

12 A Vermillion Plain Talk

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contractor to develop the project at that time and while the Prentis Park Master Plan was being developed the project was placed on hold. Jim stated that, with the adoption of the Prentis Park Master Plan by City Council in January of 2014, the current storage unit (the park care taker's garage) will be demolished and the park caretaker's house will be moved to make room for the new parking lot. Jim noted that City staff spoke with three local contractors about the construction of a storage unit building to replace the garage. Jim stated that only one contractor followed through with conceptual plans but did not follow up those plans after numerous attempts to contact them. Jim reported that a quote was received from Builders Choice of Vermillion for an 18' x 30' storage building that will be used for Prentis Park ball field equipment at a cost of \$25,000. Jim reported that the funding would come from the 2nd penny funds budgeted with the balance remaining for development of a joint park/baseball field restroom facility. Jim provided a drawing of the location of the proposed storage building, proposed future restroom building location and parking lot.

91-15 Alderman Collier-Wise moved approval of the quote from Builders Choice, LLC for an 18' x 30' storage building at a cost of \$25,000. Alderman Holland seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

9. Bid Openings

A. One ½ ton pickup truck

Jason Anderson, Assistant City Engineer, reported that bids were opened on March 10th for one ½ ton pickup truck for the Joint Powers landfill. Jason noted that bid specifications were delivered to the local dealers along with the required advertising. Jason stated that contact was made with the local dealers who indicated they were not going to bid. Jason stated that no bids were received. Jason recommended the purchase from the State contract with Beck Motors for \$28,027 with the approval of the resolution included in the packet. Discussion followed.

92-15 After reading the same once, Alderman Willson moved adoption of the following:

RESOLUTION AUTHORIZING THE PURCHASE OF ONE PICKUP TRUCK

WHEREAS, SDCL 5-18A-22 authorizes a local government unit to purchase any supplies from the state contract list, or from any willing vendor at a price at or below that shown in the state contract; and

WHEREAS, the City of Vermillion has reviewed and determined that the bid awarded by the State of South Dakota for a 2015 ½ ton crew cab 4WD Chevrolet Silverado pickup from Beck Motors of Pierre, South Dakota, for the total amount of \$28,027.00 offers an advantageous price to the City for said item; and

WHEREAS, the City has contacted Beck Motors and they have agreed to allow the City to purchase one 2015 ½ ton crew cab 4WD Chevrolet Silverado pickup for the contract price and terms as awarded by the State of South Dakota.

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 one 2015 ½ ton crew cab 4WD Chevrolet Silverado pickup from Beck Motors of Pierre, South Dakota at the above stated price and under the same terms as the State of South Dakota contract.

Dated at Vermillion, South Dakota this 16th day of March, 2015.

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. 9 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

B. Shared Used Path Relocation, Phase 1

Jose Dominguez, City Engineer, reported that the city hike/bike trail between the west end of Cotton Park and 12th Street was constructed in 2005. Jose noted that since then the river has been eroding the north bank of the Vermillion River. Jose stated that in 2012 a portion of this trail was closed due the bank being within one foot of the trail. Jose stated that currently the north bank of the Vermillion River is undermining close to 200-feet of the trail.

Jose reported that the City Council adopted a resolution on July 15, 2013 instructing Staff to remove portions of the trail that were falling into the river at this location. The Council also instructed Staff to relocate the trail within platted streets/alleys

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in the area.

Jose stated that bids were opened March 4, 2015. The City sent request for bids to seven contractors, and to five plan houses. From those requests, the City received five bids. The low bid was from Vermillion Concrete for the amount of \$66,818.75. Jose recommended approval of the low bid of Vermillion Concrete for \$66,818.75 for the shared use path relocation.

