

Unapproved Minutes
Council Special Session
July 6, 2020
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, July 6, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Jennewein (teleconference), Hellwege (teleconference), Holland (teleconference), Humphrey (teleconference), Price (teleconference), Sorensen (teleconference), Ward, Willson (teleconference), Mayor Collier-Wise (teleconference)

2. Visitors to be Heard - None

3. Home Rule Charter Committee report - Dr. Mike Card

Dr. Mike Card, Chairman of the Home Rule Charter Committee reported that the committee members are Matthew Fairholm, Travis Letellier, Stacey Larson, AJ Franken and Steve Ward serving as the liaison to the Council. Dr. Card noted that City staff John Prescott, James Purdy and Mike Carlson provided content to the committee. Dr. Card noted that the review of the Home Rule option started with the Home Rule Study Committee that recommended from their review of Home Rule charters and contacts with Home Rule cities that the City Council proceed with the Home Rule Charter process. Dr. Card reviewed the difference between the current Dillion's Rule Charter that provides that cities have only the authority specifically granted by the State Legislature while with a Home Rule Charter cities are authorized by the Constitution to engage in activities that are not specifically authorized, but not to engage in activities that are prohibited by State law or the charter itself. Dr. Card reported on the benefits and criticisms of Home Rule charters from contacts with other Home Rule Charter communities. Dr. Card reported that the committee developed a draft charter that the Home Rule Charter Committee unanimously recommended be forwarded to the City Council at their June 22nd meeting. Discussion followed with Dr. Card and other committee members answering questions of the City Council on the draft Home Rule Charter.

John Prescott, City Manager, reported that the committee report is on the agenda for tonight and, as the Council cannot act upon a committee report at the meeting it is received, any action to move forward with the Home Rule Charter will be on the July 20th meeting. John noted that, if approved, the Home Rule Charter would need to be voted upon by the

citizens which would take Council action to place the question on the November general election ballot.

Mayor Collier-Wise thanked the committee for their work on the Home Rule Charter.

4. Briefing on the July 6, 2020 City Council Regular Meeting City Council Regular Meeting

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

5. Adjourn

182-20

Alderman Ward moved to adjourn the Council special session at 12:35 p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of July, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
July 6, 2020
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, July 6, 2020 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

Present: Hellwege (teleconference), Holland (teleconference), Humphrey (teleconference), Jennewein (teleconference), Price (teleconference), Sorensen (teleconference), Ward (teleconference), Willson (teleconference), Mayor Collier-Wise (teleconference)

2. Pledge of Allegiance

3. Minutes

A. Minutes of June 15, 2020 Special Meeting; June 15, 2020 Regular Meeting; June 22, 2020 Special Meeting

183-20

Alderman Sorensen moved approval of the June 15, 2020 Special Meeting, June 15, 2020 Regular Meeting and June 22, 2020 Special Meeting minutes. Alderman Hellwege seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

184-20

Alderman Price moved approval of the agenda. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

5. Visitors to be Heard - None

A. Proclamation Recognizing July as Parks and Recreation Month

Alderman Ward read the proclamation recognizing July 2020 as "Parks and Recreation Month" in Vermillion and encouraged all residents to participate in this observance by being outside and enjoying our local parks and recreation facilities.

6. Public Hearings - None

7. Old Business - None

8. New Business - None

9. Presentation to Outgoing Council Member

Alderman Price read a Proclamation recognizing Tom Sorensen for his service as Alderman for the City of Vermillion. Alderman Sorensen thanked the Mayor, Council members and City employees and encouraged citizens to participate in local government.

10. Adjourn

185-20

Alderman Sorensen moved to adjourn the Council Meeting at 7:17 p.m. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of July, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

NEW CITY COUNCIL

1. Installation

A. Alderman

Mike Carlson, Finance Officer, administered the Oath of Office to Alderman elect Brian Humphrey, Travis Letellier and Steve Ward. Mike noted that Kelsey Collier-Wise was Alderman elect for the Central Ward but has provided notice that she did not intend to qualify for the office of Alderman since being appointed as Mayor. Mike noted that this vacancy in Central Ward will be addressed at the July 20th meeting.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on July 6, 2020 at 7:20 p.m. by Mayor Collier-Wise.

2. Roll Call

Present: Hellwege (teleconference), Holland (teleconference), Humphrey (teleconference), Jennewein (teleconference), Letellier (teleconference), Price (teleconference), Ward (teleconference), Willson (teleconference), Mayor Collier-Wise (teleconference)

3. Adoption of Agenda

186-20

Alderman Willson moved approval of the agenda. Alderman Hellwege seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Election of Officers

A. President

Mayor Collier-Wise opened nominations for President of the Council

187-20

Alderman Hellwege nominated Alderman Holland for President of the Council. Alderman Ward seconded the nomination. Mayor Collier-Wise, hearing no other nominations, called for the vote on Alderman Holland for President. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Vice President

Mayor Collier-Wise opened nominations for Vice President of the Council

188-20

Alderman Hellwege nominated Alderman Ward for Vice President of the Council. Alderman Price seconded the nomination. Mayor Collier-Wise, hearing no other nominations, called for the vote on for Alderman Ward for Vice President. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

5. Appointment of Administrative Officers

A. Finance Officer

President Holland, as Mayor Collier-Wise lost computer connection, recommended the appointment of Mike Carlson as Finance Officer and James McCulloch as City Attorney.

