

Unapproved Minutes
Council Special Session
June 20, 2023
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, June 20, 2023 at 12:00 noon at the John "Jack" Powell Conference Room.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Letellier, Murra, Price, Ward, Mayor Cole

2. Adoption of Agenda

191-23

Council Member Price moved approval of the agenda. Council Member Holland seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

3. Visitors to be Heard - None

4. National Music Museum update - Dwight Vaught

Dwight Vaught, Director of the National Music Museum, presented on the progress of the National Music Museum (NMM) construction. Dwight noted that on August 30, 2023 the entire building will open to the public after a five year closure. Dwight went over three exhibits that they have had in their new space. Discussion followed.

5. Vermillion Chamber and Development Company (VCDC) quarterly update- Jim Peterson

Jim Peterson, VCDC Director, presented a quarterly report for developments within the City. Jim introduced Miles Amende the new Tourist and Marketing Specialist for the VCDC. Jim went over how the VCDC is making movement on housing developments and noted two projects that are nearing completion, one on Lincoln Street and one in Bliss Pointe. Jim noted that commercial development is moving within the city and pointed out different projects happening near Walmart. Discussion followed.

6. Briefing on the June 20, 2023 City Council Regular Meeting

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

7. Adjourn

192-23

Council Member Murra moved to adjourn the Council special session at 12:44 p.m. Council Member Price seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

Dated at Vermillion, South Dakota this 20th day of June, 2023.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Jonathan D. Cole, Mayor

ATTEST:

BY _____
Katie E Redden, Finance Officer

Unapproved Minutes
City Council Regular Session
June 20, 2023
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on June 20, 2023 at 7:00 p.m. by Mayor Cole.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Letellier, Price, Murra, Ward, Mayor Cole

2. Pledge of Allegiance

3. Minutes

A. Minutes of June 5, 2023, Special Session and June 5, 2023, Regular Session

198-23

Council Member Holland moved approval of the June 5th Special Meeting and June 5th, 2023 regular session minutes. Council Member Ward seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

4. Adoption of Agenda

199-23

Council Member Price moved approval of the agenda. Council Member Ward seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

5. Visitors to be Heard

A. Carol Geu, 1308 Rockwell Trail, and the President of the South Dakota Shakespeare Festival, thanked the City Council and Staff for all the help they put into the events last week.

B. Juneteenth Freedom Day Proclamation - Vermillion Human Relations Commission

Michelle Kavanaugh, Humans Relations Commission Member, read the following proclamation:

Proclamation Celebrating Juneteenth

WHEREAS, the City of Vermillion recognizes and values the diversity of its residents and the contributions of all cultures that enrich our community; and

WHEREAS, Juneteenth is a holiday that commemorates the end of slavery in the United States and recognizes the significance of freedom and equality for all; and

WHEREAS, Juneteenth celebrates the momentous occasion of June 19, 1865, when Union soldiers arrived in Galveston, Texas, and announced that the Civil War had ended, and all enslaved individuals were now free; and

WHEREAS, Juneteenth is an opportunity for all Americans to recognize the struggle for freedom and equality and to reflect on the continued fight for justice and fairness;

NOW, THEREFORE, we, The Vermillion Human Relations Commission of the City of Vermillion, do hereby proclaim June 19th as Juneteenth in the City of Vermillion. We recognize all residents who joined in commemorating the historical significance of Juneteenth and to honor the contributions of African Americans to our city, state, and nation.

We encourage all residents to participate in events and activities that celebrate the freedom and equality that Juneteenth represents and to work together to create a more just and equitable society for all. By coming together to celebrate our diversity and promote cultural awareness and understanding, we can create a stronger and more vibrant community for all.

Vermillion Human Relations Commission

C. LGBTQ+ Pride Month Proclamation - Vermillion Human Relations Commission

Michelle Kavanaugh, Humans Relations Commission Member, read the following proclamation:

Proclamation Celebrating the LGBTQ+ Community

WHEREAS, the City of Vermillion values diversity and recognizes the importance of creating a welcoming and inclusive community for all; and WHEREAS, June is recognized as LGBTQ+ Pride Month, a time to celebrate the contributions of lesbian, gay, bisexual, transgender, and queer individuals and their allies, and to promote acceptance and equality for all members of the LGBTQ+ community; and

WHEREAS, the LGBTQ+ community has faced significant challenges and discrimination throughout history, and we recognize the need to work together to create a more just and free society for all; and

WHEREAS, the City of Vermillion is committed to supporting the LGBTQ+ community and promoting equality, inclusivity, and respect for all residents.

NOW, THEREFORE, we, the Vermillion Human Relations Commission, of the City of Vermillion, do hereby proclaim the month of June as LGBTQ+ Pride Month in the City of Vermillion. We call upon all residents to celebrate the diversity of our community and to work together to create a welcoming and inclusive environment where everyone is valued and respected.