Bids: Splitrock Landscaping \$94,029.25, Walker Construction \$92,885.88, Vermillion Concrete \$66,818.75, 3D Digging \$78,840.50, RP&H, Inc \$96,954.13

93-15 Alderman Willson moved approval of the low bid of Vermillion Concrete for the shared use path relocation of \$66,818.75. Alderman Collier-Wise seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

10. City Manager's Report

A. John reported that fifteen German students from the Dietrich-Bonhoeffer-Gymnasium along with two teachers will be here from April 4th to April 20th. John stated that they will attend the April 6th evening City Council meeting as part of their visit and welcome to Vermillion.

B. John reported on approval of the following raffle notifications:

Vermillion Rotary Club will be selling \$25 raffle books March 10 to 29, 2015. A limit of 100 books will be sold. Winners will receive between \$50 and \$150. The score of the NCAA Mens Basketball Elite Eight thru Championship game determines the winning number. This is similar to how their Monday Night Football raffle worked. Proceeds will go to the Rotary Club for charitable activities.

USD Civil Service Advisory Council will be selling tickets for \$1 each or 6 for \$5 on May 12, 2015. It is a 50/50 drawing where the winner receives half of the proceeds and the balance goes to the USD CSAC Scholarship fund. They estimate collecting around \$100-\$150 from ticket sales to be split between the winning ticket holder and the scholarship fund.

C. John reported that planning for Prentis Park improvements continues. He stated that the architect anticipates having the drawings at the 90% completion stage for the pool portion of the improvements to share with the City Council at the April 6th noon meeting with the project scheduled to be placed out for bid in June.

D. John reported that the Library will be closed on March 20th as they move to a new integrated library system called Atrium. The move is due to the current system, ALEPH, ceasing to exist in 2016.

E. John reported that the landfill will open on Saturdays from 8:00 a.m. to noon starting on April 4th. John reported that the landfill vouchers will be available starting April 1st.

PAYROLL ADDITIONS AND CHANGES

Police: Jon Cole \$21.65/hr, Jessica Wade \$20.11/hr, Recreation: Morgan Graham \$8.50/hr, Kylee Retzlaff \$8.50/hr; Golf Clubhouse: Kelsey Biltoft \$8.50/hr, Meghan Dennis \$8.50/hr, Michelle McClellan \$8.50/hr

11. Invoices Payable

94-15 Alderman Ward moved approval of the following invoices:

Broadcaster Press advertising	1,375.78
Brunick's Service Inc fuel	10,209.20
Bureau Of Administration telephone	259.27
Canon Financial Services copier lease	196.27
Centurylink telephone	1,496.65
Clay Rural Water System water usage	43.20
Clay-Union Electric Corp electricity	2,135.43
Dept. Environment Natl Res landfill operations fee	2,151.85
Gregg Peters managers fee	6,000.00
Lessor Contracting landfill cell 5 final	179,898.60
Loren Fischer Disposal haul cardboard	210.00
Mark Clark meals/mileage reimbursement	259.60
Matheson Tri-Gas, Inc oxygen	309.40
MidAmerican gas usage	9,041.49
MidContinent Communication internet/cable service	118.68
Midwest Turf & Irrigation utility vehicle	20,442.00
Republic National Dist. merchandise	15,009.15
Reserve Account postage for meter	950.00
SD Municipal League registration	84.00
The Equalizer advertising	184.00
Treasurer-Clay County storm sewer fees	6,409.42
US Postmaster postage for utility bills	1,125.00
Vermillion Ace Hardware snow blower	1,500.00
Vermillion Chamber Of Commerce	
Bliss Pointe grant	45,973.05
Wow! Business dialup services	49.95
Yankton Daily Press & Dakotan advertising	42.70
Randy Voss	

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Bright Energy Rebate 32.00
Marty Gilbertson
Bright Energy Rebate 1,550.00

Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a bid opening date of April 1, 2015 for the sale of a surplus golf course utility vehicle.

B. Set a proposal opening date of April 1, 2015 for the Airport Consultant Selection for the years 2015 through 2019.

C. Set a bid opening date of March 31, 2015 for three phase transformers.

95-15 Alderman Collier-Wise moved approval of the consensus agenda. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

96-15 Alderman Ward moved to adjourn the Council Meeting at 8:30 p.m. Alderman Price seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of March, 2015.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY _____
John E. (Jack) Powell, Mayor
ATTEST:
BY _____
Michael D. Carlson, Finance Officer

Published once at the total approximate cost of \$413.78. Publish: March 27, 2015.

