

Unapproved Minutes
Council Special Session
September 5, 2023
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, September 5, 2023 at 12:00 noon at the John "Jack" Powell Conference Room.

1. Roll Call

Present: Holland, Letellier, Murra, Price, Ward, Mayor Cole

Absent: Hellwege, Humphrey, Jennewein

2. Adoption of Agenda

304-23

Council Member Price moved approval of the agenda. Council Member Murra seconded the motion. Motion carried 6 to 0. Mayor Cole declared the motion adopted.

3. Visitors to be Heard - None

4. Review of 2022 Audit - Chad Regnier, Williams & Company.

Chad Regnier, representing Williams & Company, P.C., provided Council Members with the Audited Comprehensive Annual Financial Report for 2022. Chad reviewed the contents of the Comprehensive Annual Financial Report. Chad answered questions of the City Council on the report. Discussion followed.

5. Discussion of billboard signs in General Business District zoning-VCDC CEO Jim Peterson.

Jim Peterson, VCDC CEO, presented the idea of a new billboard sign for off premise advertisement. Jim noted that the owners of the property on the corner of Plum Street and Cherry Street would like to add an off-premise advertisement billboard on part of their property. The owners proposed a sign 22 feet long by 11 feet high and that sign be 40 feet off of the ground. Discussion followed on the sign ordinances.

6. Proposal for Lots 1-5, Block 7 of Bliss Pointe Addition - VCDC CEO Jim Peterson

Jim Peterson, VCDC CEO, presented the Council with the idea of twin homes going into Block 7 with garages in the front. Jim noted that he wanted

to let the council know the plans for each block before they broke ground. Jim noted that Block 7 will have garages in front, Block 9 will have garages to the alley and Block 8 will have garages to the front to keep everything uniform per block. Jim noted that the alley may, at some point, be vacated.

7. Briefing on the September 5, 2023 City Council Regular Meeting

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

8. Timeline for Appointee evaluations.

Council member Price noted that the review process for the Finance Officer and City Manager is ready to be sent out. Price asked that once it is sent out what would an appropriate timeline to be sent back for review. Mayor Cole noted that it would be good to have this all completed before October 1st. Council set a deadline of September 22nd.

9. Adjourn

305-23

Council Member Murra moved to adjourn the Council special session at 12:49 p.m. Council Member Ward seconded the motion. Motion carried 6 to 0. Mayor Cole declared the motion adopted.

Dated at Vermillion, South Dakota this 5th day of September, 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
September 5, 2023
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on September 5, 2023 at 7:00 p.m. by Mayor Cole.

1. Roll Call

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

Absent: Jennewein

2. Pledge of Allegiance

3. Minutes

A. Minutes of August 21, 2023, Special Session and August 21, 2023, Regular Session

306-23

Council Member Murra moved approval of the August 21, 2023, special session and August 21, 2023, regular session minutes. Council Member Hellwege seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

4. Adoption of Agenda

307-23

Council Member Price moved approval of the agenda. Council Member Humphrey seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

5. Visitors to be Heard

6. Public Hearings

7. Old Business

A. Second Reading of Ordinance 1487 amending the City of Vermillion Code of Ordinances, Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning Tract 1, Jack Powell Addition; City of Vermillion, Clay County, South Dakota from the NRC Natural Resource Conservation District to the GB-General Business District.

Jose Dominguez, City Engineer, reported on the second reading of Ordinance 1487 - Amending the City of Vermillion Code of Ordinance Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning Tract 1, Jack Powell Addition; City of Vermillion, Clay County, South Dakota from the NRC Natural Resource Conservation District to the GB-General Business District.

Jose stated the City, owner of the land, is requesting to rezone Tract 1, Jack Powell Addition, from the NRC Natural Resource Conservation District to the GB-General Business District. Tract 1 consists of 7 acres and is bounded on the east by Stanford Street (SD Hwy. 19) and the remaining sides by Tract 2 of Jack Powell Addition.

Jose stated a resolution annexing this tract of land was approved by the City Council on July 17th. When land is annexed into the city limits, it automatically enters the City as NRC Natural Resource Conservation District. This is the strictest zoning district within the City. After annexation, the owner of the land has one year to rezone the land without a petition or posting signs for the meeting. Jose noted the City has published a notice in The Plain Talk advertising tonight's meeting and on the City's website along with posting notices on the land being rezoned notifying the public of tonight's meeting, although not required.

Jose noted the City's Planning and Zoning Commission (Commission) considered this item at their August 14th meeting. After reviewing the ordinance, the Commission voted 8 to 0 in favor of the City Council adopting the proposed ordinance as amended. The amendments pertained to the inclusion of the word "Resource" in a couple of places in the ordinance presented by Staff. During the meeting, the Commission discussed the possible future uses of the Jack Powell Addition.

Jose stated the surrounding area to the one being considered are zoned GI-General Industrial (east) and NRC Natural Resource Conservation districts (west, north and south). Jose noted the City will be asking for the area north of Tract 1 to be rezoned to GB-General Business District and the area west and south to be rezoned to R-3 Residential District.

Jose stated Zoning Tract 1 into the GB-General Business District will allow for the proposed Law Enforcement Center to be constructed. The Law Enforcement Center would be considered a permitted use in the proposed district. Jose noted no changes have been made to the ordinance since the 1st reading on August 21st.

308-23

Second reading of title to Ordinance No. 1487, entitled An Ordinance Amending the City of Vermillion Code of Ordinances, Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning Tract 1, Jack Powell Addition; City of Vermillion, Clay County, South Dakota from the NRC Natural Resource Conservation District to the GB-General Business District 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. 1487 entitled amending the City of Vermillion Code of Ordinances, Title XV, Land Usage; Chapter 155 Zoning Regulations; Section 155.026 rezoning Tract 1, Jack Powell Addition; City of Vermillion, Clay County, South Dakota from the NRC Natural Resource Conservation District to the GB-General Business District was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 21st day of August, 2023 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 5th day of September, 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 1487

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES TITLE XV, LAND USAGE; CHAPTER 155 ZONING REGULATIONS; SECTION 155.026 REZONING TRACT 1, JACK POWELL ADDITION, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA FROM THE NRC-NATURAL RESOURCE CONSERVATION DISTRICT TO THE GB-GENERAL BUSINESS DISTRICT

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

Rezoning Tract 1, Jack Powell Addition, City of Vermillion, Clay County, South Dakota be hereby excluded from the NRC-Natural Resource Conservation District and included in the GB-General Business District.

Dated at Vermillion, South Dakota this 5th day of September, 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 Price. 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, Price - Y, Letellier - Y, Ward - Y, Murra - Y, Mayor Cole - Y

Motion carried 8 to 0. Mayor Cole declared that the Ordinance has been adopted and directed publication thereof as required by law.

B. Second Reading of Ordinance 1490 amending City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations amending Section 70.02, Definitions and Section 70.053, Driving Over Sidewalk.

Jack Baustian, Assistant to the City Manager, reported on the second reading of Ordinance No. 1490 amending City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations amending Section 70.02, Definitions and Section 70.053, Driving Over Sidewalk. Jack noted the City was approached by a business wanting to rent electric scooters for use in the community. This agenda has several potential ordinance amendments to provide for this business model and will modify the definitions and address the use of the sidewalk.

Jack stated a definition of a dockless vehicle is proposed. A dockless vehicle would be a motorized vehicle for commercial purposes such as an electric bicycle or motorized foot scooter. A motorized foot scooter is also defined. Jack noted a motorized foot scooter becomes a dockless vehicle when it is used for commercial purposes or rented. The definition of an Operating Authority is also proposed. An Operating Authority is the entity that would own the dockless vehicles and operate the business which offers the dockless vehicles for use. A separate ordinance addresses the requirements of an Operating Authority.

Jack stated this ordinance amendment also addresses the Code language for driving over the sidewalk. The current language is dated and addresses the speed at which a vehicle crosses the sidewalk and how to cross a sidewalk in the downtown area. The proposed language will specify that only bicycles, wheelchairs, electric personal assistive devices, and motorized foot scooters can use the sidewalk. This is in addition to pedestrians. The reason for motorized foot scooters to be included in this sentence involves children currently riding them within the City, and not wanting children on the roadways. A dockless vehicle is permitted to use the sidewalk.

309-23

Second reading of title to Ordinance No. 1490, entitled AN ORDINANCE AMENDING City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations amending Section 70.02, Definitions and Section 70.053, Driving Over Sidewalk for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1490 entitled An Ordinance Amending City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations amending Section 70.02, Definitions and Section 70.053, Driving Over Sidewalk for the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 21st day of August, 2023 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 5th day of September, 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 1490

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES, TITLE VII, TRAFFIC CODE; CHAPTER 70, GENERAL TRAFFIC AND PARKING REGULATIONS; AMENDING 70.002, DEFINITIONS; AND AMENDING 70.053, DRIVING OVER SIDEWALK

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that the following amendments be made to sections 70.002 Definitions and to 70.053 Driving Over Sidewalk of Chapter 70. All other portions of 70.002 Definitions and of 70.053 Driving Over Sidewalk will remain as they are. Following are the amendments.

