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Unapproved Minutes Council Special Session October 1, 2012 Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, October 1, 2012 at 12:00 noon in the City Hall large conference room.

1. Roll Call

Present: Davies, Ward, Willson, Zimmerman, Mayor Powell

Absent: Collier-Wise, Grayson, Meins, Osborne

2. Informational Item - final results of the Police Department Community Survey - Matt Betzen

Matt Betzen, Police Chief, reported on the results of the community survey that was recently completed. Matt stated that the survey will serve as a benchmark for the Department as it develops a five year plan. Matt reviewed the survey goals, committee members that participated in developing the survey and the survey results. He summarized his conclusions of the results that he will use in community policing and the next steps in developing a five year plan. Matt answered questions of the City Council on the survey and the Police Department noting that the survey is available on the Police Department page on the city

3. Possible Executive Session pursuant to SDCL 1-25-2(3) Pending Legal Mat-

Mayor Powell asked that this item be continued until the evening meeting to allow more members to be present.

4. Briefing on the October 1, 2012 City Council Regular Meeting Agenda

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

5. Adjourn

Alderman Zimmerman moved to adjourn the Council special session at 12:48 p.m. Alderman Willson seconded the motion. Motion carried 5 to 0. Mayor Powell declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of October, 2012.

THE GOVERNING BODY OF THE OF VERMILLION, SOUTH DAKOTA

BY John E (Jack) Powell, Mayor ATTEST:

Michael D. Carlson, Finance Officer

Unapproved Minutes City Council Regular Session October 1, 2012 Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on October 1, 2012 at 7:00 p.m. by Mayor Powell.

1. Roll Call

Present: Davies, Meins, Ward, Willson, Zimmerman, Mayor Powell, Student Representative Thiel

Absent: Collier-Wise, Grayson, Os-

- 2. Pledge of Allegiance
- 3. Minutes

A. September 17, 2012 Special Session; September 17, 2012 Regular Session

Alderman Davies moved approval of the September 17, 2012 special session minutes and the September 17, 2012 regular session minutes. Alderman Meins seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

4. Adoption of Agenda

354-12 Alderman Willson moved approval of the agenda with the addition of New Business 8G – Resolution to authorize submitting a grant application to the US Soccer Foundation and approving the installation of lights for the soccer field and the addition of Executive Session A - Executive Session pursuant to SDCL 1-25-2(3) Pending Legal Matters. Alderman Zimmerman seconded the mo-

5. Visitors to be Heard

A. Public Power Week Proclamation

tion. Motion carried 6 to 0. Mayor

Powell declared the motion adopted.

Alderman Ward read the Proclamation designating the week of October 7 -October 13, 2012 as Public Power Week in Vermillion.

B. Fire Prevention Week Proclamation

Alderman Meins read the Proclamation designating the week of October 7 – October 13, 2012 as Fire Prevention Week and encouraged all people in Vermillion to practice their home fire escape plan.

6. Public Hearings

A. Special Assessment roll for nuisance

Mike Carlson reported that on September 4th the City Council adopted a resolution setting the public hearing for tonight for consideration of the special assessment roll. The resolution was published and mailed to the property owners. The assessments are for nuisance abatement during the last year for grass/weed, debris, dangerous building and abandon sign removal. Mike reported that, if adopted, the listed property owners will be sent the resolution allowing 30 days to pay the assessment

without interest and if not paid will be certified to the county to be included on next year's taxes. Discussion followed. 355-12

After reading the same once, Alderman Willson moved adoption of the follow-

RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL AND NOTICE OF SPECIAL ASSESSMENTS FOR NUISANCE ABATEMENT IN THE CITY OF VERMILLION, SOUTH DAKOTA

WHEREAS, the Governing Body of the City of Vermillion, Clay County, South Dakota, has established a special assessment roll for defraying the cost of nuisance abatement against the several tracts of real property upon:

NUISANCE ABATEMENT, as listed at the end of this Resolution, in the City of Vermillion, Clay County, South Dakota. The assessment roll was filed in the office of the City Finance Officer of the City of Vermillion, South Dakota on the 4th day of September

