

Unapproved Minutes
Council Special Session
February 7, 2022
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, February 7, 2022 at 12:00 noon at the John "Jack" Powell Conference Room- City Hall.

1. Roll Call

Present: Hellwege, Holland , Jennewein, , Ward, Willson, Mayor Collier-Wise

Absent: Humphrey, Letellier, Price

2. Adoption of Agenda

22-22

Council Member Holland moved approval of the agenda. Council Member Jennewein seconded the motion. Motion carried 6 to 0. Mayor Collier-Wise declared the motion adopted.

Council Members Price and Letellier Arrived at 12:01 p.m.

3. Visitors to be Heard - None

4. Informational Session - Law Enforcement Center project - Steve Waller, Matt Betzen, and Ryan Anderson

Steve Waller, Chair of the Law Enforcement Committee, reported on the Law Enforcement Center project. Steve stated that the Committee narrowed down the choices to three spaces: Cherry Street, National Street, and Cottage Street. Steve noted that cost issues and safety were the factors to not choose the National Street and Cottage Street locations. Steve noted that the Cherry Street location has enough room to grow if the Law Enforcement Center needed to expand.

Ryan Anderson, Telecommunications Director, reported on the issues that the current building faces for employee's safety, technology needs, and ADA compliance. Ryan noted that the largest issue they have is the current jail door being directly connected to the dispatch office which causes them to hear if an inmate is disgruntled resulting in citizens hearing them if they are answering a call. Ryan noted that staff does not have an accessible restroom close to the dispatch center causing employees to not be able to take a break if they are working alone. Ryan stated what

he would like to have in the new building and gave examples of what types of equipment the Communications Center desires.

Matt Betzen, Vermillion Police Chief, reported on the issues the Police Department is having with the current building. Matt showed examples of issues and possible solutions with this new building. Discussion followed on the prospects of a new building and needs for both Police and the Communication Center.

Mayor Collier-Wise noted that, once the engineers come back with numbers, the City will be more adept to know the next steps to be taken.

Discussion of the project list was tabled until the following regular Council meeting on February 22, 2022.

5. Briefing on the February 7th, 2022 City Council Regular Meeting

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

Council Member Jennewein left at 12:45 p.m.

6. Adjourn

23-22

Council Member Hellwege moved to adjourn the Council special session at 12:57 p.m. Council Member Price seconded the motion. Motion carried 8 to 0. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 7th day of February 2022.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Katie E Redden, Finance Officer

Unapproved Minutes
City Council Regular Session
February 7, 2022
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on February 7, 2022 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Letellier, Price, Ward, Willson, Student Rep Rhead, Mayor Collier-Wise

2. Pledge of Allegiance

3. Minutes

A. Minutes of January 18, 2022, Special Meeting and January 18, 2022, Regular Session

24-22

Council Member Holland moved approval of the January 18, 2022, Special Meeting and January 18, 2022 regular session minutes. Council Member Price seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

25-22

Council Member Price moved approval of the agenda. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

5. Visitors to be Heard

A. Black History Month Proclamation

Council Member Ward read the Black History Month proclamation recognizing the month of February as Black History Month in Vermillion.

B. Jose Dominguez, City Engineer, reported that he attended the Joint Annual Concrete Conference in Deadwood. Jose noted that this conference is hosted by the South Dakota Ready Mix Concrete Association and at this meeting the City was part of two teams that each received a 2021 Concrete Award of Excellence. Jose stated that the two projects were Bliss Pointe Phase II and The Streetscape Project which are an example of the quality of work that projects in this community can achieve. Jose thanked the Council for their support and oversight.

6. Public Hearings

A. Special daily wine license for the South Dakota Shakespeare Festival on or about Saturday, March 26, 2022 at the John A Day Gallery, Fine Arts Building on the USD campus

Katie Redden, Finance Officer, reported that an application was received from the South Dakota Shakespeare Festival for the Wine with Will event to be held on or about March 26, 2022 at the John A Day Gallery on the USD Campus. Katie stated that the notice of hearing, the Police Chief's report and the USD President's permission letter are included in the packet. Katie noted that 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.

26-22

Council Member Ward moved approval of the Special daily wine license for the South Dakota Shakespeare Festival on or about Saturday, March 26, 2022 at the John A Day Gallery, Fine Arts Building on the USD campus. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

B. First Reading of Ordinance 1456 to amend Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning a portion of Lot E of Lot 1 in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 18-92-51, 5th P.M., City of Vermillion, Clay County, South Dakota, from the R-4 Manufactured Housing District to the R-2 Residential District (property located at 445 N. Plum Street)

