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September 5th to noon on Sunday, September 7th. This is Main Street from Austin Street to Prospect Street, Austin Street from Main Street to Kidder Street, Market Street from Main Street to Bloomingdale Street and Kidder Street from Austin Street west to the east half block east of Market Street. This closing would include the Ratingen Platz and city parking lot at the corner of Market and Kidder; Second Section - closed from 2:00 p.m. on Friday, September 5th to 5:00 p.m. on Saturday, September 6th. This is Main Street from Prospect Street to Center Street; Third Section - closed from 7:00 a.m. to 5:00 p.m. on Saturday, September 6th. This is two sections consisting of Main Street from Washington Street to High Street and Court Street to Church Street and Court Street half block south of Main Street. John reported the street closing request and a map of the requested street closings are both included in the packet. He noted that the noise permit and special daily malt beverage and wine license were approved earlier on the agenda. The Police, Fire, and EMS Departments have been notified of the closure request and have found no safety concerns. Discussion followed.

249-14

Alderman Holland moved approval of street closing request of Ribs, Rods & Rock'n Roll for portions of Austin, Court, Main, Market, Center and Kidder Streets on September 5 and 6, 2014 as included in the request. Alderman Clarene Meins seconded the motion. Discussion followed on the need to clean up after the event. Jenny French, representing the organization, stated that they would have a power washer on site for clean up. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Request to close Kidder Street from Court Street west to the east side of the alley from 1:00 a.m. on Saturday, July 26, 2014 to 4:00 a.m. on Sunday, July 27, 2014 for Make-A-Wish event

John Prescott, City Manager, reported that a request was received from Chad Grunewaldt with the Old Lumber Company to close Kidder Street from Court Street west to the east side of the alley from 1:00 a.m. on Saturday, July 26, 2014 to 4:00 a.m. on Sunday, July 27, 2014 for a live band concert, parking of motorcycles and a beer garden. The permit to exceed noise levels was approved earlier on the agenda and the permit for consumption but not sale is later on the agenda. John noted that Kidder Street is no parking from 2:00 a.m. to 6:00 a.m. and suggested that the start of the request could be pushed back from 1:00 a.m. to 2:00 a.m. to coincide with the normal no parking restrictions.

Chad Grunewaldt stated that with the 1:00 a.m. request they can get started with setup if there are no cars in the area but could wait until 2:00 a.m.

250-14

Alderman Collier-Wise moved approval of the closing of Kidder Street from Court Street west to the east side of the alley from 2:00 a.m. on Saturday, July 26, 2014 to 4:00 a.m. on Sunday, July 27, 2014 for Make-A-Wish event. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

D. Request to close Kidder Street from Court Street west to the east side of the alley from midnight on Friday, August 22, 2014 to 4:00 a.m. on Sunday, August 24, 2014 for fundraising event benefiting the US Veterans Motorcycle Club of South Dakota

John Prescott, City Manager, reported that a request was received from Chad Grunewaldt with the Old Lumber Company to close Kidder Street from Court Street west to the east side of the alley from midnight on Friday, August 22, 2014 to 4:00 a.m. on Sunday, August 24, 2014 for fundraising event benefiting the US Veterans Motorcycle Club of South Dakota. The permit to exceed noise levels was approved earlier on the agenda and the permit for consumption but not sale is later on the agenda. John noted that Kidder Street is no parking from 2:00 a.m. to 6:00 a.m. and suggested that the start of the request could be pushed back from midnight to 2:00 a.m. to coincide with the normal no parking. Discussion followed.

