

2010 Legal and Public Notices

Bidders on this work will be required to comply with Title 40 CFR 33 and Executive order 12138. The requirements for bidders and contractors under this regulation which concerns utilization of Disadvantaged/Minority Business Enterprises (DBE/MBE) and Women's Business Enterprises (WBE) are explained in the specifications. The DBE/MBE and WBE goals for participation in this contract in terms of percentage of contract value are as follows: MBE 1.0 percent; WBE 4.0 percent.

Davis Bacon and Related Acts wages apply to this project. All provisions relative to those acts must be met.

OWNER'S RIGHT TO REJECT BIDS

The City of Vermillion reserves the right to waive irregularities and to reject bids.

CITY OF: _____
DATE: _____

City Manager

END OF SECTION

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Unapproved Minutes

Council Special Session
February 18, 2014
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, February 18, 2014 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Collier-Wise (arrived 12:11 p.m.), Meins, Osborne, Ward, Willson, Zimmerman, Mayor Powell

Absent: Davies, Grayson

2. Informational Session - Dakota Hospital Foundation - Tim Tracy

Tim Tracy, CEO of Sanford Vermillion, provided background on the Dakota Hospital Foundation (DHF) that started the hospital in 1930. Tim stated that the DHF has evolved with the changing health care needs in the community over the years. Tim stated that DHF is currently in a thirty year operating lease with Sanford Health that runs until 2027. He noted that DHF owns the building with Sanford Health operating the facilities. Tim reviewed the other contributions to the community provided by the DHF during the last year. He stated that DHF has been working with Sanford Health over the last six years on additional investments into facilities in Vermillion. Tim reported that Sanford Health and the DHF have entered into an agreement whereby \$12 million will be invested in Sanford Vermillion's medical facilities over the next five years. The agreement means Sanford Health will assume ownership for the infrastructure, including building projects and technology, at the conclusion of the project. Tim stated that DHF wanted to update the City Council on this agreement as the City assisted the hospital with financing for the hospital in 1992. Tim stated that the Sanford employees will be informed this afternoon and a press release will be made.

Collier-Wise arrived at 12:11 p.m.

Tim Tracy introduced Mary Merrigan with Sanford Vermillion and Lisa Ketcham President of DHF.

Tim Tracy answered questions of the City Council on the agreement as well as the hospital operations.

3. Briefing on the February 18, 2014 City Council Regular Meeting Agenda

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

4. Adjourn

45-14

Alderman Osborne moved to adjourn the Council special session at 12:26 p.m. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of February, 2014.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

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BY _____
John E. (Jack) Powell, Mayor

ATTEST:

BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
February 18, 2014
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, February 18, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

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

Absent: Davies, Grayson

2. Pledge of Allegiance

3. Minutes

A. Minutes of February 3, 2014 Special Session; February 3, 2014 Regular Session; February 4, 2014 Policies and Procedures Committee Meeting

46-14

Alderman Willson moved approval of the February 3, 2014 Special Session, February 3, 2014 Regular Session and February 4, 2014 Policies and Procedures Committee meeting. Alderman Osborne seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

47-14

Alderman Meins moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Alderman Ward reported that the Middle School 8th Grade Science Class was notified today that they made the final 15 in the nation for their Samsung Solve for Tomorrow contest regarding Asian Carp in the Missouri River.

6. Public Hearings

A. Retail on-off sale wine license for Varsity Pub, LLC for the Varsity Pub at 113 E Main Street

Mike Carlson, Finance Officer, reported that an application for a retail on-off sale wine license was received from Varsity Pub, LLC for the Varsity Pub at 113 E Main Street to operate until December 31, 2014. Mike noted that the business currently has a retail on-off sale malt beverage license with SD Farm wine and, as such, no background checks were required. The notice of hearing and the Police Chief's report are included in the packet. Mike reported that Diane Wirth was present to answer questions.

48-14

Alderman Zimmerman moved approval of the retail on-off sale wine license for the Varsity Pub, LLC for the Varsity Pub at 113 E Main. Alderman Collier-Wise seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

7. Old Business - None

8. New Business

A. Policies and Procedures Committee report on Airport Minimum Standards

Jose Dominguez, City Engineer, reported that the City Council considered the airport minimum standards at the January 6, 2014 meeting at which time it was referred to Policies and Procedures Committee. The Policies and Procedures Committee met on January 28, February 4 and at noon today to review the minimum standards. Jose reported that during the January 28th meeting there were four items that the Committee requested staff to try to resolve with Mr. Dave Howard. These four items were insurance, hour of operation, fueling rights and bathrooms in the hangers. Jose noted that the bathrooms were not part of the minimum standards but were an issue raised by Mr. Howard. He reported on meeting with Mr. Howard and the Committee on the issues and at the noon meeting today. Jose reviewed the changes made to the minimum standards. He reported that Mr. Howard stated that he did not have any objections to the airport minimum standards as presented. Jose reported that the Policies and Procedures Committee report on the airport minimum standards is included in the packet and that the City Council will consider the standards at the March 3rd

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meeting. Discussion followed on the committee report.

