

# 10 Vermillion Plain Talk

## 2010 Legal and Public Notices

Unapproved Minutes  
Council Special Session  
January 6, 2014  
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, January 6, 2014 at 12:00 noon at the City Hall large conference room.

### 1. Roll Call

Present: Collier-Wise, Davies, Osborne, Zimmerman, Mayor Powell

Absent: Grayson, Meins, Ward, Willson

### 2. Informational Session – Landfill Construction Projects Update – Bob Iverson

Bob Iverson, Solid Waste Director, reported on the construction projects at the landfill. Bob provided pictures of the building footings and short concrete walls that have been completed noting that the metal building was delivered this past week and construction should begin soon. Bob noted that the landfill crew moved and compacted the clay for the building base. Bob provided pictures of the leachate pond construction project. Bob noted that the leachate pond was built up fifteen feet above current grade with the clay removed from the trench. Bob explained how the liner, leachate plumbing, and pump systems were installed. Bob answered questions of the City Council on the landfill and construction projects.

### 3. Educational Session – Water Tower Construction Project update – Randy Isaacson

Randy Isaacson, Water Superintendent, reviewed a picture tour of the water tower construction. Randy noted that there is welding to be completed, electric system to be installed, control equipment and painting with a contract completion date of August 15th. Randy answered questions of the City Council on the tower construction project.

### 4. Educational Session – Proposal to update International Codes to 2012 editions – Farrel Christensen

Farrel Christensen, Building Official, stated that building codes are updated every three years and he is proposing that the City adopt the 2012 codes. Farrel stated that there are four codes to be adopted consisting of the International Building Code, International Residential Building Code, International Property Maintenance Code and the International Fire Code. Farrel stated that the current rental housing code will need to be updated to recognize the property maintenance code requirements for HVAC, hard wired smoke detectors and egress windows. Farrel stated that he would propose to have the ordinance for City Council consideration in February so that it is in place for the construction season. Farrel answered questions of the City Council on the building codes noting that this information will be passed along to the local chapter of the SD Multi Housing Association.

### 5. Briefing on the January 6, 2014 City Council Regular Meeting

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

### 6. Adjourn

1-14  
Alderman Osborne moved to adjourn the Council special session at 12:36 p.m. Alderman Collier-Wise seconded the motion. Motion carried 5 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 6th day of January, 2014.

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  
January 6, 2014  
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on January 6, 2014 at 7:00 p.m. by Mayor Powell.

### 1. Roll Call

Present: Collier-Wise, Davies, Meins, Osborne, Ward (arrived at 7:02 p.m.), Zimmerman, Mayor Powell

Absent: Grayson, Willson

### 2. Pledge of Allegiance

### 3. Minutes

A. December 16, 2013 Special Session; December 16, 2013 Regular Session

2-14  
Alderman Zimmerman moved approval of the December 16, 2013 Special Session and December 16, 2013 Regular Session. Alderman Meins seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

### 4. Adoption of Agenda

Alderman Ward arrived at 7:02 p.m.

## 2010 Legal and Public Notices

3-14  
Alderman Davies moved approval of the agenda. Alderman Zimmerman seconded the motion. Motion carried 7 to 0. Mayor Powell declared the motion adopted.

### 5. Visitors to be Heard - None

### 6. Public Hearings

A. Resolution of Necessity and Notice of Hearing for Sidewalk Repairs in the City of Vermillion (southwest quadrant)

Jose Dominguez, City Engineer, reported that the City instituted a new Sidewalk Inspection Program in 2010 which is meant to bring deficient portions of sidewalks up to a proficient standard. Jose stated that the program divided the City into quadrants with the southwest (south of National Street and west of Dakota Street) quadrant being inspected in 2013. During City inspections, staff looks for a couple of deficiencies: trippers and surface conditions. In addition, sidewalk tiles were inspected more closely to verify that they were functioning as originally constructed. If the panels were found to be deficient, they were also marked for replacement. Jose stated that on December 16, 2013 the City Council passed a Resolution of Necessity and Notice of Hearing setting the public hearing on the sidewalk repairs for January 6, 2014. Jose stated that the property owners were notified by mail and the notice of hearing has been published twice in the Plain Talk. Jose stated that the property owners will be given until June 30, 2015 to demonstrate that they have the work under contract to be completed by the end of 2015. If the property owners do not demonstrate that they either have the work under contract or that the work has been completed, then the work will be completed by the City. Jose reported that following the completion of repairs completed by a City hired contractor, the City Council will adopt a resolution approving the special assessment roll with any added adjustments in the amounts. Jose answered questions of the City Council.