§70.002 DEFINITIONS.

Authorized Parking Zone. A geo-fenced area, designated by a license-holding Operating Authority and authorized by the City Manager or designee, that limits where dockless vehicles can be parked or stored on public property.

Dockless Vehicle. An electric motorized vehicle for commercial use, e.g., electric bicycle, motorized foot scooter.

Electric Bicycle. A bicycle or tricycle that is equipped with a seat or saddle, with operable pedals for propulsion, and with an electric motor of seven hundred and fifty watts or less. This includes electrically assisted bicycles. (SDCL 32-20B-9)

Electric Personal Assistive Device. A self-balancing two non-tandem wheeled device, designed to transport only one person, with an electric propulsion system that limits the maximum speed of the device to fifteen miles per hour or less, e.g., hoverboard, one-wheel.

Motorized Foot Scooter. A wheeled conveyance, with handlebars, designed to be stood or sat upon by the operator, and powered by an electric motor that is capable of propelling the device with or without human propulsion, and that has more than two - twelve-inch or smaller diameter wheels and has a motor that is capable of a maximum speed of fifteen miles per hour on a flat surface with not more than one percent grade in any direction when the motor is engaged.

Operating Authority. An entity licensed by the City to own, operate, and offer dockless vehicles for use.

Rebalance. The collection of dockless vehicles on public property, by the Operating Authority, back to the Operating Authority's business address.

Wheelchair. A manually operated, or power driven, device designed primarily for use by an individual with a mobility disability for the main purposes of indoor or of both indoor and outdoor locomotion.

§70.053 DRIVING OVER SIDEWALK.

(A) The driver of a motor vehicle other than a bicycle, wheelchair, electric personal assistive device, dockless vehicle or motorized foot scooter shall not drive the vehicle upon any sidewalk except at a permanent or temporary driveway and shall yield to pedestrians.

Dated at Vermillion, South Dakota this 5th day of September 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 Hellwege. Thereafter the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Hellwege - Y, Holland - Y, Humphrey - Y, Price - Y, Letellier - Y, Ward - Y, Murra - Y, Mayor Cole - Y

Motion carried 8 to 0. Mayor Cole declared that the Ordinance has been adopted and directed publication thereof as required by law.

C. Second Reading of Ordinance 1491 amending City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations adding Sections 70.220 and 70.221.

Jack Baustian, Assistant to the City Manager, reported on the second reading of Ordinance No. 1491 amending City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations adding Sections 70.220 and 70.221. Jack stated City staff are aware of personally owned motorized foot scooters currently within the city limits of Vermillion. Ordinance No. 1491 acknowledges those that currently use these scooters as a mode of transportation. Vermillion Police Department and City staff have not had issues with personally owned scooters. This ordinance allows personally owned motorized foot scooters on the roads within the City, requiring them to follow the rules of the road, and establishing guidelines on where they can and cannot park. City staff believe that self-governance for this personal type of transportation will be the most effective at this point in time. State statute allows municipalities to adopt ordinance permitting the use of motorized foot scooters "on any street, bike path, or multi-use path within its platted boundaries."

310-23

Second reading of title to Ordinance No. 1491, entitled An Ordinance Amending City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations adding Sections 70.220 and 70.221 for the City of Vermillion, South Dakota.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1491 entitled An Ordinance Amending City of Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations adding Sections 70.220 and 70.221 for the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 21st day of August, 2023 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 5th day of September, 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 1491

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES, TITLE VII,
TRAFFIC CODE; CHAPTER 70 GENERAL TRAFFIC AND PARKING REGULATIONS;
ADDING SECTIONS 70.220 - 70.221

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the following sections of Chapter 70 be added. All other portions of Chapter 70 General Traffic and Parking Regulations will remain as they are. Following are the amendments.

§70.220 AUTOMOBILE RULES OF THE ROAD APPLICABLE

Except as otherwise specifically provided in this subchapter, every operator of any motorized foot scooter shall adhere to and observe all traffic signs and signals and all traffic rules and regulations imposed by statute or ordinance and applicable to other vehicles and shall obey all orders and directions of any police officer authorized to direct and regulate traffic. Vermillion Code of Ordinances, Title VII, Traffic Code; Chapter 70, Sections 70.041 through 70.059 shall apply to this code section.

§70.221 PROHIBITED PARKING AREAS

Motorized foot scooters shall be parked in places so as not to interfere with pedestrians or traffic of any kind and so as not to endanger or injure any person or damage property.

Dated at Vermillion, South Dakota this 5th day of September 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 Ward. 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, Price - Y, Letellier - Y, Ward - Y, Murra - Y, Mayor Cole - Y

Motion carried 8 to 0. Mayor Cole declared that the Ordinance has been adopted and directed publication thereof as required by law.

D. Second Reading of Ordinance 1492 amending City of Vermillion Code of Ordinances, Title VII, Traffic Code, Chapter 70, General Traffic and Parking Regulations adding Sections 70.230 - 70.241.

Jack Baustian, Assistant to the City Manager, reported on the second reading of Ordinance No. 1492 amending City of Vermillion Code of Ordinances, Title VII, Traffic Code, Chapter 70, General Traffic and Parking Regulations adding Sections 70.230 - 70.241. Jack noted this ordinance would set guidelines for businesses looking to rent dockless vehicles. The Operating Authority License grants the business the opportunity to operate within Vermillion city limits. Jack stated this will require an application to include proper documentation, insurance, and a fee set by resolution based on the number of dockless vehicles. The lifespan of an Operating Authority License will be from January 1st - December 31st of each year, while also requiring documented changes of the application prior to and during the lifespan of the license. An example of a change would be if an Operating Authority were to increase the number of dockless vehicles they rent out. There are permitted and unpermitted riding and parking areas throughout the City, outlined in the ordinance. Dockless vehicles would only be permitted on streets with a speed limit no greater than 30 miles per hour. Operating a dockless vehicle would require the user to be 18 years of age and be prohibited from use on public sidewalks.

311-23

Second reading of title to Ordinance No. 1492, entitled An Ordinance Amending City of Vermillion Code of Ordinances, Title VII, Traffic Code, Chapter 70, General Traffic and Parking Regulations adding Sections 70.230 - 70.241 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. 1492 entitled An Ordinance Amending City of Vermillion Code of Ordinances, Title VII, Traffic Code, Chapter 70, General Traffic and Parking Regulations adding Sections 70.230 - 70.241 for the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 21st day of August, 2023 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 5th day of September, 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 1492

AN ORDINANCE AMENDING CITY OF VERMILLION CODE OF ORDINANCES, TITLE VII,
TRAFFIC CODE; CHAPTER 70, GENERAL TRAFFIC AND PARKING REGULATIONS;
ADDING SECTIONS 70.230 THROUGH 70.241

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that the following sections of Chapter 70 be added. All other portions of Chapter 70 General Traffic and Parking Regulations will remain as they are. Following are the amendments.

§70.230 OPERATING AUTHORITY LICENSE

All applicants for the Operating Authority license shall complete an application form provided by the City Manager's Office. Any such operating authority license shall be granted on forms prepared by the City Manager's office.

§70.231 APPLICATION FOR OPERATING AUTHORITY LICENSE

(A) Application contents. An applicant shall file with the City Manager, or designee, a verified application statement containing the following:

1. A valid copy of a sales tax license issued by the State of South Dakota; and
2. The address of the fixed facilities to be used in the operation; and
3. A signed statement holding harmless the City and shall indemnify the City, its officers and employees, for any claims for damages to property or injury to persons which may occur in connection with any activity carried on pursuant to the terms of the dockless vehicles.

(B) All applicants for the use of the Operating Authority license shall furnish and maintain a policy of insurance protecting the applicant and the City from all claims for damage to property or bodily injury, including death, which may arise from operations under the dockless vehicles, or in connection therewith. The insurance policy shall list or endorse the City as additional insured and carry minimum liability limits of at least \$2,000,000 per occurrence. The endorsement shall provide that the policy shall not be terminated or cancelled prior to the termination of the Operating Authority license without 30 days' written notice to the City.

(C) A fee for the application of an Operating Authority license shall be set by resolution.

(D) Any other additional information the City Manager, or designee, may deem necessary to evaluate the application.

§70.232 REVIEW AND EVALUATION CRITERIA

Each application for an operating authority license shall be evaluated for the following criteria:

- (A) Provisions of this chapter are adequately followed;
- (B) All additional license or permits required by the city or state for the proposed use activity have been obtained;
- (C) Guidelines for operation within the operating authority license are consistent with the policies and standards developed by the city;
- (D) Documentary evidence of payment of sales and use taxes currently due on the business within the city, if any, to be used in connection with the operation of the proposed dockless vehicle program; and
- (E) The number and types of dockless vehicles to be operated.

§70.233 CHANGES TO INFORMATION IN OPERATING AUTHORITY APPLICATION

(A) Any changes to the information provided in the Operating Authority permit application, prior to approval and after issuance, must be reported to the City Manager or designee in writing within ten days of change.

