2010 Legal and Public 2010 Notices

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Extract of the Minutes of Meeting of the City Council of the City of Vermillion, South

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Vermillion, South Dakota, was duly held at City Hall in Vermillion. South Dakota, on Monday, the 15th day of September, 2014 at 7:00 p.m.

The following members were present: Collier-Wise, Erickson, Holland, Clarene Meins, Holly Meins, Price, Ward, Willson, Mayor Powell

And the following were absent: None

Old Business item A. Second Reading of Ordinance 1320 -Amending Chapter 155, Zoning Regulations, of the 2008 Revised Ordinances of the City of Vermillion, South Dakota, Section 155.026, entitled Adoption of Official Zoning Map, and adding Section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion, Clay County, South Dakota, from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition, to the City of Vermillion, Clay County, South Dakota from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and adopting regulations therefore.

Andy Colvin, Assistant to the City Manager, stated the ordinance will create a Community Oriented Healthcare Planned Development District. The uses to be permitted in the district are those that would typically be related to healthcare facilities and currently are allowed in this area. This district will allow the medical facilities to grow and expand in the area. Andy reported the Planning Commission recommended approval of the planned development district regulations and initial development plan. Andy reported that no comments were received since first reading of the ordinance. Discussion followed with the question if a large drug store with other merchandise would be alloch, City Attorney, stated that drug stores are allowed but that retail services and trade are not in-

Tim Tracy, with Sanford Vermillion, stated that drug stores were included as an allowed use as the hospital has a retail pharmacy and that drug stores are an allowed use in the current neighborhood commercial zone that the hospital is located in now.

Second reading of title to Ordinance No 1320, entitled An Ordinance Amending Chapter 155, zoning regulations, of the revised ordinances of the City of Vermillion, South Dakota, section 155.026 entitled adoption of official zoning map and adding section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned De-

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velopment District, and adopting regulations therefore, of the City of Vermillion, South Dakota.

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

Resolution

BE IT RESOLVED that the minutes of this meeting shall show that the title to the proposed Ordinance No 1320 entitled An Ordinance Amending Chapter 155, zoning regulations, of the revised ordinances of the City of Vermillion, South Dakota, section 155.026 entitled adoption of official zoning map and adding section 155.059 entitled Community Oriented Healthcare Planned Development District, rezoning lots 1-4, Hospital Addition to the City of Vermillion from the R-2 Residential District to the Community Oriented Healthcare Planned Development District; and lots 1-15, Kahl's Addition and lots 11-20, block 3, Eastside Addition from the NC Neighborhood Commercial District to the Community Oriented Healthcare Planned Development District, and adopting regulations therefore, of 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 2nd day of September, 2014 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 15th day of September, 2014 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

ORDINANCE NO. 1320

AN ORDINANCE AMENDING CHAPTER 155, zoning REGU-LATIONS, OF THE REVISED ORDINANCES OF THE CITY OF VERMILLION, SOUTH DA-KOTA, SECTION 155.026 ENTI-TLED ADOPTION OF OFFI-ZONING MAP AND ADDING SECTION 155.059 EN-TITLED COMMUNITY ORI-ENTED HEALTHCARE PLANNED DEVELOPMENT DISTRICT, rezoning LOTS 1-4, HOSPITAL ADDITION TO THE CITY OF VERMILLION, CLAY COUNTY, SOUTH DAKOTA, FROM THE R-2 RESIDENTIAL DISTRICT TO THE COMMU-NITY ORIENTED HEALTH-CARE PLANNED DEVELOP-MENT DISTRICT; AND LOTS 1-15, KAHL'S ADDITION AND LOTS 11-20, BLOCK 3, EAST-SIDE ADDITION, TO THE the lot line to the building line CITY OF VERMILLION, CLAY (see definitions). lowed in this district. Jim McCul- COUNTY, SOUTH DAKOTA All uses - Lot Area, 6,000 square FROM THE NC NEIGHBOR- feet; Frontage, 50 feet; Building TRICT TO THE COMMUNITY Side Yard, 8 feet; Rear Yard, 25 ORIENTED DEVELOPMENT PLANNED DISTRICT, and ADOPTING regulations therefore.

> BE IT ORDAINED BY THE GOVERNING BODY OF VER-MILLION, SOUTH DAKOTA:

SECTION 1. That Section 155.026, Adoption of Official Zoning Map, is hereby amended

as follows: THAT LOTS 1-4, HOSPITAL ADDITION, LOTS 1-15. KAHL'S ADDITION AND LOTS 11-20, BLOCK 3, EASTSIDE ADDITION, TO THE CITY OF VERMILLION. CLAY COUNTY, SOUTH DAKOTA ARE HEREBY INCLUDED IN THE COMMUNITY ORIENTED HEALTHCARE PLANNED DE-VELOPMENT DISTRICT AND THE OFFICIAL ZONING MAP IS AMENDED TO INCLUDE SUCH LAND IN THE COMMU-NITY ORIENTED HEALTH-CARE PLANNED DEVELOP-MENT DISTRICT.

