028	\$9,745,844	\$9,715,112	\$9,977,179	\$9,419,758	\$9,060,412
Percentage of Annual Billing	0.37%	0.40%	0.32%	0.38%	0.26%	0.25%	0.32%	0.45%	0.35%	0.35%
General Accounts Receivable	\$365	\$4,087	\$2,787	\$648	\$1,629	\$1,764	\$2,565	\$320	\$984	\$2,872
Number of Accounts	8	18	28	14	14	36	8	5	8	21
Landfill Fees & Penalty	\$30	\$29,373	\$0	\$0	\$265	\$8,967	\$35	\$0	\$0	\$367
Annual Billing	\$935,598	\$917,394	898,118	755,191	781,654	625,053	553,283	548,658	516,190	546,253
Return Checks amounts	\$1,277	\$462	\$215	\$128	\$266	\$0	\$0	\$100	\$565	\$417
Number of Checks	3	10	3	1	3			1	4	4
Ambulance Receivable	\$115,330	\$105,881	\$91,027	\$68,487	\$48,794	\$34,792	\$76,291	\$135,816 *	Note 1	\$53,544
Number of Accounts	146	121	116	122	90	60	134	252		130
Annual Ambulance Billing	\$981,987	\$1,000,600	\$848,235	\$659,291	\$605,350	\$550,361	\$489,103	\$383,404	\$405,420	\$396,634
Percentage of Annual Billing	11.74%	10.58%	10.73%	10.39%	8.06%	6.32%	15.60%	35.42%		13.50%
Percentage of two year billing								17.22% *		

* The ambulance write-off for 2013 is higher as there were no write-off's in 2012. PCC has provided a listing of accounts that they were unable to collect and these accounts have been filed with small claims court or collections agency.

Note 1 - The City contracted for the ambulance billing and collection with PCC, Inc starting in July 2012. PCC, Inc. has been doing the monthly billing and working on reviewing all the old accounts so at this time it is the recommendation to not write off any of the ambulance accounts until we receive a report from PCC.

Council Agenda Memo

From: James Purdy, Assistant City Manager

Meeting: November 2, 2020

Subject: Resolution for Grant Application to Volkswagen Environmental Mitigation Trust Program

Presenter: James Purdy

Background: City Staff has been monitoring the availability of Volkswagen (VW) settlement funds for over a year. In 2016, the EPA and California filed a lawsuit against VW for installing a system that allowed nitrogen oxide pollution to exceed levels allowed by the Clean Air Act. As part of the court settlement, VW funded an Environmental Mitigation Trust. South Dakota's Allocation from the trust is \$8,125,000. The primary goal of South Dakota's VW Environmental Mitigation Trust program is to facilitate the improvement and protection of the ambient air quality throughout South Dakota.

The first wave of funding from the trust was used to provide school districts across the state with newer and more energy efficient school buses. The second wave will be used to enhance publically available electric vehicle charging infrastructure across the state. The SD Department of Environment and Natural Resources (DENR) is administering the rebate program, and the initial round of applications are due November 13, 2020.

Discussion: City Staff has been researching the viability and potential cost of placing a Direct Current (DC) fast charging station in Vermillion, which would complement the City's level II charging station, which remains the only available public electric vehicle charging station within 25 square miles. At the October 19 noon meeting, the City Council directed City Staff to prepare a grant application to the VW Trust Program.

Financial Consideration: If approved the trust will pay 80% of the lowest bid for any electric vehicle charging infrastructure. There may be additional rebates available through Missouri River Energy Services.

Conclusion/Recommendations: Administration recommends approval of the Resolution for Grant Application to VW Environmental Mitigation Trust Program.

**RESOLUTION FOR A GRANT APPLICATION TO SOUTH DAKOTA'S
VOLKSWAGEN ENVIRONMENTAL MITIGATION TRUST PROGRAM**

WHEREAS, the primary goal of South Dakota's Volkswagen Environmental Mitigation Trust program is to facilitate the improvement and protection of the ambient air quality throughout South Dakota; and

WHEREAS, the South Dakota Department of Environment and Natural Resources (DENR) administers the rebate program; and

WHEREAS, the DENR is seeking eligible applications to install light-duty electric vehicle charging stations available to the public at locations across South Dakota; and

WHEREAS, the City of Vermillion wishes to request assistance from the DENR to aid in funding the construction of a DC fast charger electric vehicle charging station to complement the City's existing electric vehicle charging infrastructure; and

WHEREAS, applications for aid are due to the DENR on November 13th, 2020.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion that:

The City of Vermillion hereby authorizes the filing of a grant application to the South Dakota DENR for the VW Environmental Mitigation Trust Program, including all understandings and assurances contained therein.

