

Unapproved Minutes
Council Special Session
April 15, 2019
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 15, 2019 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

2. Visitors to be Heard - None

3. Informational Session - Vermillion Chamber of Commerce and Development Company update - VCDC Executive Director Nate Welch

Nate Welch, VCDC Executive Director, introduced members of the VCDC Board and the Vermillion NOW!3 Leadership Committee present. Nate reviewed the VCDC mission noting that the VCDC is made up of the following divisions: Chamber of Commerce, Economic Development and Visitors & Tourism. Nate reviewed the roll of all three noting that they all must work together for the organization and community. Nate reviewed the VCDC highlights including handing out the quarterly magazine, The Verb, which includes many of the VCDC activities. Nate answered questions of the City Council on the VCDC.

4. Educational Session - Vermillion Now 3 campaign - VCDC Executive Director Nate Welch

Nate Welch, VCDC Executive Director, reviewed the goals and economic analysis of the Vermillion NOW!1 and Vermillion NOW!2 Capital Campaigns along with the funds raised. Nate reviewed the results of a feasibility study conducted regarding a Vermillion NOW!3 Capital Campaign with a recommendation to launch another campaign. Nate introduced Farron Pratt the Co-Chair for the Vermillion NOW!3 Capital Campaign. Farron reviewed the goals for the Vermillion NOW!3 Capital Campaign. Farron stated that the capital campaign will be looking to raise \$1,725,000 and reviewed the focus areas of the funds. Farron stated that a formal request will be made for City funding at the May 6th meeting but wanted to provide this update and information in advance. Farron and Nate answered questions of the City Council on the presentation.

5. Briefing on the April 15, 2019 City Council Regular Meeting City Council Regular Meeting

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

6. Adjourn

102-19

Alderman Ward moved to adjourn the Council special session at 12:55 p.m. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
April 15, 2019
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, April 15, 2019 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Hellwege, Holland, Humphrey, Price, Sorensen, Ward, Willson, Mayor Powell, Student Representative Rhoads

2. Pledge of Allegiance

3. Minutes

A. Minutes of April 1, 2019 Special Meeting; April 1, 2019 Regular Meeting; April 2, 2019 Special Meeting minutes

103-19

Alderman Collier-Wise moved approval of the April 1, 2019 Special Meeting, April 1, 2019 Regular Meeting and April 2, 2019 Special Meeting minutes. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

104-19

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

5. Visitors to be Heard

A. Arbor Day Proclamation

Alderman Ward read the proclamation designating April 26, 2019 as "Arbor Day" in Vermillion and urged all citizens to protect our trees and woodlands. Mayor Powell presented the Proclamation to Jim Goblirsch, Director of Parks and Recreation. Jim thanked the Mayor and City Council for the proclamation noting that Vermillion was just recognized as a "Tree City" for the 34th year. Jim invited the Council and community to a tree planting on April 26th in Prentis Park.

B. Public Transit Week Proclamation

Alderman Collier-Wise read the proclamation recognizing the week of April 22-27, 2019 as "Public Transit Week" in Vermillion. Mayor Powell presented the proclamation to Nick Oyen and Barb Ballensky representing Vermillion Public Transit. Nick Oyen thanked the Mayor and City Council for the proclamation as well as their support of the program that serves many in the community.

C. World Autism Month Proclamation

Alderman Price read the proclamation recognizing April 2019 as "Autism Month" in Vermillion to raise public acceptance and understanding of Autism Spectrum Disorder. Mayor Powell presented the proclamation to Ray Ring. Ray Ring thanked the Mayor and City Council for the proclamation. Ray reported on work at the State Legislature for assistance for autism.

D. German American Partnership Program (GAPP) students

Mayor Powell extended a welcome from the City of Vermillion to the German American Partnership Program students and host families. Kami

Dibley, German Teacher, introduced the teachers from Ratingen traveling with the students. Kami asked all students and host families to stand and be recognized. Mayor Powell and Alderman Collier-Wise presented the German Students with a key to the city on behalf of the City Council.