(B) If the information reported to the City Manager or designee under this section includes an increase in the number of dockless vehicles, any additional fees due, set by resolution, must be submitted to the City Manager or designee simultaneously with the change in information.

§70.234 EXPIRATION OF OPERATING AUTHORITY LICENSE

An operating authority license expires on December 31 of the year for which it was issued.

§70.235 SUSPENSION AND REVOCATION

The City Manager or designee may suspend or revoke an Operating Authority license upon finding any provision herein or any condition set forth in the Operating Authority license has been violated. Notice shall be given to the holder of the Operating Authority license prior to suspension or revocation. An Operating Authority whose insurance policy required under §70.231(B) is terminated, cancelled, or otherwise ceases to be in effect,

shall have its Operating Authority license automatically revoked without any prior notice.

§70.236 GUIDELINES WITHIN OPERATING AUTHORITY LICENSE

The following provisions will be followed by all Operating Authority license holders. If the guidelines herein are not abided by, the Operating Authority license holder will be subject to a fine set by resolution:

(A) Inspection. Law enforcement may, with or without notice, inspect any dockless vehicle operating under this section to determine whether the dockless vehicle complies with this chapter, rules and regulations under this chapter, or other applicable laws.

(B) Remedies and penalties. Prosecution for an offense under this chapter does not prevent the use of other enforcement remedies or procedures applicable to the person charged with or the conduct involved in the offense.

(C) Law enforcement. The City of Vermillion's Police Department, Clay County Sheriff's Department, University of South Dakota Police Department, and the South Dakota Highway Patrol will operate as enforcement agents for this chapter and established and approved rules and regulations.

(D) Rebalance of dockless vehicles. Any operating authority license holder must rebalance all dockless vehicles on public property every 48 hours.

(E) Charging restrictions of dockless vehicles. The charging of dockless vehicles and their batteries shall not occur in any part of residentially zoned areas within City limits.

(F) Operating Authority response time. The City and law enforcement agencies reserve the right to expect prompt response time in the event of an inquiry to an Operating Authority.

§70.237 AGE REQUIREMENT

Any person operating a dockless vehicle within the public right of way of the City shall be a legal consenting adult of at least 18 years of age and shall provide proof if requested by an agency of enforcement.

§70.238 RIDING AREAS

(A) No person shall operate or park a dockless vehicle, unless it has the capability to operate at half the maximum allowed speed, on Main Street from Dakota Street to where it abuts High Street, Market Street from Main Street to Kidder Street, Prospect Street from Main Street to National Street, Court Street from Main Street to Kidder Street, Center Street from Main Street to National Street, Elm Street from Main Street to National Street, and Church Street from Main Street to Kidder Street.

(B) No person shall operate or park a dockless vehicle on a street that has a 30 miles per hour or greater speed limit.

§70.239 PROHIBITED PARKING AREAS

No person shall park a dockless vehicle on any part of public property unless it is within an authorized parking zone. The Operating Authority must provide a written request to the City Manager or designee for authorized parking zones, if on public property. The City Manager or designee must approve authorized parking zones prior to use. Dockless vehicles shall be parked in places so as not to interfere with pedestrians or traffic of any kind and so as not to danger or injure any person or property. Failure to comply may result in impoundment. The Operating Authority will be held responsible for compliance.

§70.240 OPERATIONS

(A) Operating Authority licenses shall only be deemed to allow dockless vehicles to be operated within the city limits of Vermillion, South Dakota.

(B) Dockless vehicles shall only be ridden by one person at a time.

§70.241 SAFETY EQUIPMENT

All dockless vehicles operated within the city shall be equipped with:

- (1) Adequate brakes in good working condition; and
- (2) At least 1 headlight and 1 taillight, both operational; and
- (3) Operating authorities shall encourage the use of personal protective equipment including helmets, knee pads, and elbow pads.

Dated at Vermillion, South Dakota this 5th day of September 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 Humphrey. 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, Price - Y, Letellier - Y, Ward - Y, Murra - Y, Mayor Cole - Y

Motion carried 8 to 0. Mayor Cole declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Request to close Main Street from S. Norbeck Street to High Street on Friday, September 29, 2023 from 1:00 pm to 2:30 pm for the Vermillion High School homecoming parade.

John Prescott, City Manager, reported that the Vermillion School District has requested to close Main Street from the Vermillion High School parking lot west to High Street for routing and/or staging of the Vermillion High School homecoming parade on Friday, September 29, 2023 from 1:00 p.m. to 2:30 p.m. John stated that the parade will begin at the intersection of Anderson and East Main Street as the high school parking lot will provide space to stage the floats and vehicles associated with the parade. John noted that the parade will use a moving barricade system where the street will be closed as the parade passes but will not be closed for the entire 90 minutes requested. John noted that a variety of City staff members will be used to monitor intersections and restrict traffic as the parade is passing. John reported that the Street, Police, Fire, and EMS Departments have been notified of the closing.

312-23

Council Member Ward moved approval of the request to close Main Street from Vermillion High School at S. Norbeck Street to High Street on Friday, September 29, 2023 from 1:00 p.m. to 2:30 p.m. for the Vermillion High School homecoming parade. Council Member Price seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

B. Resolution establishing fees for an Operating Authority.

John Prescott, City Manager, reported on a resolution to establish fees for Operating Authorities. John noted that Ordinance 1492 related to Operating Authorities for dockless vehicles had a second reading on this agenda under Old Business, which was passed. An Operating Authority is an entity licensed by the City to own, operate, and offer dockless vehicles for use. An Operating Authority is required to complete a license application with the City.

John stated Ordinance 1492 as proposed for second reading includes two opportunities for the City Council to set a fee by Resolution. Section 70.231(C) states that a fee for an Operating Authority shall be set by Resolution. Section 70.233(B) states that if an Operating Authority increases the number of dockless vehicles from what was in the original application, that additional fees set by Resolution may be collected.

John noted staff compiled fees for dockless vehicles, a wide range of costs were found. Most communities had an application fee and/or an annual fee. A fee per ride or trip seems to be a newer fee that has come about more recently. Several communities are experimenting with dockless vehicles. During these pilot projects, fees have not always been consistent or applied. In some pilot project instances, a City is picking a single provider for the community which tends to result in a flat fee paid to the City while dockless vehicles are tried in that community. As application fees and per unit fees are the most common, the attached Resolution proposes an annual Operating Authority fee based on every 25 devices deployed.

John noted a separate fee is also proposed when an Operating Authority increases the number of devices during the year. John stated collected fees will be placed in the General Fund.

Council Member Holland stated that he would propose to table this item to have a larger discussion because he did not agree with this form.

Council Member Ward stated that they should have the conversation now to move this forward.

Discussion followed on the fees, how many devices would be in town, and how to change the fees if they needed to be changed. A consensus agreed on a \$500 flat fee.

313-23

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

RESOLUTION ESTABLISHING FEES
FOR OPERATING AUTHORITIES

WHEREAS Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations; Section 70.231(C) of the 2008 Revised Ordinances of the City of Vermillion allows the City Council to set a fee for an Operating Authority; and

WHEREAS, Title VII, Traffic Code; Chapter 70, General Traffic and Parking Regulations; Section 70.233(B) of the 2008 Revised Ordinances of the City of Vermillion allows the City Council to set a fee for when an Operating Authority increases the number of devices from what was in the annual application that was submitted; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of City Hall at 7:00 pm established the following annual fee to become an Operating Authority and the fee for increasing the number of devices above the number in the Operating Authority application. The fees are as follows:

70.231(C) The annual fee is \$500.

70.233(B) Reserved.

All fees are annual with an expiration of December 31 of each year, non-refundable and unless stated above are not pro-rated.

Dated at Vermillion, South Dakota this 5th day of September, 2023.

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. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

C. Review use of malt beverage markup receipts collected, proposal to use funding during 2024 budget year, and public input on the continuation of the wholesale license fee.

John Prescott, City Manager, reported that, during 2015 with the development of the ordinance to implement a 5% markup on the wholesale cost of malt beverages, staff included an annual update to the community in the proposal. John stated that license holders were provided notice that this item was included on tonight's agenda. John stated that the ordinance implementing the 5% markup on the wholesale cost of malt beverages became effective on July 1, 2015. John reported that for six months of 2015 the revenue was \$64,188, 2016 the revenue was \$116,455, 2017 the revenue was \$123,293, 2018 the revenue was \$129,066, 2019 the revenue was \$136,195, 2020 the revenue was \$148,981, 2021 the revenue was \$161,959, 2022 the revenue was \$162,072, and for the first six months of 2023 the revenue was \$85,301. John reported that all the proceeds from the collection in the revised 2023 budget and proposed 2024 budget were placed in the Prentis Park Debt Service fund to repay the general obligation bond that was issued for park improvements. John stated that the debt service for 2016 was \$199,853, for 2017 was \$197,067, for 2018 was \$195,817, for 2019 was \$194,755, for 2020 was \$197,255, for 2021 was \$199,655, for 2022 was \$196,955, 2023 is \$195,700, and for 2024 is \$198,675. John stated that the City Council should receive public input on the continuation of the wholesale license fee.