SECTION 2.

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c t i o entitled 155.059 Community Oriented Healthcare Planned Development District be added and shall include the following regula-

tions: 155.059 COMMUNITY ORI-HEALTHCARE **ENTED** DEVELOPMENT **PLANNED** DISTRICT.

Purpose. The regulations set forth in this section or set forth elsewhere in the Vermillion Zoning Ordinance when referred to in this section are the district regulations in the Community Oriented Healthcare Planned Development District. The purpose of this district is to provide for well planned mixed use community oriented healthcare areas within the Planned Development District. All city ordinances apply to the Planned Development District except for those modified below.

Permitted uses. Permitted Uses - Applicable Stan-

Hospital/clinic - §§ 155.070, 155.072, 155.073, 155.077 Office - §§ 155.070, 155.072, 155.073, 155.077

Assisted living facility §§155.070, 155.072, 155.077 Applicant must provide copy of South Dakota Department of

Health license.

All multiple dwelling standards apply.

Nursing Home - §§155.070, 155.072, 155.077 Applicant must provide copy of

South Dakota Department of Health license. Accessory use (such as, garage, shed) - §§ <u>155.071</u>, <u>155.082</u>(A)

(see definition) Group Home - Structure must be a single housekeeping unit. Appli-

cant must provide a copy of state agency license. §§ 155.070, 155.072, 155.076,

Drug store - §§ 155.070, 155.072, 155.073, 155.077 Medical and dental clinics - §§

155.070, 155.072, 155.073, 155.077

Day care center - Adequate and safe playground area with fence 4 feet high.

A safe pickup and drop off area must be provided for the children. §§ 155.070, 155.072, 155.073,

Fences - § 155.074 Off-premise parking lots - § 155.070, 155.072, 155.077

Conditional uses. Dwellings - Dwellings shall be limited to the basement of any permitted primary uses within the

§§ 155.070, 155.072, 155.073, 155.077, 155.095

Lot and yard regulations. measurements shall be taken from

COMMERCIAL DIS- Line, 50 feet; Front Yard, 25 feet; HEALTHCARE feet; Maximum Height, 35 feet

Off-premise parking lots - Lot Area, § 155.072; Frontage, NA; Building Line, NA; Front Yard, 10 feet; Side Yard, 2 feet; Rear Yard, 10 feet; Maximum Height, NA.

#1 Where a side yard or rear yard is required half of the required yard must be maintained as a landscaped area.

#2 There shall be a required front yard on each street side of a double frontage lot. There shall be a required front yard on each street side of lots.

#3 Parking lot setbacks will only be required when abutting or across from a residential zone.

#4 See adjustments to yard regulations (§ 155.082) for other specific exceptions.

(D) Property sion. All future property re-division shall require a re-platting of the affected parcels. Planned Development District may be required to be amended depending on property re-division.

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(E) Visibility at Intersections Driveways. Safety zones shall comply with § <u>155.070</u>.

Off Street Loading (F) u i r ments shall comply with § <u>155.073</u>.

(G) Landscaping

zoning (1) Within any district, at least 90% of the required front yard setback shall be landscaped and maintained with living ground cover except for the portion of the front yard necessary for hard surfaced driveways and parking (§ 155.072).

(2) One (1) tree per 50 feet of tract width is required. No more than 25% of the required trees may be deciduous ornamental, evergreen, or coniferous trees.

(3) Each existing of at least 1 3/4-inch caliper in size shall count toward the tree requirement.

(4) Where feasible. landscape areas must be capable of providing a substantially full expanse of foliage within three years after planting. All deciduous trees shall be 1 3/4 inch caliper and all deciduous ornamental trees shall be 1 1/4-inch caliper.

Adjustments Yard Regulations shall comply with § 155.082.

(I) Non-conforming Uses and Structures shall comply with § 155.083. (J)Lighting_

(1) When

property adjacent to or within 150 feet of residentially used or zoned property, the following lighting standards apply: (a) The

mum light level shall be no greater than 3 foot candles field measured at the property line (ground level). (b) The

mum height of light luminaries shall be 20 feet above the ground.

(c) Canopy luminaries and other on-site lighting with luminaries greater than 2000 lumens shall include a 90-degree cut-off type, deflector, refractor, or forward throw light fixture.