4-14  
After reading the same once, Alderman Zimmerman moved adoption of the following:

RESOLUTION ADOPTING RESOLUTION OF NECESSITY FOR SIDEWALK REPAIRS 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 Hall at 7:00 p.m. on the 6th day of January, 2014, that the necessity has arisen for sidewalk repairs along the parcels of land hereinafter named, viz:

VIOLATION ADDRESS, VIOLATION LEGAL DESCRIPTION, VIOLATION PARCEL NUMBER  
10 AUSTIN, S 54' OF LOT 18 BLK 29 ORIGINAL TOWN , 15530-02900-180-00  
15 AUSTIN, LOTS 6 & 7 BLK 30 ORIGINAL TOWN & LOT 4, 5, 6, & 7 OF 18, 19, 20, BLK 30 ORIGINAL TOWN, 15530-03000-070-00  
102 AUSTIN, N 1/2 OF 13 & ALL OF 14 BLK 22 ORIGINAL TOWN, 15530-02200-140-00  
110 AUSTIN, LOT 12 & S 1/2 OF 13 BLK 22 ORIGINAL TOWN, 15530-02200-130-00  
15 BLOOMINGDALE, W 80' OF 1, 2 & W 80' OF N 13.5' LOT 3 BLK 13 ORIGINAL TOWN, 15530-01300-030-06  
18 BLOOMINGDALE, E 50' OF N 1/2 OF 12 & E 50' OF 13 & 14 BLK 14 ORIGINAL TOWN, 15530-01400-140-03  
21 BLOOMINGDALE, COMM 80' E OF NW COR LOT 1 THEN S TO 80' E OF SW COR' LOT 3 THEN E 44' THEN N TO N LINE OF LOT 1 THEN W 44' TO POINT OF BEGINNING BLK 13 ORIGINAL TOWN, 15530-01300-030-00  
22 BLOOMINGDALE, W 100' OF 10, 11, 12, 13 & 14 BLK 14 ORIGINAL TOWN, 15530-01400-140-00  
32 BLOOMINGDALE, LOTS 6 & 7 EXC W 62' BLK 24 ORIGINAL TOWN, 15530-02400-070-03  
12 CENTER, N 38.5' OF LOT 25 BLK 35 SNYDERS, 15720-03500-250-03  
24 CENTER, S 12' OF LOT 2 BLK 35 SNYDERS, 15720-03500-020-03  
103 CHURCH, LOT 1 BLK 24 ORIGINAL TOWN, 15530-02400-010-00  
107 CHURCH, LOT 2 & N 15' OF LOT 3 BLK 24 ORIGINAL TOWN, 15530-02400-030-00  
111 CHURCH, S 29' OF LOT 3 & N 15' OF LOT 4 BLK 24 ORIGINAL TOWN, 15530-02400-040-00  
7 COURT, S 34' OF LOT 4 & N 14' OF LOT 5 BLK 28 ORIGINAL TOWNSITE OF VERMILLION, 15530-02800-040-00  
9 COURT, N 18' OF 6 & S 30' OF 5 BLK 28 ORIGINAL TOWN, 15530-02800-050-00  
11 COURT, S 20' OF N 38' OF LOT 6 BLK 28 ORIGINAL TOWN, 15530-02800-060-00  
15 COURT, S 6' OF 6 & ALL OF LOT 7 BLK 28 ORIGINAL TOWN, 15530-02800-070-00  
16 COURT, LOTS 8,9,10 & 11 BLK 27 ORIGINAL TOWN, 15530-02700-110-00  
104 COURT, W 93' OF N 1/2 OF LOT 12 & W 93' OF 13 & 14 BLK 24 ORIGINAL TOWN, 15530-02400-140-00  
110 COURT, N 26' OF 11 & S 1/2 OF LOT 12 BLK 24 ORIGINAL TOWN, 15530-02400-120-00  
111 COURT, LOTS 1, 2, 3 & 4 BLK 23 ORIGINAL TOWN,

