

Unapproved Minutes
Council Special Session
July 17, 2023
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, July 17, 2023 at 12:00 noon at the John "Jack" Powell Conference Room.

1. Roll Call

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

Absent: Hellwege, Letellier

2. Adoption of Agenda

237-23

Council Member Holland moved approval of the agenda. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

3. Visitors to be Heard - None

4. Review of upcoming large projects and funding needs- John Prescott

John Prescott, City Manager, presented each of the large projects potentially happening within the city. John listed each project and the funding source as follows:

- Wastewater Facility
- Water Facility
- Jefferson Street
- Baylor Street
- Munger Property Infrastructure
- James Street
- Munger Park
- Jolley Development
- Law Enforcement Center

Discussion followed on the projects.

5. July 1 Notable Law Changes for Cities- City Staff

Katie Redden, Finance Officer, reported on the new Municipal Liquor License. Katie noted that a municipal facility that hosts events can have

a liquor license but cannot have video lottery. Katie noted that the Golf Course would be the only facility that would be able to utilize this, which would free up a liquor license.

Jose Dominguez, City Engineer, reported on HB 1060 for public improvements. Jose stated that the bidding requirements went from \$25,000 to \$50,000. The definition of public improvements was modified to include utilities. Jose noted that this would affect the city by allowing some materials associated with utilities to be purchased without going to bid.

Matt Callahan, Fire Chief, reported on HB 1007 which was created to move EMS full time providers from Class A retirement (6%) to Class B retirement (8%). Matt noted that this does not affect the city today but allowed for future growth.

Jack Baustian, Assistant to the City Manager, reported on the revision of public meeting requirements. Jack noted that the bill clarified the practice of placing time limits on public comment at public hearings. Discussion followed.

6. Briefing on the July 17, 2023, City Council Regular Meeting

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

7. Executive Session per SDCL 1-25-2

238-23

Council Member Ward moved to go into Executive Session per SDCL 1-25-2 at 12:52 p.m. Council Member Jennewein seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

Mayor Cole declared the Council out of Executive Session at 1:20 p.m.

8. Adjourn

239-23

Council Member Murra moved to adjourn the Council special session at 1:20 p.m. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

Dated at Vermillion, South Dakota this 17th day of July, 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
July 17, 2023
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on July 17, 2023 at 7:00 p.m. by Mayor Cole.

1. Roll Call

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

Absent: Hellwege, Letellier

2. Pledge of Allegiance

3. Minutes

A. Minutes of July 3, 2023, Special Session and July 3, 2023, Regular Session

240-23

Council Member Murra moved approval of the July 3, 2023, Special Session and July 3, 2023 regular session minutes. Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

4. Adoption of Agenda

241-23

Council Member Holland moved approval of the agenda. Council Member Jennewein seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

5. Visitors to be Heard

Carson Merkwon, 221 E Main Street, noted to the Council that a few months ago he was rejected from the Human Relations Commission and would like

the Policy and Procedure Committee to look at a policy on choosing these positions. Carson noted that his wife also applied for a commission and was rejected which caused the newspaper to write an editorial which was not a happy thing for their family. Carson asked the Council to consider a different way to consider applicants.

6. Public Hearings

A. Special permit to exceed permissible noise levels for the Dakota Days Organization at the Ratingen Platz on Thursday, October 5, 2023 from 7:00 p.m. to 12:00 a.m. (midnight) for a Dakota Days street dance.

Austin Flowers, Deputy Finance Officer, reported that Marleigh Maldonado, on behalf of the Dakota Days Organization, has applied for a special permit to exceed allowable noise levels by no more than 50% for the annual Dakota Days Street Dance on October 5, 2023. Austin noted that the dance will take place at the Ratingen Platz from 7:00 p.m. to 12:00 a.m.(midnight). Austin noted that all fees were paid in the Finance Office, the notice of public hearing, map of the area, and application were included in the packet.

242-23

Council Member Holland moved approval of the Special permit to exceed permissible noise levels for the Dakota Days Organization at the Ratingen Platz on Thursday, October 5, 2023 from 7:00 p.m. to 12:00 a.m. (midnight) for a Dakota Days street dance. Council Member Ward seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

B. Special permit to exceed permissible noise levels for Ribs, Rods, and Rock 'n Roll, Inc. on or about September 8 & 9, 2023 from 5:00 p.m. to 12:00 a.m. (midnight) on W. Main St. between High St. and Prospect St.

Austin Flowers, Deputy Finance Officer, reported that Ribs, Rods & Rock 'n Roll has applied for a special permit to exceed allowable noise levels for several bands and a street dance on Friday, September 8th and Saturday September 9th beginning at 5:00 p.m. and lasting until midnight. The request, diagram and notice of hearing are attached. Austin recommended approval of the request.

