

Unapproved Minutes
Council Special Session
September 8, 2020
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, September 8, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Hellwege (arrived 12:26 p.m. teleconference), Holland (teleconference), Jennewein (teleconference), Letellier (teleconference), Price (teleconference), Ward (teleconference), Willson (teleconference), Mayor Collier-Wise (teleconference)

Absent: Humphrey

2. Visitors to be Heard - None

3. 2019 Audited Annual Comprehensive Financial Audit - Chad Regnier, Williams & Company

Chad Regnier, representing Williams & Company, P.C., provided Council members with the Audited Comprehensive Annual Financial Report for 2019. Chad reviewed the content of the Comprehensive Annual Financial Report. Chad answered questions of the City Council on the report.

4. Background on street naming process - City Engineer Jose Dominguez

Jose Dominguez, City Engineer, provided the background on the process used in naming streets. Jose provided a list of all city streets along with an explanation of the name if known. Jose also provided a list that was developed by Alan Clem in 1966. Jose noted that staff provided a list of possible names from the list noting the need to keep the name reasonably short and easy to pronounce with no unpleasant connotations. John Prescott, City Manager, noted that, in some cases, it is the developer that requests the street names as was done with Bliss Pointe and other developments. Discussion followed on the need to develop a list of names that can be used for future street names. The discussion included inquiries of the USD History Department and asking the Historic Preservation Commission to review current street names and develop a list of potential street names. Discussion followed with the consensus to charge the Historic Preservation Commission with the review of current street names and to develop a list of potential future street names to report back to the City Council.

5. Briefing on the September 8, 2020 City Council Regular Meeting

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

6. Adjourn

261-20

Alderman Ward moved to adjourn the Council special session at 12:42 p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 8th day of September, 2020.

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

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
September 8, 2020
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, September 8, 2020 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

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

Absent: Hellwege

2. Pledge of Allegiance

3. Minutes

A. Minutes of August 17, 2020 Special Meeting; August 17, 2020 Regular Meeting

262-20

Alderman Willson moved approval of the August 17, 2020 Special Meeting and August 17, 2020 Regular Meeting minutes. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

263-20

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

5. Visitors to be Heard - None

6. Public Hearings

A. Special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about September 10, September 17, September 24 and October 1, 2020 on Ratingen Platz, half block of Market Street south of W. Main Street and W. Main Street as it abuts the Platz east to Court Street, excluding the parking spaces closed for the social distancing special event, for Thursdays on the Platz events

Mike Carlson, Finance Officer, reported that an application for a special daily malt beverage and wine license was received from the Vermillion Area Chamber and Development Company for the Thursdays on the Platz events on or about September 10, September 17, September 24 and October 1, 2020 from 4:00 p.m. to 8:00 p.m. on Ratingen Platz, half block of Market Street south of West Main Street and West Main Street as it abuts the Platz east to the west crosswalk of the Main and Court intersection and to exclude any parking spaces that have been closed and issued another license. Mike stated that the notice of hearing and the Police Chief's report are included in the packet. Mike stated that the VCDC has provided the City with a release and indemnification for the events and the certificate of insurance. Mike noted that the street closing request is later on the agenda. Mike recommended approval of the request and to include the use of the Ratingen Platz for the events. Nate Welch,

Executive Director of VCDC, answered questions of the City Council on the events conducted already this year and safety measures used. Discussion followed.

264-20

Alderman Holland moved approval of the special daily malt beverage and wine license for the Vermillion Area Chamber of Commerce and Development Company on or about September 10, September 17, September 24 and October 1, 2020 from 4:00 p.m. to 8:00 p.m. on Ratingen Platz, half block of Market Street south of West Main Street and West Main Street as it abuts the Platz east to the west crosswalk of the Main and Court intersection, to include the use of the Ratingen Platz, to exclude any parking spaces that had been previously closed and issued another license. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Special permit to exceed allowable sound levels by no more than 50% for Pi Beta Phi Sorority on Cedar Street between Plum Street and Pine Street on September 18, 2020 from 8:00 p.m. to 11:00 p.m. for a street dance

Mayor Collier-Wise reported that an application was received from Pi Beta Phi Sorority for a special permit to exceed permissible sound levels by no more than 50% for a street dance on September 18, 2020 which was advertised for tonight's meeting, has been withdrawn by the applicant. Mike recommended that the City Council acknowledge that the special permit application was withdrawn and close the hearing.

