

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

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

1. Roll Call

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

Absent: Collier-Wise, Willson, Mayor Powell

2. Visitors to be Heard - None

3. Discussion on role of Commissions - John Prescott

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

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

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

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

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

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

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

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

7. Adjourn

34-20

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

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

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

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

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

1. Roll Call

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

Absent: Collier-Wise, Willson, Mayor Powell

2. Pledge of Allegiance

3. Minutes

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

35-20

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

4. Adoption of Agenda

36-20

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

5. Visitors to be Heard - None

6. Public Hearings

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

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

37-20

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

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

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

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

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

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

38-20

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

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

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

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

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

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

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

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

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

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

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
Rich Holland, Vice-President

ATTEST:

By _____
Michael D. Carlson, Finance Officer

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

7. Old Business - None

8. New Business

A. Home Rule Committee charge

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

39-20

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

9. Bid Openings

A. Janitorial Services for City of Vermillion Facilities

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

40-20

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

10. City Manager's Report

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

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

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

PAYROLL ADDITIONS AND CHANGES

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

11. Invoices Payable

41-20

Alderman Ward moved approval of the following invoices:

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

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

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

12. Consensus Agenda - None

13. Adjourn

42-20

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

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

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Rich Holland, Vice-President

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.