251-14

Alderman Collier-Wise moved approval of the request from Chad Grunewaldt with the Old Lumber Company to close Kidder Street from Court Street west to the east side of the alley from 2:00 a.m. on Saturday, August 23, 2014 to 4:00 a.m. on Sunday, August 24, 2014 for fundraising event benefiting the US Veterans Motorcycle Club

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of South Dakota. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

E. Request to close Kidder Street from Court Street west to the east side of the alley from noon on Friday, October 10, 2014 to 4:00 a.m. on Sunday, October 12, 2014 for fundraising event benefiting the SD Veterans Motorcycle Club of South Dakota

John Prescott, City Manager, reported that a request was received from Chad Grunewaldt with the Old Lumber Company to close Kidder Street from Court Street west to the east side of the alley from noon on Friday, October 10, 2014 to 4:00 a.m. on Sunday, October 12, 2014 for fundraising event benefiting the US Veterans Motorcycle Club of South Dakota. The permit to exceed noise levels was approved earlier on the agenda and the permit for consumption but not sale is later on the agenda.

Tiffany Hrdlcka, 110 N Yale, stated that she likes the community with the events downtown like Ribs, Rods & Rock'n Roll, and Thursdays' on the Platz that generate activity for the downtown area. She stated that the event proposed at the Old Lumber Company is an example of thinking outside the box that will generate more activity in the community. Another individual stated that having the band in a fenced area will be a controlled environment.

Discussion followed on the event noting that the street closing for what may be the two busiest days in the downtown may cause confusion for drivers. It was also noted that the City restricts alcohol sales for sidewalk restaurant sales on Dakota Days weekend as well as other special events.

252-14

Alderman Holland moved to deny the Kidder Street closing request from Old Lumber Company for October 10-12, 2014. Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

F. Permit for Consumption on portion of Kidder Street from 12:00 p.m. (Noon) on July 26th to 1:00 a.m. on July 27th for Old Lumber Company, LLC for a fundraising event benefiting Make-A-Wish.

Mike Carlson, Finance Officer, reported that Chad Grunewaldt plans to host an event for Make-A-Wish at the Old Lumber Company on July 26th and 27th. Mike stated that previously on the agenda the Council approved the permit to exceed allowable sound levels and the closing of a portion of Kidder Street for the event. Mike stated that State statute 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. Mike stated that the City Council can attach special conditions to the request with some of those conditions being as follows: a) Require a Release and Indemnification to hold the City harmless from claims; b) Certificate of insurance naming the City as an additional insured for the event; c) Require the applicant identify and utilize a fenced area where alcoholic beverages may be consumed but not sold, as well as a plan to monitor the entrances and exits from this area to ensure that those under the age of 21 are not allowed. The applicant will need to coordinate the fencing and security plan with the Police Department in advance of the event; d) Require a plan for the cleanup and disposal of materials after the event; e) 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. The street closing is from 2:00 a.m. on July 26th to 4:00 a.m. on July 27th and the permit to exceed permissible sound levels is from noon to midnight on July 26th. Mike stated that it should be noted that when the liquor and malt beverage licenses were renewed for the Old Lumber Company that they were restricted to the interior of the building on the location. If the permit is approved, the motion should include a suspension of the restriction of the requirement for consumption only on the interior of the structure for this event.

Chad Grunewaldt, owner of Old Lumber Company, stated that the band will end at midnight but requested that consumption be allowed until 2:00 a.m. to allow the patrons to remain outside until normal closing time. Chad stated that the 1:00 a.m. end time was the same as the permit to exceed allowable sound levels. Chad noted that this will be in the fenced area and they will not be

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selling. Discussion followed.

253-14

Alderman Collier-Wise moved approval of suspension of the restriction of the requirement for consumption only on the interior of the structure for this event and authorizes the permit for consumption of alcohol on Kidder Street from Court Street west to the east side of the alley from noon on July 26th to 1:00 a.m. on July 27, 2014 for Old Lumber Company, Inc. if the owner complies with the conditions: a) That a Release and Indemnification to hold the City harmless from claims during the event be provided, b) Certificate of insurance naming the City as an additional insured for the event, c) the applicant identify and utilize a fenced area where alcoholic beverages may be consumed but not sold, as well as a plan to monitor the entrances and exits from this area to ensure that those under the age of 21 are not allowed. The applicant will need to coordinate the fencing and security plan with the Police Department in advance of the event and d) Require a plan for the cleanup and disposal of materials after the event. Alderman Willson seconded the motion. Discussion followed on the ending time noting 2:00 a.m. will comply with the normal closing time