15530-02300-020-00  
116 COURT, N 1/2 OF LOT 10 & S 18' OF LOT 11 BLK 24 ORIGINAL TOWN, 15530-02400-110-00  
117 COURT, LOT 5 BLK 23 ORIGINAL TOWN, 15530-02300-050-00  
122 COURT, LOT 9 & S 1/2 OF LOT 10 BLK 24 ORIGINAL TOWN, 15530-02400-100-00  
124 COURT, LOT 8 BLK 24 ORIGINAL TOWN, 15530-02400-080-00  
125 COURT, LOT 7 BLK 23 ORIGINAL TOWN, 15530-02300-070-00  
203 COURT, LOTS 1 & 2 BLK 14 ORIGINAL TOWN, 15530-01400-020-00  
204 COURT, N 32' OF 13 & ALL OF 14 BLK 13 ORIGINAL TOWN, 15530-01300-140-00  
215 COURT, W 1/2 OF VAC COURT ST LOCATED BTWN S 34' OF LOT 5 & ALL LOTS 6 & 7 BLK 14 & S 34' OF LOT 10 & ALL OF LT 8 & 9 BLK 12 BLK 14 ORIGINAL TOWN & LOTS 3, 4, 5, 6, 7, BLK 14 ORIGINAL TOWN, 15530-01400-010-00  
15530-01400-070-00  
2 E. MAIN, LOTS 15 & 16 BLK 34 SNYDERS, 15720-03400-160-00  
6 E. MAIN, LOT 17 BLK 34 SNYDERS, 15720-03400-170-00  
8 E. MAIN, LOT 18 BLK 34 SNYDERS, 15720-03400-180-00  
10 E. MAIN, LOT 19 BLK 34 SNYDERS, 15720-03400-190-00  
12 E. MAIN, LOT 20 BLK 34 SNYDERS, 15720-03400-200-00  
15 E. MAIN, LOTS 3 THRU 7 & 21 THRU 24 & LOT V1 BLK 27 ORIGINAL TOWN, 15530-02700-000-00  
14 E. MAIN, LOTS 21 & W 6' OF 22 BLK 34 SNYDERS, 15720-03400-220-00  
20 E. MAIN, E 47' OF 22 & ALL OF 23 BLK 34 SNYDERS, 15720-03400-230-00  
100 E. MAIN, W 20.1' OF LOT 15 BLK 33 SNYDERS, 15720-03300-150-00  
101 E. MAIN, LOTS 15, 16 & 17 BLK 26 REPLAT OF LOTS 13 & 14 ORIGINAL TOWN, 15530-02600-170-00  
102 E. MAIN, E 9.9' OF LOT 15 & W 10' OF LOT 16 BLK 33 SNYDERS, 15720-03300-160-00  
104 E. MAIN, E 16' OF LOT 16 & W 4' OF LOT 17 BLK 33 SNYDERS, 15720-03300-170-02  
106 E. MAIN, E 23' OF LOT 17 BLK 33 SNYDERS, 15720-03300-170-00  
108 E. MAIN, LOT 18 EXC 18A BLK 33 SNYDERS, 15720-03300-180-00  
110 E. MAIN, LOT 18A BLK 33 SNYDERS, 15720-03300-180-02  
112 E. MAIN, LOT 19 & W 11' OF 20 BLK 33 SNYDERS, 15720-03300-200-00  
113 E. MAIN, W 31' OF LOTS 1, 2, 3 & 4 BLK 26 ORIGINAL TOWN, 15530-02600-040-12  
115 E. MAIN, E 20' OF W 51' OF LOTS 1, 2, 3 & 4 BLK 26 ORIGINAL TOWN, 15530-02600-040-09  
