

Unapproved Minutes Council Special Session November 2, 2009 Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, November 2, 2009 at 12:00 noon at the Vermillion Fire/EMS Station.

1. Roll Call

Present: Edelen, French, Hofman (arrived at 12:02 pm), Meins, Osborne, Powell, Ward, Wilson, Mayor Christopherson

2. Educational Session - automated External Defibrillators - Aaron Leesch, EMS Director

Aaron Leesch, EMS Director, demonstrated the automated external defibrillator that was acquired for the ambulance within the last month as an upgrade to the older models. The units operate as a cardiac monitor to assist the paramedic with heart related calls at the scene and in route to the hospital. He demonstrated the unit with a simulator. Aaron answered questions of the City Council.

3. Educational Session - CGI communications - Vermillion Online community Video Proofs

Evie Johnson, City Manager Intern, reviewed the proofs of CGI Communications video clips that, once completed, will be included on the City web page. This is done at no cost to the City. Discussion followed on the proofs.

Briefing on the November 2, 2009 City Council Regular Meeting Agenda

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

Alderman Hofman requested to leave at 1:05 pm.

5. Adjourn

353-09

Alderman Meins moved to adjourn the Council special session at 1:08 p.m. Alderman Edelen seconded the motion. Motion carried 8 to 0. Mayor Christopherson declared the motion adopted.

Dated at Vermillion, South Dakota this 2nd day of November, 2009.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY Dan Christopherson, Mayor

ATTEST:
BY Michael D. Carlson,
Finance Officer

Unapproved Minutes City Council Regular Session November 2, 2009 Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on November 2, 2009 at 7:00 p.m. by Mayor Christopherson.

1. Roll Call

Present: Edelen, French, Hofman, Meins, Osborne, Powell, Ward, Wilson, Mayor Christopherson

2. Pledge of Allegiance

3. Minutes

A. October 19, 2009 Special Session; October 19, 2009 Regular Session

354-09

Alderman Edelen moved approval of the October 19, 2009 special session minutes and the October 19, 2009 regular session minutes. Alderman French seconded the motion. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

4. Adoption of Agenda

355-09

Alderman Wilson moved approval of the agenda. Alderman Hofman seconded the motion. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

5. Visitors to be Heard

A. Proclamation - Coyoteopoly

Alderman Meins read the proclamation designating November 14th as "Coyoteopoly Day" in Vermillion and encouraged all citizens to support the food drive collection on that day for the Food Pantry.

Mayor Christopherson presented the proclamation to representatives from Coyoteopoly. Richard Drawdy, representing Coyoteopoly, explained that, in addition to the Food Drive on November 14th, they will be accepting monetary donations and selling raffle tickets.

Mayor Christopherson reminded the community of the Sesquicentennial Heritage Harvest Ball to be held Saturday, November 21st. Tickets are available at Nook 'N Cranny.

Mayor Christopherson wanted to thank the volunteers along with representatives from the State, County and City who assisted with the Point of Dispensing (POD) immunization program held Thursday, October 20th at the High School.

6. Public Hearings

A. First Reading of Ordinance 1220 An Amendment to the Zoning Ordinance of the City of Vermillion to exclude from the R-1 Residential District and include in the GB General Business District the S 11.75 of E 143rd of M-2 NE 1/4 13-92-92 Misc entries also known as 916 Ratingen Strasse

Farrel Christensen, Building Official, reported that Duane and Lorraine Brunick have applied for a zone change for their property located at 916 Ratingen Strasse from R-1 to General Business. The request is for just one lot and would be a spot zoning of the General Business Zone within residential and institutional. The closest general business zone along Ratingen Strasse would be at the intersection with Cherry Street.

Farrel noted another important factor to consider is that commercial uses require a 15 foot side yard and 20 foot rear yard when adjacent to residential districts, as well as required parking and screening where necessary that could make it difficult to build on the lot and meet zoning regulations. Farrel reported that the Planning Commission held a public hearing on the zone change request and forwarded a recommendation to deny the application and retain the current zoning status.

Jim McCulloch, City Attorney, reviewed the criteria to use in determining if the proposed zone change would be considered spot zoning. He also reviewed the comprehensive plan for the current zoning and future zoning that does not show business zoning in this area and was concerned that to change the zoning might require a change in the comprehensive plan.

Mayor Christopherson opened

the public hearing. Duane Brunick, owner of 916 Ratingen Strasse, stated that he was requesting the hearing be continued for two weeks so that his son could be present to provide input on the zone change request.

