



Special Meeting Agenda

City Council

12:00 p.m. (noon) Special Meeting

Tuesday, September 3, 2013

William J. Radigan Fire / EMS Station

820 N. Dakota Street

Vermillion, South Dakota 57069

1. **Roll Call**
2. **Informational Session – Follow up information from August 19th Prentis Park Pool Discussion – Jim Goblirsch.**
3. **Informational Session – Review of new ambulance and Ambulance Department upgrades – EMS Director Lee Huber.**
4. **Briefing on the September 3, 2013 City Council Regular Meeting Agenda-** Briefings are intended to be informational only and no deliberation or decision will occur on this item.
5. **Adjourn**

Access the City Council Agenda on the web – www.vermillion.us

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please state your name and address. Presentations are limited to 5 minutes. For those who do not appear on the agenda, no decision is to be expected at this time.

Meeting Assistance: If you require assistance, alternative formats and/or accessible locations consistent with the Americans with Disabilities Act, please contact the City Manager's Office at 677-7050 at least 3 working days prior to the meeting.

Council Meetings: City Council regular meetings are held the first and third Monday of each month at 7:00 p.m. If a meeting falls on a City holiday, the meeting will be scheduled for the following Tuesday.

Live Broadcasts of Council Meetings On Cable Channel: Regular City Council meetings are broadcast live on Cable Channel 3.

As a courtesy to others, we ask that cellular phones and pagers be turned off during the meeting.

City of Vermillion Council Agenda

7:00 p.m. Regular Meeting

Tuesday, September 3, 2013

City Council Chambers

25 Center Street

Vermillion, South Dakota 57069



1. **Roll Call**
2. **Pledge of Allegiance**
3. **Minutes**
 - a. August 19, 2013 Special Session; August 19, 2013 Regular Session.
4. **Adoption of the Agenda**
5. **Visitors To Be Heard**
 - a. Direct Support Professionals Recognition Week Proclamation.
6. **Public Hearings**
 - a. Resolution Approving Special Assessment Roll for Nuisance Abatement.
 - b. First Reading of Ordinance 1304 – Amending Chapter 155.074 of the 2008 revised ordinances of the City of Vermillion, adding guidelines for the installation of fences.
7. **Old Business**
8. **New Business**
 - a. First Reading of Ordinance 1305 – 2014 Appropriations.
 - b. First Reading of Ordinance 1306 – 2013 Revised Appropriations.
 - c. Resolution of Necessity and Notice of Hearing for construction of concrete surfacing on Kennedy Street from W. Cherry Street to Cornell Street.
 - d. Resolution in support of maintaining Tax Exempt Financing.
 - e. Commercial Haulers License – Giedd Sanitation.
 - f. Resolution Authorizing the Purchase of a Wheel Loader.
9. **Bid Openings**
 - a. Fuel Quotes.
10. **City Manager's Report**
11. **Invoices Payable**
12. **Consensus Agenda**

Access the City Council Agenda on the web – www.vermillion.us

Addressing the Council: Persons addressing the Council shall use the microphone at the podium. Please raise your hand to be recognized, go to the podium and state your name and address.

a. Items Not on the Agenda Members of the public may speak under Visitors to Be Heard on any topic NOT on the agenda. Remarks are limited to 5 minutes and no decision will be made at this time.

b. Agenda Items: Public testimony will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by staff. Any citizen who wishes may speak one time for 5 minutes on each agenda item. Public testimony will then be closed and the topic will be given to the governing body for possible action. At this point, only City Council members and staff may discuss the current agenda item unless a Council member moves to allow another person to speak and there is unanimous consent from the Council. Questions from Council members, however, may be directed to staff or a member of the public through the presiding officer at any time.

Meeting Assistance: The City of Vermillion fully subscribes to the provisions of the Americans with Disabilities Act of 1990. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Manager's Office at 677-7050 at least 3 working days prior to the meeting so appropriate auxiliary aids and services can be made available.

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Vermillion City Council's Values and Vision

This community values its people, its services, its vitality and growth, and its quality of life and sees itself reinforcing and promoting these ideals to a consistently increasing populace.



Unapproved Minutes
Council Special Session
August 19, 2013
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, August 19, 2013 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Zimmerman, Mayor Powell

Absent: Willson

2. Informational Session - Prentis Park Swimming Pool Discussion
Follow-Up - Jim Goblirsch

John Prescott, City Manager, stated that during the budget process there was some discussion on the pool project which was continued until this noon meeting. John noted that to issue a General Obligation Bond will require an election. To be included on the June Primary election ballot would require adoption of a bond resolution by the end of March so the ballot language can be delivered to the County Auditor for ballot printing. Another option would be to schedule the vote for the November General election. John noted that a General Obligation bond requires 60% voter approval. He stated that if a General Obligation bond for a pool is placed before the voters a public education campaign should be in place prior to adoption of the bond resolution. John stated that it had been previously reported that a combination of general fund reserves, second penny sales tax and private contributions would be used to reduce the amount of the bond issue. He stated that a mix of second penny sales tax, BBB and general funds are being considered to help make the annual bond payments. John stated that another idea of a revenue source may be the implementation of the malt beverage mark up. He noted that it was estimated that this fee would generate \$116,000 in 2007. If this funding source was to be used for the swimming pool, citizen education would be needed. John stated that the pool project has been discussed with Jim Goblirsch, Director of Parks and Recreation, who noted that there is no master plan for Prentis Park and a new pool will have a major impact on the park. John noted that the Swimming Pool Committee did a great job in soliciting community feedback in developing their plan, but will this pool meet the financial resources of the City. John also noted that for other projects the City has built up funding to reduce or

eliminate the need for a bond such as City Hall and the Library. John asked Jim Goblirsch, Director of Parks and Recreation, for his input.

Jim Goblirsch stated that a new pool with an estimated life of 50 years will be a big change to Prentis Park. Jim noted that with a new pool there should also be the consideration of off street parking for safety of those using the pool facilities. He stated that in planning for the future of Prentis Park a master plan should be developed to maximize the use of the property. Jim stated that, in addition to the baseball field, band shell and water tower, there are horse shoe pits, 5 basketball courts, 3 disc golf courses in addition to the picnic shelters. Jim stated that he has talked to consultants that would be able to develop a master plan for the park. As to the pool plan, Jim stated that there could be changes to the plan to reduce the building costs as well as reducing the annual operating costs. Discussion followed on the project and the timing for an election and master planning for the park to better meet the needs of all users. The goal was to develop a time line to report to the City Council. Jim stated that he could report at the next meeting, being September 3rd, on the cost and time involved for master planning.

3. Wrap-up items related to 2014 proposed budget - John Prescott

John Prescott, City Manager, handed out information on the 211 Help Line that was presented jointly to the City and County. John reported that the 211 Help Line program is currently in use in the counties surrounding Sioux Falls and Rapid City, but they are looking to expand the coverage. John stated that the cost for Clay County was \$8,430, noting that this included the City of Vermillion. John reported that in contacting the County they did not include any funding for this program in their budget. Alderman Collier-Wise stated that the Sioux Empire United Way funds a portion of the program costs for the Sioux Falls area, while the local organization included limited funding for the program in their budget as the program is not in existence. Discussion followed with no action.

4. Briefing on the August 19, 2013 City Council Regular Meeting

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

5. Adjourn

257-13

Alderman Ward moved to adjourn the Council special session at 12:49 p.m. Alderman Osborne seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of August, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA
BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
August 19, 2013
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, August 19, 2013 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Davies, Grayson, Meins, Osborne, Ward, Zimmerman, Mayor Powell, Student Representative Muckey

Absent: Willson

2. Pledge of Allegiance

3. Minutes

A. Minutes of August 5, 2013, Special Session, August 5, 2013, Regular Session, August 13, 2013, Special Budget Session and August 14, 2013, Special Budget Session

258-13

Alderman Osborne moved approval of the August 5, 2013 special session, August 5, 2013 regular session, August 13, 2013 special

budget session and August 14, 2013 special budget session minutes. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

259-13

Alderman Zimmerman moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Jim Goblirsch, Director of Parks and Recreation, wanted to publicly thank the USD Community Advisors for their assistance with the cleanup of the vegetation around the Prentis Park baseball field. Jim stated that there were about 60 USD Community Advisors that volunteered to assist the City with this community project. A representative of the USD Community Advisors stated that they wanted to do a project for the community and had a lot of fun doing it.

6. Public Hearings

A. Addition of South Dakota Farm Wine to the retail on-off sale malt beverage license for the Varsity Pub, LLC for the Varsity Pub at 113 E Main Street

Mike Carlson, Finance Officer, stated that an application was received to add South Dakota Farm Wine to the retail on-off sale malt beverage license for the Varsity Pub, LLC for the Varsity Pub at 113 E Main Street. The notice of hearing and the Police Chief's report are included in the packet. The Varsity Pub, LLC currently has a retail on-off sale malt beverage license and the request is to add South Dakota Farm Wine for the period ending June 30, 2014. The license fee for the South Dakota Farm wine is \$25 of which half is retained by the City.

260-13

Alderman Zimmerman moved approval of the addition of South Dakota Farm Wine to the retail on-off sale malt beverage license for the Varsity Pub, LLC for the Varsity at 113 E. Main Street. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Special permit to exceed permissible sound levels by no more than 50% for Pi Kappa Alpha on August 24, 2013 in the open lot in the southwest corner of Cherry and Pine Street from 9:00 p.m. to

midnight for a student welcoming concert. (Note change in location to East of Dakota Dome)

Mike Carlson, Finance Officer, reported that an application was received from Pi Kappa Alpha for a special permit to exceed permissible sound levels by no more than 50% for a student welcoming concert on Saturday, August 24, 2013 from 9:00 p.m. to midnight in the vacant lot in the southwest corner of Cherry and Pine Streets. After receipt of the original application, the location was changed last week to the parking lot east of the Dakota Dome and this morning the location was changed back to the corner of Pine and Cherry Streets. The application was included in the packet and a diagram for the Pine and Cherry Streets location was handed out. Mike noted that a representative of USD has stated that they have approved the concert.

Brent Olinger, representing Pi Kappa Alpha, stated that the location changes were at the request of the University and requested approval of the permit. Discussion followed asking if the adjoining neighbors had been notified of the event.

261-13

Alderman Ward moved approval of the special permit to exceed permissible sound levels by no more than 50% for Pi Kappa Alpha on August 24, 2013 in the open lot in the southwest corner of Cherry and Pine Street from 9:00 p.m. to midnight for a student welcoming concert. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Special permit to exceed permissible sound levels by no more than 50% for St. Agnes Catholic Church and School on September 11, 2013 in the parking lot east of the school building from 6:00 p.m. to 8:30 p.m. for a celebration of the St. Agnes campaign

Mike Carlson, Finance Officer, reported that an application was received from St. Agnes Catholic Church and School for a special permit to exceed permissible sound levels by no more than 50% for celebration of the St. Agnes campaign on Wednesday, September 11, 2013 in the parking lot east of the school building from 6:00 p.m. to 8:30 p.m. The application and diagram for the event were included in the packet. Ray Hofman, representing St. Agnes Campaign, explained the event and invited the Council.