(d) The mum number of canopy luminaries shall be determined by the following industry standard: Canopy length (in feet) x canopy width (in feet) x 3= Maximum No. of Luminaries lamp wattage

(2) All other light luminaries shall have a maximum height of 38 feet above the ground. Submittal of photometric plans shall be required with all site plan checks for building projects on property with lighted parking lots or lighted canopies.

(3) The following structures or uses are exempt from these lighting standards: parks, pedestrian walkways, and illuminated flags or statues.

(4) Lighting for parkrounding properties.

Sign Signs shall be regulated by Chapter 152. Regulations shall be those used in the NC District.

Fence regulations. Fences shall comply with § 155.074(A), (B) and (C), except for fences used to enclose recreational areas that may comply with 155.074(G).

(M) Accessory Uses. Accessory uses and structures may be placed within this district without the need of a primary structure being located within the same lot. The use of the accessory building shall still be related to the allowed use within the Planned Development District

Dated at Vermillion, South Dakota this 15th day of September,

THE GOVERNING BODY OF THE CITY OF VERMILLION, SOUTH DAKOTA

John E. (Jack) Powell, Mayor ATTEST:

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By. Michael D. Carlson. Finance Officer

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Adoption of the Ordinance was seconded by Alderman Willson. 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: Collier-Wise - Y, Erickson - Y, Holland - Y, Clarene Meins - Y, Holly Meins - Y, Price Y, Ward - Y, Willson - Y, Mayor Powell - Y

Motion carried 9 to 0. Mayor Powell declared that the Ordinance has been adopted and directed publication thereof as required by law.

Dated this 15th day of September,

Michael D. Carlson Finance Officer

Published once at the approximate cost of \$144.33.

MINUTES OF THE VERMIL-LION SCHOOL BOARD, Regular Meeting, Unapproved Minutes, September 8, 2014, VERMIL-LION PUBLIC SCHOOLS.

Board members present: Esping, Fairholm, Peterson, Schwasinger, Stammer. Presiding officer present: Esping-president. Officer present: Beermann-business manager. Administrators present: Froke-superintendent, Cameron-high school principal, Huska-athletic director. School attorney present: McCulloch.

Item #1-315; Stacy Stahl, Girls on the Run representative, requested use of the Jolley school gym at no cost for the 2014-2015 year. Motion by Stammer, seconded by Fairholm, to approve the use of Jolley school gym by the Girls on the Run program at no cost. Aye:

Item #2-315; Motion by Schwasinger, seconded by Fairholm, to approve the show choir trip to Chicago and use of a district van for the trip if needed. Aye: Unanimous.

Item #3-315; Greg Robinson spoke to the school board regarding the activities/athletics eligibility policy.

Item #4-315; Motion by Fairholm, seconded by Peterson, to approve the agenda as presented with the following addition: IX.H. Certified salary changes. Aye: Unanimous.

Item #5-315; Motion by Stammer, seconded by Schwasinger, to approve the minutes of the August 11, 2014 board meeting as presented. Aye: Unanimous.

Item #6-315; Motion by Fairholm, seconded by Schwasinger, to accept the business manager's report for the month ending August 31, ing lots shall be constructed so as 2014 and approve the payment of

> Item #7-315; Froke presented information on the following items: enrollment report, and, installation of sign board at high school.

Item #8-315; Beermann presented information on the following items: summer food service participation, and, Delta Dental rates for 2015.

Item #9-315; Board Member Reports: Peterson and Esping reported the finance committee meeting held on September 4, 2014. Board members will look at their calendars and Esping or Schwasinger will try to attend the ASBSD delegate assembly in Pi-

Item #10-315; Cameron presented information regarding the ACT scores and graduation rate.

Item #11-315; Huska presented information on coaching certification requirements and program expectations.

Item #12-315; Motion by Fairholm, seconded by Peterson, to approve the following policies on second reading: Item JHCC-E: Authorization and Release for Medication, Item JHCD: Administration of Medications to Stu**Legal and Public Notices**

dents, Item JHEB-A: Epinephrine Auto Injectors, Item JHEB-B: Student Self Administration of Asthma or Anaphylaxis Medication, Item JHEB-C: Authorization for Asthma or Anaphylaxis Self Administered Medication, and Item JOB: Student Records and Information Release Policy. Aye: Unanimous.

Item #13-315; Motion by Peterson, seconded by Stammer, to approve the following policy on second reading: Policy on iPad Lease Charges. Aye: Unanimous.

Item #14-315; Motion by Stammer, seconded by Schwasinger, to approve the employment of Dorothy Strom, .47 FTE middle school art teacher, at \$16,463.94. Aye: Unanimous.