6. Public Hearings

A. Transfer of a retail on-off sale malt beverage license with SD Farm Wine from Jay Ambe-7, LLC for Freedom Valu Center to I Mart Stores, LLC for I Mart Stores USA at 830 East Cherry.

Mike Carlson, Finance Officer, reported that an application was received from I Mart Stores, LLC for the transfer of the retail on-off sale malt beverage license and SD Farm Wine from Jay Ambe-7 for Freedom Valu Center at 830 East Cherry to I Mart Stores USA. Mike reported that the City Council has the ability to transfer a license on two criteria being suitable applicant and suitable location. Mike noted that, as to location, there has been a license previously issued to this location. Mike stated that, as to suitable person, the corporate officer of I Mart Stores, LLC, Muwafak Rizek has submitted the information for the DCI and FBI background checks. Mike noted that the DCI form was returned to the City as incomplete and was sent to Mr. Rizek to be corrected. Mike noted that Mr. Rizek stated that he mailed the corrected form last week. Mike stated that the notice of hearing is included in the packet but without the background check there is no Police Chief's report. Mike noted that, as a public hearing was advertised, he recommended accepting any public comments and then continue the public hearing until the May 6, 2019 meeting to allow time to receive the background check. Discussion followed.

105-19

Alderman Hellwege moved to continue the public hearing on the request to transfer the malt beverage license to I Mart Stores, LLC from J Ambe-7, LLC until May 6, 2019. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about April 18, 2019 at 826 Cottage for a wine tasting event.

Mike Carlson, Finance Officer, reported on the receipt of an application for a special daily malt beverage and wine license for the VCDC for a wine tasting event on April 18th. Mike noted that the VCDC has since provided notice that there is a scheduling conflict and the event has been postponed until later this year. As the notice of hearing was published, the item was included on the agenda and

recommends that the City Council acknowledge the withdrawal of the special daily license for the VCDC on April 18, 2019.

106-19

Alderman Sorensen moved to acknowledge the withdrawal of the application by the VCDC for the special daily license on April 18, 2019. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about May 9, 2019 at Prentis Park Baseball field for a professional baseball exhibition game.

Mike Carlson, Finance Officer, reported that an application was received for a special daily malt beverage and wine license from the Vermillion Area Chamber of Commerce and Development Company on or about May 9, 2019 at Prentis Park baseball field for an exhibition baseball game between the Sioux City Explorers and the Sioux Fall Canaries. Mike noted that the VCDC has hosted similar games in the prior years without any problems. Mike noted that the notice of hearing and the Police Chief's report are included in the packet. Mike stated that a release and indemnification has been received but the certificate of insurance naming the City as an additional insured has not been received. Mike stated that the Police Chief's memo indicated that they had communicated with Mike Bartos and agreed to the following conditions: 1) Seven staff members will supervise the event's distribution and consumption of alcohol. 2) Signage will be posted at the entry gate and the alcohol dispensing point stating: a. alcohol consumption is only allowed inside the fenced spectator area, b. no one under 21 will be served or allowed to consume alcohol, c. no intoxicated person(s) will be served alcohol, d. no alcohol can leave the fenced spectator area, e. no outside alcohol is allowed into the fenced spectator area. 3) Staff will check all persons wishing to purchase alcohol and provide a wristband once their age has been verified. 4) Persons not wearing a wristband or who appear to be under 21 will not be allowed to purchase or consume alcohol. Mike recommended approval of the special daily license contingent upon receipt of the certificate of insurance naming the City as additional insured and complying with the Police Chief's recommendations. Discussion followed.