Jose Dominguez, City Engineer, reported that the City received a petition to rezone this area from Mr. Josh Anderson on behalf of Plum Vista SD, LLC (Plum Vista), on December 10, 2021. Jose noted that Plum Vista is requesting a portion of their property, which currently includes a duplex, be rezoned from the R-4 Manufactured Housing District into the R-2 Residential District. Jose noted that the existing duplex within the area being requested is addressed as 445 North Plum Street and the area being considered is adjacent to the R-2 Residential District on the south and west. Jose stated that the north and east would be adjacent to an R-4 Manufactured Housing District and a small portion of the proposed area to be rezoned would also be adjacent to the GB General Business District on the west. Jose noted that Plum Vista obtained the required signatures from property owners within 250-feet from their property to bring the rezoning request forward for consideration. Jose noted that the notice for January 24, 2022 Planning and Zoning Commission meeting and for this City Council have been published. Jose noted that the City's Planning and Zoning Commission reviewed the application at their January 24th meeting and recommended via an 8-0 vote that the City Council approve the ordinance to rezone the property.

27-21

Mayor Collier-Wise read the title to the above-mentioned Ordinance and Council Member 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. 1456 entitled An Ordinance to amend Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning a portion of Lot E of Lot 1 in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 18-92-51, 5th P.M., City of Vermillion, Clay County, South Dakota, from the R-4 Manufactured Housing District to the R-2 Residential District (property located at 445 N. Plum Street) 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 7th day of February, 2022 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Ward. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Collier-Wise declared the motion adopted.

C. First Reading of Ordinance 1454 to amend the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 6 LI: Light Industrial District, Purpose; Section 6.02 Conditional Uses; and Section 6.02 Applicable Standards

Jose Dominguez, City Engineer, reported that, on December 27, 2021, the City and County Planning Commissions met jointly to discuss possible changes to the LI: Light Industrial District (LI District) of the Joint Zoning Regulations for Clay County and the City of Vermillion. Jose stated that the proposed changes were due to a recent rezoning request for land in the Joint Jurisdictional Zoning Area where the request was seeking to make an existing use conforming. Jose noted that, although the rezoning request was later withdrawn by the applicant, the County and the City were willing to consider amendments to the zoning ordinance to allow the existing use within the LI: Light Industrial District. Jose noted that, if the amendments were to be adopted, the owner would then be able to request the property, or parts of it, to be rezoned into the LI District to make the current use conforming.

Jose stated that the City Planning and Zoning Commission considered this item at a Joint meeting with the Clay County Planning Commission on January 24, 2022 and they unanimously recommended that the City Council adopt the proposed amendment. Jose noted that the Joint Jurisdictional Zoning Area (JJZA) was created by the County and the City in 2012 and the zoning ordinance was created with the intent to allow the County and the City to each have a say in existing and proposed land uses in an

area that would directly impact the City's growth. Jose stated that the JJZA tries to maintain the rural characteristics of the surrounding area while allowing for some light development. Jose noted that the ordinance's intent, based on the adopted comprehensive plan for the JJZA, is to direct development towards areas within City limits, or areas that can be annexed by the City and serviced with municipal infrastructure. Jose noted that the proposed amendments to the LI District include "grain terminal/grain processing" and "agribusiness" uses as conditional uses. Jose stated that these two changes would allow for additional agricultural uses to be possible in the LI District. Jose noted that the statement describing the purpose of the district would be amended by removing portions from the second sentence and this change would better describe the uses that are not allowed in the LI District.

28-21

Mayor Collier-Wise read the title to the above-mentioned Ordinance and Council Member Ward moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1454 entitled An Ordinance to amend the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 6 LI: Light Industrial District, Purpose; Section 6.02 Conditional Uses; and Section 6.02 Applicable Standards 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 7th day of February, 2022 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Hellwege. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Collier-Wise declared the motion adopted.

D. First Reading of Ordinance 1455 to amend the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 3 A-1: Agricultural District; Section 3.02 Conditional Uses; and Section 3.02 Applicable Standards

Jose Dominguez, City Engineer, reported that, on December 27, 2021, the City and County Planning Commissions met jointly to discuss possible changes to the A-1: Agricultural District (A-1 District) of the Joint Zoning Regulations for Clay County and the City of Vermillion. Jose noted that the proposed changes would correct an error found recently in the A-1 District that accidentally excluded "telecommunications tower" use. Jose stated that the City Planning and Zoning Commission considered this item at a joint meeting with the Clay County Planning Commission on

January 24, 2022. Jose noted that, at that meeting following the public hearing, the City's Planning and Zoning Commission voted to unanimously recommend that the City Council adopt the proposed amendment.

Jose stated that the Joint Jurisdictional Zoning Area (JJZA) was created by the County and the City in 2012 and the zoning ordinance was created with the intent to allow the County and the City to each have input in existing and proposed land uses in an area that would directly impact the City's growth. Jose noted that the JJZA tries to maintain the rural characteristics of the surrounding area, while allowing for some light development. Jose stated that the proposed amendment to the A-1 District will include "telecommunications tower" as a conditional use. Jose noted that staff believes that the exclusion of this use from this district in the original adoption of the JJZA zoning ordinance was in error since another similar use is already found as a conditional use in this district (e.g., "broadcast tower").