STATE OF SOUTH DAKOTA COUNTY OF CLAY

IN CIRCUIT COURT 1ST JUDICIAL CIRCUIT

In the Matter of the Petition regarding Daniel Joseph Thibodeau

For a Change of Name to Daniel Joseph Donovan
CIV: 15-29

NOTICE OF HEARING FOR NAME CHANGE OF A MINOR CHILD (UNCONTESTED)

NOTICE IS HEREBY GIVEN that a Verified Petition for Name Change of a Minor Child has been filed by Jeffery Donovan the object and prayer of which is to change their minor child's name from Daniel Joseph Thibodeau to Daniel Joseph Donovan. On the 1st day of April, 2015, at the hour of 9:00 am said Verified Petition will be heard by this Court before the Honorable Steven R. Jensen Presiding, at the Court Room in the Clay County Courthouse, City of Vermillion, Clay County, South Dakota, or as soon thereafter as is convenient for the court. Any interested party may come and appear at that time and place and show reasons, if any, why said name should not be changed as requested.

Dated this 2nd day of March, 2015 at Vermillion, South Dakota.

Nadyne Zimmerman
Clerk of Court Deputy

ATTEST:
Clerk of Court
By: _____
Deputy

Published four times at the approximate cost of \$65.27. Publish: March 6, 13, 20 & 27, 2015.

Notice of Annual Meeting

The Annual Meeting of the Turner, Lincoln, Clay (TLC) Water Project District will be held in the Automatic Irrigation building at 1111 Railway in Centerville on Tuesday April 7, 2015 at 6:30 p.m.

At that time, (4) positions on the board of Directors shall be elected for three (3) year terms. The following Director terms expire on April 7th, 2015.

David Smit
David Bobzien
LeRoy Larson
Gary Andersen

Nominating petitions may be obtained from the TLC office via mail at 1111 Railway in Centerville, SD 57014 or by calling 563-2423 and requesting one to be sent. Petitions may be filed at the District office no later than 5:00 p.m on April 3, 2015.

All business properly concerning the District will be conducted at the Annual Meeting.

Gary Andersen, Chairman
TLC Water Project District

Published three times at total approximate cost of \$35.28. Publish: March 13, 20 & 27, 2015.

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of Vermillion, South Dakota, will meet at 5:30 p.m. on Monday, the 13th day of April, 2015, in the Large Conference Room, located in City Hall at 25 Center Street in the City of Vermillion, at which time the said Planning Commission will hear, consider and act upon a recom-

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mendation to amend the City Zoning Ordinance as follows:

Amend Section 155.059 Community Oriented Healthcare Planned Development District (D) to add lot and yard regulations for Hospital/Clinic uses; and,

Amend Section 155.059 Community Oriented Healthcare Planned Development District (D) to add the word other between all uses so that it reads all other uses.

Notice is further given that at the times and places aforesaid any person may appear and be heard upon all matters pertaining to the said amendment to the City Zoning Ordinance.

Jose Dominguez, City Engineer
City of Vermillion

Published once at the approximate cost of \$13.90. Publish: March 27, 2015.

NOTICE OF SALE OF SURPLUS PROPERTY

Notice is hereby given that the Finance Officer of the City of Vermillion, South Dakota, will receive sealed bids for the sale of the following surplus personal property, pursuant to the provisions of SDCL 6-13-4, at City Hall in Vermillion, South Dakota on the 1st day of April, 2015, at 10:00 a.m. Such bids will be publicly opened and read at that time. The bids will be acted upon by the City Council at City Hall on the 6th day of April, 2015, at 7:00 p.m. Sale will be to the highest bidder for cash (but not less than 90% of the appraised value of said property).