107-19

Alderman Collier-Wise moved approval of the special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about May 9, 2019 at the Prentis Park baseball field contingent upon receipt of certificate of insurance naming the City as additional insured and complying with the Police

Chief's recommendations. Alderman Humphrey seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Second reading of Ordinance 1400 to amend Title III Administration, Chapter 34 Taxation, Section 34.24 defining the use of Municipal Gross Receipts Tax (BBB revenue)

John Prescott, City Manager, reported that at the February 4, 2019 noon meeting the City Council reviewed a proposal to modify the use of the Municipal Gross Receipts Tax which is more commonly referred to as the Bed, Board and Booze tax. John stated that the City Council referred the proposal to the Policies and Procedures Committee and Labor and Finance Committee for review and recommendation. John reported that the Committee's modified the language in the proposal that was reported to the City Council at the March 18, 2019 meeting. John reported that, during the first reading of the Ordinance on April 1, 2019, the language in the proposed ordinance was modified from the proposed language that was presented by the Committees for consideration. John reported that the first reading of Ordinance 1400 was approved at the April 1, 2019 meeting with the second sentence wording of "Priority for allocation of the revenue will be given to the Vermillion Chamber of Commerce and Development Company for economic development activity and promotion of the community for both short-term and long-term activities".

Alderman Willson wanted to thank the Council for the work on the ordinance change.

108-19

Second reading of title to Ordinance No. 1400 entitled An Ordinance Amending the Language Governing the Use of Municipal Gross Receipts Tax of the City of Vermillion, South Dakota.

Mayor Powell read the title to the above named Ordinance, and Alderman Willson moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1400 entitled An Ordinance Amending the Language Governing the Use of Municipal Gross Receipts Tax of the City of Vermillion, South Dakota 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 1st day of April, 2019 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of April, 2019 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 1400

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE III ADMINISTRATION, CHAPTER 34 TAXATION, SECTION 34.24, AMENDING THE LANGUAGE GOVERNING THE USE OF MUNICIPAL GROSS RECEIPTS TAX.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that section 34.24 to shall be amended to read as follows:

§ 34.24 USE OF REVENUE.

Any revenues received under this subchapter may be used only for the purpose of land acquisition, architectural fee, construction costs, payment for civic center, auditoriums or athletic facility buildings, including the maintenance, staffing, and operations of the facilities, and the promotion and advertising of the municipality, its facilities, attractions, and activities. Priority for the allocation of revenue will be given to the Vermillion Chamber of Commerce and Development Company for economic development activity and promotion of the community for both short-term and long-term activities. The City Council will review the history of usage and determine the approximate anticipated revenue in the next budget year to be allocated to other permissible uses.

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

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Ward. Alderman Sorensen stated that the City Council has to approve any funding for outside agencies but the ordinance selects one organization that is to be given priority. Alderman Sorensen stated that the VCDC currently received \$250,000 and this ordinance will provide that the VCDC be given priority and the VCDC is already receiving the majority of the

BBB funding thus, as a city, we are already doing in practice what the ordinance will require. Alderman Sorensen asked the other Council members if they could answer why the ordinance change is being made. Discussion followed on the ordinance change noting that the City Council will need to receive and review the VCDC budget request. 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: Collier-Wise-Y, Hellwege-Y, Holland-Y, Humphrey-Y, Price-Y, Sorensen-N, Ward-Y, Willson-Y, Mayor Powell-Y

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

8. New Business

A. Midco annual presentation

Brian McFadden, Aaron Kietzmann and Shawn Doherty representing Midco, reviewed the number of employees assigned to this area, number of residential services and businesses services along with service extensions planned for this year.

Scott Durueker, resident at 1421 E Main, stated that as a Midco customer he is less than satisfied noting that the in home equipment has not been upgraded since it was received. Scott questioned how often the in home equipment is upgraded.

Brian McFadden stated that the in the home can be upgraded by the customer contacting Midco. Brian reviewed the customer satisfaction survey results. Brian answered questions of the City Council on Midco service.