254-14

Alderman Erickson moved to amend the motion to allow the permit for consumption but not sales until 2:00 a.m. on July 27th instead of the 1:00 a.m. Alderman Holland seconded the amendment. Discussion followed on the amendment. A roll call vote of the Governing Body was as follows: Collier-Wise-N, Erickson-Y, Holland-Y, Clarene Meins-N, Holly Meins-Y, Price-Y, Willson-N, Mayor Powell-N. Amendment tied 4 to 4. Mayor Powell declared the amendment failed. The vote on the original motion carried 8 to 0. Mayor Powell declared the motion adopted.

G. Permit for Consumption on portion of Kidder Street from 12:00 p.m. (Noon) to midnight on August 23 for Old Lumber Company, LLC for a fundraising event benefiting the US Veterans Motorcycle Club of South Dakota

Mike Carlson, Finance Officer, reported that Chad Grunewaldt plans to host an event with the US Veterans Motorcycle Club of SD at the Old Lumber Company on August 23rd. Mike stated that previously on the agenda the Council approved the permit to exceed allowable sound levels and the closing of a portion of Kidder Street for the event. Mike stated that State statute 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. Mike stated that the City Council can attach special conditions to the request with some of those conditions being as follows: a) Require a Release and Indemnification to hold the City harmless from claims; b) Certificate of insurance naming the City as an additional insured for the event; c) Require the applicant identify and utilize a fenced area where alcoholic beverages may be consumed but not sold, as well as a plan to monitor the entrances and exits from this area to ensure that those under the age of 21 are not allowed. The applicant will need to coordinate the fencing and security plan with the Police Department in advance of the event; d) Require a plan for the cleanup and disposal of materials after the event; e) 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. The street closing is from 2:00 a.m. on August 23rd to 4:00 a.m. on August 24th and the permit to exceed permissible sound levels is from noon to midnight on August 23rd. Mike stated that it should be noted that when the liquor and malt beverage licenses were renewed for the Old Lumber Company that they were restricted to the interior of the building on the location. If the permit is approved, the motion should include a suspension of the restriction of the requirement for consumption only on the interior of the structure for this event.

Chad Grunewaldt, owner of Old Lumber Company, stated that the band will end at midnight but requested that consumption be allowed until 2:00 a.m. to allow the patrons to remain outside until closing time. Chad stated that the midnight end was the same as the permit to exceed allowable sound levels. Chad noted that this will be in the fenced area and they will not be selling. Discussion followed.

255-14

Alderman Holland moved

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approval of suspension of the restriction of the requirement for consumption only on the interior of the structure for this event and authorizes the permit for consumption of alcohol on Kidder Street from Court Street west to the east side of the alley from noon on August 23 to 2:00 a.m. on August 24, 2014 for Old Lumber Company, Inc. if the owner complies with the conditions: a) That a Release and Indemnification to hold the City harmless from claims during the event be provided, b) Certificate of insurance naming the City as an additional insured for the event, c) the applicant identify and utilize a fenced area where alcoholic beverages may be consumed but not sold, as well as a plan to monitor the entrances and exits from this area to ensure that those under the age of 21 are not allowed. The applicant will need to coordinate the fencing and security plan with the Police Department in advance of the event and d) Require a plan for the cleanup and disposal of materials after the event. Alderman Erickson seconded the motion. Discussion followed. Motion carried 6 to 2. Mayor Powell declared the motion adopted.