265-20

Alderman Price moved to acknowledge that Pi Beta Phi has requested to withdraw their special permit application and close the public hearing which was advertised for tonight. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

C. Community Development Block Grant hearing on Storm Sewer improvements in Highway 50 south ditch

Jose Dominguez, City Engineer, reported that the project will consist of installing a pipe in the Highway 50 south ditch from Dakota Street west to Over Drive to better drain this area to the Vermillion River. Jose reported that Short Elliot Hendrickson, Inc (SEH) has developed the preliminary engineering report that is required as part of the application for Community Development Block Grant (CDBG) funding with an

estimated total cost of the storm drainage improvement project of \$4,149,234. Jose reported that SECOG is assisting the City with a CDBG funding application for \$770,000, including the project on the State Water plan, and an application for a \$500,000 State Revolving Fund (SRF) loan. Jose noted that the CDBG and State Water Plan applications for the project are due on October 1, 2020 and the SRF loan application will be due by January 1, 2021. Jose noted that the project will be completed by the State as part of the HWY 50 State Project and the City will be responsible for a portion of the project cost which the DOT said would likely be \$2,500,000. Jose noted that he will continue to work with the DOT to refine the project cost number. Jose noted that the cost of the project has increased and we will be looking for grants to assist with the project as well as other City funds. Jose stated that a requirement of the CDBG application process is to conduct a public hearing to explain the project and complete a Community Development & Housing Needs Assessment with a public input component. Jose noted that, following any public input on the project, the City Council needs to develop a Community Development & Housing Needs Assessment that addresses the following topics: Community development and housing needs of low and moderate-income persons; Other community development and housing needs; and Planned or potential activities to address housing and community needs.

Mayor Collier-Wise opened the public hearing. Carol Person, 1330 Over Drive, stated that her property adjoins HWY 50 just south of Over Drive and was concerned if there would be more erosion of the HWY 50 road ditch in this area from this project. Jose Dominguez, City Engineer, reported that the DOT and City do not want any erosion of the HWY road ditch and have included erosion control in the project.

Leslie Mastroianni with SECOG, reviewed the CDBG process as well as the water plan and SRF grant/loan application timeline for this project. Discussion followed on the need to conduct the community development and housing needs assessment.

Mike Carlson, Finance Officer, stated that an outline has been included in the packet of the three major areas to address and City staff has included some items and, through discussion, items were added to develop the following:

COMMUNITY DEVELOPMENT AND HOUSING NEEDS OF LOW-AND MODERATE-INCOME PERSONS.

- Continue with the rental-housing program along with continued improvements in the ordinance to enhance housing opportunities.
- The City Council created the Vermillion Housing Authority to operate as a separate entity to provide rental assistance to low to moderate

income persons in the community. The City provides office space and some financial assistance to the Authority.

- The City has adopted the 2018 International Building Code; 2018 International Residential Code; 2018 International Property Maintenance Code, to provide for proper housing construction and ongoing maintenance of the property.
- The City received a grant from the South Dakota Housing and Development Authority to assist with relocation and mobile home improvement costs.
- The City and County have adopted a Joint Jurisdictional Ordinance for the area in the county adjoining the city. The ordinance provides for a variety of housing classifications appropriate for low to moderate income persons.
- The City and County Planning and Zoning Commissions are reviewing for update the Joint Jurisdictional Comprehensive Plan which will include input from stakeholders in the area to address all issues in the in this area including housing.

OTHER COMMUNITY DEVELOPMENT AND HOUSING NEEDS.

- Continue the commitment to the water treatment system improvements to provide the needed quality water supply for current and future customers. This will include converting to the AMI metering system to provide for daily meter monitoring and reporting.
- Continue the commitment to the wastewater treatment system improvements to provide for the sanitary sewer treatment needs of the current and future customers. This includes the planning for the upgrade to the Tom Street lift station to meet the growth in the area served by this facility.
- Continue the commitment to electric system improvement to provide the quality and reliable electric service to current and future customers. This will include the converting to the AMI metering system to provide for meter monitoring and reporting. The City in conjunction with Missouri River Energy services offers rebates for energy efficient equipment and appliances.
- Continue to upgrade and extend the hike/bike path system.
- Continue the improvements to the park system for the enjoyment of all citizens.

PLANNED OR POTENTIAL ACTIVITIES TO ADDRESS HOUSING AND COMMUNITY NEEDS

- Continue the partnership with the Vermillion Area Chamber of Commerce/Development Company (VCDC) to encourage industrial development in Vermillion. The City has made contributions and pledged additional funds to the Vermillion NOW!, that was spearheaded by the VCDC, to provide a pool of economic development funds as another tool to assist development in the community.
- Continue to work with the VCDC on the Bliss Pointe development project to provide building sites for single family homes and townhomes.
- Continue to work with developers/builders to facilitate the needed infrastructure is in place as property is developed.

Hearing no further input, Mayor Collier-Wise closed the public hearing and asked all present to sign in and those joining by Zoom to be listed.

Mike Carlson, Finance Officer, stated that under new business later on the agenda are the resolutions authorizing the CDBG and SRF application and Project Certifying and Environmental Certifying officer.