243-23

Council Member Murra moved approval of the Special permit to exceed permissible sound levels by no more that 50% for Ribs Rods & Rock'n Roll, Inc on or about September 8 and 9, 2023 from 5:00 p.m. to midnight on W. Main Street between High and Prospect Streets. Council Member Jennewein seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

C. Special daily malt beverage and wine license for Ribs, Rods, and Rock 'n Roll, Inc. on or about September 8 & 9, 2023 on W. Main Street between Washington and Church Street, Ratingen Platz, Market Street from W. Main to Bloomingdale Street, Austin Street from W. Main to Kidder, Kidder Street from Austin to the alley between Court and Market Streets, public parking lot at Market and Kidder, private parking lot at Market and Kidder, Prospect from W. Main Street to half block north, and to include any other streets closed for the events

Austin Flowers, Deputy Finance Officer, reported that an application has been received for a special daily malt beverage and wine license from Ribs, Rods & Rock'n Roll for their events on September 8 & 9, 2023 on Main Street between Washington and Church Street, Ratingen Platz, Market Street from Main to Bloomingdale Street, Austin Street from Main to Kidder, Kidder Street from Austin to alley between Court and Market Streets, public parking lot at Market and Kidder, private parking lot at Market and Kidder, Prospect from W. Main Street to half block north, and to include any other streets closed for the events. Austin stated that the request from Ribs, Rods, & Rock'n Roll, notice of hearing and Police Chief's report are included in the packet. Austin noted that sales will remain in the same location as previous years on Main Street by Market Street. Austin stated that City ordinance allows the City Council to set conditions and restrictions, as it may deem appropriate, in issuing a special license. Austin stated that these conditions were to require a Release and Indemnification releasing the City from liability for the event which is included with the street closing request, a Certificate of Insurance naming the City as an additional insured has been received, require clear signage at each egress from the area where alcohol is allowed, reimburse the City for overtime wages of the Police Department up to a maximum of \$750, provide security personnel, require a cleanup plan and provide restroom facilities. Austin reviewed the conditions included in the Police Chief's memo for reimbursement of overtime to locations allowed and signage. Austin recommended approval of the license contingent upon compliance with the Police Chief's recommendations and any other the City Council may want to include.

244-23

Council Member Price moved approval of the Special daily malt beverage and wine license for Ribs, Rods & Rock'n Roll on or about September 8 and 9, 2023 on W. Main Street between Washington and Court Street, Ratingen Platz, Market Street from W. Main to Bloomingdale Street, Austin Street from W. Main Street to Kidder Street, Kidder Street from Austin Street to Court Street, Court Street from W. Main Street to half a block south, the public parking lot on the SW Corner of Market Street and Kidder Street, private parking lot at Market and Kidder and Prospect from W. Main Street to National Street and to include any other streets closed

for the Ribs Rods Rock N Roll events. Council Member Ward seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

7. Old Business

A. Request to close public alleyway between Ace Hardware and Kalin's Heating & Cooling for an Open House on Tuesday, July 25, 2023 from 3:00 p.m. to 7:00 p.m.

Jack Baustian, Assistant to the City Manager, reported that Allyson Bennett, on behalf of Kalin's Heating and Cooling, has submitted a street closure to celebrate their 40th anniversary in business at their Vermillion location. Kalin's Heating and Cooling requested to close the alleyway between Kalin's and Ace Hardware on July 25, 2023 from 3:00 p.m. to 7:00 p.m.

245-23

Council Member Holland moved approval of the request to close public alleyway between Ace Hardware and Kalin's Heating & Cooling for an Open House on Tuesday, July 25, 2023 from 3:00 p.m. to 7:00 p.m. Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

8. New Business

A. Request to close W. Main Street from Prospect Street west to the CorTrust Alleyway and Market Street as it abuts Ratingen Platz on Thursday, October 5, 2023 from 7:00 p.m. to 12:00 a.m. (midnight) for the Dakota Days Street Dance

Jack Baustian, Assistant to the City Manager, reported that the Dakota Days Committee submitted a request to close W. Main Street from Prospect Street west to the CorTrust Alleyway, and Market Street as it abuts Ratingen Platz on Thursday October 5, 2023 from 7:00 p.m. to 12:00 a.m. for the Dakota Days Street Dance.

Jack noted the Dakota Days Committee will be meeting with local businesses to ensure that they are okay with all set-up processes needed for the street dance. The Dakota Days Committee also indicated that they will be responsible for clean-up immediately following the event. The importance of cleaning up after the dance has been communicated to the applicant.

Jack stated the Police, Fire/EMS, and Street departments have been notified of the street closure request and there are no issues.

