

Unapproved Minutes  
Council Special Session  
February 16, 2021  
Tuesday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Tuesday, February 16, 2021 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Price, Ward, Willson, Mayor Collier-Wise (all joined by teleconference)

Absent: Letellier

2. Visitors to be Heard - None

3. Educational Session - Light and Power Annual report - Light & Power Superintendent Monty Munkvold

Monty Munkvold, Light & Power Superintendent, presented the annual report for the Light & Power Department for 2020 reviewing the transmission and distribution facilities. Monty reviewed the advanced metering infrastructure, Bright Energy Rebate program and 2021 projects. Monty answered questions of the City Council on the Light & Power Department operations.

4. Educational Session - Tax Increment District #7 implementation steps - City Manager John Prescott

John Prescott, City Manager, reviewed the tax increment financing (TIF) process whereby the growth in tax revenue in a district known as the increment can be used for debt service incurred for public improvements within the district. John noted that a TIF district can only have a 20-year life. John reported that the City worked with the VCDC on TIF District #6 which is the current Bliss Pointe Development and now is being asked to establish TIF #7 for the east portion of the Bliss Pointe development to finance the public improvements for streets and utilities. John noted that on tonight's agenda is the resolution to establish the boundaries of the district. John stated that the Planning and Zoning Commission will review the TIF Plan that will also require the approval by the City Council. John noted that the City Council will need to adopt a bond resolution that will provide the funds for the public improvements outlined in the plan. John reported that the City will need to enter into a developer's agreement with the VCDC for reimbursement of the public improvements. John noted that, as with TIF #6, the City will

advance the interest on the bonds until the tax increment generates the revenue necessary to make the payments. John stated that these advances can be repaid after the bonds have been retired. Discussion followed on the Bliss Pointe proposed TIF #7 with the request to have the VCDC make a presentation on the development planned for the area.

5. Briefing on the February 16, 2021 City Council Regular Meeting

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

6. Adjourn

33-21

Alderman Ward moved to adjourn the Council special session at 12:45 p.m. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of February, 2021.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA  
BY \_\_\_\_\_  
Kelsey Collier-Wise, Mayor

ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Unapproved Minutes  
City Council Regular Session  
February 16, 2021  
Tuesday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Tuesday, February 16, 2021 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

Present: Hellwege, Holland, Humphrey, Jennewein, Price, Ward, Willson, Mayor Collier-Wise (all joined by teleconference)

Absent: Letellier

2. Pledge of Allegiance

3. Minutes

A. Minutes of February 1, 2021 Special Meeting; February 1, 2021 Regular

34-21

Alderman Holland moved approval of the February 1, 2021 Special Meeting and February 1, 2021 Regular meeting minutes. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

35-21

Alderman Price moved approval of the agenda. Alderman Humphrey seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

5. Visitors to be Heard - None

6. Public Hearings - None

7. Old Business

A. Review of Emergency Resolution encouraging the use of face coverings or face masks and determine continuation of the Emergency Resolution

John Prescott, City Manager reported that the City Council approved an Emergency Resolution encouraging the use of face coverings in buildings open to the public at the February 1, 2021 with an effective date of February 8, 2021. John noted that the Emergency Resolution adopted on February 1, 2021 was very similar to Emergency Resolutions adopted in August, October, and December 2020, which expired after 60-days. John stated that the four emergency resolutions have been designed to promote the use of face coverings to slow the spread of the coronavirus. John reported that the Emergency Resolutions were also designed to provide the language that Emergency Ordinance 1419, 1422, 1425, or Emergency Ordinance 1429, which is later on this agenda for adoption, that required the posting of a sign, which states that face masks are expected per City resolution. John noted that with the adoption of the Emergency

Resolution on February 1st, as the City Council has done with all other emergency measures, there was a reference that the item would be on each regular City Council meeting agenda during the 60-day life of the resolution for review and consideration of continuation. This is the first opportunity to consider revisions to the Emergency Resolution since adoption on February 1st. John reported that City staff has not received any questions about the emergency resolution which is likely due to public familiarity with the purpose and language of the document. John reported that the current emergency resolution expires on April 8, 2021. John recommended that the City Council review information related to COVID-19 and the emergency resolution recommending face coverings or face masks in buildings open to the public. Mayor Collier-Wise stated that, if there is no action, we will move on to the next item.