189-20

Alderman Price moved approval of the appointment of Mike Carlson as Finance Officer and James McCulloch as City Attorney. Alderman Hellwege seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. City Attorney

City Attorney appointment was included in item A above.

6. Other Appointments and Designations

A. City Council Committees and Other Committee Assignments

Mayor Collier-Wise read the recommendation for appointments to the City Council standing committees of Labor and Finance, Policies and Procedures, Utilities and Surplus Property Appraisal as well as other City Council representation on boards.

190-20

Alderman Ward moved approval of the following City Council Committee appointments: Labor and Finance - Collier-Wise/Chair, Holland, Hellwege and Price; Policies and Procedures - Willson/Chair, Hellwege, Letellier and Ward; Utilities - Ward/Chair, Willson, Humphrey and Holland; Surplus Property Appraisal - Price/Chair, Jennewein, Holland and Humphrey and appointments to other City Boards: Home Rule Charter Committee - Letellier, Joint Powers - Jennewein; Library Board - Letellier; Tree Board - Holland; Other City liaison/representatives: Clay County - Mayor Collier-Wise; Clay County Fair Board - Mike Carlson; Clay County Health Liaison - Matt Callahan; Clay County Park Board - Travis Taggart; Missouri River Energy Services - John Prescott and Shane Griesse as alternate; SECOG - John Prescott and Mayor Collier-Wise as alternate; Dakota Hospital Foundation - John Prescott; University of South Dakota - Mayor Collier-Wise, Vermillion Chamber of Commerce & Development Company - Mayor Collier-Wise and John Prescott and Vermillion NOW!3 - Mayor Collier-Wise, Vermillion Public Transit - Brian Humphrey and National Music Museum - Mayor Collier-Wise. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Official Newspaper

Mike Carlson, Finance Officer, reported that State law requires the designation of an official newspaper, which has been the Vermillion Plain Talk. Mike noted that the designation may not be for a period of less than twelve months and recommended the designation of the Vermillion Plain Talk as the official newspaper.

191-20

Alderman Price moved approval of the designation of the Vermillion Plain Talk as the official newspaper. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

C. Official Depositories

Mike Carlson, Finance Officer, reported that State law requires the designation of official depositories of the City funds and requested designation for the following: CorTrust Bank, First Bank & Trust, First Dakota National Bank, Bank of the West, S.D. Public Funds Investment Trust, Wells Fargo and US Bank.

192-20

Alderman Price moved approval of the designation of the following as official depositories: CorTrust Bank, First Bank & Trust, First Dakota National Bank, Bank of the West, S.D. Public Funds Investment Trust, Wells Fargo and US Bank. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

D. Consolidated Board of Equalization

Mike Carlson, Finance Officer, reported that the County, School, and City have adopted a resolution to consolidate the Board of Equalization and the County requests that the entities reaffirm their intent.

193-20

Alderman Ward moved approval of the consolidation of the Board of Equalization with the County and School. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

E. Determination of Rules of Order

John Prescott, City Manager, stated that the City Council Rules and Procedures call for the City Council to designate an edition of Robert's Rules of Order. John stated that the City is currently using the 9th edition and has copies of this version available. John reported that the City Council developed a Rules and Procedures Manual in 2006 that was updated in 2008 and 2014. John noted that it would be a good time to adopt the rules and procedures again.

194-20

Alderman Humphrey moved approval of the determination of Robert's Rules of Order 9th Edition as the rules of order for City Council meetings and to re-affirm the City Council Rules and Procedures dated March 2006 as updated in 2008 and 2014. Alderman Hellwege seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

7. Visitors to be Heard

Alderman Ward asked about opening the parks playground equipment and basketball courts. Jim McCulloch, City Attorney, noted that, as this item was not on the agenda, no action should be taken. Discussion followed.

8. Public Hearings - None

7. Old Business - None

8. New Business

A. Midco Annual Report

Brian McFadden representing Midco, reviewed the number of employees assigned to this area, number of residential services and businesses services, wait time for new service and maintenance and changes made due to COVID-19. Brian answered questions of the City Council on the franchise noting that he would need to get back to the Council on the availability of high definition and closed caption.