We encourage all residents to take part in Pride Month events and activities and to promote understanding, acceptance, and equality for all members of the LGBTQ+ community. By coming together as a community and working to promote acceptance and equality, we can help create a brighter and more inclusive future for all.

Vermillion Human Relations Commissions

6. Public Hearings

A. Special daily malt beverage and wine license for the Clay County Agricultural Fair Association on August 10, 11, and 12, 2023 at the Clay County Fairgrounds

Austin Flowers, Deputy Finance Officer, reported that the Clay County Agricultural Fair Association has submitted an application for a special daily malt beverage and wine license on August 10, 11, & 12, 2023 for a beer garden area in the west arena for the Thursday, Friday, and Saturday night events and also on Saturday night for a fenced portion of High Street with a band and dance. Austin stated that the notice of hearing and Police Chief's report are included in the packet. Austin stated that the release and indemnification and the certificate of insurance naming the City as additional insured have been received. Austin stated that the Police Chief's report recommended the inclusions of the following conditions:

4-6 adult volunteers will supervise the event's distribution and consumption of alcohol. The number will be determined by the amount of turnout for the Dance.

Signage will be posted at the entry gate to the controlled area and the alcohol dispensing point stating:

- a. Alcohol Consumption is only allowed inside the fenced area of the street.
- b. No one under 21 will be served or allowed to consume alcohol.
- c. No intoxicated person(s) will be served.
- d. No alcohol can leave the fenced area.
- e. No outside alcohol is allowed into the fenced area.

Staff will check all persons wishing to purchase and provide a wrist band once their age has been verified. Persons who do not have a wrist band or who appear to be under 21 will not be allowed to purchase or consume alcohol. Austin recommended approval of the special daily license contingent upon complying with the Police Chief's conditions.

200-23

Council Member Price moved approval of the Special daily malt beverage and wine license for the Clay County Agricultural Fair Association on or about August 10, 11, and 12, 2023 on the Fairgrounds along High Street contingent on the Police Chief's recommendations. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

B. Special permit to exceed permissible noise levels for Pulse of Life Church at 1330 E. Main Street in the west lawn on Friday, June 23, 2023 from 7:00 p.m. to 8:00 p.m. for a community worship event

Austin Flowers, Deputy Finance Officer, reported that Rev. Dr. Angela Jackson, on behalf of Pulse of Life Church, has applied for a special permit to exceed allowable noise levels for a community worship night at 1330 E. Main Street. Austin noted that the event will take place on Friday, June 23, 2023 from 7:00 p.m. to 8:00 p.m. Austin stated that the notice, application, and map are in the packet. Austin noted that the \$25 fee has been paid.

201-23

Council Member Ward moved approval of the Special permit to exceed permissible noise levels for Pulse of Life Church at 1330 E Main on Friday, June 23, 2023 from 7:00 p.m. to 8:00 p.m. for a community worship night. Council Member Humphrey seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

c. Special permit to exceed permissible noise levels for the Vermillion Historical Preservation Commission Prentis Centennial Celebration at Prentis Park Bandshell on Saturday, July 22, 2023 from 5:00 p.m. to 9:00 p.m.

Katie Redden, Finance Officer, reported that Susan Keith Gray, on behalf of the Historic Preservation Commission, has applied for a special permit to exceed allowable noise levels for the Prentis Centennial Celebration at Prentis Park. Katie noted that the event will take place on Saturday, July 22, 2023 from 5:00 p.m. to 9:00 p.m. Katie stated that the notice, application, and map are in the packet. Katie noted that the \$25 fee has been paid.

202-23

Council Member Price moved approval of the Special permit to exceed permissible noise levels for the Prentis Centennial Celebration at Prentis Park at Prentis Park on Saturday, July 22, 2023 from 5:00 p.m. to 9:00 p.m. for a community event. Council Member Ward seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

7. Old Business

A. Second reading of Ordinance 1486 to amend 2023 Budget appropriations

John Prescott, City Manager, reported on the second reading of Ordinance No. 1486 to amend the 2023 budget. John outlined projects that were discussed at previous noon meetings that the Council elected to add to the budget along with items that had been in a previous year's budget, but with timing moved into 2023. Discussion followed.

203-23

Second reading of title to Ordinance No 1486, entitled AN ORDINANCE ADOPTING a 2023 Supplemental Appropriation Ordinance for the City of Vermillion, South Dakota

Mayor Cole read the title to the above-named Ordinance, and Council Member Holland moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1486 entitled AN ORDINANCE ADOPTING a 2023 Supplemental Appropriation Ordinance 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 5th day of June, 2023 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 20th day of June, 2023 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 NO. 1486
2023 SUPPLEMENTAL APPROPRIATIONS ORDINANCE

AN ORDINANCE ADOPTING a 2023 Supplemental Appropriations Ordinance for the City of Vermillion, South Dakota.