29-21

Mayor Collier-Wise read the title to the above-mentioned Ordinance and Council Member 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. 1455 entitled An Ordinance to amend the 2012 Joint Zoning Regulations for Clay County and the City of Vermillion by Amending Chapter 3 A-1: Agricultural District; Section 3.02 Conditional Uses; and Section 3.02 Applicable Standards 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 7th day of February, 2022 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Humphrey. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Collier-Wise declared the motion adopted.

7. Old Business

Second reading of Ordinance 1453 amending Title 1, General Provisions; Chapter 11, Wards and Boundaries; Section 11.02 Boundaries to establish new ward boundaries to reflect the results of the 2020 Census

John Prescott, City Manager, reported on Ordinance No. 1453 amending wards and boundaries to reflect the results of the 2020 Census. John noted that the courts have interpreted this as an honest and good faith effort to create districts as equal in population as is practicable. John

noted that apportionment with over 10% deviation is often determined to be malapportioned. John stated that the City Council reviewed a potential option to adjust ward boundaries at the noon meeting on January 3, 2022 and the first reading was presented at the January 18, 2022 meeting. John noted that the proposed ordinance would move two blocks from the Central ward to the Northeast ward. John noted that the two-block area is bounded by E. Clark Street on the north, N. University Street on the west, E. Cedar Street on the south, and N. Pine Street on the east. John stated that all other ward boundaries in the city would remain the same.

30-22

Second reading of Ordinance 1453 amending Title 1, General Provisions; Chapter 11, Wards and Boundaries; Section 11.02 Boundaries to establish new ward boundaries to reflect the results of the 2020 Census to for the City of Vermillion, South Dakota

Mayor Collier-Wise read the title to the above-named Ordinance, and Council Member Ward moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1453 entitled An Ordinance amending Title 1, General Provisions; Chapter 11, Wards and Boundaries; Section 11.02 Boundaries to establish new ward boundaries to reflect the results of the 2020 Census 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 18th day of January, 2022 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 7th day of February, 2022 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:

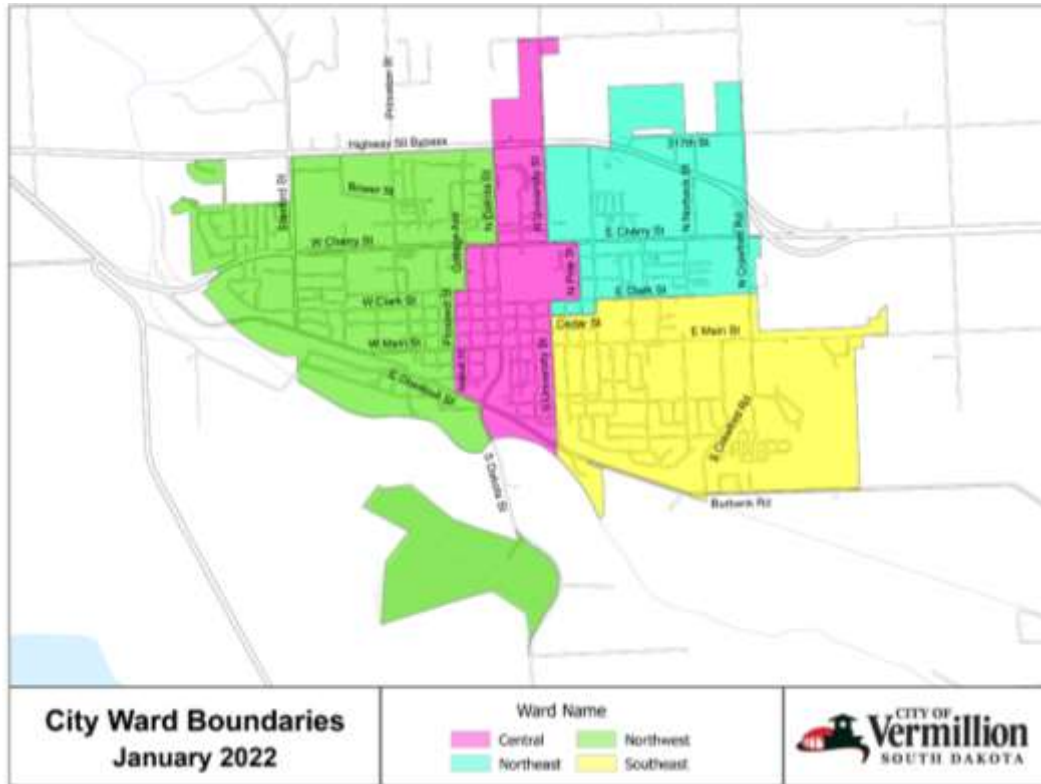
ORDINANCE 1453

AN ORDINANCE AMENDING TITLE I, GENERAL PROVISIONS; CHAPTER 11, WARDS AND BOUNDARIES; SECTION 11.02, BOUNDARIES, OF THE 2008 REVISED ORDINANCES FOR THE CITY OF VERMILLION, AMENDING THE WARD BOUNDARIES.