Dated at Vermillion, South Dakota this 2nd day of November, 2020.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By: _____
Kelsey Collier-Wise, Mayor

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

CITY OF VERMILLION
 INVOICES PAYABLE-NOVEMBER 2, 2020

1 A & A REFRIGERATION	REPAIRS	412.50
2 A-1 PORTABLE TOILETS	PORTABLE TOILET RENTALS	1,155.00
3 AIRSIDE SOLUTIONS, INC	PARTS	1,058.89
4 AMAZON BUSINESS	PARTS/SUPPLIES	1,279.83
5 APPEARA	SHOP TOWELS	45.68
6 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	586.30
7 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	30.00
8 AVERA HEALTH PLANS	REFUND AMB OVERPAYMENT	183.62
9 AXON ENTERPRISE INC	POLICE EQUIPMENT	24,032.00
10 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	13,583.80
11 BASIN ELECTRIC POWER COOPERATION	REPAIRS	31.19
12 BIRSCHBACH EQPT & SUPPLY	SUPPLIES	13.00
13 BLUE360 MEDIA	BOOKS	89.75
14 BORDER STATES ELEC SUPPLY	UNIFORMS	238.00
15 BOUND TREE MEDICAL, LLC	SUPPLIES	566.78
16 BOYER TRUCKS	PARTS	398.25
17 BROADCASTER PRESS	ADVERTISING	565.00
18 BUTCH'S PROPANE INC	PROPANE	937.25
19 BUTLER MACHINERY CO.	WHEEL LOADER/PARTS/REPAIRS	83,052.91
20 C.H DESIGNS	REPAIRS	32.00
21 CALLAWAY GOLF	MERCHANDISE	175.76
22 CANNON TECHNOLOGIES, INC	CONTROLLERS	18,727.20
23 CARROLL CONSTRUCTION SUPPLY	PLATE PACKER/FLOOR HOIST	2,516.12
24 CDW GOVERNMENT, INC	PRINTERS	1,745.98
25 CEDAR COUNTY VETERINARY SERVICES	PROFESSIONAL SERVICES	68.00
26 CENTURY BUSINESS PRODUCTS	COPIER CONTRACT/COPIES	196.93
27 CHESTERMAN CO	MERCHANDISE	672.88
28 CHRIS MIKKELSEN	SAFETY BOOTS REIMBURSEMENT	67.03
29 CITY OF VERMILLION	COPIES/POSTAGE	1,136.21
30 CITY OF VERMILLION	UTILITY BILLS	38,751.61
31 COAST TO COAST SOLUTIONS	SUPPLIES	186.10
32 COLONIAL LIFE ACC INS.	INSURANCE	3,033.29
33 CONCRETE MATERIALS	GOLF SAND	1,084.73
34 CONTINENTAL RESEARCH CORP	SUPPLIES	186.58
35 CORDICO INC	TRAINING SUBSCRIPTION FEE	14,400.00
36 CORE & MAIN LP	METERS/SUPPLIES	9,627.90
37 DAKOTA BEVERAGE	MERCHANDISE	7,224.65
38 DAKOTA PC WAREHOUSE	SUPPLIES	218.93
39 DAKOTA RIGGERS & TOOL SUPPLY	POWER AIR PURIFIERS	9,963.62
40 DAKOTA ROCK FARMS	SLUDGE HAULING	23,800.00
41 DELTA DENTAL PLAN	INSURANCE	6,182.52
42 DENNIS MARTENS	MAINTENANCE	833.34
43 DGR ENGINEERING	PROFESSIONAL SERVICES	92.50
44 DIAMOND VOGEL PAINTS	SUPPLIES	75.50
45 DITCH WITCH OF SD	REPAIRS	75.23
46 DUBOIS CHEMICALS	SODA ASH	7,359.00