#### B. COVID-19 issues

Mayor Collier-Wise noted that this item was requested to be on the agenda for discussion on COVID-19 issues as items continue to evolve. Alderman Ward asked about the status of the Library meeting rooms being open for use. John Prescott, City Manager, stated that the Library Board has been reviewing the Library response to COVID-19 at their monthly meetings and would pass this along. Mayor Collier-Wise stated that, hearing no further discussion, we will move on to the next agenda item.

#### C. Second reading of Emergency Ordinance 1429 to require signage at the entrance to buildings open to the public that states Face Masks Expected per City Resolution.

John Prescott, City Manager, stated that the City Council at the October 5, 2020 meeting first adopted Emergency Ordinance No. 1419, requiring the posting of a sign at entrances to buildings open to the public to help promote a community expectation of wearing a face mask or face covering and since has adopted similar ordinances no 1422 and 1425. John stated that proposed Emergency Ordinance No. 1429 is very similar to previously adopted Emergency Ordinance No. 1429 which expires on February 15, 2021. John reported that proposed Emergency Ordinance No. 1425 requires a business to have signage which reads Face Mask or Face Coverings are expected. John noted that the signs are available at City Hall and the VCDC office and templates are available on the City's website. John stated that the proposed ordinance is an emergency ordinance to provide the City Council with the ability to more quickly implement and continue the requirement to address the ongoing, immediate health issue. John stated that Emergency Ordinance No. 1429 will have an effective date of February 16, 2021 with a life of 60 days. John noted that the resolution establishing the fine for violations of the ordinance is under new business later on this agenda. John noted that review of the emergency ordinance will be included on each future agenda. John

recommended consideration of second reading of the emergency ordinance which would continue the requirement of signage of the expectation of wearing a face mask or face covering. Discussion followed.

36-21

Second reading of title to Ordinance No. 1429 entitled an Emergency Ordinance to Require Signage at the Entrance to Buildings Open to the Public Stating That Face Coverings Are Expected to Help Slow the Spread of COVID 19 (Coronavirus) for the City of Vermillion, South Dakota

Mayor Collier-Wise 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. 1429 entitled an Emergency Ordinance to Require Signage at the Entrance to Buildings Open to the Public Stating That Face Coverings Are Expected to Help Slow the Spread of COVID 19 (Coronavirus) 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 1st day of February, 2021 and that the title was again read at this meeting, being a regularly called meeting of the Governing Body on this 16th day of February, 2021 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:

EMERGENCY ORDINANCE NO. 1429

AN EMERGENCY ORDINANCE TO REQUIRE SIGNAGE AT THE ENTRANCE TO BUILDINGS OPEN TO THE PUBLIC STATING THAT FACE COVERINGS ARE EXPECTED TO HELP SLOW THE SPREAD OF COVID 19 (CORONAVIRUS).

WHEREAS, the City of Vermillion (City) has the authority pursuant to SDCL 9-29-1 and 9-32-1 to enact ordinances for the purpose of promoting the health, safety, morals, and general welfare, of the community; and

WHEREAS, an outbreak of the COVID-19 disease, which is caused by the novel coronavirus, has been confirmed in more than 190 countries, including the United States; and

WHEREAS, COVID-19 is a severe respiratory disease transmitted by person-to-person contact, which, especially among older adults and persons with serious underlying health conditions, can result in serious illness requiring hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization (WHO), the Centers for Disease Control and Prevention (CDC), and the Secretary of the United States Department of Health and Human Services have declared the outbreak of COVID-19 as a public health emergency; and

WHEREAS, Governor Kristi Noem issued Executive Order 2020-34 in December 2020, which extended the previously declared state of emergency to exist in the State of South Dakota in response to the spread of COVID-19 until June 30, 2021; and

