

Unapproved Minutes  
Council Special Session  
June 6, 2022  
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, June 6, 2022 at 12:00 noon at the John "Jack" Powell Conference Room.

1. Roll Call

Present: Holland, Humphrey, Jennewein, Letellier (teleconference), Price

Absent: Hellwege, Mayor Collier-Wise, Ward

2. Adoption of Agenda

175-22

Council Member Jennewein moved approval of the agenda. Council Member Humphrey seconded the motion. Motion carried 5 to 0. President Holland declared the motion adopted.

3. Visitors to be Heard - None

Council Member Hellwege arrived at 12:02 p.m.

4. Introduction of Interim Vermillion Chamber and Development Company Executive Director Nancy Herridge

Nancy Herridge, Interim VCDC director, introduced herself to the Council and gave information on her background. The Council welcomed her to the position.

Mayor Collier-Wise arrived at 12:10 p.m.

5. Educational Session - Potential changes to City burn ban ordinance - Intern Jack Baustian

Jack Baustian, Administrative Intern, presented a proposed ordinance change within Chapter 92, Fire Prevention and Protection; Section 92.05 Amending A and E and adding F and G: Amending the authority of the Fire Chief or their designee in times of dry conditions. Fire Marshall Matt Taggart was also present to answer questions regarding the topic. The proposed changes would designate the Vermillion Fire Chief, or their designee, the authority to place a temporary burn ban within the City of Vermillion if Clay County were to declare one or if the National Weather Service declares a Fire Weather Watch or Red Flag Warning. Currently, if

Clay County sets a burn ban it does not have an effect within the city limits. These changes would prevent the need to call an emergency City Council meeting to issue a temporary burn ban within city limits. Jack stated that the need for this has not happened before, but in previous years there have been dry conditions and the Vermillion Fire Department and City of Vermillion would like to be prepared. Council Member Jennewein asked how to go about with a resolution if needed, and if it would need a second reading. A question presented by Council Member Hellwege was the definition of rubbish and what it currently entails, while potentially needing to add a definition.

6. Informational Session - Water Department Equipment Acquisition-Utilities Manager Shane Griese

Shane Griese, Utilities Manager, reported on the need for a mini excavator for the Water and Light Departments. Shane noted that they currently have two pieces of equipment that would work in place of the mini excavator, but the size and mobility of those pieces make it hard to get certain jobs accomplished. Shane noted that the initial payment will be split between the Water and Light Departments with the Water Department paying the equipment replacement rent going forward. The Council showed support for looking into purchasing a mini excavator.

7. Informational Session- Cherry Street banner replacement- City Manager John Prescott

John Prescott, City Manager, reported on replacing banners on Cherry Street. John noted that originally there were 30 banners with 6 different designs. John stated that to replace the banners it would cost \$5,800 in total and would be completed at the beginning of August before school started back up to give Cherry Street a facelift.

8. Briefing on the June 6, 2022 City Council Regular Meeting

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

8. Adjourn

176-22

Council Member Holland moved to adjourn the Council special session at 12:41 p.m. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of June, 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  
June 6, 2022  
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on June 6, 2022 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Price, Ward, Mayor Collier-Wise

Absent: Letellier

2. Pledge of Allegiance

3. Minutes

A. Minutes of May 16, 2022, Special Session and May 16, 2022, Regular Session

177-22

Council Member Holland moved approval of the May 16, 2022, Special Session and May 16, 2022 regular session minutes. Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

178-22

Council Member Price moved approval of the amended agenda to add New Business Items: I. Resolution for Highway 50 Drainage Project Acceptance of Work, J. Permit for consumption but not the sale of alcoholic beverages for the South Dakota Shakespeare Festival for the opening night of Othello on Thursday, June 16, 2022 from 6:00 p.m. to 10:00 p.m. at Prentis

Park Bandshell, and Consensus Agenda A. Set a public hearing date of June 17, 2022 for a special daily malt beverage and wine license for the South Dakota Shakespeare Festival event June 17th-19th at the Prentis Park Bandshell. Council Member Ward seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

## 5. Visitors to be Heard

### A. Juneteenth Freedom Day Proclamation

Council Member Hellwege read the proclamation declaring June 19, 2022 as Juneteenth Freedom Day in Vermillion to celebrate a day of remembrance, contemplation, and continuing action.

### B. LBGTQ+ Pride Month Proclamation

Council Member Price read the proclamation declaring the month of June 2022 as "LBGTQ+ Pride Month" in Vermillion and encouraged the citizens of our community to recognize the accomplishments and contributions of all citizens and visitors.

Mayor Collier-Wise spoke to the article in the Plain Talk that stated that the City is always overspending on the budget. Mayor Collier-Wise noted that City staff work hard to make sure that projects are not over budget and find ways to cut costs. Mayor Collier-Wise stated that one prime example is the Streetscape Project that was under budget.

## 6. Public Hearings

### A. Medical Cannabis Cultivation Facility license for Aardvark Alternative Medical Solutions at 828 N Crawford Road

Katie Redden, Finance Officer, reported on an application that was received for a Medical Cannabis Cultivation Facility License from Aardvark Alternative Medical Solutions at 828 N Crawford Road. The notice of hearing, application, and Police Chief's report on the applicants are included in the packet. Katie noted that the Medical Cannabis Cultivation Facility License is for one calendar year and would expire December 31, 2022.

Katie stated that the City Council has the ability to issue licenses pursuant to the SDCL Chapter 34-20G and City Ordinance 1435. Katie noted that Aardvark Alternative Medical Solutions has provided all information needed and staff have reviewed the application. Katie stated that the Medical Cannabis Cultivation Facility License will allow cultivation of medical cannabis within city limits. Katie noted that a Cannabis Cultivation Establishment is considered a conditional use in the GB

General Business District (greenhouse) and GI General Industrial District (agribusiness), which both require a conditional use permit, and this location is in a GI district. Katie noted that a conditional use permit for the location was approved at the Planning and Zoning Commission meeting on April 11, 2022.

Katie stated, as is noted in the Police Chief's report, both the DCI and FBI background checks have been received and none of the applicants have a disqualifying event on their criminal record.

Katie noted that Aardvark Alternative Medical Solutions will also have to apply for a State license and be approved before they can operate their Cultivation Facility in the State of South Dakota. Katie stated that the State requires the City to approve the license before they will consider an application for a State license.

179-22

Council Member Ward moved approval of the Medical Cannabis Cultivation Facility license for Aardvark Alternative Medical Solutions at 828 N Crawford Road. Council Member Hellwege seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

B. Retail (on-off) wine and cider license for Sodexo America LLC for the Coyote Sanford Sports Center and Dakota Dome at 1101 N Dakota Street

Katie Redden, Finance Officer reported on an application that was received for a retail on-off sale wine and cider license for Sodexo America, LLC for portions of the Sanford Coyote Sports Center and Dakota Dome located at 1101 North Dakota Street. Katie noted that the Police Chief's report, notice of hearing, USD President permission, and the diagram of sales location are included in the packet. Katie noted that the retail on-off sale wine and cider license is for the licensing period from issuance to expiration on December 31, 2022.

Katie stated that the City Council has the ability to issue a license on two criteria: suitable applicant and suitable location. Katie noted that, as to the suitable applicant, the Directors, Sarosh D. Mistry, Thomas R. Morse, and Joan Rector McGlockton, have submitted the information for the FBI background check. Katie stated that the FBI background check has not yet been received by the Police Chief. Katie noted that the Police Chief states that there is no information to preclude the issuance of the license. Katie noted that, with respect to the location criteria, there have been alcohol licenses at this location in the past. Katie noted that SD Codified Law was changed in 2018 to allow an exception for alcoholic beverage licenses to be issued to locations on a campus (see SDCL 35-2-6.1 that follows).

Katie noted that in 2019 Police Chief Betzen met with USD Athletic Director Dave Herbster and to date there have not been any reports of violations surrounding the issuance of these licenses. Katie noted that Chief Betzen outlined the following polices to be used to control the access to alcoholic beverages:

- Persons wishing to be served will be required to present identification and have a wristband put on so that servers can see who is 21 years of age or older.
- The areas where alcohol is allowed is limited to the CorTrust Club and adjacent club seating, the Dakota Dome Club, and Coyote Landing.
- Within these areas, staff will be present and will challenge anyone who is not wearing a wrist band and/or appears to be under 21 years age who possess an alcoholic beverage or consumes an alcoholic beverage.
- Alcohol sales will be limited to two drinks per transaction.
- All servers will be TIPS Certified.
- Servers will not sell to anyone who is visibly intoxicated.
- In Basketball games, alcohol sales will cease when there is 10 minutes left on the game clock. In Football games, sales will cease once the third quarter has ended. Mike recommended approval of the retail on-off sale malt beverage and wine license contingent on the controls being in place as described in the Police Chief's memo.