109-19

Alderman Price moved to acknowledge receipt of the Midco report. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Request to use a rolling barricade to close Main Street from Ratingen Platz to Dakota Street and to close Dakota Street from Main Street to the Sanford Coyote Sports Center on Thursday, May 16th from 5:30 p.m. to 6:00 p.m. for the Special Olympics Torch Run.

John Prescott, City Manager, reported that the Law Enforcement Torch Run and Special Olympics South Dakota is requesting the approval of the City of Vermillion to conduct a "rolling barricade" from the corner of W. Main Street and Market Street (The Platz) to N. Dakota Street to the Sanford Coyote Sports Center. John noted that this would be for the Law

Enforcement Torch Run Police Officers and Special Olympics athletes from across the state carrying the Flame of Hope to the South Dakota Summer Games here in Vermillion. John noted that this event would take place on May 16, 2019 from approximately 5:30 p.m. to 6:00 p.m. John noted that with the "rolling barricade" the roads would only need to be blocked off for a brief time period as runners make their way through the streets to the opening ceremonies at the Sanford Coyote Sports Center. John noted that the route map is included in the packet. John recommended approval of the rolling barricade for the event.

110-19

Alderman Collier-Wise moved approval of the use of a "rolling barricade" to close Main Street from Ratingen Platz to Dakota Street and to close Dakota Street from Main Street to the Sanford Coyote Sports Center on Thursday, May 16th from approximately 5:30 p.m. to 6:00 p.m. for the Special Olympics Torch Run. Alderman Hellwege seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Request from Journey Construction on behalf of the National Music Museum to occupy the Right-of-Way along East Clark Street for Construction Purposes

Jose Dominguez, City Engineer, reported that Journey Construction of Sioux Falls, SD, on behalf of the National Music Museum, is requesting to remove the five parking stalls and the bus parking from East Clark Street directly in front of the National Music Museum. Jose noted that the stalls would be used to safely complete the construction project and to protect the public from construction activities. Jose stated that the request is from April 16, 2019 to June 30, 2020 noting the City ordinance allows the City Manager to designate no parking areas for temporary purposes, but due to the length of the request and location, decided to have this request come to the City Council. Jose noted that this area would be used by the contractor to complete the work on the front of the building and also to protect the public from construction activities. Jose stated that Journey will also reroute pedestrians around the construction site and the route will be appropriately signed. Jose noted that the City is also concerned with snow removal and in discussion with Journey it was agreed that the City will plow as close as possible to the security fence and Journey will be responsible for removing the remaining snow next to the fence. Jose noted that, based upon the request from Journey, Administration recommends approval of the request.

111-19

Alderman Ward moved approval of granting Journey Construction the use of the right-of-way to place a security fence until June 30, 2020 and

to temporarily remove the parking along the same area for the same time period as outlined in their letter of April 10, 2019. Alderman Hellwege seconded the motion. Alderman Hellwege asked if the parking plan proposed has been approved by USD Administration and if the Student Council has been notified of the pedestrian path changes. Jesse Davey, representing Journey Construction, reported that the parking plan has been reviewed by USD Administration. Jesse stated that signage will be placed to direct pedestrians. Discussion followed on pedestrian safety and the reduced parking. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. Request to close E. Main Street from S. Norbeck Street to the west Vermillion High School parking lot entrance and Anderson Street from Mulberry Street to Main Street on Wednesday, April 24, 2019 from 11:00 a.m. to 2:00 p.m. for a mock accident demonstration for Vermillion High School.

Matt Callahan, Fire Chief, reported that the date for this year's event was originally set for April 10th, with an alternate date set for April 12th. Matt noted that the City Council approved the street closing for April 10th or 12th at the April 1st meeting. Matt noted that with the weather forecasted for April 10th through April 12th, the departments involved decided to cancel the event. Matt noted that the streets requested in the closure and the times are the same as the request considered at the April 1, 2019 meeting. Matt stated that, included on the map, the request is to close E. Main Street from S. Norbeck Street to the west Vermillion High School parking lot entrance and to close Anderson Street from Mulberry Street to E. Main Street on April 24, 2019 of 11:00 a.m. to 2:00 p.m. Matt stated that the closure is requested to facilitate this learning experience in a safe environment for the high school students and participants. Matt noted that this request does not include a rain date should April 24th not work out for the event.