246-23

Council Member Jennewein moved approval of the Request to close W. Main Street from Prospect Street west to the CorTrust Alleyway and Market Street as it abuts Ratingen Platz on Thursday, October 5, 2023 from 7:00 p.m. to 12:00 a.m. (midnight) for the Dakota Days Street Dance. Council Member Holland seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

B. Street Closure Request for Main Street from the Vermillion High School parking lot to High Street, High Street from W. Main to West National Street for routing and/or staging of the Dakota Days parade on Saturday, October 7, 2023 from 7:30 a.m. until 12:00 p.m. (noon)

Jack Baustian, Assistant to the City Manager, reported that a street closing request was received from the Dakota Days Board to close Main Street from the Vermillion High School parking lot to High Street on Saturday, October 7, 2023 from 7:30 a.m. for the duration of the Dakota Days parade estimated to end at noon. Jack stated that the Police, Fire and EMS were notified with the request. Jack noted that the application indicates that the Board will clean up after the parade.

247-23

Council Member Murra moved approval of the Street Closure Request for E. Main Street from the Vermillion High School parking lot to High Street, High Street from Main to West National Street for routing and/or staging of the Dakota Days parade on Saturday, October 7, 2023 from 7:30 a.m. until 12:00 p.m. Council Member Ward seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

C. Request to close W. Main Street from High Street to Prospect Street, Prospect Street from W. Main Street to the Alleyway ½ a Block North, Market Street from W. Main to Bloomingdale Street, Kidder Street from Austin Street to the Alleyway ½ a Block East, Austin Street from Kidder to W. Main Street, Ratingen Platz, the Public Parking Lot on the SW corner of Kidder and Market Street, W. Main Street from Washington to High Street, E. Main Street from Center to Church Street; additionally, the request of W. Main from Prospect to Center Street during varying days and times noted in request for the Ribs, Rods, & Rock 'N Roll event

Jack Baustian, Assistant to the City Manager, reported that the Ribs, Rods, & Rock 'n Roll organization has requested the closure of Main Street from High Street to Prospect Street, Prospect Street from W. Main Street to the alleyway ½ a block north, Market Street from W. Main to Bloomingdale Street, Kidder Street from Austin Street to the alleyway ½ a block East of Market Street, Austin Street from Kidder Street to W. Main Street, Ratingen Platz, the Public Parking Lot on the SW corner of

Kidder Street and Market Street starting Friday, September 8, 2023 at 6:00 a.m. until Sunday, September 10, 2023 at 12:00 p.m. (noon).

Jack noted that they also requested W. Main from Prospect Street to Center Street on Friday, September 8, 2023 at 2:00 p.m. until Saturday, September 9, 2023 at 5:00 p.m.

Jack stated that the request also included W. Main Street from Washington to High Street and E. Main Street from Center to Church Street on Saturday, September 9, 2023 from 6:00 a.m. until 5:00 p.m.

Jack noted that the street closing request and diagram of the streets are included in the packet. Jack stated that Police, Fire and EMS were notified and had no safety concerns.

248-23

Council Member Holland moved approval of the Request to close Main Street from High Street to Prospect Street, Prospect Street from W. Main Street to the alleyway ½ a block north, Market Street from W. Main to Bloomingdale Street, Kidder Street from Austin Street to the alleyway ½ a block East of Market Street, Austin Street from Kidder Street to W. Main Street, Ratingen Platz, the Public Parking Lot on the SW corner of Kidder Street and Market Street starting Friday, September 8, 2023 at 6:00 a.m. until Sunday, September 10, 2023 at 12:00 p.m. (noon); W. Main from Prospect Street to Center Street on Friday, September 8, 2023 at 2:00 p.m. until Saturday, September 9, 2023 at 5:00 p.m.; and W. Main Street from Washington to High Street and E. Main Street from Center to Church Street on Saturday, September 9, 2023 from 6:00 a.m. until 5:00 p.m. for the Ribs, Rods, & Rock 'N Roll event. Council Member Price seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

D. Permit for consumption but not the sale of alcoholic beverages for the Legends of Delzell alumni event on Friday, October 6, 2023 from 4:00 p.m. to 5:30 p.m. in Delzell Education Center, Rooms 110 and 118, on the University of South Dakota campus

Austin Flowers, Deputy Finance Officer, reported that Bre Schwandt, on behalf of the USD Education Alumni, has requested a permit to consume alcoholic beverages on public property at the Legends of Delzell event. Austin noted that the Legends of Delzell will be at the Delzell Education Building Room 110 on Friday, October 6th from 4:00 p.m. to 5:30 p.m. Austin noted that the City Council may permit the consumption, but not the sale, of alcoholic beverages on property owned by the public in which this is University of South Dakota property.