49-14

Alderman Collier-Wise moved to acknowledge receipt of the report of the Policies and Procedures Committee on the airport minimum standards. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

B. Resolution authorizing the sale of surplus pumper truck to Vermillion Rural Fire Department

Jason Anderson, Assistant City Engineer, reported that the 1992 Spartan/Smeal Charger C801 pumper truck was replaced in 2014. The 1992 truck was declared surplus, appraised and advertized for sale by sealed bids. The truck was appraised at \$40,000 and when bids were opened on January 14, 2014 no bids were received. The City Council authorized City staff to continue to market the truck for at least 90% of the appraised value. Jason stated that the Vermillion Rural Fire Department has now come forward and has expressed interest in purchasing this truck from the City and repurposing it as a rescue truck. Jason stated that the Rural Department proposed to City staff a purchase price of \$28,000. Jason reported SDCL 6-5 provides that if a governing body deems it advisable and in the best interest to the public to convey any property to another political subdivision or nonprofit corporation it may do so by resolution. Jason stated that a resolution has been prepared authorizing the sale for \$28,000. Jason stated that members of the Rural Department are present to answer questions.

Matt Taggart, Fire Captain, explained how the City truck will be repurposed into a rescue truck with projections on the savings. Matt answered questions of the City Council on the project.

50-14

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

RESOLUTION
AUTHORIZING THE SALE OF THE FIRE DEPARTMENT PUMPER TRUCK TO VERMILLION RURAL FIRE DEPARTMENT

WHEREAS, SDCL 6-13-1 authorizes the governing board of a municipality to sell personal property which is no longer necessary, useful, or suitable for the purpose for which it was acquired; and

WHEREAS, the City of Vermillion declared a 1992 Spartan/Smeal Charger C801 pumper truck, VIN#4S7AT9K07PC007273, as surplus property at the November 18, 2013 City Council meeting; and

WHEREAS, the City Council Surplus Property Appraisal Committee appraised the pumper truck at \$40,000; and

WHEREAS, zero bids were received when the City attempted to sell the pumper by sealed bids on January 14, 2014; and

WHEREAS, the Vermillion Rural Fire Department Incorporated, a registered South Dakota Domestic Nonprofit, would like to purchase the pumper truck for \$28,000; and

WHEREAS, it is financially advantageous to the Vermillion Rural Fire Department to purchase the pumper truck and repurpose it for use as a rescue vehicle; and

WHEREAS, the City of Vermillion Fire Department and Vermillion Rural Fire Department share both resources and manpower; and

WHEREAS, SDCL 6-5-2 allows for the City to transfer personal property to another political subdivision or nonprofit corporation.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion that the City Finance Officer is hereby authorized to sell the surplus 1992 Spartan/Smeal Charger C801 pumper truck to the Vermillion Rural Fire Department Incorporated for the amount of \$28,000.

Dated at Vermillion, South Dakota this 18th day of February 2014.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

By _____
John E. (Jack) Powell, Mayor

ATTEST:
By _____

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Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Ward. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

C. Resolution to purchase golf course greens mower

Jason Anderson, Assistant City Engineer, reported that the 2014 budget included the replacement of the 2003 Toro Greensmaster 3150 mower. Jason reported that he would recommend taking advantage of an attractive National Intergovernmental Purchasing Alliance (IPA) bid to purchase a 2014 Toro Triflex 3300 greens mower for \$29,951. He stated that the Toro Company participating distributor for South Dakota is Midwest Turf & Irrigation of Omaha, Nebraska who has agreed to sell the mower for the IPA bid price. Jason reported that the old mower has been declared surplus and is being advertized for sealed bids. Jason recommended approval of the resolution to purchase the 2014 mower.

51-14

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

RESOLUTION
AUTHORIZING THE PURCHASE OF A GOLF COURSE GREENS MOWER

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 greens mower from Toro Company's participating distributor, Midwest Turf & Irrigation, for the total amount of \$29,951.00 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 greens mower 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, that the City Finance Officer is hereby authorized to purchase a new 2014 Toro Triflex 3300 greens mower 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 Dakota this 18th day of February, 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 Willson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Resolution to purchase Solid Waste Department wheel loader

Jason Anderson, Assistant City Engineer, reported that the 2009 Caterpillar 904 wheel loader was destroyed in the landfill baler building fire. The loader was used inside the baler building to load garbage bales onto trucks and push garbage into the baler conveyor if needed. Jason stated that, with the completion of the new building anticipated for July of this year, the Solid Waste Department would like to purchase a loader to replace the unit destroyed in the fire. Jason reported that he would recommend taking advantage of an attractive National Intergovernmental Purchasing Alliance (IPA) bid to purchase a Caterpillar 906H2 wheel loader. Butler Machinery has agreed to honor the IPA bid price. The purchase

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would include a guaranteed total cost of repairs for 5000 hours/5 years with a total purchase price of \$92,395. Jason recommended approval of the resolution to purchase the wheel loader. Discussion followed on the purchase and old equipment.

