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Prospect Street, one-half block south on Court Street, and one-half block north on Center Street from 3:00 p.m. to 7:30 p.m. on Wednesday, July 17, 2013 for the Tri-State Cruisers/Dakota Classic Cruisers

Mike Carlson, Finance Officer, reported that a request was received from the Tri-State Drive-in Cruisers to close portions of Main Street, Court Street and Center Street on Wednesday, July 17, 2013 from 3:00 p.m. to 7:30 p.m. to host their annual car show. Mike stated that the street closing request, diagram of the area and flier for the event are included in the packet. Police, Fire and EMS Departments have been notified of the closure request and have found no safety concerns.

George Roetman and Bob Gilkey, representing the Tri-State Drive-in Cruisers, requested that the time be changed to 4:00 p.m. to 8:00 p.m. to not disrupt the downtown businesses. George stated that this event is a great opportunity to promote our downtown business district.

196-13

Alderman Willson moved approval of the temporary closing of Main Street from Prospect Street to the Bank of the West Drive-thru, Court Street south of Main Street for a half block to the alley, and Center Street from Main Street north to National Street on Wednesday, July 17, 2013 from 4:00 p.m. to 8:00 p.m. to host their annual car show. Alderman Grayson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Final Plat of Lots 3-4 in Block 1, Lots 2-7 in Block 2, Lots 1-5 in Block 3, Lots 1-2 in Block 4, and Outlots A and B of French East Addition (south of E. Main Street and north of Lewis Street on either side of S. Mickelson Street)

Jose Dominguez, City Engineer, reported on the location of the property to be platted that consisted of connecting Mickelson Street south of Main and the intersecting streets of Foss Court on the west and Janklow Court on the east. Jose noted the majority of the lots to be platted will be fronting South Mickelson Street. Jose reported that a drainage pond will be platted into a lot that will front Foss Court. Jose stated that this Final Plat will open 14 single-family lots for development and additional single-family lots will open when the balance of the 18-acre tract is final platted in the future.

Jose stated that the developer is being asked to sign an agreement/covenant that will run with the land. This document will further detail the property owner's responsibilities over the drainage easements. The agreement/covenant will also delineate what the owner may do over the easement. Jose reported the final plat was reviewed by the Planning Commission at their June 24th meeting. At that meeting, the Planning Commission unanimously recommended that the Council approve the plat contingent upon the approval of the agreement and covenants.

Ted Muenster, resident of 509 Linden, stated that he is a member of the Planning Commission that approved this plat but tonight he is addressing the Council on his own behalf. Ted commended the French family on opening up residential housing sites that are needed in the community as well as naming the courts provided in the plat after two former governors Foss and Janklow. Ted reviewed the accomplishments of each governor noting that he knew Janklow well and felt he would be accepting of the recognition. Ted requested the City Council's approval of the plat as presented. Discussion followed with Mr. Muenster answering questions of the City Council.

197-13

After reading the same once, Alderman Ward moved approval of the following plat, contingent upon the approval of the agreement and covenants:

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lots 3-4 in Block 1, Lots 2-7 in Block 2, Lots 1-5 in Block 3, Lots 1-2 in Block 4, and Outlots A and B of French East 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

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platt 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 Willson. Discussion followed on the plat, as it applied to Janklow Court, questioning if this would be an appropriate name for the street. The question of the adoption of the Resolution was presented for a vote of the Governing Body with Mayor Powell requesting a roll call vote. The roll call vote of the Governing Body is as follows: Collier-Wise-N, Davies-Y, Grayson-N, Meins-Y, Osborne-N, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y. 6 members voted in favor of and 3 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

C. Agreement and Covenants for Lots 3 and 4 in Block 1, Lots 1 and 2 in Block 4, and Outlots A and B of French East Addition with French Investments, L.L.C.

