

2010 Legal and Public Notices

December 7, 2012 for the VCDC Parade of Lights. Alderman Zimmerman seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

B. Declare an Emergency due to landfill fire and authorize the purchase of Fire Department protective jackets and pants

Mike Carlson, Finance Officer, noted that at last noon meeting Bob Iverson, Solid Waste Director, showed pictures of the landfill fire damage. Bob noted that the equipment spilled considerable quantities of oil in the building. In working the fire, the fire fighters had oil contaminating the fire hoses, gloves, boots, bunker gear pants and some coats. The Fire Department insurance company has reimbursed the Department for the hose and the gloves that were contaminated.

The Department has tried cleaning the pants and coats without any success. The concern is that cleaning the fire retardant materials to remove the oil will impact the ability to certify the continued use of the gear for firefighting. The insurance company stated that, if it did reimburse the Department, it would be just for the damaged pants and coats. The problem is that the coat and pants come as a set and this model is no longer produced, so the individual pieces cannot be replaced and a new set will need to be purchased. The Department, in working with the insurance company, has obtained two quotes for the purchase of coats and pants. The low quote to replace a coat is \$1,086.58 and the pants are \$728.26 for a total of \$1,814.84 for a set. As the cost of 20 sets of bunker gear exceeds \$25,000, this purchase would need to be bid unless the City Council declares an emergency. State law allows the governing body to declare an emergency to purchase without advertising for bids if rentals are not practicable and there exists a threat to public health, welfare or safety or for other urgent and compelling reasons. The low quote was from Heiman Fire Equipment of \$1,814.84 per set and the second quote was from Danko Emergency Equipment of \$1,940.16 per set. If the order is placed right away, the protective clothing delivery is anticipated in mid January and by declaring an emergency it will save at least three weeks in the delivery of this gear. Mike noted that the amount of the insurance refund is not known at this time but it is estimated at over \$19,000 to reduce the purchase price of \$36,296.80. The 2013 budget will need to be revised for this purchase. Administration recommends that an emergency be declared for the safety of the firefighters to replace damaged bunker pants and coats and authorize the purchase of 20 sets of gear from Heiman Fire Equipment.

406-12
Alderman Davies moved to declare that an emergency exists for the safety of the firefighters and authorize the purchase of 20 sets of firefighter pants and coats from the low quote of Heiman Fire Equipment at \$1,814.84 each total \$36,296.80 Alderman Grayson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

C. Shared use hike/bike path easement along Hwy 19 from W. Cherry St. to Hwy 50
Jose Dominguez, City Engineer, reported that during the construction of the shared use path along SD Highway 50 from Stanford Street to Dakota Street, the DOT expressed concerns about the pedestrian traffic utilizing SD Highway 19 for travel. Jose noted that the DOT has requested that the City utilize the remainder of the Federal grant to construct a shared use path along SD Highway 19 between West Cherry Street and SD Highway 50. The path would be constructed within the DOT's right-of-way on the east side of the road. The path would be eight feet wide and be approximately four feet from the curb line. Jose stated that since the path will be within the DOT's right-of-way no permanent easements will be required. However, the City will need to acquire temporary construction easements from the adjacent property owners (Polaris and East River Properties). The temporary easements will be valid through construction and an additional year after construction is completed. The additional year will allow the City access if a portion of the path needs to be reworked. Three easements are required for the project to proceed to the bidding process. Jose stated that East River Properties has requested \$51 for the easement that is based upon the rental value received on the property. Administration recommended approval of the easements for the shared use hike/bike path as presented.

407-12
Alderman Willson moved approval of the temporary construction easements for the shared use hike/bike path along SD HWY 19 as presented with East River Properties in the amount of \$51. Alderman Zimmerman seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

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D. Library Change Order #4

John Prescott, City Manager, reported that the construction project is proceeding at the library and that, after being closed for two weeks to move the materials from the existing library into the new portion, the library opened today. As construction has progressed, items have come up that were not included in the construction contract that are addressed by change orders. John noted that change orders #1-#3 have been previously approved by the City Council and change order #4 is for four different items. The first numbered RFP #9 is to remove from the contract concrete between the sidewalk and curb in front of the west entrance along Church Street. The cost for this proposal reduced the contract by \$749.

