

Unapproved Minutes
Council Special Session
March 16, 2020
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, March 16, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

Absent: Collier-Wise, Willson

2. Visitors to be Heard - None

3. Covid-19 Discussion

Mayor Powell stated that he would like the City to issue a statement at the evening meeting on the Covid-19 virus. Discussion followed on the different information outlet websites and which to follow.

Matt Betzen, Police Chief; Matt Callahan, Fire/EMS Chief; James Goblirsch, Director of Parks & Recreation; Daniel Burniston, Library Director reported to the City Council on how their departments are addressing the Covid-19 virus with all noting that they would recommend following the information being provided by the Center for Disease Control (CDC) and the South Dakota Department of Health.

Kevin O'Kelly, representing USD, reported on how USD is responding to the Covid-19 virus noting that the responses from USD all go through the Board of Regents.

John Prescott, City Manager, noted that he had sent out a draft Covid-19 statement for consideration. Discussion followed on the statement wording noting the need to include providing the links for the CDC and SD Department of Health.

4. Briefing on the March 16, 2020 City Council Regular Meeting

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

6. Adjourn

57-20

Alderman Ward moved to adjourn the Council special session at 1:00 p.m. Alderman Humphrey seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of March, 2020.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
March 16, 2020
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, March 16, 2020 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Collier-Wise

2. Pledge of Allegiance

3. Minutes

A. Minutes of March 2, 2020 Special Meeting; March 2, 2020 Regular Meeting

58-20

Alderman Sorensen moved approval of the March 2, 2020 Special Meeting and March 2, 2020 Regular Meeting minutes. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

59-20

Alderman Price moved approval of the agenda. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. City Response on COVID-19

Mayor Powell provided a City of Vermillion response to the COVID-19 virus and encouraged citizens to use the Center for Disease Control or the SD COVID-19 hotline at 1-800-997-2880.

B. Census 2020 proclamation

Alderman Holland read the proclamation recognizing the importance of being counted in the 2020 Census and proclaiming April 1, 2020 as "Census Day". Mayor Powell presented the proclamation to Nate Welch, Executive Director of the VCDC. Nate thanked the City Council for the proclamation on behalf of the local Complete Count Committee. Nate encouraged residents to complete the on line census and be counted as part of our community.

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

Mike Carlson, Finance Officer, reported that the Vermillion Area Chamber of Commerce and Development Company is looking to reschedule their annual banquet. Mike noted that since there was a public hearing scheduled for the special license, he suggested a motion to acknowledge that the VCDC has requested to withdraw their special license application for their event on or about April 2, 2020 thus no action is needed on the application. Nate Welch, Executive Director of the VCDC, reported that it was a hard decision to postpone the event which serves as a celebration of the local community. Nate stated that the VCDC is encouraging support of local businesses during the current times to keep our community strong.

60-20

Alderman Price moved to acknowledge that the VCDC has requested to withdraw their special license application for their event on or about April 2, 2020 thus no action is needed on the application. Alderman Humphrey seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Special daily malt beverage and wine license for the USD Military Science Department on or about April 17, 2020 at the Muenster University Center second floor large room for a military ball event

Mike Carlson, Finance Officer, reported that the USD Military Science Department has notified the City that they are canceling their military ball scheduled for April 17, 2020 and are requesting to withdraw their application for a special license. Mike noted that since a public hearing was advertised for this meeting he suggested a motion to acknowledge that the USD Military Science Department has requested to withdraw their special license application for their event on or about April 17, 2020 thus no action is needed on the application. Alderman Sorensen wanted to recognize the local ROTC program for its years of service to the university and community.

61-20

Alderman Holland moved to acknowledge that the USD Military Science Department has requested to withdraw their special license application for their event on or about April 17, 2020 thus no action is needed on the application. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Update on the process to select a consultant for downtown infrastructure project (Streetscape project)

Jose Dominguez, City Engineer, reported that for years businesses in downtown Vermillion and the City have been working to improve the Main Street area. Jose noted that besides improving the building facades, addition of the Pocket Park and Ratingen Platz, the community has been trying to complete a streetscape project that would tie Main Street together and serve as a frame to showcase the downtown area. Jose stated that the City create the Business Improvement District #2 (BID) that has its own board members. Jose noted that this BID was created with the intent and to provide a funding mechanism to bring the streetscape plan that downtown Vermillion has wanted to complete. Jose stated that the BID Board chose to select a consultant based on qualifications rather than cost. Jose reported that Request for Qualifications (RFQ) were sent to 21 consultants on February 7, 2020 and the City received eight proposals by the February 25, 2020 deadline. Jose reported that the proposals received were reviewed by the BID Board and Staff that determined the three most qualified consultants are KLJ, Stockwell Engineers, and Banner Associates. Jose reported that the three

