

Unapproved Minutes
Council Special Session
March 1, 2021
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, March 1, 2021 at 12:00 noon at the City Hall large conference room.

1. Roll Call

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

2. Visitors to be Heard - None

3. Informational Session - Bliss Pointe Phase 2 Development plans - VCDC President/CEO - Nate Welch

Nate Welch, VCDC President/CEO, provided the history of the Bliss Pointe housing development that started with the VCDC purchase of the land in 2013 and Phase I improvements completed in 2014. Nate noted that the VCDC will be selling the last of the housing sites in Phase I shortly. Nate reported that the goal was to provide workforce housing in the community by increasing the inventory of homes available. Nate reviewed the change in the ordinance to shift away from multifamily in Phase II due to the number of multifamily housing being constructed in the community. Nate reviewed the process used by the VCDC for planning Phase II that consisted of a committee that worked with Banner Associates to develop the Phase II plan. Nate reported on the options reviewed by the committee for the center block. Nate stated that the smaller lot size with front yard facing the street and garage in back off the private drive would allow for smaller and hopefully less expensive homes. Nate reviewed the option of the layout for the center lot with the smaller lot sizes and private drive. Nate answered questions of the City Council on the Phase II plan, workforce housing, private drive, HOA fees, berms or fencing for safety along Stanford Street, alley option in center block and the lot size ordinance. Jose reported that the Planning and Zoning Commission, when presented with the preliminary plat of the center block in August 2020 with the proposed alley and smaller lots size, approved the preliminary plat without a public alley. Nate noted that is why the center block currently lists a private drive and a HOA would be required to pay the costs of snow removal. Discussion followed on the berm or fence along Stanford Street noting the need to have a uniform appearance. Nate suggested that including the fencing requirement in the deed covenants instead of in the ordinance will allow property owners to construct the fence when completed so it is not in the way during construction.

Discussion followed on the private drive with the consensus of the City Council that it would be better if it was a city alley thus no HOA fees that could discourage development. Discussion included the timeline for the TIF 7 plan, the project costs to include in the TIF #7 plan, amount to include in the TIF #7 bond issue, timing of the bond issue as it applies to starting construction date and bond closing for when funds would be available for granting the construction costs to the VCDC. John noted that for tonight's meeting the ordinance change is to reduce the lot size in the Bliss Pointe development that would allow the option of smaller lots in the center block. The Mayor asked for a memo that outlined the remaining items.

Alderman Hellwege left the meeting at 12:30 p.m. and Alderman Ward left the meeting at 12:55 p.m.

4. Briefing on the March 1, 2021 City Council Regular Meeting

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

5. Adjourn

44-21

Alderman Holland moved to adjourn the Council special session at 1:30 p.m. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of March, 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
March 1, 2021
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, March 1, 2021 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

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

2. Pledge of Allegiance

3. Minutes

A. Minutes of February 16, 2021 Special Meeting; February 16, 2021 Regular Meeting

45-21

Alderman Willson moved approval of the February 16, 2021 Special Meeting and February 16, 2021 Regular meeting minutes. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

46-21

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

5. Visitors to be Heard

A. Proclamation recognizing those our community and nation have lost to COVID-19

Alderman Holland read the proclamation remembering those our community, state and nation lost to COVID-19 pandemic and offer comfort to their family, friends, and neighbors.

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, and the current Emergency Ordinance 1429, 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. John stated this is the second 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 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 reported that there are masks available at the Community Connection Center for those who do not have access. Mayor Collier-Wise stated that, if there is no action, we will move on to the next item.

B. Review 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, reported that, on February 16, 2021, the City Council approved the second reading of Emergency Ordinance No. 1429 that became effective upon adoption. John stated that the ordinance requires the posting of a sign at the entrance to buildings open to the public, which states "Masks are expected per City resolution." John noted that Emergency Ordinance No. 1429 has a life of 60 days expiring April 16, 2021. John stated that Emergency Ordinance No. 1429 was very similar to Emergency Ordinance No. 1419, 1422 and 1425. John stated during the life of current Emergency Ordinance No. 1429, and with Emergency Ordinances 1419, 1422, and 1425 there have been no citations for non-compliance. John noted that the signs continue to be available for free at City Hall, the VCDC office, or they can be printed from the City's

website. John recommended that the City Council review information related to COVID-19 and the Emergency Ordinance No. 1429 requiring signage at the entrance to buildings open to the public that states Face Masks Expected per City Resolution. Mayor Collier-Wise stated that, if there is no action, we will move on to the next item.