WHEREAS, over 100,000 cases of COVID-19 have been confirmed throughout South Dakota including Clay County; and

WHEREAS, the CDC and health experts have advised that the use of face masks or face coverings, which cover the nose and mouth will slow the spread of COVID-19; and

WHEREAS, working together now will reduce the widespread proliferation of COVID-19 rather than suffering the unfortunate and devastating medical and economic consequences later; and

WHEREAS, the failure to continue to successfully reduce the spread of COVID-19 will likely result in higher numbers of infected individuals and has the potential to overwhelm the capacity of the City's health care providers; and

WHEREAS, it is important that control measures continue to be taken to reduce or slow down the spread of COVID-19 in order to protect the health and safety of the City's residents, especially for seniors and those with underlying health conditions that make them particularly vulnerable to COVID-19; and

WHEREAS, President Biden has issued an executive order requiring masks or face coverings on federal property, and has launched a '100 Day Mask Wearing Challenge'; and

WHEREAS, the South Dakota Board of Regents is currently requiring face coverings or face masks for all students, faculty, staff, and visitors in all public indoor spaces on the University of South Dakota campus based on their tiered approach to face coverings to address COVID-19; and

WHEREAS, the Vermillion Public School District is requiring face coverings or face masks for students, faculty, staff and visitors in school district facilities; and

WHEREAS, the Vermillion City Council has adopted a face covering policy requiring face coverings or face masks for staff and visitors in city owned buildings; and

WHEREAS, the City of Vermillion joins the University of South Dakota and the Vermillion Public School District, in setting a community expectation that masks will be worn while in indoor public spaces to reduce the spread of COVID-19; and

WHEREAS, the City recognizes that while it may not always be practical or necessary for patrons to wear masks or face coverings in all situations, the City wishes to promote a community-wide culture that emphasizes respect for the health and safety of workers, residents, and visitors by wearing masks or face coverings when in buildings open to the public.

NOW, THEREFORE, BE IT ORDAINED, by the Governing Body of the City of Vermillion that:

1. All restaurants, retail stores, salons, grocery stores, establishments selling alcohol, pharmacies, lodging establishments, exercise facilities, establishments offering goods and services, or soliciting patronage from the general public that are open to the general public will be required to post a sign in a visible location near their entrance(s) no smaller than 8.5" x 11" that indicates that "masks or face coverings are expected pursuant to City Resolution."
2. This ordinance shall remain in effect for a period of sixty (60) days, at which time it shall be automatically repealed unless specifically readopted for an additional period of time by the City Council. Any restriction contained in this ordinance may be modified at any time by a resolution of the City Council.
3. Any violation of this ordinance is subject to a fine set by resolution in compliance with the general penalty provision in Section 10.99 of the City of Vermillion Municipal Code. Each day a violation of this ordinance is allowed to occur is considered a separate offense.

BE IT FURTHER ORDAINED, that, pursuant to SDCL 9-19-13, this ordinance is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City and shall become effective February 16, 2021.

Dated at Vermillion, South Dakota this 16th day of February, 2021.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

BY \_\_\_\_\_  
Kelsey Collier-Wise, Mayor

ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Adoption of the Ordinance was seconded by Alderman Holland. 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: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y.

Motion carried 8 to 0. Mayor Collier-Wise declared that the Ordinance has been adopted and directed publication thereof as required by law.

8. New Business

A. First Reading of Ordinance 1430 Amending Title XV, Chapter 155, Section 155.058 (E), Bliss Pointe Planned Development District, to Amend the Lot and Yard Regulations for Single-Family Detached Dwellings by reducing the Lot Area from 6,500 to 5,400 square feet, reducing the Frontage from 50 to 44 feet, and reducing the Building Line from 65 to 44 feet