262-13

Alderman Grayson moved approval of the special permit to exceed permissible sound levels by no more than 50% for St. Agnes Catholic Church and School on September 11, 2013 in the parking lot east of

the school building from 6:00 p.m. to 8:30 p.m. for a celebration of the St. Agnes campaign. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

7. Old Business

A. Landfill Baler Building Bid Opening

Jose Dominguez, City Engineer, reported that the landfill baler building was destroyed by fire on October 22, 2012. Since then, the City has been working to replace the building. The insurance carrier valued the replacement cost of the building at \$663,788 for a new building of equal size. Plans and specifications were completed for a new building that was slightly larger with bids opened on August 1, 2013. Two bids were received with the low bid from Peska Construction in the amount of \$1,060,000. Jose noted that the engineer's estimate for the building was \$850,000. The City Council tabled action on the bid opening at the August 5th meeting until August 14th to allow time to negotiate a more acceptable contract with the low bidder. On August 14th, action was again tabled to allow time to negotiate. Jose reported that the low bidder would only be able to reduce the original bid by \$50,524 by eliminating four unit heaters, the insides of the annex building and reducing the fire alarm addressable points. However, all these items will need to be added at a later date and probably at a higher cost. Jose stated that the DENR had indicated that projects through the State have been running close to 20% over the engineer's estimates. Jose stated that he would recommend the rejection of the bids and rebid the project later this fall with a completion date in 2014. This will allow the bidders the option to start yet this year and work over the winter if they want or start next spring which might attract lower bids. Jose stated that there is also the possibility that the bids could come in higher. Jose noted that the City has applied to the DENR for a \$400,000 grant for the project that we will be notified about in late September. Discussion followed on the low bid and the project.

263-13

Alderman Zimmerman moved to reject the landfill baler building bids and authorize the project to be rebid with a completion date in 2014. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

8. New Business

A. Resolution to approve a Project Plan for TIF #6 (Infrastructure development in Bliss Pointe Addition)

John Prescott, City Manager, reported that the City Council approved the boundaries of Tax Incremental District Number 6 on July 15, 2013. The boundaries include Blocks 1-6 Bliss Pointe Addition located west of Stanford Street between W. Main Street and W. Cherry Street. John stated that the Vermillion Chamber of Commerce and Development Company is the owner of the property and plans to develop the property to market the lots for a variety of housing types and price points to meet the need for additional housing in Vermillion. John noted that in order for the area to develop for housing or any other use, infrastructure such as water, sanitary sewer, storm sewer, paving, street lights, natural gas and electrical need to be installed. The VCDC has limited funds to purchase the property and develop the land. The Bliss family contributed significantly in advancing the community by allowing the VCDC to purchase the land over time.

John stated that, while the City contributes to any development by paying for over sizing or items that benefit the entire community, the bulk of the infrastructure development costs are the responsibility of the developer. The Tax Incremental District was created to assist the VCDC with the infrastructure development. The City, by resolution, will issue a Private Placement Tax Increment Bond. The VCDC and City have been in discussion with several local entities which will be bond holders. The bonds will be issued by the City and the proceeds provided as grants to the VCDC to fund the improvements. Property taxes generated by the development within the TIF district will be collected by the County and transferred to the City who will make the payments to the bond holders.

John stated that the bond is a little different in comparison to some other City issued bonds as the TIF plan proposes that the City Council annually consider, during the budget process, making advances to the TIF fund for interest only payment to the bond holders until the TIF revenues are sufficient to make the payments. The City is not guaranteeing the bonds. John stated that, should the tax revenue not be generated or be insufficient to fully repay the bond holders, the City is not responsible for the difference.

John reported that State Statutes require a Project Plan be prepared for each TIF District. The attached plan provides information on the existing conditions of the TIF District and what is anticipated to be diverted from the City, County, School, and Water District in property taxes over the next 20 years. The Plan provides information on the overall project costs and uses of the TIF funds. The numbers are all estimates at this point as the project has not been placed

out for bid yet and the actual assessed value and corresponding tax rates are unknown.

John reported that the Project Plan has been reviewed by the Planning Commission with a recommendation for adoption. John stated the other taxing entities have been notified about the creation of the tax increment district.

Discussion followed on the tax incremental project plan.

264-13

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

RESOLUTION
ADOPTING PROJECT PLAN FOR TAX INCREMENTAL
DISTRICT NUMBER SIX
BLISS POINTE DEVELOPMENT PHASE 1

WHEREAS, the City Council and Planning Commission of the City of Vermillion, South Dakota (the "City") in pursuing housing development efforts has here to fore created Tax Incremental District Number Six; and

WHEREAS, this Tax Incremental District was created on July 15, 2013 to aid infrastructure funding for the Bliss Pointe Development Phase 1 in the City of Vermillion; and

WHEREAS, the City of Vermillion's Planning Commission has considered and approved the Project Plan for Tax Incremental District Number Six; and

WHEREAS, the Project Plan for Tax Incremental District Number Six is hereby found to be feasible and in conformity with the City's Master Plan.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Vermillion that the Project Plan for Tax Incremental District Number Six is hereby approved.

Dated at Vermillion, South Dakota this 19th day of August, 2013.

FOR THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Zimmerman. 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 Powell declared that the Resolution was adopted.

B. Permit for consumption of alcohol in the meeting room at the Edith B. Siegrist Vermillion Public Library on August 28, 2013 for Osher Lifelong Learning Institute (OLLI) open house

Mike Carlson, Finance Officer, reported on receipt of a request from Osher Lifelong Learning Institute (OLLI) for a permit to consume alcoholic beverages on public property for a fall kickoff open house at the Edith B. Siegrist Vermillion Public Library community room on Wednesday, August 28, 2013 from 5:00 p.m. to 6:30 p.m. A copy of the request is included in the packet. Mike stated that SDCL 35-1-5.5 provides that the Governing Body of a municipality may permit the consumption, but not sale, of any alcoholic beverage on property owned by the public. The Governing Body may attach conditions and shall state the hours that consumption will be allowed. In the past, some of the special conditions required by the City Council for other entities that have used City property for consumption of alcoholic beverages have been:

- Require a Release and Indemnification to hold the City harmless from claims.
- Certificate of insurance naming the City as an additional insured for the event. (Since the event will be held for such a limited amount of time and will be solely indoors, staff would recommend waving the insurance requirement. At the very least, the City Council may require OLLI to sign a waiver for the use of the room, similar to the use of the City Hall conference rooms.)
- The hours consumption will be allowed will need to be stated. The statute provided the permit period may not exceed twenty-four hours and the hours of authorized consumption may not exceed those permitted for on-sale licensees.

Mike stated that administration would recommend approval of the special permit to allow the consumption, but not sale, of alcoholic beverages in the Edith B. Siegrist Vermillion Public Library community meeting room from 5:00 p.m. to 6:30 p.m. on Wednesday, August 28, 2013, contingent upon Osher Lifelong Learning Institute complying with the conditions as stipulated by the City Council.

Discussion followed on if the organization would be able to provide a certificate of insurance.

265-13

Alderman Collier-Wise moved approval of the permit to allow the consumption, but not sale, of alcoholic beverages in the Edith B. Siegrist Vermillion Public Library community meeting room from 5:00 p.m. to 6:30 p.m. on Wednesday, August 28, 2013 for the Osher Lifelong Learning Institute contingent upon receipt of a release and indemnification to hold the City harmless for claims from the event and, if possible, a certificate of insurance naming the City as an additional insured for the event. Alderman Osborne seconded the motion. Discussion followed. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. 2013 Sidewalk Assessment Project

Jose Dominguez, City Engineer, reported that last year the City inspected sidewalks in the quadrant north of Main Street and west of Dakota Street. Jose stated that, following inspection, property owners were notified of the sidewalk deficiencies along with the requirement to have the permit for repairs returned to the city by June 2013. Jose reported that approximately 50% of the property owners have chosen to complete the repairs themselves. For the remaining repairs, bid specifications were developed and sent to five potential bidders. Bids were opened on August 14, 2013 with only one bid received for \$184,222.40 from Walker Construction. Jose noted that the only bid exceeded the engineer's estimate of \$110,000. Jose stated that SDCL 5-18B-5 allows the City to negotiate with the low bidder if the bid exceeds the estimated cost of the project. Jose reported that through negotiations the contractor agreed to lower the bid to \$113,101.56 if the deadline for the project completion was extended to June 1, 2014. Jose stated that the new deadline requires the contractor to complete a portion of the project this year and the balance by June 1, 2014. Jose recommended approval of the sidewalk assessment contract for \$113,101.56 with Walker Construction. Discussion followed on the bids and timeline for work completion.

Bids: Walker Construction \$184,222.40

266-13

Alderman Grayson moved approval of the negotiated bid amount, as the original bid exceeded the engineer's estimate, for the sidewalk assessment contract with Walker Construction in the amount of

\$113,101.56 with the change in completion date to June 1, 2014. Alderman Davies seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that a Thursdays on the Platz event is scheduled for Thursday, August 22nd and, as such, Market Street will be closed from Main Street south one half block from 5:30 p.m. to 8:00 p.m. for the event.

B. John reported that Plum Street will be closed on Friday, August 23rd from Cherry Street to SD HWY 50 to assist with USD student move in.

C. John reported on the following raffle requests:

- United Way is selling tickets at \$5 each or 5 for \$20 from August 19 to October 4, 2013. Prizes are two season tickets to the 2013 USD Theatre season or a skybox for ten people with refreshments for the November 2nd USD football game. All proceeds to the United Way.
- Vermillion Girls High School Soccer is selling \$10 tickets from August 13 to October 3, 2013. A \$20 prize winner will be drawn at half-time of their August 24 and September 7, 19 and 24th home games. A \$100 prize winner will be drawn at half-time of the October 3rd game. Proceeds go to help with soccer team expenses.
- Vermillion Rotary is selling up to 100 books at \$25 per book. During the 18 weeks of Monday Night football, one person will win \$25 each week based on the score of the game. Proceeds go the Vermillion Rotary Club.
- St Agnes Knights of Columbus are selling up to 100 books at \$20 per book. During the 18 weeks of Monday Night football, one person will win \$50 each week based on the score of the game. Proceeds go to the Knights for their charitable purposes.

D. John reported that during the 2014 budget the Prentis Park swimming pool was reviewed. John noted that steps are being evaluated to develop a master plan for Prentis Park. This is to include a review of the conceptual pool plan to see if we can tweak the plan to lower the cost, but still meet the community needs. John noted that currently there is no funding allocated in the 2014 budget for the project, but the Council is discussing a resolution to allocate some funding for the project. John stated that an update on the project timeline will be made at the September 3rd Council meeting.

E. John reported that Vermillion was the fourth city in the State to adopt a texting while driving ban earlier this year. He noted that, at this point, a few warnings have been issued for violations of the ordinance. John reported that signs have started to be installed at community access points. John wanted to remind citizens that they can be ticketed for texting while driving.