consultants were interviewed on March 11, 2020 and the BID Board met again during the afternoon of Friday, March 13, 2020 to further discuss which consultant to continue working with on the downtown project. Jose reported that the BID Board chose to keep working with Stockwell Engineers to develop a Scope of Engineering, and a cost for the consultant's work on the project. Jose reported that these documents are planned to be presented for consideration by the City Council at the April 6th meeting. Jose stated that, once the Council approves these documents, the City will start working with Stockwell Engineers on developing the construction documents anticipating having the construction documents completed by December 2020. Jose noted that the construction of the project is planned to start in the spring of 2021 with substantial completion occurring no later than September 30, 2021. Jose stated that there is no City Council motion needed at this time but the intent of this agenda item is to inform the City Council and the public of where the project is at this point.

B. Planning Commission appointments

Mayor Powell reported that Kate Fitzgerald has submitted an Expression of Interest form for the one of the two openings on the Planning Commission. Discussion followed with the recommendation of appointment to the term expiring in June 2022.

62-20

Alderman Price moved approval of the appointment of Kate Fitzgerald to the Planning Commission to fill a term expiring June 2022. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Consolidated Board of Equalization appointments

Mike Carlson, Finance Officer, reported that, as part of the Consolidated Board of Equalization agreement between the County, City and School, the City needs to appoint three members to serve on the Consolidated Board of Equalization that will meet April 14th and, if needed, another day later in April. Mike noted that the appointment should include that the remaining Council members will serve as alternates if one of the members is unable to serve. Discussion followed with Alderman Holland, Humphrey and Ward volunteering to serve.

63-20

Alderman Price moved approval of the appointment of Alderman Holland, Humphrey and Ward to serve on the Consolidated Board of Equalization with the remaining members to serve as alternates. Alderman Hellwege seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

D. Resolution authorizing the purchase of a Solid Waste Department Loader for the landfill

Jose Dominguez, City Engineer, reported that the 2020 landfill budget included the replacement of the small loader. Jose reported that Sourcewell, formerly the National Joint Powers Alliance (NJPA), has bids with Volvo and Caterpillar Company for comparable equipment. Jose reported that staff reviewed the bids from both of the manufacturers and recommended the bid from the Caterpillar Company for a 2020 906M Cat loader for \$86,567.54. Jose stated that the Caterpillar Company's distributor for South Dakota is Butler Machinery of Sioux Falls, SD and they have agreed to sell a Cat 906M loader to the City at the Sourcewell awarded bid amount. Jose stated that Butler has offered \$23,000 for the City's existing 2014 906H Cat loader for a net bid of \$63,567.54. Jose stated that the second bid was for a Volvo L25HS for \$82,234.00. Jose reported that they have offered \$21,000 for the City's existing loader for a net bid of \$61,234. Jose reported that the City has purchased tires for the existing 2014 Cat loader at a cost of \$8,000 which will fit the 2020 Cat loader, but not the 2020 Volvo loader. Jose recommended approval of the resolution to purchase the Cat loader and trade in the old loader based familiarity with Cat equipment, the predominance of Cat equipment in the region, and the recent purchase of tires for a Cat loader. Discussion followed.

64-20

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

RESOLUTION AUTHORIZING THE PURCHASE OF
A SOLID WASTE DEPARTMENT LOADER

WHEREAS, SDCL 5-18A-37 authorizes a governmental entity to enter into agreements with purchasing agents in any other state for purchases under a joint agreement or contract at the accepted bid price and the concurrence of said bidder; and

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by Sourcewell (formerly known as the National Joint Powers Alliance) for a 2020 906M Cat loader from Caterpillar in the amount of \$86,567.54 offers an advantageous price to the City for said item; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Manager or the City's Finance Officer is hereby

authorized to purchase a new 2020 Cat 906M loader from Butler Machinery of Sioux Falls, South Dakota for a price of \$63,567.54 after trade-in.

Dated at Vermillion, South Dakota this 16th day of March, 2020.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA
By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Price. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

E. Resolution authorizing the purchase of forklift for the Waste Water Treatment Plant

Jose Dominguez, City Engineer, reported that the 2020 equipment replacement fund budget included the replacement of the 1998 Yale forklift for the Wastewater Department. Jose noted that statute allows a purchasing agency to purchase equipment that cost less than \$50,000 without going out to bids. Jose reported that two quotes were received for the new forklift which included a trade-in value for the existing 1998 Yale forklift. Jose reported that the bids were from Riekes Equipment for a Yale GP050MX for \$31,288.40 less trade of \$4,400.00 net of \$26,888.40 and MH Equipment for a Hyster H50XT for \$31,556.40 less trade of \$4,000.00 net of \$27,556.40. Jose recommended approval of the resolution to purchase the Yale GP050MX for \$31,288.40 less trade of \$4,400.00 net of \$26,888.40 from Riekes Equipment. Discussion followed.