BE IT ORDAINED, by the governing body of the City of Vermillion, South Dakota that Section 11.02 be amended to read as follows:

§ 11.02 BOUNDARIES.

The boundaries of wards, as shown on the Ward Map in Appendix A of this chapter, are hereby incorporated by reference as the official boundaries of all wards in the city.



Dated at Vermillion, South Dakota this 7th day of February, 2022.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

Kelsey Collier-Wise, Mayor

ATTEST:

Katie E. Redden, Finance Officer

Adoption of the Ordinance was seconded by Council Member Hellwege. Thereafter the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Letellier-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y.

Motion carried 9 to 0. Mayor Collier-Wise declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Request to close Main Street from the east line of the intersection with Prospect Street west through Ratingen Platz and Market Street as it

abuts Ratingen Platz from 4:00 p.m. to 8:00 p.m. on July 7, July 14, July 21, July 28, August 4, August 11, August 18, and August 25, 2022 for the Vermillion Area Chamber and Development Company's Thursdays on the Platz events

Stone Conley, Assistant to the City Manager, reported that the Vermillion Area Chamber and Development Company has requested the closure of Main Street from the east line of the intersection with Prospect Street west through Ratingen Platz and Market Street as it abuts Ratingen Platz on the following Thursdays: July 7, July 14, July 21, July 28, August 4, August 11, August 18, August 25, 2022 from 4:00 p.m. to 8:00 p.m. Stone noted that they added July 28th and removed August 29th from the original dates. Stone stated that the completed street closure request application and diagram are attached. Stone stated that the Street, Police, Fire, and EMS Departments have been notified of the street closure request and they did not have any concerns. Stone noted that the cleanup will be handled by VCDC Staff. Stone noted that the VCDC will meet with businesses individually to let them know of the events requiring the street closure. Stone stated that there are a limited number of businesses abutting the area to be closed.

31-22

Council Member Ward moved approval of the amended Request to close Main Street from the east line of the intersection with Prospect Street west through Ratingen Platz and Market Street as it abuts Ratingen Platz from 4:00 p.m. to 8:00 p.m on July 7, July 14, July 21, July 28, August 4, August 11, August 18, and August 25, 2022 for the Vermillion Area Chamber and Development Company's Thursdays on the Platz events. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

B. Request to close North Norbeck Street from the north line of the intersection with Lincoln Street north approximately 125 feet from 4:00 p.m. to 8:00 p.m on Saturday, May 14, 2022 for a non-public gathering to celebrate a graduation

Stone Conley, Assistant to the City Manager, reported that the resident of 1326 Lincoln Street has requested the closure of North Norbeck Street from the driveway of 1326 Lincoln Street, south to the Northwest corner of Lincoln and North Norbeck Street on Saturday, May 14, 2022 from 4:00 p.m. to 8:00 p.m. Stone noted that the applicant wants to host a football game in celebration of a graduation at their house. Stone noted that they would like to utilize North Norbeck street as the area for the game.

Stone stated that the completed street closure request application and diagram are attached. Stone noted that the Street, Police, Fire, and EMS Departments have been notified of the street closure request and they

did not have any pressing concerns but recommended using a park versus the street for a football game due to it being on pavement and the disruption of traffic on North Norbeck. Stone stated that cleanup would be handled by the residents of 1326 Lincoln Street. Stone noted that the FYZICAL Therapy Clinic and the neighboring apartments would be notified of the closure and should not be affected.

Council Member Holland questioned the safety of the event since a football game would be played on concrete. Stone noted that the Fire Chief had addressed concerns about that as well. Council Member Hellwege stated that it might not be an ideal time for traffic. Council Member Ward would ask the applicant to shorten the time the road would be closed.

32-22

Council Member Ward moved to table this item till the February 22, 2022 meeting. Council Member Price seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

C. Request to close Kidder Street from west line of the intersection with Court Street west to the east line of the intersection of the north-south alley between Court Street and Market Street from 9:00 a.m. to 6:00 p.m. on Saturday, March 26, 2022 for the Law Enforcement Torch Run and Special Olympics Polar Plunge event

Stone Conley, Assistant to the City Manager, reported that Jon Cole of the Law Enforcement Torch Run International has requested the closure of Kidder Street from the corner of Court Street, west to the alleyway between Court and Market Street for the Law Enforcement Torch Run and Polar Plunge® for Special Olympics event on Saturday, March 26, 2022 from 9:00 a.m. to 6:00 p.m. Stone noted that registration and set-up will begin at 9:00 a.m. with the Polar Plunge event starting at 1:00 p.m. and concluding by 4:00 p.m. Stone stated that the completed street closure request application and diagram are attached and the Street, Police, Fire, and EMS Departments have been notified of the street closure request. Stone noted that they did not have any issues with the event as it is the same setup and closure as previous years.