314-23

Council Member Holland moved to close the public input on the malt beverage markup and continue the wholesale license fee at 5% with the proceeds being used to retire the general obligation bond issued for Prentis Park improvements. Council Member Price seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

D. Planning and Zoning Commission member appointment.

Mayor Cole recommended appointing Al Leber to the Planning and Zoning Commission for the term expiring in 2025.

315-23

Council Member Holland moved approval of appointing Al Leber to the Planning and Zoning Commission for the term expiring in 2025. Council Member Price seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

E. Historic Preservation Commission member appointments.

Mayor Cole recommended appointing Carson Merkwan and Susan Keith Gray to the Historic Preservation Commission.

316-23

Council Member Murra moved approval of appointing Carson Merkwan and Susan Keith Gray to the Historic Preservation commission. Council Member Humphrey seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

F. Agreement with the State of South Dakota for Upgrades to the Rail Grade Crossing on S. Dakota Street between Chestnut Street and Broadway Street.

Jose Dominguez, City Engineer, reported in 2022 Burlington Northern Santa Fe Railway (BNSF) completed a project at the crossing on S. Dakota Street between Broadway and Chestnut Streets. The project that was completed in 2022 replaced the tracks through the crossing.

Jose stated that during the project in 2022, the City met with BNSF and the Department of Transportation (SD DOT) to discuss the ongoing project and any future projects that BNSF would be doing at the location. Due to the location of the crossing, the traffic on the streets, and poor distances available for a train to stop, the SD DOT and BNSF recommended that the crossing be updated to include gates stopping traffic on S. Dakota Street when a train is utilizing the crossing.

Jose stated the cost for the proposed improvement will be split between BNSF, SD DOT, and the City. The agreement being considered requires that the City pay for 10% of the improvements. Jose noted the City would be responsible for any utility relocations within the project area. Based on the agreement, the SD DOT will be responsible for the project (e.g. coordination between BNSF, contractors, and City, and issuance of payments to contractors). Jose noted that for this project the City will be reimbursing the SD DOT for their portion after the SD DOT submits an invoice to the City.

Jose stated based on the agreement the estimated cost, including construction engineering, for the project is \$145,085. The City will be responsible for reimbursing the SD DOT 10% of the cost. Based on the estimated cost, the City would be responsible for \$14,508.50. The City would be paying for these improvements through the 2nd Penny fund. However, the 2024 budget for the 2nd Penny fund will have to be revised to include this cost.

317-23

Council Member Price moved approval allowing the Mayor to sign the agreement with SD DOT for improvements at the rail crossing on S. Dakota Street between Broadway Street and Chestnut Street (project number PP5701(06)) and to allow the Mayor to sign any future documents regarding

the previously mentioned project. Council Member Ward seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

G. Resolution authorizing the purchase of a wheel loader for the Street Department.

Jose Dominguez, City Engineer, reported that during the August 2023 budget meetings, the City Council reviewed the proposed 2024 equipment replacement schedule. As part of the 2024 equipment replacement schedule, the Street Department was scheduled to replace their 2017 Caterpillar 950M wheel loader.

Jose stated that when purchasing equipment, the City has several options based on State statutes:

- 1.City can procure bids based on the requirements set forth in 5-18A; or
- 2.City can purchase from an already awarded contract that was awarded within 12-months as long as the awarded bidding process in 5-18A was followed (5-18A-22(3)); or
- 3.City can purchase from a purchasing agency (5-18A-37); or
- 4.City can purchase from a local vendor as long as the purchased item is at, or below, the price on the State contract list (5-18C-8); or

Jose noted the City avoids procuring bids because this process requires considerable staff time and additional resources to develop the specifications, advertise the bid documents, and evaluate the bids. Jose stated the City tries to purchase directly from a local vendor, from an already awarded contract, from the State list, or from a purchasing agency.

Jose stated Staff are proposing to purchase from a Sourcewell contract awarded to Caterpillar, Inc. Purchasing from Sourcewell allows the City to benefit from the low prices offered to Sourcewell members. Jose noted the City would be purchasing a Caterpillar 950 14A wheel loader for \$381,456.23. Caterpillar's local dealer, Butler CAT from Sioux Falls, SD, will honor the Sourcewell bid. Additionally, the City would be trading in the existing 2017 Caterpillar 950M wheel loader valued for trade-in at \$220,000. Jose stated the net trade-in value would bring the cost of the new wheel loader down to \$161,456.23.

Jose stated the Resolution to purchase the wheel loader is being presented now due to the availability of the equipment and to ensure that the order is placed for the manufacturing of the equipment. The delivery of the wheel loader and payment will not take place earlier than April 2024.

318-23

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

RESOLUTION
AUTHORIZING THE PURCHASE OF A
STREET DEPARTMENT WHEEL LOADER

WHEREAS, SDCL 5-18A-37 authorizes a governmental entity to participate in cooperative purchasing agreements and conduct purchasing transactions under a joint agreement in this or any other state; and

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by Sourcewell to Caterpillar, Inc. for a Caterpillar 950 14A wheel loader for a price of \$381,456.23 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Butler CAT, of Sioux Falls, South Dakota and they have agreed to allow the City to purchase one wheel loader for the awarded price and terms as they have contracted with Sourcewell; and

WHEREAS, the bid offered by Butler CAT, Sioux Falls, SD, also includes a trade-in value for the City's 2017 Caterpillar 950M of \$220,000.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase a Caterpillar 950 14A from Butler CAT, Sioux Falls, SD, for a net price of \$161,456.23 after trade-in.

Dated at Vermillion, South Dakota this 5th day of September, 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 Hellwege. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

H. Resolution designating a Director and Alternate Director for the Dakota Mainstem Board.

Shane Griese, Utility Manager, reported The Dakota Mainstem Regional Water System (DMS) project is a proposed regional water system that aims to provide water to those in need in the central and southern portions of eastern South Dakota while also serving as an alternate, supplemental, and backup water source for existing systems.

Shane noted, in early 2023, a recruiting effort was undertaken resulting in a steering committee made up of 28 individuals representing regional and municipal water systems with 12 additional individuals in an advisory role. Shane stated, in May of 2023, Articles of Incorporation were filed making Dakota Mainstem an official organization, and an initial Board of Directors was formed. Shane noted on August 1, 2023, the initial DMS Board of Directors adopted the Bylaws. This action set in motion a reorganization of the Board of Directors, its officers, and the Executive committee.

Shane stated as a member of the steering committee, the City has been asked to nominate a director and alternate director. This action will set the City of Vermillion as an "Initial Member" of Dakota Mainstem. These nominations must come from the governing body of the members.

Shane noted the attached resolution names Utilities Manager, Shane Griese as Director, and the Water Department's Lead Operator, Eric McPherson, as Alternate Director.

Shane stated while the City of Vermillion currently has a reliable and abundant source of water, we believe it is important to become initial members of Dakota Mainstem to keep all potential options for source water open into the future.

319-23

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

A RESOLUTION DESIGNATING A DIRECTOR AND ALTERNATE DIRECTOR FOR DAKOTA
MAINSTEM BOARD OF DIRECTORS

WHEREAS, the City of Vermillion recognizes the importance of effective representation on the Dakota Mainstem Board of Directors; and

WHEREAS, the Dakota Mainstem Bylaws allows a designated Director and Alternate Director from the City of Vermillion to ensure active participation and representation.

NOW, THEREFORE, BE IT RESOLVED, the Governing Body of the City of Vermillion hereby designates the following individuals to serve as Director and Alternate Director for the Dakota Mainstem Board of Directors:

Director, Shane Griese: The Director shall serve as the primary representative of the City of Vermillion on the Dakota Mainstem Board of Directors and shall have the authority to attend meetings, vote, and participate in decision-making processes on behalf of the City of Vermillion.

Alternate Director, Eric McPherson: The Alternate Director shall serve as a backup representative for the City of Vermillion on the Dakota Mainstem Board of Directors and shall have the authority to attend meetings, vote, and participate in decision-making processes when the Director cannot fulfill their duties or in their absence.

BE IT FURTHER RESOLVED, that the Director and Alternate Director are authorized to communicate with the Governing Body of the City of Vermillion regarding matters concerning the Dakota Mainstem Board of Directors, provide updates on the Board's activities, and seek input or guidance as necessary.

This resolution shall take effect immediately upon its adoption. It shall remain in force until it is amended, repealed, or superseded by subsequent resolution of the Governing Body of the City of Vermillion.

Dated at Vermillion, South Dakota this 5th day of September 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 Ward. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

I. First reading of Ordinance 1488 - 2023 budget revision ordinance.

John Prescott, City Manager, reported that the City Council adopted the 2023 budget in September 2022 and, during the 2024 budget process, the 2023 budget amounts were revised based upon information that is currently

available. John reviewed some of the changes to the 2023 budget amounts, noting that there will most likely be a supplemental budget needed later this year for items that will change between now and the end of the year.

