

**2010 Legal and Public Notices**

entrance for visitor bus parking on the dates listed. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Request to close a portion of N. Pine Street from E. Cedar Street to E. National Street for Alpha Phi Bid Day on Thursday, August 21, 2014 from 11:00 a.m. to Midnight

John Prescott, City Manager, reported that a request was received from Alpha Phi sorority for the closing of a block of Pine Street from Cedar to National Street on August 21, 2014 from 11:00 a.m. to midnight. John stated that the request is included in the packet and that representatives from Alpha Phi are present to explain the request. Jessa Nath, representing Alpha Phi, explained the activities planned for the day noting that there will be 125 to 140 in attendance thus, for the safety of those attending, they are requesting the street closing. Jessa noted that the event will be from 5:00 p.m. to 9:00 p.m. so the street closing can be adjusted to 4:00 p.m. to 10:00 p.m. to allow time to setup and clean up.

275-14

Alderman Willson moved approval of the closing of Pine Street from Cedar to National Street on Thursday, August 21, 2014 from 4:00 p.m. to 10:00 p.m. Alderman Ward seconded the motion. Upon request, Jessa noted that they will be making contact with their neighbors to explain the street closing. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Resolution authorizing a General Obligation Bond for Prentis Park Master Plan Improvements

John Prescott, City Manager, reported that over the last year several steps have taken place with regard to replacing the Prentis Park pool and upgrading Prentis Park. John noted that the Prentis Park Master Plan was developed and adopted by the City Council in January 2014. John stated that in May staff presented ideas on funding the park improvements that consisted of using \$2 million of reserves, a General Obligation Bond which nets \$3 million and \$250,000 of grants/fundraising. At last meeting, the City Council authorized the preparation of the bond resolution for consideration at this meeting. John reported that the financing plan was presented at public meeting with the comments from the meeting included in the packet. John noted that the General Obligation Bond requires 60% voter approval at an election with the resolution calling for the election be combined with the November 4th General Election. John stated that the direction of the City Council was not to raise property taxes with the plan to repay the bond from a combination of second penny sales tax funds and the malt beverage mark up fee. John noted that the malt beverage mark up would be a separate ordinance that the City Council would need to consider. Discussion followed on the Master Plan and pool plan.

276-14

Alderman Willson introduced the following resolution and moved its adoption, which motion was seconded by Alderman Collier-Wise:

RESOLUTION DECLARING NECESSITY AND EXPEDIENCY OF ISSUING BONDS AND SUBMITTING THE QUESTION OF ISSUING BONDS TO THE VOTERS

BE IT RESOLVED, by the City Council of the City of Vermillion, South Dakota (the City), as follows:

1. It is hereby found, determined and declared that it is necessary and expedient for the City to issue and sell general obligation bonds in an aggregate principal amount not to exceed \$3,100,000, for the purpose of financing the acquisition and construction of Prentis Park Improvements to consist of a new swimming pool to replace the existing pool, parking lot, basketball courts and related improvements.
2. The question of issuing the bonds for the purpose set forth in Section 1 shall be submitted to the qualified City electors at the State of South Dakota general election, to be held on Tuesday, November 4, 2014, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m.
3. The Finance Officer is hereby authorized to cause an official ballot to be prepared for the election in a quantity sufficient for use by absentee voters, for instructional purposes and for use by all voters. The official ballot shall be in substantially the following form, with such changes as Clay County (the "County") may deem necessary in

**2010 Legal and Public Notices**

order to conform with current rules applicable to forms of ballots:

OFFICIAL BALLOT BOND ELECTION CITY OF VERMILLION, SOUTH DAKOTA November 4, 2014

Shall the City of Vermillion, South Dakota, issue its general obligation bonds in an aggregate principal amount not to exceed \$3,100,000, for the purpose of financing the acquisition and construction of Prentis Park Improvements to consist of a new swimming pool to replace the existing pool, parking lot, basketball courts and related improvements.

INSTRUCTIONS TO VOTERS: To vote on a ballot question FILL IN the oval next to "Yes" or "No." A vote "Yes" is in favor of issuing the bonds and a vote "No" is against the issuing of bonds.