33-22

Council Member Holland moved approval of the request to close Kidder Street from west line of the intersection with Court Street west to the east line of the intersection of the north-south alley between Court Street and Market Street from 9:00 a.m. to 6:00 p.m. on Saturday, March 26, 2022 for the Law Enforcement Torch Run and Special Olympics Polar Plunge event. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

D. Resolution to limit Municipal Liquor Store Reserve fund to \$250,000

John Prescott, City Manager, reported on a resolution to limit the Municipal Liquor Store Reserve fund to \$250,000. John noted that the City Council annually adopts a budget for the Municipal Liquor Store and, as part of that budget, a transfer is proposed to the General Fund. John stated that, from 2008 through 2021, the transfer to the General Fund from the Liquor Store was \$194,200. John noted that, if the budget was met, additional amounts above the transfer were placed in the Liquor Store Reserve fund and, if the budget was not met, the Liquor Store Reserve fund was utilized to provide sufficient funding for the transfer to the General Fund. John stated that the Liquor Store Reserve fund has also been utilized to fund improvements such as when the store moved to the current location and unbudgeted emergency equipment replacement for the Liquor Store. John noted that during the budget meetings last August there was discussion about capping the amount in the Liquor Store Reserve Fund and the proposed Resolution provides direction to City staff and future City Councils on the maximum Liquor Store reserve.

John stated that, with several years of good sales and management by the Peters, the Liquor Store reserve fund currently sits at \$310,342. John noted that this is a larger amount than anticipated during the 2022 budget planning meetings last August and the adopted 2022 Budget already includes a transfer to the General Fund of \$230,000. John noted that the increased transfer to the General Fund is helpful in meeting the many needs and cost increases experienced by this fund. John stated that, if the City Council adopts the attached Resolution and wants to bring the Reserve fund down to \$250,000, staff will propose to revise the Liquor Store Reserve fund to \$250,000 and transfer an additional \$60,342 to the General Fund.

Council Member Hellwege stated that this cap does not mean that if it dips below \$250,000 the fund needs to be replenished, it just sets a cap to what can go into the reserve.

34-22

Council Member Hellwege moved approval of the Resolution to limit Municipal Liquor Store Reserve fund to \$250,000. Council Member Ward seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

E. Change Order No. 2 for Main Street Streetscape Project

Jose Dominguez, City Engineer, reported on Change Order No. 2 for the Main Street Streetscape Project. Jose noted that in January 2020 the City created Business Improvement District #2 (BID) with the intent to provide a funding mechanism and to bring forward a streetscape plan for downtown Vermillion. Jose noted that BID #2 Board is comprised of four downtown business owners and one downtown resident. Jose stated that the City

entered into a contract with Stockwell Engineers (Stockwell) for the design and development of the construction documents on April 20, 2020. Jose stated that the agreement with Stockwell was amended on March 1, 2021 to include construction administration and staking. Jose noted that, in March 2021, the City awarded the construction project to Schwartzle Construction (Schwartzle) for \$2,976,602 which was \$330,990.50 lower than the engineer's estimate.

Jose stated that, on August 16, 2021, the City approved Change Order No. 1 to the project to reduce the slope in the transition areas adjacent to the sidewalks, covered the cost for the undisclosed window wells along the south side of Main Street, redesigned the footings for the streetlights, and paid for the cost to replace a water main fitting at the intersection of Church and Main Streets. Jose noted that the amount for Change Order #1 was \$143,249.84. Jose noted that the change order being considered is the final change order and balances out the project. The change order informs the City Council on where the additional expenses, or costs, occurred. Major increases were additional curb and gutter removed and installed due to poor condition and additional base course (gravel) used due to wet soil conditions. Large areas of the project required between 1 and 2 feet of additional gravel. These areas were mainly where the new bump outs were constructed; additional asphalt was placed in some areas due to the condition of the adjacent asphalt not being removed; and additional undisclosed window wells were found on the north side of Main Street. Jose noted that Stockwell Engineers reviewed the requested change order and recommended approval.