52-14

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

RESOLUTION
AUTHORIZING THE PURCHASE OF A SOLID WASTE DEPARTMENT WHEEL LOADER

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, in conjunction with the City of Tucson, Arizona, for a wheel loader and accessories from Caterpillar, Inc.'s participating distributor, Butler Machinery Company, for the total amount of \$92,395.00 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Butler Machinery Company and they have agreed to allow the City to purchase a wheel loader and accessories 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, that the City Finance Officer is hereby authorized to purchase a new 2014 Caterpillar 906H2 wheel loader from Butler Machinery Company of Sioux Falls, South Dakota at the above stated price and under the same terms as the City of Tucson, Arizona.

Dated at Vermillion, South Dakota this 18th day of February, 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 Collier-Wise. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 7 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

9. Bid Openings

A. Surplus Street Department wheel loader

Jason Anderson, Assistant City Engineer, reported that the 2007 Caterpillar 928Gz wheel loader was budgeted to be replaced in 2014. The new loader has been received and the old loader was declared surplus with sealed bids opened on February 12th. The loader was appraised at \$96,500 and a minimum bid would be \$86,850. Jason stated that bid documents were sent to seven potential bidders with one bid received. The only bid was from Butler Machinery of Sioux Falls for \$86,850. Jason recommended accepting the only bid as it was 90% of the appraised value.

53-14

Alderman Willson moved approval of the only bid received for the sale of the surplus 2007 Caterpillar 928Gz wheel loader to Butler Machinery of Sioux Falls for \$86,850. Alderman Ward seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that Parks and Recreation Spring sign up is Tuesday, March 4th and Thursday, March 6th from 3:30 p.m. to 6:00 p.m. at the Armory. This sign up is for spring tumbling, gymnastics, youth baseball, youth softball and soccer. John stated that summer sign up is Wednesday, May 7th.

B. John reported that the Business Improvement District Board will be meeting Thursday, February 20th at 1:30 p.m. to discuss the proposed lodging fee with all the hotel and motel owners/managers. John stated that the proposed ordinance will be part of the March 17th City Council agenda

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per the Resolution of Intent adopted at the February 3rd meeting.

C. John reported on two raffle requests

A raffle notification from Southeast SD Pheasant Association was submitted and approved. They will be selling 500 tickets at \$20 each from February 19 to April 5, 2014. The drawing is on April 5, 2014. The prize is a Polaris 800 4 wheeler valued at \$8,000. Funds are used to support youth events, wildlife conservation and habitat preservation.

A raffle notification form from the Clay County Flyers 4-H Club was submitted and approved. They will be selling tickets from March 1 to June 14, 2014. Tickets are \$20 for a single chance; \$30 for two chances; \$40 for a knife and a chance; and \$50 for a knife and two chances. Prize is a Browning Silver 12 gauge shotgun valued at \$1,299. John noted that you must be 18 years of age to purchase a ticket. Raffle proceeds will go to the short and long-term benefit of the 4-H Club.

D. John asked Council members to check their calendars for their availability for a special meeting at noon on February 24th to meet with the Multi Housing Association regarding the 2012 codes that will be considered at the March 3rd meeting.

PAYROLL ADDITIONS AND CHANGES

Finance: Vicki Fader \$16.76/hr, Janis Johnson \$14.97/hr

11. Invoices Payable

54-14

Alderman Zimmerman moved approval of the following invoices:

BROADCASTER PRESS
ADVERTISING
2,552.13
BRUNICKS SERVICE INC
FUEL
9,716.20
BUREAU OF ADMINISTRATION
TELEPHONE
259.89
CAMPBELL SUPPLY
SUPPLIES
37.50
CANON FINANCIAL SERVICES
COPIER LEASE
196.27
CENTURYLINK
TELEPHONE
1,486.89
CLAY-UNION ELECTRIC
CORP
ELECTRICITY
968.39
DAKOTA BEVERAGE
MERCHANDISE
70.00
DEPT. ENVIRONMENT NATL
RES
LANDFILL OPERATIONS FEE
2,371.27
GREGG PETERS
MANAGERS FEE
5,375.00
JOE ENSMINGER
REIMBURSE UNIFORM
59.99
LEGGETTE, BRASHEARS &
GRAHAM
PROFESSIONAL SERVICES
6,286.61
LOREN FISCHER DISPOSAL
HAUL CARDBOARD
140.00
MARK CLARK
MEALS/MILEAGE REIMB
199.90
MATHESON TRI-GAS, INC
SUPPLIES
102.87
MIDAMERICAN
GAS USAGE
12,817.40
MIDCONTINENT COMMUNICATION
CABLE/INTERNET SERVICE
118.68
RESERVE ACCOUNT
POSTAGE FOR METER
950.00
SIOUX FALLS TWO WAY RADIO
REPAIRS
141.25
STERN OIL CO.
FUEL
9,244.59
UNITED PARCEL SERVICE
SHIPPING
80.63
US POSTMASTER
POSTAGE FOR UTILITY
BILLS
1,070.00
VERMILLION CHAMBER OF
COMMERCE
BANQUET TICKETS
90.00
VISA/FIRST BANK & TRUST
FUEL/LODGING/SUPPLIES
264.99
CLG, INC
BRIGHT ENERGY REBATE