PAYROLL ADDITIONS AND CHANGES

Police: Chet Moser \$18.08/hr, Ben Nelsen \$24.12/hr; Ambulance: Alex Sherlock \$35.00/1st-\$22.00/2nd; Library: Linda Calleja \$13.91/hr, Misi Kayl \$14.97/hr; Jane Larson \$29.07/hr, Joyce Moore \$17.83/hr; Golf Clubhouse: John Benson \$7.25/hr, Abby Leach \$7.25/hr, Paul Schwasinger \$7.25/hr; Volunteer Fire: Chris Puckett, Pham Minh

11. Invoices Payable

267-13

Alderman Davies moved approval of the following invoices:

BUREAU OF ADMINISTRATION	TELEPHONE	273.23
CANON FINANCIAL SERVICES	COPIER LEASE	196.27
CENTURYLINK	TELEPHONE	1,548.94
CITY OF VERMILLION	LANDFILL VOUCHERS	432.00
CLAY-UNION ELECTRIC CORP	ELECTRICITY	378.19
DEPT. ENVIRONMENT NATL RES	LANDFILL OPERATIONS FEE	3,350.88
DIVISION OF MOTOR VEHICLE	TITLE/PLATES	13.00
GREGG PETERS	MANAGERS FEE	5,375.00
LOREN FISCHER DISPOSAL	HAUL CARDBOARD	140.00
MIDAMERICAN	GAS USAGE	949.31
MIDCONTINENT COMMUNICATION	CABLE/INTERNET SERVICE	118.55
RESERVE ACCOUNT	POSTAGE FOR METER	950.00
SDWWA	REGISTRATION	120.00
SPRINT	CELL PHONES	1,281.85
STERN OIL CO.	FUEL	34,667.31
THE EQUALIZER	ADVERTISING	379.95
TREASURER-STATE	UNCLAIMED PROPERTY	822.73
US POSTMASTER	POSTAGE FOR UTILITY BILLS	850.00
VISA/FIRST BANK & TRUST	FUEL/LODGING/SUPPLIES	614.15
WALKER CONSTRUCTION	CONCRETE WORK	1192.99

Alderman Grayson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

268-13

Alderman Osborne moved to adjourn the Council Meeting at 7:53 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of August, 2013.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Published once at the approximate cost of _____.

Proclamation

Direct Support Professionals Recognition Week

WHEREAS, Direct support workers, direct care workers, personal assistants, personal attendants, in-home support workers, and paraprofessionals, are the primary providers of publicly-funded, long term support and services for more than 4,000 individuals with disabilities in day, residential, and family support programs in South Dakota; and,

WHEREAS, A direct support professional assists an individual with disabilities with the most intimate needs on a daily basis, and provides a broad range of support in order to live meaningful, productive lives; and,

WHEREAS, A direct support professional provides essential support to keep an individual with disabilities connected to their family and the community, and is key to assisting them to live successfully in their own community; and,

WHEREAS, There are over 3,700 direct support professionals working in the family support program, the 19 Community Support Provider agencies, the South Dakota Developmental Center, and the Children's Care Hospital and School in South Dakota; and,

WHEREAS, SESDAC, Inc., a Community Support Provider in Vermillion, employs 100 direct support professionals who provide services and supports for 96 people to realize independence and happiness; and

WHEREAS, It is fitting and proper as citizens to honor the direct support professional workforce for the tremendous difference they make each day in the lives of South Dakotans and Vermillion citizens with varying needs and abilities:

NOW, THEREFORE, we the governing body of the City of Vermillion, South Dakota, do hereby proclaim September 8-14, 2013 as

DIRECT SUPPORT PROFESSIONALS RECOGNITION WEEK

in Vermillion, and call upon citizens to observe this week with appropriate programs, activities, and ceremonies in recognition of Direct Support Professionals in their community.

Dated at Vermillion, South Dakota this 3rd day of September, 2013.

FOR THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: September 3, 2013
Subject: Resolution Approving Special Assessment Roll for Nuisance Abatement
Presenter: Mike Carlson

Background: On August 5th, the City Council adopted a resolution setting a public hearing date of September 3rd for nuisance abatement special assessments. The notice was published and letters were sent by first class mail to the property owners of record. The hearing is required by the following state statute:

9-43-91. Approval, equalization, amendment, or rejection of assessment roll. At the time and place fixed for the hearing, the governing body shall meet to consider the assessment roll and hear any objections. At the hearing, the governing body may approve, equalize, amend, or reject the assessment roll.

Discussion: The individual billings for each property are listed in the resolution, including the date of the corrective action or the tagging.

The City Council sets the tagging fee. The mowing/snow removal amount is the fee charged to the City by a contractor hired to perform the work. The property clean up is a fee paid to a contractor or the city labor for equipment and disposal fees to correct the situation. If the City Council would adjust the amounts, it might set a precedent for property owners to wait until the City does the mowing, snow removal or property clean up and then question the costs at the hearing to reduce the cost of the cleanup.

Attaching a special assessment may seem harsh, but it provides the City the ability to encourage the property owners to clear the snow from the sidewalk, mow their property and remove nuisances. If nothing is done by the owner(s), the City is forced to take action and the amount will be assessed against the property. The assessments become a lien against the property and will remain so until paid. If the owner sells the property after it is assessed, the City is protected by the special assessment lien on the property.

Financial Consideration: The assessments are for the costs incurred by the City.

Conclusion/Recommendations: It is recommended that the City Council receive any public comments and consider the information. Administration is not aware of any

6. Public Hearing; item a

information that has not been previously presented with respect to any of the proposed special assessments that would warrant reducing the amount. After adoption, a copy of the resolution is mailed to the property owners.

**RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL
AND NOTICE OF SPECIAL ASSESSMENTS
FOR NUISANCE ABATEMENT
IN THE CITY OF VERMILLION, SOUTH DAKOTA**

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota has established a special assessment roll for defraying the cost of nuisance abatement against the several tracts of real property upon:

NUISANCE ABATEMENT

as listed at the end of this Resolution in the City of Vermillion, Clay County, South Dakota. The assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 5th day of August, 2013.

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing upon the assessment roll for the 3rd day of September, 2013 and directed the City Finance Officer of the City of Vermillion, Clay County, South Dakota to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment roll, the time and place for the hearing, that the assessment roll would be open for public inspection at the office of the City Finance Officer of Vermillion, South Dakota, and referred to the assessment roll for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice by first-class mail, postage thereon fully prepaid, addressed to the property owners of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

WHEREAS, it now appears that the Finance Officer has caused notice of the hearing to be given in the manner provided by the aforementioned Resolution and Notice, and by law.

WHEREAS, all persons interested have been given an opportunity to appear and show cause why the Governing Body should not approve the assessment roll, and the assessments against the respective premises of the owners, and the Governing Body has determined that the assessment roll is in all respects true and correct, and according to law.

NOW, THEREFORE, IT IS RESOLVED, by the Governing Body of the City of Vermillion, Clay County, South Dakota that the special assessment roll is hereby approved without amendment or change.

BE IT FURTHER RESOLVED, that the approved assessment roll be filed in the office of the City Finance Officer the day after approval of the assessment roll. The City Finance Officer shall publish once in the official newspaper of Vermillion, South Dakota, a copy of this Resolution and Notice, along with the approved assessment roll.

BE IT FURTHER RESOLVED, that the City Finance Officer shall immediately mail to the owner, or owners, of each lot, parcel or piece of ground as shown by the assessment roll, a copy of this Resolution and Notice along with the approved assessment roll.

NOTICE IS HEREBY GIVEN, that the assessments mentioned in the assessment roll will be payable according to the provisions of Plan One as set forth in SDCL Sections 9-43-102 to 9-43-113.

NOTICE IS FURTHER GIVEN, that any assessment under Plan One, or any installment thereof, may be paid without interest to the City Finance Officer whose office is located in the Municipal Building at 25 Center Street in the City of Vermillion, South Dakota, at any time within thirty (30) days after the filing of the approved assessment roll in the office of said City Finance Officer. Thereafter, and prior to the due date of the first installment, the entire assessment remaining, plus interest thereon from the filing date to the date of payment may be paid to the said City Finance Officer. No installment under Plan One shall be paid to the said City Finance Officer on or after its due date, and on and after said date such installment shall be paid only to the County Treasurer with interest.

NOTICE IS FURTHER GIVEN, that the approved assessment roll will be filed with the City Finance Officer on 4th day of September, 2013. The assessment is payable in one (1) installment at ten percent (10%) per annum interest on unpaid installments. The first installment due date is January 1, 2014.

The assessment roll herein referred to is attached.

Dated at Vermillion, South Dakota, this 3rd day of September 2013.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, CLAY COUNTY, SOUTH DAKOTA

John E. Jack Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer

(SEAL)

CERTIFICATE OF ADOPTION

Adoption of the above and foregoing Resolution and Notice was moved by Alderman _____, seconded by Alderman _____, and said Resolution and Notice was thereafter put to a vote of the Governing Body, whereupon ____ members voted in favor thereof and ____ members voted in opposition thereto; said Resolution and Notice being by the Mayor declared adopted.

Michael D. Carlson, Finance Officer

City of Vermillion Special Assessment Roll

<u>Name</u>	<u>Parcel Number</u> <u>Legal & Property Address</u>	<u>Service</u>	<u>Amount</u>
Raymond Gill Jr	15170-00100-030-00	remove dangerous structure	1,145.11
	S 18" of Lots 1 & 2 & N 32' of Lot 3 Blk 1	sidewalk snow removal 1/2/13	<u>63.60</u>
	Cottage Place 15 Linden	Total	1,208.71
Apostolic Fairh Church	15050-06200-090-00	removal of dangerous structure	11,321.99
contract for deed with	W 71' of N 1/2 of Lot 8 & W 71' of Lot 9		
Dennis A Klein	Blk 62 Bigelows Addition 23 N Harvard		
Peter, Mark & Karen Monzel	15860-09251-190-24	sidewalk snow removal 1/2/13	84.80
	Lot 1 Replat of Aud Tract A S 1/2 Lot 2	sidewalk snow removal 2/27/13	<u>108.65</u>
	NW 1/4 19-92-581 Aud Tract 19-92-51	Total	193.45
	601 E Lewis		
Timothy N. Peterson &	15270-00300-130-00	grass/weed removal 8/14/12	180.20
Elizabeth A. Goehring	E 77.7' of 11,12& E 77.7' of S 1/2 of		
	13 Blk 3, Eastside		
	716 Maple		

The amount of the assessment is payable, under Plan One, at the office of the Clay County Treasurer, in the Courthouse, in the City of Vermillion, Clay County, South Dakota, UNLESS paid to the City Finance Officer, whose office is located in the Municipal Building at 25 Center Street in the City of Vermillion, Clay County, South Dakota, within 30 days after the approved assessment roll is filed in the office of the City Finance Officer. Whenever the word "Lot" appears in this exhibit, it shall be construed to include tracts and other parcels of land.

Council Agenda Memo

From: Ted Cherry, Administrative Intern

Meeting: September 3, 2013

Subject: First Reading of Ordinance 1304 – Amending Chapter 155 Fences

Presenter: Ted Cherry

Background: There is an abundance of varieties of residential perimeter fences available to the general public to install. This ordinance will help guide property owners on acceptable aesthetics. There are currently no ordinances regulating which side of the fence faces outwards on properties. Most fences are installed with the finished side facing out.

Discussion: The proposed ordinance would be an addition to the existing ordinances in place regulating residential fences in city limits. Residents would have additional criteria to meet when installing a perimeter fence on their property which abuts city property or faces a street/alleyway. This ordinance would not only give residents direction to follow when purchasing and building fences, but will also allow the fences in neighborhoods to be more aesthetically pleasing and cohesive.

