

2010 Legal and Public Notices

STATE OF SOUTH DAKOTA
COUNTY OF CLAY: SS

IN CIRCUIT COURT
FIRST JUDICIAL COURT

IN THE MATTER OF THE
ESTATE OF
RONALD AARON BABB,
Deceased.

**PRO. II-09
NOTICE TO CREDITORS
AND NOTICE OF INFORMAL
APPOINTMENT OF
PERSONAL
REPRESENTATIVE**

NOTICE is given that on the 31 day of March, 2011, James Thomas Babb, of 310 S. 7th Street, Beresford, South Dakota 57004, was appointed Personal Representative of the Estate of Ronald Aaron Babb, deceased.

Creditors of decedent must file their claims within four months after the date of the first publication of this notice or their claims may be barred.

Claims may be filed with the Person Representative or may be filed with the Clerk, and a copy of the claim mailed to the Personal Representative.

Dated the 31 day of March, 2011

/s/ James Thomas Babb
James Thomas Babb
310 S. 7th Street
Beresford, SD 57004

Jessica Bosse
Clay County Clerk of Courts
First Judicial Circuit
211 W Main #300
PO Box 377
Vermillion, SD 57069
605-677-6756

Michael J. McGill
Attorney for the Estate
PO Box 32
Beresford, SD 57004
605-763-2057

Public: April 8, 15 & 22, 2011

**Unapproved Minutes
Council Special Session
April 4, 2011**

Monday 12:00 noon
The special session of the City Council, City of Vermillion, South Dakota was held on Monday, April 4, 2011 at 12:00 noon in the City Hall Council Chambers.

1. Roll Call

Present: Grayson, Meins, Osborne (arrived at 12:05 p.m.), Ward, Willson, Zimmerman, Mayor Powell
Absent: Davies, French

2. Educational Session - Coyoteopoly
Caleb Lyle, CEO of Coyoteopoly, reported that Coyoteopoly, in a joint venture with the University of South Dakota College of Fine Arts, will be producing the first ever South Dakota Shakespeare Festival in Vermillion on June 8th to 10th, 2012. Caleb introduced representatives of the College of Fine Arts who explained that the event will include three performances in the Prentis Park amphitheater and workshops on various theater topics at the Warren M. Lee Center for Fine Arts. Representatives from Coyoteopoly explained the budget and fundraising for the event along with the marketing plan. The Fine Arts Department made a Shakespeare presentation. Brandon Flynn, President of Coyoteopoly, reviewed the event and requested that the City co-sponsor the project as an official civic partner. As this is not an action item on the agenda, he requested the City Council amend tonight's agenda to include the request as an action item. Brandon and others answered questions of the City Council on the event with Brandon stating that there is no monetary support required as co-sponsor.

3. Educational Session - Update of City/County Joint Jurisdictional Items
Howard Willson, City Council committee representative on the County/City Joint Jurisdictional Committee updated the Council members on the last committee meeting.

4. Briefing on the April 4, 2011 City Council Regular Meeting Agenda
Council reviewed items on the agenda with City staff. No action was taken.

Alderman Ward requested to leave at 12:55 p.m.

5. Adjourn

082-11
Alderman Zimmerman moved to adjourn the Council special session at 1:07 p.m. Alderman Willson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 4th day of April, 2011.

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
April 4, 2011
Monday 7:00 p.m.**

The regular session of the City Council, City of Vermillion, South Dakota was called to order on April 4, 2011 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Davies, French, Grayson, Meins, Ward, Willson, Zimmerman, Mayor Powell
Absent: Osborne

2. Pledge of Allegiance

3. Minutes

A. March 21, 2011 Special Session; March 21, 2011 Regular Session

083-11
Alderman Willson moved approval of the March 21, 2011 special session minutes and the March 21, 2011 regular session minutes. Alderman Ward seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

084-11
Alderman French moved approval of the agenda with the addition of New Business Item 8E - Resolution for co-sponsorship of

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Coyoteopoly's South Dakota Shakespeare Festival. Alderman Zimmerman seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

A. Week of the Young Child Proclamation

Alderman Meins read the proclamation recognizing April 10-16, 2011 as "The Week of the Young Child" in Vermillion. Mayor Powell presented the proclamation to Gera Jacobs.