Jose Dominguez, City Engineer, reported that the Vermillion Chamber and Development Company (VCDC) led a drive to create the Bliss Pointe Planned Development District (Bliss Pointe) in 2013. Jose stated that the need for creating Bliss Pointe came about due to a community wide shortage of housing in the community. Jose stated that, for ease of construction, Bliss Pointe was divided into two phases. Jose stated that the first phase consisted of all of the 'bluff' lots, the cul-de-sac, and other internal lots. Jose noted that most of phase one has been developed with a few lots remaining, and the VCDC is starting the process to commence work on phase two. Jose reported that, at the request of the VCDC on August 3, 2020, the zoning uses permitted in Bliss Pointe were amended to allow for single-family detached dwellings as an allowable use, and to remove multiple-family dwellings, within Area C. Jose noted that the zoning amendment also allowed, as a conditional use, the construction and operation of small car dealerships within Area D. Jose reported that on December 3, 2020 the City received an application from the VCDC requesting to amend the current lot and yard regulations for single-family detached dwellings within all of Bliss Pointe. Jose stated that the request reduced the lot area from 6,500 to 5,400 square feet, the frontage from 50 to 44 feet, and the building line from 65 to 44 feet. Jose reported that the Planning and Zoning Commission (Commission)

reviewed the item at their February 8, 2021 meeting. Jose reported that the Commission recommended that the City Council adopt the proposed amendment with the addition that a "natural barrier for purposes of aesthetics and safety" be installed along the backyards of the dwellings backing onto Stanford Street. Jose reported that one of the original intents of Bliss Pointe was to increase the housing stock in the community. Jose noted that only single-family detached and single-family attached housing is allowed and the lot and yard regulations limit the size of the single-family detached housing to what fits within a 65-foot wide lot. Jose noted that reducing the lot and yard regulations may allow for the construction of smaller, less expensive housing. Jose reported that the proposed reduction in lot sizes will allow for a larger range of housing options in the development. Jose reported that the approved preliminary plat for the second phase of Bliss Pointe shows a mix of single-family detached and single-family attached homes surrounding a center block of housing. Jose noted that, at the time the preliminary plat was approved, the housing style for the center block was not defined. Jose noted that the VCDC is now attempting to provide for a different style of housing for the center block where the houses would be narrower and accessed through the back by a private road. Jose noted that the requested amendment would allow for the construction of these houses by changing the minimum requirements for single-family detached homes. Jose reviewed the comments received at the February 8th Commission meeting. Jose noted that the proposed amendment to the ordinance would allow for smaller lots that may create affordable housing. Jose noted that the development of the center block may be different than shown on the exhibits, and will require additional approval from the City's Commission (i.e. the preliminary plat needs to be amended by the Commission). Jose noted that the exhibits provided by the VCDC are only intended to help visualize what the center block could look like with the smaller lots. Jose reported that the Commission recommended approval of the proposed amendment. Staff is proposing that the additional change to the ordinance placed by the Commission be modified. Jose reported that staff proposes to replace the "natural barrier" with fencing. Jose noted that the concerns of the Commission were with safety and aesthetics and a natural barrier would satisfy both of these concerns; however, it may require that the VCDC dedicate more land for the plantings or berm. Jose noted that a natural barrier will encroach into the owner's property by at least 5-feet with plantings or 21-feet for a 2-foot berm which will greatly reduce the property owners use of their backyard. Jose noted that replacing the natural barrier with a fence would allow the property owner additional use of the property since a fence could be built much closer to the property line (1-foot away). Jose reported that a fence could also provide for a consistent look through Stanford Street. The additional benefit of having a barrier in general is that it would provide separation between the existing bike path along Stanford Street and the houses. Jose stated that the fence could be constructed by the VCDC at the

beginning of the project, or by the property owner through the building permit process. Jose recommended approval of first reading of Ordinance No. 1430. Discussion followed on lot size as well as fence construction materials to maintain a uniform barrier. Upon request, Nate Welch, Executive Director of the VCDC, reported that the VCDC has not set the lot prices but noted that the smaller lots would be less expensive. Nate noted that construction requirements will continue in the second phase of the development as was done in the first phase. Discussion followed on the next steps in the process as well as actions required of the City Council. John Prescott, City Manager, reported that following the noon meeting, he had scheduled Nate to make a presentation on the phase two development at the March 1st noon City Council meeting. Jim McCulloch, City Attorney, reviewed the requirements if changes are made between first and second reading of an ordinance. Discussion followed on first reading of the ordinance.