WHEREAS, said Governing Body, by resolution, fixed this time and place for hearing upon the assessment roll for the 1st day of October, 2012, and directed the City Finance Officer, of the City of Vermillion, Clay County, South Dakota, to publish a Resolution and Notice for such hearing in the official newspaper of Vermillion, South Dakota, one week prior to the date set for said hearing. Said Resolution and Notice described, in general terms, the improvement for which the special assessment is levied, the date of filing of the assessment roll, the time and place for the hearing, that the assessment roll would be open for public inspection at the office of the City Finance Officer of Vermillion. South Dakota, and referred to the assessment roll for further particulars. The Finance Officer was further directed to mail a copy of the Resolution and Notice by first-class mail, postage thereon fully prepaid, addressed to the property owners of any property to be assessed for such improvement at their address, as shown by the records of the Director of Equalization, at least one week prior to the date set for the hearing.

WHEREAS, it now appears that the Finance Officer has caused notice of the hearing to be given in the manner provided by the aforementioned Resolution and Notice, and by law.

WHEREAS, all persons interested have been given an opportunity to appear and show cause why the Governing Body should not approve the assessment roll, and the assessments against the respective premises of the owners, and the Governing Body has determined that the assessment roll is, in all respects, true and correct, and according to law.

NOW, THEREFORE, IT IS RE-SOLVED, by the Governing Body of the City of Vermillion, Clay County, South Dakota, that the special assessment roll is hereby approved without amendment or change.

BE IT FURTHER RESOLVED, that the approved assessment roll be filed in the office of the City Finance Officer the day after approval of the assessment roll. The City Finance Officer shall publish once in the official newspaper of Vermillion, South Dakota, a copy of this Resolution and Notice, along with the approved assessment roll.

BE IT FURTHER RESOLVED, that the City Finance Officer shall immediately mail to the owner, or owners, of each lot, parcel or piece of ground, as shown by the assessment roll, a copy of this Resolution and Notice along with the approved assessment roll.

NOTICE IS HEREBY GIVEN, that the assessments mentioned in the assessment roll will be payable according to the provisions of Plan One as set forth in Sections 9-43-30 to 9-43-41, inclusive of the Compiled Laws of 1967 of the State of South Dakota.

NOTICE IS FURTHER GIVEN, that any assessment under Plan One, or any installment thereof, may be paid without interest to the City Finance Officer whose office is located in the Municipal Building at 25 Center Street in the City of Vermillion, South Dakota, at any time, within thirty (30) days after the filing of the approved assessment roll in the office of said City Finance Officer. Thereafter, and prior to the due date of the first installment, the entire assessment remaining, plus interest thereon, from the filing date to the date of payment, may be paid to the said City Finance Officer. No installment under Plan One shall be paid to said City Finance Officer on or after its due date, and, on and after said date, such installment shall be paid only to the County Treasurer with interest.

NOTICE IS FURTHER GIVEN, that the approved assessment roll will be filed with the City Finance Officer on 2nd day of October, 2012. The assessment is payable in one (1) installment at ten percent (10%) per annum interest on unpaid installments. The first installment due date is January 1, 2013.

Owner Name Prop-Location Corrective Action Amount Jeanine Halverson 10 S University grass/weed/debris removal 1,031.75 Timothy N. Peterson & grass/weed/dangerous Elizabeth A. Goehring 716 building removal Maple 13,263.72 Dorothy J. Rosenbaum 1407

E Main grass/weed removal 545.90 Megan Skeen 326 Center 654.36 grass/weed removal Marion Sprecher 412 E Main 206.70 grass/weed removal Brian Steele 112 E Main abandoned sign removal 185.50

Charlie Vanwardhuizen 709 W Main grass/weed tagging 53.00

Dated at Vermillion, South Dakota, this 1st day of October 2012.

THE GOVERNING BODY OF THE OF VERMILLION, SOUTH DAKOTA John E (Jack) Powell, Mayor

ATTEST:

Michael D. Carlson, Finance Officer 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. 6 members voted in favor of and 0 members voted in opposition to the Resolution, Mayor Powell declared that the Resolution was adopted.