Item #15-315: Motion by Peterson, seconded by Stammer, to accept the following resignations: Jake Kidney, sped educational assistant, and Emily Miller, sped educational assistant. Aye: Unani-

Item #16-315; Motion by Peterson, seconded by Fairholm, to approve the following classified employment items: Sam Kniffen-part time custodian at \$9.00/hr., Kelly O'Dea-part time custodian at \$9.00/hr., Marissa Mockler-sped educational assistant at \$9.00/hr., Joseph Geis-sped educational assistant at \$9.00/hr., and Jasmine Stewart-sped educational assistant at \$9.00/hr. Aye: Unanimous.

Item #17-315; Motion by Schwasinger, seconded by Stammer, to approve the following adult volunteer items: Molly Cahoy-vocal volunteer, and James Drake-boys basketball volunteer. Aye: Unanimous.

Item #18-315; Motion by Fairholm, seconded by Schwasinger, to approve open enrollment requests #15-10-OE through #15-16-OE for school year 2014-2015. Aye: Unanimous.

Item #19-315; Motion by Stammer, seconded by Fairholm, to transfer \$178.27 from the Target donation to the high school student council account. Aye: Unani-

Item #20-315: Motion by Fairholm, seconded by Stammer, to approve the following certified salary changes according to the 2014-2015 negotiated agreement: Gretchen Burbach-\$300.00, John Dimock-\$500.00, Carrie Mart-\$300.00, and Darcy Sammelson-\$300.00. Aye: Unani-

Item #21-315; Motion by Fairholm, seconded by Schwasinger, to go into executive session at 7:56 p.m. for student and personnel matters. Aye: Unanimous.

Item #22-315; Esping declared the board out of executive session at

Item #23-315; Motion by Stammer, seconded by Schwasinger, to adjourn the meeting at 8:10 p.m. Aye: Unanimous.

Chris Esping (President), Sheila R. Beermann (Business Manager). million School District 13-1 BOARD REPORT FOR NEWS-PAPER; Vendor Name, Description, Amount; A&B BUSINESS EQUIPMENT, INC, SUPPLIES, 343.08: AAA TRAVEL AGENCY, INC, TRAVEL, 355.70; ACDA, DUES, 95.00; ALLDATA, SUPPLIES, 975.00; AMERICAN BUS CORP, SERV-ICES, 1,711.76; AMS BUILD-ING SYSTEMS LLC, SERV-ICES, 34,830.00; AMSAN, SUP-PLIES, 490.32; APPLE COM-PUTER, SUPPLIES, 668,00; AS-SOCIATED SCHOOL BOARDS OF SD, DUES, 1,095.00; AUTO-MATIC BUILDING CON-TROLS, INC, SERVICES, 3,272.18; AVERA ST LUKE'S, SERVICES, 611.34; BEER-MANN, SHEILA R, SUPPLIES, 30.00; BERESFORD SCHOOL DISTRICT, FEES, 40.00; BRUNICK FURNITURE INC. SUPPLIES, 1,600.00; BUILDING SPRINKLER, INC, SERVICES, 750.00; CAMERON, BARB, SUPPLIES, 17.54; CAMPBELL SUPPLY CO. INC. SUPPLIES. 946.67; CANON FINANCIAL SERVICES, INC, SERVICES, 1,666.82; CAREER SAFE ON-LINE, SUPPLIES, 1,250.00; CENTURYLINK,

That a new Financial Report to the School Board from the Business Manager - Vermillion School District #13-1

Reporting Month:	General	Capital	Special	Pension	Bond	Enterprise	Food	Internal	T&A
AUGUST 2014	Fund	Outlay Fund	Ed Fund	Fund	Red. Fund	Funds	Service Fund	Service Fund	Fund
Beginning Cash Balance	2,218,968.17	1,977,342.44	512,501.18	811,407.86	339,148.67	81,423.09	226,537.77	479,485.78	47,969.66
Local Sources:	198,024.17	9,601.62	5,079.12	960.23	1,517.01	7,314.00	40,899.14	15,402.74	1,072.30
County Sources	13,129.59								
State Sources	244,735.00		25,688.00			4,136.00			
Federal Sources	66,835.00						15,434.93		
Miscellaneous NSF Checks Reversed									
TOTAL RECEIPTS	522,723.76	9,601.62	30,767.12	960.23	1,517.01	11,450.00	56,334.07	15,402.74	1,072.30
TOTAL DISBURSEMENTS Transfers/Voided Check	582,736.98	407,940.86	87,273.62			22,212.48	14,612.60 (46.70)	17,990.38	5,719.63 46.70
Other Financing Sources									
Ending Cash Balance	2,158,954.95	1,579,003.20	455,994.68	812,368.09	340,665.68	70,660.61	268,212.54	476,898.14	43,369.03