The second RFP #11R is to provide for temporary electrical, data and communication at the interim circulation desk/work area. A provision to wire the temporary work area for these needs was not included in the bid documents. The cost for this proposal is \$4,268.

The third #12R is to revise the electrical and data outlets in the new Technical Center. The cost for this proposal reduces the overall cost by \$1,140.

The fourth #13A raises the four rows of pendant lights across the newly constructed main floor space by four inches. It was determined that the lights, as hung and specified in the bid specs, would be too close to the eight-foot book stacks. The cost for this proposal increases the contract price by \$3,188.

The total cost for the five proposals is a \$5,567 increase to the construction contract plus the architect's 8% fee, for a total project cost increase of \$6,012.

John reported that the contingency on this project was \$118,785 and was planned for items which came up during construction. Adoption of Change Orders #1 and #3 reduced the contingency balance to \$114,630. Adoption of Change Order #4 will reduce the contingency balance to \$108,618. Administration recommends approval of the change order.

408-12
Alderman Osborne moved approval of change order #4 on the library construction project with Welfi Construction of \$5,567 plus the increase in architect's fee of 8% for a total project cost increase of \$6,012. Alderman Grayson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

E. Declare Golf Course Picker surplus and authorize trade-in of equipment

John reported that the Bluffs Golf Course has a 2002 Yamaha range picker which is used to collect range balls from the driving range that is in need of replacement. John stated that the golf course staff has obtained two quotes on a new range picker with the low quote from Yamaha Golf and Utility of \$10,227 with the trade in of the 2002 model. John stated that this was included in the current year budget and recommended approval of the purchase with the old picker being declared surplus to be traded in.

409-12
Alderman Davies moved approval of the purchase of the new range picker with the 2002 picker being declared surplus to be traded in for a net purchase price of \$10,227. Alderman Willson seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

F. Annual write off of old accounts receivable

Mike Carlson, Finance Officer, reported that annually the City Council needs to remove the old accounts receivable from the accounting records with collection efforts to continue on these accounts. Mike stated that the request is to remove 139 utility accounts totaling \$32,816.50, 8 general accounts receivable totaling \$983.69 and 4 return checks totaling \$565.00 from the accounting records. Mike noted that no ambulance accounts are being requested to be removed as the new billing company started in July and is in the process of reviewing all the old accounts. When they provide us with a list, we will bring it forward for Council action. Discussion followed.

410-12
Alderman Zimmerman moved approval of the removal from the accounting records of utility accounts totaling \$32,816.50, general accounts totaling \$983.69 and return checks totaling \$565.00. Alderman Meins seconded the motion. Discussion followed. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

- 9. Bid Openings - None**
- 10. City Manager's Report**

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A. John reported that City offices will be closed on Thursday, November 22nd in observance of the Thanksgiving holiday.

B. John reported that the library reopened today. He stated that library services are being offered in the new addition while the existing space is renovated. We appreciate the public's patience with the arrangement as the space will be tight until the renovation is complete.

C. John reported that a raffle request was approved for November 8th for Career Service Advisory Council 50-50 raffle, one ticket \$1 or 6 for \$5. Proceeds will fund programming offered by Career Services for students.

D. John reported that the joint City Council and County Commission meeting is on Tuesday, November 20th at 5:00 p.m. in the City Council Chambers for a rezoning request in the Joint Jurisdictional area.