B. Resolution of Necessity and Notice of Hearing for Sidewalk Repairs (Northwest Quadrant - small list)

Jose Dominguez, City Engineer, reported that the City implemented a sidewalk inspection program in 2010. On September 4th, the City Council adopted a resolution setting a public hearing for tonight for notice to the property owners to repair sidewalks. The resolution gives property owners until June 28, 2013 to complete the repair or demonstrate that the repairs are under contract to be completed by the end of 2013 or the City will contract to have the repairs done. Discussion fol-

356-12

After reading the same once, Alderman Zimmerman moved adoption of the fol-

RESOLUTION ADOPTING RESOLU-TION

OF NECESSITY FOR SIDEWALK REPAIRS IN THE CITY OF VERMILLION, SD

BE IT HEREBY RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regularly called meeting thereof, in the Council Chambers of said City Hall at 7:00 p.m. on the 1st day of October, 2012, that the necessity has arising for sidewalk repairs along the parcels of land hereinafter named, viz:

Violation Legal Violation Address Description Violation Addi-Violation Parcel Number tion 519/521 Elm Street Lot 7 of Replat of Lot 7, Blk. 86 Addition to Sny-15730-08600-070-33 der's 525 W. Clark Street Lot 4, Blk. 2 Lamberts Subdivision 15370-00200-040-00

916 N. Dakota Street N. 105.32' of the S. 320' of the E. 4' of Lot 5 & N 105.32' of the S. 320' of Lot 3 & S. 16.73' of the N. 122.05' of the S. 320' of the W. 22.28' of the E. 111.53' of Lot 3 & S. 30.68' of the N. 136' of the S. 320' of the E. 89.26' of Lot 3, All in Blk. 1 Johnson's Addition 15340-00100-030-06 21 Walnut Street Lots 6, 7, 8, 9 &

10, Blk. 1, except the N. 95' & the N.  $\frac{1}{2}$ of Vacated Alley South of Lots 9 & 10 15350-00100-Jones Addition  $060\text{-}00;\,15350\text{-}00100\text{-}100\text{-}00$ 1128 Westend Drive E. ½ of Lot 2 and all of Lot 3Larson's Subdivision 15390-00000-030-00; 15390-00000-020-02

The S. 64' of Lot 218 Hall Street 26, all of Lot 27 and Lot 50 son's Subdivision 15390-00000-260-00; 15390-00000-500-00 120 Franklin Street S. ½ of Lots 1, 2 & 3, Blk. 40 Snyder's Addi-15720-04000-030-00 210 Washington Street 19' of Lot 3, all of Lots 4 & 5 and the N. 4' of Lot 6, Blk. 52 Snyder's Addi-

15720-05200-060-00 S. ½ of Lot 4 and 310 Center Street Lot 5, Blk. 58 Snyder's Addi-15720-05800-040-00; 15720-05800-050-00 S. 58.5' of the N. 406 High Street 117' of Lot 1, Blk. 84 Addition to Sny-15730-08400-010-03

432 Cottage Avenue S. 10' of the E. 165' of Lot 7 and the N. 1/3 of the E.  $\frac{1}{2}$ of Lot 8, & the W 2/3 of the W ½ of Lot 8, Blk. 85 Addition to Snyder's 15730-08500-080-09: 15730-08500-080-12 23 W. Dartmouth Street W. 85'

of Lot 10, Blk. 85 Addition to Sny-15730-08500-100-00 427 Cottage Avenue N. 60' of Lot 4 and the N. 60' of the W. 40' of Lot 5, & 70' x 104' of Lot 5, Blk. 86 Addition to Snyder's 15730-08600-050-00:

15730-08600-050-02 607 Cottage Avenue Comm at pt. 264' S. & 200' W. of the NE Corner, Blk. 87, thence W. 130'; thence S. 54'; thence E. 130'; thence N. 54' to POB, Blk. 87 Addition to Snyder's 15730-08700-