65-20

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

RESOLUTION AUTHORIZING THE PURCHASE OF
A WASTEWATER FORKLIFT

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

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

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

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

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

Dated at Vermillion, South Dakota this 16th day of March, 2020.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA
By _____
John E. (Jack) Powell, Mayor

ATTEST:
By _____
Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Humphrey. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

F. Surplus of Bluffs golf course mower and Sale to the City of Tyndall, South Dakota

Jose Dominguez, City Engineer, reported that in October 21, 2019 the City Council approved the resolution allowing for the purchase of a 2020 Toro Greensmaster 3300 TriFlex mower from Midwest Turf & Irrigation of Omaha for the price of \$46,724. Jose noted that, at that time, the Staff did not ask for the existing mower to be declared surplus due to the fact that we were not sure of when the new mower would arrive. Jose reported that The City of Tyndall is interested in purchasing the mower and has made a verbal offer of \$10,000 for the mower. Jose reported that state statute allows the transfer of property between governing bodies at terms and conditions agreed upon by the respective governing bodies. Jose recommended declaring the 2011 Toro Greensmaster 3150 surplus and

awarding the sale of the equipment to the City of Tyndall contingent on receiving a formal request and a check for \$10,000. Discussion followed.

66-20

Alderman Hellwege moved approval of declaring the 2011 Toro Greensmaster 3150 surplus and awarding the sale of the equipment to the City of Tyndall contingent upon receiving payment of the \$10,000 purchase price. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Prentis Park sidewalk along Plum Street

Jose reported that as part of the improvements to Prentis Park the 2020 budget included extending the sidewalk along the west side of the park North Plum Street from East Clark Street to East Main Street. Jose reported that bids were opened on March 11th with the low bid of \$23,636.00 from M & M Construction. Discussion followed.

Bids: M & M Construction - \$23,363.00, Walker Construction- \$27,121.31, T&M Concrete - \$54,691.20.

67-20

Alderman Sorensen moved approval of the low bid of M & M Construction from \$23,636.00 for the Prentis Park sidewalk improvements. Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. 2020 Chip seal project

Jose Dominguez, City Engineer, reported that chip sealing is a cost-effective way to extend the life of asphalt streets between more expensive overlays. Jose stated that the process consists of the application of rapid curing polymerized asphalt oil which is covered by quartzite chips. Jose stated that the chip seal oil protects the existing asphalt overlay surface by sealing small cracks and voids while the quartzite chip layer also reduces the sun's UV effects on the surface. Jose reviewed a map of the streets to be chip sealed this year. Jose reported that bids were opened March 11, 2020 for the 2020 Chip Seal Project with two bids received. Jose recommended the low bid from Topkote of Yankton in the amount of \$117,008.50. Discussion followed.

Bids: Topkote - \$117,144.00; The Road Guy - \$147,144.00

68-20

Alderman Hellwege moved approval of the low bid of Topkote for the 2020 chip seal project of \$117,008.50. Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John stated that the City Council has declared an emergency for the replacement of the water main under the Vermillion River along Dakota Street. John reported that bid specifications were prepared and we received 2 bids which were opened Friday, March 13th. John reported that the low bid was from TE Underground, LLC out of Tyler, MN at a cost of \$132,730. John stated that the other bid received was from Gator Brothers Boring, Inc for \$199,832. John reported that the low bidder was notified and they have ordered the materials for the project and contract documents will be completed this week. John noted that Banner Engineering has worked with TE Underground on projects in the past and they recommend them for this project.

B. John stated that there is one opening on the Planning Commission for a term expiring in June 2020. John requested that interested citizens complete an Expression of Interest form available via the City's website or at City Hall by noon on April 2nd in anticipation of an appointment at the April 6th meeting.

C. John stated that there is one opening on the Historic Preservation Commission for a term expiring in August 2021. John requested that interested citizens complete an Expression of Interest form by noon on Thursday, April 2nd in anticipation of an appointment at the April 6th meeting.

D. John reported that Paint South Dakota Program will take place again this June. John stated that they are seeking a volunteer group to paint a house and the home must be a single, family owner-occupied home in need of painting. John noted that the home owner should be physically or financially unable to paint the home. John asked that eligible homeowners and volunteer groups contact the City so that Vermillion can apply to be one of the 25 locations in SD this year. John noted that the applications are due by April 17th.