6. Public Hearings - None

7. Old Business

A. Second Ready of Ordinance 1250
- Ordinance Amending Title XV Chapter 155, Zoning Regulations, Proposed Zone Change from R-2 and GB to Cottage Place Planned Development District (old Wheeler Inn property, located approximately at 14 West Cherry Street) José Dominguez, City Engineer, reported that this was second reading of the ordinance to rezone the property known as the Wheeler Inn Trailer Court located at 14 West Cherry Street from R-2 and GB to the Cottage Place Planned Development District. José reviewed the different tracts and the planned use of each. He reported that the Planning Commission has reviewed the proposed zone change and recommended adoption of the ordinance. Lance Weatherly, of Banner Associates, representing Troy Gregoire, Mike Manning and Larry Anthofer reviewed the planned use for the property noting that they had worked with City staff and the Planning Commission in developing the use. Lance answered questions of the City Council on the planned development.

085-11

Second reading of title to Ordinance No. 1250, entitled AN ORDINANCE AMENDING Title XV Land Use, Chapter 155 Zoning Regulations, of the 2008 Revised Ordinances for the City of Vermillion, South Dakota, rezoning certain property (old Wheeler Inn Property located approximately at 14 West Cherry Street) from the R-2 Residential District and GB General Business District to the Cottage Place Planned Development District and providing regulations therefore.

Mayor Powell read the title to the above named Ordinance, and Alderman Zimmerman moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1250 entitled an ordinance amending Title XV Land Use, Chapter 155 Zoning Regulations, of the 2008 Revised Ordinances for the City of Vermillion, South Dakota, rezoning certain property (old Wheeler Inn Property located approximately at 14 West Cherry Street) from the R-2 Residential District and GB General Business District to the Cottage Place Planned Development District and providing regulations therefore was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 21st day of March, 2011 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 4th day of April, 2011 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

ORDINANCE NO. 1250
AN ORDINANCE AMENDING TITLE XV LAND USE, CHAPTER 155 ZONING REGULATIONS, OF THE 2008 REVISED ORDINANCES for the city of vermillion, rezoning certain property (Old Wheeler Inn Property, located approximately at 14 West Cherry Street) from the R-2 residential district and GB general business district to the cottage place planned development district and providing regulations therefore.

BE IT ORDAINED BY THE GOVERNING BODY OF VERMILLION, SOUTH DAKOTA:

SECTION 1. That Chapter 155, Zoning Regulations for the City of Vermillion, is hereby amended to add the Cottage Place Planned Development District as follows: THAT THE WEST 225 FEET OF LOT 4 AND THE WEST 225 FEET OF THE NORTH 5 FEET OF LOT 5, BLOCK 85, ADDITION TO SNYDERS; AND THE WEST 293 FEET OF LOT 1 AND 2, EXCEPT H-1, BLOCK 85, ADDITION TO SNYDERS ADDITION; AND THE WEST 293 FEET OF LOT 3, BLOCK 85, ADDITION TO SNYDERS ADDITION; AND THE WEST 150 FEET OF THE SOUTH 94 FEET OF THE EAST 293 FEET OF LOT 5 AND THE WEST 150 FEET OF THE NORTHEAST 49 FEET OF THE EAST 293 FEET OF LOT 6, SUBJECT TO AN EASEMENT IN BLOCK 85, ADDITION TO SNYDERS ADDITION; AND THE WEST 50 FEET OF THE SOUTH 94 FEET OF LOT 5, AND THE WEST 50 FEET OF THE NORTH 49 FEET OF LOT 6, SUBJECT TO A 20 FOOT ROAD EASEMENT ALONG THE SOUTH SIDE THEREOF, BLOCK 85, ADDITION TO SNYDERS ADDITION; AND THE EAST 50 FEET OF THE SOUTH 94 FEET OF LOT 5, AND THE WEST 50 FEET OF THE NORTH 49 FEET OF LOT 6, SUBJECT TO A 20 FOOT ROAD EASEMENT ALONG THE SOUTH SIDE THEREOF, ALL IN BLOCK 85, ADDITION TO SNYDERS ADDITION; AND THE SOUTH 50 FEET OF LOT 6, THE NORTH 58 FEET OF LOT 7, AND THE SOUTH 74 FEET, EXCEPT THE SOUTH 100 FEET OF THE EAST 165 FEET, OF LOT 7, BLOCK 85, ADDITION TO SNYDERS ADDITION; AND THE EAST 50 FEET OF THE WEST 150 FEET OF THE SOUTH 94 FEET OF LOT 5 AND THE WEST 150 FEET OF THE SOUTH 94 FEET OF LOT 5 AND THE EAST 50 FEET OF THE WEST 150 FEET OF THE NORTH 49 FEET OF LOT 6, BLOCK 85, ADDITION TO SNYDERS ADDITION, EXCEPT THE SOUTH 20 FEET THEREOF DESIGNATED AS A ROADWAY, CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, IS HEREBY INCLUDED IN THE COTTAGE PLACE PLANNED DEVELOPMENT DISTRICT AND THE OFFICIAL ZONING MAP IS AMENDED TO INCLUDE SUCH LAND IN THE COTTAGE PLACE PLANNED DEVELOPMENT DISTRICT.

SECTION 2. That the Cottage Place Planned Development District include the following regulations:

Section 155.057 Cottage Place Planned Development District. The regulations set forth in this section or set forth elsewhere in the Vermillion Zoning Ordinance when referred to in this section

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are the district regulations in the Cottage Place Planned Development District.

155.057 COTTAGE PLACE PLANNED DEVELOPMENT DISTRICT.

(A) Purpose. The regulations set forth in this section or set forth elsewhere in the Vermillion Zoning Ordinance when referred to in this section are the district regulations in the Cottage Place Planned Development District. The purpose of this district is to provide for mixed use commercial and residential areas within the Planned Development District. All City ordinances apply to the Planned Development District.

(B) Area A. (mixed use commercial and residential areas) All City ordinances apply to the planned development district identified as Area A except for those modified below.

(1) Permitted uses (Area A).
Permitted Uses, Applicable Standards; Retail trade or service, §§ 155.070, 155.072, 155.077; Office, §§ 155.070, 155.072, 155.073, 155.077; Personal service, §§ 155.070, 155.072, 155.073, 155.077; Mixed commercial/residential, Residential being above the ground floor;

Accessory structures, §§ 155.070, 155.095(A); Churches All parking lots being 8 feet from all residential properties, §§ 155.070, 155.072, 155.077; Drug store, §§ 155.070, 155.072, 155.073, 155.077; Medical and dental clinics, §§ 155.070, 155.072, 155.073, 155.077; Day care center, Adequate and safe playground area with fence 4 feet high. A safe pickup and drop off area must be provided for the children, §§ 155.070, 155.072, 155.073, 155.077; Fences, § 155.074; Neighborhood utilities, § 155.070; Small animal veterinarian, §§ 155.070, 155.072, 155.073, 155.077, 155.095(A); On/Off premise parking, § 155.095(A).

(2) Conditional uses (Area A).

Conditional Use, Applicable Standards; Convenience store, §§ 155.070, 155.072, 155.077; Hotel/motel, §§ 155.070, 155.072, 155.073, 155.077; Hospital/clinic, §§ 155.070, 155.072, 155.073, 155.077; Public utility facility, §§ 155.070, 155.072, 155.073, 155.077; Funeral home/mortuary, §§ 155.070, 155.072, 155.073, 155.077; Private club, §§ 155.070, 155.072, 155.073, 155.077; Restaurants, §§ 155.070, 155.072, 155.073, 155.077; Arcade, §§ 155.070, 155.072, 155.073, 155.077; On/Off-sale alcoholic beverage establishment, Located at least 500 feet from a school.*