37-21

Mayor Collier-Wise read the title to the above mentioned Ordinance and Alderman Holland moved adoption of the following Resolution:

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1430 entitled An Ordinance Amending Title XV, Chapter 155, Section 155.058 (E), Bliss Pointe Planned Development District, to Amend the Lot and Yard Regulations for Single-Family Detached Dwellings by reducing the Lot Area from 6,500 to 5,400 square feet, reducing the Frontage from 50 to 44 feet, and reducing the Building Line from 65 to 44 feet of the City of Vermillion, South Dakota has been read and the Ordinance has been considered for the first time in its present form and content at this meeting being a regularly called meeting of the Governing Body of the City on this 16th day of February, 2021 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

The motion was seconded by Alderman Jennewein. After discussion, the question of adoption of the Resolution was put to a roll call vote of the Governing Body, and the members voted as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Resolution to establish a fine for a violation of Emergency Ordinance 1429

John Prescott, City Manager, reported that, with the adoption of Emergency Ordinance No. 1429, Section 3 provided for a fine for those found in violation of the ordinance. John stated that the ordinance provides that the fine be set by resolution. John noted that the most common fine cost for City Code violations is \$56.50 and with court costs

of \$72.50, a violation would result in a total cost of \$129.00. John noted that this was the fine set for Emergency Ordinance No. 1419, 1422 and 1425 which had the same goal as Emergency Ordinance No. 1429. John stated there have been no citations for failure to comply with Emergency Ordinance No. 1419, 1422 or 1425 as businesses open to the public were very good about posting the sign. Discussion followed.

38-21

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

#### EMERGENCY RESOLUTION

ESTABLISHING A FINE FOR VIOLATION OF EMERGENCY ORDINANCE 1429 TO REQUIRE SIGNAGE AT THE ENTRANCE TO BUILDINGS OPEN TO THE PUBLIC STATING THAT FACE COVERINGS ARE EXPECTED TO HELP SLOW THE SPREAD OF COVID 19 (CORONAVIRUS).

WHEREAS, the City Council has adopted Emergency Ordinance No. 1429 to require signage at the entrance of buildings open to the public stating that face coverings are expected to help slow the spread of the COVID-19 virus; and

WHEREAS, the City of Vermillion joins the University of South Dakota and the Vermillion Public School District, in supporting a community expectation that masks will be worn while in indoor public spaces to reduce the spread of COVID-19; and

WHEREAS, the City recognizes that while it may not always be practical or necessary for patrons to wear masks or face coverings in all situations, the City wishes to help promote a community-wide expectation that emphasizes respect for the health and safety of workers, residents, and visitors by wearing masks or face coverings when in buildings open to the public; and

WHEREAS, Emergency Ordinance No. 1429 provides that a fine be set by resolution for any violation of the ordinance; and

WHEREAS, Ordinance No. 1429 was adopted as an emergency ordinance to become effective on February 16, 2021; this fine resolution shall be considered an emergency to establish the fine for any violation.

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof in the Council Chambers of said City at 7:00 p.m., CDT on the 16<sup>th</sup> day of February, 2021, that the fine for each violation be \$56.50 plus court costs (Fine \$56.50 plus court costs of \$72.50 for a total \$129.00).

Dated at Vermillion, South Dakota this 16th day of February, 2021.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_

Kelsey Collier-Wise, Mayor

Attest:

By \_\_\_\_\_

Michael D. Carlson, Finance Officer

The motion was seconded by Alderman Willson. Discussion followed and the question of the adoption of the Resolution was presented for a roll call vote of the Governing Body, and the members voted as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared that the Resolution was adopted.