320-23

Mayor Cole read the title to the above mentioned Ordinance and Council Member Murra moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1488 entitled An Ordinance Adopting the 2023 Revised Budget Ordinance of the City of Vermillion, South Dakota has been read and the Ordinance has been considered to advance to the second reading at this meeting being a regularly called meeting of the Governing Body of the City on this 5th day of September, 2023 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Price. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 8 members voted in favor of and 0 members voted in opposition to the motion. Mayor Cole declared the motion adopted.

J. First reading of Ordinance 1489 - 2024 Appropriations ordinance.

John Prescott, City Manager, reported that the proposed budget was presented to the City Council on August 7th and the Council held hearings to review the budget on August 9th and 10th. John thanked the City Council for the time spent meeting with all the departments to refine the budget. John reviewed some of the major items that are included in the 2024 budget ordinance. Discussion followed on the budget ordinance.

Council Member Hellwege addressed concerns and disappointment in the food pantry funding. Hellwege noted that they have grown since when they first applied and the re-organization to include more programs under the food pantry.

Council Member Ward also addressed his concerns and understands why they requested \$10,000.

321-23

Council Member Ward made a motion to increase the food pantry's 2024 budget to \$10,000. Council Member Hellwege seconded the motion. Motion carried 6 to 2. Mayor Cole declared the motion adopted.

322-23

Mayor Cole read the title to the above mentioned Ordinance and Council Member Holland moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1489 entitled An Ordinance Adopting the 2024 Budget Ordinance of the City of Vermillion, South Dakota has been read and the Ordinance has been considered to advance to the second reading at this meeting being a regularly called meeting of the Governing Body of the City on this 5th day of September, 2023 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Council Member Humphrey. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 8 members voted in favor of and 0 members voted in opposition to the motion. Mayor Cole declared the motion adopted.

K. 2022 Audited Comprehensive Annual Financial Report.

Katie Redden, Finance Officer, reported that the 2022 Audited Comprehensive Financial Report was provided with the Council packet and if a hard copy is needed to let her know. Katie stated that Chad Regnier of Williams & Company, P.C. presented information at the noon meeting on the report. Katie stated that the Department of Legislative Audit has reviewed the audit and their letter of acceptance was included in the packet. Katie noted that the City Council will need to accept the report. Katie noted that the report is available on the City web site. Discussion followed.

323-23

Council Member Murra moved approval of the acceptance of the 2022 Audited Comprehensive Annual Financial Report. Council Member Ward seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

L. Resolution setting the City Council meeting on October 2, 2023 at 7:00 p.m. as the time and place for a hearing on a Special Assessment Roll for nuisance abatement.

Katie Redden, Finance Officer, reported that, as part of the nuisance abatement process, the City incurred costs for tagging, hiring contractors to mow or remove the snow and remove debris. Katie reported that the State statute provides for the special assessment of these costs and requires that the City Council set a public hearing date, notify the property owners by sending notice and publishing the notice of hearing. The resolution will set a public hearing date of October 2, 2023 and provides for notice to be published and mailed to the property owners. Discussion followed.

324-23

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

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING
AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL
FOR NUISANCE ABATEMENT IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota on the 28th day of August, 2023 for the abatement of public nuisance to be levied against the property abutting upon:

NUISANCE ABATEMENT

On various properties as follows:

Name	Legal	Corrective Action	Amount
Joseph Parlett	15270-00200-030-00	grass tagging 8/12/2022	15.98
	Lot 3 Blk 2 Eastside	debris violation & removal 6/27/2023	345.15
	211 S Pine	grass tagging and mowing 7/13/2023	138.06
		grass tagging & mowing 8/3/2023	42.48
			541.67
Donald A & Peggy J Larsen	15810-00200-090-00	grass tagging 6/3/2022	15.95
	Lot 9 Blk 2 & N 1/1 Vac E/W Alley		
	Van Meters Addn		
	500 W Broadway		
Donald A & Peggy J Larsen	15530-01700-140-00	grass tagging 6/13/2022	16.00
	Lot 14 Blk 17	grass tagging 8/12/2022	42.60
	Original Town	debris removal 6/13/2022	330.24
	200 S Twelfth		388.84
Terry M Amundsen	15730-08500-130-06	snow tagging 1/28/2021	10.65
	W 80 of 11 & W 120 of E 203	grass tagging 5/3/2021	31.95
	of Lot 13 Blk 85	grass tagging & mowing 8/12/2023	106.5
	Snyders Addition		149.1
111 W Dartmouth			
Debra K Maes	15130-00100-200-03	grass tagging & mowing 7/15/2022	106.5
	N 1/2 of Lot 19 & 25 of Lot 20 & E 1/2 Vac Alley Adj to Bruyers	grass tagging 8/12/2022	42.60
		grass tagging 9/30/2022	69.23

	323 Linden	grass tagging & mowing 5/24/2023	106.5
			<u>324.83</u>
Kurt & Willie & Lois Seibel	15240-00200-120-00	snow tagging & removal 1/25/2018	109.16
	Lot 12 Blk 2	snow tagging & removal 2/13/2018	<u>130.46</u>
	Eastgate Mannor		239.62
	609 Catalina		
Michael Barkl	15015-00200-010-00	grass tagging 6/13/2022	10.65
	Lot 1 Blk 2 Arobba Addn		
	2506 E Main		
Christopher Hoover	15880-09251-191-10	grass tagging & mowing 5/24/2021	122.48
	S110 of Lot C Blk 1 E 1/2 E1/2 NE 1/4	grass tagging & mowing 7/28/2021	628.36
	19-92-51 Misc	grass tagging & mowing 9/30/2021	170.40
	107 S Crawford	grass tagging & mowing 5/18/2022	106.50
		grass tagging & mowing 6/20/2022	292.88
		grass tagging & mowing 8/12/2022	186.38
		grass tagging & mowing 9/30/2022	213.00
		grass tagging & mowing 5/25/2023	106.50
		grass tagging 6/23/2023	42.60
		grass tagging 7/13/2023	69.03
		grass tagging & mowing 8/4/2023	185.85
		Sidewalk Violation 8/16/2023	<u>90.27</u>
			2,214.25
Bradley Campbell	15760-00000-000-18	snow tagging & removal 1/04/2021	77.21
	E79.5 of S 144 of W 199.5 & W 25 of C-6	grass tagging & mowing 5/03/2021	<u>106.50</u>
	of outlot C torstensions		183.71
	731 W Cedar		
Doug L Akins	15720-05100-020-00	snow tagging 1/18/2021	10.65
	Lots 1 & 2 Blk 51 Snyders	grass tagging 8/12/2022	15.98
	226 High	grass tagging & mowing 8/01/2023	<u>106.20</u>
			132.83

U Stop Pump & Wash, LLC	15540-00100-170-02	grass tagging & Mowing 5/3/2021	101.18
	E 173.2' of Lot 17 Blk 1 Exc	grass tagging 7/28/2021	31.95
	S 90' E & Exc Lot H1	snow tagging & removal 1/5/2023	<u>85.73</u>
	Ouelletes 1325 E Cherry		218.86
Arlene Buchholz	15720-05100-100-00	grass tagging 5/3/2021	10.65
C/O Dale Bucholz	Lot 10 & N 1/2 Lot 9 Blk 51	grass tagging 5/18/2022	15.98
	Snyders	grass tagging & mowing 6/3/2022	133.13
	209 Washington	debris removal 8/17/2022	133.13
		grass tagging & Mowing 9/30/2022	<u>159.75</u>
			452.64
Joshua M Scherrer	15710-07300-140-00	snow tagging 1/28/2021	10.65
	Lot 13 & N 29 or 14 Blk 73 Smiths		
	107 Forest		
Kappa Pi Corp	15060-01000-110-00	snow tagging & removal 1/28/2021	77.21
	W 1/2 of 9,10 & 11 Blk 10	grass tagging 5/24/2021	31.95
	Bigelows University	grass tagging & mowing 10/18/2021	143.78
	716 E Clark	grass tagging & mowing 5/18/2022	106.5
		snow tagging 1/5/2023	15.98
		snow tagging & removal 1/31/2023	112.36
		sidewalk encroachment 7/11/2023	<u>185.85</u>
			673.63
Kappa Pi Corp	15060-01000-140-00	snow tagging 1/5/2023	15.98
	Lot 12, 13, & 14 Blk 10		
	Bigelows University	debris removal 6/20/2023	<u>102.25</u>
	309 N Pine		118.23
Juston & Katie S Sangster	15370-00100-050-03		
	Lot 4 & E 13.5 of Lot 5 Blk 1 Lamberts	grass tagging 5/18/2022	15.98
	528 W Clark		
Trystan Hageman	15187-00200-110-00	grass tagging & mowing 8/10/2022	72.4