266-20

Alderman Willson moved to close the public hearing on the CDBG for the HWY 50 storm sewer project. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

7. Old Business

A. Review of Emergency Ordinance 1419 to require signage at the entrance to buildings open to the public that states Face Coverings Expected

John Prescott, City Manager, reported that, at the special City Council meeting held on Tuesday, August 11, 2020, the City Council approved the first reading of Emergency Ordinance No. 1419 with the second reading of the ordinance approved at the August 17, 2020 regular meeting. John noted the ordinance requires the posting of a sign at buildings open to the public which states that "Masks are expected per City resolution". John noted that, as it was an emergency ordinance, the City Council was able to adopt it with the ordinance becoming effective upon passage. John reported that, as the City Council has done with most other emergency measures, there was discussion that the item would be on each regular City Council meeting agenda for review and continuation. John noted that this is the first City Council meeting to discuss the ordinance since it was adopted at the last regular meeting. John reported that City Code

staff visited a number of businesses on Monday, August 24, 2020 and found good compliance with the sign being displayed, noting that many businesses already had a sign up prior to City Code staff visiting. John noted that the City has not received any calls about a business not having the required sign displayed. Discussion followed with Mayor Collier-Wise stating that if there is no action we will move on to the next item.

B. Review of Emergency Resolution encouraging the use of face coverings or face masks and determine continuation of the Emergency Resolution

John Prescott, City Manager, reported that, at the special City Council meeting held on Tuesday, August 11, 2020, the City Council approved an Emergency Resolution encouraging the use of face masks or face coverings in buildings open to the public. John noted that the emergency resolution was designed to promote the use of face coverings to slow the spread of the coronavirus. John noted that, as it was an Emergency Resolution, the City Council was able to adopt it with the resolution becoming effective upon passage. John reported that, as the City Council has done with most other emergency measures, there was discussion that the item would be on each regular City Council meeting agenda for review and continuation. John noted that there were no changes to the Emergency Resolution during the August 17, 2020 meeting stating that an Emergency Ordinance or Resolution can be effective for up to 60 days. Discussion followed with Mayor Collier-Wise stating that if there is no action we will move on to the next item.

C. COVID-19 issues

Mayor Collier-Wise stated that an email was received requesting the basketball courts to be fully opened. John Prescott, City Manager, reported that the City Council closed the basketball courts and playground equipment and later opened the playgrounds equipment and half the basketball courts to restrict full court basketball. Discussion followed on COVID-19 in the community and the need to continue to follow the CDC guidelines to restrict the spread. Mayor Collier-Wise stated that if there is no action we will move on to the next item.

8. New Business

A. Request to close Market Street from W. Main Street to the southern border of Ratingen Platz and W. Main Street from the west end of Ratingen Platz to the west cross walk of the Main and Court Street intersection on September 10, September 17, September 24, and October 1, 2020 from 4:00 pm to 8:00 pm for Thursdays on the Platz

James Purdy, Assistant City Manager, indicated that, with the earlier items on the agenda, the Vermillion Thursdays on the Platz group is planning on extending the event on Thursday evenings until October 1st. James reported that this extension of the event is for events scheduled for September 10, September 17, September 24, and October 1, 2020. James reported that Street, Police, Fire and EMS department have been notified of the event and did not have any concerns. James stated that the closing is from 4:00 p.m. to 8:00 p.m. James noted that, as with the earlier events this year, the street closing area is larger to provide for more social distancing. Discussion followed

267-20

Alderman Willson moved approval of the street closing request for Market Street from West Main Street to the south end of Ratingen Platz, as well as West Main Street from the west line of the West Main and Court Streets intersection west through the west side of Ratingen Platz from 4:00 p.m. to 8:00 p.m. on the dates of September 10, September 17, September 24, and October 1, 2020 for "Thursdays on the Platz" events. Alderman Holland seconded the motion. Discussion followed with Nate Welch, VCDC Executive Director, explaining how the larger area is allowing for social distancing and other safety measures in place for the event. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-N, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-N, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Resolution for Community Development Block Grant Sponsorship and Project and Environmental Certifying Officer - HWY 50 Storm Sewer

Mike Carlson, Finance Officer, reported that, as part of the Community Development Block Grant process, a public hearing was held earlier on the agenda at which time the project was described and allowed for public comment. Mike stated that the resolution is to authorize the filing of the CDBG application and to designate the project and environmental certifying officer for the project.

268-20

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

RESOLUTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT SPONSORSHIP AND
PROJECT CERTIFYING AND ENVIRONMENTAL CERTIFYING OFFICER

WHEREAS, the City of Vermillion has determined the need for the Storm Sewer Improvement project along the South Dakota Highway 50 south ditch; and

WHEREAS, the South Dakota Department of Transportation is planning improvements to SD Highway 50 in 2021 that may include the storm sewer improvements with the state project; and

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

WHEREAS, the City of Vermillion wishes to request assistance from the Community Development Block Grant (CDBG) Program of the South Dakota Governor's Office of Economic Development; and

WHEREAS, the City is required to designate a Project Certifying Officer for the purpose of signing required documents pertaining to the grant; and

WHEREAS, the City is required to designate an Environmental Certifying Officer for the purpose of signing required environmental documents pertaining to the grant.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion that:

1. The City of Vermillion hereby authorizes the filing of a Community Development Block Grant application with the South Dakota Governor's Office of Economic Development, including all understandings and assurances contained therein.
2. Be it further resolved that the City of Vermillion hereby authorizes its City Manager to act as Project Certifying Officer and Environmental Certifying Officer in connection with the application and other required forms and to provide such additional information as may be required by the South Dakota Governor's Office of Economic Development. In the City Manager's absence, the Mayor is authorized to act as Project Certifying Officer and Environmental Certifying Officer in connection with the application and other required forms and to provide additional information as may be required by the South Dakota Governor's Office of Economic Development.