The added ordinance is not expected to pose undue effects on property owners if they plan on installing fences. The requirement would be brought to the attention of the person taking out the required fence permit. All other ordinances regulating fence installation will still be in effect.

Financial Consideration: The only cost is for the required publication of the ordinance.

Conclusion/Recommendations: Ordinance No. 1304 was presented to the Vermillion Planning Commission on August 12th, 2013. The Planning Commission recommended adoption of Ordinance No. 1304 at that meeting. Administration recommends that the City Council approval the first reading of Ordinance No. 1304.

ORDINANCE NO. 1304

AN ORDINANCE AMENDING CHAPTER 155 SECTION 155.074, OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DAKOTA, TO ADD GUIDELINES FOR FENCE INSTALLATION.

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, that Chapter 155 Section 155.074 is amended to add the following:

155.074 FENCES

(I) All exterior fences constructed, which are parallel to and/or face the street/alley or public property, shall have the smooth/finished side, the side without the support bracings or frame, of the fence facing toward the outside when there is only one smooth/finished side.

Dated at Vermillion, South Dakota this 16th day of September, 2013

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY: _____
Michael D. Carlson, Finance Officer

First Reading: September 3, 2013
Second Reading: September 16, 2013
Published: September 27, 2013
Effective: October 17, 2013

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: September 3, 2013
Subject: First Reading of Ordinance No. 1305- 2014 Appropriations
Presenter: John Prescott, City Manager

Background: SDCL 9-21-2 addresses the need for the City Council to adopt an annual budget:

The governing body of each municipality shall, no later than its first regular meeting in September of each year or within ten days thereafter, introduce the annual appropriation ordinance for the ensuing fiscal year, in which it shall appropriate the sums of money necessary to meet all lawful expenses and liabilities of the municipality. The ordinance shall specify the function and subfunction as prescribed by the Department of Legislative Audit for which the appropriations are made and the amount appropriated for each function and subfunction, which amount shall be appropriated from the proper fund. It is not necessary to appropriate revenue to be expended from an enterprise or trust and agency fund if the fund is not supported or subsidized by revenue derived from the annual appropriated tax levy. However, an annual budget for these funds shall be developed and published no later than December thirty-first of each year.

Discussion: The City Manager prepared and presented a budget to the City Council at the August 5th meeting. The City Council reviewed the proposed budget during hearings held on August 13th and 14th, 2013. The City Council's revisions from the budget hearings have been incorporated into the appropriation ordinance. City Council revisions increased the appropriation from reserve to the general fund from \$187,785 to \$210,282 in 2014.

During the budget meetings and the August 19th Noon meeting, funding for the swimming pool project was discussed. One idea presented by City staff was to utilize \$500,000 of the General Fund reserve for the swimming pool. The City Council requested that specific steps be taken to allocate this funding for the pool. Adoption of an ordinance would be the best way to achieve this goal. Staff is preparing a resolution for the Council to consider which will accomplish this goal.

During the budget sessions, discussion also took place with respect to achieving community goals or recommendations from the CHLab Talent Attraction Strategy and Workforce Housing Solutions study. The 2014 budget provides funding for infrastructure in the Bliss Pointe housing development which will help provide more housing lots which should help with the goal of providing more housing opportunities. Funding to

improve the hike/bike trail along the Vermillion River which experienced damaged shortly after completion in also included. Increased street maintenance funding, software to ease recreation program registration, library materials, the final year of funding for Vermillion Now! and the USD Wellness Center as well as number of other smaller items also contribute to the quality of life issues that the study referenced.

Financial Consideration: The City Council must adopt an ordinance to provide for 2014 operations. Placing the 2014 Appropriations Ordinance on the first reading will comply with State law and is another step in providing for the 2014 operations.

Conclusion/Recommendations: Administration recommends approval of the first reading of the 2014 Appropriations Ordinance No. 1305

PROPOSED ORDINANCE NO. 1305
2014 APPROPRIATION ORDINANCE

AN ORDINANCE ADOPTING the 2014 Appropriations Ordinance for the
City of Vermillion, South Dakota.

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

2014 Budget

GENERAL FUND

REVENUES:

General Property Taxes	2,037,500	
Sales Tax	1,600,000	
Penalties & Interest	4,000	
Licenses & Permits	135,150	
Cable TV Franchise	110,000	
State Intergovernmental	254,950	
County Intergovernmental	104,200	
Charges for Goods & Services	548,540	
Fines & Forfeits	41,050	
Miscellaneous Revenues	87,800	
TOTAL GENERAL FUND REVENUES		4,923,190

EXPENDITURES:

Policy & Administration:

General Government	549,853	
Finance Office	172,861	
Engineering	297,459	
Planning & Zoning	800	
Code Compliance	197,819	
Community Promotion	47,000	
Total Policy & Administration		1,265,792

Public Safety & Security:

Police Administration & Invest.	446,493	
Police Patrol	1,242,625	
Fire & Rescue	207,530	
Emergency Management	3,300	
Ambulance	323,166	
Total Public Safety & Security		2,223,114

Maintenance & Transportation:

Municipal Garage	136,467	
Municipal Service Center	33,750	
Street Department	707,444	
Snow Removal	70,628	
Sweeping & Mowing	109,697	
Carpentry	32,614	
City Hall Maintenance	70,500	
Old Library Maintenance	5,000	
Old Landfill Maintenance	12,000	
Airport	123,423	
Total Maintenance & Transportation		1,301,523

Human Development & Leisure Services:

Library	567,380	
Parks & Forestry	286,652	
Swimming Pool	110,154	
Recreation	177,222	
Mosquito Control	20,756	
National Guard Armory Center	59,661	
Total Human Development & Leisure		1,221,825
TOTAL GENERAL FUND EXPENDITURES		6,012,254

GENERAL FUND NEEDS (1,089,064)

Transfer from Electric Fund	803,117	
Transfer from Water Fund	2,306	
Transfer from Sewer Fund	1,402	
Transfer from Liquor Fund	194,200	
Transfer from Capital Projects	8,800	
Transfer from Utilities Engineering Fees	136,387	
Transfer to 911 Fund - Communications	(267,430)	
Appropriation from Reserve	210,282	
GENERAL FUND BALANCE		0

SPECIAL REVENUE FUNDS

SECOND CENT SALES TAX FUND

Revenues	1,612,500	
Expenditures - Second Cent Sales Tax	789,100	
Transfer in Airport Capital Projects	(7,500)	
Transfer to Bike Path	(42,557)	
Transfer to TIF #6	(362,300)	
Transfer to City Hall Debt Service Fund	(344,934)	
Appropriation from Reserve	(66,109)	
SECOND CENT SALES TAX FUND BALANCE		0

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees	4,020	
Expenditures - Parks Improvements	4,020	
PARKS IMPROVEMENT FUND BALANCE		0

BBB SALES TAX FUND

Revenues	323,500	
Expenditures	272,400	
Appropriation to Reserve	(51,100)	
BBB SALES TAX FUND BALANCE		0

911 FUND -COMMUNICATIONS

Revenues	292,929
Expenditures	560,359
Transfer in General Fund	267,430
911FUND FUND BALANCE	<u>0</u>

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees	202,500
Expenditures:	114,499
Transfer to TIF #6	(125,501)
Appropriation from Reserve	37,500
STORMWATER FEE FUND BALANCE	<u>0</u>

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts	11,700
Expenditures - Library	9,000
Appropriation to Reserve	(2,700)
LIBRARY FINE AND GIFT FUND BALANCE	<u>0</u>

DEBT SERVICE FUNDS**DEBT SERVICE--SPECIAL ASSESSMENT FUND**

Revenues	66,898
Expenditures	66,898
Interfund Loan	118,800
Transfer to Capital Projects	(118,800)
DS SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

DEBT SERVICE-- TIF District No. 6

Expenditures	43,300
Transfer from Sales Tax	43,300
DEBT SERVICE - TIF 6 FUND BALANCE	<u>0</u>

DEBT SERVICE - CITY HALL

Revenues	7,000
Expenditures	351,934
Transfer in Sales Tax Fund	344,934
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Expenditures	110,000
Transfer to General Fund	(8,800)
Transfer from Debt Service	118,800
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	142,500
Expenditures	150,000
Transfer from Second Cent Sales Tax	7,500
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BIKE PATH

Revenues	162,443
Expenditures	205,000
Transfer from Second Cent Sales Tax	42,557
CP BIKE PATH FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - W MAIN MILL & OVERLAY

Revenues	19,540
Expenditures	19,540
CP W MAIN MILL & OVERLAY FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BLISS POINTE TIF 6

Expenditures	813,936
Transfer from Stowmwater Fund	125,501
Transfer from Sales Tax	319,000
Appropriation from Reserve	369,435
CP BLISS POINTE TIF 6 FUND BALANCE	<u>0</u>

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment Fund	Copier - Fax- Postage Fund	Custodial Fund	Equipment Replacement Fund
<u>Revenues</u>				
Internal Dept Charges		18,650	84,520	418,330
Interest on Investments	80			2,000
Other Revenues				283,000
Total Revenues	80	18,650	84,520	703,330
<u>Expenditures</u>				
Personnel			81,423	
Operating Expenses	80	18,500	3,200	
Capital			500	649,700
Total Expenditures	80	18,500	85,123	649,700
Transfer Out (In)				
(To) From Reserve		(150)	603	(53,630)
Fund Balance	0	0	0	0

UTILITY AND ENTERPRISE FUNDS (Information Only)

	Electric Fund	Water Fund	Wastewater Fund	Joint Powers Fund	Liquor Fund	Golf Course Fund	Curbside Recycling Fund
<u>Revenues</u>							
Sales	5,723,900	1,400,000	1,470,000	1,257,825	1,238,000	702,790	114,000
Surcharge	783,000	260,000	321,000				
Other Revenue	78,000	50,500	22,600	15,000		72,700	300
Interest	171,600	7,566	7,082	6,000	1,500	3,750	
Bond Proceeds		225,000		746,900			
Grants		25,000		213,100			
Total Revenues	6,756,500	1,968,066	1,820,682	2,238,825	1,239,500	779,240	114,300
<u>Expenditures</u>							
Personnel	978,432	580,211	488,220	497,840		362,498	90,609
Operating Expenses	3,853,952	577,819	618,348	1,022,770	1,062,944	410,022	14,600
Capital	1,314,004	356,316	314,940	1,253,500	2,000		30,250
Debt Service		139,490	254,849	187,577			8,408
Debt Service Surcharge	575,050	235,669	291,013				
Total Expenditures	6,721,438	1,889,505	1,967,370	2,961,687	1,064,944	772,520	143,867
Transfers Out	(884,950)	(38,583)	(28,679)		(194,200)		
Transfers In	9,000						
(To) From Reserve	840,888	(39,978)	175,367	722,862	19,644	(6,720)	29,567
Fund Balance	0	0	0	0	0	0	0

The City Manager is directed to certify the following dollar amount of tax levies in ordinance to the Clay County Auditor: \$2,075,000

Dated at Vermillion, South Dakota this 16th day of September, 2013.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

by _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: September 3, 2013

Second Reading: September 16, 2013

Publish: September 27, 2013

Effective: October 17, 2013

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: September 3, 2013
Subject: First Reading of Ordinance No. 1306 – 2013 Revised Appropriations
Presenter: John Prescott, City Manager

Background: In order for the City Council to make changes to the 2013 budget, adopted in September 2012, a revised or supplemental appropriations ordinance is required. The proposed changes were presented to the City Council during the budget meetings on August 13 and 14, 2013.