C. 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 stated that with the warmer weather the question of opening up all the outdoor basketball hoops will need to be addressed. Mayor Collier-Wise stated that, hearing no further discussion, we will move on to the next agenda item.

D. Second 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. Jose noted that 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. 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 second reading of Ordinance No. 1430. Discussion followed on the need for the fence to be uniform along Stanford Street. Nate Welch, VCDC President and CEO, stated the VCDC could include the fencing requirements in the deed covenants for the lots adjoining Stanford Street so it could be installed as part of the housing

construction so that it did not interfere with any construction or grading. Discussion followed on removing the fence requirement from the ordinance.

47-21

Second reading of title to 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.

Mayor Collier-Wise read the title to the above named Ordinance, and Alderman Holland moved adoption of the following with the removal of section 155.058 (G)Landscape standards:

BE IT RESOLVED that the minutes of this meeting shall show that the title to the 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 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 16th 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 1st day of March, 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:

PROPOSED 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

BE IT ORDAINED, by the Governing Body of the City of Vermillion, South Dakota that the Code of Ordinances Chapter 155, Section 155.058 (E) Bliss Pointe Planned Development District, be amended as follows:

§ 155.058 BLISS POINTE PLANNED DEVELOPMENT DISTRICT.

(A) Area A (low-density, single-family detached residential uses). All city ordinances apply to the Planned Development District identified as Area A except for those modified below.

Permitted Uses	Applicable Standards
Dwelling, single-family detached	§§ 155.070, 155.072, 155.076, 155.077
Day care, group	A safe pickup and drop off area must be provided for the children. All applicable dwelling standards apply.
Neighborhood utility facility	§ 155.070
Public park areas	§ 155.070
Accessory building or use	§§ 155.071, 155.082(A) (see definition)

(B) Area B (low to medium-density, single-family residential uses). All city ordinances apply to the Planned Development District identified as Area A except for those modified below.

Permitted Uses	Applicable Standards
Area A permitted uses	See Area A permitted uses

Conditional Uses	Applicable Standards
Dwelling, single-family attached	§§ 155.070, 155.072, 155.076, 155.077
Dwelling, multiple-family (maximum of two dwelling units per lot)	§§ 155.070, 155.072, 155.076, 155.077

(C) Area C (medium to high-density residential uses). All city ordinances apply to the Planned Development District identified as Area C except for those modified below.

Permitted Uses	Applicable Standards
Dwelling, single-family attached	§§ 155.070, 155.072, 155.076, 155.077
Dwelling, multiple-family (maximum of two dwelling units per lot)	§§ 155.070, 155.072, 155.076, 155.077
Day care, center	Adequate and safe playground area with fence 4 feet high.

Neighborhood utility facility	§ 155.070
Public park areas	§ 155.070
Accessory building or use	§§ 155.071, 155.082(A) (see definition)

Conditional Uses	Applicable Standards
Dwelling, multiple-family	§§ 155.070, 155.072, 155.076, 155.077, three or more dwelling units per lot

(D) Area D (light commercial uses). All city ordinances apply to the Planned Development District identified as Area D except for those modified below.

Permitted Uses	Applicable Standards
Retail services and trade	§§ 155.070, 155.072, 155.076, 155.077
Offices, non-commercial, non-construction and non-industrial	§§ 155.070, 155.072, 155.076, 155.077
Personal Service	§§ 155.070, 155.072, 155.076, 155.077
Hospital	§§ 155.070, 155.072, 155.076, 155.077
Day care, center	§§ 155.070, 155.072, 155.076, 155.077
Accessory building or use	§§ 155.070, 155.072, 155.076, 155.077

(E) Lot and yard regulations. All measurements shall be taken from the lot line to the building line (see definitions). Values listed are minimums, unless otherwise stated.