PAYROLL ADDITIONS AND CHANGES

Police: Jessica Newman \$26.87/hr; Golf Clubhouse: Dennis Chandler \$21.03/hr; Golf Maintenance: Mark Clark \$33.20/hr, Derek Wolterman \$9.50/hr; Water: Zach Hammond \$19.80/hr

11. Invoices Payable

69-20

Alderman Hellwege moved approval of the following invoices:

AMS Building System LLC	refund utility fees	10.65
Andrew Wickre	safety boots reimbursement	100.00
AT&T Mobility	mobile hot spots	454.63
Blackstone Publishing	books	50.00
Broadcaster Press	advertising	1,876.26
Buhls Cleaners	mat/mop service	372.64
Bureau Of Administration	telephone	284.06
Butch's Propane Inc	propane	1,931.40
Cask & Cork	merchandise	499.20
CenturyLink	telephone	1,588.67
Clay Rural Water System	water usage	64.50
Clay-Union Electric Corp	electricity	1,923.78
Core & Main LP	supplies	510.00
Dakota Beverage	merchandise	9,231.73
Dakota Pc Warehouse	supplies	179.98
Dubois Chemicals	soda ash	22,160.16
Eagle Caulking	housing rehab-repairs	1,200.00
Echo Electric Supply	supplies	357.72
Filtertec	filters	1,127.03
Fred Balleweg	safety glasses reimbursement	150.00
Gale/Cengage Learning Inc	books	80.80
Global Dist.	merchandise	410.00
Gregg Peters	managers fee/freight	8,136.00
Industrial Chem Labs	supplies	222.11
Ingram	books	1,506.86
Jacks Uniform & Eqpt	uniform	39.90
John A Conkling Dist.	merchandise	5,263.85
John C. Prescott	meals reimbursement	20.00
Johnson Brothers Of SD	merchandise	11,766.60
Jones Food Center	supplies	335.68
Locators And Supplies, Inc	supplies	307.88
Loren Fischer Disposal	haul cardboard	2,170.00
Malloy Electric	parts	2,273.64
Mark Clark	lodging reimbursement	140.08
Matheson Tri-Gas, Inc	cylinder rental	82.28
Menards	supplies	150.37
Meredith Books	books	36.11
Merrick Industries	parts	3,255.07

Micro Marketing LLC	books	178.96
MidAmerican	gas usage	6,192.07
Midcontinent Communication	internet/cable service	746.57
Midwest Alarm Co	alarm monitoring	156.75
Midwest Turf & Irrigation	parts	74.59
NCL Of Wisconsin, Inc	chemicals	416.46
Nebraska Journal-Leader	advertising	437.16
Netsys+	professional services	211.50
Newman Signs, Inc	supplies	280.83
O'Reilly Auto Parts	parts	21.99
Office Of Fire Marshal	boiler inspection	120.00
Prairie Berry Winery	merchandise	840.00
Print Source	supplies	270.00
Prochem Dynamics	supplies	156.84
Quadient	postage for meter	730.00
Quill	supplies	27.19
R&R Repair	baler repairs	24,510.10
RDO Equipment Co	parts	369.72
Recorded Books, Inc	books	289.40
Republic National Distributing	merchandise	11,328.32
Running Supply, LLC	supplies	358.47
Sanford Health Plan	participation fees	54.00
Schaeffer Mfg. Co	supplies	708.00
SD DENR	landfill operations fee	2,676.71
SD Dept Of Health	testing	150.00
SD Humanities Council	registration	50.00
SD Retirement System	contribution	50.56
SD Special Olympics	sponsor fee	2,500.00
SD State Poetry Society	membership dues	35.00
Service Master Of SE SD	custodial	482.63
Sooland Bobcat	stump grinder rental	225.00
Southern Glazer's Of SD	merchandise	3,130.10
Staples Business Credit	supplies	1,899.07
Stern Oil Co.	fuel	9,060.30
Sturdevants Auto Parts	parts	266.68
Syncb/Amazon	books/dvds/supplies	680.81
The Equalizer	advertising	1,085.00
The New Sioux City Iron Co	blade sharpening	24.00
Titleist-Acushnet Company	merchandise	1,809.74
Tri Tech Sales	parts	230.65
True Brands	merchandise	209.84
United Laboratories	supplies	990.00
United Parcel Service	shipping	16.18

Us Postmaster	postage for utility bills	975.00
Utility Equipment Co.	water meters	16,533.22
Viking Industrial Painting	ground storage reservoir imp	137,689.11
Waste Management Of WI-MN	waste hauling	955.80
Wesco Distribution, Inc	electric meters	4,028.00
WH Over Museum	books	30.00
Wheeler's Handyman Service	housing rehab-repairs	3,800.00
Yankton Janitorial Supply	supplies	90.25
Ziegler Inc	repairs	196.47
Zimco Supply Co	supplies	1,598.95

Alderman Price seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of April 6, 2020 for the transfer of the retail on sale liquor license from BACT Group, LLC to PR Vermillion, LLC for Pizza Ranch at 912 North Dakota Street

70-20

Alderman Price moved approval of the consensus agenda. Alderman Hellwege seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

71-20

Alderman Ward moved to adjourn the Council Meeting at 7:42 p.m. Alderman Sorensen seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of March, 2020.

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

John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.