BE IT ORDAINED, BY THE GOVERNING BODY of the City of Vermillion, that the following sums are appropriated to meet the obligations of the municipality.

	2023 Budget	Proposed Budget	Amount of Supplemental Budget
General Fund:			
Revenues:			
Appropriation from Reserve	572,614	579,114	6,500
Expenditures:			
Code	279,949	283,449	3,500
Community Services	58,000	61,000	3,000
Second Penny Sales Tax Fund:			
Revenues:			
Appropriation From Reserve	-0-	222,782	222,782
Expenditures:			
Culture & Recreation	861,000	879,500	18,500
Conservation and Development	242,000	342,000	100,000
Transfer	-0-	204,400	204,400
Reserve	100,118	-0-	(100,118)
Special Revenue Fund: Bed Booze and Board (BBB):			
Revenues:			
Appropriation from Reserve	57,650	62,450	4,800
Expenditures:			
Community Development	403,550	408,350	4,800
Special Revenue Fund: Parks Capital:			
Revenues:			
Appropriation from Reserve	-0-	3,600	3,600
Contributions & Donations	1,000	11,000	10,000
Expenditures:			
Capital Expenditure	1,500	15,100	13,600
Capital Project Fund: Bike Path			
Revenue:			

Federal Grant	-0-	61,500	61,500
Transfer In	-0-	13,500	13,500
Expenditures:			
Capital Expenditures	-0-	75,000	75,000
Capital Project Fund: Munger Property			
Revenue:			
Transfer	-0-	204,400	204,400
Expenditures:			
Engineering	-0-	204,400	204,400
Enterprise Fund: Water			
Revenues:			
Appropriation From Reserve	274,074	309,074	35,000
Expenditures:			
Operating Expenses	592,567	627,567	35,000
Enterprise Fund: Wastewater			
Expenditures:			
Collection Operating Exp.	285,617	324,617	39,000
Treatment Operating Exp.	554,747	626,747	72,000
Treatment Capital Exp.	2,000	357,000	355,000
Reserve	469,124	3,124	(466,000)
Internal Service Fund: Copier- Fax- Postage			
Revenues:			
Appropriation From Reserve	-0-	4,825	4,825
Expenditures:			
Capital Expenses	-0-	5,500	5,500
Appropriation to Reserve	675	-0-	(675)

Dated at Vermillion, South Dakota this 20th day of June, 2023.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
Jonathan D. Cole, Mayor

ATTEST:
BY _____
Katie E Redden, Finance Officer

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

8. New Business

A. Furniture Zone Limited Lease permit for Café Brule at 24 W. Main Street for Lease Lot A

Katie Redden, Finance Officer, reported that Monica Iverson submitted a Furniture Zone Use Permit application for Café Brule in Lease Lot A adjacent to 24 W Main Street, the applicant's business, and in front of 22 W Main. Katie noted that their plan is to set up six tables in this area with proper rubbish containers and bollards. Katie noted that the sidewalk permit expires on November 1, 2023.

Katie stated that the applicant has submitted a crowd management plan and the plan has been reviewed by the Police Department. Katie noted that the physical dimensions of the area and the number of tables limit the number of individuals who would be within the area where alcohol could be served.

Katie stated that, in completing the application for a Sidewalk Furniture Use Zone Lease, the applicant has addressed many of the special conditions of other uses of City property involving alcohol. An insurance certificate naming the City as an additional insured, cleanup plan, etc. are part of the sidewalk use permit process.

Katie noted that the applicant is not specifically requesting to use this area during Dakota Days. The Police Chief recommended this be allowed on Dakota Days weekend, but not before or during the Dakota Days Parade.

204-23

Council Member Ward moved approval of the Furniture Zone Limited Lease permit for Café Brule at 24 W. Main Street for Lot A contingent that the area will not be used before or during the Dakota Days Parade. Council Member Price seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

B. Sales tax rebate agreement with Vermillion Public Schools

John Prescott, City Manager, reported on a sales tax rebate agreement with the Vermillion Public Schools. John noted that the Vermillion Public School District (District) is building a new elementary school at 701 W. Dartmouth Street. Late last year, the District approached the City about a sales tax rebate as it relates to the construction of the new building. John noted that the District was seeking the sales tax rebate to alleviate the cost of the building permit which had a fee of \$100,692 and to offset other costs as the project budget has increased due to a rise in

the cost of building materials. The City Council discussed the proposal with the District at the January 17, 2023 noon meeting.

John stated that, in January, it was noted that the school project is estimated to cost \$36 million. At the January 17, 2023 noon meeting, Dr. Alvey requested that the City Council consider a sales tax rebate of \$200,000. John stated that during the January meeting it was suggested that the rebate amount above the cost of the building permit would go to purchasing playground equipment at the new school site which would be available to the public when school is not in session.

