

10A Vermillion Plain Talk

2010 Legal and Public Notices

ATTEST:
BY _____
Michael D. Carlson, Finance Officer

Unapproved Minutes
City Council Regular Session
November 17, 2014
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, November 17, 2014 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Willson, Mayor Powell

Absent: Ward

2. Pledge of Allegiance

3. Minutes

A. Minutes of November 3, 2014 Special Session; November 3, 2014 Regular Session; November 6, 2014 Special Session.

389-14
Alderman Collier-Wise moved approval of the November 3, 2014 Special Session, November 3, 2014 Regular Session and November 6, 2014 Special Session minutes. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

390-14
Alderman Holland moved approval of the agenda. Alderman Collier-Wise seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

5. Visitors to be Heard

Mayor Powell wanted to thank the citizens for their support for the General Obligation Bond for Prentis Park improvements including the swimming pool.

6. Public Hearings - None

7. Old Business - None

8. New Business
A. Business Improvement District #1 reappointments

Mayor Powell reported that in September 2013 the City established the Business Improvement District #1 Board. The initial five member board was appointed with two members with one year terms, two members with two year terms and one with a three year term. Mayor Powell stated that Dan Kenton and Jim Peterson terms are expiring and they both have expressed interest in continuing on the board for a three year term. Mayor Powell recommended their reappointment to the Business Improvement District #1 Board.

391-14
Alderman Willson moved the reappointment of Dan Kenton and Jim Peterson for three year terms on the Business Improvement District #1 Board. Alderman Holland seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

B. Vermillion Now! 2 Governance Council appointment

Mayor Powell reported that, in late October, the Vermillion Chamber of Commerce and Development Company announced that their economic development fundraising program known as Vermillion Now! 2 had reached \$1.67 million in pledges for the work plan over the next five years. Mayor Powell stated that the Vermillion Now! 2 Program includes an Advisory Governance Council consisting of major cash investors as was done for Vermillion Now! 1. Mayor Powell stated that the Advisory Governance Council provides campaign oversight, accountability, and transparency for campaign dollars. Mayor Powell noted that he was the City representative for Vermillion Now! 1 and would be willing to serve as the City representative for Vermillion Now! 2.

392-14
Alderman Willson moved to appoint Mayor Powell as the City representative to the Vermillion Now! 2 Governance Council. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

C. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for Sidewalk Repairs

Jose Dominguez, City Engineer, reported that the resolution adopting the resolution of necessity for sidewalk repairs was adopted

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August 6, 2012. This resolution was for the sidewalks in the northwest quadrant of the city. Jose stated that the repairs have been completed and the assessment roll has been calculated and filed in the Finance Office. The resolution is to set a public hearing date of December 15, 2014 and the property owners to be assessed will be sent notice of the hearing. 393-14

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

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL FOR SIDEWALK REPAIRS IN THE CITY OF VERMILLION, SD

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota, on the 12th day of November, 2014, for the repair of sidewalks in front of abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and WHEREAS, said assessment roll, now on file in the office of the City Finance Officer of the City of Vermillion, South Dakota, is open for public inspection and is referred to for further particulars; and WHEREAS, said assessment roll shows as follows:

- The name of the owner(s) of each lot to be assessed, as shown by the assessment rolls, of the Director of Equalization.
- A description by lot, block and addition, or by metes and bounds of each parcel of land to be assessed, recognizing divisions by deed of platted lots, and obtaining the legal description of land as of the date of the adoption of the Resolution of Necessity for such improvement;
- The amount assessed against each lot;
- The number of installments, the rate of interest deferred installments shall bear, and the whole of such assessment, or any installment thereof, may be paid at any time, and that all installments paid prior to the respective due dates shall be deemed paid in inverse order of their due date;
- Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, BE IT RESOLVED, that Monday, the 15th day of December, 2014, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 25 Center Street, in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of said City of Vermillion, South Dakota, should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the construction of said improvement.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota, shall be and is hereby authorized and directed to cause this Resolution and Notice to be published in the official newspaper in the City of Vermillion, South Dakota, one week prior to the date set for such hearing.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota, shall mail a copy of this Resolution and Notice, by first-class mail, with postage thereon fully prepaid, addressed to the owner(s) of any property to be assessed for such improvement at their address as shown by the records of the Director of Equalization. Such mailing shall be done at least one (1) week prior to the date set for said hearing.

Dated at Vermillion, South Dakota, this 17th day of November, 2014.

THE GOVERNING BODY OF THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA:

B y _____ :
John E. (Jack) Powell
ATTEST:

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Erickson. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 8 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

D. Resolution Fixing the Time and Place for a Hearing and Notice of Hearing on the Special Assessment Roll for PCC Paving,

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Alley in Block 68, Bigelow's Addition

Jose Dominguez, City Engineer, reported that the resolution adopting the resolution of necessity for the alley paving was adopted January 6, 2014. This resolution was for the north south alley from East Clark Street to East Cedar Street between Harvard Street and Yale Street in Block 68 Bigelow's Addition. Jose stated that the paving has been completed and the assessment roll has been calculated and filed in the Finance Office. The resolution is to set a public hearing date of December 15, 2014 and the property owners to be assessed will be sent notice of the hearing.