	Lot Area	Frontage	Building Line	Front Yard	Side Yard	Rear Yard	Maximum Height
Dwelling, single-family detached	5,400 square feet	44 feet	44 feet	25 feet See (3)	8 feet See (2)	25 feet See (8)	35 feet
Dwelling, single-family attached, See (4)	2,500 square feet	25 feet	25 feet	25 feet See (3)	0 or 8 feet on non-party	25 feet	35 feet

					wall side		
Dwelling, multiple-family (maximum of two dwelling units per lot)	7,500 square feet	50 feet	75 feet	25 feet	8 feet	25 feet	35 feet
Dwelling, multiple-family units (maximum of 32 bedrooms per lot, number of bedrooms per dwelling unit cannot exceed 4)	7,500 square feet	50 feet	60 feet	30 feet See (5)	10 feet See (1)	10 feet	35 feet
Dwelling, multiple-family units (between 33 and 48 bedrooms per lot, number of bedrooms per dwelling unit cannot exceed 4)	20,000 square feet	50 feet	70 feet	30 feet See (5)	10 feet See (1)	10 feet	45 feet
Dwelling, multiple-family units (over 48 bedrooms per lot,	30,000 square feet	50 feet	85 feet	30 feet See (5)	10 feet See (1)	10 feet	45 feet

number of bedrooms per dwelling unit cannot exceed 4)							
Area D uses	NA	101 or more feet	50 feet	25 feet See (2)	5 feet See (2), (6)	5 feet See (7)	45 feet
All other uses	7,500 square feet	50 feet	75 feet	30 feet	10 feet	25 feet	45 feet

Exceptions:

(1) The side yard will be required to be increased by 10 feet when the building is 3 stories in height or more.

(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 a corner lot.

(3) See also adjustments to yard regulations (§ 155.082) for other specific exceptions.

(4) Every two units shall be staggered.

(5) More than one building per lot may be constructed.

(6) A side yard of 15 feet shall be required where a lot is adjacent to or abuts a residential district.

(7) A rear yard of 20 feet shall be required where a lot is adjacent or abuts a residential district.

(8) The rear yard may be reduced to 20 feet for lots 9,000 square feet or less.

(F) Property re-division. All future property re-division shall require a re-platting of the affected parcels. The Planned Development District may require an amendment on property re-division.

Dated at Vermillion, South Dakota this 1st day of March, 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 Ward. Thereafter the question of the adoption of the Ordinance was put to a roll call vote of the Governing Body as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y.

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

E. Street closure request to remove parking on Dakota Street from Alumni Street to SD Highway 50 for USD home football games on February 19, March 13, March 27, April 2, and April 17, 2021 from 6:00 a.m. to 8:00 p.m.

James Purdy, Assistant City Manager, reported that a street closing was approved at the February 1, 2021 meeting but the February 19th football game has been rescheduled to April 17th and the request to close Rose Street has been removed due to tailgating not taking place. James reported that the street closing request and parking removal will provide pedestrians safe accessibility to and from the games in the Dakota Dome. James stated that USD also wants to ensure that there are no cars parked along the north end of Dakota Street to provide for a safer crossing area for pedestrians before, during, and after the football games. James noted that the only exception to the no parking along this portion of Dakota Street would be to allow the buses for the visiting teams to park on the east side of Dakota Street across from the Wagner Alumni Center for football games. James stated that the closings are requested for the four Spring 2021 home USD football games on March 13, March 27, April 2, and April 17, 2021. James noted that the original request included the closure on February 19th. James noted that the time of the closures will be from 6:00 a.m. to 8:00 p.m. on each of the aforementioned dates. James reported that this will be the fifth year that parking would be removed on Dakota Street for the football games. James stated that the City has not received any complaints or concerns about how this closure has been handled during past years. James stated that USD will provide set up and removal of the barricades as they have done in past years for these events along with signage indicating the areas that are closed. Discussion followed.

47-21

Alderman Humphrey moved approval of the revised request from USD to remove parking on Dakota Street north of Alumni Street to Highway 50 on March 13, March 27, April 2, and April 17, 2021 from 6:00 a.m. to 8:00 p.m. for home football games and to remove the Rose Street closing previously approved. Alderman Ward seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

8. New Business

A. Annual Library report

Dan Burniston, Librarian, reported that State law requires the Library Board to prepare and submit an annual report to the governing body and the State Library. Dan reported that the Library Board reviewed and accepted the annual report at their February 19th meeting. Dan reviewed the 2020 Library Annual Report that was included in the packet. Dan answered questions of the City Council on the Library Annual Report. Discussion followed.

48-21

Alderman Price moved to acknowledge receipt of the 2020 Library Annual Report. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

B. Request to close Market Street from W. Main Street to the southern border of Ratingen Platz and W. Main Street from the east side of the intersection between Market Street and W. Main Street to the alley west of CorTrust Bank for the USD Opera Highlights Event on Friday, April 30, 2021 from 4:00 p.m. to 7:00 p.m.