Dated at Vermillion, South Dakota this 8th day of September, 2020.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By: _____
Kelsey Collier-Wise, Mayor

ATTEST:

By: _____
Michael D. Carlson, Finance Officer

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

C. Review use of malt beverage markup receipts collected, proposal to use funding during 2021 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 and that for the first seven months of 2020 the revenue was \$99,693. John reported that all of the proceeds from the collection in the revised 2020 budget and proposed 2021 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 is \$194,755, for 2020 is \$197,255 and for 2021 is \$199,655. John stated that the City Council should receive public input on the continuation of the wholesale license fee.

269-20

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

D. First reading of Ordinance 1420 - 2021 Appropriations budget ordinance

John Prescott, City Manager, reported that the proposed budget was presented to the City Council on August 3rd and the Council held hearings to review the budget on August 11th and 12th. 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 2021 budget ordinance. Discussion followed on the budget ordinance.

270-20

Mayor Collier-Wise read the title to the above mentioned Ordinance and Alderman Willson moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1420 entitled An Ordinance Adopting the 2021 Budget Ordinance of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 8th day of September, 2020 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Holland. After discussion, the question of adoption of the Resolution was put to a roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

E. First reading of Ordinance 1421 - 2020 Revised Appropriations ordinance

John Prescott, City Manager, reported that the City Council adopted the 2020 budget in September 2019 and, during the 2021 budget process, the 2020 budget amounts were revised based upon information that is currently available. John reviewed some of the changes to the 2020 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.

271-20

Mayor Collier-Wise read the title to the above mentioned Ordinance and Alderman Willson moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1421 entitled An Ordinance Adopting the 2020 Revised Budget Ordinance of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 8th day of September, 2020 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Holland. After discussion, the question of adoption of the Resolution was put to a roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

F. 2019 Audited Comprehensive Annual Financial Report

Mike Carlson, Finance Officer, reported that the 2019 Audited Comprehensive Financial Report was provided with the Council packet and if a hard copy is needed to let him know. Mike stated that Chad Regnier of Williams & Company, P.C. presented information at the noon meeting on the report. Mike stated that the Department of Legislative Audit has reviewed the audit and their letter of acceptance was included in the packet. Mike noted that the City Council will need to accept the report. Mike noted that the report will be available on the City web site. Discussion followed.

272-20

Alderman Holland moved approval of the acceptance of the 2019 Audited Comprehensive Financial Report. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

G. Historic Preservation Commission appointments

Mayor Collier-Wise reported that there are two positions that will be coming open on the Historic Preservation Commission and that two expression of interest forms were received for the three year terms. Mayor Collier-Wise recommended the reappointment of William Dendinger and Susan Keith Gray to the Historic Preservation Commission with terms expiring in 2023.

273-20

Alderman Price moved approval of the reappointment of William Dendinger and Susan Keith Gray to the Historic Preservation Commission with terms expiring in 2023. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

H. Surplus vehicles for Fire Department training

Mike Carlson, Finance Officer, reported that when a vehicle is placed in the impound lot, a notice is sent to the registered owner that the vehicle can be claimed by paying the fine, towing fee, and impound fee. Mike stated that, if the vehicle is not claimed within 60 days, ownership of the vehicle reverts to the City. Mike stated that an auction is normally held each spring to empty the impound lot of abandon vehicles, sell abandon bicycles and other surplus city property but due to COVID-19 an auction was not held. Mike noted that for the past few years, some of the abandon vehicles have been surplused to the Fire Department to use

for training and when they are done with the vehicles they are sold as scrap metal. Mike stated the Fire Department is planning training and would like to use some abandon vehicles for that training. Mike stated the Police and Fire Department have reviewed the abandon vehicles in the impound lot and would like to have 10 vehicles declared surplus to be used by the Fire Department for training and when done sold as scrap metal. Mike stated that the Police Chief has provided a memo listing ten vehicles that title has reverted to the City that will need to be declared surplus and authorized to be used for Fire Department Training. Discussion followed.