John noted that the proposed agreement is very similar to previous sales and use tax rebate agreements in format for other large projects that have been completed in the community. Previous agreements have involved Polaris, Masaba, and the University of South Dakota. Copies of the invoices on eligible construction building materials would be submitted by the District to the City Finance Office. The Finance Office would verify that the local sales and use tax has been paid on construction building materials in Vermillion. The City would refund to the District the payment of the two percent of local sales and use tax paid on construction building materials up to a maximum refund of \$200,000.

John stated that the agreement provides that the City will have 45 days from the end of each quarter to complete reimbursement. Construction building material purchases made from January 1, 2023 until September 30, 2024 would be eligible for reimbursement with documentation and verification that Vermillion local sales and use tax had been paid. All documentation must be submitted by November 30, 2024 to be considered. Any documentation submitted after that date will not be considered.

205-23

Council Member Jennewein moved approval of the Sales tax rebate agreement with Vermillion Public Schools. Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

C. Policies and Procedures Committee report on land acknowledgement statement and mission statement

Council Member Ward, Policy and Procedures Chair, reported that the Policies and Procedures Committee reviewed the Land Acknowledgement Statement that the Human Relations Commission had forwarded to the City Council for consideration. The Land Acknowledgement Statement reads:

Our future as a community depends on recognizing our past. The City of Vermillion exists on the ancestral lands of the Oceti Sakowin and Omaha indigenous people. We honor and appreciate those who have the longest relationship with this place.

Council Member Ward stated that the Committee recommends approval of the Land Acknowledgement Statement and that it should be placed on City agendas. The decision to read the Land Acknowledgement Statement at a City meeting will be determined by the presiding officer.

Ward noted that, at a previous meeting, the Committee had discussed updating the mission statement. The following mission statement had been developed for review and discussion:

The City of Vermillion's mission is to continually improve the quality of life for its citizens through effective communication and strategic deployment of resources. By empowering our workforce and enhancing our facilities and organization, the City of Vermillion aims to attract, grow, and retain its population, and to be widely recognized as the kind of place people want to work, learn, play, and live.

Ward noted that the Committee recommends approval of the updated mission statement.

Council Member Jennewein thanks both the Humans Relations and the Policy and Procedures Committees for working on these items.

Council Member Letellier thanked the commissions and asked if other organizations within the city could use this acknowledgement. The City Attorney stated that would be fine due to freedom of speech.

D. Fireworks Public Display permit for Tuesday, July 4, 2023 at 10:00 p.m. in the south Polaris Parking Lot for the Vermillion Chamber and Development Company

Jack Baustian, Assistant to the City Manager, reported that The Vermillion Chamber and Development Company (VCDC) and Fireworks Unlimited are requesting City Council approval for a fireworks display to be held on July 4, 2023. Jack noted that the display is planned to begin at approximately 10:00 p.m. and would be discharged from the south end of the Polaris property on the southernmost roadway within their property line. Tom and Jim Taylor with Fireworks Unlimited will be conducting the show. Jack noted that this permit request is similar to previous years. The last fireworks permit approved by the City Council was in 2018 as the show was either cancelled or the discharge area was outside of the city limits. The show is being brought back within the city limits this year in hopes of providing better traffic flow and viewing opportunities from Barstow Park.

Jack noted that Chief Callahan has met with Mr. Taylor to review the site. A copy of the permit application, insurance, site plan, and

approval letter from Polaris are attached. The Fire/EMS Chief has approved the application packet pending approval by the City Council.

206-23

Council Member Jennewein moved approval of the Fireworks Public Display permit for Tuesday, July 4, 2023 at 10:00 p.m. in the south Polaris Parking Lot for the Vermillion Chamber and Development Company. Council Member Humphrey seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

E. Vermillion Housing Authority Board appointment

Mayor Cole nominated Joe Reiser to the Vermillion Housing Authority Board as the seat for the program participant for five years.

207-23

Council Member Ward moved approval of Joe Reiser to the Vermillion Housing Authority. Council Member Humphrey seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

F. Final plat of Lot 8A and 8B, Block 7, Erickson Addition, City of Vermillion, Clay County, South Dakota (property addressed as 1012 Princeton Street)

Jose Dominguez, City Engineer, reported on a final plat of Lot 8A and 8B, Block 7, Erickson Addition, City of Vermillion, Clay County, South Dakota (property addressed as 1012 Princeton Street). The Vermillion Chamber and Development Company (VCDC) has submitted a final plat for the property they own on Block 7 in the existing Erickson Addition. Jose noted that the area to be final platted consists of roughly 6.1 acres. The area is currently platted as Lot 8 and is located in the southwest corner of the intersection between Princeton and Bower Streets. The owner is re-platting this area into two lots. Lot 8A would be 2.4 acres and Lot 8B would be 3.7 acres.

Jose noted that this plat was reviewed by the Planning and Zoning Commission at their June 12th meeting. At that time, the Commission recommended that the City Council approve the plat as presented.