2005 Toro Workman 3200 golf utility vehicle which has been appraised at \$5,400.

Copies of the bid documents may be obtained from the City of Vermillion Engineering Department, 25 Center Street, Vermillion, South Dakota, 57069. All sealed bids must be accompanied by a certified check or cashiers check made payable to the City of Vermillion, South Dakota, in the amount of ten percent (10%) of the bid. All bids shall be on forms provided by the City and may not be withdrawn for a period of thirty (30) days after the opening of bids.

Dated at Vermillion, South Dakota this 17th day of March 2015.

City of Vermillion
By _____
Jason Anderson, Asst. City Engineer

Published twice at the approximate cost of \$31.58. Publish: March 20 & 27, 2015.

NOTICE TO CREDITORS, CLAIMANTS, HEIRS, SPOUSE AND BENEFICIARIES

To all persons regarding Donald F. Emmick, deceased, who died on or about January 27, 2015. You are hereby notified that Janice K. Emmick and Patricia K. Benson are the Co-Trustees of the Donald F. Emmick Trust. At this time, no probate administration is contemplated with regard to the above-referenced Decedent's estate.

Any action to contest the validity of the Trust must be brought in the Circuit Court of Clay County, South Dakota, within four (4) months from the date of first publication of this Notice. Any suit not filed within this period shall be forever barred.

Notice is further given that any person or entity possessing a claim against the Trust must mail proof of the claim to the Trustee at the address listed below via certified mail, return receipt requested by four (4) months from the first publication of this Notice or the claim shall be forever barred, unless paid or otherwise satisfied.

Dated this 11 day of March, 2015.

DONALD F. EMMICK TRUST

Janice K. Emmick, Co-Trustee
822 N. Crawford Road
Vermillion, SD 57069

Patricia K. Benson, Co-Trustee
205 Westshore Drive
North Sioux City, SD 57049

Kyle S. Irvin of
Corbett, Anderson, Corbett, Vellinga & Irvin, L.L.P.
423 Sixth Street, Suite 400
P.O. Box 3527
Sioux City, IA 51102

Date of first publication, 20th day of March, 2015.

Published three times at total approximate cost of \$55.08. Publish: March 20 & 27 and April 3, 2015.

REQUEST FOR ENGINEERING PROPOSALS

The City of Vermillion, South Dakota, will accept proposals from qualified engineering firms for engineering services for proposed development on Harold Davidson Field, Vermillion, South Dakota. Proposals will be accepted until 5:00 p.m., April 1st, 2015. Four copies of the proposal shall be submitted to:

Jose Dominguez, P.E.
City Engineer
25 Center Street
Vermillion, SD 57069
605-677-7083

Engineering services are requested for aside improvements for the years 2015 through 2019. Multiple scopes of work could include but are not limited to:

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Design apron reconstruction
Environmental assessment for land acquisition
Land acquisition
Design of turf cross wind runway
Design of reconstruction/re-alignment of remaining existing parallel taxiway

Proposals shall set forth qualifications, as noted in the "Consultant Engineering Selection Criteria for Airport Projects," to accomplish engineering services for the period of years 2015 through 2019 at Harold Davidson Field. The "Selection Criteria" is available from the Vermillion City Engineer's Office.

The selected firm is encouraged to obtain DBE Engineering Services or provide "Good Faith Effort" for this project.

Published twice at the total approximate cost of \$32.77. Publish: March 20 & 27, 2015.

The University of South Dakota is accepting sealed bids for the "Asphalt Repairs and Restriping - Parking Lot #8" until 2:00 P.M., April 9th, 2015. Sealed bids must be delivered to the University of South Dakota, Purchasing Office, 209 Slagle Hall, 414 East Clark St., Vermillion SD. Copies of the bid solicitation and specifications are available for review from at the offices of Stockwell Engineers, 600 N Main Ave, Suite 100, Sioux Falls, SD, 605-338-6668. The University reserves the right to reject any and all bids.

Published twice at the total approximate cost of \$13.11. Publish: March 27 & April 4, 2015.