274-20

Alderman Ward moved to declare the following abandon vehicles as surplus and authorize the Fire Department to use them for training to then be sold as scrap: 1 - 2004, Pontiac Montana, white, 19BF70, 1GMDX13E94D197724; 2 - 1996, Buick Park Avenue, blue, 27B644, 1G4CW52K2TH618946; 3 - 1997, Ford Explorer, red, 1AB809, 1FMDU35P0VUA20208; 4 - 2010 Chrysler, black, JM9231, 2C3CASCV44H290159; 5 - 2003, Dodge Intrepid, beige, 8C6003, 2B3HD46R03H505638; 6 - 2003 Pontiac Grand Prix, silver, 12D506, 1G2NF52E63C271355; 7 - 2003, Chevy Impala, tan, 19AK01, 2G1WF52EX39427641; 8 - 1996 Infiniti 130, bronze, 7D2371, JNKCA21D8TT008422; 9 - 2000, Mercury Marquis, gold, 6E4371, 2MEFM75W8YX719710; 10 - 2004, Dodge Grand Caravan, blue, WR856, 1D4GP24R54B527642. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

I. Developer's Agreement with AMS Building System, LLC Owner of Lot 1 and Lot 2, Block 7, Brooks Industrial Park Addition to the City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, reported that AMS Building Systems, LLC (AMS) purchased several acres west of Commerce Street. Jose stated that the land purchased was split into two large lots (Lot 1 and Lot 2) and will be separated by a future east/west street. Jose noted that AMS will be constructing a building on the north lot (Lot 1), and planning to construct a building for an unnamed company on the south lot (Lot 2). Jose stated that AMS has to either complete all of the infrastructure fronting the lots, or enter into a developer's agreement with the City. Jose reported that City ordinance requires that the property owner construct sidewalks, grading, curb and gutter, street surfacing, street lights, water and sewer improvements on all streets abutting a property to be developed. Jose noted that the lots in question are corner lots fronting Commerce Street, and the unnamed east/west road. Jose stated that this agreement addressed the improvements on the east/west road. Jose noted that later on the agenda the City Council will consider the

agreement for Commerce Street improvements. Jose noted that construction of the utilities along this street will require that they are completed on other streets first so the agreement limits the type of construction on the west half of the lots to something that does not require utility services. Jose noted that this agreement has been reviewed by the City Attorney. Jose recommended that the City Council authorize the Mayor to sign the Developers agreement. Discussion followed.

275-20

Alderman Holland moved approval of the Developer's Agreement with AMS Building Systems, LLC for east/west street improvements and authorized the Mayor to sign. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

J. Developer's Agreement with AMS Building System, LLC Owner of Lot 2, Block 7, Brooks Industrial Park Addition to the City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, reported that AMS Building Systems, LLC (AMS) purchased several acres west of Commerce Street. Jose stated that the land purchased was split into two large lots (Lots 1 and 2) and will be separated by a future east/west street. Jose noted that AMS will be constructing a building on the north lot (Lot 1), and planning to construct a building for an unnamed company on the south lot (Lot 2). Jose noted that prior to any construction occurring on the south lot, AMS has to either complete all of the infrastructure fronting the lot, or enter into a developer's agreement with the City. Jose reported that City ordinance requires that the property owner construct sidewalks, grading, curb and gutter, street surfacing, street lights, water and sewer improvements on all streets abutting a property to be developed. Jose noted that the lot in question fronts Commerce Street, and the unnamed east/west road. Jose noted that the agreement for the east/west road was earlier on the agenda and this agreement requires the developer to complete the construction of Commerce Street, water mains and sanitary sewer mains within two years, when the City Council requests the completion, or when a future development would utilize the street needing the improvements. Jose noted that this agreement has been reviewed by the City Attorney. Jose recommended that the City Council authorize the Mayor to sign the Developers agreement. Discussion followed.

276-20

Alderman Willson moved approval of the Developer's Agreement with AMS Building Systems, LLC for the Commerce Street improvements and authorized the Mayor to sign. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-

Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

K. Agreement to Construct Public Infrastructure by Private Development with AMS Building System, LLC Owner of Lot 1 and Lot 2, Block 7, Brooks Industrial Park Addition to the City of Vermillion, Clay County, South Dakota

Jose Dominguez, City Engineer, reported that AMS Building Systems, LLC (AMS) is in the process of constructing a building at the southwest corner of SD Hwy. 50 and Commerce Street. Jose noted that, as part of this project, AMS asked the City to construct a public street and all associated public utilities along the still unnamed east/west road intersecting with Commerce Street. Jose reported that the improvement will provide access to the rest of the AMS property. The new east/west road will also provide access to property owned by the VCDC. Jose noted that construction of the east/west road will only require grading, subgrade stabilization, and paving, as all of the necessary utilities will be installed as part of this project for the east 350-feet of the east/west road. Jose reported that when a public infrastructure project is requested by the public or developer, the City provides three options: (1) project is completed by the City and assessed to the developer (construction cost and an 8% fiscal fee); or, (2) the project is completed by the City with the plans being done by a consultant and assessed to the developer (construction cost and cost of consultant); or, (3) the project is completed entirely by the developer. Jose reported that AMS would like to take advantage of the of the opportunity to complete the street project as part of their building construction. Jose noted that this gives them more flexibility with scheduling and also with some of the expenses associated with public infrastructure construction and AMS is only planning on constructing the east 350-feet of the east-west street. Jose reviewed the contents of the agreement noting that the City will be responsible for some oversized items. Jose reported that the 2021 budget includes \$78,250 for the payment of oversized items and construction testing. Jose noted that this agreement has been reviewed by the City Attorney. Jose recommended the City Council authorize the Mayor to sign the Developers agreement. Discussion followed.