Jose Dominguez, City Engineer, reported that the plat previously approved showed several drainage easements around the property. He stated that these easements will be used either to convey storm water or to detain it. The agreement states that the owner of the land will be responsible for mowing, weeding and landscaping. Jose noted that all other maintenance issues associated with the drainage easements will be the responsibility of the City (e.g. mucking of silt in the pond, fixing a broken pipe, etc.). In addition, the agreement prohibits the owner of the lot from erecting any structures, building a fence or changing the elevations within the easements. This is due to the fact that the easements are meant to convey storm water and we do not want a structure built within the easement to dam the water. The drainage easements will also convey water from a couple of low spots along the perimeter of the property into the pond or pipe. Jose stated that this will improve the area by removing existing low spots and will also allow the developer to build the land without negatively impacting the neighbors. Jose recommended approval of the covenants. Discussion followed on if the city had any liability issues with a detention pond and the related stormwater easements.

198-13

Alderman Grayson moved approval of the Agreement and Covenants for Lots 3 and 4 in Block 1, Lots 1 and 2 in Block 4, and Outlots A and B of French East Addition with French Investments, L.L.C. as presented. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

D. First Reading of Ordinance No. 1301 - Amending Chapter 152, Signs

Jose Dominguez, City Engineer, reported that in 2010 the City was approached by USD to add signs along certain City streets to help visitors find USD buildings. Jose stated that the proposed signs could not be installed along Cherry Street since this is controlled by the State. Jose stated that he has been working with the State and now they have adopted a policy which allows municipalities to install wayfinding signs along the DOT routes. Jose stated that the DOT requires that the municipalities first adopt an ordinance for the wayfinding signs. Jose reported that the proposed ordinance will be amending the existing sign ordinance by including a section for wayfinding signs. Wayfinding signs will be defined as a sign used to direct tourists, visitors and other road users to key civic, cultural and visitor attractions within the City. Jose noted that the ordinance will have criteria for locations to meet in order for them to be considered a civic, cultural or visitor destination. Jose stated that the ordinance will also have the specifications for what the signs will look like (black text on white background with red arrows, and a double border of red and black) which was required by the State. Jose reviewed a sample of the sign proposed. Jose reported that the DOT has reviewed the proposed ordinance. Jose stated that \$20,000 was included in the budget for the signs and the Street Department will install the signs. Discussion followed on the wayfinding signs, locations of the signs and timeline for installation. Jose provided a map of sign locations.

199-13

Alderman Grayson moved approval of the Agreement and Covenants for Lots 3 and 4 in Block 1, Lots 1 and 2 in Block 4, and Outlots A and B of French East Addition with French Investments, L.L.C. as presented. Alderman Ward seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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Mayor Powell read the title to the above mentioned Ordinance and Alderman Grayson moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No 1301 entitled An Ordinance Amending Chapter 152, Signs, Section 152.02 definitions, and adding Section 152.14 Wayfinding Signs, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, regarding regulations for signs within the City of Vermillion and the Joint Jurisdictional Zoning Area of Clay County of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 1st day of July, 2013 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Ward. After discussion, the question of adoption of the Resolution was put to a vote of the Governing Body and 9 members voted in favor of and 0 members voted in opposition to the motion. Mayor Powell declared the motion adopted.

E. Work Order for West Main Street Mill and Overlay Project

Jose Dominguez, City Engineer, reported that West Main Street from High Street to Stanford Street is scheduled to be milled and overlaid during the 2015 construction season as a STIP project. In order to have the construction documents ready by that time, we need to contract with a consultant now for the survey and design work of the new street. Jose noted that the State will require a work order for the project to allow Sayre Associates to complete the construction documents and topographical work required for the construction of the improvements along West Main Street. The work to be covered by the work order is described, in detail, in the attached scope of services provided by the DOT. Jose stated within the scope of services, the DOT also outlines deadlines that will have to be met for the project. For example, the preliminary plans will have to be delivered to the DOT for review no later than November 15, 2013, while the final plans will be submitted around July 1, 2014. The scope of services also requires that the project be completed by May 1, 2015. Jose reported the cost associated with the design and topographical work will be paid directly by the DOT out of the City's allocated STIP funds. The DOT has set a price not to exceed \$43,540.91 for the work order. Jose recommended approval of the work order for the West Main mill and overlay project.