195-20

Alderman Hellwege moved to acknowledge receipt of the Midco report. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Home Rule Charter Committee report

Dr. Mike Card, Chairman of the Home Rule Charter Committee, reported that the committee members are Matthew Fairholm, Travis Letellier, Stacey Larson, AJ Franken and Steve Ward serving as the liaison to the Council. Dr. Card noted that City staff John Prescott, James Purdy and Mike Carlson provided content to the committee. Dr. Card reviewed the charter provided to the committee. Dr. Card reviewed the difference between the current Dillion's Rule Charter that provide that cities have only the authority specifically granted by the state legislature while with a Home Rule Charter cities are authorized by the Constitution to engage in activities that are not specifically authorized, but not to engage in activities that are prohibited by State law or the charter itself. Dr. Card reviewed some examples received from Home Rule Charter communities of the benefits of the Home Rule Charter. Dr. Card reported that contacts were made with other Home Rule Charter communities and noted the benefits and criticisms provided from these communities. Dr. Card reported that the committee developed a draft charter that, as provided in the charter, retains the current City Council / Manager form of government. Dr. Card noted that the draft charter will retain the same elected officers, appointed officers, ordinances and resolutions. Dr. Card reported that the Home Rule Charter Committee, at their June 22nd meeting, unanimously recommended the draft Home Rule Charter be forwarded to the City Council. Discussion followed with Dr. Card and other committee members answering questions provided by citizens online and of the City Council on the draft Home Rule Charter. Dr. Card stated that the committee will look to schedule public meetings to explain the Home Rule Charter and answer questions.

John Prescott, City Manager, reported that tonight the City Council action would be to accept the report as no formal action can be taken at the meeting a report from a committee is received. John noted that for the Council to proceed with the Home Rule Charter, action would be required at the July 20th meeting to bring the question of adopting the charter to a vote at the November general election.

196-20

Alderman Ward moved to accept the draft Home Rule Charter as presented by the Home Rule Charter Committee. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

C. Street closure request to remove parking on Dakota Street from Alumni Street to SD Highway 50 and to close Rose Street from Coyotes Village to the Sanford Coyote Sports Center for this year's USD home football games on September 19, October 3, October 17, October 24, and November 21, 2020 from 6:00 a.m. to 6:00 p.m.

John Prescott, City Manager, reported that the request is to close Rose Street from Coyote Village to the Coyote Sports Center and remove parking on both the east and west sides of Dakota Street between Alumni Street and Highway 50 except for the visiting team busses on USD home football game days from 6:00 a.m. to 6:00 p.m. John stated that this has been done for a number of years without any incidents for pedestrian safety.

197-20

Alderman Willson moved approval of the street closing request from USD Athletics to close Rose Street from Coyote Village to the Dakota Dome and remove parking on both the east and west sides of Dakota Street between Alumni Street and Highway 50 except for visiting team busses parked on the east side on September 19, October 3, October 17, October 24, and November 21, 2020 from 6:00 a.m. to 6:00 p.m. for home football games. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

D. Resolution authorizing the execution of contractual documents with the State of South Dakota for the receipt of CARES Act funds to address the COVID-19 public health crisis

Mike Carlson, Finance Officer, reported that the Coronavirus Aid, Relief, and Economic Security (CARES) Act created a Coronavirus Relief Fund for the purpose of providing financial resources to state and local governments to respond to the COVID-19 public health emergency. Mike noted that Governor Noem has directed that Coronavirus Relief Funds be made available to cities and counties to support reimbursement of allowable expenditures related to the public health emergency. Mike stated that the City of Vermillion allocation of the Coronavirus Aid Relief and Economic Security (CARES) Act is \$2,470,104 for reimbursement of qualifying expenditures. Mike stated that the State has provided a list of frequently asked questions (FAQ) to address expenses that qualify for reimbursement noting the guidelines at the federal level are evolving and the state will update the FAQ with new information. Mike noted that from the information provided the grant will provide for reimbursement of necessary expenditures incurred due to the public health emergency with respect to COVID-19 incurred between March 1, 2020 until December 30, 2020. Mike stated that SECOG will serve as our point-of-contact regarding the Local Government COVID Recovery Fund. Mike noted that from the FAQ costs qualifying for reimbursement include Police, Fire, Ambulance and Emergency Communications wages and benefits along with other COVID related expenditures. Discussion followed.

198-20

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

A RESOLUTION AUTHORIZING THE EXECUTION OF
CONTRACTUAL DOCUMENTS WITH THE STATE OF
SOUTH DAKOTA FOR THE RECEIPT OF CARES ACT
FUNDS TO ADDRESS THE
COVID-19 PUBLIC HEALTH CRISIS

WHEREAS, pursuant to section 5001 of the Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, div. A, Title V (Mar. 27, 2020) (the "CARES Act"), the State of South Dakota has received federal funds that may only be used to cover costs that: (a) are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19); (b) were not accounted for in the budget most recently approved as of March 27, 2020, for the State of South Dakota; and (c) were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020; and

WHEREAS, the City of Vermillion acknowledges that the State of South Dakota, in its sole discretion, may retain full use of these funds for the purposes delineated in the CARES Act; and

WHEREAS, the City of Vermillion acknowledges that in order to provide financial assistance to counties and municipalities in South Dakota, the State of South Dakota, in its sole discretion, may allocate CARES Act Funds Act on a statewide basis to reimburse counties and municipalities as delineated herein; and

WHEREAS, the City of Vermillion seeks funding to reimburse eligible expenditures incurred due to the public health emergency with respect to COVID-19; and

WHEREAS, the City of Vermillion acknowledges that any request for reimbursement of expenditures will only be for expenditures that were not accounted for in the budget for the City of Vermillion most recently approved as of March 27, 2020; and

WHEREAS, the City of Vermillion acknowledges that it will only seek reimbursement for costs incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Vermillion that the City Manager of the City of Vermillion may execute any and all documents as required by the State in order to receive CARES Act funds.

