

Unapproved Minutes  
Council Special Session  
May 18, 2020  
Monday 12:00 noon

The special session of the City Council, City of Vermillion, South Dakota was held on Monday, May 18, 2020 at 12:00 noon at the City Hall large conference room.

1. Roll Call

Present: Holland (teleconference), Humphrey (teleconference), Price (teleconference), Sorensen, Ward (teleconference), Willson (teleconference), Mayor Collier-Wise (teleconference)

Absent: Hellwege

2. Visitors to be Heard - None

3. Prentis Plunge, Parks, and Recreation program openings - Jim Goblirsch

Tim Tracy, Hospital Administrator, joined the meeting by teleconference and answered questions of the City Council on the COVID-19 virus in the county including number of cases, local capacity for testing and issues with opening parks, pool and other programs. Mayor Collier-Wise thanked Tim for joining the meeting.

Jim Goblirsch, Director of Parks and Recreation, reviewed the sources used to develop the information to be presented regarding parks and recreation programs. Jim reviewed programs that the Department felt could be offered following COVID-19 protocols and also which programs could not be offered. Jim noted that programs conducted at the High School are cancelled as the School District has closed their facilities to outside users and those offered in the Armory classrooms as there is potential that the National Guard will need the facility. Jim reported that athletic fields are shared with other associations such as baseball, softball and soccer. Jim noted that these associations are asking when they will be able to practice and hold games. Jim stated that Prentis Plunge opening date has not been set but reviewed recommended measures and protocols if the pool is opened. Jim reported on the status of other community pools noting that Sioux Falls is not opening their pools this season. Jim also noted that the playgrounds and basketball courts are closed and reported what other cities have done with their facilities. Jim reported that the golf course has been operating and small outings are being scheduled but all large outings in June have been postponed or cancelled. Jim reported that the one issue being raised is the one person per cart policy and that we do not have enough carts to meet the demand.

Jim noted that we are the only course in the region with this policy. Jim stated that this was a lot of information for one meeting and answered question of the City Council on the different topics. Discussion followed with the consensus to allow two people per golf cart at the golf course noting that an individual can request to rent a cart alone. Discussion continued requesting any projections on the added costs or lost revenue from operating at 50% at the swimming pool.

Mayor Collier-Wise asked that the remaining issues be reviewed during the study of the emergency ordinance at tonight's meeting.

4. Briefing on the May 18, 2020 City Council Regular Meeting

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

5. Adjourn

121-20

Alderman Price moved to adjourn the Council special session at 12:55 p.m. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of May, 2020.

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  
May 18, 2020  
Monday 7:00 p.m.

The regular session of the City Council, City of Vermillion, South Dakota was called to order on Monday, May 18, 2020 at 7:00 p.m. by Mayor Collier-Wise.

1. Roll Call

Present: Holland (teleconference), Humphrey (teleconference), Price (teleconference), Sorensen, Ward (teleconference), Willson (teleconference), Mayor Collier-Wise (teleconference)

Absent: Hellwege

2. Pledge of Allegiance

3. Minutes

A. Minutes of May 4, 2020 Special Meeting; May 4, 2020 Regular Meeting

122-20

Alderman Holland moved approval of the May 4, 2020 Special Meeting and May 4, 2020 Regular Meeting minutes. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

4. Adoption of Agenda

123-20

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

5. Visitors to be Heard - None

6. Public Hearings

A. Request for a Variance to reduce the required side yard setback from the required 4-feet to approximately 8-inches along the west property line of 221 Lewis Street to allow for an addition to a nonconforming detached garage.

Jose Dominguez, City Engineer, reported that a Petition for Variance was received on April 27th from Mr. Dennis Acrea and Mr. Rodger Kelly, owners of 221 Lewis Street, with regard to the required side yard setback on the west property line of their property. Jose stated that the owners are requesting that the Board of Adjustment grant a variance along the west property line so that they may construct an addition to the existing nonconforming detached garage located on their property. Jose reported that the variance request was advertised by state statute on May 1, 2020. Jose reported that there is currently a house, a one car garage, and two