Jose stated that Staff has reviewed the final plat and finds that it complies with most of the code provisions. The only item not meeting code provisions is that the applicant will be dedicating a utility easement along all property lines, except on the shared property line. Additionally, the applicant is also dedicating a drainage easement on the south end of proposed Lot 8A.

Proposed Lot 8B currently houses one building with two businesses. The original plat for these lots included enough land for the expansion of this existing building, but after consideration, the VCDC has decided not to expand the building and desires to offer the vacant area (the new Lot 8A) for future development.

208-23

After reading the same once, Council Member Ward 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 8A and 8B, Block 7, Erickson Addition 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 Clay County 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 Council Member Holland. 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 Cole declared that the Resolution was adopted.

G. Application for Highway Access Permit for the LEC access off Stanford Street (SD Hwy. 19)

Jose Dominguez, City Engineer, reported on Application for Highway Access Permit for the LEC access off Stanford Street (SD Hwy. 19). Jose noted the City and the County have been working together to construct a new law enforcement center (LEC) on a portion of the land recently purchased by the City at the southwest corner of SD Hwy. 19 and SD Hwy. 50. Jose stated that besides the construction of the new LEC, the City will be

developing the land purchased for future residential and commercial uses. Additionally, part of the land will be available for the construction of a new City park.

Jose noted that, as part of the construction of the new LEC, the City and County are requesting from the South Dakota Department of Transportation (DOT) permission to construct a new driveway approach off Stanford Street (also known as SD Hwy. 19). The County Board of Commissioners considered this item at their June 13th meeting.

Jose reported that the City and the DOT manage access to their transportation infrastructure. Access management is done to promote safety and to maintain an efficient transportation system. As part of the process with the State, the City and the County must apply to construct a new access point. Jose noted that the application explains what is being requested and the type of land use of the property being served and the application includes a site plan that shows where the proposed access would be located. The State will review the application and determine if an access point should be granted. The State will weigh their decision based on the location of the proposed access point, the number of existing access points, the land use the access point will serve, the type of road being accessed, the number of vehicles using the access point, etc.

Jose noted that the application being considered proposes to construct a new access point approximately 385 feet south of the existing intersection (currently a farm access) with Stanford Street. The proposed approach will be 36-feet wide and will be utilized by individuals visiting the LEC as well as any emergency vehicles leaving the new building. Jose stated that currently the County is not the landowner of the land where the LEC will be constructed. This requires that the County sign the application as the "applicant" and that the City sign as the "owner".

Jose stated that the City Council should be aware that if the DOT grants the access permit to the County, the County will still have to go through the City's process to gain access to Stanford Street. This street is classified as an "arterial" street. This means that access to the street is highly restricted, and as such, the City's ordinance strongly limits access to arterial streets. Although the strict interpretation of the ordinance might not allow for an access point off Stanford Street, the County going through the variance process, would demonstrate the need to have an access point off Stanford Street.

209-23

Council Member Price moved approval of the Application for Highway Access Permit for the LEC access off Stanford Street (SD Hwy. 19). Council

Member Ward seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

H. Resolution authorizing the submittal of EDA grant application for funding to renovate the Wastewater Treatment Plant and authorize the Mayor to sign related documents

John Prescott, City Manager, reported on an resolution authorizing the submittal of EDA grant application for funding to renovate the Wastewater Treatment Plant and authorize the Mayor to sign related documents. John noted that last December the City Council authorized an application for a State Revolving Fund (SRF) loan. The upcoming Wastewater Facility improvements project has an estimated cost of \$23,100,000. The construction cost is estimated to be approximately \$20 million with the balance of the cost for engineering services related to the project. In March, the City received an approval notice of an SRF loan in an amount not to exceed \$23 million in March. John noted that City staff has continued to look for grants to offset the loan amount and reduce the amount of funding that would need to be collected through user rates to repay the loan.

John stated that, in late April, the Economic Development Administration (EDA) provided notice of a Disaster Supplemental funding opportunity for FY 2023. South Dakota is in the Denver regional office area which was allocated \$57 million with this appropriation. John noted that, as Clay County was one of the South Dakota counties with a qualifying disaster declaration in 2022, the City is eligible to submit a grant application for consideration. Part of the grant application is to submit a letter of support and authorize the Mayor to sign the grant application.

John stated that the grant application is for \$4 million. Aspects of the project which address resiliency to disasters are being identified as to what the grant application would help fund.

210-23

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

RESOLUTION
AUTHORIZING THE FILING OF AN
ECONOMIC DEVELOPMENT ADMINISTRATION GRANT APPLICATION

WHEREAS, under the Federal Fiscal Year 2023 Economic Development Assistance Programs, the Economic Development Administration received appropriations totaling \$483,000,000 to be used for Economic Adjustment Assistance; and

WHEREAS, natural or other major disasters or emergencies qualify as a "Special Need" criteria in determining eligibility for Economic Adjustment Assistance; and

WHEREAS, 20 counties out of South Dakota's 66 counties were designated as disaster areas under FEMA-4656-DR due to severe storm, straight-line winds, tornadoes, and flooding; and

WHEREAS, Clay County, including the City of Vermillion, was declared a disaster area; and

WHEREAS, financial assistance will be necessary to enable the City to construct the project; and

WHEREAS, the City of Vermillion wishes to request assistance from the Economic Development Administration.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City of Vermillion hereby authorizes the filing of an Economic Development Administration grant application in the amount of \$4,000,000 which includes matching funds of \$16,000,000 including all understandings and assurances contained therein.