BE IT FURTHER RESOLVED that any request for reimbursement will be only for those costs authorized by the State that: (1) Are necessary expenditures incurred due to the public health emergency with respect to COVID-19; (2) Were not accounted for in the City budget most recently approved as of March 27, 2020; and (3) Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.

IT IS FURTHER RESOLVED that the City will not request reimbursement from the State under the CARES Act for costs for which the City previously received reimbursement, or for which the City has a reimbursement request pending before another source.

Approved and adopted this 6th day of July, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
Kelsey Collier-Wise, Mayor
City of Vermillion,
South Dakota

ATTEST:

By: _____
Michael D. Carlson,
Finance Officer
City of Vermillion, South Dakota

The motion was seconded by Alderman Humphrey. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

E. Planning Commission appointments

Mayor Collier-Wise stated that there are five openings on the Planning Commission for five year terms. Mayor Collier-Wise recommended the reappointment of Don Forseth, Doug Tuve and Jim Wilson and appointment of Susan Heggstad and Thomas Mrozla to five year terms on the planning commission. Mayor Collier-Wise thanked all who expressed interest in the open positions.

199-20

Alderman Hellwege moved approval of the reappointment of Don Forseth, Doug Tuve and Jim Wilson and appointment of Susan Heggstad and Thomas Mrozla to five year terms on the Planning Commission expiring in June 2025. Alderman Price seconded the motion. A roll call vote of the

Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

F. Resolution adjust fines for City code violations to compensate for increased court system costs

John Prescott, City Manager, reported that the State of South Dakota raised court system costs for municipal offenses from \$62.50 to \$72.50 effective July 1, 2020. John noted that the City Attorney and staff learned of the increase in late June. John stated that the attached resolution provides for an increase in the City fine amount to match the state fine and costs. John recommended adoption of the resolution.

200-20

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

RESOLUTION OF CITY OF VERMILLION
CITY FINE SCHEDULE

WHEREAS, the City of Vermillion is authorized, under Section 10.99 of the City of Vermillion Code of Ordinances, to set fines for City offenses by resolution; and

WHEREAS, the State of South Dakota has raised court system costs for municipal offenses from \$62.50 to \$72.50 effective July 1, 2020; and

WHEREAS, court costs are deducted from the fine established by the City; and

WHEREAS, increasing the fine established by the City by ten dollars (\$10) will be revenue neutral for the City but account for the increased court system costs charged by the State of South Dakota as of July 1, 2020; and

WHEREAS, the City wishes to update the fine schedule in accordance with the State court cost, as necessary.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the City of Vermillion hereby adopts the mentioned fine schedule attached hereto and incorporated by reference herein.

Dated at Vermillion, South Dakota this 6th day of July, 2020.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By: _____
Kelsey Collier-Wise, Mayor

ATTEST:

By: _____
Michael Carlson, Finance Officer

The motion was seconded by Alderman Humphrey. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

G. Street closure request of Kidder Street from the alley between Court Street and Market Street to Austin Street, and Market Street from the middle of the first block south of Main Street to the City Parking lot for the BBQ competition typically associated with Ribs, Rods, & Rock 'n Roll

John Prescott, City Manager, reported that Ribs, Rods, & Rock 'n Roll is requesting a temporary street closure beginning on Friday, September 11, 2020 at 6:00 a.m. until Saturday, September 12th at 6:00 p.m. for the BBQ competition typically associated with Ribs, Rods, & Rock 'n Roll. John noted that, due to the COVID-19 pandemic, there are currently no plans for the traditional Ribs, Rods, & Rock 'n Roll Event that the community enjoys each year. John noted that the organization would still like to host the BBQ competition typically associated with the event with some proposed changes. John stated that the biggest change is that the area will be closed to the public and staff's understanding is that the judging will take place inside of Old Lumber Company in an area also closed to the public. John noted that there will be no people's choice award. John stated that the event will consist of organization's staff and volunteers, approximately 30 judges, and up to 30 teams consisting of 2-4 people. John noted that, having the barbeque event this year on this weekend, will help Vermillion maintain this weekend in future years when Ribs, Rods, and Rock 'n Roll will hopefully again be able to have public participation. John noted that the map of the street closing is included in the packet and that Police, Fire and EMS have been notified of the event. John noted that the representatives were present to answer questions.