249-23

Council Member Ward moved approval of the Permit for consumption but not the sale of alcoholic beverages for the Legends of Delzell sponsored by the USD Education Alumni on Friday October 6, 2023 from 4:00 p.m. to 5:30 p.m. in the Delzell Education Building Room 110 on the University of South Dakota campus. Council Member Jennewein seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

E. Resolution supporting an application to SDHDA for Housing Infrastructure funding for Jefferson Street

John Prescott, City Manager, reported on a resolution of support for application to SDHDA for housing infrastructure funds for completion of Jefferson Street south of E. Clark Street. John noted that Senate Bill 41 of the 2023 legislative session was signed into law in February. John noted that since that time the SD Housing Development Authority (SDHDA) has been developing the rules and application for a \$200 Million in grants and loans.

John stated that the Vermillion Chamber and Development Company (VCDC) owns 1.85 acres on what would be the west side of Jefferson Street south of E. Clark Street. Completion of the street would provide the VCDC with the ability to establish lots for seven single-family detached homes, 14 lots for single-family attached homes, or some combination of attached and detached single-family housing lots. John noted that the construction of Jefferson Street would also allow for current or future development of the nine privately owned undeveloped lots, which are primarily on the east side of the street. A sanitary sewer extension, water main, street lighting, paving, and storm sewer are needed to develop the lots for construction.

John noted that the final grant application just became available and one of the requirements to apply for funding includes a Resolution from the governing body supporting the grant / loan funding application. John noted that adoption of the resolution supporting the project allows staff to submit a grant application when the funding becomes available. SDHDA has made it known that funding will be awarded on a first-come, first-served basis. Sioux Falls and Rapid City are limited to 30% of the funding. Vermillion is competing with the balance of the communities in the state for \$140 million in funding.

John stated that the preliminary City staff estimate of the cost for the infrastructure to this section of Jefferson Street was \$750,000. The SDHDA funding uses a couple of criteria in awarding funding. No more than \$25,000 per single family lot can be awarded up to a total of 1/3 of total project costs.

Dick Hammond, 25 Prentis Ave, stated that he is the representative of the people in the area. Dick noted that this piece of land has a large wildlife preserve that the neighbors enjoy. Dick stated that this grant only allows for a certain amount of money and the rest of the money is being put on the community to front and money could be better spent in other places.

Jim Stone, 114 Anderson Street, spoke in opposition of removing the trees in this area. Jim noted that wildlife is prevalent in this area and the neighbors enjoy it.

Todd Larsen, 1000 E Main Street, stated that he opposed this development. Todd noted that out of 24 of the properties 19 supported saving the wooded area. Todd presented the idea that the VCDC sell the area to the property owners and then they could keep it free of liter.

Susanne Skyrn, 722 Lewis, spoke in opposition to removing the trees.

Ryan Bland, 37 Prentis, asked if this development were to go through would the animals be relocated or trees moved.

Tom Sorensen, 320 N. Plum, thanked everyone for coming to this public meeting. Tom noted that the will of the people want to keep the trees.

Amy Larsen, 1000 E Main Street, noted that she purchased the property because of the area and the wildlife in and around her backyard.

Jessica Schulte, 8 Anderson, stated that she has lived here for 28 years and she sees all the people behind her that do not just see this as just an application for funding. Jessica noted that she is a teacher and her students loved the fact that the City is a tree city. Jessica noted that there are alternatives, and these are not just some trees.

Sam Craig on behalf of the VCDC stated that they support this grant application.

Council Member Jennewein stated that some of the concerns for this area are that apartment buildings were going to be put in. Jennewein asked if this is zoned to allow apartments and if so, is there a way to make it so apartments do not go in there.

John Prescott, City Manager, stated that the intentions for this area are not to put apartment complexes in. This is zoned R-2 which allows for apartment buildings but could possibly be zoned down to R-1.

Jose Dominguez, City Engineer, noted that in order to down zone this large area would have to be rezoned otherwise it would be spot zoning.

Council Member Jennewein asked if this application goes through and is awarded to the City and this project does not take place could that money be allocated to a different project.

John noted that this money would not be able to be used on a different project.

Discussion followed on zoning.

250-23

Council Member Ward moved approval of the Resolution supporting an application to SDHDA for Housing Infrastructure funding for Jefferson Street. Council Member Murra seconded the motion. A roll call vote of the Governing Body was as follows: Holland-N, Humphrey-N, Jennewein-N, Price-N, Ward-Y, Murra-Y, Cole-Y. Motion failed 3 to 4. Mayor Cole declared the motion failed.

F. Resolution supporting an application to SDHDA for Housing Infrastructure funding for Baylor Street

John Prescott, City Manager, reported on a resolution of support for application to SDHDA for housing infrastructure funds for completion of Baylor Street from Stanford Street west to James Street. John noted that Senate Bill 41 of the 2023 legislative session was signed into law in February. John noted that since that time the SD Housing Development Authority (SDHDA) has been developing the rules and application for a \$200 Million in grants and loans.