180-22

Council Member Price moved approval of the Retail (on-off) wine and cider license for Sodexo America LLC for portions of the Coyote Sanford Sports Center and Dakota Dome at 1101 N Dakota Street contingent upon the FBI background checks and the controls being in place as described in the Police Chief's memo. Council Member Hellwege seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

C. Retail (on-off) Malt Beverage with SD Farm Wine license for Sodexo America LLC for the Coyote Sanford Sports Center and Dakota Dome at 1101 N Dakota Street

Katie Redden, Finance Officer reported on an application that was received for a retail on-off sale malt beverage license for Sodexo America, LLC for portions of the Sanford Coyote Sports Center and Dakota Dome located at 1101 North Dakota Street. Katie noted that the Police Chief's report, notice of hearing, USD President permission, and the diagram of sales location are included in the packet. Katie noted that the retail on-off sale malt beverage license is for the licensing period from issuance to expiration on June 30, 2022.

Katie stated that the City Council has the ability to issue a license on two criteria: suitable applicant and suitable location. Katie noted that, as to the suitable applicant, the Directors, Sarosh D. Mistry, Thomas R.

Morse, and Joan Rector McGlockton, have submitted the information for the FBI background check. Katie stated that the FBI background check has not yet been received by the Police Chief. Katie noted that the Police Chief states that there is no information to preclude the issuance of the license. Katie noted that, with respect to the location criteria, there have been alcohol licenses at this location in the past. Katie noted that SD Codified Law was changed in 2018 to allow an exception for alcoholic beverage licenses to be issued to locations on a campus (see SDCL 35-2-6.1 that follows).

Katie noted that in 2019 Police Chief Betzen met with USD Athletic Director Dave Herbster and to date there have not been any reports of violations surrounding the issuance of these licenses. Katie noted that Chief Betzen outlined the following polices to be used to control the access to alcoholic beverages:

- Persons wishing to be served will be required to present identification and have a wristband put on so that servers can see who is 21 years of age or older.
- The areas where alcohol is allowed is limited to the CorTrust Club and adjacent club seating, the Dakota Dome Club, and Coyote Landing.
- Within these areas, staff will be present and will challenge anyone who is not wearing a wrist band and/or appears to be under 21 years age who possess an alcoholic beverage or consumes an alcoholic beverage.
- Alcohol sales will be limited to two drinks per transaction.
- All servers will be TIPS Certified.
- Servers will not sell to anyone who is visibly intoxicated.
- In Basketball games, alcohol sales will cease when there is 10 minutes left on the game clock. In Football games, sales will cease once the third quarter has ended. Mike recommended approval of the retail on-off sale malt beverage and wine license contingent on the controls being in place as described in the Police Chief's memo.

181-22

Council Member Price moved approval of the Retail (on-off) Malt Beverage with SD Farm Wine license for Sodexo America LLC for portions of the Coyote Sanford Sports Center and Dakota Dome at 1101 N Dakota Street contingent upon the FBI background checks and the controls being in place as described in the Police Chief's memo. Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

D. Renewal of a retail (on-off) Malt Beverage with SD Farm Wine license for Sodexo America LLC for the Coyote Sanford Sports Center and Dakota Dome at 1101 N Dakota Street.

Katie Redden, Finance Officer reported on a renewal applications that was received for a retail on-off sale malt beverage license for Sodexo America, LLC for portions of the Sanford Coyote Sports Center and Dakota Dome located at 1101 North Dakota Street. Katie noted that the Police Chief's report, notice of hearing, USD President permission, and the diagram of sales location are included in the packet. Katie noted that the retail on-off sale malt beverage license is for the licensing period from July 1, 2022 to June 30, 2023.

Katie stated that the City Council has the ability to issue a license on two criteria: suitable applicant and suitable location. Katie noted that, as to the suitable applicant, the Directors, Sarosh D. Mistry, Thomas R. Morse, and Joan Rector McGlockton, have submitted the information for the FBI background check. Katie stated that the FBI background check has not yet been received by the Police Chief. Katie noted that the Police Chief states that there is no information to preclude the issuance of the license. Katie noted that, with respect to the location criteria, there have been alcohol licenses at this location in the past. Katie noted that SD Codified Law was changed in 2018 to allow an exception for alcoholic beverage licenses to be issued to locations on a campus (see SDCL 35-2-6.1 that follows).

Katie noted that in 2019 Police Chief Betzen met with USD Athletic Director Dave Herbster and to date there have not been any reports of violations surrounding the issuance of these licenses. Katie noted Betzen outlined the following polices to be used to control the access to alcoholic beverages:

- Persons wishing to be served will be required to present identification and have a wristband put on so that servers can see who is 21 years of age or older.
- The areas where alcohol is allowed is limited to the CorTrust Club and adjacent club seating, the Dakota Dome Club, and Coyote Landing.
- Within these areas, staff will be present and will challenge anyone who is not wearing a wrist band and/or appears to be under 21 years age who possess an alcoholic beverage or consumes an alcoholic beverage.
- Alcohol sales will be limited to two drinks per transaction.
- All servers will be TIPS Certified.
- Servers will not sell to anyone who is visibly intoxicated.
- In Basketball games, alcohol sales will cease when there is 10 minutes left on the game clock. In Football games, sales will cease once the third quarter has ended. Mike recommended approval of the retail on-off sale malt beverage and wine license contingent on the controls being in place as described in the Police Chief's memo.



182-22

Council Member Holland moved approval of the Renewal of a retail (on-off) Malt Beverage with SD Farm Wine license for Sodexo America LLC for portions of the Coyote Sanford Sports Center and Dakota Dome at 1101 N Dakota Street contingent upon the FBI background checks and the controls being in place as described in the Police Chief's memo. Council Member Ward seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

E. Request for a Variance to Reduce the Off-Street Parking Requirement for the Operation of a Kennel from 39 Parking Spots to 12 Parking Spots at 1017 Cornell Street

Jose Dominguez, City Engineer, reported on Request for a Variance to Reduce the Off-Street Parking Requirement for the Operation of a Kennel from 39 Parking Spots to 12 Parking Spots at 1017 Cornell Street

Jose noted that, on May 3, 2022, the City received a Petition for Variance from Mr. Rusty Jensen (Jensen), owner of 1017 Cornell Street, with regard to reducing the off-street parking requirements for the construction and operation of a kennel.

Jose stated that City staff has advertised the meeting as required by statute and posted signs on the property.

Jose noted that the area where the kennel would be constructed is within the GB-General Business zoning district. Jose stated that kennels are allowed as a conditional use within this zoning district. Jose stated that the City's Planning and Zoning Commission (Commission) considered this conditional use at their May 9th meeting and the Commission granted the conditional use without any conditions.

Jose noted that Section 155.100 of the Zoning Ordinance gives the City Council, acting as the Board of Adjustment, the power to hear and decide variances to vary the strict application of the height, area, setback, yard, parking, or density requirements as will not be contrary to the public interest. Jose stated that, in this instance, public interest includes the interests of the public at large within the City, not just the neighboring property owners. Jose noted that the burden shall be on the applicant to prove the need for a variance.

Jose stated that the City has been regulating off-street parking since the original zoning ordinance was adopted in 1966. Jose noted that over the years the off-street parking regulations have been amended to adapt to the public's needs (safety and aesthetics). Jose stated that, since 2008, the City has been requiring that retail or service establishments provide 1 space per 300-square feet of floor area.

Jose noted that, although the request may not meet any of the criteria to be considered by the Board, Staff believes that the way the rooms are used, and the size of the rooms should be considered by the Board. Jose stated that, in this case, the building will consist of a large area to store materials, animal play spaces, and kennels (i.e. 8,248-square feet), while the rest will be an office, a breakroom and a lobby (i.e. 3,272-square feet). Jose noted that taking into consideration the actual uses of the spaces, the proposed number of off-street parking spaces is more than sufficient.

183-22

Council Member Holland moved approval of the Request for a Variance to Reduce the Off-Street Parking Requirement for the Operation of a Kennel from 39 Parking Spots to 12 Parking Spots at 1017 Cornell Street. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

## 7. Old Business

A. Second reading of Ordinance 1337 to amend Title IX, General Regulations; Chapter 93, Animals and Fowl to amend Sections 93.01 and 93.99 and add Sections 93.50 through 93.56 to include definitions, conditions, limitations and permit requirements for the keeping and housing of chickens within City limits

John Prescott, City Manager, reported on the second reading of Ordinance No. 1337. John noted that, over the course of several months during late 2015 and early 2016, proposed ordinance changes to allow for backyard chickens were developed and brought to the City Council for consideration. John stated that first reading of Ordinance No. 1337 was heard at the April 18, 2016 City Council meeting and was tabled indefinitely. John noted that this ordinance would have amended Chapter 93 of City Code to include definitions, conditions, limitations, and permit requirements related to backyard chickens. John noted that Ordinance No. 1338 was to have first reading at the May 2, 2016 City Council meeting where this ordinance was to address zoning regulations as it pertained to chicken coops as accessory buildings. John noted that given that Ordinance No. 1337 had been tabled indefinitely, the same action was taken with Ordinance No. 1338.