sheds located on the property. Jose stated that there is a map of the property included in the packet along with the variance application and drawing of the proposed garage addition. Jose stated that the Zoning Ordinance, Section 155.100 gives the City Council, acting as the Board of Adjustment, the power to hear and decide variances to vary the strict application of the height, area, setback, yard, parking, or density requirements as will not be contrary to the public interest. In this instance, public interest includes the interests of the public at large within the city, not just the neighboring property owners. Jose noted that the burden shall be on the applicant to prove the need for a variance. Jose reviewed the ordinance requirements and staff comment on each requirement. Jose reported that the small size and location of the lot make the construction of a conforming garage very difficult, and possibly offensive to the neighborhood. Jose noted that the strict interpretation of the ordinance would more than likely prohibit the owner from constructing an addition to the garage without requiring variances. Jose stated that the applicant's proposed plan, and the variance needed to execute his plan, are the minimum required to alleviate the hardship. Jose stated that, if the variance is approved, the variance would allow the applicant to construct an addition to the existing nonconforming garage in the approximate location where there is an existing shed. Jose noted that he believes that the garage addition will not be harmful to the neighborhood. Jose recommended that, if the Board of Adjustment grants the variance reducing the side yard setback requirement from 4-feet to 8-inches, it include a condition that the variance will only apply to the proposed garage addition and that one of the existing sheds be permanently removed from the property. Discussion followed.

124-20

Alderman Sorensen moved approval of the variance to reduce the required side yard setback from the required 4-feet to approximately 8-inches along the west property line of 221 Lewis Street to allow for an addition to a nonconforming detached garage with the condition that one of the existing sheds be permanently removed from the property. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

## 7. Old Business

A. Review of Ordinance No. 1413 and determine continuation of the Emergency Ordinance

John Prescott, City Manager, reported that the City Council adopted emergency Ordinance No. 1413 at a special meeting on March 30th that will expire after 60 days on May 30th. John stated that this emergency ordinance placed restrictions on public gathering places and

entertainment venues. John noted that the City Council reviewed and discussed the Ordinance during the April 6, 2020 and April 20, 2020 meetings but did not make any changes. John reported that, at the May 4, 2020 meeting, the City Council adopted a Resolution modifying the original restrictions to provided businesses in #1-#4 of the original ordinance with guidelines on reopening. John noted that the Resolution provided guidelines on opening some businesses up to 33% of their capacity. John noted that, unless a special meeting is called, this is the final opportunity to address Ordinance No. 1413 before the May 30, 2020 expiration. John stated that the ordinance provided that the City Council can amend the ordinance with the adoption of a resolution. John stated that, since the May 4th meeting, Administration has received several inquiries seeking clarification and understanding of the ordinance and amending resolution. John noted that a blank sample resolution is included in the packet which can be completed to make any modifications to the ordinance.

John reported that, at the noon meeting, there was discussion on the pool, parks and recreation programs, playground equipment/basketball courts and baseball/softball team practice/games that was continued until tonight's meeting.

Jim Goblirsch, Director of Parks and Recreation, requested guidance from the City Council on if softball and baseball teams could begin limited practices on May 19th with full practice beginning June 1st and games beginning on June 15th, if the City can begin offering limited recreation programs, should parks playgrounds and basketball courts be opened and if the swimming pool will be opened, if so when. Jim reviewed the local sports team associations that use the city fields noting that we would require COVID-19 protocols that each would follow when using city facilities. Jim noted that they would like to begin practice to get ready for the season. Jim reported that they would like to offer the following recreation programs: youth recreation league baseball and softball ages 7 to 12 years, youth tennis ages 5 to 13 years and youth track and field ages 9 to 12 years. Jim noted that, if they started on line registration, they would plan to start programs June 15th or later. Jim reviewed what other cities are doing with playgrounds and basketball courts noting that most are open with no or limited sanitizing and signage. Jim asked when the Council would want to open Prentis Plunge. Jim asked Mike to review the estimated costs associated with the pool using the proposed protocols. Mike Carlson, Finance Officer, reported that over the last two years the pool has averaged a loss of \$120,000 and if two COVID-19 protocol monitors are added during pool hours the estimated increase in expenses would be \$10,900. Mike noted that, by reducing the capacity to 50%, Jim and Ryan estimated that 15% of the time the capacity was over that amount, thus 15% of the daily admissions is estimated to reduce the revenue by \$6,300. Mike noted that there are many other variables such

as weather, will the pool attract residents from towns that pools are closed, how much will additional sanitizing cost, etc.

James Purdy, Assistant City Manager, provided comments to the City Council that were posted on the web site that were addressed by the City Council or City staff. Lengthy discussion followed with the Mayor and Council members expressing their understanding of each issue.