200-13

Alderman Willson moved approval of the Work Order for the West Main Street mill and overlay project as provided by the DOT. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. 2012 Audited Comprehensive Annual Report

Mike Carlson, Finance Officer, reported that the 2012 Audited Comprehensive Financial Report is included in the packet. The firm of Williams & Company completed the audit. Also included in the packet is a letter to the Mayor and Council from Williams & Company listing two items discovered as part of the annual audit that they have recommended adjusting entries be made. The Department of Legislative Audit has reviewed and accepted the audit report with their letter included in the packet. Mike noted that the City Council will need to accept the report. Discussion followed on the audit report and audit services.

201-13

Alderman Davies moved approval of the acceptance of the 2012 Audited Comprehensive Financial Report. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

G. Agreement between City of Vermillion and Vermillion Chamber of Commerce and Development Company to allocate TIF 5 revenues for improvements

John Prescott, City Manager, reported that the City Council approved the boundaries of Tax Incremental District #5 on April 15, 2013 and on May 20, 2013 approved the Project Plan for TIF #5. The purpose of the Project Plan is to assist the VCDC with construction of a 30,000 sq. foot building and site improvements to facilitate the Eagle Creek Software System expansion to Ver-

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million. John stated that the attached agreement is the final step in TIF project for the City. The agreement between the City and VCDC provides for the actual transfer of the TIF funds. The agreement provides that the City will establish a TIF 5 fund where the property tax receipts will be deposited. The agreement also restates the eligible costs and dollar amounts from the TIF Plan. John noted that the VCDC will be incurring the debt with the project not the city. Discussion followed.

202-13

Alderman Willson moved approval of the agreement between the City of Vermillion and the Vermillion Chamber of Commerce and Development Company to provide for the transfer of TIF 5 revenue collections. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

H. Resolution Dissolving Tax Incremental District Number One

Mike Carlson, Finance Officer, reported that Tax Incremental District Number One was created in April 1994 by the City to fund the golf course and housing development improvements in the Smith-Quam Addition. Mike stated that the final bond payment was made in February, 2013 and with the collection of the balance of the taxes due in 2013 the City can dissolve the district. Mike noted that State statute requires the City Council to adopt a resolution to dissolve a tax incremental district. Mike recommended the adoption of the resolution to dissolve tax incremental district number one. Discussion followed.

203-13

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

RESOLUTION DISSOLVING TAX INCREMENTAL DISTRICT NUMBER ONE

WHEREAS, on April 4, 1994 the Vermillion City Council by resolution created Tax Incremental District Number One; and

WHEREAS, tax incremental district number one consisted of the Smith-Quam Addition all in Clay County, South Dakota; and

WHEREAS, on June 20, 1994 the Vermillion City Council adopted the project plan for the tax incremental district number one that provided for improvements to the district and authorized the issuance of tax incremental bonds to finance the improvements; and

WHEREAS, the final payment was made on the City issued Tax Incremental Revenue Bond on February 1, 2013; and

WHEREAS, the 2012 taxes levied for collection in 2013 for tax increment district number one was \$498,282 which along with bond reserve, will fund the final bond payment on the tax incremental revenue bonds thus liquidating all the debts of the district.

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Vermillion that Tax Incremental District Number One is hereby dissolved following the collection of the 2012 taxes payable in 2013.

BE IT FURTHER RESOLVED, that following the collection of the 2012 taxes payable in 2013 the City Council of the City of Vermillion authorizes the disbursement of any remaining funds in the district as provided in SDCL 11-9-45.

Dated at Vermillion, South Dakota this 1st day of July, 2013.

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 Grayson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

11. Bid Openings

A. Fuel Quotes

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

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Item 1: 4,350 gal unleaded 10% ethanol - Stern Oil \$3.0521, Brunick's Service \$3.106; Item 2: 1,000 gal unleaded gasoline regular - Stern Oil \$3.0848, Brunick's Service \$3.17; Item 3: 3,000 gal No. 2 Diesel fuel-clear - Stern Oil \$3.0998, Brunick's Service \$3.15; Item 5: 1,000 gal No. 2 diesel fuel-clear - Stern Oil \$3.3603, Brunick's Service \$3.40

204-13

Alderman Zimmerman moved approval of the low quote of Stern Oil on all four items. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

12. City Manager's Report

A. John reported that fogging for mosquito will continue periodically throughout the summer as warranted. If you would like to have the fogging not take place as the equipment passes your property, contact City Hall to be included on the No Fog list.