§§ 155.070, 155.072, 155.073, 155.077; Motor vehicle repair shop, Subject to an adequate number of parking spots to allow temporary storage of the cars only while being repaired. §§ 155.070, 155.072, 155.073, 155.077; Greenhouse/nursery, §§ 155.070, 155.072, 155.073, 155.077; Car wash, Five storage spaces for each bay beyond off-street parking requirements and the water from the car wash contained on the site. §§ 155.070, 155.072, 155.073, 155.077; Motor vehicle sales, display, and service, §§ 155.070, 155.072, 155.073, 155.077; Subject to screening of all outdoor storage of parts from view; Lumberyard, Subject to screening of all outdoor storage from view when abutting a residential district, §§ 155.070, 155.072, 155.073, 155.077; Public service facility, § 155.070; Theatre, §§ 155.070, 155.072, 155.077; Wholesale trade, §§ 155.070, 155.072, 155.073, 155.077; * Measured from the closest point of the outside walls of both structures

(C) Area B (commercial, multi dwelling, mixed use) Area B is identified to allow multi-dwelling equivalent to R-3 off of Cherry Street frontage. Area B will utilize the same permitted uses as Area A with the addition of the following. Area B will utilize the same conditional uses as Area A without any additions

(1) Permitted uses (Area B).
Permitted Uses, Applicable Standards; Area A permitted uses, See Area A permitted uses; Multiple-dwellings, §§ 155.070, 155.072, 155.076, 155.077; Accessory use (such as, garage, shed), §§ 155.071, 155.082(A) (see definition);

(2) Conditional uses (Area B).
Conditional Use, Applicable Standards; Area A conditional uses, See Area A conditional uses;

(D) Area C. (storage). All City ordinances apply to the planned development district identified as Area C except for those modified below.

(1) Permitted uses (Area C).
Permitted Uses, Applicable Standards; Storage facility, §§ 155.070, 155.072, 155.077, 155.095(A); Accessory structures, §§ 155.070, 155.095(A) (see definition); Accessory use (such as, garage, shed), §§ 155.071, 155.082(A) (see definition); Fences, § 155.074; Contractor's shop/storage yard, Subject to screening of all outdoor storage from view. No repairs or sales, §§ 155.070, 155.072, 155.073, 155.077; Warehouse, mini-warehouse. The materials stored on the premises shall have a level 1 or below in the Fire Protection Guide on Hazardous Materials. §§ 155.070, 155.072, 155.073, 155.077; Neighborhood utilities, § 155.070; Motor vehicle storage; On/Off premise parking for adjacent tracts only and parking shall abut the adjacent tract, § 155.095(A);

(1) Conditional uses (Area C).
Conditional Use, Applicable Standards; Motor vehicle sales, display and service, §§ 155.070, 155.072, 155.073, 155.077; Subject to screening of all outdoor storage of parts from view; * Measured from the closest point of the outside walls of both structures

(E) Area D. (high density residential)
This area shall provide for certain high density residential areas now developed primarily with single-family. All city ordinances apply to the planned development district identified as Area D except for those modified below.

(1) Permitted uses (Area D).
Permitted Use, Applicable Standards; Single-family detached dwellings, §§ 155.070, 155.072, 155.076, 155.077; Single-family attached dwellings (up to 2), §§ 155.070, 155.072, 155.076, 155.077; Multiple dwellings, §§ 155.070, 155.072, 155.076, 155.077; Neighborhood utilities, § 155.074; Accessory structure (such as, garage, shed), §§ 155.071, 155.082(A) (see definition);

(1) Conditional uses (Area D).
Conditional Use, Applicable Standards; Public service facility, § 155.070;

(F) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions). Tract Area Lot; Width Front Yard; Side Yard; Rear Yard; Maximum Height;