47 ECHO ELECTRIC SUPPLY	SUPPLIES	3,865.87
48 ELLIOTT EQUIPMENT CO	REPAIRS	18,953.72
49 ELSIE HALL	REFUND AMB OVERPAYMENT	50.00
50 ENERGY LABORATORIES	TESTING	1,172.00
51 ERICKSON SOLUTIONS GROUP	PROFESSIONAL SERVICES	1,010.75
52 EVER GREEN LANDSCAPE NURSERY	PLAY AREA WOOD CHIPS	2,687.70
53 FARMER BROTHERS CO.	SUPPLIES	143.70
54 FARNER BOCKEN COMPANY	MERCHANDISE	871.43
55 FAST AUTO GLASS	ROCK CHIP REPAIRS	50.00
56 FLEET SAFETY SUPPLY	REPAIRS	908.32
57 FOREMAN MEDIA	COUNCIL MTGS	100.00
58 GAGE BROTHERS	PRENTIS PARK RESTROOM	35,000.00
59 GERSTNER OIL CO	AVIATION FUEL	10,001.70
60 GRAHAM TIRE CO.	TIRES	1,309.36
61 GRAINGER	PARTS	131.52
62 GRAYMONT (WI) LLC	CHEMICALS	4,177.45
63 GREENING VERMILLION	SUPPLIES PAINTING INLETS	500.00
64 GREGG PETERS	FREIGHT	1,480.80
65 GREGG PETERS	RENT	937.50
66 HAUFF MID-AMERICA SPORTS	BACKSTOP PADDING	1,450.00
67 HAUGER LAWN SERVICE	MOWING	120.00
68 HEIMAN FIRE EQUIPMENT	INSPECTION/EXTINGUISHERS	1,435.65
69 HELMS & ASSOCIATES	PROFESSIONAL SERVICES	2,348.34
70 HERREN-SCHEMPP BUILDING	SUPPLIES	22.45
71 INDUSTRIAL CHEM LABS	LIFT STATION DEGREASER	458.61
72 INGRAM	BOOKS	3,675.75
73 INTERSTATE ALL BATTERY CENTER	BATTERIES	49.60
74 JACKS UNIFORM & EQPT	UNIFORM BELT	28.00
75 JERRY'S CHEVROLET BUICK GM	REPAIRS	1,642.41
76 JOHN A CONKLING DIST.	MERCHANDISE	3,171.87
77 JOHNSON BROTHERS OF SD	MERCHANDISE	9,849.00
78 JONES FOOD CENTER	SUPPLIES	485.90
79 KARSTEN MFG CORP	MERCHANDISE	590.94
80 KIMBALL MIDWEST	SUPPLIES	295.70
81 KNIFE RIVER MIDWEST, LLC	ASPHALT	991.30
82 KNOEPFLER CHEVROLET	REPAIRS	157.50
83 KOMLINE-SANDERSON	PARTS	86.35
84 LESSMAN ELEC. SUPPLY CO	SUPPLIES	984.00
85 LOCATORS AND SUPPLIES, INC	GLOVES/HARD HATS	209.30
86 LOFFLER	COPIER CONTRACT/COPIES	124.96
87 MART AUTO BODY	TOWING	250.00
88 MATHESON TRI-GAS, INC	MEDICAL OXYGEN/CYLINDER RENTAL	476.94
89 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	2,709.02
90 MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	106.70
91 MICRO MARKETING LLC	BOOKS	30.00
92 MIDWEST ALARM CO	ALARM MONITORING/REPAIRS	405.50
93 MIDWEST TURF & IRRIGATION	PARTS	596.73
94 MIDWESTERN MECHANICAL, INC	REPAIRS	637.56
95 MISSOURI RIVER ENERGY SERVICE	TESTING	174.50

96 MISSOURI VALLEY MAINTENANCE	REPAIRS	378.17
97 MONTY MUNKVOLD	MEALS REIMBURSEMENT	32.00
98 MOORE WELDING & MFG	REPAIRS	77.40
99 MSC INDUSTRIAL SUPPLY CO	SUPPLIES	86.89
100 NCL OF WISCONSIN, INC	SUPPLIES	1,826.67
101 NETSYS+	PROFESSIONAL SERVICES	6,215.00
102 NICHOLAS GALBREATH	REFUND PARKING TCKT OVERPMT	15.00
103 NORTH CENTRAL RENTAL & LEASE	EQUIPMENT RENTAL	9,536.36
104 NURSERY WHOLESALERS INC	TREES	2,942.23
105 O'REILLY AUTO PARTS	PARTS	50.23
106 OLSON SOD FARMS	SOD	184.60
107 OMAHA WORLD HERALD	SUBSCRIPTION	201.55
108 OVERDRIVE INC	EBOOKS/EAUDIO SUBSCRIPTION	1,500.00
109 PCC, INC	COMMISSION	2,407.78
110 PHELPS	WORK PANTS/SHIRTS	1,044.57
111 POMPS TIRE SERVICE, INC.	TIRES	11,950.00
112 POSM SOFTWARE	CAMERA SUPPORT CONTRACT	2,000.00
113 PRESSING MATTERS	SUPPLIES	289.00
114 PRESTO-X-COMPANY	INSPECTION/TREATMENT	65.00
115 QUADIENT LEASING USA, INC	POSTAGE MACHINE LEASE	234.24
116 QUILL	SUPPLIES	976.42
117 RACOM CORPORATION	MAINTENANCE	411.70
118 RADIANT HEAT, INC	FILTERS	427.90
119 REDI TOWING	TOWING	375.00
120 REEL SHARP	PROFESSIONAL SERVICES	345.00
121 REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	10,142.46
122 RUNNING SUPPLY, LLC	SUPPLIES	780.21
123 SALEM PRESS	BOOKS	556.92
124 SANFORD HEALTH OCCUPATIONAL MEDICINE	PRE-EMPLOYMENT EXAM	771.00
125 SANFORD HEALTH PLAN	PARTICIPATION FEE	54.00
126 SANFORD USD MEDICAL CENTER	SUPPLIES	742.56
127 SANITATION PRODUCTS INC	PARTS	257.72
128 SCANTRON CORPORATION	RECEIPT PRINTER/RIBBONS	587.28
129 SD DEPT OF HEALTH	FOOD LICENSE RENEWAL	275.00
130 SD LOTTERY	LICENSE RENEWAL	143.25
131 SD PUBLIC ASSURANCE ALLIANCE	AUTO COVERAGE	1,190.67
132 SD RETIREMENT SYSTEM	CONTRIBUTIONS	90,290.25
133 SD STATE POETRY SOCIETY	MEMBERSHIP DUES	35.00
134 SEH, INC	HIGHWAY 50 DRAINAGE	6,105.93
135 SERVICE MASTER OF SE SOUTH DAKOTA	STRIP/WAX FLOORS/CUSTODIAL	3,969.70
136 SIOUXLAND CONCRETE CO	PEA ROCK	77.68
137 SIOUXLAND HUMANE SOCIETY	FEES	37.00
138 SOUTH DAKOTA 811	LOCATES	430.50
139 SOUTHERN GLAZER'S OF SD	MERCHANDISE	3,840.38
140 STATE FLAG ACCOUNT	FLAGS	484.10
141 STERN OIL CO.	OIL	2,383.86
142 STOCKWELL ENGINEERS, INC	DOWNTOWN STREETScape PROJECT	52,690.85
143 STUART C. IRBY CO.	LED POST FIXTURES/SUPPLIES	11,385.95
144 STURDEVANTS AUTO PARTS	PARTS	930.98