James Purdy, Assistant City Manager, reported that the University of South Dakota Opera has requested the closure of Market Street from W. Main Street to the southern border of Ratingen Platz and W. Main Street from the east side of the intersection between Market Street and W. Main Street to the alley west of CorTrust Bank for the Opera Highlights Event on Friday, April 30, 2021 from 4:00 p.m. to 7:00 p.m. James stated that the performance will take place from 5:00 p.m. to 6:00 p.m. and is not expected to exceed permissible sound levels. James stated that the street closure request and diagram are included in the packet. James reported that the Street, Police, Fire and EMS Departments have been notified of the street closure request and did not have any concerns. James noted that the group will do cleanup and stated that they have made contact with the adjoining businesses. Tracelyn Gesteland with University of South Dakota Opera answered questions of the City Council on the event.

49-21

Alderman Holland moved approval of the street closing request for the University of South Dakota Opera to close Market Street from W. Main Street to the southern border of Ratingen Platz and W. Main Street from the east side of the intersection between Market Street and W. Main Street to the alley west of CorTrust Bank for the USD Opera Highlights Event on Friday, April 30, 2021 from 4:00 p.m. to 7:00 p.m. Alderman

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

C. 2020 Unaudited Annual Report

Mike Carlson, Finance Officer, reviewed the 2020 unaudited Financial Report for the City and answered questions of the City Council on the report. Mike noted that the City Council would need to acknowledge receipt of the report and a copy will be sent to the Department of Legislative Audit and the required portions will be published. Mike stated that the report will be audited by Williams & Company later this year. Discussion followed.

50-21

Alderman Holland moved to acknowledge receipt of the 2020 Unaudited Annual Financial Report. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

D. Airport Lease agreement with Jeff Mount

Jose Dominguez, City Engineer, reported that Jeff Mount owns an aerial spraying company that utilizes the Municipal Airport. Jose reported that Mr. Mount has acquired a hanger and requires additional space to construct a water tank, a fuel tank, and have more maneuvering space. Jose stated that Mr. Mount has requested to lease an additional 5,250 square feet (or 70-feet by 75-feet) of bare ground that adjoins his hanger lease property. Jose reported that a lease agreement has been developed with lease terms that correspond to the lease term on the adjoining hanger lease with the first option for renewal on July 4, 2025 for a ten-year period and the second option for renewal will be on July 4, 2035 for an additional 10-year period. Jose noted that the lease rate may be adjusted at the July 4, 2025 renewal. Jose stated that, based on the current City lease rates, the amount that Mr. Mount would pay on an annual basis would be \$525.00. Jose stated that the proposed lease agreement is included in the packet. Jose noted that, as not typically the City's practice, Mr. Mount requested that the agreement be signed by the City first to expedite the process since he will not be able to sign it until later in the week. Jose noted that Mr. Mount did review the agreement and did not propose any changes to the proposed document. Discussion followed on if chemicals are stored on site if containment was required. Jose reported that it was his understanding that chemicals were not stored and that he had made inquiry of the DENR about this.

51-21

Alderman Holland moved approval of the hanger lease agreement as presented with Jeff Mount for a 70-foot by 75-foot or 5,250 square feet of portion of property. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

E. Agreement with Midland Contracting for Highway 50 drainage improvements

Jose Dominguez, City Engineer, reported that the City has been working with the South Dakota Department of Transportation (DOT) to construct a storm sewer along the south ditch of South Dakota Highway 50 (Bypass) from Dakota Street to Over Drive. Jose reported that, due to the fact that the project will be taking place within the DOT's right-of-way and it will be constructed at the same time as the DOT's highway project, it was bid simultaneously with the highway project. Jose noted that bidding the two projects at the same time allows for better bids to be received and for one contractor to handle both projects. Jose reported that the bid is awarded to lowest combined bid (storm sewer improvement and the highway improvement). Jose reported that the DOT awarded the contract on February 11, 2021 to Midland Contracting, Inc. of Huron for the combined project. Jose noted that the DOT requires the City sign the contract with Midland Contracting, Inc. for the SD Highway 50 Drainage Improvements portion of the contract.