B. John reported that there is an opening on the Planning Commission for a term expiring in June 2017. John asked that interested citizens complete the expression of interest form available at City Hall by noon on July 12th so the appointment can be made at the July 15th meeting.

C. John reported that the first "Thursdays on the Platz" event is July 11th and that a half block of Market Street will be closed from 5:30 p.m. to 8:00 p.m. for the event.

D. John reported that City offices will be closed on Thursday, July 4th for the holiday.

E. John reported that, with the holiday on Thursday, July 4th, the curbside recycling will be picked up on Monday July 8th.

PAYROLL ADDITIONS AND CHANGES

General Admin: Andy Colvin \$26.34/hr; Engineering: Jose Dominguez \$34.79/hr; Police: Matt Betzen \$37.62/hr, Andrew Delgado \$18.08/hr; Fire: Shannon Draper \$29.21/hr; Street: Pete Jahn \$27.27/hr, Phil Wiebhaus \$15.39/hr; Code: Farel Christensen \$25.45/hr; Ambulance: Lee Huber \$20.87/hr; Library: Jamie Nooney \$7.25/hr; 911: Ryan Anderson \$23.00/hr; Light: Mark Koller \$37.52/hr; Water: Randy Isaacson \$28.77/hr; Wastewater: Paul Brunick \$30.44/hr; Landfill: Tim Taggart \$19.10/hr; Recycling: Bob Iverson \$28.35/hr

13. Invoices Payable

205-13
Alderman Davies moved approval of the following invoice: UNIVERSITY CLEANERS PROFESSIONAL SERVICES 20.00

Alderman Collier-Wise seconded the motion. Alderman Meins requested to abstain. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

206-13

Alderman Davies moved approval of the following invoices:

3D SPECIALTIES IN SUPPLIES 2,364.33
ADOLPH KIEFER & ASSOC LLC SUPPLIES 199.80
AHEAD, INC MERCHANDISE 448.18
ALLEGIANT EMERGENCY SERVICE REPAIRS 377.05
ANGIE PETERSON REFUND REC FEES 25.00
APPEARA SUPPLIES 295.28
ARAMARK UNIFORM SERVICES UNIFORM CLEANING 163.52
ARGUS LEADER ADVERTISING 40.54
ARGUS LEADER MEDIA #1085 SUBSCRIPTION 47.58
AUDIO GO BOOKS 190.00
AVERA QUEEN OF PEACE HEALTH TESTING 69.90
BAKER & TAYLOR BOOKS BOOKS 734.78
BANNER ASSOCIATES, INC PROFESSIONAL SERVICES 5,373.45
BARNES DISTRIBUTION PART 85.78
BENJAMIN NELSEN MEALS/BOOT REIMBURSEMENT 184.00
BIERSCHBACH EQPT & SUPPLY PARTS 5,203.80
BORDER STATES ELEC SUPPLY SUPPLIES 2,245.90
BOUND TREE MEDICAL, LLC SUPPLIES 381.06
BOW CREEK METAL INC POWDER COATING 150.00
BROADCASTER PRESS ADVERTISING 507.12
BRUNICKS SERVICE INC PROPANE 209.00
BSN SPORTS INC RECREATION SUPPLIES 284.82
BUTLER MACHINERY CO. PARTS 2,297.11