John noted that interest was expressed in bringing revised versions of the ordinances forward for consideration. John stated that the Policies and Procedures Committee discussed changes to the ordinances at a meeting in April 2022. John noted that the May 2, 2022 City Council agenda included a report from the Committee on proposed changes to Ordinance No. 1337 and No. 1338. John stated that the May 16, 2022 agenda included updated draft copies of the 2016 ordinances for discussion.

Several steps were taken at the May 16, 2022 meeting to remove the item from the table and make changes to the language.

John noted that, since the May 16, 2022 first reading, no changes have been made to the ordinance that were not addressed at the first reading.

John noted that a fine for violation of the ordinance and fee for the permit costs are typically adopted on the same meeting agenda when the second reading of an ordinance is held. Discussion followed on the chicken ordinance.

184-22

Second reading of title to Ordinance No. 1337 amend Title IX, General Regulations; Chapter 93, Animals and Fowl to amend sections 93.01 and 93.99 and add Sections 93.50 through 93.56 to include definitions, conditions, limitations and permit requirements for the keeping and housing of chickens within City limits for the City of Vermillion, South Dakota

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1337 entitled Amending Title IX, General Regulations; Chapter 93, Animals and Fowl to amend sections 93.01 and 93.99 and add Sections 93.50 through 93.56 to include definitions, conditions, limitations and permit requirements for the keeping and housing of chickens within City limits 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 16th day of May, 2022 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 6th day of June, 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 1337

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE IX, GENERAL REGULATIONS; CHAPTER 93, ANIMALS AND FOWL TO AMEND SECTIONS 93.01 AND 93.99 AND ADD SECTIONS 93.50 THROUGH 93.56 TO INCLUDE DEFINITIONS, CONDITIONS, LIMITATIONS AND PERMIT REQUIREMENTS FOR THE KEEPING AND HOUSING OF CHICKENS WITHIN CITY LIMITS.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that Chapter 93 be amended as set forth below:

§ 93.01 KEEPING CERTAIN ANIMALS; RESTRICTIONS.

(A) No person shall keep or maintain any livestock or fowl, except as provided in this chapter, or maintain any structure or enclosure for keeping such animals within 25 feet of any dwelling or building used for human habitation other than that of the owner of said animal or the owner's family.

(D)(8) Exception. In addition to the maximum number of pets, an individual may possess a set number of Gallus Domesticus granted via a valid permit by the Animal Control Officer under Section 93.54.

## CHICKENS

### § 93.50 DEFINITIONS.

For the purposes of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CHICKEN. A domesticated bird of the order Galliformes in the genus of Gallus that serves as a source of eggs or meat for human consumption.

COOP. The structure for the keeping or housing of chickens permitted by this chapter.

EXERCISE YARD. A larger fenced area that provides space for exercise and foraging for the birds when supervised.

HEN. A female chicken.

OFFICER. Any person designated by the City Manager as an enforcement officer.

ROOSTER. A male chicken.

RUN. A fully enclosed and covered area attached to a coop where the chickens can roam unsupervised.

### § 93.51 PURPOSE

It is the purpose and intent of this subchapter to permit the keeping and maintenance of hens for egg and meat sources in a clean and sanitary manner that is not a nuisance or detrimental to the public health, safety, and welfare of the community.

### § 93.52 INVESTIGATION AND ENFORCEMENT

Officers designated by the City Manager shall have authority in the investigation and enforcement of this subchapter, and no person shall

interfere with or hinder any such officer in the exercise of such powers. The officer shall make investigations as is necessary and may grant, deny, or refuse to renew any application for permit or terminate an existing permit under this article.

§ 93.53 LIMITATIONS FOR EACH SINGLE-FAMILY DWELLING UNIT.

(A) The keeping of chickens shall be permitted as an accessory use in conjunction with detached, owner-occupied single-family dwelling uses.

(B) No more than three (3) hens shall be housed or kept on any one detached owner-occupied single-family dwelling lot in any area of the city with a permit as outlined below. (Exception: Planned Development Districts that provide for single-family dwellings may not permit chickens unless specifically listed as a use in the regulations of the particular district.)

(1) Any person who seeks to own more than three (3) hens at a single address must first apply and be approved for a Multiple Chicken Permit by the City's Animal Control Officer

(2) Multiple Chicken Permits are issued at the discretion of the Animal Control Officer. Single addresses shall not be permitted to possess more than five (5) hens within the City of Vermillion.

(3) Multiple Chicken Permits will be issued to be valid for a period of one (1) year from the date of issuance. Permit holders shall maintain their permit and display it to the Animal Control Officer upon request.

(C) Roosters are prohibited.

(D) Slaughtering of chickens on the property is permitted. Owners may slaughter chickens for the purpose of personal consumption on their property in areas not visible from the public right-of-way.

(E) Leg-banding of all chickens is required. The bands must identify the owner and the owner's address and telephone number.

(F) A separate coop is required to house the chickens. Coops must be constructed and maintained to meet the following minimum standards:

(1) Located in the rear or side yard.

(2) Setback at least five feet from the rear or side property lines.

(3) Rodent proof - coop construction and materials must be adequate to prevent access by rodents.

(4) Coops shall be constructed and maintained in a workmanlike manner.

(5) Any structure or enclosure for keeping such animals may not be closer than 25 feet of any dwelling or building used for human habitation other than that of the owner of said animal or the owner's family

(G) A run or exercise yard is required.

(1) Runs must be constructed and maintained to meet the following minimum standards:

(a) Location: rear or side yard at least five feet from the rear or side property lines.

(b) Size: No less than sixteen square feet must be provided.

(c) Cover: Adequate to keep hens in and predators out.

(2) Exercise yards must be fenced.

(H) Chickens must not be housed in a residential dwelling or an attached or detached garage.

(I) All premises on which hens are kept or maintained shall be kept clean from filth, garbage, and any substances which attract rodents. The coop and its surrounding must be cleaned frequently enough to control odor. Manure shall not be allowed to accumulate in a way that causes an unsanitary condition or causes odors detectible on another property.

(J) All grain and food stored for the use of the hens on a premise with a chicken permit shall be kept in a rodent-proof container.

(K) Hens shall not be kept in such a manner as to constitute a nuisance to the occupants of adjacent property.

(L) Dead chickens must be disposed of according to the South Dakota Animal Industry Board rules which require chicken carcasses to be disposed of as soon as possible after death, usually within 48 to 72 hours. Legal forms of chicken carcass disposal include off-site burial, off-site incineration or rendering.

(M) Failure to comply with these conditions may result in revocation of a chicken permit and/or removal of chickens from the premises.

§ 93.54 PERMIT REQUIRED.

It is unlawful for any property owner to maintain chickens within the city without first obtaining and possessing a valid registration permit.

§ 93.55 APPLICATION.

Any person desiring a permit required under the provisions of this article shall make written application to the city upon a form prescribed by and containing such information as required by the city and officer. Among other things, the application shall contain the following information:

(A) A description of the real property upon which it is desired to keep the chickens.

(B) The number of chickens to be maintained on the premises.

(C) A site plan of the property showing the location and size of the proposed chicken coop and run, setbacks from the chicken coop to property lines and surrounding buildings (including houses and buildings on adjacent lots), and the location, style, and height of fencing proposed to contain the chickens in a run or exercise area. Portable coops and cages are allowed, but portable locations must be included with the site plan.

(D) Statements that the applicant will at all times keep the chickens in accordance with all of the conditions prescribed by the officer, or modification thereof, and that failure to obey such conditions will constitute a violation of the provisions of this article and grounds for cancellation of the permit.

(E) Such other and further information as may be required by the officer.

§ 93.56 PERMIT CONDITIONS; REVOCATION; FEES.

No person shall (without first obtaining a permit in writing from the City) own, keep, harbor, or have custody of any live chicken. If granted, the permit shall be issued by the City and officer and shall state the conditions, if any, imposed upon the permittee for the keeping of chickens under this permit. The permit shall specify the restrictions, limitations, conditions, and prohibitions which the officer deems reasonably necessary to protect any person or neighboring use from unsanitary conditions, unreasonable noise or odors, or annoyance, or to promote the public health and safety. Such permit may be modified from time to time or revoked for failure to conform to such restrictions,

limitations, prohibitions. Such modification or revocation shall be effective after ten days following the mailing of written notice thereof by certified mail to the person or persons keeping or maintaining such chickens.