John noted that in September 2022, the City was the successful bidder for 50 acres of property located south of South Dakota Highway 50 and west of Stanford Street. In addition to the Law Enforcement Center and park space, one of the proposed uses for a portion of this property has been housing. Initial proposals have included both single and multi-family housing uses.

John stated that this resolution would support applying for funding to complete the sanitary sewer, paving, street lighting, and storm sewer in Baylor Street from Stanford Street west to James Street. The preliminary City staff estimate of the cost for the infrastructure to this section of Baylor Street is \$1,315,000. John noted that the SDHDA funding uses a couple of criteria in awarding funding. No more than \$25,000 per single family lot can be awarded up to a total of 1/3 of total project costs.

251-23

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

A RESOLUTION SUPPORTING THE APPLICATION FOR FUNDING TO ASSIST IN
FINANCING THE INFRASTRUCTURE FOR DEVELOPMENT OF BAYLOR STREET FROM THE
SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY

WHEREAS, the City of Vermillion desires assistance from the South Dakota Housing Development Authority for the purpose of promoting housing development in South Dakota by providing grants for housing infrastructure; and

WHEREAS, SDCL 11-4 and SDCL 11-6 grant municipalities the authority to plan, zone, and create a comprehensive plan; and

WHEREAS, Title XV: Land Usage of the Revised Municipal Ordinances of the City of Vermillion, Chapter 155, Zoning Regulations establishes the building, zoning, and lot and yard requirements for residential and multi-family districts; and

WHEREAS, the ownership and ongoing maintenance of the infrastructure will be the responsibility of the City of Vermillion; and

WHEREAS, the City of Vermillion has adequate capacity for water supply, water treatment facilities, wastewater treatment facilities, and electrical facilities to support the public infrastructure as a result of the proposed project.

NOW, THEREFORE BE IT RESOLVED, the Governing Body of the City of Vermillion, that the infrastructure plan for the Housing Infrastructure Finance Program grant application meets the municipality's infrastructure requirements, will be approved, and added to the ownership and ongoing maintenance responsibility of the municipality.

BE IT FURTHER RESOLVED, the Governing Body of the City of Vermillion hereby authorizes the filing of the Housing Infrastructure Financing Program grant application, including all understanding and assurances contained therein, and hereby authorizes the Mayor to, in connection with the application, provide such additional information as may be required.

Dated at Vermillion, South Dakota this 17th day of July 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 Humphrey. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

G. Planning and Zoning Commission appointment

Mayor Cole appointed Carlson Merkwan to the Planning and Zoning Commission vacancy.

Council Member Ward asked if this would be an appropriate time to go into Executive Session. Sabrina LaFleur-Sayler, City Attorney with Crary Huff Law Firm, stated that they could go into Executive Session but there would be an argument for or against this per state statute.

252-23

Council Member Humphrey moved approval of Carlson Merkwan to the Planning and Zoning Commission. Council Member Murra seconded the motion. A roll call vote of the Governing Body was as follows: Holland-N, Humphrey-Y, Jennewein- N, Price-N, Ward-N, Murra-Y, Mayor Cole-Y. Motion failed 3 to 4. Mayor Cole declared the motion failed.

Mayor Cole appointed Brandon Wiemers to the Planning and Zoning Commission vacancy.

253-23

Council Member Murra moved approval of Brandon Wiemers to the Planning and Zoning Commission. Council Member Humphrey seconded the motion. Motion carried 6 to 1. Mayor Cole declared the motion adopted.

H. Final Plat of Tract 1 and Tract 2, Jack Powell Addition, City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, reported that the City of Vermillion (City) has submitted a final plat for the 43-acre property they own on the southwest corner of the intersection between SD Hwy. 50 and SD Hwy. 19. Jose noted that the area has never been platted and it consists of farmland. The City wants to plat the 43 acres into two tracts. Tract 1 will be 7 acres in size, and Tract 2 will be 36 acres.

Jose noted that the plat was reviewed by the County's Planning Commission at a special meeting held on July 17th and was approved to move to the City Council.

Jose noted that the land being platted is within the Joint Jurisdictional Zoning Area. Final plats within this area are required by State statute and City ordinance to be presented to the County's Planning Commission for their recommendation to the City Council. The City Council may then either approve or reject the plat.

Jose noted that the proposed plat meets all the requirements set within the zoning ordinance for the Joint Jurisdictional Zoning Area.

254-23

After reading the same once, Council Member Holland 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: Tract 1 and Tract 2, Jack Powell 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 Price. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

I. Resolution annexing the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Except the East 50-feet and Except Lot H2; and, the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Except Lot H2 of the N $\frac{1}{2}$ NW $\frac{1}{4}$ and Except Lot A of the N $\frac{1}{2}$ NW $\frac{1}{4}$; all located in Section 14, T92N, R52W, 5th Prime Meridian, Clay County, South Dakota (to be known as Tract 1 and 2, Jack Powell Addition, City of Vermillion, Clay County, South Dakota)

Jose Dominguez, City Engineer, reported that the City of Vermillion recently purchased a large parcel of ground on the west side of Vermillion. The City's plan is the development of the land for residential, commercial, and park use. Jose stated that the new Law Enforcement Center would be located within this parcel. The land is in the southwest corner of the intersection between SD Hwy. 50 and SD Hwy. 19 directly west of Polaris.