Discussion: The revised appropriations ordinance includes changes and adjustments made to the 2013 budget based upon actual financial information obtained thus far in 2013. Revenues and expenses are different in some instances vs. what was anticipated last September. In some cases, projects arose after the 2013 budget was adopted. In September 2012, French East Addition, the Bliss Pointe project, repairs to the hike/bike path, West Main Street Mill & Overlay project, and adjustments to the Joint Powers Landfill due to the effects of the fire, were not anticipated or included in the budget.

Financial Consideration: For the revisions to become effective, the City Council will need to adopt the revised appropriations ordinance.

Conclusion/Recommendations: Administration recommends that the City Council approve the first reading of the 2013 Revised Appropriations Ordinance No. 1306.

PROPOSED ORDINANCE NO. 1306
2013 REVISED APPROPRIATION ORDINANCE

AN ORDINANCE ADOPTING the 2013 Revised Appropriations Ordinance for the
City of Vermillion, South Dakota.

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

		2013 Revised Budget
GENERAL FUND		
<u>REVENUES:</u>		
General Property Taxes	1,775,350	
Sales Tax	1,568,000	
Penalties & Interest	4,000	
Licenses & Permits	132,650	
Cable TV Franchise	105,000	
State Intergovernmental	290,935	
County Intergovernmental	93,200	
Charges for Goods & Services	521,040	
Fines & Forfeits	41,050	
Miscellaneous Revenues	87,614	
TOTAL GENERAL FUND REVENUES		4,618,839
<u>EXPENDITURES:</u>		
<u>Policy & Administration:</u>		
General Government	526,337	
Finance Office	164,268	
Engineering	315,557	
Planning and Zoning	800	
Code Compliance	191,442	
Community Promotion	56,750	
Total Policy & Administration		1,255,154
<u>Public Safety & Security:</u>		
Police Administration & Invest.	431,994	
Police Patrol	1,136,758	
Fire & Rescue	208,384	
Emergency Management	3,900	
Ambulance	303,320	
Total Public Safety & Security		2,084,356
<u>Maintenance & Transportation:</u>		
Municipal Garage	131,051	
Municipal Service Center	35,750	
Street Department	677,676	
Snow Removal	70,432	
Sweeping & Mowing	106,894	
Carpentry	31,564	
City Hall Maintenance	76,800	
Old Library Maintenance	10,000	
Old Landfill Maintenance	12,000	
Airport	78,360	
Total Maintenance & Transportation		1,230,527

Human Development & Leisure Services:

Library	548,569	
Parks & Forestry	263,850	
Swimming Pool	106,620	
Recreation	138,295	
Mosquito Control	19,814	
National Guard Armory Center	57,750	
Total Human Development & Leisure		<u>1,134,898</u>
TOTAL GENERAL FUND EXPENDITURES		<u>5,704,935</u>

GENERAL FUND NEEDS (1,086,096)

Transfer to 911 Fund	(280,336)
Transfer from Electric Fund	803,117
Transfer from Water Fund	2,306
Transfer from Sewer Fund	1,402
Transfer from Liquor Fund	194,200
Transfer from Capital Projects	13,735
Transfer from Sales Tax - Communicaitons	27,500
Transfer from Utilities Engineering Fees	136,387
Appropriation from Reserve	187,785
GENERAL FUND BALANCE	<u><u>0</u></u>

SPECIAL REVENUE FUNDS

SECOND CENT SALES TAX FUND

Revenues	1,581,100
Expenditures - Second Cent Sales Tax	594,000
Transfer to Bike Path Capital Projects	(49,600)
Transfer to Bluff Enterprise Fund	(200,000)
Transfer to Library Capital Projects	(547,900)
Transfer to Airport Capital Projects	(9,125)
Transfer to City Hall Debt Service Fund	(344,134)
Transfer to TIF #6	(18,523)
Transfer to General Fund Communications	(27,500)
Appropriation From Reserve	209,682
SECOND CENT SALES TAX FUND BALANCE	<u><u>0</u></u>

PARKS IMPROVEMENT FUND

Revenues-Recreation Fees	11,670
Expenditures - Parks Improvements	17,000
Appropriation from Reserve	5,330
PARKS IMPROVEMENT FUND BALANCE	<u><u>0</u></u>

BBB SALES TAX FUND

Revenues	314,100
Expenditures	279,000
Appropriation to Reserve	(35,100)
BBB SALES TAX FUND BALANCE	<u>0</u>

911 FUND -COMMUNICATIONS

Revenues	300,335
Expenditures	580,671
Transfer in General Fund	280,336
911FUND- FUND BALANCE	<u>0</u>

STORMWATER MAINTENANCE FUND

Revenues - Stormwater Fees	190,575
Expenditures:	192,000
Appropriation from Reserve	1,425
STORMWATER FEE FUND BALANCE	<u>0</u>

LIBRARY FINE AND GIFT FUND

Revenues- Library Fine & Gifts	13,500
Expenditures - Library	14,000
Transfer to Library Capital Projects	(5,000)
Appropriation From Reserve	5,500
LIBRARY FINE AND GIFT FUND BALANCE	<u>0</u>

STREETSCAPE FUND

Expenditures	364
Appropriation from Reserve	364
STREETSCAPE FUND BALANCE	<u>0</u>

DEBT SERVICE FUNDS**DEBT SERVICE--SPECIAL ASSESSMENT FUND**

Revenues	70,186
Expenditures	70,186
Interfund Loan	131,000
Transfer to Capital Projects	(131,000)
SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

DEBT SERVICE-- TIF District No. 3

Revenues	151,912
Repayment of Electric Fund & Refund	(151,912)
DEBT SERVICE - TIF 3 FUND BALANCE	<u>0</u>

DEBT SERVICE - TIF District No. 4

Revenues	126,065
Expenditures	397,300
Appropriation from Reserve	271,235
DEBT SERVICE - TIF 4 FUND BALANCE	<u>0</u>

DEBT SERVICE - TIF District No. 6

Revenues	0
Expenditures	18,523
Transfer in Second Penny	18,523
DEBT SERVICE - TIF 6 FUND BALANCE	<u>0</u>

DEBT SERVICE - City Hall

Revenues	10,500
Expenditures	354,634
Transfer In Sales Tax Fund	344,134
DEBT SERVICE - CITY HALL FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUNDS

CAPITAL PROJECTS FUND - SPECIAL ASSESSMENT

Revenues	18,950
Expenditures	110,000
Transfer to General Fund	(13,735)
Transfer from Debt Service	131,000
Appropriation to Reserve	(26,215)
CP SPECIAL ASSESSMENT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BIKE PATH

Revenues	25,400
Expenditures	75,000
Transfer from Second Cent Sales Tax	49,600
CP BIKE PATH FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - AIRPORT

Revenues	173,375
Expenditures	182,500
Transfer From Second Cent Sales Tax	9,125
CP AIRPORT FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - BLISS POINTE TIF 6

Revenues	1,732,000
Expenditures	1,378,565
Appropriation to Reserve	369,435
Transfer from water fund	16,000
CP LIBRARY FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - LIBRARY

Revenues	223,330
Expenditures	477,615
Appropriation to Reserve	(298,615)
Transfer from Second Cent Sales Tax	547,900
Transfer From Library SR Fund	5,000
CP LIBRARY FUND BALANCE	<u>0</u>

CAPITAL PROJECTS FUND - WEST MAIN MILL & OVERLAY

Revenues	24,000
Expenditures	24,000
CP STANFORD STREET FUND BALANCE	<u>0</u>

INTERNAL SERVICE FUNDS (Information Only)

	Unemployment Fund	Copier - Fax- Postage Fund	Custodial Fund	Equipment Replacement Fund
<u>Revenues</u>				
Internal Dept Charges		18,350	83,020	407,947
Interest on Investments	80			2,000
Contributed Capital				119,837
Other Revenues				14,252
Total Revenues	<u>80</u>	<u>18,350</u>	<u>83,020</u>	<u>544,036</u>
<u>Expenditures</u>				
Personnel			76,989	
Operating Expenses	80	18,200	2,937	
Capital				1,056,800
Total Expenditures	<u>80</u>	<u>18,200</u>	<u>79,926</u>	<u>1,056,800</u>
Transfer (Out) In				100,000
(To) From Reserve		(150)	(3,094)	412,764
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

UTILITY AND ENTERPRISE FUNDS (Information Only)

	Electric <u>Fund</u>	Water <u>Fund</u>	Wastewater <u>Fund</u>	Joint Powers <u>Fund</u>	Liquor <u>Fund</u>	Golf Course <u>Fund</u>	Curbside Recycling <u>Fund</u>
<u>Revenues</u>							
Sales	5,540,600	1,350,000	1,430,000	1,201,450	1,224,000	688,040	113,000
Surcharge	775,300	263,000	323,000				
Other Revenue	77,000	50,500	28,200	1,397,555		71,690	300
Interest	177,200	7,665	7,135	8,000	1,500	3,000	
Bond Proceeds		1,108,500		830,025			
Grants		79,200		236,800			
Tax Increment						498,280	
Total Revenues	<u>6,570,100</u>	<u>2,858,865</u>	<u>1,788,335</u>	<u>3,673,830</u>	<u>1,225,500</u>	<u>1,261,010</u>	<u>113,300</u>
<u>Expenditures</u>							
Personnel	945,832	556,830	465,319	494,740		353,930	71,472
Operating Expenses	3,645,693	586,612	641,831	836,855	1,051,352	399,390	14,600
Capital	560,350	905,100	357,300	3,276,825	2,000	27,610	23,000
Debt Service		127,089	222,645	157,699		663,688	8,408
Surcharge Debt Serv	573,850	235,668	291,013				
Total Expenditures	<u>5,725,725</u>	<u>2,411,299</u>	<u>1,978,108</u>	<u>4,766,119</u>	<u>1,053,352</u>	<u>1,444,618</u>	<u>117,480</u>
Transfers Out	(984,950)	(54,583)	(28,679)		(194,200)		
Transfers In	9,000					200,000	
Advance from TIF	108,537						
(To) From Reserve	23,038	(392,983)	218,452	1,092,289	22,052	(16,392)	4,180
Fund Balance	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Dated at Vermillion, South Dakota this 16th day of September, 2013.

THE GOVERNING BODY OF THE CITY OF
VERMILLION, SOUTH DAKOTA

by _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

First Reading: September 3, 2013
Second Reading: September 16, 2013
Publish: September 27, 2013
Effective: October 17, 2013

Council Agenda Memo

From Jose Dominguez, City Engineer

Meeting: September 3, 2013

Subject: Resolution of Necessity and Notice of Hearing for construction of concrete surfacing on Kennedy Street from West Cherry Street to Cornell Street

Presenter: Jose Dominguez

Background: Kennedy Street immediately south of W. Cherry Street is currently one of the few gravel streets in the City. The paving will eliminate maintaining the gravel road, and the spread of gravel onto W. Cherry Street and driveways. Additionally, this road will serve as one of the entrances to Bliss Pointe Addition. The increase in traffic from the new development will require that the road be paved.