C. Resolution to set boundaries for Tax Increment District #7 (Outlot A, Bliss Pointe addition)

John Prescott, City Manager, reported that in 2014 the Vermillion Area Chamber and Development Company (VCDC) started construction on the infrastructure for the first phase of Bliss Pointe to provide additional housing opportunities for the community. John noted that the first phase of development predominantly took place on the western portion of the 30 acres of developable land. John stated that the VCDC would like to begin development on the second phase of Bliss Pointe. John stated that this is the undeveloped portion of the land, which is generally described as north of Rockwell Trail, east of Joplin Street, and west of Stanford Street. John stated that to assist with infrastructure development costs the VCDC has requested the City create a Tax Increment Financing District. John stated that the first step in the process is a public hearing before the Planning and Zoning Commission, which was held on September 28, 2020. John stated that the hearing was advertised and notice was sent to the School Board, County Commission, and Vermillion Basin Water District as required by statute. John noted that the Planning and Zoning Commission recommended the creation of the boundaries of Tax Incremental Financing District with the boundaries being Outlot A, Bliss Pointe Addition to the City of Vermillion, Clay County, South Dakota. John reviewed a map of the area listed in the notice of public hearing which is included in the packet. John stated that the City Council is only creating the TIF district with this resolution. John reported that, if created, a TIF plan will be developed and presented for consideration to the Planning and Zoning Commission at their March 8, 2021 meeting and the City Council meeting on March 15, 2021. John recommended approval of the resolution creating the boundaries for Tax Increment District Number Seven. Discussion followed.

39-21

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

RESOLUTION CREATING CITY OF VERMILLION  
TAX INCREMENT DISTRICT NUMBER SEVEN

WHEREAS, on September 28, 2020, the Vermillion Planning and Zoning Commission, in accordance with the requirements of SDCL 11-9-3, held a Public Hearing on the creation of a Tax Increment District for Outlot A; Bliss Pointe Addition; and

WHEREAS, on September 28, 2020, the Vermillion Planning and Zoning Commission did adopt for recommendation a motion designating a Tax Increment District defined by the following boundary:

Outlot A, Bliss Pointe Addition to the City of Vermillion, Clay County, South Dakota; and

WHEREAS, the City Council finds that:

- (1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined by in SDCL 11-9-9 through 11-9-11 or not less than fifty percent, by area, of the real property within the district will stimulate and develop the general economic welfare and prosperity of the state through the promotion and advancement of industrial, commercial, manufacturing, agricultural, or natural resources; and
- (2) The improvement of the area is likely to significantly enhance the value on all of the other real property in the district; and

WHEREAS, there is a demonstrated need for developed housing sites within the community to support business and economic development; and

WHEREAS, the City Council finds that the aggregate assessed value of the taxable property in this district plus all other existing districts does not exceed 10% of the total assessed value of the taxable property within the City of Vermillion, Clay County, South Dakota.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Vermillion, that Tax Increment District Number Seven is hereby created in the City of Vermillion, and that such

District boundary shall be designated as:

Outlot A, Bliss Pointe Addition to the City of Vermillion, Clay County, South Dakota.

Dated at Vermillion, South Dakota this 16th day of February, 2021.

FOR THE GOVERNING BODY OF THE  
CITY OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_  
Kelsey Collier-Wise, Mayor

ATTEST:

By \_\_\_\_\_  
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 roll call vote of the Governing Body, and the members voted as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared that the Resolution was adopted.

#### D. Renewal of Janitorial Services for City of Vermillion Facilities

Jose Dominguez, City Engineer, reported that, since late February 2017, the City has contracted with Service Masters of Southeast South Dakota, from Yankton, to perform janitorial services for several City owned buildings. Jose stated that the contract signed on February 18, 2020 in the amount of \$44,160.31 allows for two one-year additional renewals. Jose reported on the buildings included in the contract. Jose reported that Service Masters is requesting a \$900.00 increase in the contract for the next year for a new total of \$45,060.31. Jose recommended renewal of the janitorial services contract with Service Master of S.E. South Dakota for \$45,060.31 and to allow the City Manager to sign the contract. Discussion followed.