35-22

Council Member Ward moved approval of Change Order No. 2 for Main Street Streetscape Project. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

F. Shared Used Path Temporary Construction Easement for Vermillion River hike/bike path reconstruction

Jose Dominguez, City Engineer, reported on a temporary construction easement for the Vermillion River Hike/bike path reconstruction. Jose noted that, in 2006, the City received an earmark grant from the Federal government for the construction of hike/bike path trails in the City with the original grant amount was for \$750,000. Jose noted that the grant was written in such a way as to require the State to administer the funds for the City. Jose stated that the State would reimburse the City for 81.95% while the City would cover the remaining 18.05%. Jose stated that, in the fall of 2010, the section of the trail between 12th Street and West Street was completed and during construction the area adjacent to the river experienced four major floods. Jose noted that, several months after completion of this section, the trail was closed

due to riverbank erosion from the previous floods. Jose noted that, since Federal funds were used to construct the bike path, the City is responsible for maintaining the bike path in a traversable manner otherwise the City would be required to refund the cost of the bike path to the State. Jose noted that, since 2010, the City has been working with the South Dakota Department of Transportation (SDDOT), the Federal Highway Administration (FHWA), and the neighbors on ways to reconstruct the section of the bike path that has been closed. Jose stated that the construction of the shared used path along the south side of West Broadway Street will require that the City acquire temporary construction easements to be used by the contractor to maneuver their equipment and/or to store material during construction. Jose noted that the temporary construction easements will expire one (1) year after the project is completed. Jose stated that staff is working with two property owners to acquire the necessary easements and both owners have agreed to the offer from the City and conditions; however, the final documents have not been signed yet.

36-22

Council Member Holland moved approval of the Shared Used Path Temporary Construction Easement for Vermillion River hike/bike path reconstruction. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

9. Bid Openings

A. Surface Treatment Program - Slurry Seal for Sioux Falls and Surrounding Communities Bid Opening

Jose Dominguez, City Engineer, reported on a BID for slurry seal for Sioux Falls and surrounding communities. Jose noted that historically the City has only used three types of surface treatments on asphalt roads. These have been chip seals, asphalt overlays, and seal coats. Jose stated that to expand the options available to maintain asphalt roads, the City has been researching the possibility of performing a slurry seal. Jose noted that a slurry seal is a very thin asphalt overlay with quartzite chips already in the asphalt mix. Jose stated that the final product is black and thus gives the appearance of a new asphalt road and, like a chip seal, slurry seals increase the lifespan of the road by sealing cracks, removing some surface imperfections, and providing a new driving surface. Jose stated that slurry seals have been used by Sioux Falls and their neighboring communities for several years and has allowed neighboring communities to join the bid issued by them. Jose stated that this allows for a more competitive lower price to be shared by all the communities involved.

Jose stated that bids were opened by the City of Sioux Falls on February 3, 2022 for this project. The bids received were Asphalt Surfacing Company, Sioux Falls, SD \$2,408,553.33; Asphalt Surface Technologies Corporation, St. Cloud, MN \$2,497,717.38; and Missouri Petroleum Products Company, St. Louis, Mo \$2,826,234.74. Jose noted that the City of Sioux Falls is discussing with the low bidder regarding the actual timing of the project and this discussion is scheduled to occur on Wednesday, February 9th. Jose stated that he would like the Council to table this until the February 22, 2022 meeting.

37-22

Council Member Ward moved to table the slurry seal bid until February 22, 2022. Council Member Price seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

B. Fuel quotes

Katie Redden, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil on Items 1, 2, and 3.

Item 1 - 4,350 gal unleaded 10% ethanol: Gerstner Oil \$2.9892, Jerry's Service \$2.9660, and Stern Oil \$2.9461;

Item 2 - 3,000 gal No. 1 & 2 Diesel fuel dyed average price: Gerstner Oil \$3.2211, Jerry's Service \$3.20, and Stern Oil \$3.0845;

Item 3 - 1,000 gal No. 1 & 2 diesel fuel-clear average price: Gerstner Oil \$3.4730, Jerry's Service \$3.50, and Stern Oil \$3.3595

38-22

Council Member Price moved approval of the low quotes of Stern Oil on Items 1, 2, and 3. Council Member Holland seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

10. City Manager's Report

A. John reported that City offices are closed on Monday, February 21st for the Presidents Day holiday. The next City Council meeting is on Tuesday, February 22nd.

B. John noted that the Tree Board meeting is on Wednesday, February 16th at 9:30 a.m. in the John "Jack" Powell Conference Room.

C. John stated that the Planning and Zoning Commission will meet next Monday, February 14th at 5:30 p.m. in the Powell Conference room. They will be discussing a change to GB zoning regulations to allow kennels as a conditional use. A 150 feet separation would be required.

D. John reported on a raffle notification: USD Physical Therapy will be selling tickets at \$10 each or 3 for \$25 from January 24, 2022 to March 25, 2022. The prize is a whole hog butchered and processed. Value is \$400. Proceeds from the raffle will be used to fund a Physical Therapy Board Prep course that is not offered through USD. The winner will be selected randomly.