Rich VanDenHul, Vice President of Finance and Administration for the University of South Dakota, stated that he would not be able to attend the hearing if continued in two weeks. He stated that the University is in opposition to the zone change stating it would create an island of commercial surrounded by residential and institutional. He stated that the University is growing enrollment and with the growth in enrollment will be more jobs within the city. The University is recreating the campus to better serve the students and help in student recruitment with the new facilities in this area of the Coyote Village, Wellness Center and Muenster Center. In the move to Division I, there will also be more scholarship available to attract additional students. He also noted that the University has committed to the Vermillion NOW! Campaign to assist with the growth of the city. He stated that the University master plan has Ratingen Strasse as the main entry to the campus and this proposed zone change is along this street. Rich stated that the City used vision in the development of the comprehensive plan and should continue this vision to improve the future of the community by denying the proposed zone change.

The City Council discussed the zone change as proposed including the lot size and set back requirements.

356-09

Alderman Edelen moved to continue the public hearing for two weeks so the Brunick family members can present additional input on the proposed zone change. Alderman Hofman seconded the motion. Discussion followed on what additional information would be available. Alderman Powell called the question to end debate. Motion carried 9-0. The vote on the motion to continue carried 9 to 0. Mayor Christopherson declared the motion adopted.

7. Old Business

A. Second reading of Ordinance 1219 to amend Emergency Snow routes

Mike Carlson reported that this is the second reading of the ordinance to add Crawford Road from Crestview south to Burbank Road to the emergency snow routes.

357-09

Second reading of title to Ordinance No 1219, entitled AN ORDINANCE AMENDING Emergency Snow Routes to add Crawford Road from Crestview to Burbank Road for the City of Vermillion, South Dakota.

Mayor Christopherson read the title to the above named Ordinance, and Alderman Powell moved adoption of the following:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No 1219 entitled AN ORDINANCE AMENDING Emergency Snow Routes to add Crawford Road from Crestview to Burbank Road for the City of Vermillion, South Dakota was first read and the Ordinance considered substantially in its present form and content at a regularly called meeting of the Governing Body on the 19th day of October, 2009 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 2nd day of November, 2009 at the City Hall Council Chambers in the manner prescribed by SDCL 9-19-7 as amended.

BE IT RESOLVED and ordained that said Ordinance be adopted to read as follows:

ORDINANCE NO. 1219

AN ORDINANCE AMENDING CITY OF VERMILLION, SOUTH DAKOTA, CODE OF ORDINANCES TITLE VII, CHAPTER 70, SECTION 70.096 TO ADD SOUTH CRAWFORD ROAD TO THE EMERGENCY SNOW ROUTES

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota, to amend City of Vermillion Code of Ordinances Title VII, Chapter 70, Section 70.096 as follows:

70.96 EMERGENCY SNOW ROUTES.

(A) It shall be unlawful for any person to stop, stand, park, or leave unattended any motor vehicle upon a designated snow route immediately after 2 inches of snow has accumulated and until the snow has been plowed to the curb line.

(B) Any vehicle found in violation of this section shall be declared a public nuisance and may be removed as provided in § 70.075.

(C) The following streets are designated as snow emergency routes and shall be signed accordingly:

(1) High Street from Main to Cherry;

(2) Main Street, Stanford Street to Washington Street, and Dakota Street to east city limits;

(3) Crawford Road from Burbank Road to East Cherry Street;

(4) Dakota Street from Vermillion River to SD 50 Bypass;

(5) National Street, Center Street to Dakota Street;

(6) Plum Street from Main Street to Highway 50 Bypass;

(7) S. University Street, Main Street to Canby Street;

(8) Stanford Street from Main Street to Cherry Street.

Dated at Vermillion, South Dakota this 2nd day of November, 2009.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY Dan Christopherson, Mayor

ATTEST:
BY Michael D. Carlson,
Finance Officer

8. New Business A. Final Plat of Lots 4 and 5, Goeman Tract 2

Jose Dominguez, City Engineer, reported on the location of the plat, which is east on Hwy 50 in the extraterritorial area. He stated that the Planning Commission recommended approval of the plat with the condition that an 8-foot utility easement be added. The plat, as presented, includes the utility easement as required by the Planning Commission.

358-09

After reading the same once, Alderman Edelen moved approval of the following plat:

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lots 4 and 5, Goeman Tract 2, 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 Planning Commission to the City Council of Vermillion which has approved the same.

BE IT FURTHER RESOLVED that the attached and foregoing plat 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 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 Ward. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. Alderman Hofman requested to abstain as the plat is in the extraterritorial area. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Christopherson declared that the Resolution was adopted.