SHALL THE ABOVE PROPOSITION BE APPROVED AND THE BONDS ISSUED? YES NO

4. The Finance Officer is hereby authorized and directed to publish the notice of election in all official newspapers of the City, once a week for two consecutive weeks prior to the date of the election, the second publication being not less than four nor more than 10 days prior to the election. The notice of election shall be in substantially the following form:

NOTICE OF BOND ELECTION CITY OF VERMILLION, SOUTH DAKOTA

NOTICE IS HEREBY GIVEN, that a special municipal election called by the City of Vermillion, South Dakota, will be held in conjunction with the State of South Dakota general election on Tuesday, November 4, 2014, between the hours of 7:00 o'clock a.m. and 7:00 o'clock p.m. at the following precincts and polling places:

Vermillion City: All Precincts -----National Guard Armory 603 Princeton St., Vermillion

NOTICE IS FURTHER GIVEN, that at the special election the following proposition shall be submitted to the electors of the City:

Shall the City of Vermillion, South Dakota, issue its general obligation bonds in an aggregate principal amount not to exceed \$3,100,000, for the purpose of financing the acquisition and construction of Prentis Park Improvements to consist of a new swimming pool to replace the existing pool, parking lot, basketball courts and related improvements?

Shall the above proposition be approved and the bonds issued?

All duly qualified electors residing within the City are entitled to vote at said election at the polling places described above.

Dated: \_\_\_\_\_, 2014 BY ORDER OF THE CITY COUNCIL /s/ Michael D. Carlson Finance Officer

5. The Finance Officer is hereby authorized and directed to comply with the requirements of South Dakota law relating to said election, including, without limitation, the applicable provisions of Chapter 9-13, South Dakota Codified Laws.

6. The Finance Officer shall distribute or provide for the distribution to the election officials at each polling place all necessary and suitable supplies for conducting the said election.

7. The polling places set forth in the form of notice contained in paragraph 4 of this resolution are hereby designated as the polling places for said election as fully as though set forth and resolved herein, and the Finance Officer is hereby directed to designate or cause to be designated judges and clerks of election for said precincts and polling places.

8. The Finance Officer shall provide for or cause to be provided the registration of voters, including by notice pursuant to South Dakota Codified Laws, Section 12-4-5.2. The County Auditor of Clay County (the "County") is expected to prepare registration lists for the City, in accordance with South Dakota Codified Laws, Sections 12 4 10 and 12 4 24.

9. The election shall be conducted and the votes cast thereat shall be counted, certified and canvassed

**2010 Legal and Public Notices**

in the manner required by law, and this Council shall meet within 7 days after the date of the election for the purpose of making such canvass and taking such further action with reference to the bonds as shall then be deemed necessary and expedient.

10. Pursuant to South Dakota Codified Laws, Section 12-2-6, the City may, by agreement with the County, cause to be carried out any of the provisions hereof.

Upon vote being taken thereon, the following voted in favor hereof: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell

and the following voted against the same: None

Whereupon the resolution was declared duly passed and adopted, and was signed by the Mayor and attested by the Finance Officer.

Dated at Vermillion, South Dakota this 4th day of August, 2014.

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

(seal) By: \_\_\_\_\_ John E. (Jack) Powell, Mayor ATTEST: By: \_\_\_\_\_ Michael D. Carlson, Finance Officer

D. Request to close High Street as it abuts the Fairgrounds immediately south of W. Cherry Street on Thursday, August 7 to August 10, 2014 from 7:00 a.m. to 5:00 p.m. for Clay County Fair

Mike Carlson, Finance Officer, reported that a request was received from the Clay County Fair Association to close High Street through the Fairgrounds from 7:00 a.m. Thursday, August 7th through 5:00 p.m. Sunday, August 10th for the Clay County Fair. Mike noted that the request is similar to previous years and that Jessica Kennedy, representing the Fair Board, was present to answer questions.