PAYROLL ADDITIONS AND CHANGES

Finance: Jien (Jenny) Huang \$22.34/hr; Code: Justin Roetman \$19.32/hr; Ambulance: Schuyler Hellerich \$16.00/hr-\$16.00/training hr-\$24.00/ol hr, Richard Roder \$14.00/hr-\$14.00/training hr-\$21.00/ol hr; Recreation: Brendinh Sayaloune \$18.97/hr; Parks: Kelly Knutson \$23.75/hr; Golf Maintenance: Travis Taggart \$21.13/hr; Landfill: Kase King \$18.13/hr

11. Invoices Payable

39-22

Council Member Price moved approval of the following invoices:

A-OX WELDING SUPPLY CO	CHEMICALS	2,332.00
AMAZON BUSINESS	SUPPLIES	1,702.07
AMERICAN PLANNING ASSOCIATION	MEMBERSHIP	212.00
APPEARA	SHOP TOWELS	45.00
ARAMARK	WORK SHIRTS	47.95
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	408.36
AUTOMATIC BUILDING CONTROL	ANNUAL FIRE ALARM INSPECTION	204.00
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	9,969.20
BEST WESTERN PLUS RAMKOTA	LODGING	1,049.90
BLACKSTONE PUBLISHING	BOOKS	254.23
BLUFFS GOLF COURSE	ACCOUNTS REC	50.00
BOOK SYSTEMS, INC	ANNUAL SUBSCRIPTION	4,400.00
BOUND TREE MEDICAL, LLC	SUPPLIES	749.62
BRANDON STEENECK	MEALS REIMBURSEMENT	48.00
BUILDERS ELECTRIC, LLC	REPLACE INTERSTATE LIGHT POLE	10,080.00
BUTCH'S PROPANE INC	PROPANE	5,139.23
BUTLER MACHINERY CO.	REPAIRS/PARTS	15,692.21
CAPITAL ONE	SUPPLIES	544.72
CASK & CORK	MERCHANDISE	1,191.50
CCP INDUSTRIES INC.	SUPPLIES	156.73
CHAD CHRISTOPHERSON	MEALS REIMBURSEMENT	48.00
CHRISTENSEN RADIATOR & REP	PARTS	644.16
CITY OF VERMILLION	COPIES/POSTAGE	1,039.29
CITY OF VERMILLION	UTILITY BILLS	37,319.50
COACHING SYSTEMS, LLC	TRAINING	420.00
COLONIAL LIFE ACC INS.	INSURANCE	1,565.45
CORE & MAIN LP	PARTS	122.98

CURT HAAKINSON	MEALS REIMBURSEMENT	82.00
DAKOTA BEVERAGE	MERCHANDISE	9,797.95
DAKOTA PC WAREHOUSE	PART	9.99
DAKOTA ROCK FARMS	HAUL LEACHATE	8,640.00
DALE HUSBY	SAFETY BOOTS REIMBURSEMENT	100.00
DELTA DENTAL PLAN	INSURANCE	5,953.84
DENNIS MARTENS	MAINTENANCE	833.34
DOOLEY ENTERPRISES, INC	SUPPLIES	2,684.35
DUBOIS CHEMICALS	SODA ASH	14,641.00
ECHO ELECTRIC SUPPLY	SUPPLIES	149.00
ERIC McPHERSON	MEALS REIMBURSEMENT	82.00
ERICKSON SOLUTIONS GROUP	PROFESSIONAL SERVICES	1,207.60
ESRI	GIS ONLINE	4,827.40
FOREMAN MEDIA	JAN COUNCIL MTGS	100.00
FRED BALLEWEG	MEALS REIMBURSEMENT	82.00
FRONTIER PRECISION, INC	SUBSCRIPTION	1,650.00
GLOBAL DIST.	MERCHANDISE	98.00
GRAYMONT (WI) LLC	CHEMICALS	8,436.80
GREGG PETERS	ADVERTISING	500.00
GREGG PETERS	RENT	937.50
HAWKINS INC	CHEMICALS	2,601.19
HEIMAN FIRE EQUIPMENT	FIRE FIGHTER EQUIPMENT	3,153.45
HY VEE FOOD STORE	COVID SELF TESTS	599.80
INGRAM	BOOKS	1,843.70
JACKS UNIFORM & EQPT	WORK SHIRTS	851.55
JAY'S PLUMBING	REPAIRS	745.82
JESSICA NEWMAN	FITNESS CENTER REIMBURSEMENT	255.90
JIM BALLEWEG	SAFETY GLASSES REIMBURSEMENT	149.90
JOHN A CONKLING DIST.	MERCHANDISE	2,270.35
JOHNSON BROTHERS OF SD	MERCHANDISE	18,426.13
JOHNSON CONTROLS	REPAIRS	6,564.85
JONES FOOD CENTER	SUPPLIES	224.93
JOSH MANNING	MEALS REIMBURSEMENT	48.00
KALIN KNIEF	COURSE REIMBURSEMENT	153.00
KIMBALL MIDWEST	SUPPLIES	18.40
KNOX COMPANY	KNOXLOCK	629.00
MART AUTO BODY & MARINE LLC	TOWING	75.00
MATHESON TRI-GAS, INC	MEDICAL OXYGEN	125.80
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	126.50
MENARDS	SINK	369.99
MIDWEST ALARM CO	ALARM MONITORING	73.50
MIZUNO USA, INC	MERCHANDISE	202.96
MOBOTREX MOBILITY & TRAFFIC	MALFUNCTION MGMT UNIT	2,844.00
MOLECULAR REPAIR CONCEPTS	PARTS	320.61
NCL OF WISCONSIN, INC	CHEMICALS	347.50
NETSYS+	PROFESSIONAL SERVICES	1,298.50
O'REILLY AUTO PARTS	PARTS	490.55
PHELPS	WORK SHIRTS	112.46