	Lot 11 Blk 2 Countryside Addn	snow tagging & removal 1/5/2023	85.73
	1524 Burbank Rd	snow tagging 1/24/2023	42.6
		snow tagging & removal 1/31/2023	<u>138.98</u>
			339.71
David & Mayanna Dellinger	15710-07600-160-00	grass tagging 8/12/2022	15.98
	Lot 16 Blk 76 Smiths Addn		
	25 S Yale		
Mary E Duncan	15290-00100-190-00	grass tagging & mowing 6/3/2022	111.83
	Lot 18 & 19 East View	grass tagging 7/15/2022	<u>42.6</u>
	109 S Pine		154.43
Michael R & Lea Ella Rumelhart	15270-00300-010-00	grass tagging 10/18/2021	10.65
	Lot 1 Blk 3 Eastside	grass tagging 8/12/2022	<u>15.98</u>
	202 S Pine		26.63
Christy Lee Gratzfeld	15220-00100-100-00	grass tagging 7/15/2022	15.98
	Lot 10 Blk 1 East Acres	snow tagging 1/31/2023	15.98
	303 Catalina	grass tagging & mowing 5/25/2023	<u>133.13</u>
			165.09
Patricia L Bornhofen	15130-00100-020-00	grass tagging & mowing 8/12/2022	106.5
	Lot 1 & N 1/2 of 2 Blk 1 & W 1/2 Vacated Alley		
	Bruyers Addn		
	316 S University		
Matthew Charles & Barbara Dieringer	15730-08600-070-21	grass tagging 9/30/2022	15.98
	Lot 11 of Replat of 7 Blk 86	snow tagging & removal 1/24/2023	85.73
	Add to Snyders		
	421 Elm	snow tagging 1/31/2023	<u>42.6</u>
			144.31

in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property for the corrective action; and

WHEREAS, said assessment roll, now on file in the office of the City Finance Officer of the City of Vermillion, South Dakota, is open for public inspection and is referred to for further particulars; and

WHEREAS, said assessment roll shows:

1. The name of the owner(s) of each lot to be assessed as shown by the assessment rolls of the Director of Equalization; and
2. A description by lot, block, and addition, or by metes and bounds of each parcel of land to be assessed, recognizing divisions by deed of platted lots, and obtaining the legal description of land as of the date of the adoption of the Resolution of Necessity for such improvement; and
3. The amount assessed against each lot; and
4. The number of installments, the rate of interest deferred installments shall bear, and the whole of such assessment or any installment thereof may be paid at any time, and that all installments paid prior to the respective due dates shall be deemed paid in inverse order of their due date; and
5. Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, IT IS RESOLVED, that the 2nd day of October, 2023, at the hour of 7:00 p.m. in the City Hall Council Chambers 25 Center Street in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause as to why the Governing Body of the said City of Vermillion, South Dakota should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the nuisance abatement.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota shall be and is hereby authorized and directed to cause this Resolution and Notice to be published in the official newspaper in the City of Vermillion, South Dakota, one week prior to the date set for such hearing.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota shall mail a copy of this Resolution and Notice, by first-class mail with postage thereon fully prepaid, addressed to the owner(s) of any property to be assessed for such nuisance abatement at their address as shown by the records of the Director of Equalization. Such mailing shall be done at least one (1) week prior to the date set for said hearing.

Dated at Vermillion, South Dakota, this 5th day of September, 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. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

M. Resolution to accept transfer from Clay County of a 10-foot strip of property abutting Baylor Street from Stanford Street to James Street.

John Prescott, City Manager, reported that the City of Vermillion and Clay County have been working toward the development of a law enforcement center in Tract 1 of Jack Powell Addition. The City purchased this property at auction in September 2022. The City is currently the owner of the Police Department space addressed as 15 Washington Street.

John noted the first Resolution addresses a strip of land. This property is approximately 10-feet wide from north to south and abuts the north side of the Baylor Street right-of-way from the Stanford Street right-of-way west to the James Street right-of-way. The County acquired the property as the previous owner did not pay the taxes. The County will transfer ownership of the property to the City at no cost. The City will forgive special assessments against the property and pay any costs associated with a filing of ownership at the Register of Deeds office.

325-23

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

RESOLUTION FOR TRANSFER OF STRIP OF
LAND ABUTTING THE JACK POWELL ADDITION

WHEREAS, Clay County and the City of Vermillion are working together for the construction of a Law Enforcement Center in Tract 1 of Jack Powell Addition, addressed as 1250 Stanford Street, to serve the Clay County Sheriff's Office, Vermillion Police Department, and Clay Area Emergency Services Communications Center, and

WHEREAS, Clay County is the owner of a strip of land approximately 10-foot wide from north to south running east to west from the Stanford Street right-of-way to the James Street right-of-way. The property is abutting the north side of the Baylor Street right-of-way from Stanford Street to James Street. The property is described as Lot B-3 of Lot B SW $\frac{1}{4}$ NE $\frac{1}{4}$; and, a 10-foot strip in the SW $\frac{1}{4}$ NE $\frac{1}{4}$; and, a 10-foot strip in the SE $\frac{1}{4}$ NW $\frac{1}{4}$; all in Section 14, Township 92 North, Range 52 West of the 5th P.M., City of Vermillion, Clay County, South Dakota (the Property); and

WHEREAS, the City of Vermillion and Clay County have completed negotiations to provide for the construction of the law enforcement center.

WHEREAS, Clay County and the City of Vermillion have agreed that the Property will be transferred from Clay County to the City of Vermillion at no cost. The City of Vermillion is responsible for any cost to file ownership of the property with the Clay County Register of Deeds.

NOW, THEREFORE BE IT RESOLVED that upon receipt of documentation transferring ownership of the Property from Clay County to the City of Vermillion that the City will abate the balance of City special assessment certificate # 6854.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Mayor is authorized and directed to take any and all action, and to execute and deliver any and all documents, including but not limited to conveyance documents, agreements, assignments, leases, closing statements, resolutions, and other needed documents, and to do all things necessary or appropriate in his discretion to consummate and close the transaction described in this Resolution and amendments thereto according to their terms to complete the sale of Tract 1 of Jack Powell Addition to Clay County after consulting with the City Attorney and notification to the City Council.

Dated at Vermillion, South Dakota this 5th day of September, 2023.

FOR THE GOVERNING BODY OF THE CITY
VERMILLION, SOUTH DAKOTA

BY _____

Jonathan D. Cole, Mayor

ATTEST:

BY _____

Katie E. Redden, Finance Officer

The motion was seconded by Council Member Hellwege. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

N. Resolution authorizing the sale of Tract 1 of Jack Powell Addition to Clay County.

John Prescott, City Manager, reported that the second Resolution addresses the sale of the seven-acre parcel platted as Tract 1 of Jack Powell Addition. The north edge of the property is basically near the south line of the current field access from Stanford Street. The County will pay the City \$210,000 for the land. The County will pay any costs associated with a filing of ownership at the Register of Deeds office and for a Title Search.

326-23

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

RESOLUTION FOR SALE OF TRACT 1 OF
JACK POWELL ADDITION

WHEREAS, Clay County and the City of Vermillion are working together for the construction of a Law Enforcement Center in Tract 1 of Jack Powell Addition, addressed as 1250 Stanford Street, to serve the Clay County Sheriff's Office, Vermillion Police Department, and Clay Area Emergency Services Communications Center, and

WHEREAS, the City of Vermillion is the current owner of Tract 1 of Jack Powell Addition and Clay County desires to purchase Tract 1 of Jack Powell Addition to construct the law enforcement center in accordance with the terms of the general obligation bond financing construction; and

WHEREAS, the City of Vermillion and Clay County have completed negotiations to sell Tract 1 of Jack Powell Addition.

NOW, THEREFORE BE IT RESOLVED that the City of Vermillion will sell Tract 1 of Jack Powell Addition to Clay County for \$210,000. The payment will be made on or before closing which is anticipated to take place on or before Monday, September 18, 2023. The property is sold AS IS. Any costs for a Title Search or filing of ownership deeds will be at the expense of Clay County.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Mayor is authorized and directed to take any and all action, and to execute and deliver any and all documents, including but not limited to conveyance documents, agreements, assignments, leases, closing statements, resolutions, and other needed documents, and to do all things necessary or appropriate in his discretion to consummate and close the transaction described in this Resolution and amendments thereto according to their terms to complete the sale of Tract 1 of Jack Powell Addition to Clay County after consulting with the City Attorney and notification to the City Council.

Dated at Vermillion, South Dakota this 5th day of September, 2023.

FOR THE GOVERNING BODY OF THE
CITY 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. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

O. Resolution addressing the funding of infrastructure construction of James Street as it abuts Tract 1 of Jack Powell Addition.

John Prescott, City Manager, reported that the third Resolution addresses infrastructure in James Street as it abuts the north and west sides of Tract 1 of Jack Powell Addition. The County will pay for half of the cost of a standard 33-foot from back-of-curb to back-of-curb street with 6-inches of concrete and 6-inches of gravel as it abuts Tract 1. The City is responsible for any oversizing needed and the balance of the street costs. The payment would take place within 30 days of substantial completion of the street and invoicing by the City.