PAYROLL ADDITIONS AND CHANGES

Police Administration: Janna Mollet \$18.95/hr; Police: Kevin Malloy \$19.76/hr; Code: Jim Balweg \$17.47/hr

11. Invoices Payable

411-12
Alderman Ward moved approval of the following bills:
ACCENT/CIGNA REFUND
AMB OVERPAYMENT 69.80
ARCHITECTURE INC. PROF SERVICES - LIBRARY 2,715.00
BRANDON HANSEN MEALS REIMBURSEMENT 38.00
BROADCASTER PRESS ADVERTISING 2,163.86
BUREAU OF ADMINISTRATION TELEPHONE 244.17
CALLE SORENSEN MEALS REIMBURSEMENT 38.00
CANNON TECHNOLOGIES, INC LOAD MANAGE SUPPLIES 3,623.04
CANON FINANCIAL SERVICES PLOTTER LEASE 196.27
CENTURYLINK TELEPHONE 1,474.39
CHRIS NISSEN SAFETY BOOTS REIMBURSE 100.00
CLAY CO REGISTER OF DEED FILING FEES 60.00
CLAY-UNION ELECTRIC CORP ELECTRICITY 1,084.21
DAN HANSON SAFETY BOOTS REIMBURSE 100.00
DENR PYMT 66,031.51
DEPT OF REVENUE LICENSE RENEWAL 275.00
DEPT. ENVIRONMENT NATL RES LANDFILL OPERATIONS FEE 3,007.06
D & G CONCRETE CONSTRUCTION STANFORD ST CONSTRUCTION 37,713.64
DIAMOND VOGEL PAINTS TRAFFIC PAINT 3,424.44
DON LARSEN REFUND WATER SERVICE FEE 15.00
GREGG PETERS MANAGERS FEE 5,375.00
KNOLOGY DIAL-UP SERVICE 49.95
LARRY BRADY BIKE PATH EASEMENT 51.00
LEE HUBER MEALS REIMBURSEMENT 39.00
LOREN FISCHER DISPOSAL HAUL CARDBOARD 140.00
MATHESON TRI-GAS, INC CYLINDERS 635.58
MIDAMERICAN GAS USAGE 905.43
MIDCONTINENT COMMUNICATIONS CABLE/INTERNET SERVICE 105.95
NICOLE GULLEY MEALS REIMBURSEMENT 38.00
RESERVE ACCOUNT POSTAGE FOR METER 650.00
SD DEPT OF REVENUE TRANSPORTER LICENSE 25.00
SPRINT CELL PHONES 1,284.98
STERN OIL CO. FUEL/OIL 22,640.67
THE EQUALIZER ADVERTISING 682.00
TONY KLUNDER MEALS REIMBURSEMENT 38.00
US POSTMASTER POSTAGE FOR UTIL BILLS 1,050.00
VEOLIA ENVIRONMENTAL SERVICES HHW COLLECTION 23,593.92
VERMILLION DEVELOPMENT CO WELDING EQPT REIMBURSE 21,850.02
VISA/FIRST BANK & TRUST FUEL/LODGING/SUPPLIES 1,313.54
ALAN GAUER BRIGHT ENERGY REBATE 275.00
BARB ERNST BRIGHT ENERGY REBATE 150.00
VERMILLION CIVIC COUNCIL BRIGHT ENERGY REBATE 324.00

The special session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, November 20, 2012 at 5:00 p.m. by Mayor Powell.

1. Roll Call
Present: Collier-Wise, Davis, Meins, Osborne, Ward, Willson, Mayor Powell
Absent: Grayson

Mayor Powell stated that this was a joint meeting with the County Commission for a public hearing to consider first reading of an ordinance for a zone change in the Joint Jurisdictional area from the agricultural district to the rural residential at 46171 Timber Road. As the County Commission doesn't have a quorum of members present the public hearing will need to be rescheduled. The consensus of the City Council was to see if this hearing could be included with the other zone change hearing on December 11th at 5:15 p.m.