Discussion: Attached is the Resolution of Necessity and Notice of Public Hearing. Typically, a property owner is assessed for improvements based on frontage. However, the State allows for an assessment to be based on benefit. In this case, all of the property owners fronting Kennedy Street will be responsible for the intersection cost. Also, the three existing owners along the street would only be assessed for the concrete pavement and not for the curb and gutter, gravel, and grading. The remaining property owner, the VCDC, will be assessed for the paving, curb and gutter, gravel and grading. Also, the amount that the property owners would be assessed is capped with the City having to front the difference if the contract amount comes in higher than the estimate. The benefits are explained in detail within the body of the Resolution.

Financial Consideration: There is no cost associated at this time, but the City will incur the cost associated with the paving of the street.

Conclusion/Recommendations: Administration recommends adoption of the Resolution of Necessity and Notice of Public Hearing for September 27, 2013 at 12:00 p.m.

**RESOLUTION OF NECESSITY AND NOTICE OF HEARING FOR CONSTRUCTION
OF CONCRETE SURFACING ON KENNEDY STREET FROM WEST CHERRY
STREET TO CORNELL STREET IN THE CITY OF VERMILLION, SD**

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regularly called meeting thereof, in the Council Chambers of said City at 7:00 p.m. on the 3rd day of September 2013, that the convenience and necessity has arisen for the construction of concrete surfacing on the portion of the public street hereinafter named, and in front or abutting the several lots or parcels of land hereinafter named, viz.:

KENNEDY STREET from West Cherry Street to Cornell Street

Lot 1, 2 & 3, Block 1, O'Connor Addition

Lot 4, Block 1, O'Connor Addition

Lot 5, Exc. W. 10', Block 1, O'Connor Addition

Block 1, Bliss Pointe Addition

Block 3, Bliss Pointe Addition

BE IT FURTHER RESOLVED, that the general nature of the improvements shall be as follows:

The concrete surfacing shall be a maximum of 28-feet wide and 6-inches thick.

The concrete curb and gutter shall be 2.5-feet wide and approximately 280-feet long.

The gravel base shall be 30-feet wide and 6-inches thick.

BE IT FURTHER RESOLVED, that the materials to be used in the construction of said improvements shall be according to the specifications adopted by the City.

BE IT FURTHER RESOLVED, that the details, conceptual plans and specifications used to arrive at the estimate have been filed with the Finance Officer and may also be reviewed with the City Engineer.

BE IT FURTHER RESOLVED, that the benefit of the improvement to each lot or tract is as follows:

Any costs incurred, but not covered by the following benefits, will be paid for with City funds.

Lot:	Lot 1, 2 & 3, Block 1, O'Connor Addition
Owner:	Vermillion's Congregation of Jehovah's Witnesses
Benefit:	The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$80.62 per frontage foot.

Lot:	Lot 4, Block 1, O'Connor Addition
Owner:	Tracye Sherrill & Debra Adams
Benefit:	The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$80.62 per frontage foot.

Lot: Lot 5, Exc. W. 10', Block 1, O'Connor Addition
Owner: Tagney Walters
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$80.62 per frontage foot.

Lot: Block 1, Bliss Pointe Addition
Owner: Vermillion Chamber of Commerce and Development Company
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$111.89 per frontage foot.

Lot: Block 3, Bliss Pointe Addition
Owner: Vermillion Chamber of Commerce and Development Company
Benefit: The cost, per foot, for the gravel, concrete surfacing and curb and gutter shall not exceed \$111.89 per frontage foot.

The estimated benefit is based on 2012 estimated costs.

BE IT FURTHER RESOLVED, that the benefit shall be divided into ten (10) equal annual installments, which shall be payable under Plan One, collection by the County Treasurer, as set forth in 2012 SDCL 9-43 etc. e.g., and that all deferred installments shall bear interest at the rate of not more than ten (10%) percent per annum.

BE IT FURTHER RESOLVED, that the contractors who undertake to perform the work of construction, herein provided for, shall be paid, in cash, from the sale of special assessment bonds.

BE IT FURTHER RESOLVED, that any person interested may appear and show cause, before the Governing Body of the City of Vermillion, at the City Council Chambers of said City at 12:00 p.m. on the 27th day of September, 2013 why the above and foregoing resolution should not, at said time and place, be adopted and passed by the Governing Body, at which time the Governing Body will finally approve, disapprove, or modify the same in its discretion.

THE GOVERNING BODY OF THE CITY
OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Publish: September 13, 2013

Council Agenda Memo

From: John Prescott, City Manager
Meeting: September 3, 2013
Subject: Resolution supporting the continuation of Tax Exempt Financing
Presenter: John Prescott

Background: Some discussions about the federal fiscal cliff situation have involved the discontinuation of tax exempt financing as part of the solution to solving the federal budget issue. Tax exempt financing provides advantages for the issuer and the investor. As the interest payments on tax exempt bonds are exempt from federal taxes, many investors are attracted to the tax-free income stream the bond provides. A municipality or other qualifying entity is able to issue bonds at a lower interest rate as their investors do not need to offset federal taxes on the income. Other than portions of the transmission line bond and wastewater refunding bond, all of the City's current debt utilizes tax-exempt financing.

Discussion: The removal of tax-exempt financing for municipalities and other qualifying entities was proposed to broaden the income stream that federal taxes can be levied upon. The downside is that removing tax-exempt financing raises the cost of almost all borrowing that the City undertakes. Some estimates are that without tax-exempt financing, the cost of borrowing will increase by 2% on all projects. This will make it more costly to finance projects or increase utility rates such as the recently completed City Hall or electric transmission line or the proposed swimming pool project.

The South Dakota Municipal League and a number of cities around the country have adopted a resolution similar to what is attached. The resolutions state the importance of tax-exempt financing to municipalities and other governmental units. Without tax-exempt financing, the affordability of many upcoming public projects becomes questionable. If adopted, a copy of the resolution will be provided to members of our congressional delegation.

Financial Consideration: Adoption of the resolution does not have a direct cost.

Conclusion/Recommendations: Administration recommends adoption of the resolution.

RESOLUTION IN SUPPORT OF THE PRESERVATION OF TAX-EXEMPT FINANCING

WHEREAS, municipal bonds are the means by which state and local governments finance the critical infrastructure of our nation, including roads, bridges, hospitals, schools, and utility systems; and

WHEREAS, under current law the owners of municipal bonds are not required to pay federal income tax on the interest income they receive from the bonds; and

WHEREAS, this tax exemption is part of a more than century long system of reciprocal immunity under which owners of federal bonds are, in turn, not required to pay state and local income tax on the interest they receive from federal bonds; and

WHEREAS, this federal tax exemption provides a significant difference between public sector and private sector debt financing; and

WHEREAS, municipalities benefit from this tax exemption through substantial savings on the interest cost of borrowed money; and

WHEREAS, the benefit of lower capital costs attributable to tax exempt financing are passed on to property tax payers through reduced rates, greater local investments, or both; and

WHEREAS, from time to time Congress and the President have proposed legislation to tax – or alter the federal tax exemption of – interest on municipal bonds; and

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the City of Vermillion opposes any efforts by Congress and this, or any future, President to eliminate or limit the federal tax exemption on interest earned from municipal bonds.

Dated at Vermillion, South Dakota this 3rd day of September, 2013.

FOR THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

Council Agenda Memo

From: Mike Carlson, Finance Officer
Meeting: September 3, 2013
Subject: Commercial Collectors License Giedd Sanitation
Presenter: Mike Carlson

Background: Giedd Sanitation indicated that they would be submitting an application for a Commercial Collectors License. To facilitate Giedd Sanitation's plan to begin operations in September, consideration of their license application was placed on the agenda. As of packet preparation time, the application materials have not yet been submitted.

City ordinance requires approval by the City Council for the issuance of a commercial collector's license. The ordinance sections are as follows:

Sec. 52.09 License-Required.

It shall be unlawful for contract or commercial haulers to use the streets for the collection, removal or disposal of any receivable solid waste and yard waste without first having obtained a license to perform such services from the finance officer. As a condition to the granting of any said license, all commercial haulers shall agree to abide by all city ordinances or landfill regulation involving the collection or depositing of any receivable solid waste and yard waste, including the requirements of sections 52.07, 52.12 and 52-13. In the event any commercial garbage hauler fails to abide by these said ordinances or regulations, the City of Vermillion reserves the right to terminate said license. This requirement does not apply to building contractors removing and disposing of receivable solid waste incidental to a construction contract, nor to any firm or individual who, for a fee, engages in the removal of receivable solid waste for disposal for fewer than two days in any calendar year.

Sec. 52.10. Same-Application; plate to be displayed. Application for license shall be filed at the office of the finance officer five (5) days prior to any consideration and approval by the council. The license fee shall be three hundred dollars (\$300.00) per year for commercial collectors or contract haulers collecting and transporting receivable solid waste including any one of the following types of material: garbage, household waste, industrial waste, and commercial waste. Such license shall also entitle holder to collect and transport yard waste and large trees and limbs. All licenses expire December 31 in the year that they are issued. The license plate or placard issued shall be displayed on each such vehicle at all times. Each license applicant shall, at the time of the submission of the license application, provide written verification to the City that the applicant met the financial liability requirement of state.

Sec. 52.13 Duty of Collectors. Licensed collectors or haulers shall obey all the ordinances and all the rules and regulations of the City of Vermillion or its designated officer and report to the supervising department any violation of this subchapter which may come to their notice. All licensed collectors or haulers may provide a subscription service for each customer. All charges for the collection of yard waste shall be made separate and distinct from any basic charges for all other collection services of receivable solid waste. Any

violation of this subchapter or other rules and regulations that may be made from time to time by the City of Vermillion or any nonpayment of the fees provided by this subchapter will result in the suspension or revocation of the license to haul.

Discussion: Giedd Sanitation is potentially submitting an application for a commercial collectors' license to operate within the City. It is staff's understanding that Giedd Sanitation may be acquiring another local garbage business.

The licensing requires those licensed to abide by City Ordinances. At this time, staff is not aware of any ordinance violations by the business in the community but without an application it is difficult to know the exact business name to check.

Financial Consideration: The license fee is \$300.

Conclusion/Recommendations: If the application materials are received, Administration recommends the City Council review the information on the commercial collections license application to determine if the license should be renewed. If the application materials are not submitted, staff will recommend the item be removed from the agenda with the action to adopt the agenda.

Council Agenda Memo

From: Jason Anderson, Asst. City Engineer
Meeting: September 3, 2013
Subject: Resolution Authorizing the Purchase of a Wheel Loader
Presenter: Jason Anderson

Background: At the budget sessions in August, the City Council reviewed the 2014 equipment replacement schedule. As part of the 2014 schedule, a 2007 Caterpillar 928G wheel loader was scheduled for replacement.

Discussion: To replace this loader and capitalize on an advantageous price, the City may purchase from the bid awarded to Butler Machinery from the State of South Dakota Department of Transportation for a 2014 CAT 924K wheel loader for the bid price of \$149,654. The purchase price includes a Grabtec grapple and warranty coverage for 5000 hours or 60 months, whichever comes first.