394-14
After reading the same once, Alderman Willson moved adoption of the following:

RESOLUTION FIXING THE TIME AND PLACE FOR A HEARING AND NOTICE OF HEARING ON THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF CONCRETE SURFACING ALONG THE NORTH TO SOUTH ALLEY IN BLOCK 68, BIGELOW'S ADDITION FROM EAST CLARK STREET TO EAST CEDAR STREET, IN THE CITY OF VERMILLION, SD

WHEREAS, a special assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, Clay County, South Dakota, on the 12th day of November, 2014, for the concrete paving of an alley in front of abutting lots in the City of Vermillion, Clay County, South Dakota, said special assessment being against the property abutting upon said improvement; and WHEREAS, said assessment roll, now on file in the office of the City Finance Officer of the City of Vermillion, South Dakota, is open for public inspection and is referred to for further particulars; and WHEREAS, said assessment roll shows as follows:

- The name of the owner(s) of each lot to be assessed, as shown by the assessment rolls, of the Director of Equalization.
- A description by lot, block and addition, or by metes and bounds of each parcel of land to be assessed, recognizing divisions by deed of platted lots, and obtaining the legal description of land as of the date of the adoption of the Resolution of Necessity for such improvement;
- The amount assessed against each lot;
- The number of installments, the rate of interest deferred installments shall bear, and the whole of such assessment, or any installment thereof, may be paid at any time, and that all installments paid prior to the respective due dates shall be deemed paid in inverse order of their due date;
- Whenever the word "lot" appears therein, it shall be construed to include tracts and other parcels of land.

NOW, THEREFORE, BE IT RESOLVED, that Monday, the 15th day of December, 2014, at the hour of 7:00 p.m. in the City Council Chambers at City Hall located at 25 Center Street, in the City of Vermillion, Clay County, South Dakota, be and the same is hereby fixed as the time and place for hearing upon said assessment roll. Any interested person may appear and show cause why the Governing Body of said City of Vermillion, South Dakota, should not approve and levy said assessments against the respective premises as set forth in said assessment roll, to defray the costs of the construction of said improvement.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota, shall be and is hereby authorized and directed to cause this Resolution and Notice to be published in the official newspaper in the City of Vermillion, South Dakota, one week prior to the date set for such hearing.

BE IT FURTHER RESOLVED, that the Finance Officer of the City of Vermillion, Clay County, South Dakota, shall mail a copy of this Resolution and Notice, by first-class mail, with postage thereon fully prepaid, addressed to the owner(s) of any property to be assessed for such improvement at their address as shown by the records of the Director of Equalization. Such mailing shall be done at least one (1) week prior to the date set for said hearing.

Dated at Vermillion, South Dakota, this 17th day of November, 2014.

THE GOVERNING BODY OF THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA:

B y _____ :
John E. (Jack) Powell
ATTEST:

Michael D. Carlson, Finance Officer

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

9. Bid Openings - None

10. City Manager's Report

A. John reported that City offices will be closed on Tuesday, November 27th for Thanksgiving Day. The recycling pickup scheduled for that Thursday will be on Monday, December 1st.

B. John reported that there is a special meeting of the City Council and County Commission to consider a rezoning for property on north side of 317th Street on Tuesday, November 25th at 11:15 a.m. in the large conference room of City Hall. There will also be a presentation by Dakota Hospital Foundation.

C. John reminded citizens that sidewalks are to be cleared 24 hours after the end of a snow event. He noted that snow should be stored on your property - not across the street on neighbor's yard without permission or piled up in the street in front of neighbor's property. If the snow is moved across the street, windrows of snow should not be left in the street.

D. John reported that a change order for the Wastewater Treatment Plant boiler project was provided. John noted that this will very likely be the only change order on this project. The total is \$7,656.91 that fits within the Change Order policy that is also attached.

PAYROLL ADDITIONS AND CHANGES

Electric: Mark Podany \$.25/meter

11. Invoices Payable

395-14
Alderman Collier-Wise moved approval of the following invoices:

- ANDY COLVIN, MEALS REIMBURSEMENT, 24.00
- AVERA QUEEN OF PEACE HEALTH, TESTING, 69.90
- BOUND TREE MEDICAL, LLC, SUPPLIES, 190.48
- BROADCASTER PRESS, ADVERTISING, 2,001.78
- BRUNICKS SERVICE INC, FUEL, 509.35
- BUREAU OF ADMINISTRATION, TELEPHONE, 248.69
- CANON FINANCIAL SERVICES, COPIER LEASE, 196.27
- CENTURYLINK, TELEPHONE, 1,492.61
- CITY OF VERMILLION, LANDFILL VOUCHERS, 360.00
- CLAY CO REGISTER OF DEED, FILING FEES, 90.00
- CLAY RURAL WATER SYSTEM, WATER USAGE, 86.60
- CLAY-UNION ELECTRIC CORP, ELECTRICITY, 1,480.69
- DEPT OF ENVIRONMENT & NATURAL RESOURCES, LOAN PAYMENT, 66,031.51
- DEPT OF ENVIRONMENT & NATURAL RESOURCES, LANDFILL OPERATIONS FEE, 3,005.58
- DEPT OF REVENUE, MALT BEVERAGE LICENSE, 150.00
- DIVISION OF MOTOR VEHICLE, TITLE/PLATES, 10.00
- DUCKS UNLIMITED, SPONSOR FEE, 60.00
- GREGG PETERS, MANAGERS FEES, 5,375.00
- INDEPENDENCE WASTE, WASTE HAULING, 18.00
- INTERSTATE ALL BATTERY CENTER, BATTERIES, 153.90
- LOREN FISCHER DISPOSAL, HAUL CARDBOARD, 210.00
- MATHESON TRI-GAS, INC, OXYGEN, 279.05
- PEDERSEN MACHINE INC, GATOR UTILITY VEHICLE, 8,500.00
- REPUBLIC NATIONAL DISTRIBUTION, MERCHANDISE, 16,436.84
- RELIABLE TOWING, TOW FEES, 306.20
- RESERVE ACCOUNT, POSTAGE FOR METER, 950.00
- SD MUNICIPAL LEAGUE, REGISTRATION, 50.00
- STERN OIL CO., AVIATION FUEL, 41,857.00
- TRAVIS TARR, BREAKER PANEL, 75.00
- UNITED PARCEL SERVICE, SHIPPING, 20.81
- US POSTMASTER, POSTAGE FOR UTILITIES, 1,050.00
- VERMILLION CHAMBER OF COMMERCE, TIF 6 GRANT, 31,631.02
- GABRIEL PICIOROAGA, BRIGHT ENERGY REBATE, 75.00
- TROY GREGOIRE, BRIGHT ENERGY REBATE, 1,050.00
- DERRY HOCHHOLTER, BRIGHT ENERGY REBATE,

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300.00
BARB WEYHRICH, BRIGHT ENERGY REBATE, 275.00
MARCH FILM, BRIGHT ENERGY REBATE, 100.00

Alderman Willson seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

12. Consensus Agenda

A. Set a public hearing date of December 1, 2014 for annual liquor and wine license renewals

B. Set a public hearing date of December 1, 2014 for a site transfer of the City of Vermillion Liquor Store municipal off-sale package liquor license from 826 Cottage to 820 Cottage on or about January 6, 2015

C. Set a public hearing date of December 1, 2014 for a retail on-off sale malt beverage license for the City of Vermillion Liquor Store at 820 Cottage for video lottery room

396-14
Alderman Collier-Wise moved approval of the consensus agenda. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

13. Adjourn

397-14
Alderman Collier-Wise moved to adjourn the Council Meeting at 7:11 p.m. Alderman Clarene Meins seconded the motion. Motion carried 8 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 17th day of November, 2014.

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 approximate cost of \$216.13.0

Wreath Decorating Contest, Tree of Lights Announced

Dakota Hospital Foundation (DHF) is pleased to announce the 2014 Wreath Decorating Contest. Community members are invited to submit a live or artificial wreath decorated to your personal style or theme of choice.

Decorated wreaths must be submitted with a completed Wreath Contest registration form on Monday from 8 a.m. – 5 p.m. Participants may bring their wreath to the Administration entrance at Sanford Vermillion – 102 S Plum Street. Special arrangements may be made for an earlier drop off.

Wreaths will be judged on several criteria including originality/creativity, arrangement, theme, and “WOW” factor. Prizes will be awarded in three categories: Best Individual entry, Best Business/Organization entry and Best of Show. Due to the variety and unique entries we have seen over the past few years, judges will also have the option to award additional prizes.

All wreaths entered will be auctioned at the Dakota Hospital Foundation Tree of Lights Open House and Wreath Auction. All proceeds from the Tree of Lights sales and the Wreath Auction will support the Sanford Arts Program in Vermillion.

Tree of Lights
The Tree of Lights program in its 8th year provides community members with the opportunity to purchase a light in memory of, in honor of, or as a special holiday greeting to friends, coworkers and loved ones.

Lights purchased may serve as a unique holiday gift. A special holiday ornament card is sent to intended recipients.

The four-story evergreen located at the corner of Main and Plum Streets at Sanford Vermillion has been designated for the touching Tree of Lights display and will remain lit throughout the Holiday Season.

The Tree of Lights Open House & Wreath Auction will be held on Tue, Dec 2 at the Vermillion Event Center, 912 N Dakota Street. Please note the new location this year. The evening will feature a lovely variety of hors d'oeuvres and refreshments beginning at 5 p.m. with the Wreath Auction starting at 6 p.m.

“This is a wonderful event for Dakota Hospital Foundation and the community. Each year we look forward to the creativity of all the wreaths,” comments Linda Kogel, Secretary/Treasurer of the DHF Board of Directors.

“The wreath auction provides an excellent opportunity for us to highlight Sanford Arts Vermillion and share the impact of this incredible program.

And, each year we so appreciate the enthusiasm and generosity of community members in supporting Sanford Arts Vermillion through this special holiday event,” concluded Kogel.

- Courtesy of Sanford Medical Center Vermillion

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