603 Cottage Avenue W. 88' of the E.  $200\ensuremath{^{\circ}}$  of the S. 132' & W. 130' of the N. 12' of the S. 78', Blk. 87 & W. 218' of the N. 46' of the S. 66', Blk. 87 Addition to Snyder's 15730-08700-000-06 535 W. Cedar Street Lot 1, Blk. 1 and

the EC-1 of the SW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  ,

S13-T92-R52 Lambert's Subdivision 15370-00100-010-00; 15770-09252-133-21 511 W. Cedar Street E. 55' of the S. ½ of IS-1 of the SW 1/4, S13-T92-R52 Torstenson's Unplatted Addition 15770-09252-133-45

525 W. Cedar Street Lots IS-3 in the SW ¼ of S13-T92-R52, except the N. Torstenson's Unplatted Ad-15770-09252-133-57 dition 713 W. Main Street Lot CK-2 & CK-3, a part of Lot 4, Blk. 13, & Lot CK-4 of Outlot, Torstenson's Addition Van 15810-01300-Meter's Addition

000-03 1831 Constance DriveLot 9, Blk. 4 Westgate Addition 15840-00400-090-00

1851 Constance DriveLot 12, a Replat of Lot X, Blk. 4 Westgate Addi-15840-00400-120-00 1846 Constance DriveLot 13 and Lot

Westgate Addi-13A, Blk, 5 15840-00500-130-00: tion 15840-00500-130-03 5 W. Cherry Street Lot 1, Blk. 1, in the S. ½ of he SE ¼ of the NW ¼ & the S 1/2 of the SW 1/4 of the NE 1/4, S13-T92-R52 Misc. Entries Addition 15880-09252-130-01 807 Cottage Avenue Lots 5, 6, 7, 8, 9 & 10, Blk. 4 & the N. ½ of Vacated Spruce Street & the W. 1/2 of Vacated Elm Street & Vacated alley between

& 8 and the W. 1/2 of Vacated Alley adjacent to end of Lots 9 & 10 Addition 15550-00400-100-00 611 Olive Drive Lots 6, 7 & 8, Blk. 1 of Lot E in the NW  $\frac{1}{4}$  of the SE 14, S14-T92-R52 Misc. Entries Ad-15880-09252-144-26 dition 1312 Westgate Drive Lots 1, 2, 3 & 4, Replat of Lot C in the SW  $\frac{1}{4}$  of the NE 14. S14-T92-R52: Lot G in the SW 14 of the NE ¼, S14-T92-R52; Lot H in the SW 1/4 of the NE 1/4, S14-T92-R52; Lot D, except Lot 1, Anderson Addition, S14-T92-R52

Misc. Entries Addition 15880-09252-141-04; 15880-09252-141-07; 15880-09252-141-08; 15880-09252-141-10; 15880-09252-141-16; 15880-09252-141-17; 15880-09252-144-17

Lot 5, Blk. 2 1001 James Street Westgate Addition 15840-00200-050-00

1800 Constance DriveLots 2, 3, 4, 5 & 5A, Blk. 5 Westgate Addition 15840-00500-020-00 N. 9' of the W. 25 Franklin Street  $100\ensuremath{^{\circ}}$  of Lot 13 and the W. 100  $\ensuremath{^{\circ}}$  of Lot 14, Blk. 38 Snyder's Addition 15720-03800-140-00

In the City of Vermillion, South Dakota, all as mentioned in a Resolution of Necessity adopted by the Governing Body on the 4th day of September 2012 is approved and that the Engineer shall proceed with the work in the manner provided by law.

BE IT FURTHER RESOLVED, that the property owner shall, at their own expense, repair the sidewalk according to the specifications filed in the office of the City Engineer. The repairs must be completed by the 28th day of June, 2013, or be under contract to be completed no later than the end of 2013.

Dated at Vermillion, South Dakota this 1st day of October 2012.

THE GOVERNING BODY OF THE OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor ATTEST:

BY Michael D Carlson, Finance Officer The motion was seconded by Alderman Meins. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 6 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was adopted.