112-19

Alderman Price moved approval of the street closing for E. Main Street from Norbeck Street to the West Parking Lot Entrance of Vermillion High School and Anderson Street from Mulberry Street to Main Street from 11:00 a.m. to 2:00 p.m. on April 24, 2019 for the Fire/EMS event. Alderman Hellwege seconded the motion. Motion carried 9 to 0. Mayor declared the motion adopted.

E. Resolution authorizing the purchase of a loader for the Solid Waste Department

Tim Taggart, Solid Waste Director, reported that the 2019 budget for the Landfill included the replacement of the 2012 loader. Tim reported

that Sourcewell, formerly the National Joint Powers Alliance (NJPA), has a bid with Caterpillar Company for a 2019 938M3 Cat loader for \$213,188.42 and that the Caterpillar Company's distributor for South Dakota, Butler Machinery of Sioux Falls, has agreed to honor the Sourcewell price. Tim reported that Butler Machinery has offered \$83,000 for the trade in of the current 2012 938H Cat loader. Tim recommended approval of the resolution to purchase the new loader from Butler Machinery with the trade in of the 2012 loader for a net cost of \$130,188.42. Discussion followed.

113-19

After reading the same once, Alderman Sorensen 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 2019 938M3 Cat loader from Caterpillar in the amount of \$213,188.42 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 2012 Caterpillar 938H loader of \$83,000.

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 2019 Cat 938M3 loader from Butler Machinery of Sioux Falls, South Dakota for a price of \$130,188.42 after trade-in.

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

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 Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

F. Final Plat of Lot 4A, Block 5, and Lot 1A, Block 7, Partridge Subdivision in the W1/2 of the NE1/4 of Section 13, Township 92 North, Range 52 West of the 5th P.M., City of Vermillion, Clay County, South Dakota (the Quarters apartment complex property)

Jose Dominguez, City Engineer, reported on the location of the final plat property is along Cottage Avenue and Shriner Street for the new apartments that are being constructed known as the Quarters. Jose reported that the owners have submitted the final plat which staff has reviewed and found that it complies with all code provisions. Jose reported that the Planning Commission unanimously recommended approval of the plat at their March 25th meeting.

114-19

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

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lot 4A, Block 5, and Lot 1A, Block 7, Partridge Subdivision in the W1/2 of the NE1/4 of Section 13, Township 92 North, Range 52 West of the 5th P.M., City of Vermillion, Clay County, South Dakota for approval.

BE IT RESOLVED that the attached and foregoing plat has been submitted to and a report and recommendations thereon made by the Vermillion Planning Commission to the City Council of Vermillion which has approved the same.

BE IT ALSO RESOLVED that access shall be granted to the lot in accordance with the City of Vermillion street access and driveway approach policy, which requires an application permit.

BE IT FURTHER RESOLVED that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion which has examined the same, and it appears that the systems of streets and alleys set forth therein conforms to the system of streets and alleys of the existing plat of such city, and that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid and that such plat and survey thereof have been executed according to law, and the same is hereby accordingly approved.

The motion was seconded by Alderman Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

G. Declaration of surplus items for City auction

Mike Carlson, Finance Officer, reported that a list is included in the packet of abandoned vehicles and surplus City property. Mike noted that, before the City can dispose of property, the City Council would need to declare it surplus and authorize the sale at public auction. Mike stated that the list included in the packet includes eight abandon vehicles that would be used by the Fire Department for training. Mike stated that the abandoned vehicles used by the Fire Department for training are then sold as scrap metal. Mike stated that Hazen Bye and Gary Madsen have been contacted and can do the auction on May 3rd at 5:30 p.m. at the Municipal Service Center. Discussion followed.