201-20

Alderman Ward moved approval of the temporary street closing request from Ribs, Rods, & Rock 'n Roll for Kidder Street from the alley between Court Street and Market Street to Austin Street, and Market Street from the middle of the first block south of Main Street to the City Parking lot for the BBQ competition typically associated with Ribs, Rods, & Rock 'n Roll. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

H. Consultant Agreement with Banner Associates, Inc. for the Final Design on the Brooks Industrial Regional Pond

Jose Dominguez, City Engineer, reported that in 2015 the City entered into an agreement with Banner Associates, Inc to complete a drainage report for Brooks Industrial Park (area between North Plum Street and Commerce Street north of East Duke Street). Jose stated that the report for Brooks Industrial Park was completed but design of the improvements was not since there were no anticipated developments needing the infrastructure improvements. Jose stated that the VCDC and the City have been approached by a local developer with the intent to construct a street and a couple of structures for businesses in this area. Jose noted that the City and the VCDC are still working with the developer on the details, but the developer would like to start construction on the buildings and street later this year. Jose noted that the City Council will be asked at a future meeting to consider a developer's agreement for infrastructure in the area. Jose stated that the lack of drainage improvements can hinder possible development and the construction of a regional detention pond ahead of development makes the land more marketable for development, and it ensures that drainage requirements are met for a large area of the community. Jose provided a map of the area included in the drainage plan. Jose reported that the agreement with Banner will be an hourly rate, not to exceed, \$58,000 to be paid out of the Stormwater Collection System Maintenance Fund. Jose noted that the budget will be revised during the 2020 budget review to include the \$58,000 agreement cost.

202-20

Alderman Hellwege moved approval of the Consultant Agreement with Banner Associates, Inc. for the Final Design on the Brooks Industrial Regional Pond at an hourly rate not to exceed \$58,000. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

I. Street closure request for the alley between 113 E Main Street (Varsity Pub) and 101 E Main Street (First Baptist Church) to allow for expanded seating to promote social distancing.

John Prescott, City Manager, reported on a request from The Varsity Pub, LLC to close a portion of the alley between the Varsity Pub and the First Baptist Church for the expanded social distance seating event beginning July 7, 2020 and ending August 24, 2020. John noted that this closure request is in order to provide the space needed for the social distance expanded seating event necessitated by the COVID-19 pandemic and the resulting economic hardship shared by many businesses in the community. John noted that similar requests have been approved for other businesses. John noted that The Varsity Pub, LLC has identified the partial closure of this alley as necessary to provide the outdoor space needed for the event. John stated that the diagram was included in the packet which outlines the fencing plan and The Varsity Pub, LLC will be utilizing their dumpster as a traffic barrier, which should adequately block street traffic. John noted that, on their application, Varsity Pub, LLC indicated that they would approach the First Baptist Church and ask for their comments on using the alley. John noted that in talking to Diane the closing would not extend north past the current deck and asked for the ability to work with the owner on location of the area.

203-20

Alderman Price moved approval of the request of The Varsity Pub, LLC to close a portion of the alley between 113 E Main Street (Varsity Pub) and 101 E Main Street (First Baptist Church) to allow for expanded seating to promote social distancing. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

J. Consideration of Special Event License permits for Varsity Pub, LLC for Varsity Pub for the period of July 7, 2020 to August 24, 2020 with no sales on July 20, August 3, and August 17, 2020 for the hours of 2:00 p.m. to 11:00 p.m.

Mike Carlson, Finance Officer, reported that with the adoption of Emergency Ordinance No. 1415 at the June 22, 2020 special meeting, a number of special event licenses for the period of June 25 to August 24 with the exclusion of July 6, July 20, August 3, and August 17, 2020 were approved for downtown establishments. Mike noted that, when approving the special licenses, the City Council set the ending time at midnight. Mike reported that the Varsity Pub, LLC for the Varsity Pub at 113 E Main has requested to use the closed portion of the alley for the Social Distance Expanded Seating special event license. Mike noted that the application indicated the hours of operations would be from 2:00 p.m. to 11:00 p.m. daily. Mike stated that the release and indemnification

form releasing the City from any liability for the special event and a certificate of insurance naming the City as an additional insured have been provided. Mike recommended that the City Council review the respective Special Daily request from the Varsity Pub, LLC including hours of operation, and since the alley is shared with the church, reassurance that there is not a conflict with church activities. Mike noted that barricades or a fence will need to designate the area to prevent alcoholic beverages from leaving the area.