Jose noted that the owner has submitted a petition to annex the above-mentioned area into the municipal boundaries of Vermillion. The intent of the owner is to provide land for residential and commercial development, park space, and for the construction of the new Law Enforcement Center. The City will be able to service the lots with utilities. The land will enter City limits zoned NRC, Natural Resource Conservation, which is the most restrictive classification and allows farming operations within the city. Rezoning of the property will follow at a later meeting.

Jose noted that the annexation will lead to an increase in the City's property tax base, job prospects, utility customers, and park space. However, to properly develop this area, the city will need to extend James Street, Baylor Street, and construct water and sewer improvements. The construction of the improvements would be completed through a phased approach that will take about seven years to finish. The cost for the improvements will be approximately \$6,500,000 based on 2023 costs.

255-23

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

RESOLUTION ANNEXING CERTAIN CONTIGUOUS TERRITORY TO THE CITY OF
VERMILLION,
CLAY COUNTY, SOUTH DAKOTA

WHEREAS, there has been presented to the Governing Body of the City of Vermillion, and filed with the City Finance Officer, a petition to annex contiguous territory into the corporate limits of the City of Vermillion; and

WHEREAS, said petition was signed by the owners of not less than three-fourths of the value of the territory to be annexed and that there are no registered voters residing within the boundaries of the territory to be annexed; and

WHEREAS, such annexation is provided for in SDCL 9-4-1 upon resolution of the Governing Body.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Vermillion that the following territory be described as:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Except the East 50-feet and Except Lot H2; and, the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Except Lot H2 of the N $\frac{1}{2}$ NW $\frac{1}{4}$ and Except Lot A of the N $\frac{1}{2}$ NW $\frac{1}{4}$; all located in Section 14, T92N, R52W, 5th Prime Meridian, Clay County, South Dakota (to be known as Tract 1 and 2, Jack Powell Addition, City of Vermillion, Clay County, South Dakota)

is hereby included within the corporate limits of the City of Vermillion and the boundary of the City of Vermillion is hereby extended to include such territory.

Dated at Vermillion, South Dakota this 17th day of July, 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 Holland. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

9. Bid Openings

10. City Manager's Report

A. John reported on upcoming meetings:

- Library Board - Kozak Conference room on Friday, July 21, 2023 at noon
- BID Board #1 - Powell Conference room on Wednesday, July 26, 2023 at 4:00 p.m.
- Human Relations Commission - Powell Conference room on Thursday, August 3, 2023 at 5:30 p.m.

B. John noted that next weekend is the second half of the 100th anniversary celebration of Prentis Park.

C. John stated that Thursdays on the Platz have started. Main Street from Prospect Street to the alley immediately west of Cor Trust bank and Market Street as it abuts the Platz are closed on Thursdays from 4:00 p.m. to 8:30 p.m.

D. John stated that the preliminary information from the contractor is that the 2023 Chip Seal project will start the week of July 31, 2023. We will put information on the website as we get closer to that date.

PAYROLL ADDITIONS AND CHANGES

Engineering: Chase Pritchett \$20.38/hr; Police Admin: Deb DeRocher \$22.94/hr; Police: Matt Davis \$30.90/hr; Meter Reader: Dennis Davis \$1.00/meter; Recreation: Liam Mechling \$11.00/hr

11. Invoices Payable

256-23

Council Member Price moved approval of the following invoices:

A & M SERVICES, INC	UNIFORM CLEANING	193.60
AMAZON BUSINESS	SUPPLIES/BOOKS/DVDS	1,651.42
ANIMAL CARE EQUIPMENT & SERVICE	KETCH-ALL POLES	195.40
APPEARA	SHOP TOWELS	45.00
AT&T MOBILITY	MOBILE HOT SPOTS	428.79
AUTO VALUE	PARTS	1,637.45
BAUER BUILT TIRE & SERVICE	TIRES	762.42
BIERSCHBACH EQPT & SUPPLY	DISCHARGE HOSE ASSY	256.20
BILL BROWN	MOWING	480.00
BLACKSTONE PUBLISHING	BOOKS	256.73
BLUEPEAK	TELEPHONE	42.50
BORDER STATES ELEC SUPPLY	SUPPLIES	95.61
BROADCASTER PRESS	ADVERTISING	2,201.46
BRUNICKS SERVICE INC	FUEL	17,530.63
BUHLS CLEANERS	MAT/MOP SERVICE	893.90
BUREAU OF ADMINISTRATION	TELEPHONE	301.61
BUTLER MACHINERY CO.	REPAIRS/PARTS	1,959.66
CANNON TECHNOLOGIES, INC	GATEWAY	2,444.00
CASK & CORK	MERCHANDISE	594.00
CENTURYLINK	TELEPHONE	1,240.25
CHAMBERLAIN OIL CO	SUPPLIES	254.23
CHURCH OF CHRIST	UNDERGROUND REIMBURSEMENT	400.00
CITY OF VERMILLION	LANDFILL VOUCHERS	622.00
CIVICPLUS	ANNUAL RENEWAL FEE	8,270.97
CLAY RURAL WATER SYSTEM	WATER USAGE	285.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	1,476.12
CMOORE PIT SERVICE	PORTA-POT RENTAL	1,200.00
COAST TO COAST SOLUTIONS	COLORING TOTES	515.70
CONNOR SINGHISEN	UMPIRE-VFW TOURNAMENT	150.00
CORE & MAIN LP	HYDRANT	277.66
CORE-MARK MIDCONTINENT, INC	MERCHANDISE	13,679.66
CRARY HUFF LAW FIRM	PROFESSIONAL SERVICES	4,468.50
DAKOTA BEVERAGE	MERCHANDISE	14,081.62

DAKOTA RIGGERS & TOOL SUPPLY	HARNESS/INSPECTION	2,294.87
DAKOTA SUPPLY GROUP	PADMOUNT TRANSFORMER	10,967.74
DANISH GIRL MARKETING, LLC	VFW BASEBALL PROJECT DESIGN	300.00
DANKO EMERGENCY EQUIPMENT	MAINTENANCE	880.00
DAVIDA ART COMPANY	PROFESSIONAL SERVICES	325.00
DEADPERFECT	MERCHANDISE	390.12
DEMCO	TRIMMER	354.46
DEREK QUAME	UMPIRE-VFW TOURNAMENT	260.00
DIAMOND VOGEL PAINTS	SUPPLIES	1,560.00
DIVISION OF MOTOR VEHICLE	PLATE/TITLE TRANSFER FEE	15.00
DUBOIS CHEMICALS	SODA ASH	38,675.00
ECHO ELECTRIC SUPPLY	WIRE/SUPPLIES	13,727.42
EUROFINS ENVIRONMENT TESTING	TESTING	1,336.00
FASTENAL COMPANY	SUPPLIES	368.94
FOUNTAIN PEOPLE	NOZZLES	525.00
GLOBAL DIST.	MERCHANDISE	303.50
GLOBAL INDUSTRIAL	SHELVING	1,081.36
GRAYBAR ELECTRIC	SUPPLIES	15.39
GRAYMONT (WI) LLC	CHEMICALS	6,060.10
GREGG PETERS	MANAGERS PROFITS/ADVERTING	41,899.72
HAUGER LAWN SERVICE	MOWING/SPRAY WEEDS	165.00
HAWKINS INC	CHEMICALS	3,731.51
HEARTLAND HUMANE SOCIETY	TNR PROGRAM	1,000.00
HEIMAN FIRE EQUIPMENT	FIREFIGHTER EQUIPMENT	20,537.33
HIGH POINT NETWORKS	RENEWAL	280.00
HOLIDAY INN EXPRESS	LODGING	98.00
HOUSTON ENGINEERING INC	TESTING	13,120.21
HUB INTERNATIONAL	PORTABLE EQUIPMENT COVERAGE	899.00
HY VEE FOOD STORE	SUPPLIES	212.27
INGRAM	BOOKS	779.94
INTENSE GRAPHICS CUSTOM APPAREL	T-SHIRTS	958.75
JAY ELLEDGE	SAFETY BOOTS REIMBURSEMENT	52.06
JIM GOBLIRSCH	HOTEL REIMBURSEMENT	254.72
JOHN A CONKLING DIST.	MERCHANDISE	5,798.50
JOHNSON BROTHERS OF SD	MERCHANDISE	14,122.68
JOHNSTONE SUPPLY	COMFORT-AIRE	519.65
JONES FOOD CENTER	SUPPLIES	546.05
K & M TIRE	TIRES	152.00
KALINS INDOOR COMFORT	CONDENSER/REPAIRS	2,130.44
KATIE REDDEN	MILEAGE REIMBURSEMENT	67.53
KIMBALL MIDWEST	SUPPLIES	225.11
LAYNES WORLD	PHOTO/NAME PLATES	10.00
LOFFLER	COPIER CONTRACT	279.47