The state contract wheel loader includes a Ryland coupler that is used to connect attachments to the loader. This coupler is not compatible with the current City attachments which require a Fusion quick coupler. After presenting this concern, Butler Machinery has agreed to allow the City to trade-in the Ryland coupler for a Fusion quick coupler to match current City attachments (buckets, etc.). For a total of \$4,398, the City may also add a few necessary attachments—48” pallet forks and 24 additional months of warranty being the most significant. The total expense for the loader and attachments is \$154,052.

Financial Consideration: The purchase is budgeted in the 2014 equipment replacement fund. The fund has \$170,000 budgeted for this purchase and \$65,000 budgeted for receipt upon the sale of the 2007 wheel loader.

Conclusion/Recommendations: Administration recommends approving the Resolution to purchase a 2014 CAT 924K wheel loader from the January 24, 2013 State of South Dakota DOT bid, for a total amount of \$154,052, including additional attachments—contingent upon delivery and payment taking place in 2014.

**RESOLUTION
AUTHORIZING THE PURCHASE OF
WHEEL LOADER**

WHEREAS, SDCL 5-18A-22 authorizes a governmental entity to purchase necessary supplies from the lowest responsible bidder of another governmental entity or State at the accepted bid price and the concurrence of said bidder, and;

WHEREAS, the City of Vermillion has reviewed and determined that the January 24, 2013 bid awarded by the State of South Dakota Department of Transportation to Butler Machinery for a Caterpillar 928K wheel loader for the base bid of \$149,654 offers an advantageous price to the City for said item, and;

WHEREAS, the City has contacted Butler Machinery and they have agreed to allow the City to purchase a wheel loader for the awarded price and terms as they have contracted with the State of South Dakota, and;

WHEREAS, the City has determined the need for \$4,398 in additional attachments not included on State bid, and;

WHEREAS, the City will not take delivery or make payment for the new, 2014 wheel loader until January 1, 2014.

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 new 2014 Caterpillar 928K wheel loader from Butler Machinery of Sioux Falls, South Dakota for a total purchase price of \$154,052.

Dated at Vermillion, South Dakota this 3rd day of September, 2013.

THE GOVERNING BODY OF THE
CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:

By _____
Michael D. Carlson, Finance Officer

(SEAL)

CITY OF VERMILLION
INVOICES PAYABLE-SEPTEMBER 3, 2013

1 JOHN POWELL	APPA MEETING REIMBURSEMENT	1,067.36
2 UNIVERSITY CLEANERS	PROFESSIONAL SERVICES	23.00
3 A & B BUSINESS, INC	SUPPLIES	140.86
4 ALERT-ALL CORPORATION	SUPPLIES	53.97
5 ALLEGIANT EMERGENCY SERVICE	REPAIRS	265.43
6 AMERICAN BUS CORP.	TRAVEL -OUT AND ABOUT	238.29
7 AMERICAN LEGAL PUBLISHING	ONLINE RENEWAL	275.00
8 ANIMAL CARE EQUIPMENT & SVC	SUPPLIES	117.40
9 APPEARA	SUPPLIES	283.16
10 ARAMARK UNIFORM SERVICES	UNIFORM CLEANING	122.64
11 ARGUS LEADER MEDIA #1085	SUBSCRIPTION	47.58
12 BAKER & TAYLOR BOOKS	BOOKS	739.52
13 BANNER ASSOCIATES, INC	PROFESSIONAL SERVICES	6,359.55
14 BARKLEY ASPHALT	HOT MIX	793.00
15 BARNES DISTRIBUTION	PARTS	307.36
16 BIRSCHBACH EQPT & SUPPLY	PARTS	1,208.35
17 BLACKSTONE AUDIO INC	BOOKS	150.00
18 BLAKE CARVER	WEB HOSTING	104.00
19 BORDER STATES ELEC SUPPLY	SUPPLIES	32.00
20 BOUND TREE MEDICAL, LLC	SUPPLIES	1,205.46
21 BROADCASTER PRESS	ADVERTISING	1,842.41
22 BROCK WHITE CO	SUPPLIES	4,916.72
23 BROWN TRAFFIC PRODUCTS	SUPPLIES	108.00
24 BRUNICKS SERVICE INC	PROPANE	133.00
25 BSN SPORTS INC	SUPPLIES	322.12
26 BULLBERRY SYSTEMS, INC	SOFTWARE SUPPORT	10,100.00
27 BUTLER MACHINERY CO.	SUPPLIES	1,054.46
28 BW INSURANCE AGENCY, INC	NOTARY BOND	100.00
29 CAMPBELL SUPPLY	SUPPLIES	974.39
30 CANFIELD BUSINESS INTERIOR	LIBRARY FURNITURE	12,863.96
31 CANNON TECHNOLOGIES, INC	SOFTWARE SUPPORT	900.00
32 CASK & CORK	MERCHANDISE	786.83
33 CBCINNOVIS, INC	REPORT FEES	26.80
34 CCP INDUSTRIES INC.	SUPPLIES	393.50
35 CENTURY BUSINESS LEASING	LEASE	138.25
36 CENTURY BUSINESS PRODUCTS	SUPPLIES	101.79
37 CENTURYLINK	TELEPHONE	746.19
38 CERTIFIED LABORATORIES	SUPPLIES	384.78
39 CHEM CO, INC	SUPPLIES	70.00
40 CHESTERMAN CO	MERCHANDISE	1,299.42
41 CITY OF VERMILLION	COPIES/ POSTAGE	1,585.19
42 CITY OF VERMILLION	UTILITY BILLS	45,838.01
43 CLEMENT BOSTUCK	MOWING	375.00
44 CLIA LABORATORY PROGRAM	CERTIFICATE FEE	150.00
45 CLIMATE SYSTEMS, INC	REPAIRS	415.15
46 COFFEE KING, INC	MERCHANDISE	57.75

47 COLONIAL LIFE ACC INS.	INSURANCE	3,074.44
48 CONTINENTAL RESEARCH CORP	SUPPLIES	1,598.55
49 CRAIG DEAN	ELECTRONICS DISPOSAL	499.00
50 CULLIGAN WATER	SUPPLIES	102.00
51 CUSTOM TRUCK EQUIPMENT INC	SNOW PLOW/ LIFT GATE	6,893.00
52 CUSTOM UPHOLSTERY BY DIANNE	LIBRARY FURNITURE	2,630.00
53 D & D PEST CONTROL	INSPECTION/ TREATMENT	17.50
54 DAKOTA BEVERAGE	M ERCHANDISE	10,177.12
55 DAKOTA PC WAREHOUSE	REPAIRS/ MONITOR	259.97
56 DAKOTA SECURITY SYSTEMS	ALARM MONITORING	360.00
57 DAKOTA SUPPLY GROUP	SUPPLIES	178.58
58 DALE HUSBY	SAFETY GLASSES	150.00
59 DARIN HARVEY	REFUND SERVICE FEES	40.60
60 DAVIS PHARMACY	SUPPLIES	46.27
61 DELTA DENTAL PLAN	INSURANCE	6,193.94
62 DENNIS MARTENS	MAINTENANCE	833.34
63 DEPT OF REVENUE	TESTING	377.00
64 DEREK RONNING	MEALS	100.20
65 DGR ENGINEERING	PROFESSIONAL SERVICES	3,234.00
66 DORSEY & WHITNEY	BOND COUNSEL SRF LOAN	12,000.00
67 DUST TEX	SUPPLIES	144.80
68 E.A SWEEN COMPANY	M ERCHANDISE	247.66
69 EARTHGRAINS BAKING CO'S INC	M ERCHANDISE	170.64
70 EBERLE DESIGN INC	REPAIRS	178.00
71 ECHO ELECTRIC SUPPLY	SUPPLIES	1,055.08
72 ELECTRONIC ENGINEERING	POLICE CAR EQUIPMENT	6,644.90
73 ELLIOTT EQUIPMENT CO	PARTS	352.34
74 ENERGY LABORATORIES	TESTING	1,253.00
75 EPIGATE SOFTWARE LLC	SOFTWARE SUPPORT	1,200.00
76 FAR FROM NORMAL	SUPPLIES	41.24
77 FARMER BROTHERS CO.	M ERCHANDISE	40.67
78 FAST AUTO GLASS	REPAIRS	240.00
79 FASTENAL COMPANY	SUPPLIES	45.87
80 FOUR WINDS INTERACTIVE	MAINTENANCE	4,379.90
81 GALE	BOOKS	64.10
82 GARYS TREE SERVICE, INC	STUMP GRINDING	1,990.00
83 GLOBAL EQUIPMENT COMPANY	SUPPLIES	48.28
84 GRAHAM TIRE CO.	TIRES	1,343.80
85 GRAINGER	PARTS	220.39
86 GRAYMONT CAPITAL INC	CHEMICALS	11,408.00
87 GREGG PETERS	FREIGHT	1,274.00
88 GREGG PETERS	RENT	937.50
89 GUARANTEE OIL CO INC	OIL	97.26
90 HANSEN LOCKSMITHING	REPAIRS	665.00
91 HARTINGTON TREE LLC	TREE TRIMMING	1,000.00
92 HAUGER YARD/ SNOW SERVICE	MOWING	116.60
93 HAWKINS INC	CHEMICALS	2,580.89
94 HD SUPPLY WATERWORKS	SUPPLIES	14,081.84
95 HDR ENGINEERING, INC	PROFESSIONAL SERVICES	30,000.00
96 HEALTH CARE LOGISTICS	SUPPLIES	305.72