117 E. MAIN, E 15' OF W 66' OF LOTS 1, 2, 3 & 4 BLK 26 ORIGINAL TOWN, 15530-02600-040-06  
119 E. MAIN, E 29.5' OF W 95.5' OF LOTS 2, 3, 4, & E 66' OF W 32' OF LOT 1 BLK 26 ORIGINAL TOWN & 15530-02600-040-03  
120 E. MAIN, E 15' OF S 90' OF LOT 20 & S 90' OF LOTS 21, 22, 23, 24, & 25 BLK 33 SNYDERS ADDN, 15720-03300-250-03  
125 E. MAIN, W 41' OF VACATED DAKOTA ST ABUTTING LOT 1 & E 18' OF LOT 1 BLK 26 ORIGINAL TOWN, 15530-02600-010-00  
109 E. NATIONAL, E 48' OF N 20' OF LOT 13 & E 48' OF LOT 14 BLK 33 SNYDERS, 15720-03300-140-03  
17 ELM, LOT 11 BLK 33 SNYDERS, 15720-03300-110-00  
23 ELM, W 85' OF LOT 14 & W 85' OF N 20' OF LOT 13 BLK 33 SNYDERS, 15720-03300-140-00  
121 KIDDER, LOTS 14, 15, 16 & 17 BLK 29 ORIGINAL TOWN, 15530-02900-170-00  
5 LUXEMBURG, N 70' OF 18, 19 & 20 BLK 31 ORIGINAL TOWN, 15530-03100-200-00  
9 LUXEMBURG, S 52' OF 18, 19 & 20 BLK 31 ORIGINAL TOWN, 15530-03100-200-03  
5 MARKET, N 23'4 OF S 27' 2 1/2 OF LOT 2 BLK 29 ORIGINAL TOWN, 15530-02900-020-03  
11 MARKET, LOT 5 & 6 BLK 29 ORIGINAL TOWN, 15530-02900-050-00  
14 MARKET, LOT 10 & N 20' OF E 50' & S 24' OF LOT 11 BLK 28 ORIGINAL TOWN, 15530-02800-100-00  
17 MARKET, LOT 11 BLK 29 ORIGINAL TOWN, 15530-02900-100-00  
21 MARKET, LOT 11 BLK 29 ORIGINAL TOWN, 15530-02900-110-00  
23 MARKET, LOT 12 BLK 29 ORIGINAL TOWN, 15530-02900-120-00  
24 MARKET, LOT 9 BLK 28 ORIGINAL TOWN, 15530-02800-090-00  
26 MARKET, LOT 8 BLK 28 ORIGINAL TOWN, 15530-02800-080-00  
116 MARKET, LOTS 10, 11 & 12 BLK 23 ORIGINAL TOWN, 15530-02300-110-00  
5 PROSPECT, LOT HD-1 LOT 15 BLK 35 SNYDERS, 15720-03500-150-03  
16 PROSPECT, LOT 3 BLK 36 SNYDERS, 15720-03600-030-00  
25 PROSPECT, N 1/2 OF LOT 13 & ALL OF LOT 14 BLK 35 SNYDERS, 15720-03500-140-00  
111 W. KIDDER, LOT 13 BLK 29 ORIGINAL TOWN, 15530-02900-130-00  
121 W. KIDDER, LOTS 14, 15, 16 & 17 BLK 29 ORIGINAL TOWN, 15530-02900-170-00  
1 W. MAIN, S 60.5' OF LOT 25 BLK 35 SNYDERS ADDN, 15720-03500-250-00  
2 W. MAIN, LOT 25 BLK 28