145 STURGIS PUBLIC LIBRARY	BOOK	12.00
146 SWANSON FLO	PARTS	239.30
147 SYNCB/AMAZON	BOOKS/DVDS/SUPPLIES	580.59
148 TAPCO	SOFTWARE UPGRADE	1,275.00
149 TASTE OF HOME BOOKS	BOOKS	25.98
150 THE HOME DEPOT PRO	SUPPLIES	36.72
151 TITLEIST-ACUSHNET COMPANY	MERCHANDISE	837.95
152 TRACTOR SUPPLY CREDIT PLAN	SUPPLIES	129.99
153 TWO WAY SOLUTIONS	REPAIRS	1,014.59
154 ULINE	SUPPLIES	42.00
155 UNITED LABORATORIES	SUPPLIES	385.15
156 UNITED WAY	CONTRIBUTIONS	1,105.50
157 UNUM LIFE INSURANCE COMPANY	INSURANCE	1,512.08
158 US BANK	FISCAL FEE	500.00
159 USB LEASING	REFUND PARKING TCKT OVERPMT	5.00
160 USD FINANCIAL AFFAIRS	NATL MUSIC MUSEUM EXPANSION	100,000.00
161 VALIANT VINEYARDS	MERCHANDISE	312.00
162 VAN DIEST SUPPLY CO	SUPPLIES	1,164.00
163 VAST BROADBAND	911 CIRCUIT/DIALUP SERVICES	1,415.45
164 VERIZON WIRELESS	CELL PHONES/GATEWAY MODEM	2,863.74
165 VERMILLION ACE HARDWARE	PARTS/SUPPLIES	233.69
166 VERMILLION CHAMBER OF COMMERCE	FUNDING/BUSINESS IMP DISTRICT	81,421.00
167 VERMILLION CONCRETE	CONCRETE WORK	5,950.77
168 VERMILLION NOW!	CONTRIBUTION	60,000.00
169 VISA/FIRST BANK & TRUST	FUEL/REPAIRS/SUPPLIES	6,122.89
170 WAL-MART COMMUNITY	SUPPLIES	544.92
171 WALT'S HOMESTYLE FOODS, INC	MERCHANDISE	113.60
172 WESCO DISTRIBUTION, INC	SUPPLIES	26,663.45
173 WIEMAN CONSTRUCTION	GRAVEL	865.21
174 YAMAHA MOTOR FINANCE CORP	GOLF CARS/BEVERAGE CART LEASE	6,622.61
175 YANKTON FIRE & SAFETY	INSPECTION/EXTINGUISHERS	3,210.25
176 ZEE MEDICAL SERVICE	SUPPLIES	331.83
177 ZIMCO SUPPLY CO	SUPPLIES	1,121.00
178 TOM LAVIN	BRIGHT ENERGY REBATE	700.00
179 KALINS INDOOR COMFORT	BRIGHT ENERGY REBATE	400.00
180 JOE MANNING	BRIGHT ENERGY REBATE	350.00
181 VAL ANSFIELD	BRIGHT ENERGY REBATE	500.00
182 MASABA, INC	BRIGHT ENERGY REBATE	3,160.00
	GRAND TOTAL	\$937,113.98