97 HELM S & ASSOCIATES	PROFESSIONAL SERVICES	2,749.28
98 HERREN-SCHENK BUILDING	SUPPLIES	344.70
99 HIGMAN SAND & GRAVEL	SAND	324.33
100 HILLYARD FLOOR CARE SUPPLY	SUPPLIES	32.44
101 HY VEE FOOD STORE	SUPPLIES	202.46
102 IMPERIAL HEADWEAR, INC	MERCHANDISE	251.90
103 IN CONTROL, INC	PROFESSIONAL SERVICES	1,348.38
104 INDEPENDENCE WASTE	HAULING/ TOILET RENTAL	1,969.90
105 INGRAM	BOOKS	469.17
106 JACKS UNIFORM & EQPT	UNIFORMS	165.80
107 JAYMAR	SUPPLIES	712.50
108 JESSICA WADE	BOOT REIMBURSEMENT	100.00
109 JOHN A CONKLING DIST.	MERCHANDISE	5,041.53
110 JOHNSON BROTHERS FAMOUS BRANDS	MERCHANDISE	18,993.16
111 JOHNSON CONTROLS	REPAIRS	2,099.28
112 JONES FOOD CENTER	MERCHANDISE	1,167.76
113 JONES LIBRARY SALES, INC	LIBRARY FURNITURE	1,835.00
114 JULIE MCCAHERN	REFUND POOL FEES	37.50
115 KARSTEN MFG CORP	MERCHANDISE	734.83
116 KIRBY BUILT QUALITY PRODUCTS	SUPPLIES	40.00
117 KNOLOGY, INC	911 CIRCUIT	1,365.50
118 KOLETZKY IMPLEMENT	PARTS	165.00
119 LARSON DATA COMMUNICATIONS	REPAIRS	799.95
120 LAWSON PRODUCTS INC	SUPPLIES	76.34
121 LAYNES WORLD	AWARDS	325.34
122 LEGGETTE, BRASHEARS & GRAHAM	PROFESSIONAL SERVICES	4,699.33
123 LEISURE LAWN CARE	TREATMENT/ REPAIRS	699.04
124 LIFETIME GALLERIES	BOOKS	971.00
125 LINCOLN MUTUAL LIFE & CASUALTY	INSURANCE	425.20
126 LOCATORS AND SUPPLIES, INC	SUPPLIES	305.42
127 LP GILL, INC	TIRE DISPOSAL	427.00
128 MAGUIRE IRON, INC	WATER TOWER	135,558.00
129 MALLOY ELECTRIC	PARTS	149.52
130 MARKS MACHINERY	PARTS	158.08
131 MART AUTO BODY	TOWING	75.00
132 MATHESON TRI-GAS, INC	OXYGEN	358.79
133 MCCULLOCH LAW OFFICE	PROFESSIONAL SERVICES	1,432.86
134 MEAD LUMBER	SUPPLIES	1,268.40
135 MEDICAL WASTE TRANSPORT	HAUL MEDICAL WASTE	85.53
136 MEDMEDIA INC	MAINTENANCE	380.00
137 MENARDS	SUPPLIES	309.40
138 MICROFILM IMAGING SYSTEMS	SERVICE AGREEMENT	360.00
139 MIDWEST ALARM CO	ALARM MONITORING	63.00
140 MIDWEST BUILDING MAINTENANCE	MAT SERVICE	329.90
141 MIDWEST READY MIX & EQUIPMENT	SUPPLIES	3,316.20
142 MIDWEST TURF & IRRIGATION	PARTS	412.33
143 MINITEX LIBRARY	SUPPLIES	378.00
144 MISSOURI VALLEY MAINTENANCE	REPAIRS	1,190.00
145 MOBILE ELECTRONIC SERVICE	INSTALL EQUIPMENT	247.50
146 MOORE WELDING & MFG	REPAIRS	64.50

147 N B GOLF LLC	M ERCHANDISE	4,083.66
148 NATIONAL FIRE PROTECTION ASSOC	SUPPLIES	225.25
149 NCL OF WISCONSIN, INC	SUPPLIES	204.69
150 NETSYS+	REPAIRS/ SERVICE	8,766.97
151 NEW YORK LIFE	INSURANCE	94.02
152 NEWMAN TRAFFIC SIGNS	SUPPLIES	726.81
153 NIKE INC	M ERCHANDISE	269.51
154 NORTHERN TRUCK EQPT CORP	PARTS	499.00
155 OFFICE SYSTEMS CO	M AINTENANCE AGREEM ENT	431.89
156 OLSON M EDICAL CLINIC	EM PLOYM ENT SERVICES	259.00
157 OVERHEAD DOOR OF SIOUX CITY	REPAIRS	281.00
158 PCC, INC	JULY COM MISSION	1,325.40
159 PEDERSEN MACHINE INC	PARTS	73.36
160 PENNINGTON COUNTY SHERIFF	PROFESSIONAL SERVICES	300.00
161 PFEIFER IM PLEM ENT CO.	PARTS	229.28
162 PNC EQUIPM ENT FINANCE	DEFIBRILLATOR LEASE	741.27
163 POSITIVE PROM OTIONS	OPEN HOUSE SUPPLIES	805.59
164 PRAIRIE BERRY WINERY	M ERCHANDISE	1,044.00
165 PRESSING MATTERS	NOTARY SEAL	31.00
166 PRESTO-X-COM PANY	INSPECTION/ TREATM ENT	92.27
167 PRINT SOURCE	ADVERTISING	450.00
168 PUM P N PAK	FUEL	2,078.26
169 QUEEN CITY WHOLESale	M ERCHANDISE	863.63
170 QUILL	SUPPLIES	618.46
171 RACOM CORPORATION	M AINTENANCE CONTRACT	386.75
172 RAGNASOFT, INC	SOFTWARE SUBSCRIPTION	1,225.00
173 RANDOM HOUSE, INC	BOOKS	153.75
174 RASM USSEN MOTORS, INC	REPAIRS	51.79
175 RECORDED BOOKS, INC	BOOKS	1,381.75
176 RECREATION SUPPLY CO.	SUPPLIES	25.35
177 REINHART FOODSERVICE, LLC	M ERCHANDISE	1,480.39
178 REPUBLIC NATIONAL DISTRIBUTOR	M ERCHANDISE	23,698.98
179 RESCO	PARTS	299.70
180 RIBS, RODS & ROCK N' ROLL	COM MUNITY PROM OTION	5,000.00
181 ROCKM OUNT RESEARCH & ALLOY	SUPPLIES	129.32
182 SALINA VORTEX CORPORATION	PARTS	236.69
183 SAM UAL LEIDHOLT	REFUND SERVICE FEES	40.60
184 SANITATION PRODUCTS	PARTS	1,006.70
185 SD ASSOC. OF RURAL WTR SYSTEM	ANNUAL DUES	1,000.00
186 SD PUBLIC ASSURANCE ALLIANCE	INSURANCE	383.00
187 SD RETIREM ENT SYSTEM	CONTRIBUTIONS	69,806.49
188 SD SECRETARY OF STATE	NOTARY BOND	30.00
189 SDW WA	REGISTRATION	140.00
190 SERVALL TOWEL & LINEN	SUPPLIES	16.80
191 SIOUX FALLS TWO WAY RADIO	REPAIRS	1,863.32
192 SOOLAND BOBCAT	EQUIPM ENT	257.34
193 STERN OIL CO.	FUEL	5,700.22
194 STEWART OIL-TIRE CO	REPAIRS	292.85
195 STURDEVANTS AUTO PARTS	PARTS	692.84
196 TAYLOR M ADE	M ERCHANDISE	62.70

197 TEAM GOLF	M ERCHANDISE	510.19
198 THATCHER COM PANY	CHEM ICALS	6,837.60
199 THE EQUALIZER	ADVERTISING	106.75
200 THE KNOX COM PANY	AM BULANCE EQUIPM ENT	3,260.00
201 THOM SON WEST	SUBSCRIPTION	181.00
202 TIGERT ART GALLERY	FRAM ING	260.00
203 TITAN M ACHINERY	PARTS	115.28
204 TITLEIST DRAWER CS	M ERCHANDISE	548.13
205 TOPKOTE INC	CHIP SEALING	39,124.82
206 TRI STATE INSULATION CO INC	REPAIRS	1,210.49
207 TRI TECH SALES	SUPPLIES	455.87
208 TRI-B-TRIM SHOP	REPAIRS	155.00
209 TRUE VALUE	SUPPLIES	481.92
210 ULTRAM AX	SUPPLIES	2,462.00
211 UNITED PARCEL SERVICE	SHIPPING	35.26
212 UNITED WAY	CONTRIBUTIONS	522.80
213 US POSTAL SERVICE	POSTAGE	286.55
214 VAN DIEST SUPPLY CO	CHEM ICALS	1,433.10
215 VERIZON WIRELESS	TELEPHONE	432.55
216 VERMILLION ACE HARDWARE	PARTS	1,298.35
217 VERMILLION CONCRETE	CONSTRUCTION CONTRACT	4,888.44
218 VERMILLION FORD	PARTS	536.23
219 VESCOO, INC	PARTS	376.27
220 VISA/ FIRST BANK & TRUST	CHARGES	3,754.68
221 WAL-M ART COMMUNITY	SUPPLIES	1,087.35
222 WALT'S HOM ESTYLE FOODS, INC	M ERCHANDISE	120.00
223 WAM USA, INC	SUPPLIES	404.79
224 WELFL CONSTRUCTION CO	LIBRARY EXP/ REM ODEL FINAL	4,614.00
225 WESCO DISTRIBUTION, INC	PARTS	4,178.87
226 WITTEK	M ERCHANDISE	252.28
227 YANKTON JANITORIAL SUPPLY	SUPPLIES	1,118.36
228 YANKTON M EDICAL CLINIC	EM PLOYM ENT SERVICES	19.00
229 ZEE M EDICAL SERVICE	SUPPLIES	67.10
230 ZIM CO SUPPLY CO	SUPPLIES	185.00
231 ZUERCHER TECHNOLOGIES LLC	SUBSCRIPTION	12,705.00
232 FRANCIS HEINE	BRIGHT ENERGY REBATE	275.00
233 CLG LLC	BRIGHT ENERGY REBATE	5,290.00
	GRAND TOTAL	\$ 664,573.37

City of Vermillion (See reverse side of form for state laws regarding raffles and lotteries)
RAFFLE AND LOTTERY NOTIFICATION FORM


Date: 8/22/13

1. Name of organization/group St. Agnes School
Contact person: Name: Darla Hamm
2. Date(s) that tickets/chances will be sold: from Sept. 2013 to Aug. 2014
Cost of tickets/chances: \$120
3. Date(s) of drawing(s): We usually draw the last Sunday of the month.
4. Can anyone purchase tickets? Yes
5. Will the prize winner(s) be selected at random? Yes X No
6. Description and approximate value of top prize: Each month one person wins \$300 and two win \$100.

In the space below, please provide a brief, general summary of the event. Be sure to include information such as the location and reason for the event.

St. Agnes School's Parents & Teacher of St. Agnes (PTSA) group offers the PTSA 100 Club every year. The club runs with the school calendar from September through August. Anyone interested can purchase a number, from 1 to 100, for \$120. Each month we randomly draw three numbers from a set of 100 balls. The first ball/number drawn wins \$300 and the next two balls receive \$100. If all 100 numbers/spots are sold at \$120 then the totaled raised will be \$12,000, with \$6,000 being paid back out to its' members. If not all spots are sold \$6,000 is still paid out, but the profit for PTSA decreases. The profits made stay with PTSA to help with hospitality for the school, to fulfill teacher requests and professional development. The drawings are held at the either at the end of the month at the coffee and rolls gathering following the 8:00 Sunday Mass in the Parish Hall or on the first Tuesday of the month at the PTSA meetings, held in the school gym.


Applicant's Signature

Approval: 
City Manager

8-22-13
Date

City of Vermillion (See reverse side of form for state laws regarding raffles and lotteries)
RAFFLE AND LOTTERY NOTIFICATION FORM

Date: 8-22-13

1. Name of organization/group VHS After Prom Committee
Contact person: Name: Rose Weiss
2. Date(s) that tickets/chances will be sold: from 8-23-13 to Oct. 24, 13
Cost of tickets/chances: \$5 for 1, \$10 for 3 chances
3. Date(s) of drawing(s): October 24, 2013
4. Can anyone purchase tickets? yes
5. Will the prize winner(s) be selected at random? Yes ☒ No ☐
6. Description and approximate value of top prize: sky box tickets @ Dakota Dome
\$400.-
value

In the space below, please provide a brief, general summary of the event. Be sure to include information such as the location and reason for the event.

VHS After Prom event is organized by parents who volunteer their time to provide a safe, fun & memorable evening for students. Money raised from the fundraising is used to buy food, prizes, entertainment & sometimes rental of the facility.

Rose Weiss
Applicant's Signature

Approval:

John Prescott
City Manager

8-23-13
Date