BE IT FURTHER RESOLVED, that the City of Vermillion hereby authorizes its Mayor to act as a signatory in connection with the application and other required forms and to provide such additional information as may be required by the Economic Development Administration.

Dated at Vermillion, South Dakota this 20th day of June, 2023.

FOR THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA
By _____
Jonathan D. Cole, Mayor

ATTEST:

By _____
Katie E. Redden, Finance Officer

The motion was seconded by Council Member Price. 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 Cole declared that the Resolution was adopted.

9. Bid Openings - None

10. City Manager's Report

A. John noted that there is one opening on the Planning and Zoning Commission. Expression of Interest forms are due Thursday, June 22nd at noon with anticipation that the appointment for the balance of the 5-year term will be made at the July 3rd meeting.

B. John reported on an upcoming meeting: Joint Powers meeting - Powell Conference room on June 22, 2023 at 5:30 p.m.

C. John reported that Brookman House at 404 Cottage Avenue has been nominated for placement on the National Register of Historic Places. Any public comments on the nomination are requested by 5:00 p.m. on Friday, June 23, 2023.

PAYROLL ADDITIONS AND CHANGES

Mechanic: Mike Russell \$23.55/hr; Ambulance: Kayla Kloucek \$16.30/hr-\$16.30/training-\$24.45/holiday-\$16.80/FTO; Recreation: Zoey Lehmkuhl \$11.00/hr, Brooke VanDrongelen \$11.00/hr, Stella Fairbanks \$11.00/hr, Ian Job \$11.00/hr, Callie Radigan \$11.00/hr; Parks: Robert Coyle III \$13.00/hr; Library: Prairie Hanson \$14.58/hr

11. Invoices Payable

211-23

Council Member Price moved approval of the following invoices:

A & B BUSINESS, INC	COPIER CONTRACT	908.83
A & M SERVICES, INC	UNIFORM CLEANING	134.00
A-OX WELDING SUPPLY CO	CHEMICALS	3,660.00
AARON NEWCOMBE	MOWING	225.00
ACE REFRIGERATION CO	STOOLS	1,716.00
AIMEE SORENSEN	REFUND REC PROGRAM FEES	20.00
ALL AMERICAN GASKET	GASKETS	208.30
AMAZON BUSINESS	SUPPLIES/BOOKS/DVDS	1,742.29
APPEARA	SHOP TOWELS	45.00
ASPHALT SURFACING CO	SLURRY SEAL	142,574.55
AT&T MOBILITY	MOBILE HOT SPOTS	425.82
AUSTIN FLOWERS	MEALS REIMBURSEMENT	28.00
AUTO VALUE	PARTS	324.55
BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	33,527.03
BIERSCHBACH EQPT & SUPPLY	FLOODING CAP	16.30
BILL BROWN	MOWING	360.00
BLACKSTONE PUBLISHING	BOOKS	214.13
BORDER STATES ELEC SUPPLY	SUPPLIES	446.37