277-20

Alderman Price moved approval of the Developer's Agreement with AMS Building Systems, LLC for the construction of public infrastructure by private development and authorized the Mayor to sign. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

L. Professional services agreement with Burns & McDonnell for engineering work on the construction of cells 6 & 7 and closure of cells 2 & 3 at the landfill

Jose Dominguez, City Engineer, reported that the landfill consulting engineer, Burns & McDonnell, have projected that landfill cell 5 will be at a capacity that will require cell 6 to be in service by March 2022. Jose reviewed that the project will consist of construction of cells 6 and part of 7 with an alternate to complete cell 7 and closure of cells 2 and 3. Jose noted that, due to the cost, the City will need to apply for grants and loans for the project that require engineering projections to have the project included on the State Water Facilities Plan by October 1st. The grant/loan application is due by January 1, 2021 which will require more detailed plans. Jose reported that a professional services contract has been received from Burns & McDonnell for the design and bidding of the project at a fee not to exceed \$98,000. Jose noted that the 2020 Joint Powers budget includes funds for this work. Discussion followed.

278-20

Alderman Ward moved approval of the professional services contract with Burns & McDonnell Engineering Company, Inc for the design of cells 6 & 7 construction and closure of cells 2 & 3 in the amount not to exceed \$98,000. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

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

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$1.6204, Brunick's Service \$1.73, Jerry's Service \$2.05; Item 2 - 1,000 gal unleaded regular: Stern Oil \$1.7959, Brunick's Service \$1.88, Jerry's Service \$2.20; Item 3 - 3,000 gal No. 2 Diesel fuel dyed: Stern Oil \$1.3846, Brunick's Service \$1.55, Jerry's Service \$1.60; Item 4 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$1.6804, Brunick's Service \$1.84, Jerry's Service \$2.18.

279-20

Alderman Price moved approval of the low quote of Stern Oil on all four items. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y,

Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

10. City Manager's Report

A. John reminded residents that Thursdays on the Platz will be closing W. Main Street from the west line of the intersection of Court Street west to the west line of Ratingen Platz and Market Street as they abut Ratingen Platz on every Thursday through October 1st from 4:00 p.m. to 8:00 p.m.

B. John reminded residents that portions of Market Street and Kidder Street and the public parking lot are closed from 6:00 a.m. on Friday until 6:00 p.m. on Saturday for Ribs, Rods and Rock N Roll competition. John reported that this is not a public event but private competition to maintain Vermillion's place on the annual competition calendar.

C. John reported that the Library Board meets on Friday, September 18th at noon.

D. John reported that, due to a resignation, there is an opening on the Vermillion Housing Authority. John stated that the term runs through June 2025 and asked interested individuals to complete an Expression of Interest form and submit it no later than Thursday, September 17th at 5:00 p.m. in anticipation that the City Council will make an appointment at the September 21st meeting.

PAYROLL ADDITIONS AND CHANGES

Volunteer Firefighter: Blake Nelson; Police: Chet Moser \$26.21/hr; Communications: Jessica Standley \$24.19/hr; Golf Clubhouse: Drew Kaitfors \$9.50/hr; Golf Maintenance: Max Anderson \$9.50/hr, Logan Brown \$9.50/hr, Gabe Montgomery \$9.50/hr; Wastewater: Michael Watterson \$17.81/hr; Recycling: Jeremiah Kashas \$18.19/hr; Curbside: Dan Hanson \$20.88/hr

11. Invoices Payable

280-20

Alderman Willson moved approval of the following invoices:

3D Specialties Inc	supplies	1,379.20
A&A Sales Associates	work shirts	530.81
A-1 Portable Toilets	portable toilet rental	876.50
Ace Refrigeration Co	repairs	349.60
Altec Industries, Inc	repairs	312.28
Am Conservation Group, Inc	led light bulbs	17,672.07