115-19

Alderman Willson moved to declare the following property surplus to be sold at public auction or as scrap: 1988 Oldsmobile Regency, 2014 Buick Regal, 2006 Chrysler Town & Country, 2000 Mercury Mystique, 1997 Ford F150, 2001 Oldsmobile Aurora, 2003 Chevrolet C10 Suburban, 1972 Aqua Trailer, 2008 Mitsubishi Outlander, 2007 Chevrolet Aveo, 1992 Cadillac Deville, 2006 Chevrolet Impala, 2000 Chevrolet Malibu, 2004 Ford Crown Victoria, 1999 Chevrolet Cavalier, 1990 Chevrolet 1500, 1985 Oldsmobile Delta 88; Fire Department Training: 1999 Ford Escort, 2009 Chevrolet Aveo, 2000 Dodge Grand Caravan, 2000 Dodge Grand Caravan, 2003 Chrysler Concord, 2001 Chevrolet Cavalier, 1996 Chevrolet Blazer, 2000 Buick Park Avenue, 2005 Dodge Grand Caravan; surplus City property: MAC computer with keyboard and track pad mouse, pickup tool box, stainless steel cabinet, steel cabinet, drill bit sharpener, tire pressure scanner, misc. tires, 2005 dump box for pickup, backup tool box, 2 office chairs, activity table 48" diameter, three-piece wood and fabric play set, children's chair, wood desk, 3-office chairs, 2- printer, 4-I-cop units, 33 bikes, flat file cabinet, gray metal bins, typewriter, camera, VHS recorder, VHS player, projector, misc. computer cables, keyboards, cassette recorder, lettering machine, 2-computer. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

H. Resolution authorizing the purchase of a Parks and Recreation Department Mower

Jose Dominguez, City Engineer, reported that, as part of the 2019 equipment replacement schedule, a 2010 Toro Groundsmaster 4000D mower

from the Parks and Recreation Department was scheduled for replacement. Jose noted that Administration would like to take advantage of an attractive National Intergovernmental Purchasing Alliance (National IPA) bid. Jose stated that National IPA, in conjunction with member city Tucson, Arizona, renewed its contract with Toro Company and its participating distributors. Jose reported that the total bid for a 2019 Toro Groundsmaster 4100D is \$65,170 and the Toro Company participating distributor for South Dakota, Midwest Turf & Irrigation of Omaha, Nebraska, has agreed to honor the bid price. Jose reported that Midwest Turf & Irrigation has agreed to take the 2010 Toro Groundsmaster 4000D as a trade-in for \$7,000. Jose recommended approving the Resolution to purchase a 2019 Toro Groundsmaster 4100D mower from the Toro Company's participating distributor, Midwest Turf & Irrigation, and to trade-in the 2010 Toro Groundsmaster 4000D mower for a net price of \$58,170. Discussion followed.

116-19

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

RESOLUTION AUTHORIZING THE PURCHASE OF A PARKS AND
RECREATION DEPARTMENT MOWER

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 National Intergovernmental Purchasing Alliance (National IPA) for a mower from Midwest Turf & Irrigation of Omaha for the net after trade amount of \$58,170 offers an advantageous price to the City for said item; and

WHEREAS, the bid offered by Midwest Turf & Irrigation of Omaha also includes a trade-in value for the City's 2010 Toro Groundsmaster 4000D of \$7,000.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota that the City Manager or the City's Finance Officer is hereby authorized to purchase a new 2019 Toro Groundsmaster 4100D from Midwest Turf & Irrigation of Omaha, of Omaha, Nebraska for a price of \$58,170 after trade-in.