(A) The City Manager or designee may revoke any permit issued under this article if the person holding the permit refuses or fails to comply with this subchapter, with any regulations promulgated by the City Council pursuant to this subchapter, or with any state or local law governing cruelty to animals or the keeping of animals. Any person whose permit is revoked shall, within ten days thereafter, humanely dispose of all chickens being owned, kept, or harbored by such person, and no part of the permit fee shall be refunded.

(B) Coops, runs, and other fenced areas that go unutilized for a period of one (1) year shall be deemed a nuisance and shall be removed by the owner at the owner's expense.

(C) The permit period under this section shall expire one (1) year from the date the permit is issued.

(D) For each residential site, the fee for a permit may be imposed, set, established, and fixed by resolution of the City Council.

§ 93.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to \$10.99.

(B) Any person violating the provisions of §§ 93.20 et seq. shall, upon conviction, be fined an amount adopted by resolution for each offense and shall be fined an additional amount beyond the amount fined in the previous offense for each subsequent offense provided the offenses shall have occurred within a period of 12 consecutive months from the date of the first offense.

(C) Any person violating the provisions of §§ 93.50 et seq. shall, upon conviction, be fined an amount adopted by resolution for each offense, and shall be fined an additional amount beyond the amount fined in the previous offense for each subsequent offense provided the offenses shall have occurred within a period of 12 consecutive months from the date of the first offense.

Dated at Vermillion, South Dakota this 6th day of June, 2022



THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA  
BY \_\_\_\_\_

Kelsey Collier-Wise, Mayor

ATTEST:

BY \_\_\_\_\_

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, Ward-Y, Mayor Collier-Wise-Y.

B. Second reading of Ordinance 1464 Amending Title XV, Land Usage; Chapter 155, Zoning Regulations; Section 155.026 to Rezone Parts of Land Adjacent to the Railroad in Lower Vermillion Adjacent to West Street, Chestnut Street, Broadway Street, Amber Street, 12th Street, Luxemburg Street, Austin Street, and Bloomingdale Street from the GI - General Industrial District to the LI - Light Industrial District. (Item was tabled until this agenda at the May 2, 2022 meeting)

Jose Dominguez, City Engineer, reported on the second reading of Ordinance No. 1464. Jose stated that a LI-Light Industrial Zoning District was created earlier this year. This district is intended to be a "lighter industrial" district that would also eliminate the rear yard setback requirements when adjacent to the railroad right-of-way.

Jose stated that this item's first reading was on April 18th and the second reading occurred on May 2nd. At the second reading, the Council tabled the item to allow Staff to further notify the affected and neighboring properties. Staff mailed letters to each individual property owner within the area to be rezoned and to all owners within 250-feet of the area being considered. Additionally, staff placed notices on the periphery of the area to be rezoned. In total, staff mailed letters to 166 properties and discussed the item with 36 owners. The city also received one letter from BNSF regarding the rezone of their property.

Jose noted that the area being considered adjoins the railroad and is sandwiched between two residential districts. Rezoning this area to LI would allow for the similar uses as the prior zoning district; however, the residential neighbors would have an opportunity to comment on some of the uses. Additionally, it would remove any setback requirements for rear yards when abutting a railroad right-of-way.

Jose presented that the Council consider the rezoning of the area from GI-General Industrial to LI-Light Industrial. Staff recommends that the area be rezoned to LI=Light Industrial.

Kevin Myron, 715 Brooks Drive, stated that he owns property in the re-zoned area with the major one being 611 W Broadway. Kevin noted that he has received 24 statements from individuals living in the area that are opposed to this rezone. Kevin noted that he has problems with this rezone due to having to do a conditional use permit. Kevin stated that after one year of a business being idle, with no business, the conditional use permit would expire. Kevin noted that he is unsure if you can have two conditional use permits in one area.

Kris O'Connor, 409 W Chestnut, asked who was the individual that requested this rezone.

Jose stated that after a landowner in the area asked for a variance of zero feet from the Railroad set back the City Council advised staff to address the issue so it would be easier for land owners to utilize all of their land in the future.

Kris stated that there are more people against this rezone than for it.

Nick Heine, 506 Bulow, thanked the Council for allowing him to speak at this meeting. Nick stated that he has a problem with the rezone and he is scared that going from the General Industrial to Light Industrial will limit his hours of operation. Nick stated that he recently purchased property from Myrons that is located in this area and only uses it for a few months out of the year due to harvest.

Don Forseth, 8 N Yale, noted that he is one of the largest owners in this area and he thinks this is a good idea to allow the rezone. Don stated that he is also on the Planning and Zoning Committee in which they have never talked about restricting hours of operations. Don noted that this gives citizens a voice if they want something to go in the area or not.

Larry Boomgaarden, 217 W Bloomingdale, stated that he never received notice of this at first but got notification from a neighbor. Larry stated that he did receive a letter later on. Larry stated that this is the original town and there are not many new houses down there. Larry stated that with the rail and truck route it would not be a good place for new residents.

John Prescott read a letter received from BNSF Railroad that was not in favor of the rezone.

Mayor Collier-Wise noted that, at the noon meeting there was discussion on what is currently allowed in the General Industrial is still allowed in the Light Industrial zoning. Mayor Collier-Wise noted that, if you currently have a use and it becomes a conditional use, the owner would not have to apply for a conditional use permit. Mayor Collier-Wise noted that if a new business would want to come into this area they would need to apply for a conditional use permit if applicable.

Council Member Ward asked if anything will become nonconforming or change with this rezone.

Jose noted that a few industries changed from allowable use to conditional use, but as far as he knows, there are no nonconforming uses there as of now.

Council Member Jennewein asked that if someone wanted to have two conditional use permits on one business would that be allowed.

Jose noted that it has never been done before, but it would possibly be allowed. Jose noted that it would have to go through the process just like all other conditional uses.

Council Member Hellwege asked that if a current business, as of today, were to sell to someone else and continue the use, would the new owner have to apply for a conditional use permit.

Jose stated no, the conditional use stays with the land not with the owner. Jose stated they would only need to do a conditional use permit if they were changing the business.

Discussion followed on how conditional uses, current owners, and future owners of current businesses in the new zoning area.

185-22

Second reading of title to Ordinance No. 1464 Amending Title XV, Land Usage; Chapter 155, Zoning Regulations; Section 155.026 to Rezone Parts of Land Adjacent to the Railroad in Lower Vermillion Adjacent to West Street, Chestnut Street, Broadway Street, Amber Street, 12th Street, Luxemburg Street, Austin Street, and Bloomingdale Street from the GI - General Industrial District to the LI - Light Industrial District for the City of Vermillion, South Dakota

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1464 entitled Amending Title XV, Land Usage; Chapter 155, Zoning Regulations; Section 155.026 to Rezone Parts

of Land Adjacent to the Railroad in Lower Vermillion Adjacent to West Street, Chestnut Street, Broadway Street, Amber Street, 12th Street, Luxemburg Street, Austin Street, and Bloomingdale Street from the GI - General Industrial District to the LI - Light Industrial District 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 April, 2022 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 6th day of June, 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 1464

AN ORDINANCE AMENDING city of vermillion code of ordinances title xv land usage; CHAPTER 155, zoning REGULATIONS; SECTION 155.026 ENTITLED ADOPTION OF OFFICIAL ZONING MAP, REZONING Lots 3A, 3B, 4A, 5, 6, 7 and Vacated Alley Adjacent to Lots 5, 6, and 7, Block 11; Blocks 5, 6, 9, 10, 19, 20, 21, 30, 31, and 32, Van Meter's Addition, City of Vermillion, Clay County, South Dakota; AND FERTILIZER TRACT 1 IN THE PART OF LOTS 1, 2, 3, 4, 5, 6, AND 7, BLOCK 21, LYING SOUTH OF THE RIGHT OF WAY OF THE CHICAGO, MILWAUKEE, ST. PAUL AND PACIFIC RAILROAD COMPANY, AND LOTS 1, 2, AND 3, BLOCK 5, VAN METER'S ADDITION, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA; and, Lots 3 through 14, and East Half of Vacated Luxemburg Adjacent to Lots 3, 4, 5 & 6, Block 20; Lots 1A, 1B, 2A and 2B, Block 18; Lots 1, 2 & 14, and North 9 feet of Lot 3, Block 17; All of Block 16, Including Lot 3A, Block 16; Lot 1 and the North 24 feet of Lot 2, and North 66 feet of Lots 11, 12, and 13, Block 8; and Blocks 15 and 19, Original Town, City of Vermillion, Clay County, South Dakota FROM the GI GENERAL INDUSTRIAL District to the LI LIGHT INDUSTRIAL District.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the Code of Ordinances Section 155.026, Adoption of Official Zoning Map, be amended as follows:

Lots 3A, 3B, 4A, 5, 6, 7 and Vacated Alley Adjacent to Lots 5, 6, and 7, Block 11; Blocks 5, 6, 9, 10, 19, 20, 21, 30, 31, and 32, Van Meter's Addition, City of Vermillion, Clay County, South Dakota; and Fertilizer Tract 1 in the Part of Lots 1, 2, 3, 4, 5, 6, and 7, Block 21, Lying South of the Right of Way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company, and Lots 1, 2 and 3, Block 5, Van Meter's Addition, City of Vermillion, Clay County, South Dakota; and Lots 3 through 14, and East Half of Vacated Luxemburg Adjacent to Lots 3, 4, 5 & 6, Block 20; Lots 1A, 1B, 2A, and 2B, Block 18; Lots 1, 2 & 14, and North 9 Feet of Lot 3, Block 17; All of Block 16, Including Lot 3A, Block 16; Lot 1

and the North 24 Feet of Lot 2, and North 66 Feet of Lots 11, 12, and 13, Block 8, and Blocks 15 and 19, Original Town, City of Vermillion, Clay County, South Dakota be hereby excluded from the GI General Industrial District and included into the LI Light Industrial District.