PING/KARSTEN MFG CORP	MERCHANDISE	3,710.06
PUMP N PAK	CALENDARS	250.95
QUADIENT LEASING USA, INC	POSTAGE METER LEASE	234.24
QUALITY MOTORS	ALIGNMENT	92.65
QUILL	CHAIRMATS/STAPLES/PENS	256.89
REDI TOWING	TOWING	655.00
REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	11,446.92
ROCKMOUNT RESEARCH & ALLOY	PARTS	119.00
RUNNING SUPPLY, LLC	PARTS/SUPPLIES	621.18
RYAN HOUGH	BOOT REIMBURSEMENT	48.42
SANFORD HEALTH PLAN	PARTICIPATION FEES	48.00
SD CHAPTER GCSAA	REGISTRATION	660.00
SD DEPT OF HEALTH	TESTING	150.00
SD DEPT OF TRANSPORTATION	BIKE PATH	60.91
SD ELECTRICAL COMMISSION	WIRING PERMITS	904.50
SD RETIREMENT SYSTEM	CONTRIBUTIONS	29,401.93
SERVICE FIRST FIRE SPRINKLER	REPAIRS	795.25
SERVICE MASTER OF SE SOUTH DAKOTA	CUSTODIAL	3,827.04
SESDAC, INC	FUNDING	8,000.00
SHANE GRIESE	MEALS REIMBURSEMENT	82.00
SIGN SOLUTIONS	SUPPLIES	1,091.72
SIOUX CITY TRUCK & TRAILER	PARTS	135.25
SOUTH DAKOTA 811	LOCATES	664.65
SOUTHERN GLAZER'S OF SD	MERCHANDISE	8,576.31
STAPLES BUSINESS CREDIT	SUPPLIES	462.73
STATE INDUSTRIAL PRODUCTS	CHEMICALS	384.06
STURDEVANTS AUTO PARTS	PARTS	209.67
SUPERIOR HOOD STEAMERS, INC	HOOD & VENT CLEANING	873.30
SYNCB/AMAZON	BOOKS/SUPPLIES	146.01
THE UPS STORE #6751	SHIPPING	12.75
TIRES TIRES TIRES	TIRES	391.90
TITAN MACHINE-PRODUCTIVITY	REPAIRS	652.98
TODD HALVERSON	SAFETY BOOTS/MEALS REIMBURSEMENT	202.41
TRACTOR SUPPLY CREDIT PLAN	PARTS	56.94
TRAVIS TARR	SAFETY BOOTS REIMBURSEMENT	235.73
TREASURER-CLAY COUNTY	STORM SEWER	101.58
TRUE BRANDS	MERCHANDISE	335.25
TURNER PLUMBING	REPAIRS	371.45
TWO WAY SOLUTIONS	REPAIRS/BATTERIES	1,231.34
TYLER TECHNOLOGIES	MAINTENANCE	25,013.96
UNITED WAY	CONTRIBUTIONS	330.80
UNUM LIFE INSURANCE COMPANY	INSURANCE	1,462.78
USA BLUEBOOK	PARTS	631.33
USD MARKETING & U RELATION	MERCHANDISE	81.93
VAST BROADBAND	E911 CIRCUIT	1,365.50
VERIZON WIRELESS	CELL PHONES/IPAD ACCESS	3,034.14
VERMILLION ACE HARDWARE	SUPPLIES	247.93
VERMILLION CHAMBER OF COMMERCE	QUARTERLY FUNDING/BID	82,740.28

VERMILLION FORD	PART	7.32
VERMILLION HOUSING AUTHORITY	AUDIT CONTRIBUTION	7,450.00
VERMILLION YOUTH WRESTLING	ONLINE REGISTRATION	2,471.07
VESSCO, INC	PARTS	865.26
VISA/FIRST BANK & TRUST	TRAVEL/TRAINING/SUPPLIES	9,015.55
WASTE MGMT OF WI-MN	WASTE HAULING	915.77
SCHWARTZLE CONSTRUCTION, LLC	STREETSCAPE PROJECT	81,903.05

Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

12. Consensus Agenda

13. Adjourn

40-22

Council Member Ward moved to adjourn the Council Meeting at 8:00 p.m. Council Member Price seconded the motion. Motion carried 9 to 0. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 7th day of Febraury, 2022.

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

ATTEST:

BY _____
Katie E. Redden, Finance Officer

Published once at the approximate cost of _____.