LONGS PROPANE INC	PROPANE	30.00
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	1,280.00
M & M CONSTRUCTION LLC	LIONS PARK IMPROVEMENTS	53,134.87
MACQUEEN EMERGENCY	REPAIRS	660.00
MART AUTO BODY & MARINE LLC	TOWING	296.98
MATHESON TRI-GAS, INC	MEDICAL OXYGEN	797.13
MICHELLE DENNIS	CARNEGIE LIBRARY PRESERVATION	3,000.00
MICRO MARKETING LLC	SUPPLIES	33.49
MIDAMERICAN	GAS USAGE	1,605.37
MIDCONTINENT COMMUNICATION	CABLE/INTERNET	316.43
MIDWEST ALARM CO	ALARM MONITORING	199.97
MIDWEST MINI MELTS	MERCHANDISE	1,920.00
MIDWEST READY MIX & EQUIPMENT	RENTAL	800.00
MIDWEST WHEEL COMPANIES	CABLE	284.69
MIRACLE RECREATION EQPT CO	PARTS	1,499.38
MISSOURI RIVER ENERGY SERVICE	REGISTRATION-LEAD COURSE	1,800.00
MOSCA DESIGN	CHRISTMAS DISPLAY-BANNERS	2,304.00
MR. GOLF CAR, INC	REPAIRS	253.50
NBS CALIBRATIONS	CALIBRATION/CLEANING	368.00
NCL OF WISCONSIN, INC	CHEMICALS	3,225.25
NETSYS+	PROFESSIONAL SERVICES	2,047.25
NORMA PROBST	MEALS REIMBURSEMENT	120.00
ODEYS INC	BATTERS BOX	401.00
O'REILLY AUTO PARTS	PARTS	370.34
OSCAR'S LAWN CARE	JUNK/DEBRIS REMOVAL	1,062.74
PEPSI COLA OF SIOUXLAND	MERCHANDISE	4,474.66
PING/KARSTEN MFG CORP	MERCHANDISE	2,135.87
PIZZA RANCH	PIZZA/BUFFETS	249.58
PRESSING MATTERS	SUPPLIES	336.00
PRO AUTO INC	SANDBLAST/PRIME/PAINT	745.00
PRO-TAINER	PARTS	549.45
QUILL	SUPPLIES	66.53
REBECCA LEA GEHM	PROFESSIONAL SERVICES	600.00
REDI TOWING	TOWING	690.00
REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	4,329.00
RJ THOMAS MFG CO, INC	COTTON/PRENTIS SHELTERS/LIONS	47,986.81
RUNNING SUPPLY, LLC	SUPPLIES	596.47
SANFORD HEALTH OCCUPATIONAL	TESTING	225.00
SCOTT IVERSON	SAFETY BOOTS REIMBURSEMENT	40.19
SD DENR	LANDFILL OPERATIONS FEE	4,127.29
SOUTHERN GLAZER'S OF SD	MERCHANDISE	8,993.35
STAPLES BUSINESS CREDIT	SUPPLIES	1,283.91
STEFFEN TRUCK EQUIPMENT	REPAIRS	4,830.00

STERN OIL CO.	FUEL	6,149.72
STRYKER SALES CORPORATION	AMBULANCE EQUIPMENT	65,554.99
SUSAN GRAY	REIMBURSEMENT	124.63
THE UPS STORE #6751	SHIPPING	16.17
THREAD & INK	PRENTIS PARK SHIRTS	1,338.20
TITAN MACHINE-PRODUCTIVITY	PARTS	178.50
TITLEIST-ACUSHNET COMPANY	MERCHANDISE	257.94
TODDS ELECTRIC SERVICE	WIRE	390.90
TRUE BRANDS	MERCHANDISE	507.90
UNITED PARCEL SERVICE	SHIPPING	19.19
USPS-POC	POSTAGE FOR METER	700.00
VERMEER HIGH PLAINS	PARTS	340.80
VERMILLION ACE HARDWARE	SUPPLIES	1,326.91
VERMILLION AREA COMMUNITY FOUN.	ROUND UP PROGRAM	204.86
VERMILLION CHAMBER OF COMMERCE	FUNDING	68,750.00
VERMILLION ROTARY CLUB	DUES/MEALS	188.25
WATERWORTH	SOFTWARE SUBSCRIPTION	14,000.00
WESCO DISTRIBUTION, INC	SUPPLIES	978.35
WILLIAMS & CO.	2022 AUDIT	22,500.00
YAMAHA MOTOR FINANCE CORP	GOLF CARS/GPS LEASE	6,622.61
YANKTON FIRE & SAFETY	FIRE EXTINGUISHER INSPECTION	404.00

Council Member Humphrey seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

12. Consensus Agenda

13. Adjourn

257-23

Council Member Murra moved to adjourn the Council Meeting at 8:38 p.m. Council Member Ward seconded the motion. Motion carried 7 to 0. Mayor Cole declared the motion adopted.

Dated at Vermillion, South Dakota this 17th day of July, 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 _____.