B. Resolution to authorize trade-in total station survey equipment with Banner Associates Engineering

Jose Dominguez, City Engineer, reported that Banner Associates approached the City to trade in total station equipment with them. They are in the process of purchasing new equipment and the vendor will give them credit for any old total station equipment on hand.

The total station we want to trade for is a Sokia Set 2B that is a higher level of precision than our current equipment. There is no cost to the City of this trading.

359-09

Alderman Willson moved approval of the trading of total station equipment with Banner Associates with the City acquiring a Sokia Set 2B total station.

Alderman French seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

C. Request to close Main Street from Harvard Street to High Street on December 4, 2009 for the Vermillion Chamber of Commerce and Development Company (VCDC) Parade of Lights

John Prescott, City Manager, reported that the Vermillion Chamber and Development Company requested the closing of Main Street from Harvard Street to High Street on Friday, December 4th from 6:15 p.m. to 6:45 p.m. for the "Parade of Lights" parade. He stated that the VCDC staff will walk the parade route after the event for cleanup.

360-09

Alderman Osborne moved approval of the street closing request to close Main Street from Harvard Street to High Street on Friday, December 4th from 6:15 p.m. to 6:45 p.m. for the "Parade of Lights" parade. Discussion followed. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

D. Authorization to issue Bright Energy Solutions rebate upon receipt of funds

Mike Carlson, Finance Officer, reported that the City Council approved the Bright Energy Solutions rebate program. This program sponsored by MRES, rebates funds for the utility customers who purchase qualifying energy saving equipment. The request is to authorize the issuance of the rebate checks upon receipt of the refund from MRES. There list the payments in the next list of invoices.

361-09

Alderman Powell moved approval of the resolution authorizing the rebate on all three items.

Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

9. Bid Openings

A. Fuel Quotes

Mike Carlson, Finance Officer, read the only fuel quote received from Stern Oil and recommended approval.

Stern Oil: 4,350 gal unleaded \$2,447.9; 1,500 gal average cost of No 1 and No 2 diesel fuel-dyed \$2,825; 50 gal average cost of No 1 and No 2 diesel fuel-clear \$2,598.25

362-09

Alderman Osborne moved approval of the only quote received from Stern Oil on all three items.

Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Christopherson declared the motion adopted.

B. One sedan and three pickup trucks

Harold Holoch, Utility Engineer, read the bids received and recommended the only bid on Proposal 1 for the sedan of \$25,978 from Vermillion Ford and the low bid on Proposal 2 of \$42,980 and \$23,997 respectively.

363-09

Alderman Willson moved approval of the following bids:

A & B BUSINESS, INC. MAIN-TEENANCE CONTRACT 98.66

AARON SWAN & ASSOCIATES, PROFESSIONAL SERVICES, 3,380.00

ACCENT WIRE PRODUCTS, PARTS, 563.63

ADAMS GOLF, LTD, MER-

CHANDISE, 216.11

AIR LIQUIDE AMERICA CORP, CHEMICALS, 777.50

ALERT-ALL CORPORATION, SUPPLIES, 700.00

AMERICAN PUBLIC WORK ASSOC, MEMBERSHIP, 452.00

AMSTERDAM PRINTING & LITHO, SUPPLIES, 1,078.37

APPEARA, SUPPLIES, 53.00

ARAMARK UNIFORM SERVICES, UNIFORM CLEANING, 146.25

ARLENE RADZIEWICZ, BRIGHT ENERGY SOLUTIONS REBATE, 75.00

ART MABRY, MEAL REIMBURSEMENTS, 157.00

BAKER & TAYLOR BOOKS, BOOKS, 2,210.50

BANKERS ADVERTISING COMPANY, SUPPLIES, 284.15

BANNER ASSOCIATES, INC, PROFESSIONAL SERVICES, 31,361.39

BARCO MUNICIPAL PRODUCTS, UNIFORM HEADWEAR, 29.85

BARRYS PLUMBING, REPAIRS, 410.34

BBC AUDIOBOOKS AMERICA, BOOKS, 215.94

BIERSCHBACH EQPT & SUPPLY, PART, 50.50

BLACKBURN MANUFACTURING CO, SUPPLIES, 88.90

BOMGAARS, SWEATSHIRTS, 142.03

BOOK WHOLESALERS, INC, BOOKS, 465.41

BRENTNAG PACIFIC, INC, CIRCULARS, 7,553.20

BROADCASTER PRESS, ADVERTISING, 618.95

BROWN TRAFFIC PRODUCTS, SCHOOL ZONE LIGHTING, 3,777.00

CHEMISTER ELECTRIC CO, SUPPLIES, 4,700.52

BUTCH'S PROPANE INC, PROPANE, 2,537.28

BUTLER MACHINERY CO., PARTS, 181.04

CANON INSURANCE AGENCY, INC, NOTARY BOND, 130.00

C&H DISTRIBUTORS, INC, SUPPLIES, 1,455.59

CADD/ENGINEERING SUPPLY, INC, MAINTENANCE AGREEMENT, 56.25

CAM COMMERCE, SUPPLIES, 114.00

CAMPBELL SUPPLY, SUPPLIES, 633.26

CARBONNOVIS, INC, TESTING, 25.48

CENTER POINT LARGE PRINT, BOOKS, 23.37

CENTURY BUSINESS PRODUCTS, SUPPLIES, 279.61

CEMCO, INC, ICE MELT, 19.90

CHESTERMAN CO, MERCHANTISE, 521.10

CITY OF VERMILLION, POSTAGE/COPIES, 1,588.01

CITY OF VERMILLION, UTILITY BILLS, 38,606.42

CLAY RURAL WATER SYSTEM, WATER USAGE, 38.20

CLIMATE SYSTEMS, INC, MAINTENANCE, 1,381.00

COPELAND KING, INC, SUPPLIES, 57.75

COLLINS BROTHERS, INC, MERCHANTISE, 317.10

COLONIAL LIFE ACC INS, INSURANCE, 2,533.63

CONWAY RESEARCH CORP, SUPPLIES, 189.14

CULLIGAN WATER, SALT, 20.85

D & G CONCRETE CONSTRUCTION, CHERRY ST/SD HWY 50 IMP, 25,770.62

D-P TOOLS, SUPPLIES, 170.80

DAKOTA BEVERAGE, MERCHANTISE, 5,725.64

DALING & CONSTRUCTION, REPAIRS, 6,111.12

DAKOTA PC WAREHOUSE, COMPUTER/SUPPLIES, 349.96

DAKOTA SUPPLY GROUP, SUPPLIES, 669.49

DANKO TILES, INC., SUPPLIES, 533.00

DELTA DENTAL PLAN, INSURANCE, 5,065.90

DEMCO, SUPPLIES, 398.79

DENNIS MARTENS, OCT MFG, 839.84

DEPT OF REVENUE, TESTING, 1,442.00

DERRIC ILES, BRIGHT ENERGY SOLUTIONS REBATE, 250.00

DESIGN SOLUTIONS & INTEGRATION, REPAIRS, 945.00

DEWILD GRANT RECKERT & ASSOC., PROFESSIONAL SERVICES, 36,293.52

DOBSEY & WHITNEY, PROFESSIONAL SERVICES, 5,600.00

DUST TEX, SUPPLIES, 66.15

E.A SWEEN COMPANY, SUPPLIES, 79.76

EARTHGRAINS, SUPPLIES, 92.71

ECHO ELECTRIC SUPPLY, PARTS, 151.70

ELECTRONIC ENGINEERING, REPAIRS, 305.40

EMERGENCY APPARATUS MAINTENANCE, REPAIRS, 1,497.50

EMERGENCY MEDICAL PRODUCTS, SUPPLIES, 676.80

ENDRESS + HAUSER, INC, PARTS, 299.94

ENGLISH LABORATORIES, TESTING, 285.00

ENGRAVER'S EDGE, MEDALS, 36.00

ENVIRONNEMENTAL RESOURCE ASSOC., CHEMICALS, 79.65

EQUIMEDIC USA, INC, SUPPLIES, 316.27

ERIN J. SEEP, MAINTENANCE, 79.75

FIRST NATIONAL BANK, CITY HALL LEASE PAYMENT, 252,192.38

FOREMAN MEDIA, COUNCIL MTGS, 150.00

FULLERTON LUMBER CO, SUPPLIES, 54.32

GARY RASMUSSEN, BRIGHT ENERGY SOLUTIONS REBATE, 10.00

GE CAPITAL, COPIER LEASE, 114.48

GEAR UP SPORTS, MERCHANTISE, 1,692.46

GEOTEK ENGINEERING, TESTING, 3,274.75

GIRTON ADAMS COMPANY, REPAIRS, 917.35

GRAHAM TIRE CO., TIRES, 1,412.70

GRAINGER, SUPPLIES, 265.73

GRAYMONT CAPITAL INC, CHEMICALS, 9,110.05