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

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 Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

9. Bid Openings

A. Anderson Street Improvements, Main Street to Clark Street

Jose Dominguez, City Engineer, reported that in November 2018 the City Council approved an agreement with Banner Associates for the design of the reconstruction of Anderson Street from East Clark Street to East Main Street with the intention of completing the project in 2019. Jose reported that bids were opened this morning with three bids received. Jose reported that, due to the type of project (road construction with a cement treated base), a qualifications statement was required from the bidder. Jose stated that, at this time, Staff is waiting for additional information to be supplied by the low bidder so a thorough review can be completed on the party performing the cement treated base portion of the project. Jose recommended tabling the award until May 6th, 2019 to give staff the time needed to perform the review and for the bidder to supply the additional information needed.

Bids: Masonry Components - \$419,686.39; M&M Construction - \$437,896.72;
BX Civil & Construction - \$517,742.79

117-19

Alderman Collier-Wise moved to table action on the Anderson Street improvement bids until the May 6th meeting to allow time for Staff to review the qualifications statement. Alderman Humphrey seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Elm Street; Alumni Street to 300-feet South; Grading, Curb and Gutter, & Sanitary Sewer

Jose Dominguez, City Engineer, reported that in October 2018 the City Council adopted a resolution for the construction of Elm Street from Alumni Street to 246-feet south. Jose noted that the extension of Elm Street was tied to a developer's agreement with Vermillion Heights, LLC. Jose stated that Vermillion Heights, LLC petitioned in September 2018 to have the road paved and the cost assessed to them. Jose reported that bids were opened this morning with three bids received. Jose reported that the low bid was from M&M Construction for \$97,249.15 and recommended awarding the project to the low bidder.

Bids: M&M Construction - \$97,249.15; Masonry Components - \$130,505.22; BX Civil and Construction - \$171,357.10

118-19

Alderman Ward moved approval of the low bid of M&M construction of \$97,249.15 for the construction of Elm Street from Alumni Street to 300-feet south. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Sidewalk Repair Assessment for NW Quadrant

Jose Dominguez, City Engineer, reported that the City inspected sidewalks in the northwest quadrant of the City in 2017 which is the portion of the city north of National Street and west of Dakota Street. Jose stated that the inspection was for trippers, holes and spalling. Jose stated that notices were sent to the property owners of the deficiencies and also gave a deadline to have the permit filed with the city no later than the end of June 2018. Jose stated that bids were opened on April 10, 2019 with two bids received and the low bid was from M&M Construction for \$13,172.01. Jose recommended accepting the low bid.

Bid: M&M Construction - \$13,172.01; Walker Construction - \$17,291.41.

119-19

Alderman Collier-Wise moved approval of the low bid of M&M Construction for \$13,172.01 for sidewalk repairs in the NW quadrant that will be special assessed. Alderman Hellwege seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that three terms are expiring on the Human Relations Commission in May. John noted that one term is for a post-secondary student position which is a one-year term. John stated that the other two terms are for three-years. John requested that Expression of

Interest forms be returned to the City by noon on May 1st in anticipate that the City Council will make appointments at the May 6th meeting.

B. John reported that there are two terms expiring on the Library Board in May and each term is for three years. John requested that Expression of Interest forms be returned to the City by noon on May 15th in anticipate the City Council will make appointments at the May 20th meeting.

C. John reported that the Planning Commission at the their April 22nd meeting will consider a Conditional Use Permit application for placement of a Verizon telecommunications tower on the west side of Market Street between the parking lot and the National Guard building. John noted that last November the Planning Commission approved the design for the tower. John noted that the hearing date is Monday, April 22nd at 5:30 p.m. in the City Hall large conference room.

D. John reported on the upcoming street closings of Main Street for the high school mock crash demonstration on April 24th from 11:00 a.m. to 2:00 p.m. and Market Street, as it abuts the Platz, on Thursday, April 25th from 4:00 p.m. to 7:00 p.m. as part of Earth Day Thursday on the Platz.

E. John reported that the Wastewater Department was recognized last week by DENR as a recipient of the 2018 Operation and Maintenance Wastewater Treatment Award. John noted that the award is for outstanding operation of the wastewater system and environmental compliance with state surface water discharge permit.