Dated at Vermillion, South Dakota this 6th day of June 2022.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

BY \_\_\_\_\_  
Kelsey Collier-Wise, Mayor

ATTEST:

BY \_\_\_\_\_  
Katie E. Redden, Finance Officer

Adoption of the Ordinance was seconded by Council Member Holland. 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-N, Jennewein-Y, Ward-Y, Price-Y, Mayor Collier-Wise-Y.

8. New Business

A. Midco annual report on cable television franchise

Brian McFadden, Midco General Manager Field Operations, gave a recap of 2021 operations in customer service, reviewed the number of employees in the local response team and reviewed performance response times. Brian answered questions of the City Council.

186-22

Council Member Ward moved to acknowledge receipt of the Midco report. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

B. Request to amend Thursday on the Platz street closures on July 7, 14, 21, 28 and August 4,11,18 and 25, 2022 to include Prospect Street from W. Main Street north and Market Street as it abuts Ratingen Platz

Stone Conley, Assistant to the City Manager, reported on an amended street closure for the VCDC Thursdays on the Platz events. Stone noted at the February 7, 2022 meeting, the City Council approved the Vermillion Area Chamber and Development Company's (VCDC) original street closure request for their Thursdays on the Platz events taking place in July and August 2022. Stone noted that on May 5, 2022, Staff met with a VCDC representative who was concerned about the size of the street closure and requested a larger area for the event. Stone noted that Staff and

the representative developed a proposal for consideration by the City Council that entails a larger closure to better accommodate the event.

Stone stated that the VCDC has requested the amended closure of Main Street from the east line of the intersection with Prospect Street west through Ratingen Platz, Prospect Street north from Main Street to the CorTrust Bank driveway, 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 stated that the amended street closure request application and diagram are attached. Stone noted that the Street, Police, Fire, and EMS Departments have been notified of the amended street closure request and did not have any concerns. Stone noted that cleanup will be handled by VCDC Staff.

187-22

Council Member Ward moved approval of the Request to amend Thursday on the Platz street closures on or about July 7, 14, 21, 28 and August 4, 11, 18 and 25, 2022 to include Prospect Street from W. Main Street north and Market Street as it abuts Ratingen Platz. Council Member Hellwege seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

C. Resolution to establish a fee for a permit to have chickens within city limits and set penalties for violations of the ordinance provisions.

Kalin Bird, Building Official, reported on a resolution to establish fees for a permit to have chickens within city limits. Kalin noted that the City Council is allowed to establish rates and fees for City services provided to our community. Kalin stated that the first reading of Ordinance No. 1337 was approved by the City Council at the May 16, 2022 regular meeting. Kalin noted that this allowed for citizens to possess chickens within their backyard within City limits.

Kalin noted that Ordinance No. 1337 amended Chapter 93 of City Code and created section 93.56 which allows for permit fees to be established for the keeping of Gallus Domesticus (Backyard Chickens). Kalin stated that it also added 93.99 allowing for the enforcement of penalties and creation of fines for backyard chickens. Kalin noted that on the agenda with the second reading of an ordinance is typically when the City will adopt a fee schedule set by resolution.

Kalin noted that citizens may apply for a permit to own three (3) chickens within city limits and for each additional chicken, up to five (5) maximum, a citizen must apply and possess a permitted addition. Kalin noted that City staff has developed the following proposed fee schedule

for Backyard Chickens: Fees: Permit fee for up to three (3) chickens - \$30.00, Permitted Addition (additional bird(s) after three chickens) - \$20.00

Fines: Unapproved Structure or Housing \$50.00, Over Permitted Possession limit \$50.00, Failure to Band \$20.00, and Possession of Rooster \$50.00

188-22

After reading the same once, Council Member Hellwege moved adoption of the following:

RESOLUTION AUTHORIZING PERMIT  
FEES AND FINES RELATED TO CHICKEN OWNERSHIP

WHEREAS, the City Council establishes rates and fees for City services; and

WHEREAS, Section 93.54 of the Vermillion City Code requires for applicant to obtain a permit, and 93.56 provides the allowance to establish fees to be processed regarding Chicken ownership; and

WHEREAS, Section 93.99 of the Vermillion City Code allows for the City to establish and enforce fines for penalties or offenses; and

WHEREAS, the City Council has not before created a fine or fee schedule for this City program; and

WHEREAS, all applicants must follow the requirements set in sections 93.54, 93.55, 93.56, and 93.99 in the Vermillion City Code; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of City Hall at 7:00 p.m. on the 6th day of June 2022, that fee and fine rates be adopted as follows:

Fees:

Permit fee for up to three (3) chickens:	\$30.00
Permitted Addition (additional bird(s) after three chickens):	\$20.00

Fines:

Non-Approved Structure/Housing	\$50.00
Over Chicken Possession Limit	\$50.00
Failure to Band Chickens	\$20.00
Possession of Rooster	\$50.00

Dated at Vermillion, South Dakota, this 6th day of June 2022.

THE GOVERNING BODY OF THE CITY OF  
VERMILLION, SOUTH DAKOTA

By: \_\_\_\_\_  
Kelsey Collier-Wise, Mayor

Attest:

By: \_\_\_\_\_  
Katie E. Redden, Finance Officer

The motion was seconded by Council Member Ward. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Collier-Wise declared that the Resolution was adopted.

D. First reading of Ordinance 1338 to amend Title XV Land Usage; Chapter 155 Zoning Regulations to include Chicken Coops as an accessory structure

Kalin Bird, Building Official, reported on the First reading of Ordinance No. 1338 to amend Title XV Land Usage; Chapter 155 Zoning Regulations to include Chicken Coops as an accessory structure. Kalin noted that the City Council, at the May 16, 2022 meeting, removed Ordinance No. 1338 from the table so the Planning and Zoning Commission (Commission) could reconsider it at their May 23rd meeting. Kalin noted that the City Council asked that the Commission review and make a recommendation regarding the proposed ordinance language that the Policies and Procedures Committee drafted.

Kalin stated that Ordinance No. 1338 was tabled indefinitely by the City Council at their May 2, 2016 meeting and due to renewed interest, the City's Policies and Procedures Committee reviewed Ordinance No. 1338 and No. 1337 and asked the City Council to remove the items from the table so that the items could be reconsidered. Kalin noted that these ordinances would amend Chapter 93 to include definitions, conditions, limitations, and permit requirements related to backyard chickens.

Kalin stated that this item was considered by the Commission at their May 23, 2022 meeting and the Commission made a motion to adopt the amendment as presented by Staff, but this motion failed 3-4. Kalin noted that the Commission was concerned with the compatibility and appropriateness of keeping animals generally associated with farms in City limits. Kalin noted that the Commission was concerned with possible negative impacts of keeping chickens on property values. Kalin stated that the Commission questioned how the amendment may affect Code Enforcement staff (i.e., loose animals, housing of caught animals, number of permitted accessory structures, etc.).

Kalin noted that the ordinance as proposed by the Policies and Procedures Committee (Committee) proposes to add a definition to "Chicken Coop" and



specifies when a chicken coop will be considered an accessory structure. Kalin stated that based on the ordinance, chicken coops will be considered an accessory structure when they are 120-square feet or larger. Kalin noted that having a minimum area does not exclude a smaller chicken coop from being constructed.