BROADCASTER PRESS	ADVERTISING	2,746.08
BRUNICKS SERVICE INC	FUEL	18,760.55
BSN SPORTS INC	BASEBALL CAPS	663.32
BUHLS CLEANERS	MAT/MOP SERVICE	755.55
BUILDERS ELECTRIC, LLC	POLE	18,803.00
BUREAU OF ADMINISTRATION	TELEPHONE	274.64
BUTLER MACHINERY CO.	WARRANTY/PARTS	16,666.50
CALLAWAY GOLF	MERCHANDISE	522.40
CAROL ROBERTSON	BASEBALLS/BANNERS	278.70
CASK & CORK	MERCHANDISE	972.00
CENTRALSQUARE TECHNOLOGIES	ANNUAL MAINTENANCE FEES	15,667.30
CENTURYLINK	TELEPHONE	264.38
CINTAS	SUPPLIES	358.97
CITY OF VERMILLION	LANDFILL VOUCHERS	1,100.00
CLAY RURAL WATER SYSTEM	WATER USAGE	211.20
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,461.57
CLEVELAND GOLF	MERCHANDISE	165.53
CMOORE PIT SERVICE	PORTA-POT RENTAL	1,500.00
COFFEE KING ROASTING & SUPPLY	COFFEE	69.75
CORE-MARK MIDCONTINENT, INC	MERCHANDISE	15,183.37
CRARY HUFF LAW FIRM	PROFESSIONAL SERVICES	5,692.00
CUMMINS SALES & SERVICE	REPAIRS	1,403.13
CURT HAAKINSON	SAFETY BOOTS REIMBURSEMENT	65.01
D-P TOOLS	BIT	11.99
DAKOTA BEVERAGE	MERCHANDISE	14,185.67
DAKOTA PC WAREHOUSE	INK CARTRIDGES/MONITOR	243.94
DEADPERFECT	MERCHANDISE	1,173.91
DENNIS CHANDLER	REIMBURSEMENT	190.04
DEPT. ENVIRONMENT NATL RES	PERMIT FEES	4,527.00
DIVISION OF MOTOR VEHICLE	TITLE & PLATES	60.00
DUBOIS CHEMICALS	SODA ASH	26,180.00
ECHO ELECTRIC SUPPLY	SUPPLIES	1,576.81
ENERGY LABORATORIES	TESTING	135.00
FARMER BROTHERS CO.	COFFEE FILTER PACKETS	204.16
FAST AUTO GLASS	REPAIRS	531.36
FASTENAL COMPANY	SUPPLIES	65.10
GLOBAL DIST.	MERCHANDISE	106.00
GOVERNMENT FINANCE OFFICER ASSOC	2022 ANNUAL REPORT	460.00
GRAYBAR ELECTRIC	SUPPLIES	57.00
GRAYMONT (WI) LLC	CHEMICALS	11,663.63
GREGG PETERS	MANAGERS FEE	6,000.00

GUARANTEE ROOFING & SIDING	INSTALLED ROOFING	39,808.23
HAUFF MID-AMERICA SPORTS	LIFEGUARD SUITS	2,453.00
HAUGER LAWN SERVICE	MOWING/WEEDS	160.00
HAWKINS INC	CHEMICALS	8,670.20
HDR ENGINEERING, INC	PROFESSIONAL SERVICES	14,281.00
HECKS DAKOTA STYLE BBQ	PULLED PORK/BRISKET/POTATOES	597.80
HELMS & ASSOCIATES	PROFESSIONAL SERVICES	2,863.29
INGRAM	BOOKS	2,262.41
INTENSE GRAPHICS CUSTOM APPAREL	BASEBALL/SOFTBALL SHIRTS	2,151.38
ISTATE TRUCK CENTER	REPAIRS	551.38
JAY'S PLUMBING	REPAIRS	339.92
JIM GOBLIRSCH	REIMBURSEMENT	57.35
JOHN A CONKLING DIST.	MERCHANDISE	6,534.35
JOHNSEN HEATING & COOLING	REPAIRS	576.82
JOHNSON BROTHERS OF SD	MERCHANDISE	18,018.04
JONES FOOD CENTER	SUPPLIES	136.27
K & M TIRE	TIRES	236.00
KALINS INDOOR COMFORT	REPAIRS	417.23
KAREN HARRIS	SAFETY GLASSES REIMBURSEMENT	150.00
KIRK SORENSEN	PRENTIS PARK 100TH CELEBRAT	300.00
KNIFE RIVER MIDWEST, LLC	ASPHALT	1,681.26
LAMB MOTOR COMPANY	FORD PICKUP	46,283.00
LAYNES WORLD	PLATE ENGRAVING	15.00
LEISURE LAWNS, LLC	SPRINKLER REPAIRS	105.00
LIBRARY IDEAS	SUBSCRIPTION	2,100.00
LOCATORS AND SUPPLIES, INC	WORK SHIRTS/GLOVES/REPELLENT	434.00
LOFFLER	COPIER CONTRACT	576.21
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	1,280.00
LOW INCOME ENERGY ASSISTANCE	REFUND ONE TIME ELECTRIC PMTS	1,667.72
MAIN STREET CENTER	2ND QTR CONTRIBUTION	4,000.00
MARK FOLEY	MEALS REIMBURSEMENT	318.00
MART AUTO BODY & MARINE LLC	TOWING	330.00
MART BROTHERS CONSTRUCTION	PATCH ROOF	937.25
MATHESON TRI-GAS, INC	CYLINDER RENTAL	109.60
MICHAEL WATTERSON	OPERATOR CERTIFICATION EXAM	60.00
MICHELLE DENNIS	USD PRESERVATION PROJECT	1,200.00
MIDAMERICAN	GAS USAGE	1,647.57
MIDCONTINENT COMMUNICATION	INTERNET/CABLE	332.43
MIDWEST ALARM CO	ALARM MONITORING	212.10
MIDWEST READY MIX & EQUIPMENT	ROCK/RENTAL	1,502.39
MIDWEST TURF & IRRIGATION	REPAIRS	1,021.10