## 2010 Legal and Public Notices

ORIGINAL TOWN, 15530-02800-250-00  
3 W. MAIN, LOT 24 BLK 35 SNYDERS, 15720-03500-240-00  
4 W. MAIN, LOT 24 BLK 28 ORIGINAL TOWN, 15530-02800-240-00  
5 W. MAIN, LOTS 22 & 23 BLK 35 SNYDERS, 15720-03500-230-00  
9 W. MAIN, LOT 21 BLK 35 SNYDERS, 15720-03500-210-00  
10 W. MAIN, LOT 21 BLK 28 ORIGINAL TOWN, 15530-02800-210-00  
12 W. MAIN, LOT 20 & ALL VAC ALLEY ADJ TO LOT 20 BLK 28 ORIGINAL TOWN, 15530-02800-200-00  
13 W. MAIN, E 23 1/2' OF LOT 19 BLK 35 & ALL OF VAC ALLEY SNYDERS, 15720-03500-190-03  
16 W. MAIN, LOT 18 & W 25' OF E 50' OF LOT 12 BLK 28 ORIGINAL TOWN OF VERMILLION, 15530-02800-180-00  
15 W. MAIN, E 5.5' OF LOT 18 & W 12.5' OF LOT 19 BLK 35 SNYDERS, 15720-03500-190-00  
18 W. MAIN, W 25' OF N 20' OF E 75' OF 11 & W 25' OF E 75' OF 12 & ALL LOT 17 BLK 28 ORIGINAL TOWN, 15530-02800-170-00  
19 W. MAIN, LOT 17 & W 12.5' OF 18 BLK 35 SNYDERS, 15720-03500-180-00  
23 W. MAIN, E 25' OF LOT 15 BLK 35 SNYDERS, 15720-03500-150-06  
24 W. MAIN, W 30' OF LOTS 12 & 15 EXC W 5' & N 10' & N 3.4' OF W 31.4' LOT 11 EXC W 5' BLK 28 ORIGINAL TOWN, 15530-02800-150-03  
25 W. MAIN, W 25' OF LOT 15 EXC LOT HD-1 BLK 35 SNYDERS, 15720-03500-150-00  
101 W. MAIN, LOT 24 BLK 36 SNYDERS ADDN, 15720-03600-230-00  
108 W. MAIN, LOT B BLK 29 ORIGINAL TOWN, 15530-02900-020-00  
113 W. MAIN, LOTS 15, 16 & 17 BLK 36 SNYDERS, 15720-03600-170-00  
114 W. MAIN, LOTS 19 & 20 BLK 29 ORIGINAL TOWN, 15530-02900-200-00  
120 W. MAIN, N 78' OF LOT 18 BLK 29 ORIGINAL TOWN, 15530-02900-180-03  
200 W. MAIN, N 125' OF LOTS 18, 19, 20 BLK 30 ORIGINAL TOWN, 15530-03000-200-03  
211 W. MAIN, LOTS 1 TO 14 BLK 37 SNYDERS, 15720-03700-140-00  
212 W. MAIN, E 10' OF 16 & ALL IF 17 BLK 30 ORIGINAL TOWN , 15530-03000-170-00  
222 W. MAIN, LOT 15 & W 40' OF 16 BLK 30 ORIGINAL TOWN, 15530-03000-160-00  
301 W. MAIN, LOT PE-1 A PPT OF LOTS 5 & 6 BLK 38 SNYDERS, 15720-03800-000-00  
309 W. MAIN, TRACT D-1 BLK 38 SNYDERS, 15720-03800-000-06  
315 W. MAIN, E 100' OF S 24' OF 11 BLK 38 SNYDERS & LOT 16 & 17 BLK 38 SNYDERS, 15720-03800-110-06  
317 W. MAIN, LOT 15 & W 50' OF S 24' OF LOT 11 BLK 38 SNYDERS ADDN, 15720-03800-150-00  
320 W. MAIN, LOTS 4 & 5 & N 1/2 OF 6 BLK 31 ORIGINAL TOWN & LOTS 15, 16, 17 BLK 31 ORIGINAL TOWN & LOTS 8, 9, 10, & 11 BLK 31 ORIGINAL TOWN, 15530-03100-060-00  
15530-03100-110-00  
15530-03100-170-00  
14 WASHINGTON, LOT 4 BLK 38 SNYDERS, 15720-03800-040-00  
16 WASHINGTON, S 1' OF LOT 2 & ALL 3 BLK 38 SNYDERS, 15720-03800-030-00  
22 WASHINGTON, LOT 1 & N 43' OF LOT 2 BLK 38 SNYDERS, 15720-03800-020-00  
115 MARKET, LOTS 4, 5, 6 & 7 BLK 22 ORIGINAL TOWN, 15530-02200-070-00  
7 MARKET, S 3' 10.5" OF LOT 2 & N 19' 10.5" OF LOT 3 BLK 29 ORIGINAL TOWN, 15530-02900-030-00

Don Foley, owner of 209 N Harvard, stated that there are already a lot of costs in owning and operating his rental property without the cost of a paved alley. He stated that the gravel alley has been fine for ninety years and if the City wanted to pave the alley the City should pay for the pavement.

John Prescott, City Manager, reported that the property owners along the alley have presented the City with a signed petition requesting the alley to be paved. The City Council is acting upon the request of the adjoining property owners to pave the alley.

5-14  
After reading the same once, Alderman Collier-Wise moved adoption of the following:

RESOLUTION ADOPTING RESOLUTION OF NECESSITY FOR CONSTRUCTION OF CONCRETE SURFACING ALONG THE NORTH TO SOUTH ALLEY IN BLOCK 68, BIGELOW'S ADDITION FROM EAST CLARK STREET TO EAST CLARK STREET  
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 Hall at 7:00 p.m. on the 6th day of January, 2014, that the necessity has arisen for the construction of a concrete alley along the parcels of land hereinafter named, viz:  
AFFECTED ADDRESS, AFFECTED LEGAL DESCRIPTION, AFFECTED PARCEL NUMBER  
225 N. HARVARD, N 1/2 OF 6 & ALL OF 7, BLK 68, BIGELOWS, 15050-06800-070-00  
221 N. HARVARD, LOT 5 & S 1/2 OF 6, BLK 68, BIGELOWS, 15050-06800-060-00  
215 N. HARVARD, LOT 4, BLK 68, BIGELOWS, 15050-06800-040-00  
209 N. HARVARD, N 1/2 OF LOT 2 & ALL OF LOT 3, BLK 68, BIGELOWS, 15050-06800-030-00  
205 N. HARVARD, LOT 1 & S 1/2 OF 2, BLK 68, BIGELOWS, 15050-06800-020-00  
222 N. YALE, LOTS 8 & 9, BLK 68, BIGELOWS, 15050-06800-090-00  
218 N. YALE, LOTS 10 & 11, BLK 68, BIGELOWS, 15050-06800-110-00  
204 N. YALE, LOTS 12, 13 & 14, BLK 68, BIGELOWS, 15050-06800-140-00

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 16th day of December 2013 is approved and that the Engineer shall proceed with the work in the manner provided by law.