Kalin stated that besides the language being proposed by the Committee, Staff also propose adding a definition for a "Chicken Run" and for an "Exercise Yard." Kalin noted that the definition for these terms will be like those in Ordinance No. 1337. Discussion followed on if a chicken run would be included in the 120-square feet with Kalin stating that it would. Kalin noted that if the chicken run along with the building are larger than 120-square feet they would need to follow this ordinance.

189-22

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. 1338 to amend Title XV Land Usage; Chapter 155 Zoning Regulations to include Chicken Coops as an accessory structure 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 6th day of June, 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 Jennewein. After discussion the question of adoption of the Resolution was put to a vote of the Governing Body and 7 members voted in favor of and 0 members voted in opposition to the motion. Mayor Collier-Wise declared the motion adopted.

E. Request to amend the size of lots 13 and 36 in Suburban Mobile Home Park at 833 E. Duke Street.

Kalin Bird, Building Official, reported on a request to amend the size of Lots 13 and 36 in Suburban Mobile Home Park at 833 E Duke Street. Kalin noted that, on May 17, 2022, Suburban Mobile Home Park located at 833 E. Duke Street submitted a request to alter the dimensions of two lots located within the park. Kalin stated that Suburban Mobile Home consists of 110 lots for homes ranging in size from 12' x 42' to 18' x 76'.

Kalin noted that the dimensions of all mobile home lots are set by the City Council. Kalin stated that, since the adoption of Ordinance No. 580 in September 1972, when an application is made for a mobile home license, a plan of construction was to be submitted. Kalin noted that, because of

this, the lot dimensions are set when the mobile home park is established and licensed. Kalin stated that this ensures that individual homes are placed correctly and that setback requirements are met. Kalin stated that the minimum setback requirements are included in Title XV, Land Usage; Chapter 151, Mobile Home Parks in the City of Vermillion Code of Ordinances. Kalin noted that a minimum of 20 feet is required between all mobile homes in the rear and/or side yards. Kalin noted that it is also required to be 10 feet from any private road, and 30 feet from dedicated roadways. Kalin stated that Suburban MHP would like to alter the map for the lot dimensions of Lots 13 and 36 to allow for a larger home to be placed on Lot 36, while decreasing the allowable home size on Lot 13. Lots 13 and 36 each currently allow for a home of up to 18' x 72'. Kalin noted that the proposal is for the allowable home size for Lot 13 to be reduced to 18' x 68' and for a home on Lot 36 to increase to 18' x 76'.

190-22

Council Member Holland moved approval of the Request to amend the size of Lots 13 and 36 in Suburban Mobile Home Park at 833 E. Duke Street. Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

F. Business Improvement District #2 Board member appointment

Mayor Collier-Wise reported on an open position for the Business Improvement District #2 Board. Mayor Collier-Wise noted there was one open position and one application from Michelle Maloney was turned in. Mayor Collier-Wise recommended Michelle Maloney for the three year term on the Business Improvement District #2 Board.

190-22

Council Member Humphrey moved approval of appointing Michelle Maloney to the three-year term on the Business Improvement District #2. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

G. Agreement with M.L. Dennis Consulting for Work Needed to place 404 Cottage (Brookman House) on the Historic Registry.

Stone Conley, Assistant to the City Manager, reported on an agreement for a consultant for work needed to place 404 Cottage on the Historic Registry. Stone noted that, at the May 4, 2022 regular meeting, the City's Historic Preservation Commission (HPC) expressed interest in nominating 404 Cottage, also known as the Brookman House, to the National Register of Historic Places.

Stone noted that the nomination process would require assistance from a professional due to the requirements. Stone stated that one requirement

is a formally written nomination for the property that includes detailed historical information.

Stone noted that, at the June 6, 2022 meeting, the HPC voted 5-0 to recommend the hiring of Michelle Dennis of M.L. Dennis Consulting for work needed to have 404 Cottage placed on the National Register of Historic Places.

Stone stated that Dennis has experience within this field and has assisted the HPC on other survey and historical work. Stone noted that the cost of this project would be \$5,000 with 40% or \$2,000 being due on July 15, 2022 and the remaining 60% or \$3,000 upon completion on May 31, 2023.

191-22

Council Member Holland moved approval of the agreement with M.L. Dennis Consulting for Work Needed to place 404 Cottage (Brookman House) on the Historic Registry. Council Member Jennewein seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

H. Request by the South Dakota Shakespeare Festival to close Main Street from Plum Street to Walker Street on June 16, 17, 18 and 19, 2022 from 6:45 p.m. to 10:00 p.m.

Jack Baustian, Administrative Intern, reported on a street closure for the South Dakota Shakespeare Festival. Jack noted that representatives for the South Dakota Shakespeare Festival have submitted a request to close E. Main Street from Plum Street to Walker Street on Thursday-Sunday, June 16-19, 2022, from 6:45 p.m. to 10:00 p.m.

Jack noted that the E. Main Street closing request will provide event attendees safe accessibility to Prentis Park for the performances. Jack noted that the Shakespeare Festival would like to block parking on the north side of E. Main Street between Walker and Plum during the festival to facilitate the rehearsal and performances and provide for backstage equipment related to the performance. Jack stated that the Street Department has verified and will drop off the "No Parking" signs on Monday morning of that week so they can be placed along the parking area. Jack noted that this is a requirement so that vehicles do not park or drive off during the performance. Jack stated that the request also notes the use of volunteers to stand by the barricades during the performances to quickly move them in the event emergency vehicles need to access the hospital.

Jack noted that no residential access will be directly affected due to the street closure. Jack stated that the South Dakota Shakespeare Festival will provide clean-up throughout the day and security teams will

conduct the clean-up nightly following rehearsals and performances. Jack noted that the Fire/EMS, Police, and Street Departments have reviewed the closure and have no concerns. Jack stated that this request is the same as the previous several years.

192-22

Council Member Price moved approval of the request by the South Dakota Shakespeare Festival to close Main Street from Plum Street to Walker Street on June 16, 17, 18 and 19, 2022 from 6:45 p.m. to 10:00 p.m. Council Member Ward seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

#### I. Resolution for Highway 50 Drainage Project Acceptance of Work

Jack Baustian, Administrative Intern, reported on Resolution for Highway 50 Drainage Project Acceptance of Work. Jack noted that, in 2021, the City worked with the State to include drainage improvement as part of the DOT Highway 50 reconstruction project. Jack stated that, to fund the Highway 50 stormwater improvements, the City applied for a Community Development Block Grant (\$770,000) and a State Revolving Loan (\$500,000). Jack noted that the State Revolving Loan (SRF) will be paid back over 20 years at 2% interest. Jack noted that other funding to make the project happen came from the SDDOT, CARES Act, and City Stormwater Fund reserves. Jack noted that SECOG assisted the City with the CDBG Grant and SRF Loan applications. Jack stated that, in March 2021, Midland Contracting, Inc. of Huron was awarded the bid and the work began in May 2021 and the City portion of the work included constructing a storm sewer along the south ditch of South Dakota Highway 50 from Dakota Street to Over Drive.

Jack noted that final payment has been made. Jack stated that a requirement of the CDBG grant is to have the governing body adopt a resolution accepting the work. SEH Inc., the Project Engineer, has determined that the project work has been completed. Jack noted that a resolution has been provided by SECOG for City Council consideration. Jack stated that City Staff will continue to work with SECOG to close out the CDBG and SRF loan for the project.

193-22

After reading the same once, Council Member Humphrey moved adoption of the following:

#### RESOLUTION ACCEPTING WORK OF HIGHWAY 50 DRAINAGE COMPLETED PROJECT

WHEREAS, the City has received a Community Development Block Grant 2020-106 from the Governor's Office of Economic Development, for the Highway 50 Drainage Project; and

WHEREAS, the contractor has completed the project and final payment is being processed; and

WHEREAS, the Project Engineer, SEH Inc., has reviewed the work completed by the Contractor, Midland Contracting Inc., and has determined the work has been completed in accordance with the plans and specifications; and

WHEREAS, the project has been completed to the satisfaction of the City Council.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the work on the Highway 50 drainage project has been accepted as complete.

Dated at Vermillion, South Dakota this 6th day of June, 2022.

THE GOVERNING BODY OF THE CITY OF  
VERMILLION, SOUTH DAKOTA

By: \_\_\_\_\_  
Kelsey Collier-Wise, Mayor

Attest:

By: \_\_\_\_\_  
Katie E. Redden, Finance Officer

The motion was seconded by Council Member Jennewein. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Collier-Wise declared that the Resolution was adopted.

J. Permit for consumption but not the sale of alcoholic beverages for the South Dakota Shakespeare Festival for the opening night of Othello on Thursday, June 16, 2022 from 6:00 p.m. to 10:00 p.m. at Prentis Park Bandshell

Katie Redden, Finance Officer, reported that Brian Smallwood, on behalf of the South Dakota Shakespeare Festival, has requested a permit to consume alcoholic beverages on public property at the opening night of Othello at the Prentis Park band shell. Katie noted that the event will be on Thursday, June 16th from 6:00 p.m. to 10:00 p.m. at the Prentis Park bandshell. Katie noted that the City Council may permit the consumption, but not the sale, of alcoholic beverages on property owned by the public in which this is city property.