7. Old Business

A. Second Reading of Ordinance 1288 - Amending the Width of Driveways in the Industrial zoning districts

Jose Dominguez, City Engineer, reported that City ordinance sets the maximum width for all driveways at 36 feet. The ordinance will allow driveway widths up to 50 feet in the industrial zone. Administration recommends adoption of second reading of the ordinance. Discussion followed.

357-12

Mayor Powell read the title to the above named Ordinance, and Alderman Willson moved adoption of the follow-

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1288 entitled Amending the Width of Driveways in the Industrial zoning districts 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 17th day of September, 2012 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 1st day of October, 2012 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. 1288

AN ORDINANCE AMENDING TITLE 15, CHAPTER 154, SUBDIVI-SION REGULATIONS, SECTION 154.11.1.E.1.d AND SECTION 154.11.1.E.2.e, DESIGN STANDARDS - STREETS/URBAN, FOR THE CITY OF VERMILLION, SOUTH DAKOTA, BY AMENDING THE AC-CESS SIZE FOR DRIVEWAY WIDTHS FOR INDUSTRIAL USES.

BE IT ORDAINED, BY THE GOV-ERNING BODY OF VERMILLION, SOUTH DAKOTA:

That Sections 154.11.1.E.1.d and 154.11.1.E.2.e are hereby amended to read as follows:

The maximum driveway width for residential and commercial uses (as defined in the Zoning Ordinance) shall be 36 feet (36'). Driveway widths for industrial uses will be determined on a caseby-case basis depending on the size of vehicles and frequency of vehicles utilizing the driveway access. At no point, shall the driveway width exceed 50 feet (50'). The distance does not include the tapers at the access cut.

Dated at Vermillion, South Dakota this 1st day of October, 2012

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

John E, (Jack)Powell, Mayor ATTEST

BY: Michael D Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Meins. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Davies-Y, Meins-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y.

Motion carried 6 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

B. Second Reading of Ordinance 1289 2012 Supplemental Appropriations Ordinance for 911 Fund

Mike Carlson, Finance Officer, reported that this is the second reading of the ordinance to adopt a budget for the special revenue 911 Fund as required by the 911 Coordination Board Administrative rule. The ordinance removes the emergency communications budget and County reimbursement from the general fund to the new fund along with a transfer for the City share from the general fund. Discussion followed.

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No. 1289 entitled 2012 Supplemental Appropriations Ordinance for 911 Fund 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 17th day of September, 2012 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 1st day of October, 2012 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

ORDINANCE NO. 1289 2012 SUPPLEMENTAL APPROPRI-ATIONS ORDINANCE

AN ORDINANCE, adopting a 2012 Supplemental Appropriations Ordinance, for the City of Vermillion, South Dakota.

nance is to report the budget for the operations of Emergency Management in the newly created special revenue 911 Fund for 2012. BE IT ORDAINED, BY THE GOV-

The supplemental appropriations ordi-

ERNING BODY of the City of Vermillion, that the following sums are appropriated to meet the obligations of the municipality.

Amount of 2012 Proposed Supplemental Budget Budget Budget General Fund Revenues: County Payment **Emergency Communications** 239.853 0 (239,853)

Expenditures: Emergency Communications 479,706 (479,706) Transfer to 911 Special Revenue Fund 239,853 239,853

911 Special Revenue Fund Revenues: County Payment **Emergency Communications** 239,853 239,853 Transfer from General Fund 239,853 239,853

0 479,706 479,706 Dated at Vermillion, South Dakota this

**Emergency Communications** 

1st day of October, 2012

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

BY\_

Expenditures

John E, (Jack)Powell, Mayor ATTEST

Michael D Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Ward. Thereafter, the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body, and the members voted as follows: Davies-Y, Meins-Y, Ward-Y, Willson-Y, Zimmerman-Y, Mayor Powell-Y.

Motion carried 6 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. Final Plat of Lots 9-13, Block 2, French Addition to the City of Vermillion (East side of Norbeck Street across from Vermillion High School)

Jose Dominguez, City Engineer, reported on the location of the property to be platted. Jose stated that the Planning Commission has recommended approval of the plat on September 24th. Jose recommended approval of the plat as it meets all the requirements of city. Jose noted a developer's agreement will be needed to provide for future utilities and street improvements on French Drive.