125-20

Alderman Holland moved approval to continue Ordinance No. 1413 as amended by the resolution adopted May 4, 2020 and to not open the Prentis Plunge swimming pool for the season, to allow softball and baseball association teams to begin limited practices with further action on scheduling games to be reviewed at the June 1st meeting, continue the closure of the park playground equipment and basketball courts to be reviewed at June 1st meeting, open registration for youth recreation league baseball and softball ages 7 to 12 years, youth tennis ages 5 to 13 years and youth track and field ages 9 to 12 years with the start date to be reviewed at the June 1st meeting. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

## 8. New Business

A. First Reading of Emergency Ordinance No. 1414 to limit occupancy in businesses similar to Ordinance No. 1413 due to COVID-19

John Prescott, City Manager, reported that Emergency Ordinance No. 1413 placed restrictions on public gathering places and entertainment venues such as bars, restaurants, movie theaters, video lottery casino operations, and similar places of public accommodation as well as nail and hair salons, barber shops, health clubs, and spas where individuals are in close contact. John noted that, with the expiration of Ordinance No. 1413 on May 30, 2020, interest was expressed in a new Emergency Ordinance which would continue to provide for a gradual removal of restrictions with a focus on social distancing to continue to slow the spread of COVID-19. John stated that proposed emergency Ordinance No. 1414 is very similar to the Resolution that was adopted on May 4, 2020. John reviewed the changes between the proposed ordinance and the May 4th resolution noting the occupancy was increased from 33% to 50%. John stated that, if this ordinance reflects how the City Council and community want to move forward, first reading could take place this evening. John stated that a second reading could take place at the next meeting on June 1, 2020 which would be within days of Ordinance No. 1413 expiring or another option for continuity is to have a second reading at a special meeting at the end of May to avoid any break in regulations.

James Purdy, Assistant City Manager, provided comments to the City Council that were posted on the web site that were addressed by the City Council. Discussion followed on the percentage of occupancy to be included in the ordinance. John Prescott, City Manager, reported that, once adopted, the ordinance can be changed by resolution if the percentage needs to be changed.

126-20

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

BE IT RESOLVED that the minutes of this meeting shall show that the title to proposed Ordinance No. 1414 entitled an Emergency Ordinance to Address a Public Health Crisis by Implementing Certain Measures Which Have Been Deemed Necessary to Slow the Community Spread of COVID-19 (Coronavirus) for 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 18th day of May, 2020 at the Council Chambers in City Hall in the manner prescribed by SDCL 9-19-7 as amended.

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

B. Café Brule Permit for Consumption of Alcohol in Sidewalk Furniture Use Zone

John Prescott, City Manager, reported that Jim Waters, on behalf of Café Brule, Inc., has applied for a sidewalk furniture zone use permit for Café Brule for six two-person tables on the Market Street side of the restaurant. John stated that Administration has approved the use of the sidewalk furniture zone use permit for food consumption, but the request was to also include alcohol. John stated that City ordinance provides that the City Council may permit the consumption of alcoholic beverages within the furniture use zone. John stated that the ordinance provides additional rules to governing alcoholic beverages in the furniture zone, one of which is that the hours of operation for the sale and consumption shall be 7:00 a.m. to 10:00 p.m. John noted that the Police Chief has reported that there were no incidents in previous years in this area. John reported that the application for furniture zone use permit, alcohol sales plan and the diagram of the area are included in the packet. John noted that in previous years the approval included the condition that alcohol sales could not take place during Dakota Days weekend in the Furniture Zone area. Discussion followed.

127-20

Alderman Sorensen moved approval of the sale and consumption of alcoholic beverages in the Café Brule Furniture Zone Use permit area during the hours outlined in the ordinance except to exclude the Dakota Days weekend. Alderman Willson seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

C. Recommendation of BID Board #1 to utilize reserve funds to make up the difference between actual receipts for the first and second quarter 2020 vs. the 5-year average payment amount for the first and second quarter in determining payment amount transferred to the VCDC