194-22

Council Member Ward moved approval of the Permit for consumption but not the sale of alcoholic beverages for the South Dakota Shakespeare Festival

for the opening night of Othello on Thursday, June 16, 2022 from 6:00 p.m. to 10:00 p.m. at Prentis Park Bandshell. Council Member Hellwege seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

## 9. Bid Openings

### A. Fuel Quotes

Katie Redden, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil Service on Items 1, 2, 3 & 4.

Item 1 - 4,350 gal unleaded 10% ethanol: Brunick Service \$4.90, Stern Oil \$4.2874; Item 2 - 1,000 gal unleaded regular: Brunick Service \$5.45, Stern Oil \$4.8435; Item 3 - 3,000 gal No. 2 Diesel fuel dyed: Brunick Service \$4.94, Stern Oil \$4.6930; Item 4 - 1,000 gal No. 2 diesel fuel-clear: Brunick Service \$5.45, Stern Oil \$4.9895.

195-22

Council Member Price moved approval of the low quote of Stern Oil on Items 1, 2, 3 & 4. Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

## 10. City Manager's Report

A. John reported that the next City Council meeting on June 20th includes a hearing on the special assessment roll for the Downtown Streetscape Project.

B. John reported that there is a Joint Powers Board meeting on June 16th at City Hall at 5:30 p.m.

C. John noted that the Landfill and Recycling Center are open the 2nd and 4th Saturdays of the month. The Landfill will be open 8:00 a.m. to noon and the Recycling Center from 9:00 a.m. to noon this Saturday, June 11th and again on June 25th.

D. John noted that there are two terms available on the Vermillion Housing Authority Board. One is for a 5-year term. The other term is a one-year term due to a resignation. This seat is reserved for a program participant. Expression of Interest forms for the 3-year term are due by noon on Thursday, June 30th. Appointments are at the July 5th meeting.

E. John stated that there are four terms on the Planning and Zoning Commission expiring at the end of June. The terms are for 5 years.

Expression of Interest forms are due by noon on Thursday, June 30th. Appointments will be at the July 5th meeting.

F. John noted that the joint meeting of the Clay County Commission and City Council to have a public hearing on the rezoning of 1919 W. Cherry Street from AG - Agriculture to LI Light Industrial has been set for Tuesday, July 5, 2022 at 5:00 p.m. in the Council Chambers.

G. John noted a Special meeting of the City Council on Tuesday, June 14th at 1:00 p.m. to canvas election results and June 17th for a Special daily malt beverage and wine license.

PAYROLL ADDITIONS AND CHANGES

General: Paige Schroeder \$10.00/hr; Recreation: Chandler Cleveland \$30.00/game, Isabelle Newcombe \$10.00/hr, Teja Torrez \$13.00/hr, Jake Goblirsch \$11.25/hr, Nate Robertson \$11.25/hr, Jake Jensen \$30.00/game, Willis Robertson \$11.25/hr, Drew Thelen \$11.25/hr, Dylan Thelen \$11.25/hr, Mark Taggart \$30.00/game, Makayla Tsagalis \$10.00/hr; Pool: Emma Bohnsack \$13.50/hr, Olivia Granaas \$13.00/hr, Benjamin Kerby \$13.00/hr, Lucas Kerby \$13.00/hr, Clayton Denker \$13.00/hr, Lauren Haberman \$13.00/hr, Grant Brouwer \$13.00/hr, Christian Fossum \$13.00/hr, Annika Granaas \$13.00/hr, Zane Parry \$13.00/hr, Diedra Marrison \$13.00/hr; Library: Prairie Hanson \$12.67/hr; Clubhouse: Claire Kurtz \$10.00/hr, Jackson Lee \$10.00/hr, Peyton Stolle \$10.00/hr; Communications: Jenna Jones \$19.95/hr

11. Invoices Payable

196-22

Council Member Price moved approval of the following invoices:

ACCENT WIRE - TIE	SUPPLIES	304.68
ACCURATE BUILDERS	REPAIRS	917.50
ACTION BATTERY WHOLESALERS	MAINTENANCE	8,322.00
ALLAINA HOWARD	MEALS REIMBURSEMENT	104.00
AMAZON BUSINESS	SUPPLIES	1,628.47
ANDREW WICKRE	OPERATOR EXAM REIMBURSEMENT	60.00
ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	375.60
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	6,316.66
BASIN ELECTRIC POWER COOP	REPAIRS	179.39
BILL BROWN	MOWING	540.00
BLACKSTONE PUBLISHING	BOOKS	158.19
BOUND TREE MEDICAL, LLC	SUPPLIES	1,796.24
BUILDING MAINTENANCE COMPANY	MOWING/JUNK/DEBRIS REMOVAL	765.99
BUTLER MACHINERY CO.	PARTS	681.05

C & B OPERATIONS, LLC	PARTS	249.18
CALLAWAY GOLF	MERCHANDISE	1,917.17
CAPITAL ONE	SUPPLIES	1,919.08
CASK & CORK	MERCHANDISE	446.46
CENGAGE LEARNING INC/GALE	BOOKS	96.56
CERTIFIED LABORATORIES	SUPPLIES	953.34
CHARGEPOINT	SOFTWARE RENEWAL	2,640.00
CITY OF VERMILLION	COPIES	335.26
CITY OF VERMILLION	UTILITY BILL	35,058.78
CNA SURETY DIRECT BILL	NOTARY PUBLIC	50.00
COLONIAL LIFE ACC INS.	INSURANCE	3,605.99
CORE & MAIN LP	PARTS	9,657.46
CORTRUST BANK	TIF #6 & #7 PAYMENTS	42,387.54
CUTTER & BUCK	MERCHANDISE	1,772.61
DAKOTA BEVERAGE	MERCHANDISE	8,520.56
DAKOTA HOSPITAL FOUNDATION	TIF #6 & #7 PAYMENTS	42,387.54
DAKOTA PC WAREHOUSE	REPAIRS	268.94
DAKOTA PUMP INCORP	REPAIRS	1,096.94
DELTA DENTAL PLAN	INSURANCE	6,243.48
DENNIS MARTENS	MAINTENANCE	833.34
DGR ENGINEERING	PROFESSIONAL SERVICES	13,315.40
DIVISION OF MOTOR VEHICLE	TITLE/PLATES	15.00
DUBOIS CHEMICALS	CHEMICALS	8,668.00
EAGLES	ADVERTISING	75.00
EAKES OFFICE SOLUTIONS	SUPPLIES	74.36
ECHO ELECTRIC SUPPLY	SUPPLIES	722.65
ED M. FELD EQPT CO	FIREFIGHTER EQUIPMENT	15,000.00
EMERGENCY APPARATUS MAINTENANCE	REPAIRS	6,110.08
ENGINES AND MOWER	PARTS	1,157.17
ERICKSON SOLUTIONS GROUP	PROFESSIONAL SERVICES	3,825.50
ETHAN GULLIKSON	SAFETY BOOTS REIMBURSEMENT	106.49
FARMER BROTHERS CO.	SUPPLIES	193.36
FARNER BOCKEN COMPANY	MERCHANDISE	4,336.51
FARONICS TECHNOLOGIES USA	SUBSCRIPTION RENEWAL	760.00
FEDEX.	SHIPPING	15.92
FIRST BANK & TRUST	TIF #6 & #7 PAYMENTS	42,387.55
FIRST DAKOTA NATIONAL BANK	TIF #6 & #7 PAYMENTS	42,387.55
FOREMAN MEDIA	MAY COUNCIL MTGS	100.00
FRIEBERG, NELSON & ASK, LLC	PROFESSIONAL SERVICES	45.00
GLOBAL DIST.	MERCHANDISE	217.00
GOLF GENIUS SOFTWARE	ANNUAL SUBSCRIPTION	3,100.00
GRAHAM TIRE CO.	TIRES	3,369.84
GRAINGER	MOTOR	98.55