BE IT FURTHER RESOLVED, that the property owner shall, at their own expense, repair the sidewalk according to the specifications filed in the office of the City Engineer. The repairs must be under contract by the 30th day of June 2015 for completion by December 31, 2015.

Dated at Vermillion, South Dakota this 6th day of January, 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.

B. Resolution of Necessity and Notice of Hearing for Construction of Concrete surfacing along the North

## 2010 Legal and Public Notices

to South alley in Block 68, Bigelow's Addition from E. Clark Street to E. Cedar Street

Jose Dominguez, City Engineer, reported that in 2012 Mrs. Teresa Gilbertson approached the City regarding the paving of the alley located in Block 68 of Bigelow's Addition. Mrs. Gilbertson, along with her north and south neighbor, were concerned with the damage to the alley due to the high traffic utilizing the alley. Mrs. Gilbertson was given a petition, with an estimate, to circulate among the fronting property owners. Jose stated that Mrs. Gilbertson returned the petition with signatures of over 45-percent of the property owners requesting the resolution. Mrs. Gilbertson, and her neighbors, would like the alley to be paved during the 2014 construction year.

Jose stated that on December 16, 2013 the City Council passed a Resolution of Necessity and Notice of Hearing setting the public hearing on the sidewalk repairs for January 6, 2014. Jose stated that the property owners were notified by mail and the notice of hearing has been published once in the Plain Talk. Jose noted that following the completion of the project by the City hired contractor, the City Council will adopt a resolution approving the special assessment roll with any added adjustment in the amounts.

Don Foley, owner of 209 N Harvard, stated that there are already a lot of costs in owning and operating his rental property without the cost of a paved alley. He stated that the gravel alley has been fine for ninety years and if the City wanted to pave the alley the City should pay for the pavement.

John Prescott, City Manager, reported that the property owners along the alley have presented the City with a signed petition requesting the alley to be paved. The City Council is acting upon the request of the adjoining property owners to pave the alley.

5-14  
After reading the same once, Alderman Collier-Wise moved adoption of the following:

RESOLUTION ADOPTING RESOLUTION OF NECESSITY FOR CONSTRUCTION OF CONCRETE SURFACING ALONG THE NORTH TO SOUTH ALLEY IN BLOCK 68, BIGELOW'S ADDITION FROM EAST CLARK STREET TO EAST CLARK STREET

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 Hall at 7:00 p.m. on the 6th day of January, 2014, that the necessity has arisen for the construction of a concrete alley along the parcels of land hereinafter named, viz:

AFFECTED ADDRESS, AFFECTED LEGAL DESCRIPTION, AFFECTED PARCEL NUMBER  
225 N. HARVARD, N 1/2 OF 6 & ALL OF 7, BLK 68, BIGELOWS, 15050-06800-070-00  
221 N. HARVARD, LOT 5 & S 1/2 OF 6, BLK 68, BIGELOWS, 15050-06800-060-00  
215 N. HARVARD, LOT 4, BLK 68, BIGELOWS, 15050-06800-040-00  
209 N. HARVARD, N 1/2 OF LOT 2 & ALL OF LOT 3, BLK 68, BIGELOWS, 15050-06800-030-00  
205 N. HARVARD, LOT 1 & S 1/2 OF 2, BLK 68, BIGELOWS, 15050-06800-020-00  
222 N. YALE, LOTS 8 & 9, BLK 68, BIGELOWS, 15050-06800-090-00  
218 N. YALE, LOTS 10 & 11, BLK 68, BIGELOWS, 15050-06800-110-00  
204 N. YALE, LOTS 12, 13 & 14, BLK 68, BIGELOWS, 15050-06800-140-00

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 16th day of December 2013 is approved and that the Engineer shall proceed with the work in the manner provided by law.

Dated at Vermillion, South Dakota this 6th day of January, 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 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 of Necessity and Notice of Hearing for Construction of Concrete surfacing and improvements along N. Norbeck Street from Roosevelt Street to E. Clark Street