Amazon Business	supplies	1,567.32
American Legal Publishing	subscription	375.00
Appeara	shop towels	45.00
Aramark Uniform Services	uniform cleaning	284.40
Argus Leader Media #1085	subscription	28.00
Avera Occupational Medicine	testing	220.65
Awe Acquisition, Inc	children's workstation	2,895.00
Banner Associates, Inc	professional services	6,087.40
Barkley Asphalt	asphalt	267.30
Basin Electric Power Coop	repairs	1,403.89
Bauer Built Tire & Service	tires	787.96
Ben's Brewing Co	merchandise	44.00
Beth Samenus	refund life ins premium	7.90
Bierschbach Eqpt & Supply	supplies	210.00
Blackburn Manufacturing Co	supplies	187.28
Blackstone Publishing	books	250.00
Bound Tree Medical, LLC	supplies	4,839.65
Boyer Trucks	parts	229.19
Broadcaster Press	advertising	152.00
Brock White Co	supplies	402.93
Brunicks Service Inc	propane	38.55
Burns & McDonnell	professional services	28,650.87
Butler Machinery Co.	repairs	6,695.69
Cannon Technologies, Inc	supplies	32,827.68
Carroll Construction Supply	supplies	3,316.29
Cask & Cork	merchandise	1,582.10
Century Business Products	copier contract/copies	199.63
Chesterman Co	merchandise	2,519.93
City Of Vermillion	copies/postage	1,242.27
City Of Vermillion	utility bills	44,604.10
Civil Air Patrol Magazine	advertising	195.00
Clay Co Register Of Deed	filing fee	120.00
CNA Surety Direct Bill	notary public	50.00
Coffee King, Inc	supplies	125.50
Colonial Life Acc Ins.	insurance	3,033.29
Concrete Materials	golf sand	1,123.25
Convergint Technologies LLC	alarm monitoring	360.00
Core & Main LP	supplies	3,653.91
Cornhusker International Truck	batteries	593.00
D-P Tools	supplies	84.95
Dakota Beverage	merchandise	20,314.09
Dakota Pc Warehouse	toner/supplies	240.85
Dakota Traffic Services LLC	pavement markings	22,240.00

Danko Emergency Equipment	fire vehicle lighting	3,323.50
Deadperfect	merchandise	1,020.35
Delta Dental Plan	insurance	6,187.30
Demco	supplies	370.29
Dennis Martens	maintenance	833.34
DGR Engineering	professional services	2,154.50
Diamond Mowers	parts	285.04
Diamond Vogel Paints	white traffic paint	2,606.31
Dubois Chemicals	soda ash	7,359.00
Eakes Office Solutions	foam dispenser/sanitizer	742.22
Echo Electric Supply	supplies	3,545.95
Electronic Engineering	repairs	150.90
Elliott Equipment Co	repairs	1,081.55
Energy Laboratories	testing	1,570.00
Environmental Specialty Solutions	professional services	33,853.84
Erickson Solutions Group	professional services	8,596.35
Evan Rolling	boots reimbursement	157.62
Farner Bocken Company	merchandise	959.16
FedEx.	shipping	20.15
Flagshooter, Inc	repairs	100.00
Flashbay Inc	supplies	459.50
Foreman Media	council mtgs	100.00
Four Winds Interactive	maintenance	411.57
Fred Balleweg	safety boots reimbursement	100.00
Gale/Cengage Learning Inc	books	19.49
Global Dist.	merchandise	149.56
Global Equipment Company	customer service partitions	1,349.91
Govt Finance Officers Assoc	books	249.00
Graham Tire	tires	694.48
Graham Tire Co.	tires	924.10
Grainger	supplies	38.02
Graymont (WI) LLC	chemicals	8,331.46
Gregg Peters	advertising	500.00
Gregg Peters	rent	937.50
Hach Co	chemicals	8,288.25
Hauger Lawn Service	mowing/weeds	157.00
Herren-Schempp Building	supplies	122.22
Houston Engineering Inc	professional services	4,922.46
Hy Vee Food Store	bakery/supplies	262.15
Id Cards Unlimited	patron id cards	372.95
In Control, Inc	control equipment ww	4,196.37
Industrial Chem Labs	supplies	458.93
Ingram	books	2,659.54

Interstate All Battery Center	batteries	85.20
Istate Truck Center	parts	98.72
Jami Sandbulte	refund parking tkt overpmt	5.00
Jay's Plumbing	repairs	204.00
John A Conkling Dist.	merchandise	10,008.60
Johnsen Heating & Cooling	repairs	326.53
Johnson Brothers Of Ds	merchandise	22,707.61
Johnson Controls	service agreement	1,811.78
Jones Food Center	supplies	1,336.39
Kenny Wapniarski	safety boots reimbursement	95.00
Kimball Midwest	supplies	307.29
Knife River Midwest, LLC	asphalt	1,627.56
Lawson Products Inc	supplies	627.32
Library Ideas	books	455.27
Locators And Supplies, Inc	rain uniforms/supplies	442.89
Loffler	copier contract/copies	1,740.25
Longs Propane Inc	propane	60.00
Malloy Electric	supplies	114.57
Maria Koenen	refund parking tckt overpmt	5.00
Marks Machinery	supplies	223.50
Mart Auto Body	towing	340.00
Matheson Tri-Gas, Inc	carbon dioxide/cylinder rental	682.81
McCulloch Law Office	professional services	3,659.00
Mead Lumber	supplies	55.84
Medical Waste Transport, Inc	haul medical waste	231.71
Michael Frederick	books	48.00
Micro Marketing LLC	books	39.99
Microfilm Imaging Systems	service agreement	371.00
Midwest Alarm Co	annual inspection	350.00
Midwest Ready Mix	flowable fill/red rock	1,344.00
Midwest Turf & Irrigation	parts	1,413.36
Midwest Wheel Companies	parts	22.20
Missouri River Energy Service	infrared inspections	1,093.75
Missouri Valley Maintenance	repairs	629.20
Moore Welding & Mfg	repairs	92.50
Mr. Golf Car, Inc	repairs	108.50
MSC Industrial Supply Co	supplies	194.00
Nalco Chemical Co	chemicals	275.25
NCL Of Wisconsin, Inc	supplies	1,356.01
Netsys+	repairs/professional services	1,824.50
O'Reilly Auto Parts	parts	13.86
PCC, Inc	commission	2,655.45
Pizza Ranch	fun zone cards/pizzas	202.79