Bids: Midland Contracting, Inc - Highway Project \$6,839,500.50, Storm Sewer Project \$3,077,119.99, Total \$9,916,620.49; Central Specialties, Inc - Highway Project \$6,575,041.54, Storm Sewer Project \$3,402,464.27, Total \$9,977,505.81; Duininck, Inc - Highway Project \$6,964,826.31, Storm Sewer Project \$3,415,575.10, Total \$10,380,401.41; Bituminous Paving, Inc - Highway Project \$7,054,924.65, Storm Sewer Project \$3,345,153.00, Total \$10,400,077.65.

Jose stated that the storm sewer portion of the project is the responsibility of the City. Jose reported that the City will use a combination of funds to pay: SD DOT \$696,700, Community Development Block Grant \$750,000, SRF Loan \$500,000, City Storm sewer funds \$1,130,419.99. Jose recommended authorizing the Mayor to sign the contract. Discussion followed.

52-21

Alderman Holland moved approval of the authorization of the Mayor to sign the contract with Midland Contracting, Inc., from Huron, SD, for HWY 50 drainage improvement project 1374 () PCN X05N, for the price of \$3,077,119.99. Alderman Willson seconded the motion. A roll call vote of

the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

F. Streetscape agreement amendment with Stockwell Engineering

Jose Dominguez, City Engineer, reported that, since 2004, the businesses in downtown Vermillion and the City have been working to improve the Main Street area. Jose stated that, in January 2020, the City created the Business Improvement District #2 (BID). Jose noted that the BID was created with the intent to provide a funding mechanism and to bring forward a streetscape plan for downtown Vermillion. Jose reported that the City entered into a contract with Stockwell Engineers (Stockwell) for the design and development of the construction documents on April 20, 2020. Jose noted that the construction documents for the Downtown Streetscape Project (Project) are currently out to bid with a bid opening date of March 4, 2021. Jose stated that the original agreement with Stockwell covered the costs associated with surveying the project area, designing the desired project, creating the construction documents, and bidding the project at a cost of \$238,318. Jose reported that the amendment being considered is for contract preparation, construction staking, and construction administration of the project. Jose noted that the items of importance that are included in these three tasks are: conducting one public meeting after award of project, preparing biweekly construction bulletins to be made available to the public, attending biweekly coordination meetings with contractor, and completing the record drawings. Jose stated that the amendment will also cover costs incurred by Stockwell during the design of the Project that include the removal of the bumpouts along Kidder Street after the 65% plan completion, and for the numerous iterations of the monument pillars. Jose reported that the original agreement was for \$238,318 and the amendments being considered are for additional design services \$12,500, contract preparation \$1,214, construction administration \$268,557 and construction staking \$25,015 for an amended total of \$545,604. Jose recommended approving the amendment to the agreement with Stockwell Engineers. Discussion followed.

53-21

Alderman Ward moved approval of the amendment to the Consultant Agreement with Stockwell Engineers for Design, Construction Documents, and Construction Administration for the Downtown Streetscape Project to amend the original contract to a total of \$545,604. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

G. Change order #2 for Recycling Center renovation project

Jose Dominguez, City Engineer, reported that in October 2020 the City Council awarded a \$561,200 contract to Sunkota Construction of Sioux Falls for renovations at the Missouri Valley Recycling Center on N. Crawford Road. Jose stated that in February 2021 the City Council approved Change Order No. 1 for \$14,583 that included insulating the office area and parts of the processing area. Jose noted that the change order also added five days to the completion date, making the new completion on March 12, 2021. Jose stated that Change Order No. 2 (CO2) addresses items concerning electrical changes to the work space, insulating the area where some of the material is stored in the processing area, preparing the office space floor for epoxy finish, extending the rain gutter on the south side of building, testing of emergency lights, and installing a drainage system for the mechanical room. Jose noted that CO2 will also extend the completion date by ten days to March 22, 2021. Jose stated that the increase in time is due to the additional time it took to complete the floor preparation for the epoxy finish, and for insulating the portions of the processing area. Jose stated that CO2 will increase the cost of the project by \$13,667 to a new contract amount of \$589,450. Jose reported that this project will be paid through a combination of City Joint Powers funds and SD DENR grant for \$343,000. Discussion followed.