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Business and all other uses, 7,000 square feet, 50 feet 15 feet, 5 feet, 10 feet, 45 feet; Single-family detached, 7,000 square feet, 60 feet, 30 feet, 8 feet, 25 feet, 45 feet; Single-family attached dwellings (2 units-1 lot), 5,000 square feet, 20 feet, 30 feet, 0 or 10 feet on nonparty wall side, 25 feet, 45 feet; 3 to 8 multiple dwelling units (1 lot), 7,500 square feet, 60 feet, 30 feet, 10 feet, 10 feet, 45 feet; 9 to 12 multiple dwelling units (1 lot), 20,000 square feet, 70 feet, 30 feet, 10 feet, 10 feet, 45 feet; Over 12 multiple dwelling units (1 lot), 30,000 square feet, 85 feet, 30 feet, 10 feet, 10 feet, 45 feet; Accessory building, NA, NA Not permitted, 5 feet, 5 feet, 2 feet; Parking Lots, § 155.072, NA, 10 feet, 10 feet, 10 feet, NA; Exceptions; #1 - Where a side yard or rear yard is required half of the required yard must be maintained as a landscaped area. #2 - There shall be a required front yard on each thru street side of lots. #3 - See adjustments to yard regulations (§ 155.082) for other specific exceptions. #4 - A conditional use permit will be required for any structure exceeding heights identified above (§ 155.095(A))#5 - The side yard will be required to be increased by 10 feet when the building is 3 stories in height or more. #6 - There shall not be a required front yard on Cottage Place for a double frontage lot. There shall be a required front yard on Cottage Street of a corner lot. #7 - A side or rear yard of 15 feet shall be required when a use other than residential is adjacent to or abuts a residential district.

(G) Property re-division. All future property re-division shall require a re-platting of the affected parcels. Planned Development District may be required to be amended depending on property re-division.

(I) Ingress/Egress Easements - Future transfer of ownership which creates a landlocked parcel shall require a dedicated ingress/egress easement for the issuance of a building permit.

(H) Parking regulations. Parking shall comply with § 155.072. Required parking shall be dedicated to the occupants and located as close to the building served as possible.

(I) Visibility at Intersections and Driveways. Safety zones shall comply with § 155.070.

(J) Accessory Use and Structures shall conform to the following standards:

(1) Roofing and siding materials shall be of a type customarily used on site-constructed residence.

(2) Any accessory building that covers more than 120 square feet shall be secured to the ground to prevent the structure from being moved or damaged by high winds.

(3) Accessory buildings may not be used for dwelling purposes.

(4) Accessory buildings in excess of 750 square feet in area should be approved only if there is a legitimate purpose for accessory buildings.

(K) Off Street Loading Requirements shall comply with § 155.073.

(L) Site-built dwelling standards shall comply with § 155.076.

(M) Landscaping standards

(1) Within any zoning district, at least 75% of the required front yard setback shall be landscaped and maintained with living ground cover except for the portion of the front yard necessary for hard surfaced driveways and parking (§ 155.072).

(2) 1 tree per 50 feet of tract width is required. No more than 25% of the required trees may be deciduous ornamental, evergreen, or coniferous trees.

(3) Each existing tree of at least 1 3/4-inch caliper in size shall count toward the tree requirement.

(4) Where feasible, landscape areas must be capable of providing a substantially full expanse of foliage within 3 years after planting. All deciduous trees shall be 1 3/4 inch caliper and all deciduous ornamental shall be 1 1/4-inch caliper. Berms or other landscaping techniques may be used for all or part of the 6-foot screening if they have a maximum grade of 3 feet horizontal to 1-foot vertical and sodded or planted with other acceptable living ground cover.

(5) A fence, wall, or shrubbery 6 feet in height and of a character necessary for adequate screening shall be installed or planted when a commercial use is located adjacent to residentially used property or across the right-of-way from residentially used property (unless the right-or-way is an arterial street). Berms or other landscaping techniques may be used for all or part of the 6-foot screening if they have a maximum grade of 3 feet horizontal to 1-foot vertical and sodded or planted with other acceptable living ground cover.