204-20

Alderman Holland moved approval of the special event license permits for Varsity Pub, LLC for Varsity Pub for the period of July 7, 2020 to August 24, 2020 with no sales on July 20, August 3, and August 17, 2020 for the hours of 2:00 p.m. to 11:00 p.m. contingent upon establishing barricades or fencing to define the designated areas, and other control measures to prevent alcoholic beverages from leaving the designated area and to prevent under age access to alcoholic beverages. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

K. Agreement to Construct Public Infrastructure by Private Development with JR&R II, LLC Owner of Outlot B, Block 6, Erickson Addition, City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, stated that JR&R II, L.L.C. (JR&R) is in the process of constructing a Runnings store off Bower Street west of Princeton Street. Jose noted that, as part of this project, JR&R asked the City and the Vermillion Chamber and Development Company (VCDC) to construct a public street that would provide access to Runnings off of Princeton Street and other property owned by the VCDC. Jose stated the new street will be called McHenry Street and will provide access to three of the lots which are currently owned by the VCDC and the Running store lot. Jose stated that construction of McHenry Street will only require grading and paving as the utilities are already provided to the adjoining lots. Jose reviewed the options in constructing infrastructure improvements that includes the project to be completed by the developer. Jose reviewed the content of the agreement whereby JR&R II, LLC will construction the street and that based on the bid the City share will be \$24,912.96 for oversized items. Jose recommended that the City Council authorize the Mayor to sign the Agreement to Construct Public Infrastructure by Private Development with JR&R II, L.L.C.

205-20

Alderman Willson moved approval for the Mayor to sign the Agreement to Construct Public Infrastructure by Private Development with JR&R II,

L.L.C. at the current bid item cost of \$24,912.96. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil on all four items.

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$1.748, Brunick's Service \$1.75, Jerry's Service \$2.00; Item 2 - 1,000 gal unleaded regular: Stern Oil \$1.8985, Brunick's Service \$1.90, Jerry's Service \$2.12; Item 3 - 3,000 gal No. 2 Diesel fuel dyed: Stern Oil \$1.5172, Brunick's Service \$1.53, Jerry's Service \$1.60; Item 4 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$1.7972, Brunick's Service \$1.80, Jerry's Service \$2.20.

206-20

Alderman Price moved approval of the low quote of Stern Oil on all four items. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

10. City Manager's Report

A. John reported that the Fire Department, Parks and Rec, and Water Department are offering Hydrant Parties every Tuesday through July 28th at four locations: Bluffs Golf Course at 1:00 p.m.; Trinity Lutheran Church at 2:00 p.m.; Hillside Church at 3:00 p.m. and the Armory parking lot at 4:00 p.m. John noted that participants are asked to wear a shoe or sandal, social distancing will be enforced, and please only attend one party which is closest to your neighborhood. John stated that, if there is rain on a Tuesday, the event will occur on Wednesday.

B. John reported that there is a vacancy for a citizen representative on Joint Powers Board. John stated that the Board is comprised of representative from Vermillion, Yankton, Clay County, and Yankton County and generally meets four times a year to make recommendations on the landfill and recycling operations. John noted that for this opening the individual does need to be a city resident and asked interested citizens to complete an Expression of Interest form and

return it by noon on Thursday, July 16 in anticipate that the City Council would make an appointment at the July 20 meeting.

- C. John reported that the Water Department was awarded the Secretary's award for Drinking Water Excellence from the SD Department of Environment and Natural Resources for the 19th consecutive year.
- D. John reported that the Human Relations Commission meeting is this Thursday, July 9th at 7:00 p.m.
- E. John reported that the City Planning & Zoning Commission meeting is next Monday, July 13th at 5:30 p.m. John noted that, at present, the one item on their agenda is to amend the Bliss Pointe Planned Development District zoning to allow for limited car sales in the Area D and single-family housing in Area C.
- F. John reported on the following raffle notifications:

Wal-Mart is selling \$1 tickets to raise money for the Children's Miracle Network until July 17, 2020. Prizes are four baskets valued at \$25 each. Proceeds after the cost of the baskets will go to the Children's Miracle Network. Raffle is open to everyone.

Wal-Mart is selling \$1 tickets to raise money for the Children's Miracle Network. The prize for this raffle is a \$100 gift card. This raffle is only for employees with the proceeds benefitting the Children's Miracle Network.

PAYROLL ADDITIONS AND CHANGES

Council: Travis Letellier \$266.21/bi-weekly; Fire: Matt Taggart \$18.72/hr; Police: Andrew Delgado \$26.21/hr, Jonathan Warner \$28.94/hr; Street: Josh Timmerman \$17.74/hr; Ambulance: Anthony Gengler \$18.35/hr; Recreation: Wesly Privett \$9.75/hr, Emma Dahlhoff \$9.50/hr, Braden Smutz \$30.00/game; Light: Brandon Steeneck \$33.48/hr; Landfill: Dan Millroy \$18.37/hr, Brian Waage \$18.37/hr; Curbside: Kara Mulheron \$16.63/hr

11. Invoices Payable

207-20

Alderman Price moved approval of the following invoices:

A-1 Portable Toilets	portable toilet rental	825.00
Adidas America, Inc	merchandise	1,112.83
Altec Industries, Inc	repairs	1,329.00
Amazon Business	supplies	1,221.85
American Legal Publishing	online code updates/disc	501.35