More on New VTC Building in Vermillion

By Randy Dockendorf
Press & Dakotan

A \$4.2 million building on the outskirts of Vermillion remains the object of a lawsuit, but a local economic development official remains confident the vacant structure will soon house one or more businesses.

The Vermillion Area Chamber & Development Company (VCDC) is suing Minnesota-based Eagle Creek Software Services. VCDC says the technology company didn't follow an agreement to move into the 32,000-square-foot Vermillion Technology Center (VTC).

The VCDC says it built the technology center for Eagle Creek in return for the company entering a long-term agreement to lease and occupy the building. The building is located at 1012 Princeton Street, near Hy-Vee, Wal-Mart and Polaris. Eagle Creek runs its Vermillion operation out of another site.

The VCDC is seeking about \$3.1 million in future rent and about \$154,000 for past rent and other expenses.

"I cannot comment on the current lawsuit, specifically. But I will say the VCDC is using every right we have and (every) opportunity to market the building," said VCDC executive director Nate Welch.

"We are aggressively going out and trying to find people because we want somebody in this building. We want to make sure we get something going with it."

Welch views the unused center as an opportunity.

"We did have this building for one specific purpose, and those plans didn't pan out," he said. "But it's nice we're able to pivot and turn. This building is an amazing asset for us. We expect to use it for recruiting."

The VTC carries a great deal of flexibility, Welch said.

"This is basically a state-of-the-art office building," he said. "It has so many different functions to it, that it can either house one large company, multiple small companies or two companies at a time."

The VTC is considered a turn-key operation, Welch said.

"The building is fully up and operating and could be moved into right away. This provides such a great opportunity because, if a business wants to move and wants to move now, time is not the deterrent," he said. "It's now a motivator and asset. It very much opens

MAKE GREAT STRIDES

From March 30 - May 10, "Grat Strides" Individual/Team and Family Packets are available on line at www.sanfordvermillion.org.

Sanford Vermillion's Great Strides program is in its 21st year.

We are excited to once again partner with the USD Wellness Center this year.

The goal of Great Strides community exercise program is to encourage an increased activity level above and beyond your normal daily activity.

Miles can be accumulated through any form of exercise (walking, jogging, biking, etc.).

Families earn points through various means of activity and healthy lifestyle choices. Individual, team and family statistics are updated weekly and reported on the Great Strides page at sanfordvermillion.org.

POLAR PLUNGE REMINDER

Saturday in downtown Vermillion (Old Lumber Co.). Post-Plunge Party @ Old Lumber Co. immediately following plunge.

up immediate interest from companies that don't want to wait."

The VTC layout uses an open concept, starting with the front doors opening into a large reception area, Welch said.

"Because of the central entrance location, it would allow for businesses to share a person to take calls, direct visitors and provide access to different areas, if they wanted," he said.

"It's wide open right now, but (it) could be divided into at least two sides with the two wings right away. Or if someone wanted a smaller space, the building was designed and utilities are already in place to 'cut up' the building into sections where everyone can have control in their own systems but rent smaller space at a time."

"This flexibility is a great asset to the versatility in the building," he added.

The technology center could be divided many different ways, Welch said. The two large office wings each contain nearly 11,000 square feet of open office space, as well as up to seven private offices in each. The two wings can also be split into — and up to — three separate full offices to accommodate multiple tenants.

The building is equipped with three-phase power as well as technology wired throughout the structure, Welch added.

"It also has security access to close off different parts of the building, if multiple tenants are in there. It's equipped with multiple bathrooms and even showers," he said. "It has a commons/break area and a training room that can be divided by a diving wall."

The center's biggest asset is its flexibility to handle nearly any situation, Welch said.

"The list of attractions to the building is long, but some of the highlights are the technology throughout, the diversity of the building as well as an ability to even add on, if needed," he said.

Welch declined to list the rental charge for tenants. The VCDC does remain open to selling the building, he added.

"We look at and consider all types of offers for either leasing or purchasing the building," he said. "There are so many different factors that play into those rates and numbers. I can't put a specific number on them at this time."

For an Extended Version of this Story visit www.plaintalk.net