359-12 After reading the same once, Alderman Davies moved approval of the follow-

ing plat:

WHEREAS IT APPEARS that the owners thereof have caused a plat to be made of the following described real property: Lots 9-13, Block 2, French Addition to the 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

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 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 Zimmerman. Discussion followed and the question of the adoption of the Resolution was presented for a vote of the Governing Body. 6 members voted in favor of and 0 members voted in opposition to the Resolution. Mayor Powell declared that the Resolution was

B. Request to DENR to Prepay the 1990 Clean Water State Revolving Loan

Mike Carlson, Finance Officer, reported that the City Council authorized the notice of prepayment of the 2004 Clean Water State Revolving Fund (SRF) loan at last meeting to be financed by a refunding bond projected to save the City \$81,000 over the remaining 14 year life of the loan. In working with Lynn Endorff of Dorsey & Whitney, bond counsel, on the refunding resolution to be considered later in the agenda, he suggested prepaying the remaining two payments on the 1990 bond. The principal outstanding is less than \$4,300 and will reduce the disclosure required on the refunding bond. This prepayment will be made from wastewater fund reserve. Mike also requested if the DENR approved the request to make the final payment thus not holding up the refunding. Discussion followed.

360-12

Alderman Zimmerman moved approval of notifying DENR of the request to prepay the 1990 Clean Water SRF loan and to authorize the Finance Officer to make the final payment from wastewater reserves upon notice of approval. Alderman Willson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

C. Library construction/renovation project Change Order #3

John Prescott, City Manager, reviewed previous change orders and explained the five proposal items included in the change order #3 that total \$3,378 plus the 8% architect's fee for a total increase in overall project costs of \$3,648. John noted that the contingency will be reduced to \$114,630 by this change

361-12

0

Alderman Ward moved approval of Change Order #3 on the Library Construction/Renovation Project with Welfl Construction increasing the project total by \$3,378. Alderman Willson seconded the motion. Motion carried 6 to 0. Mayor Powell declared the motion adopted.

D. Resolution relating to wastewater revenue refunding bonds

Mike Carlson, Finance Officer, reported that at last meeting the City Council authorized requesting to repay the 2004 Clean Water State Revolving Fund loan to be funded by a refunding bond. Lynn Endorff, with Dorsey & Whitney, Bond Counsel, has prepared the resolution included in the packet that will authorize the issuance of bonds to refund the 2004 SRF loan. Dougherty & Company have projected that by refunding we can save about \$81,000 over the remaining 14 years of the loan. The resolution provides that the City will establish a bond reserve of 10% or about \$225,000 and 5% of the prior year's operating expenses for a repairs and replacement reserve which, if based upon 2011, would be about \$46,000. These reserves will need to be established from the existing wastewater reserve funds. The resolution has been reviewed by the City Attorney. After the resolution becomes effective, which is 20 days after publication, the refunding bonds can be sold. Discussion followed.

After reading the same once, Alderman Zimmerman moved adoption of the fol-

RESOLUTION RELATING TO WASTEWATER REVENUE REFUND-ING BONDS: AUTHORIZING AND DIRECTING THE ISSUANCE AND SALE THEREOF AND DEFINING THE TERMS AND MANNER OF PAYMENT OF THE SERIES 2012 BONDS AND THE SECURITY THEREOF BE IT RESOLVED, by the City Coun-

RECITALS, AUTHORIZATION AND FINDINGS. Recitals and Authorization.

Dakota (the "City"), as follows:

cil, of the City of Vermillion, South

The City currently operates currently operates a wastewater collection system and wastewater treatment facilities (collectively, the "Utility"), for municipal, industrial and domestic purposes. The City is authorized to borrow money and issue its revenue bonds under South Dakota Codified Laws, Chapter 9-40 (the "Act"), in order to defray the cost of acquiring and constructing improve-