40-21

Alderman Willson moved approval of the janitorial services contract with Service Master of S.E. South Dakota for \$45,060.31 and to allow the City Manager to sign the contract. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

#### E. Resolution authorizing the purchase of landfill bale bags

Jose Dominguez, City Engineer, reported that the City placed a reorder from a previous City bid with Global Packaging Solutions, LLC (GPS) for bale bags on August 20, 2020. Jose noted that when the bags were not received and after repeated attempts to contact GPS we were informed that the order placed in August 2020 had not been manufactured, or shipped.

Jose noted that GPS said there would be a price increase. Jose noted that manufacturing and delivery takes about 15 weeks. Jose noted that the Landfill has enough bags to last until April so, due to the short timeframe, the City would like to utilize a bid awarded by the City of Belle Fourche. Jose reported that the City of Belle Fourche awarded a bid to Accent Wire-Tie for bale bags on February 2, 2021 at \$4.44 per bag for a semi-load of bags. Jose reported that Accent Wire-Tie has agreed to honor the bid price for the City and noted that in the past the City has purchased bags from the company without any issues on delivery or quality. Discussion followed on the availability of suppliers for the baler bags.

41-21

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

RESOLUTION  
AUTHORIZING PURCHASE OF  
SOLID WASTE BALE BAGS

WHEREAS, SDCL 5-18-18 authorizes a governmental entity to purchase necessary supplies from the lowest responsible bidder from a contract that was competitively solicited and awarded within the previous twelve months with the concurrence of said bidder; and

WHEREAS, the City of Belle Fourche, South Dakota on February 2, 2021 awarded Accent Wire-Tie of Texas a bid in the amount of \$4.44 per bag delivered; and

WHEREAS, the City has contacted Accent Wire-Tie and they have agreed to honor their February 2021 bid price and allow the City to purchase up to 17,500 solid waste bale bags in a semi-load for the awarded prices and terms as they have previously provided to the City of Belle Fourche, South Dakota.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer, or the City Manager, is hereby authorized to purchase up to 17,500 solid waste bale bags in a semi-load from Accent Wire-Tie of Texas at the awarded price of \$4.44 per delivered bag and under the same terms as when the City of Belle Fourche, South Dakota awarded a bid to this company on February 2, 2021.

Dated at Vermillion, South Dakota this 16th day of February, 2021.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA

By \_\_\_\_\_  
Kelsey Collier-Wise, Mayor

ATTEST:

By \_\_\_\_\_  
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 roll call vote of the Governing Body as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

A. John reported that the City was notified this afternoon that we may experience power outages during the morning hours of Wednesday, February 17, 2021. John noted that there is approximately a 40% chance that the City will be without power between 6:00 a.m. and 7:30 a.m. John noted that, to mitigate the impact on the community and lessen the length of time of an outage, the community is being divided into three sections with the goal of only one third of the City without power for approximately 30 minutes at a time. John stated that the outage is to help maintain the stability of the electric grid serving South Dakota and multiple states throughout the middle of the country. John noted that the widespread frigid temperatures throughout a large portion of the country are creating a demand for electricity that is outpacing the generation capacity in some areas. John stated that the outages help keep the grid from being compromised and asked residence to please limit your use of electricity when possible to help everyone.

B. John reported that in 2019 the Vermillion Public Transit was budgeted \$15,000 to assist with the acquisition of a transit bus. John stated that, due to a delay in getting the federal grant for the balance of the purchase price and the order time on the bus, the vehicle did not arrive until late December 2020. John stated that last week Vermillion Public Transit submitted a request for the \$15,000 from the City to help purchase the bus. John stated that this invoice will be included with the next list of invoices payable at the March 1st meeting and the 2021 budget will need to be revised later this year to account for this expenditure.

C. John reported that the United Church of Christ building has been nominated for inclusion on the National register of Historic Places. John stated that the application will be available on the City's website later

this week. John stated that public comment on the nomination to the City are welcome through March 19, 2021 and then filed with the State.