MISSOURI RIVER ENERGY SERVICE	INFRARED SCANNING	3,693.40
MIZUNO USA, INC	MERCHANDISE	736.41
MOORE WELDING & MFG	REPAIR PARK BENCH LEG	173.50
NATIONAL MUSIC MUSEUM	FUNDING	7,500.00
NEBRASKA JOURNAL-LEADER	ADVERTISING	83.90
NETSYS+	MICROSOFT WINDOWS/PROF SVCS	8,925.50
NORMA PROBST	MEALS REIMBURSEMENT	68.00
O'CONNOR KILN & DRYER INC	PLOW REPAIRS	3,400.00
O'REILLY AUTO PARTS	PARTS	528.33
ODEYS INC	INFIELD TOPDRESSING	1,466.00
OUTSIDE OF A DOG	BOOKS	1,327.91
PEPSI COLA OF SIOUXLAND	MERCHANDISE	3,868.78
PING/KARSTEN MFG CORP	MERCHANDISE	539.82
PIONEER RESEARCH	SUPPLIES	517.18
PIZZA RANCH	PIZZA	89.03
PRAIRIE BERRY WINERY	MERCHANDISE	780.00
PRAIRIE WIND TRAILERS	TRAILER	17,600.00
PRESSING MATTERS	RECEIPT BOOKS/ENVELOPES	638.00
PUKKA INC	MERCHANDISE	1,576.32
QT POD	ACCESS/SUPPORT AGREEMENT	1,425.00
QUADIANT FINANCE USA, INC	POSTAGE FOR METER	500.00
QUADIANT LEASING USA, INC	POSTAGE METER LEASE	178.39
RAISE RITE INC	REPAIRS	1,938.00
RAMKOTA HOTEL	LODGING	230.00
REDI TOWING	TOWING	1,010.00
REPUBLIC NATIONAL DIST	MERCHANDISE	8,402.80
REQUIP, LLC	REPAIRS	16,379.75
REVOLT ELECTRICAL SERVICES	REPAIRS	5,703.88
ROCKMOUNT RESEARCH & ALLOY	SUPPLIES	790.68
ROSENBAUER SOUTH DAKOTA LLC	PUMPER	499,681.00
ROSEWOOD GREENHOUSE	FLOWERS	9.88
RUNNING SUPPLY, LLC	SUPPLIES	2,648.61
SD DENR	LANDFILL OPERATIONS FEE	4,563.34
SECURITY SHREDDING SERVICE	SHREDDING	35.00
SIOUXLAND HUMANE SOCIETY	FEE	37.00
SOUTHERN GLAZER'S OF SD	MERCHANDISE	4,241.30
STAPLES BUSINESS CREDIT	SUPPLIES	1,491.38
STERN OIL CO.	FUEL	5,728.37
STEWART OIL-TIRE CO	ALIGNMENT	79.95
STUART C. IRBY CO.	SUPPLIES	1,139.30
TIFOSI	MERCHANDISE	335.73

TITAN MACHINE-PRODUCTIVITY	RAMMER/BUCKETS	9,430.00
TITAN MACHINERY	BLADE KITS/PINS	831.40
TITLEIST-ACUSHNET COMPANY	MERCHANDISE	1,053.00
TRUSCO MFG COMPANY	PUMP ASSEMBLY	164.00
TYLER TECHNOLOGIES	PROF SVCS/MAINTENANCE	2,440.50
UNITED PARCEL SERVICE	SHIPPING	16.32
US KIDS GOLF	MERCHANDISE	625.48
USPS-POC	POSTAGE FOR METER	700.00
VANTAGE APPAREL	MERCHANDISE	906.23
VERMILLION ACE HARDWARE	SUPPLIES	1,679.12
VERMILLION FASTPITCH SOFTBALL	CONCESSIONS	100.00
VISTA OUTDOOR SALES, LLC	MERCHANDISE	840.00
WALKER CONSTRUCTION INC	COTTON/PRENTIS PARK SHELTERS	18,850.91
WESCO DISTRIBUTION, INC	SUPPLIES	1,770.00
WILLIAMS & CO.	2022 AUDIT	26,000.00
YAMAHA MOTOR FINANCE CORP	GOLF CARS/GPS LEASE	6,622.61
YANKTON JANITORIAL SUPPLY	SUPPLIES	136.00

Council Member Hellwege seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

12. Consensus Agenda

A. Special permit to exceed permissible noise levels for Resilient Church at the north shelter in Prentis Park on Saturday, August 5, 2023 from 11:00 a.m. to 2:00 p.m. for a community block party.

212-23

Council Member Price moved approval of the consensus agenda. Council Member Holland seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

13. Adjourn

213-23

Council Member Murra moved to adjourn the Council Meeting at 8:01 p.m. Council Member Ward seconded the motion. Motion carried 9 to 0. Mayor Cole declared the motion adopted.

Dated at Vermillion, South Dakota this 20th day of June, 2023.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
Jonathan D. Cole, Mayor

ATTEST:

BY _____
Katie E. Redden, Finance Officer

Published once at the approximate cost of _____.