H. Permit for Consumption on portion of Kidder Street from 5:00 p.m. to midnight on October 10th and from 12:00 p.m. (Noon) to midnight on October 11th for Old Lumber Company, LLC for a fundraising event benefiting the US Veterans Motorcycle Club of South Dakota

Mike Carlson, Finance Officer, reported that Chad Grunewaldt plans to host an event with the US Veterans Motorcycle Club of SD at the Old Lumber Company on October 10 & 11, 2014. Mike stated that previously on the agenda the Council approved the permit to exceed allowable sound levels and denied closing of a portion of Kidder Street for the event. Mike stated that State statute 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. Mike stated that the City Council can attach special conditions to the request with some of those conditions being as follows: a) Require a Release and Indemnification to hold the City harmless from claims; b) Certificate of insurance naming the City as an additional insured for the event; c) Require the applicant identify and utilize a fenced area where alcoholic beverages may be consumed but not sold, as well as a plan to monitor the entrances and exits from this area to ensure that those under the age of 21 are not allowed. The applicant will need to coordinate the fencing and security plan with the Police Department in advance of the event; d) Require a plan for the cleanup and disposal of materials after the event; e) 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. The street closing was denied and the permit to exceed permissible sound levels is from 5:00 p.m. to midnight on October 10 and noon to midnight on October 11, 2014. Mike stated that it should be noted that when the liquor and malt beverage licenses were renewed for the Old Lumber Company they were restricted to the interior of the building on the location. If the permit is approved the motion should include a suspension of the restriction of the requirement for consumption only on the interior of the structure for this event.

Chad Grunewaldt, owner of Old Lumber Company, questioned the City Council on denying the street closing for the event noting that if they want to see the community grow they need to think outside the box for these special events. Chad asked the City Council to look at the big picture and do what is best for the community and the veterans who have done so much for the country. Chad stated that this is a way for the community to give back to the veterans.

Mayor Powell stated that denying the street closing had nothing to do with his support of local veterans groups and challenged the statements that the City Council did not support our veterans.

Discussion followed.

256-14

Alderman Holland moved to deny the permit for consumption on portion of Kidder Street from 5:00 p.m. to midnight on October 10th and from noon to midnight on October 11th for Old Lumber Company, LLC for a fundraising event benefiting the US Veterans Motorcycle Club of South Dakota. Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

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I. Resolution authorizing professional services for preparation of documents necessary for a General Obligation Bond for Prentis Park Improvements

John Prescott, City Manager, reported that over the last year several steps have been taken with regard to replacing the Prentis Park pool and upgrading Prentis Park. John stated that a Master Plan was developed and adopted by the City Council. John reported that in May City staff presented ideas on funding Prentis Park improvements. John stated that, in addition to using \$2 million of reserves, a General Obligation bond was proposed. John reported that a General Obligation bond which nets \$3 million for improvements has been proposed. John noted that public presentations are being made to gather public feedback on the proposed funding plan with the next public meeting scheduled for July 22nd. John reported that a General Obligation bond requires 60% voter approval. He stated that, if the City Council wants to move the bond question forward to the voters as part of the November 2014 election, a resolution adopting the bond and the related documents need to be developed and approved by the City Council in August. John reported that the City Council would be asked to consider adopting the General Obligation bond documents at the August 4, 2014 meeting. John recommended adopting the Resolution to engage Dorsey & Whitney, LLP as bond counsel and disclosure counsel and Dougherty & Company, LLC as underwriting for the General Obligation bond documents for the Prentis Park improvement project.

257-14

Alderman Willson moved approval of the resolution authorizing the firm of Dorsey & Whitney, LLP as bond counsel and disclosure counsel and Dougherty & Company, LLC as underwriting for the General Obligation bond documents for the Prentis Park Improvements. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

J. Resolution authorizing the purchase of a turf sweeper for the Parks Department

Jose Dominguez, City Engineer, reported that the 2000 Goosen Versa Vac was scheduled for replacement in the 2014 equipment replacement fund. Jose noted that staff proposes to purchase from a National Intergovernmental Purchasing Alliance a 2014 Versa Vac turf sweeper. The local distributor, Midwest Turf & Irrigation of Omaha has agreed to honor the purchasing alliance price. Jose recommended adoption of the resolution to purchase the equipment for \$23,998.00. Jose noted that the old vac has been declared surplus without any bid but now there is an offer of \$3,500. Discussion followed.