John Prescott, City Manager, reported that the Business Improvement District (BID) #1 met on Friday, May 8, 2020 to consider a request from the Vermillion Chamber of Commerce and Development Company (VCDC) to utilize funding from the BID reserve fund to stabilize the quarterly tourism payments. John noted that BID #1 began collecting a \$2 per night fee on occupied hotel rooms on June 1, 2014. John reported that in 2017 the Board identified the need to establish a reserve fund. John noted that the Board proposed and the City Council approved a recommendation to remit 85% of receipts to the VCDC for tourism until a reserve fund of \$30,000 was established, which was in 2018, at which time 98% of the BID receipts were made to the VCDC. John reported that the BID Board's recommendation was to have the BID reserve fund make up the difference between the net BID receipts collected for remittance to the VCDC vs the average for that quarter paid to the VCDC. John stated that the Board suggested using the five-year average for the first and second quarter to determine the average net BID payment to the VCDC. John stated that the Board recommendation was to make up the difference only for the first and second quarter of 2020 and that the BID Board will take another look at this issue during their June or July meeting. John reported that the first quarter net collections were \$7,909 while the five-year average was \$9,377 so the short fall is \$1,468 and the second quarter five-year average net collections is \$13,117. John noted that the Board did note in their discussion that rebuilding the reserve will impact the dollars going to the VCDC in the future, but that this would be a topic for discussion at the next meeting. John noted that the BID Board #1 recommendation is to allocate a portion of the BID #1 reserve funds to the VCDC to provide the VCDC with funding equal to the five-year quarterly net average payment from BID reserve funds for only the first and second quarter 2020. John stated that the payment from the reserve fund for the first quarter is \$1,468. John noted that Nate Welch, Executive Director of the VCDC, was present to answer questions.

128-20

Alderman Holland moved approval of the recommendation by BID #1 Board to allocate a portion of the BID #1 reserve funds to the VCDC to provide the VCDC with funding equal to the five-year quarterly average for the first and second quarter 2020 with the first quarter payment being \$1,468. Alderman Willson seconded the motion. Discussion followed. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-N, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

D. Establish a process to fill vacant Central Ward Council seat

John Prescott, City Manager, reported that, when the City Council accepted the resignation of Central Ward Council member Kelsey Collier-Wise at the May 4, 2020 meeting after her appointment as Mayor, it created a vacancy on the City Council in the Central Ward. John reviewed the state statutes noting that the current term ends with the July 6th meeting so if an individual is appointment in June they will also need to be appointed by the new Council. John noted that an option available to the City Council is to appoint an individual for the Central Ward seat at one of the June 2020 meetings. John noted that the individual would be able to serve through the qualifying period for the person elected and be reappointed at the July 20, 2020 meeting. John noted this individual would serve until a special election in 2021. John stated that this option would potentially have someone in place when the City Council has their reorganizational meeting on July 6, 2020. John suggested having interested individuals complete an Expression of Interest form, cover letter of interest, a resume, and/or other materials deemed appropriate to assist the City Council in appointing an individual to fill a Central Ward Council seat. Discussion followed suggesting interested individuals complete the expression of interest form from the City web site and return the form by May 28th at 5:00 p.m. for consideration at the June 1st meeting. John stated that this can be placed on the City web sites and newspaper. Discussion followed.

129-20

Alderman Price moved to authorize administrative staff to advertise the Central Ward Council opening requesting interested Central Ward residents to complete the expression of interest form and return the form by 5:00 p.m. on May 28th for consideration at the June 1st meeting. Alderman Holland seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-N, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

E. Mutual Aid agreement with the City of Elk Point

John Prescott, City Manager, reported that the cities of Elk Point and Vermillion have long provided informal aid to each other during regular business and times of emergencies. John noted that, due to the current COVID-19 pandemic, the Elk Point City Administrator contacted the City of Vermillion with a request to enter into a formal/written agreement for mutual aid in the event of an emergency situation. John reported that the Mutual Aid Agreement was included in the packet and has been reviewed by City Attorneys from both cities. John reviewed the content of the agreement. John noted that the City of Elk Point has approved the agreement at their May 4th meeting. John recommended approval of the resolution adopting the mutual aid agreement. Discussion followed.

130-20

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

RESOLUTION  
ADOPTION OF MUTUAL AID AGREEMENT WITH THE CITY OF ELK POINT

A mutual aid agreement between the City of Vermillion and the City of Elk Point enabling the continuation of essential services in the event of an emergency.

WHEREAS, the essential services of water, wastewater, street, and light and power must continue for the good of the community despite an emergency; and,

WHEREAS, an emergency can be any event that hinders several employees the ability to work; and,

WHEREAS, this agreement shall stay in effect until the City Council deems it unnecessary.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Vermillion, South Dakota, at a regular meeting thereof that the mutual aid agreement is adopted.

Dated at Vermillion, South Dakota this 18th day of May 2020.