278-14

Alderman Collier-Wise moved approval of the closing of High Street through the Fairgrounds from 7:00 a.m. August 7th through 5:00 p.m. August 10th for the Clay County Fair. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Amendment to the Landfill baler building engineering services agreement

John Prescott, City Manager, reported that in February 2013 the City entered into a contract with HDR Engineering to design and perform professional engineering services for the landfill building that was destroyed in the fire. John noted that the contract has extended longer than what was originally estimated due to the need to bid twice and construction over the winter requiring more inspection. As such, HDR Engineering is requesting an amendment to the contract for the additional costs. John stated that the amendment proposed is for a \$9,056 increase in the contract for the building project to a total of \$138,781. Discussion followed.

279-14

Alderman Holland moved approval of amending the contract with HDR Engineering for engineering services for the landfill building in the amount of \$9,056 for an amended contract total of \$138,781. Alderman Erickson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. Presentation of the proposed 2015 budget

John Prescott, City Manager, stated that the 2015 Proposed Budget was included in the binder placed at each seat at the Council table. John stated that the budget utilizes conservative fiscal principals to develop a plan of action for 2015. John stated that the proposed budget will be reviewed during budget session scheduled for August 11th and 14th starting at 5:15 p.m. in the large conference room on second floor of City Hall. John noted that the Prentis Park Master plan funding was not included in the budget as the election will be on the 4th day of November. John reviewed some of the major items included in the budget. Discussion followed.

280-14

Alderman Collier-Wise moved to acknowledge receipt of the 2015 proposed budget. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

**2010 Legal and Public Notices**

G. Combined Election agreement for November General Election

Mike Carlson, Finance Officer, reported that the General Obligation Bond Resolution adopted earlier on the agenda requires an election to be approved. As the General Election is November 4th, it would be advantageous for the election to be combined thus the citizens do not need to go to the polls twice. Mike noted that, for the City to combine with the general election, an agreement is needed with the County. The agreement proposed is the same terms as used in May 2014 with the cost to the City of \$2,600. Mike noted that the combined elections have provided for a higher voter turnout. Mike recommended adoption of the agreement.

281-14

Alderman Willson moved approval of the combined election agreement with Clay County for the City General Obligation Bond election to be included with the November 4th general election. Alderman Clarene Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

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

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$2,998.2; Brunick's Service \$3.03; Item 2 - 1,000 gal unleaded regular: Stern Oil \$3,260.7; Brunick's Service \$3.32; Item 3 - 3,000 gal No. 2 Diesel fuel dyed: Stern Oil \$3,127.1; Brunick's Service \$3.21; Item 5 - 1,000 gal No. 2 diesel fuel-clear: Stern Oil \$3,380.6; Brunick's Service \$3.47

282-14

Alderman Willson moved approval of the low quote of Stern Oil on all items. Alderman Collier-Wise seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John wanted to remind citizens that Market Street will be closed for a half block south of Main Street, Thursday, August 7th from 5:00 p.m. to 8:00 p.m. for Thursdays on the Platz.

B. John reported on the approval of a raffle for the Vermillion After Prom Committee who will be selling tickets at \$5 each or 3 for \$10 from August 22nd to November 8th with the prize being the use of a USD skybox for the November 15th football game.

D. John reminded Council members of the budget meetings on Monday, August 11th and Thursday, August 14th starting at 5:15 p.m. in the large conference room.

E. John stated that the City Update will be coming out in the Equalizer this week.

11. Invoices Payable

283-14

Alderman Willson moved approval of the following invoices:

JOHN POWELL MEAL/MILEAGE REIMBURSEMENT 122.00 UNIVERSITY CLEANERS PROFESSIONAL SERVICES 30.00

Alderman Collier-Wise seconded the motion. Mayor Powell and Alderman Clarene Meins requested to abstain. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

284-14

Alderman Willson moved approval of the following invoices:

ACTION ELECTRIC CO. I-29 LIGHT POLE 4,955.00 ADAPCO, INC SUPPLIES 1,246.90 AMERICAN BUS CORP. OUT & ABOUT ADVENTURES 917.38 APPEARA SUPPLIES 54.27 ARAMARK UNIFORM SERVICES 48.00 UNIFORM CLEANING 220.00 ARGUS LEADER MEDIA #1085 SUBSCRIPTION 48.00 AVERA QUEEN OF PEACE HEALTH TESTING 569.40 AWWA MEMBERSHIP DUES 174.00 BAKER & TAYLOR BOOKS

**2010 Legal and Public Notices**

BOOKS 1,179.15 BANNER ASSOCIATES, INC PROFESSIONAL SERVICE TESTING 600.00 BARRY BRATTEN SAFETY BOOTS REIMBURSEMENT 40.00 BCBS OF ILLINOIS REFUND AMBULANCE PAYMENT 124.62 BIERSCHBACH EQPT & SUPPLIES 620.70 BLACKSTONE AUDIO INC BOOKS 300.00 BORDER STATES ELEC SUPPLY PARTS 581.20 BOUND TREE MEDICAL, LLC SUPPLIES 1,727.73 BRANDON HANSEN REIMBURSE SUPPLIES 14.13 BROADCASTER PRESS ADVERTISING 75.00 BROCK WHITE CO SUPPLIES 7,513.00 BRUNICKS SERVICE INC PROPANE 180.00 BUTCH'S PROPANE INC REPAIRS 260.00 BUTLER MACHINERY CO. PARTS 1,080.69 CAM COMMERCE PRINTER 572.62 CAMPBELL SUPPLY SUPPLIES 2,150.79 CASK & CORK MERCHANDISE 972.83 CENTER POINT LARGE PRINT BOOKS 178.99 CENTURY BUSINESS LEASING 138.25 COPIER CONTRACT CENTURY BUSINESS PRODUCTS COPIES 111.01 CENTURYLINK TELEPHONE 741.48 CHEMCO, INC SUPPLIES 361.80 CHERRY STREET GRILLE ROLLS 21.00 CHESTERMAN CO SUPPLIES 2,204.62 CITY OF VERMILLION COPIES/POSTAGE 1,750.68 CITY OF VERMILLION UTILITY BILLS 38,615.33 CLAY RURAL WATER SYSTEM 139.80 WATER USAGE/PVC PIPE COFFEE KING, INC SUPPLIES 57.75 COLONIAL LIFE ACC INS. INSURANCE 3,347.65 COMMERCIAL LIGHTING SUPPLIES 180.57 CONCRETE MATERIALS GOLF SAND 881.69 CONTINENTAL RESEARCH CORP CHEMICAL 1,765.19 COYOTE CONVENIENCE FUEL 15.68 CULLIGAN WATER BOTTLED WATER 76.00 DAKOTA BEVERAGE MERCHANDISE 7,855.33 DAKOTA PC WAREHOUSE PROFESSIONAL SERVICES 376.93 DAKOTA SUPPLY GROUP PARTS 243.89 DANIELS RESIDENTIAL INC BALER BUILDING 126,225.00 DANKO EMERGENCY SUPPLIES 895.88 DEAR READER.COM SUBSCRIPTION 550.00 DELTA DENTAL PLAN INSURANCE 6,446.48 DEMCO SUPPLIES 109.31 DENNIS MARTENS MAINTENANCE 833.34 DEPT OF PUBLIC SAFETY TELETYPE SERVICE 3,090.00 DEPT OF REVENUE TESTING 182.00 DEREK RONNING FITNESS MEMBERSHIP 175.00 DGR ENGINEERING PROFESSIONAL SERVICES 6,572.44 DIAMOND VOGEL PAINTS TRAFFIC PAINT 5,185.60 DUST TEX MATS 80.00 E.A SWEEN COMPANY SUPPLIES 78.70 EARTHGRAINS BAKING CO'S INC SUPPLIES 189.66 ECHO ELECTRIC SUPPLY SUPPLIES 939.74 ELECTRONIC ENGINEERING PARTS 768.40 FARMER BROTHERS CO. SUPPLIES 56.90 FASTENAL COMPANY PARTS 16.45 FEDEX SHIPPING 22.94 FOOT-JOY MERCHANDISE 132.15 FOREMAN MEDIA COUNCIL MTG 100.00 FOUR WINDS INTERACTIVE ANNUAL MAINTENANCE 381.00 GALE BOOKS 268.74