2. Adjourn

414-12
Alderman Osborne moved to adjourn the Council Meeting at 5:03 p.m. Alderman Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 20th day of November, 2012.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA
BY: John E. (Jack) Powell, Mayor
ATTEST: Michael D. Carlson, Finance Officer

Published once at the total approximate cost of \$20.43
Estimated publishing cost per published copy \$0.0109
Published: November 30, 2012

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12. Consensus Agenda

A. Set a public hearing date of December 3, 2012 for issuance of retail on-off malt beverage license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101

B. Set a public hearing date of December 3, 2012 for issuance of retail on-off sale wine license for Jose Gonzalez for Mi Familia Mexican Restaurant at 7 Court Street Suite 101

C. Set a public hearing date of December 3, 2012 for annual liquor and wine license renewals

D. Set a public hearing date of December 3, 2012 for a public progress hearing for Community Development Block Grant

412-12
Alderman Zimmerman moved approval of the consensus agenda. Alderman Willson seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

413-12
Alderman Osborne moved to adjourn the Council Meeting at 7:47 p.m. Alderman Meins seconded the motion. Motion carried 9 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 19th day of November, 2012.

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA
BY: John E. (Jack) Powell, Mayor
ATTEST: Michael D. Carlson, Finance Officer
Published once at the total approximate cost of \$256.50
Estimated publishing cost per published copy \$1.379
Published: November 30, 2012

Unapproved Minutes Council Special Session November 20, 2012 Tuesday 5:00 p.m.

USD Opera recipient of national award

The University of South Dakota Opera's spring 2012 production of "Dido and Aeneas" was awarded third prize in the National Opera Association's 2011-12 Opera Production Competition.

Directed by Tracelyn Gesteland, D.M.A., assistant professor of voice/opera, "Dido and Aeneas" featured a mythic queen, her lover and an evil Sorceress bent on revenge. Musical conductor for the production was David Holdhusen, Ph.D., assistant professor of music and director of choral activities at USD. Rebecca Hebda, a sophomore from Yankton, S.D., was the choreographer.

Entries in the competition were judged based on videotaped performances, and a statement of the director's concept and artistic choices. Universities were divided into five categories, including production budget, size of overall music program and the level of vocal training of the cast members. Recent past winners of this award include the University

of Colorado at Boulder and the College-Conservatory of Music of the University of Cincinnati.

"For our opera program to receive an honor bestowed upon some of the most esteemed opera programs in the country speaks to the level of talent here at USD," Gesteland said. "To receive recognition on a national level is a huge achievement for everyone involved in this production."

Since 1955, NOA has worked nationally to promote appreciation of opera and music theatre as well as educational opportunities for those studying the craft, with the goal of improving the scope and quality of opera nationwide. The NOA Opera Production Competition is open to all small regional opera companies in the United States and all college and university opera programs.

Annually, USD Opera presents a main stage opera in addition to children's outreach performances. In 2013, USD Opera will perform Menotti's "The Medium," April 19- 20, at Aalfs Auditorium in Slagle Hall.

HP 'Operation Safe' campaign successful

South Dakota may have experienced its first highway fatality-free Thanksgiving holiday in a decade, preliminary reports to the Department of Public Safety indicate.

Statistics from Public Safety's Office of Accident Records show that 2003 was the last Thanksgiving travel period without a recorded highway fatality in South Dakota. Late reports from the past weekend could change this year's outcome, but as of mid-day Monday, Nov. 26, the Office of Accident Records had received no reports of fatal crashes in South Dakota during the period.

Highway Patrol kicked off the holiday travel period on Wednesday, Nov. 21, with a high-visibility Operation Safe campaign. That statewide effort involved nearly every uniformed Highway Patrol member. The primary purpose of Operation Safe was to remind motorists to make safe and responsible driving decisions during their holiday travel.

Statewide during the day-long Operation Safe campaign on Nov. 21, troopers responded to 31 crashes during the operation, made six DUI arrests and nine drug arrests and assisted 38 motorists on the highway.

Joint Reception
for
Paul Hagenbuch, Grand Master
of the Grand Lodge of SD
and
Robert Munsil, Grand Patriack
of the Grand Encampment of SD
Sunday, December 2, 2012
2 p.m. - 4 p.m.
IOOF Hall
1224 Cherry St., Vermillion

Holiday Early Deadlines
December 25th Edition
Deadline is
Thurs., Dec. 20th at 11 a.m.
The Broadcaster/Plain Talk offices will be closing at noon on Monday, Dec. 24th and closed all day Tuesday, Dec. 25th.
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