Presto-X-Company	inspection/treatment	53.00
Print Source	advertising-school calendar	260.00
Prochem Dynamics	supplies	190.76
Property Maintenance Service	debris removal/mowing	217.50
Pump N Pak	supplies	12.44
Quadient Finance USA	postage for meter	707.00
Quill	supplies	419.67
Racom Corporation	maintenance contract	411.70
Recorded Books, Inc	books	311.21
Redi Towing	towing	300.00
Reflective Apparel Factory	work shirts	333.73
Republic National Dist	merchandise	23,815.59
Ribs, Rods & Rock N' Roll	contribution	2,000.00
RS Plumbing Services	repairs	408.62
Running Supply, LLC	supplies	1,100.13
Sanford Health Occupational	testing	449.00
Sanford Health Plan	participation fee	54.00
Sanford USD Medical Center	supplies	156.40
Sanitation Products Inc	parts	431.90
SD Dept Of Health	testing	225.00
SD Dept Of Public Safety	teletype service	3,090.00
SD Public Assurance Alliance	property coverage	152.80
SD Retirement System	contributions	60,100.42
SD Secretary Of State	notary bond filing fee	30.00
SD Solid Waste Mgt Assoc	membership	400.00
SD State Historical Society	membership	40.00
SEH, Inc	professional services	3,908.81
Service Master Of Se SD	custodial	3,740.35
Silver Star Industries	topper/installation	3,312.04
Sooland Bobcat	parts	1,095.42
Southern Glazer's Of SD	merchandise	12,266.06
Staples Business Credit	supplies	784.83
Stewart Oil-Tire Co	repairs	30.00
Stockwell Engineers, Inc	professional services	23,700.98
Storey Kenworthy	supplies	1,283.46
Stryker Sales Corporation	supplies	373.89
Stuart C. Irby Co.	parts	3,924.25
Sturdevants Auto Parts	parts	1,111.44
Syncb/Amazon	supplies/books/dvds	840.03
Taste Of Home Books	book	35.98
TestAmerica Laboratories	testing	1,962.00
The Ups Store #6751	shipping	140.83
Thomas L Price Inc	evaluation/screening	350.00

Titleist-Acushnet Company	merchandise	5,260.03
Triview Communications	handset cord	8.00
Turner Plumbing	repairs	288.36
United Parcel Service	shipping	36.29
United Way	contributions	737.00
Unum Life Insurance Company	insurance	1,511.07
USA Bluebook	supplies	2,962.72
Vast Broadband	911 circuit/dialup service	1,415.45
Verizon Wireless	cell phones/ipad access	2,322.44
Vermillion Ace Hardware	supplies	965.25
Vermillion Concrete	concrete work	29,723.17
Visa/First Bank & Trust	fuel/supplies	3,735.84
Wal-Mart Community	supplies	884.61
Walt's Homestyle Foods, Inc	merchandise	717.40
Wesco Distribution, Inc	supplies	3,558.13
Yankton Motorsports LLC	parts	625.05
Yeager Diesel	repairs	967.76
Zee Medical Service	supplies	237.70
Ziegler Inc	parts	194.13
Zimco Supply Co	supplies	7,703.00
Robert Nelson	Bright Energy Rebate	250.00
Dan Graves	Bright Energy Rebate	250.00
Karen Hansen	Bright Energy Rebate	250.00
MASABA Inc	Bright Energy Rebate	2,042.28
Dawna Andersen	Bright Energy Rebate	25.00
Taco John's	Bright Energy Rebate	658.20

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

12. Consensus Agenda

Set a public hearing date of September 21, 2020 for a special permit to exceed permissible sound levels by no more than 50% for the University of South Dakota Music Department in the band shell area of Prentis Park on Sunday, October 11, 2020 from 2:00 p.m. to 5:00 p.m. with a rain date of October 18, 2020 for a free live public concert performance.

281-20

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

Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

13. Adjourn

282-20

Alderman Ward moved to adjourn the Council Meeting at 8:37 p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 8th day of September, 2020.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____

Kelsey Collier-Wise, Mayor

ATTEST:

BY _____

Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.