**2010 Legal and Public Notices**

GALLS INCORPORATED POLICE UNIFORMS 1,336.80 GEOTEK ENGINEERING TESTING 600.00 GRAYMONT CAPITAL INC CHEMICALS 3,766.56 GREGG PETERS FREIGHT 1,238.25 GREGG PETERS RENT 937.50 GUARANTEE OIL CO INC OIL 835.80 HACH CO SUPPLIES 427.40 HANDER INC. PLMG & HTG WASTEWATER BOILER 24,464.25 HARTINGTON TREE LLC STUMP GRINDING 3,135.00 HAUGER YARD/SNOW SERVICE MOWING 128.00 HAWKINS INC CHEMICALS 3,795.48 HD SUPPLY WATERWORKS SUPPLIES 11,809.08 HDR ENGINEERING, INC PROFESSIONAL SERVICES 6,082.70 HENDERSONS ULTIMATE CAR WASH CAR WASH CARD 100.00 HERREN-SCHEMPP BUILDING REPAIRS 35.55 HY VEE FOOD STORE SUPPLIES 232.29 INDEPENDENCE WASTE WASTE HAULING/TOILET RENTAL 1,758.40 INGRAM BOOKS 2,322.72 INTELLI TRACK ANNUAL SUPPORT 495.00 INTERNATIONAL CODE COUNCIL PUBLICATION 151.01 JACKS UNIFORM & EQPT SUPPLIES 1,224.00 JERRY SANDY GOLF FEES REFUND 181.00 JOE GLENN GOLF FEES REFUND 1,084.37 JOHN A CONKLING DIST. MERCHANDISE 7,026.85 JOHNSON BROTHERS FAMOUS BRANDS MERCHANDISE 13,613.35 JOHNSON CONTROLS MAINTENANCE/REPAIRS 950.13 JONES FOOD CENTER SUPPLIES 770.75 JONES FOOD CENTER OUT & ABOUT ADVENTURES 247.05 KALINS INDOOR COMFORT REPAIRS 959.25 KARSTEN MFG CORP MERCHANDISE 169.63 LAYNES WORLD SUPPLIES 540.00 LESSARD CONTRACTING LANDFILL CELL 5 231,688.80 LINCOLN REPUBLIC INSURANCE 477.58 LINDA CALLEJA MILEAGE REIMBURSEMENT 70.67 LOCATORS AND SUPPLIES, INC SUPPLIES 147.90 LOIS HALVERSON VANILLA BODY SPRAY 16.74 LSC ENVIRONMENTAL PRODUCTS EQUIPMENT RENTAL 2,200.00 MAGUIRE IRON, INC WATER STORAGE IMP 88,455.18 MART AUTO BODY TOWING 225.00 MARTY GILBERTSON REPAIRS 280.50 MATHESON TRI-GAS, INC SUPPLIES 123.26 MATTHEW R. FAIRHOLM, PH.D PROFESSIONAL SERVICES 250.00 MCCULLOCH LAW OFFICE PROFESSIONAL SERVICES 1,056.00 MEAD LUMBER SUPPLIES 183.35 MENARDS SUPPLIES 524.65 MERRICK INDUSTRIES PARTS 3,245.90 MICHELLE KOLLER MILEAGE REIMBURSEMENT 105.00 MICRO MARKETING LLC BOOKS 54.99 MIDWEST ALARM CO ALARM MONITORING 126.00 MIDWEST BUILDING MAINTENANCE MAT SVC 396.70 MIDWEST TURF & IRRIGATION PARTS 563.56 MIDWEST WHEEL COMPANIES PARTS 234.33 MINN MUNICIPAL UTILITY ASSOC 3RD QTR SAFETY MGMT PROGRAM 5,770.00 MISSOURI VALLEY MAINTENANCE REPAIRS 1,628.00