A-Ox Welding Supply Co	chemicals	1,884.00
Appeara	shop towels	45.00
Aramark Uniform Services	uniform cleaning	1,048.60
Argus Leader Media #1085	subscription	28.00
Arizona Manufacturing & Embr	merchandise	497.10
Avera Occupational Medicine	testing	151.10
Banner Associates, Inc	professional services	4,869.00
Basin Electric Power Coop	professional services	11,960.10
Big State Industrial Supply	disinfectant fogger	178.80
Blackstone Publishing	books	10.01
Border States Elec Supply	parts	1,039.93
Bound Tree Medical, LLC	medical supplies	2,547.93
Boyer Trucks	parts	519.20
Breit & Boomsma Pc	garnishment	2,295.46
Broadcaster Press	advertising	100.00
Brunick's Service Inc	propane/fuel	1,561.75
Busch Systems International	recycling bins	7,322.43
Butler Machinery Co.	parts	487.93
C & B Operations, LLC	parts	132.32
C & H Golf Ball	merchandise	2,160.00
Callaway Golf	merchandise	541.34
Cardis Fence & Iron Co	parts	373.00
Cask & Cork	merchandise	1,132.50
Centralsquare Technologies	software	4,501.00
Century Business Products	copier contract/copies	186.94
Chargepoint	charge station lease	2,750.00
Chesterman Co	merchandise	1,651.55
City Of Vermillion	copies/postage	1,180.88
City Of Vermillion	utility bills	36,444.34
Clay County Auditor	emergency mgmt	1,200.00
Clay-Union Electric Corp	electric buyout	2,942.18
Colonial Life Acc Ins.	insurance	3,073.65
Core & Main LP	wire	360.00
Cornhusker International Trucks	supplies	60.00
Crouch Recreation	supplies	3,275.00
Dakota Beverage	merchandise	15,791.93
Dakota Pc Warehouse	ipad/case/cartridge	409.96
Danko Emergency Equipment	parts	539.37
Delta Dental Plan	insurance	6,218.08
Demco	supplies	348.35
Dennis Martens	maintenance	833.34
DGR Engineering	professional services	370.00
Diamond Vogel Paints	white traffic paint	1,264.50

Division Of Motor Vehicle	title/plates	45.00
Dubois Chemicals	soda ash	7,359.00
Eakes Office Solutions	foam sanitizer/dispensers	2,884.02
Echo Electric Supply	supplies	1,100.56
Elliott Equipment Co	parts	406.30
EPG Companies, Inc	parts	620.90
Erickson Solutions Group	computers/software	4,394.62
Farner Bocken Company	merchandise	2,345.68
Fast Auto Glass	repairs	378.57
Fedex.	shipping	26.87
Festive Media	medical supplies	430.00
Foreman Media	May/June council mtgs	200.00
Foss Security, Inc	camera system	5,450.00
Gale/Cengage Learning Inc	book	24.69
Global Dist.	merchandise	301.90
Govt Finance Officers Assn	2019 annual report	460.00
Graham Tire	tire	112.94
Graymont (WI) LLC	chemicals	8,284.56
Gregg Peters	rent	937.50
Hansen Locksmithing	repairs	57.00
Hartington Tree LLC	stump grinding	696.00
Hauger Lawn Service	lawn service	132.00
Heiman Fire Equipment	repairs	526.75
Herren-Schempp Building	supplies	149.63
Hy Vee Food Store	supplies	65.79
ICMA	membership	402.85
Ingram	books	1,635.26
Jacks Uniform & Eqpt	supplies	71.99
Jaymar	computer paper	958.50
Jay's Plumbing	repairs	871.29
Jerry's Chevrolet Buick GMC	repairs	121.87
Jim Balleweg	safety glasses reimbursement	125.90
Jo-Ann Stores, LLC	subscription	900.00
John A Conkling Dist.	merchandise	7,061.77
Johnsen Heating & Cooling	geothermal heat pump/repairs	15,533.60
Johnson Brothers Of SD	merchandise	12,540.75
Johnson Electric	install load mgmt	350.00
Johnstone Supply	supplies	243.43
Jones Food Center	supplies	746.23
Kalins Indoor Comfort	repairs	93.53
Karen Vander Stoep	refund parking tckt overpmt	45.00
Karsten Mfg Corp	merchandise	246.18
Knife River Midwest, LLC	supplies	258.33