258-14

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

RESOLUTION AUTHORIZING THE PURCHASE OF A TURF SWEEPER

WHEREAS, SDCL 5-18A-37 authorizes a governmental entity to enter into agreements with purchasing agents in any other state for purchases under a joint agreement or contract at the accepted bid price and the concurrence of said bidder; and

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the National Intergovernmental Purchasing Alliance (National IPA), in conjunction with the City of Tucson, Arizona, for a turf sweeper from Toro Company's participating distributor, Midwest Turf & Irrigation, for the total amount of \$23,998.00 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Midwest Turf & Irrigation and they have agreed to allow the City to purchase a turf sweeper for the contract price and terms as awarded by the National IPA/City of Tucson, Arizona.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota that the City Finance Officer is hereby authorized to purchase a new 2014 Versa Vac turf sweeper from Midwest Turf & Irrigation of Omaha, Nebraska at the above stated price and under the same terms as the City of Tucson, Arizona.

Dated at Vermillion, South

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Dakota this 21st day of July, 2014.

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 Clarene Meins. 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.

K. Certification and Approval of the Vermillion Area Urban Boundary Map

Jose Dominguez, City Engineer, reported that the DOT, in conjunction with the Federal Highway Administration (FHWA), requires each city to review their urban boundary maps. The urban boundary map is a document that they will use to delineate areas that may affect funding for City transportation projects. Jose stated that the previous boundary map was adopted by the Council in 2002. Jose stated that the map will allow the City to possibly change the amount of City streets that may be funded by Federal funds. Jose stated that the first step is to approve this map. Jose stated that, following adoption by the City, the map will then be reviewed and, hopefully, adopted by the County. Jose noted that after the City and County approve the map it will have to be approved by FHWA. Jose noted that the City will then work with the DOT to modify the functional classification of streets, which will then affect the amount of money that the City receives and which streets qualify for the funding. Jose answered questions of the City Council on the map. Jose recommended approval of the map.

259-14

Alderman Willson moved approval of the Vermillion Area Urban Boundary Map as presented and authorized the Mayor to execute on behalf of the City. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

L. Vermillion Planning Commission appointment

Mayor Powell reported that five individuals have completed the expression of interest forms that were included in the Council packet. Mayor Powell recommended the appointment of Valerie Hower to fill the Planning Commission position vacated by Rich Holland that expires in 2017.

260-14

Alderman Willson moved approval of the appointment of Valerie Hower to fill the Planning Commission position vacated by Rich Holland that expires in 2017. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

M. Professional Service Agreement with Burbach Aquatics for pool replacement

John Prescott, City Manager, provided background on the Prentis Park pool replacement that is part of the master plan for Prentis Park. John stated that staff invited input from multiple aquatic design companies and felt most comfortable with Burbach Aquatics, Inc. as to pool design, probable construction costs and detailed information on yearly operation costs. John stated that the detailed contract is included in the packet with the cost being \$2,500. John recommended approval of the professional services contract with Burbach Aquatics, Inc for the pool design and other pertinent pool information. Discussion followed on the proposal.

261-14

Alderman Willson moved approval of the professional services contract with Burbach Aquatics, Inc in the amount of \$2,500 for pool design and other pertinent pool information. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

N. Request for temporary parking stall closure at 10 East Main Street for Coyote Twin Theatre from 7:00 a.m. to 5:00 p.m. on Thursday, July 31, 2014

Andy Colvin, Assistant to the City Manager, reported that a request was received to close four parking