54-21

Alderman Willson moved approval of Change Order #2 with Sunkota Construction, Inc in the amount of \$13,667 with a 10-day extension to the completion date to March 22, 2021. Alderman Price seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

H. Resolution to purchase two Police SUVs from Vermillion Ford

Jose Dominguez, City Engineer, reported that the 2021 equipment replacement fund budget included the replacement of the 2018 Chevrolet Tahoe Pursuit Rated vehicle and the 2005 Harley Davidson motorcycle. Jose reported that orders for 2021 Chevrolet Tahoe Pursuit Rated vehicles were stopped in December 2020 and in discussion with the Police Department it was agreed to replace the Tahoe with a Ford Interceptor SUV and the motorcycle with a Ford Interceptor SUV. Jose reported that staff compared the prices awarded by the State of South Dakota through the State bid and prices provided by local dealers, noting that Vermillion Ford price matched the State award price. Jose reported that State Statute 5-18C-8 allows the City to purchase from a willing vendor whose price is the same or less than the State awarded price. Jose recommended approval of

the resolution to purchase two Police SUVs from Vermillion Ford at the price equal to the State bid price. Discussion followed.

55-21

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

RESOLUTION
AUTHORIZING THE PURCHASE OF
TWO VEHICLES

WHEREAS, SDCL 5-18C-8 authorizes a governmental entity to purchase from a state contract list, or from any willing vendor at a price at or below that shown in the state contract; and

WHEREAS, the City of Vermillion approached the local Ford dealer to see if they could match the price found in the state contract for two 2021 Ford Interceptor SUVs; and

WHEREAS, after the prices from the local Ford dealer were compared with the state contract price it was found that the local Ford dealer's prices were identical to the state's contract price; and

WHEREAS, Vermillion Ford, Vermillion, South Dakota, is willing to allow the City to purchase the vehicles for the same price as the state awarded price.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, that the City Finance Officer is hereby authorized to purchase two 2021 Ford Interceptor SUVs (\$35,857 per vehicle) from Vermillion Ford, Vermillion, South Dakota, at the above stated price of \$71,714.

Dated at Vermillion, South Dakota this 1st day of March, 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 Holland. 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, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

9. Bid Openings

A. Fuel quotes

Mike Carlson, Finance Officer, read the monthly fuel quotes and recommended the low quote of Stern Oil on all three items.

Item 1 - 4,350 gal unleaded 10% ethanol: Stern Oil \$2.1127, Jerry's Service \$2.67; Item 2 - 3,000 gal No. 1 & 2 Diesel fuel dyed average price: Stern Oil \$2.4218, Jerry's Service \$2.43; Item 3 - 1,000 gal No. 1 & 2 diesel fuel-clear average price: Stern Oil \$2.7218, Jerry's Service \$2.92

56-21

Alderman Price moved approval of the low quote of Stern Oil on all three items. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Hellwege-Y, Holland-Y, Humphrey-Y, Jennewein-Y, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

10. City Manager's Report

A. 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 and any public comments on the nomination to the City are welcome through March 19, 2021.

B. John reported that, due to a resignation on the Historic Preservation Commission, there is a partial term available. John reported that the term would expire in September 2021. John asked interested individuals to complete the Expression of Interest forms that are due by Thursday, March 11th at 5:00 p.m. in anticipation that the City Council will make an appointment at the March 15th meeting. John noted that, for this vacancy, the individual does need to own property in one of the four historic districts.

C. John reported that, due to the large volume of curbside recycling on the Friday route, effective today, March 1st, Burbank Road, Natalie Court, and Brandon Drive collection has been moved from the Friday curbside collection route to the Wednesday curbside collection route.

D. John reported that the City's Historic Preservation Commission meets on Wednesday, March 3rd at 9:00 a.m.

E. John reported that the City's Human Relations Commission meets on Thursday, March 4th at 7:00 p.m.

F. John reported that the City Planning and Zoning Commission will meet on Monday, March 8th at 5:30 p.m. John noted that one agenda item is a TIF Plan for TIF District #7.

PAYROLL ADDITIONS AND CHANGES

Police: Alex Taggart \$22.95/hr; Recreation: Mackenzie Brady \$10.00/hr; Water: Aaron Hammer \$18.98/hr; Curbside Recycling: Jessie Lovett-French \$17.05/hr

11. Invoices Payable

57-21

Alderman Price moved approval of the following invoices:

A-Ox Welding Supply Co	chemicals	1,454.00
Amazon Business	supplies	565.04
Andrew Delgado	boot reimbursement	200.00
Appeara	shop towels	45.00
Aramark	uniforms	75.98
Aramark Uniform Services	uniform cleaning	430.80
Arrow Manufacturing	parts	53.00
Automatic Building Control	fire alarm inspection	204.00
Avera Occupational Medicine	testing	190.65
Blackstone Publishing	books	644.76
Border States Elec Supply	supplies	933.80
Bound Tree Medical, LLC	supplies	1,651.34
Boyer Trucks	parts	150.34
Burns & McDonnell	professional services	54,104.85
Butch's Propane Inc	propane	1,507.75
Butler Machinery Co.	repairs/parts	4,330.41
Callaway Golf	merchandise	900.14
Cannon Technologies, Inc	electric meters	239,904.00
Carroll Construction Supply	supplies	92.70
Cask & Cork	merchandise	429.00
Century Business Products	copier contract/copies	192.37
Chandel Bultsma	refund ambulance overpayment	145.74
City Of Vermillion	postage/copies	932.72
City Of Vermillion	utility bill	39,467.69
Clay County Ems Association	training	90.00
Cleveland Golf	merchandise	79.00

Colonial Life Acc Ins.	insurance	2,984.27
Core & Main LP	supplies	3,477.21
Cornhusker International Truck	parts	58.34
Cummins Central Power, LLC	repairs	260.96
D-P Tools	supplies	125.28
Dakota Beverage	merchandise	9,516.54
Dakota Pc Warehouse	thinkpad/supplies	905.90
Dakota Riggers & Tool Supply	supplies	112.08
Delta Dental Plan	insurance	6,408.16
Dennis Martens	maintenance	833.34
Dept. Of Social Services	refund ambulance overpayment	182.61
Derek Ronning	gym membership reimbursement	250.00
Driver's License Guide Co	id checking guide	67.50
Dubois Chemicals	soda ash	7,320.50
Echo Electric Supply	parts	1,603.68
Ed M. Feld Eqpt Co	supplies	187.00
Energy Laboratories	testing	90.00
Equipment Blades Inc	blades	5,446.50
Erickson Solutions Group	professional services	8,831.37
Evan Rolling	gym membership reimbursement	250.00
FedEx.	shipping	60.53
Frontier Precision, Inc	subscription	1,650.00
G & R Controls	parts	375.00
Geotek Engineering	testing/inspection	176.00
Global Dist.	merchandise	105.00
Graymont (Wi) LLC	chemicals	8,239.33
Gregg Peters	freight/software renewal	3,223.20
Gregg Peters	rent	937.50
Hauff Mid-America Sports	uniforms	266.00
Heiman Fire Equipment	supplies	1,210.20
Herc-U-Lift	parts	746.60
Hercules Industries, Inc	supplies	392.11
Herren-Schempp Building	supplies	395.24
Hy-Vee Food Store	supplies	12.97
IMS Alliance	name tags	65.00
Industrial Chem Labs	supplies	454.98
Ingram	books	2,970.46
International Code Council	membership dues	145.00
Interstate Power Systems	repairs	427.79
Istate Truck Center	parts	165.23
Jacks Uniform & Eqpt	uniform	283.40
Jessica Newman	gym membership reimbursement	250.00
John A Conkling Dist.	merchandise	2,802.40

John DeVorss	snow removal	640.00
Johnsen Heating & Cooling	repairs	1,425.98
Johnson Brothers Of SD	merchandise	11,873.47
Johnson Controls	service agreement	1,811.78
Johnson Feed, Inc	parts	38.36
Jones Food Center	supplies	588.86
Joyce Orr	refund parking tckt overpmt	5.00
Justin Roetman	safety boots reimbursement	72.75
K & M Tire	parts	646.62
Kenny Wapniarski	safety glasses reimbursement	150.00
Lawson Products Inc	supplies	80.46
Laynes World	FD plaques	1,378.26
League Of Nebraska Municipal	advertising	103.95
Leisure Lawns, LLC	lawn applications	961.40
Lessman Elec. Supply Co	supplies	650.50
Loffler	copier contract/copies	1,223.95
Longs Propane Inc	propane	30.00
Main Street Center	1st qtr contribution	4,000.00
Malloy Electric	parts	685.08
Mart Auto Body	towing	375.00
Masimo	maintenance	891.00
Matheson Tri-Gas, Inc	medical oxygen/cylinder rental	712.40
Matthew Betzen	boots reimbursement	200.00
McCulloch Law Office	professional services	1,173.00
Mead Lumber	supplies	38.99
Medical Waste Transport, Inc	haul medical waste	231.71
Micro Marketing LLC	books	194.97
Midwest Alarm Co	repairs	374.05
Midwest Ready Mix & Equipment	flowable fill	400.00
Midwest Turf & Irrigation	parts	429.88
Minitex Library	supplies	1,050.00
Missouri Valley Maintenance	repairs	1,128.05
Mizuno USA, Inc	merchandise	828.25
Moore Welding & Mfg	repairs	1,059.00
MSC Industrial Supply Co	supplies	106.82
National Fire Protection Assoc	membership dues	175.00
NCL Of Wisconsin, Inc	supplies	1,041.62
Nebraska Journal-Leader	advertising	34.95
Netsys+	professional services	498.50
North Central Rental & Lease	skid steer loader rental	2,340.00
Northwestern University Center	registration/training	4,000.00
O'Reilly Auto Parts	parts	275.94
Overhead Door Of Sioux City	repairs	576.31