327-23

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

RESOLUTION FOR CONSTRUCTION OF
JAMES STREET

WHEREAS, Clay County and the City of Vermillion are working together for the construction of a Law Enforcement Center in Tract 1 of Jack Powell Addition, addressed as 1250 Stanford Street, to serve the Clay County Sheriff's Office, Vermillion Police Department, and Clay Area Communications Center, and

WHEREAS, development of the law enforcement center building necessitates the construction of James Street to the west and south from the existing curb cut on Stanford Street, and

WHEREAS, the City of Vermillion will plan for the construction of James Street as discussed and agreed upon during negotiations on the sale of Tract 1 of Jack Powell Addition and the sale of the current Police Department building space addressed as 15 Washington Street

NOW, THEREFORE BE IT RESOLVED that the City is moving forward with the understanding that Clay County will pay for one-half of the cost of the construction of a 33 foot-wide back-of-curb to back-of-curb standard street which includes 6-inches of concrete and 6-inches of gravel, street lighting, and storm sewer as James Street abuts the north and west sides of Tract 1 of Jack Powell Addition for the length of the parcel, street lighting, and storm sewer for the street abutting the law enforcement center property. The City of Vermillion is responsible for any costs associated with oversizing beyond the standard street and the remaining portion of the street. Water and sanitary sewer will be installed and tapping fees will be charged.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City of Vermillion understands from the negotiations and is planning on Clay County making the payment for above referenced infrastructure costs no later than 30 days after substantial completion of James Street and receiving an invoice from the City of Vermillion. Payment from Clay County is in lieu of an assessment.

Dated at Vermillion, South Dakota this 5th day of September, 2023.

FOR THE GOVERNING BODY OF THE CITY
VERMILLION, SOUTH DAKOTA

BY _____

Jonathan D. Cole, Mayor

ATTEST:

BY _____

Katie E. Redden, Finance Officer

The motion was seconded by Council Member Ward. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Cole declared that the Resolution was adopted.

P. Resolution authorizing the sale of the existing Police Department space at 15 Washington Street to Clay County.

John Prescott, City Manager, reported that The fourth Resolution addresses the existing Police Department space addressed as 15 Washington Street. Clay County will purchase this property for \$201,600. A payment of \$100,000 is due no later than February 9, 2025. The balance is due no later than 30 days after substantial completion of the new law enforcement center.

328-23

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

RESOLUTION FOR SALE OF EXISTING
POLICE DEPARTMENT SPACE

WHEREAS, Clay County and the City of Vermillion are working together for the construction of a Law Enforcement Center in Tract 1 of Jack Powell Addition, addressed as 1250 Stanford Street, to serve the Clay County Sheriff's Office, Vermillion Police Department, and Clay Area Emergency Services Communications Center, and

WHEREAS, the City of Vermillion is the current owner of space utilized for the Vermillion Police Department and addressed as 15 Washington Street. The portion of the building the City of Vermillion owns is in Lots 12 and 13 of Block 37 Snyders Addition and described as the North 21 feet of the West 120 Feet of Lot 12 and the South 35 Feet of the West 120 Feet of Lot 13 of Block 37. This includes area west of the City portion to Washington Street and 10 feet to the North and East of the City portion (46-feet by 66-feet) of the building (hereinafter the Police Department space), the south line is along center of hall, and

WHEREAS, the City of Vermillion and Clay County have completed negotiations to sell the Police Department space.

NOW, THEREFORE BE IT RESOLVED that the City of Vermillion will sell the Police Department space to Clay County for \$201,600. The County will make a partial payment of \$100,000 on or before February 9, 2025. The remaining balance of \$101,600 shall be paid at closing which shall occur within thirty (30) days of Substantial Completion of the Law Enforcement Center to be constructed on Tract 1 of Jack Powell Addition. The Police Department space is sold AS IS. Any costs for a Title Search or filing of ownership deeds will be at the expense of Clay County.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Mayor is authorized and directed to take any and all action, and to execute and deliver any and all documents, including but not limited to conveyance documents, agreements, assignments, leases, closing statements, resolutions, and other needed documents, and to do all things necessary or appropriate in his discretion to consummate and close the transaction described in this Resolution and amendments thereto according to their terms to complete the sale of the Police Department space to Clay County after consulting with the City Attorney and notification to the City Council.

Dated at Vermillion, South Dakota this 5th day of September, 2023.

FOR THE GOVERNING BODY OF THE CITY
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. 8 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

A. Fuel Quotes

Katie Redden, Finance Officer, read the monthly fuel quotes and recommended the low quote of Brunick Service for Items 1, 2, 3 and 4.

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$3.6538; Item 2 - 1,000 gal unleaded regular: Stern Oil \$4.0371; Item 3 - 3,000 gal No. 2

Diesel fuel dyed: Stern Oil \$3.7082; Item 4 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$4.2280.

329-23

Council Member Price moved approval of the low quotes of Stern Oil for Items 1, 2, 3 and 4. Council Member Murra seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

10. City Manager's Report

A. John reported that two public hearings for CDBG applications at the September 18th meeting. One application is for funding for water line replacement work. The second application is to assist with the cost of replacing E. Clark Street.

B. John reported on two upcoming meetings:

- Human Relations Commission, Thursday, September 7 at 5:30 p.m. in the Powell Conference room
- Golf Advisory Board Committee - Wednesday, Sept 13 at 5:30 p.m. at The Bluffs

C. John reported on two Raffle notifications:

Vermillion Rotary Club is selling NFL Monday Night Football books. The cost of a book is \$25. One \$50 winner each of the 20 Monday Night football games. The winner is determined by the last digit in the score of each team playing that Monday night. After prizes, Rotary uses the money to give back to the community.

Vermillion After Prom is selling 50/50 tickets at \$20 each from September 5, 2023 through October 19, 2023. The drawing will be held on October 23, 2023. The estimated prize pot of \$2,500 and will be split with 35% going to the grand prize, 10% to the second prize, and 5% to the third prize. The balance of the proceeds will be used to fund the After Prom event

PAYROLL ADDITIONS AND CHANGES

Ambulance: Ethan Parr \$15.00/hr-\$15.00/training-\$22.50/holiday hr, Eliza Wilgers 15.00/hr-\$15.00/training-\$22.50/holiday hr; Recreation: Isabel Castillo \$11.00/hr, Kylie Krusemark \$11.00/hr, Addison Larson \$11.00/hr; Golf Maintenance: Jessy VanDerVerff \$13.00/hr; Water: Russell Frazier \$21.39/hr

11. Invoices Payable

330-23

Council Member Price moved approval of the following invoices:

A & M SERVICES, INC	UNIFORM CLEANING	71.60
AMAZON BUSINESS	SUPPLIES/BOOKS/PARTS	1,579.93
AMERICAN LEGAL PUBLISHING	INTERNET RENEWAL	375.00
AQUA-PURE INC	CHEMICALS	9,640.00
AUDIO VIDEO INTEGRATIONS	REPAIRS	528.60
AUTO VALUE	PARTS	985.74
BASEPOINT BUILDING AUTOMATIONS	REPAIRS	537.50
BIERSCHBACH EQPT & SUPPLY	MARKING WAND	94.00
BILL BROWN	MOWING	1,282.50
BLUEPEAK	E911 CIRCUIT/INTERNET/TELEPHONE	4,999.52
BOUND TREE MEDICAL, LLC	SUPPLIES	3,462.75
BUTLER MACHINERY CO.	PARTS/REPAIRS	1,432.65
CALLAWAY GOLF	MERCHANDISE	989.00
CANNON TECHNOLOGIES, INC	METERS	40,731.60
CAPITAL ONE	SUPPLIES	1,605.54
CASK & CORK	MERCHANDISE	297.00
CENTURYLINK	TELEPHONE	86.98
CINTAS	SUPPLIES	71.31
CITY OF VERMILLION	COPIES/POSTAGE	1,369.35
CITY OF VERMILLION	UTILITY BILLS	47,695.03
CLUBHOUSE HOTEL & SUITES	LODGING	153.20
COAST TO COAST SOLUTIONS	HAND SANITIZER W/ KEY RING	454.57
COLONIAL LIFE	INSURANCE	2,927.82
CONVERGINT TECHNOLOGIES LLC	ALARM MONITORING	382.32
CORE & MAIN LP	PARTS	8,374.96
CORE-MARK MIDCONTINENT, INC	MERCHANDISE	2,751.49
CUMMINS SALES & SERVICE	PREVENTATIVE MAINTENANCE	1,332.51
D-P TOOLS	SUPPLIES	48.81
DAKOTA BEVERAGE	MERCHANDISE	16,964.37
DAKOTA PC WAREHOUSE	INK CARTRIDGES	119.98
DAKOTA SUPPLY GROUP	METERS	3,965.00
DELTA DENTAL PLAN	INSURANCE	6,527.64
DENNIS MARTENS	MAINTENANCE	833.34
DGR ENGINEERING	PROFESSIONAL SERVICES	232.00
DUBOIS CHEMICALS	SODA ASH	13,090.00
ECHO ELECTRIC SUPPLY	SUPPLIES	36.77
ENERGY LABORATORIES	TESTING	40.00
ERICKSON SOLUTIONS GROUP	PROFESSIONAL SERVICES	2,464.29
EUROFINS ENVIRONMENT TESTING	TESTING	673.00
FAST AUTO GLASS	REPAIRS	60.00
GALLS INCORPORATED	WORK CLOTHING	220.19
GLOBAL DIST.	MERCHANDISE	373.50
GLOCK PROFESSIONAL, INC.	MOS INSTRUCTOR'S WORKSHOP	500.00