D. John reported that, due to the large volume of curbside recycling on the Friday route, effective March 1 - Burbank Road, Natalie Court, and Brandon Drive will be moved from the Friday curbside collection route to the Wednesday curbside collection route. John stated that notices will be provided to the impacted residence.

E. John reported that due to a resignation on the Historic Preservation Commission, there is a partial term available. John stated that the term would expire in September 2021. John stated that for this vacancy the individual does need to own property in one of the four historic districts. John requested interested residents to submit an Expression of Interest form by Thursday, February 25th at 5:00 p.m.

PAYROLL ADDITIONS AND CHANGES

Garage: Sam Gerst \$10.00/hr; Code: Justin Roetman \$17.95/hr; Recreation: Ryan Baedke \$27.95/hr, Tyler Trageser \$19.25/hr; Parks: Cylie Hanson \$19.25/hr, Tyler Williamson \$20.17/hr; Clubhouse: Grant Campbell \$14.35/hr, Dennis Chandler \$22.14/hr; Golf Maintenance: Mark Clark \$34.96/hr, Travis Taggart \$19.73/hr; Wastewater: Michael Watterson \$18.67/hr; Volunteer Firefighter: Isaac Muehlbeier, John Pittman

11. Invoices Payable

42-21

Alderman Ward moved approval of the following invoices:

Ace Refrigeration Co	ice merchandiser	3,048.46
Aramark Uniform Services	uniform cleaning	289.10
AT&T Mobility	mobile hot spots	432.15
Broadcaster Press	advertising	1,457.19
Buhls Cleaners	mat/mop service	337.64
Bureau Of Administration	telephone	250.74
Cask & Cork	merchandise	300.00
CenturyLink	telephone	1,642.17
Clay Rural Water System	water usage	43.30
Clay-Union Electric Corp	electricity	2,274.09
Dakota Beverage	merchandise	10,357.99
Dale Husby	safety boots reimbursement	100.00
Dubois Chemicals	soda ash	7,320.50
Global Dist.	merchandise	727.50
Gregg Peters	managers fee/freight	6,926.40
John A Conkling Dist.	merchandise	3,416.85

Johnson Brothers Of SD	merchandise	8,411.11
Jones Food Center	supplies	338.78
Kalins Indoor Comfort	repairs	259.73
Loren Fischer Disposal	haul cardboard	1,180.00
MidAmerican	gas usage	7,604.29
Midcontinent Communication	internet/cable service	1,347.57
Midwest Radiator & Exhaust	parts	207.00
O'Reilly Auto Parts	parts	20.30
Pollman Excavation	quartzite	3,281.42
Prairie Berry Winery	merchandise	966.00
Republic National Distributing	merchandise	13,996.86
Running Supply, LLC	supplies	220.95
SD DENR	landfill operations fee	2,930.57
Southern Glazer's Of SD	merchandise	14,590.69
Staples Business Credit	supplies	314.70
Stern Oil Co.	fuel	11,755.53
Sturdevants Auto Parts	parts	424.25
Titleist-Acushnet Company	merchandise	1,231.68
Treasurer-Clay County	storm sewer fee	98.26
Twin City Hardware	repairs	349.91
United Parcel Service	shipping	185.64
Us Postmaster	postage for utility bills	800.00
USPS-POC	postage for meter	700.00
Vermillion Ace Hardware	supplies	12.39
Vermillion Youth Wrestling	online registration	827.22
Waste Management Of WI-MN	waste hauling	915.79
Polaris	Bright Energy Rebate	6,396.00

Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

12. Consensus Agenda - None

13. Adjourn

43-21

Alderman Ward moved to adjourn the Council Meeting at 8:02 p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 16th day of February, 2021.

THE GOVERNING BODY OF THE CITY  
OF VERMILLION, SOUTH DAKOTA  
BY \_\_\_\_\_

Kelsey Collier-Wise, Mayor

ATTEST:

BY \_\_\_\_\_  
Michael D. Carlson, Finance Officer

Published once at the approximate cost of \_\_\_\_\_.