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CAMPBELL SUPPLY SUPPLIES 1,868.31
CASK & CORK MERCHANDISE 1,103.94
CDW GOVERNMENT, INC SUPPLIES 329.37
CENTURY BUSINESS LEASING COPIER CONTRACT 138.25
CENTURY BUSINESS PRODUCTS COPIER CONTRACT 84.26
CENTURYLINK TELEPHONE 737.49
CERTIFIED LABORATORIES SUPPLIES 141.87
CERTIFIED TESTING SERVICES TESTING 372.00
CHANNING BETE COMPANY, INC SUPPLIES 424.01
CHEMCO, INC SUPPLIES 112.56
CHERRY STREET GRILLE ROLLS 21.00
CHESTERMAN CO MERCHANDISE 1,423.60
CITY OF VERMILLION COPIES/POSTAGE 1,264.48
CITY OF VERMILLION UTILITY BILLS 36,653.55
CLAY CO REGISTER OF DEED FILING FEES 90.00
CLAY COUNTY AUDITOR EMERGENCY MGMT 1,200.00
CLAY COUNTY EMS ASSOCIATION CPR CLASS 135.00
CLAY RURAL WATER SYSTEM WATER USAGE 37.10
CLEMET BOSTUCK MOWING 1,189.75
CLIMATE SYSTEMS, INC REPAIRS 2,015.55
COBRA PUMA GOLF, INC MERCHANDISE 84.08
COFFEE KING, INC SUPPLIES 57.75
COLONIAL LIFE ACC INS. INSURANCE 3,069.56
CONCRETE MATERIALS GOLF SAND/CONCRETE 2,543.56
COX AUTO SUPPLY PARTS 106.42
CRAIG DEAN ELECTRONICS DISPOSAL 513.00
CROP PRODUCTION SERVICES CHEMICALS 94.74
CUMMINS CENTRAL POWER, LLC PARTS 30.00
CUSTOM TRUCK EQUIPMENT INC LIFT GATE 1,924.00
D-P TOOLS SUPPLIES 67.99
DAKOTA BEVERAGE MERCHANDISE 10,956.47
DAKOTA PC WAREHOUSE TELEVISION/SUPPLIES 726.92
DANKO EMERGENCY EQUIPMENT FIRE HELMETS/REPAIRS 2,067.06
DEAR READER.COM SUBSCRIPTION 550.00
DEBBY GRUHN REFUND REC FEES 10.00
DELTA DENTAL PLAN INSURANCE 6,169.26
DEMCO SUPPLIES 1,553.61
DENNIS MARTENS MAINTENANCE 833.34
DEPT OF REVENUE TESTING 182.00
DGR ENGINEERING PROFESSIONAL SERVICES 3,203.44
DIANE'S GREENHOUSE PLANTS/FLOWERS 3,260.95
DIESEL SPECIALTIES, INC REPAIRS 814.33
DUECO, INC REPAIRS 587.97
DUST TEX MATS 80.00
E.A SWEEN COMPANY MERCHANDISE 379.50
EARTHGRAINS BAKING CO'S INC SUPPLIES 289.96
EBERLE DESIGN INC REPAIRS 178.00
EBSCO SUBSCRIPTION 4,047.89
ECHO ELECTRIC SUPPLY SUPPLIES 729.58
ED ROEHR SAFETY PRODUCTS SUPPLIES 1,385.03
ELECTRONIC ENGINEERING BATTERIES 450.00
EMERGENCY MEDICAL PRODUCTS SUPPLIES 64.00
EMERGENCY SERVICES MARKETING SUBSCRIPTION FEE 400.00
ENVIRONMENTAL PRODUCTS PARTS 159.23
ETTERMAN ENTERPRISES SUPPLIES 245.64
EZ-LINER INDUSTRIES PARTS 81.45
FARMER BROTHERS CO. SUPPLIES 122.01
FLAGS UNLIMITED SUPPLIES 10.50
FOOT-JOY MERCHANDISE 223.83
FOREMAN MEDIA COUNCIL MTG 100.00
GALE BOOKS 36.74
GARYS TREE SERVICE, INC STUMP GRINDING 2,265.00
GEAR FOR SPORTS MERCHANDISE 700.61
GRAHAM TIRE CO. TIRE S 1,863.28
GRAINGER SUPPLIES 1,349.92
GRAYMONT CAPITAL INC CHEMICALS 3,871.90
GREGG PETERS FREIGHT 1,413.75
GREGG PETERS RENT 937.50
GUARANTEE OIL CO INC PARTS 158.95