GRAHAM TIRE CO.	TIRES	642.56
GRAYMONT (WI) LLC	CHEMICALS	5,804.05
GREGG PETERS	FREIGHT	1,807.29
GREGG PETERS	RENT	937.50
GUARANTEE ROOFING & SHEET	REPAIRS	914.08
H & R SALVAGE	TIRE DISPOSAL FEE	2,493.20
HACH CO	CHEMICALS	5,152.95
HARTINGTON TREE LLC	TREES	6,500.00
HAWKINS INC	CHEMICALS	3,447.74
HEIMAN FIRE EQUIPMENT	FIRE FIGHTER EQUIPMENT	7,515.44
HENRY SCHEIN, INC	SUPPLIES	625.14
HY VEE FOOD STORE	SUPPLIES	271.87
INGRAM	BOOKS	1,722.59
ISTATE TRUCK CENTER	SENSOR/HARN-FUEL IND	84.65
J.J KELLER & ASSOCIATES, INC	SUBSCRIPTION	500.00
JACKS UNIFORM & EQPT	UNIFORM	746.30
JESSICA STANDLEY	MEALS REIMBURSEMENT	158.00
JOHN A CONKLING DIST.	MERCHANDISE	5,403.95
JOHNSON BROTHERS OF SD	MERCHANDISE	28,031.39
JONES FOOD CENTER	SUPPLIES	1,528.38
JOSH ANGLIN	REPAIRS	250.00
K & M TIRE	PARTS	303.72
KALINS INDOOR COMFORT	FILTER ROLL	59.91
KATIE REDDEN	MEALS/MILEAGE REIMBURSEMENT	80.18
KNIFE RIVER MIDWEST, LLC	ASPHALT	602.87
KNOX COMPANY	STATION VAULT	3,943.00
L.G EVERIST, INC	ICING SAND	1,322.77
LAMB MOTOR COMPANY	FORD EXPLORER	39,817.00
LARRY'S HTG & COOLING, INC	REPAIRS	150.00
LAYNES WORLD	AED DECALS	32.90
LESSMAN ELEC. SUPPLY CO	BLACK FLUTED POLE	2,655.00
LOFFLER	COPIER CONTRACT	556.41
LOU'S GLOVES	SUPPLIES	318.00
MARK FOLEY	MEALS REIMBURSEMENT	230.00
MART AUTO BODY & MARINE LLC	TOWING	330.00
MARTINSON CONSTRUCTION	REPAIRS	3,570.00
MATHESON TRI-GAS, INC	MEDICAL OXYGEN	826.95
MEDICAL WASTE TRANSPORT, INC	HAUL MEDICAL WASTE	425.30
MH EQUIPMENT COMPANY	REPAIRS	487.71
MICRO MARKETING LLC	BOOK	22.49
MICROFILM IMAGING SYSTEMS	SERVICE AGREEMENT	371.00
MIDWEST ALARM CO	ALARM MONITORING	96.47
MIDWEST PETROLEUM EQUIPMENT	FUEL SYSTEM REPAIRS	1,936.97

MIDWEST WHEEL COMPANIES	PARTS	44.77
MILLER & SONS GOLF CARS, LLC	CART RENTAL/PARTS	2,910.93
MINN MUNICIPAL UTILITY ASSOC	POWER DELIVERY PROGRAM	676.00
MOORE WELDING & MFG	MATERIALS	268.88
NCL OF WISCONSIN, INC	CHEMICALS	703.27
NETSYS+	PROFESSIONAL SERVICES	1,173.25
NEWMAN SIGNS, INC	SUPPLIES	714.76
O'REILLY AUTO PARTS	PARTS	276.26
ODEYS INC	BASEBALL FIELD RENOVATION	86,675.00
OKOBOJI WINES-SD	MERCHANDISE	99.00
PCC, INC	COMMISSION	2,785.31
PEPSI COLA OF SIOUXLAND	MERCHANDISE	1,225.02
PING/KARSTEN MFG CORP	MERCHANDISE	429.83
PIZZA RANCH	BUFFETS/PIZZA	139.64
PLAYAWAY PRODUCTS	BOOKS	1,014.83
PRAIRIE BERRY WINERY	MERCHANDISE	3,705.00
PRESSING MATTERS	GREETING CARDS/CITY SEAL STAMP	83.50
PRESTO-X-COMPANY	MAINTENANCE	69.61
QUADIENT FINANCE USA, INC	POSTAGE FOR METER	400.00
QUILL	TONER	318.59
RACOM CORPORATION	MAINTENANCE	473.98
REDI TOWING	TOWING	480.00
REPUBLIC NATIONAL DISTRIBUTING	MERCHANDISE	7,602.35
RUNNING SUPPLY, LLC	SUPPLIES/PARTS	963.09
RYAN ANDERSON	MEALS REIMBURSEMENT	158.00
SANFORD HEALTH OCCUPATIONAL	PRE-EMPLOYMENT EXAMS	220.00
SD PUBLIC ASSURANCE ALLIANCE	PUMPER-COVERAGE	1,731.26
SD PUBLIC HEALTH LABORATORY	TESTING	150.00
SD RETIREMENT SYSTEM	CONTRIBUTIONS	63,412.42
SD SOLID WASTE MANAGEMENT	MEMBERSHIP	400.00
SERVICE MASTER OF SE SOUTH DAKOTA	MAINTENANCE	3,878.10
SHARE CORPORATION	SUPPLIES	123.25
SHERRY A. HOWE	MEALS REIMBURSEMENT	40.00
SOUTHERN GLAZER'S OF SD	MERCHANDISE	8,043.60
STAN HOUSTON EQPT CO	ICS SAW	1,437.50
STEVE'S HEATING & A/C INC	REPAIRS	433.87
STEWART OIL-TIRE CO	TIRE REPAIR	15.00
THE LUMBERYARD LLC	MATERIALS	14.94
TITLEIST-ACUSHNET COMPANY	MERCHANDISE	2,065.93
TODD HALVERSON	SAFETY BOOTS REIMBURSEMENT	148.68
TOTAL FLOORING	CARPET & INSTALLATION	8,619.59
TRACTOR SUPPLY CREDIT PLAN	SUPPLIES	113.98
TRI-STATE GARAGE DOOR, INC	REPAIRS	6,379.30

TRUE BRANDS	MERCHANDISE	505.44
TWO WAY SOLUTIONS	REPAIRS	245.00
UNITED LABORATORIES	SUPPLIES	682.21
UNITED WAY	CONTRIBUTIONS	456.38
UNUM LIFE INSURANCE COMPANY	INSURANCE	1,132.76
US KIDS GOLF	MERCHANDISE	208.41
US POSTMASTER	POSTAGE FOR UTILITY BILLS	1,400.00
USA BLUEBOOK	CHEMICALS	165.35
VALIANT VINEYARDS	MERCHANDISE	1,331.00
VAN DIEST SUPPLY CO	CHEMICALS	803.75
VERIZON WIRELESS	CELL PHONES/IPAD ACCESS	3,228.08
VERMEER HIGH PLAINS	PART	66.22
VERMILLION ACE HARDWARE	SUPPLIES/PARTS	1,113.37
VERMILLION CHAMBER OF COMMERCE	SPONSOR-THURS ON THE PLATZ	50.00
VERMILLION GARBAGE SERVICE	WASTE HAULING	1,513.80
VERMILLION ROTARY CLUB	DUES/MEALS	112.25
VISA/FIRST BANK & TRUST	TRAVEL/TRAINING/SUPPLIES	11,492.66
WALKER CONSTRUCTION INC	CONCRETE WORK	21,548.53
ZIMCO SUPPLY CO	CHEMICALS	20,833.50

Council Member Murra seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of September 18, 2023 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license for Silk Road Café located at 12 W. Main Street.

B. Set a public hearing date of September 18, 2023 for the transfer of a Retail (on-sale) Liquor license to Coyote Convenience located at 116 E. Cherry Street from Rollie T. French located at 24 Center Street.

331-23

Council Member Price moved approval of the consensus agenda. Council Member Humphrey seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

13. Adjourn

332-23

Council Member Murra moved to adjourn the Council Meeting at 8:31 p.m. Council Member Ward seconded the motion. Motion carried 8 to 0. Mayor Cole declared the motion adopted.

Dated at Vermillion, South Dakota this 5th day of September, 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 _____.