PCC, Inc	commission	4,035.15
Penworthy Company	books	257.44
Petrochoice	supplies	210.63
Phelps	uniforms	147.08
Ping/Karsten Mfg Corp	merchandise	3,969.64
Pizza Ranch	meals	83.92
Powerphone, Inc	maintenance	239.70
Pressing Matters	supplies	447.00
Presto-X-Company	inspection/treatment	65.00
Prochem Dynamics	supplies	180.53
Quill	supplies	279.91
Racom Corporation	maintenance	432.70
Recovery Systems Co, Inc	repairs	2,118.75
Redi Towing	towing	850.00
Republic National Distributing	merchandise	15,936.27
Rockmount Research & Alloy	parts	819.78
Running Supply, LLC	supplies	1,715.57
Sally Lombard	refund parking tckt overpmt	5.00
Sanford Health Occupational	testing	606.00
Sanford USD Medical Center	supplies	395.53
Sanitation Products Inc	parts	2,999.94
Schaeffer Mfg. Co	supplies	708.00
SD Dept Of Health	testing	150.00
SD Dept Of Public Safety	teletype service	3,590.00
SD Retirement System	contributions	61,511.85
SD Sheriffs' Association	registration	115.00
SD Solid Waste Management	registration	260.00
SEH, Inc	hwy 50 drainage	4,104.87
Service First Fire Sprinkler	fire sprinkler inspection	245.00
Service Master Of SE SD	custodial	3,751.54
Sioux Equipment	supplies	158.00
Skarshaug Testing Lab.	testing	1,209.84
Sooland Bobcat	repairs/parts	9,704.22
Southern Glazer's Of SD	merchandise	3,283.32
Stan Houston Eqpt Co	tools	525.00
Steven Hopkins	refund ambulance overpayment	40.42
Stryker Sales Corporation	maintenance/svc agreement/aeds	28,962.08
Sturdevants Auto Parts	parts	1,794.82
Syncb/Amazon	books/dvds/supplies	1,160.34
Taste Of Home Books	books	61.96
The New Sioux City Iron Co	blades	173.22
The Ups Store #6751	shipping	40.04
Thomas L Price Inc	evaluation/screening	350.00

Titan Machine-Productivity	parts	576.80
Tractor Supply Credit Plan	supplies	15.99
Tritech Software Systems	subscription	600.00
Turner Plumbing	repairs	83.50
Twin City Hardware	parts	1,734.07
Two Way Solutions	repairs	1,216.93
United Laboratories	supplies	660.24
United Way	contributions	574.50
Unum Life Insurance Company	insurance	1,557.38
Utility Equipment Co.	parts	2,439.48
Vast Broadband	911 circuit/dialup service	1,415.45
Verizon Wireless	cell phones/ipad access	3,437.23
Vermillion Ace Hardware	supplies	1,291.86
Vermillion Auto Works	parts	380.00
Vermillion Chamber Of Commerce	contribution/dues/advertising	68,180.00
Vermillion Ford	parts	346.54
Vermillion Housing Authority	contribution	6,900.00
Vermillion Public Transit	contributions	23,000.00
Visa/First Bank & Trust	fuel/supplies	5,656.51
Voss Distributing	merchandise	36.00
Walmart	supplies	1,175.18
Westech Engineering, Inc	repairs	860.58
Zee Medical Service	supplies	180.80

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

12. Consensus Agenda - None

13. Adjourn

58-21

Alderman Ward moved to adjourn the Council Meeting at 8:10 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, Letellier-Y, Price-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 1st day of March, 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 _____.