F. John reported on the following Raffle notification:

The USD Health Science Department sold \$5 raffle tickets on April 6, 2019 with the drawing on that day for a gift basket of oils and soaps valued at \$30. John noted that the proceeds from the raffle will go to the Cystic Fibrosis Foundation.

The Knights of Columbus are selling raffle booklets for \$20 each with the winner being determined by the final score of each of the Monday NFL football scores. There will be one \$50 winner each week. Proceeds from the raffle go to charitable causes of the Knights of Columbus. 200 books sold maximum.

G. Mayor Powell introduced Eleanor Rhoads as the new USD Student Representative.

PAYROLL ADDITIONS AND CHANGES

Police: Jon Cole \$26.87/hr; Recreation: Lindsey Hale \$9.25/hr, Cassandra Evans \$12.00/hr, Madisyn Neibauer \$9.25/hr, Drew Thelen \$9.25/hr, Dylan Thelen \$9.25/hr; Pool: Camille Ysbrand \$10.00/hr, Madison Neuberger \$10.00/h; Parks: Alexander Rodriguez \$9.25/hr, Haley Nettinga \$9.25/hr; Communications: Anne Printz \$17.08/hr; Golf Clubhouse: Jackson Girard \$9.25/hr, Alexandra Carr \$9.25/hr, Hannah Davis \$9.25/hr, Tate Meyer \$9.25/hr, Willis Robertson \$9.25/hr

11. Invoices Payable

120-19

Alderman Collier-Wise moved approval of the following invoices:

AT&T Mobility	mobile hot spots	434.67
Broadcaster Press	advertising/publications	2,079.16
Brunick's Service Inc	fuel	7,803.89
Buhl's Cleaners	mat/mop svc	436.74
Bureau Of Administration	telephone	164.52
Cask & Cork	merchandise	1,285.50
Centurylink	telephone	1,583.97
Clay Rural Water System	water usage	59.50
Clay-Union Electric Corp	electricity	1,835.38
Dakota Beverage	merchandise	9,006.10
Dubois Chemicals	soda ash	42,498.10
Echo Electric Supply	supplies	630.29
Global Dist.	merchandise	282.00
Graham Tire	tires	1,713.92
Gregg Peters	managers profit	34,554.28
Hali-Brite Inc.	parts	305.08
Heartland Humane Society	professional services	250.00
John A Conkling Dist.	merchandise	3,853.45
John C. Prescott	meals reimbursement	21.00
Johnson Brothers Of SD	merchandise	9,405.39
Jones Food Center	supplies	163.35
Loren Fischer Disposal	haul cardboard	1,180.00
Matt Taggart	meals reimbursement	540.00
MidAmerican	gas usage	7,618.70
Midcontinent Communication	internet/cable service	746.57
Midwestern Mechanical, Inc	fire sprinkler system testing	325.00
Nebraska Journal-Leader	advertising	68.70
O'Reilly Auto Parts	parts	214.82
Republic National Distributing	merchandise	12,067.15
Reserve Account	postage for meter	900.00
SD Assoc. Of Code Enforcement	registration	50.00

Southern Glazer's Of SD	merchandise	1,477.64
Staples Business Credit	supplies	872.32
Stern Oil Co.	fuel	5,282.30
Sturdivant's Auto Parts	parts	240.29
The Equalizer	advertising	330.00
Titleist Drawer Cs	merchandise	961.73
United Parcel Service	shipping	31.12
Us Postmaster	postage for utility bills	1,000.00
Vermillion Ace Hardware	supplies	107.96
Vermillion Area Community Found	round-up program	277.95
Vermillion Chamber Of Commerce	funding/membership	62,850.00
Vermillion Rotary Club	dues/meals	127.75
Michael Carlson	Bright Energy Rebate	25.00

Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

121-19

Alderman Ward moved to adjourn the Council Meeting at 8:15 p.m. Alderman Sorensen seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.