(6) If proper screening is provided, parking lot setbacks may be reduced at City Engineer's discretion.

(N) Adjustments to Yard Regulations shall comply with § 155.082.

(O) Non-conforming Uses and Structures shall comply with § 155.083.

(P) Lighting

(1) When property is adjacent to or within 150 feet of residentially used or zoned property, the following lighting standards apply:

(a) The maximum light level shall be no greater than 3 foot candles field measured at the property line (ground level).

(b) The maximum height of light luminaries shall be 25 feet above the ground.

(c) Canopy luminaries and other on-site lighting with luminaries greater than 2000 lumens shall include a 90-degree cut-off type, deflector, refractor, or forward throw light fixture.

(d) The maximum number of canopy luminaries shall be determined by the following industry standard: Canopy length (in feet) x canopy width (in feet) x 3= Maximum No. of Luminaries lamp wattage

(2) All other light luminaries shall have a maximum height of 38 feet above the ground. Submittal of photometric plans shall be required with all site plan checks for building projects on property with lighted parking lots or lighted canopies.

(3) The following structures or uses are exempt from these lighting standards: parks, pedestrian walkways, and illuminated flags or statues.

(4) Lighting for parking lots shall be constructed so as to prevent light pollution to surrounding properties.

(Q) Sign regulations. Signs shall be regulated by Chapter 152. Regulations shall be those used in the R-3 District.

(R) Fence regulations. Fences shall comply with § 155.074(A), (B) and (C),

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except for fences used to enclose recreational areas that may comply with § 155.074(G). Dated at Vermillion, South Dakota this 4th day of April, 2011.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor
ATTEST:

Michael D. Carlson,
Finance Officer

Adoption of the Ordinance was seconded by Alderman Meins. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Davies-Y, French-Y, Grayson-Y, Meins-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y

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

B. Second Reading of Ordinance 1251 - Ordinance Amending Title XV Chapter 154, Subdivision Regulations, Enacting Revised Subdivision Regulations for the City of Vermillion and Rural Platting Jurisdiction Area and Repealing Prior Subdivision Regulations as Amended José Dominguez, City Engineer, reported that this was second reading of the ordinance to repeal the existing subdivision regulations and adopt new regulations for the subdivision of land within the City of Vermillion and Rural Platting Jurisdiction Area. José stated that his ordinance was reviewed with the City Council during the March 7th noon session and that the Planning Commission has reviewed and recommended the adoption. He stated that after the first reading of the ordinance a copy was sent to the County and at the March 29th County Commission meeting he was present to answer questions on the ordinance. The County Commission requested that the second reading of the ordinance be delayed until April 18th to allow more time for their review. José noted that statute requires the City to adopt subdivision regulations. Discussion followed.

086-11

Alderman Grayson moved to table second reading of ordinance 1251 until the April 18 meeting. Alderman French seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

8. New Business

A. Final Plat of Lots 4 and 5, Block 1, Mehlfah Addition

José Dominguez, City Engineer, reported on the location of the property which is at the end of East Clark Street. The Planning Commission recommended adoption of the plat. He reported that City Staff recommended approval of the plat. José answered questions on the plat. Discussion followed.

087-11

After reading the same once, Alderman Davies moved approval of the following plat:

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lots 4 and 5, Block 1, Mehlfah Addition, City of Vermillion, Clay County, South Dakota for approval.

BE IT RESOLVED that the attached and foregoing plat has been submitted to and a report and recommendations thereon made by the Vermillion Planning Commission to the City Council of Vermillion which has approved the same. BE IT FURTHER RESOLVED that the attached and foregoing plat has been submitted to the Governing Body of the City of Vermillion which has examined the same, and it appears that the systems of streets and alleys set forth therein conforms to the system of streets and alleys of the existing plat of such city, and that all taxes and special assessments, if any, upon the tract or subdivision have been fully paid and that such plat and survey thereof have been executed according to law, and the same is hereby accordingly approved. The motion was seconded by 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. Resolution to Financial Agreement with Department of Transportation for Funding of a Transportation Study