L & L Machine Shop	repairs	371.23
Lamb Motor Company	(3) 2020 Ford F150	83,814.00
Loyne's World	council name plates	24.00
Leisure Lawn Care	sprinkler repairs/treatment	101.75
Locators And Supplies, Inc	red marking paint	155.79
M & M Construction LLC	Prentiss park sidewalk	24,449.87
Malloy Electric	parts	753.79
Marks Machinery	parts	178.00
Mart Auto Body	towing	75.00
Matheson Tri-Gas, Inc	medical oxygen	523.54
Mc2, Inc	supplies	2,648.42
McCulloch Law Office	professional services	1,800.00
Mead Lumber	supplies	59.08
Medical Waste Transport, Inc	haul medical waste	213.41
Megan Custis	refund rec program fees	47.00
Menards	supplies	169.72
Micro Marketing LLC	books	60.99
Midwest Turf & Irrigation	parts	591.97
Missouri Valley Maintenance	repairs	623.20
Mobotrex Mobility & Traffic	parts	214.00
Moore Welding & Mfg	repairs	27.50
Mr. Golf Car, Inc	repairs	144.45
MSC Industrial Supply Co	supplies	373.29
National Outdoor Furniture	bike racks/trash receptacles	5,895.00
NCL Of Wisconsin, Inc	supplies	1,376.55
Netsys+	repairs/software	2,438.25
Newman Signs, Inc	supplies	2,035.44
Nike Inc	merchandise	461.78
Northern Safety Co. Inc	kooldown bandanas	107.67
Odeys Inc	field drag w/ weights	409.95
Office Of Weights & Measurement	inspection	103.00
O'Reilly Auto Parts	parts	58.51
PCC, Inc	commission	1,995.19
Phelps	face masks	476.45
Powerphone, Inc	recertification	258.00
Presto-X-Company	inspection/treatment	62.00
Print Source	supplies	217.00
Property Maintenance Service	mowing	798.75
QT Pod	airport fuel system	14,745.00
Quill	toner/supplies	424.63
R&R Repair LLC	baler repairs	76,367.49
Racom Corporation	maintenance contract	411.70
Recorded Books, Inc	books	354.40

Red Bird Studio	books	44.95
Redi Towing	towing	225.00
Republic National Distributing	merchandise	13,864.07
Ricchio Inc.	supplies	271.17
Rob Pickens	safety boots reimbursement	100.00
Running Supply, LLC	supplies	758.38
Rusty Jensen	reimbursements	362.37
Safe Life Defense	body armor	1,042.20
Sanford Health Plan	participation fee	54.00
Sanford USD Medical Center	supplies	289.48
Sanitation Products Inc	parts	348.04
Schaeffer Mfg. Co	supplies	700.80
SD Dept Of Health	testing	89.00
SD Licensed Beverage Dealers	tam booklets	300.00
SD Retirement System	contributions	60,456.20
SD State Historical Society	books	70.28
SEH, Inc	professional services	13,241.01
Sensus Metering Systems	software support	1,715.95
Service Master Of Se SD	custodial	3,740.35
Sioux Equipment	repairs	3,780.66
Sirchie	supplies	80.34
Southern Glazer's Of SD	merchandise	5,458.48
Stewart Oil-Tire Co	repairs	36.95
Stockwell Engineers, Inc	downtown streetscape	2,584.70
Stuart C. Irby Co.	supplies	639.60
Sturdevants Auto Parts	parts	445.95
Syncb/Amazon	books/dvds/supplies	353.13
Taste Of Home Books	books	45.93
Taylor Made	merchandise	378.66
Thiesen Designs	work sweatshirts/t-shirts	54.00
Titleist-Acushnet Company	merchandise	4,133.81
Tractor Supply Credit Plan	supplies	47.94
Tritech Software Systems	maintenance	15,566.00
Turner Plumbing	repairs	136.70
Twin City Hardware	parts	72.11
Two Way Solutions	repairs	15.99
Tyler Technologies	software maintenance	1,312.50
Uline	supplies	264.15
United Accounts Inc	garnishment	1,806.49
United Laboratories	supplies	1,942.20
United Way	contributions	767.00
Unum Life Insurance Company	insurance	1,520.88
USA Bluebook	supplies	216.91

USD	refund duplicate lf payment	627.81
Utility Equipment Co.	meters	3,925.64
Valiant Vineyards	hand sanitizer	52.15
Van Diest Supply Co	supplies	276.70
Vast Broadband	911 circuit/dialup service	1,435.45
Verizon Wireless	cell phones/ipad access	2,429.69
Vermeer High Plains	parts	700.03
Vermillion Ace Hardware	supplies	5,451.63
Vermillion Chamber Of Commerce	vermillion bucks	200.00
Visa/First Bank & Trust	fuel/supplies	10,176.70
Wal-Mart Community	supplies	1,455.68
Walt's Homestyle Foods, Inc	merchandise	266.30
Wesco Distribution, Inc	parts	2,517.25
Williams & Co.	2019 audit	10,000.00
Yankton County Observer	subscription	35.00
Zee Medical Service	supplies	424.50
Zimco Supply Co	supplies	14,326.50
Dennis Zimmerman	Bright Energy Rebate	25.00

Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of July 20, 2020 for a site transfer of retail on-sale liquor license for Leo's Sports Bar & Grill, LLC for Leo's Sports Bar at 11 Market transfer to include 7 Market Street.

208-20

Alderman Ward moved approval of the consensus agenda. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

13. Adjourn

209-20

Alderman Ward moved to adjourn the Council Meeting at 8:55 p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 7th day of July, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
Kelsey Collier-Wise, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.