GRAYBAR ELECTRIC	SUPPLIES	1,827.06
GREAT PLAINS ZOO	ZOO MOBILE	142.00
GREGG PETERS	FREIGHT	1,411.25
GREGG PETERS	RENT	937.50
HACH CO	CHEMICALS	488.22
HAUFF MID-AMERICA SPORTS	SHIRTS/JERSEYS	741.25
HAWKINS INC	CHEMICALS	3,898.13
HEIMAN FIRE EQUIPMENT	SUPPLIES	449.65
HIGH POINT NETWORKS	LICENSE RENEWAL	89.00
HY VEE FOOD STORE	SUPPLIES	343.26
IMS ALLIANCE	NAME TAGS	30.00
INGRAM	BOOKS	1,941.13
INTENSE GRAPHICS CUSTOM APPAREL	T-SHIRTS	2,561.02
INTERSTATE COMMERCIAL LAUNDRY	REPAIRS	306.80
JACKS UNIFORM & EQPT	UNIFORM	2,819.79
JERRY'S CHEVROLET BUICK GM	REPAIRS	791.99
JIM BALLEWEG	MEALS REIMBURSEMENT	94.00
JOHN A CONKLING DIST.	MERCHANDISE	7,618.30
JOHN C. PRESCOTT	MEALS REIMBURSEMENT	34.00
JOHNSEN HEATING & COOLING	REPAIRS	1,449.19
JOHNSON BROTHERS OF SD	MERCHANDISE	18,185.00
JOHNSON CONTROLS	SERVICE AGREEMENT	1,866.35
JONES FOOD CENTER	SUPPLIES	391.55
JORDAN LEACH	MEALS REIMBURSEMENT	274.00
JUSTIN ROETMAN	MEALS REIMBURSEMENT	94.00
K & M TIRE	SUPPLIES	274.89
KARA MULHERON	REIMBURSEMENT	123.51
KNIFE RIVER MIDWEST, LLC	GOLF SAND	1,347.80
KOBLE'S ELECTRIC	INSTALL LOAD CONTROLLERS	450.00
LAWSON PRODUCTS INC	SUPPLIES	132.06
LAYNES WORLD	SUPPLIES	22.00
LEISURE LAWNS, LLC	TREATMENT	70.00
LESSMAN ELEC. SUPPLY CO	SUPPLIES	3,530.00
LOFFLER	COPIER CONTRACT/COPIES	882.18
MAINLAND ENGRAVING LLC	METALS/RIBBONS	90.20
MART AUTO BODY & MARINE LLC	TOWING	75.00
MATHESON TRI-GAS, INC	CYLINDER RENTAL/MEDICAL OXYGEN	546.00
MATT DAVIS	MEALS REIMBURSEMENT	202.00
MEAD LUMBER	MATERIALS	274.72
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	149.73
MICHELLE HINSETH	REFUND REC PROGRAM FEES	27.00
MIDWEST MINI MELTS	MERCHANDISE	2,112.00
MIDWEST READY MIX & EQUIPMENT	RED ROCK	556.88

MISSOURI RIVER ENERGY SERVICE	REGISTRATION	300.00
MIZUNO USA, INC	MERCHANDISE	837.17
MSC INDUSTRIAL SUPPLY CO	SUPPLIES	136.03
NBS CALIBRATIONS	PROFESSIONAL SERVICES	485.00
NCL OF WISCONSIN, INC	CHEMICALS	386.61
NEBRASKA JOURNAL-LEADER	ADVERTISING	34.95
NETSYS+	PROFESSIONAL SERVICES	2,372.75
NICK ANGLIN	REIMBURSEMENT OPERATOR EXAM	60.00
O'REILLY AUTO PARTS	PARTS	338.01
PCC, INC	COMMISSION	4,689.63
PEPSI COLA OF SIOUXLAND	MERCHANDISE	3,729.89
PHELPS	UNIFORM	197.50
PING/KARSTEN MFG CORP	MERCHANDISE	1,167.00
PIZZA RANCH	PIZZAS	195.02
POWERPHONE, INC	TRAINING/REGISTRATION	129.00
PRESSING MATTERS	NOTARY STAMP	33.00
PRESTO-X-COMPANY	INSPECTION/TREATMENT	69.00
QUADIANT FINANCE USA, INC	POSTAGE FOR METER	739.00
QUILL	SUPPLIES	100.66
REDI TOWING	TOWING	225.00
REEVES CO, INC	NAMEPINS	84.23
REFLECTIVE APPAREL FACTORY	WORK SHIRTS	434.33
REPUBLIC NATIONAL DIST	MERCHANDISE	16,584.70
ROSEWOOD GREENHOUSE	FLOWERS	439.41
RUNNING SUPPLY, LLC	SUPPLIES/PARTS	3,771.13
RUSTY JENSEN	PGA DUES REIMBURSEMENT	587.00
RYNE WHISLER	MEALS REIMBURSEMENT	104.00
SANFORD HEALTH OCCUPATIONAL	TESTING	414.00
SANFORD USD MEDICAL CENTER	SUPPLIES	989.01
SCHAEFFER MFG. CO	SUPPLIES	1,345.60
SD PUBLIC ASSURANCE ALLIANCE	PROPERTY COVERAGE	92,276.65
SD PUBLIC HEALTH LABORATORY	TESTING	225.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	60,922.90
SD SECRETARY OF STATE	NOTARY FILING FEE	30.00
SD STATE HISTORICAL SOCIETY	BOOK	40.00
SERVICE MASTER OF SE SOUTH DAKOTA	CUSTODIAL	3,703.59
SITEONE LANDSCAPE SUPPLY	SUPPLIES	226.69
SOOLAND BOBCAT	FILTERS	55.64
SOUTHEAST SOFTBALL ASSOC	TOURNAMENT FEES	480.00
SOUTHERN GLAZER'S OF SD	MERCHANDISE	7,588.70
SPECIAL T'S AND MORE	EMBROIDERY	225.00
ST. ANDREWS PRODUCTS CO	GOLF PENCILS	780.52
STEWART OIL-TIRE CO	TIRES	1,419.85

STRYKER SALES CORPORATION	MAINTENANCE AGREEMENT	12,542.62
STUART C. IRBY CO.	SUPPLIES	6,076.80
STURDEVANTS AUTO PARTS	PARTS	482.71
SUN MOUNTAIN	MERCHANDISE	143.10
SYNCB/AMAZON	BOOKS/DVDS/SUPPLIES	709.46
TASTE OF HOME BOOKS	BOOK	25.95
TAYLOR & ASSOCIATES, INC	POOL FURNITURE	3,779.63
THE LUMBERYARD LLC	MATERIALS	304.00
THE UPS STORE #6751	SHIPPING	15.01
THE WALKING BILLBOARD	JACKET/POLOS	141.00
THREAD & INK	SHIRTS	2,672.30
TITLEIST-ACUSHNET COMPANY	MERCHANDISE	2,115.42
TRAF-O-TERIA SYSTEM, INC	PARKING TICKETS	725.66
TRUCK-TRAILER SALES	PARTS	26.75
TRUE BRANDS	MERCHANDISE	43.81
TURNER PLUMBING	PARTS	35.84
TWIN CITY HARDWARE	PARTS	597.02
TWO WAY SOLUTIONS	CHARGER/ANTENNA	181.96
TYLER TECHNOLOGIES	MAINTENANCE	723.52
UNITED INDUSTRIES INC	SUPPLIES	333.05
UNITED WAY	CONTRIBUTIONS	661.60
UNUM LIFE INSURANCE COMPANY	INSURANCE	1,373.56
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,050.00
USD FOUNDATION OFFICE	TIF #6 & #7 PAYMENTS	42,387.54
VALIANT VINEYARDS	MERCHANDISE	128.00
VAN DIEST SUPPLY CO	CHEMICALS	595.00
VANTAGE APPAREL	MERCHANDISE	1,450.18
VAST BROADBAND	E911 CIRCUIT	1,365.50
VERIZON WIRELESS	CELL PHONES/IPAD ACCESS	2,466.06
VERMILLION ACE HARDWARE	SUPPLIES	2,396.76
VERMILLION CHAMBER OF COMMERCE	TIF #5 PAYMENT	47,144.92
VERMILLION CULTURAL ASSOCIATION	FUNDING	4,000.00
VERMILLION FORD	FORD TRUCK	29,389.00
VISA/FIRST BANK & TRUST	TRAVEL/TRAINING/SUPPLIES	8,569.52
WALKER CONSTRUCTION INC	REPAIRS	358.00
WALT'S HOMESTYLE FOODS, INC	MERCHANDISE	369.00
WESCO DISTRIBUTION, INC	SAFETY GLASSES	384.10
WILLIAMS & CO.	2021 AUDIT	18,500.00
YANKTON COUNTY OBSERVER	SUBSCRIPTION	35.00
ZIMCO SUPPLY CO	SUPPLIES	1,691.25

Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of June 17, 2022 for a special daily malt beverage and wine license for The South Dakota Shakespeare Festival event June 17th-19th at the Prentis Park Bandshell.

197-22

Council Member Price moved approval of the Consensus Agenda. Council Member Holland seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

13. Adjourn

198-22

Council Member Ward moved to adjourn the Council Meeting at 9:11 p.m. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of June, 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 \_\_\_\_\_.