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 Price. Discussion followed and the question of the adoption of the Resolution was presented for a roll call vote of the Governing Body as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

F. Resolution pledging Vermillion Now! Second Penny funds to assist with the design and construction administration of Bliss Pointe Phase 2 infrastructure

John Prescott, City Manager, reported that the Vermillion Chamber of Commerce and Development Company (VCDC) developed a conceptual plan for the design of the second phase of the Bliss Pointe housing development. John noted that the VCDC solicited proposals from engineering firms and received three proposals to design the infrastructure and layout of the second phase. John stated that Banner Associates was hired at a cost of \$63,984 to complete the engineering design, plan development, solicitation of bids, and bid opening work. John noted that Phase 2 of Bliss Pointe is the undeveloped portion of ground between Stanford Street and Joplin Street and north of Rockwell Trail that includes land zoned as Area B and Area C in the Bliss Pointe Planned Development District zoning. John noted that the VCDC has requested a Resolution pledging any remaining Vermillion Now! Second Penny contributions from the first two Vermillion Now! campaigns for the engineering work of Bliss Pointe Phase 2. John stated that the Resolution is also written to use a portion of the City's 2020 pledge to Vermillion Now! 3 funds to make up the difference. John stated that the City obligated \$50,000 of Second Penny funds with the 2020 budget to the Vermillion Now 3! Campaign from its total pledge of \$250,000 in Second Penny funds over five budget years beginning with 2020. John noted that on April 20, 2020 the City adopted a resolution to utilize the remaining funds from the first two Vermillion Now! Campaigns to help construct a street through what is currently Lot 4A in the Erickson addition. John reviewed the Vermillion Now! funding available and recommended approval of the resolution. Discussion followed on the funding.

Nate Welch, Executive Director of the VCDC, answered questions of the City Council noting the desire to get started now to have options to start construction this fall or next year to hopefully obtain better prices.

131-20

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

RESOLUTION PLEDGING VERMILLION NOW CAMPAIGN  
FUNDS FOR BLISS POINTE PHASE 2 ENGINEERING

WHEREAS, the City of Vermillion pledged \$280,000 of Second Penny funds to the original Vermillion Now! campaign in 2009 and \$250,000 of Second Penny sales tax funds to the Vermillion Now! 2 campaign in 2014 of which \$189,922 has not been utilized for a project; and

WHEREAS, the City of Vermillion (City) has obligated \$50,000 in the 2020 budget as the first annual payment toward a \$250,000 pledge of Second Penny capital improvements to the Vermillion Now! 3 campaign; and

WHEREAS, development of Phase 2 of Bliss Pointe will provide needed housing lots for the construction of new homes and complete the housing development; and

WHEREAS, the Vermillion Area Chamber of Commerce and Development Company (VCDC) has hired Banner Associates to complete engineering design work for the development of Phase 2 of the Bliss Pointe housing development; and

WHEREAS, engineering services to design the layout and all of the infrastructure improvements needed for the development of Bliss Pointe is an eligible Second Penny cost; and

WHEREAS, the VCDC has requested that the City provide reimbursement from the Vermillion Now! Campaign Second Penny sales tax funds for the engineering services to design the layout and all of the infrastructure improvements needed for Bliss Pointe Phase 2 in an amount not to exceed \$63,984; and

WHEREAS, the City Council on April 20, 2020 approved a similar resolution pledging the amount reimbursed to the VCDC for street construction will not exceed the \$189,922 currently available from the original Vermillion Now! and Vermillion Now! 2 pledges of Second Penny funds; and

WHEREAS, if sufficient funding is not remaining from the original Vermillion Now! or Vermillion Now! 2 funds after reimbursement to the VCDC for the street construction cost as provided for in the April 20, 2020 adopted resolution, funding from the \$50,000 that the 2020 Second Penny budget allocated for Vermillion Now! 3 shall be used; and

WHEREAS, it is understood that all payments from the City to the VCDC will be on a reimbursement basis upon submission of supporting contract documents, invoices, and records of payments.

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the City of Vermillion agrees to reimburse the VCDC, as developer of the Bliss Pointe Phase 2 housing development, for engineering services to design the layout and all of the infrastructure improvements from any remaining Second Penny funds from the original Vermillion Now! campaign, the Vermillion Now! 2 campaign and up to \$50,000 of 2020 Vermillion Now! 3 campaign Second Penny sales tax funds upon submission of the proper documentation but in a total amount not to exceed \$63,984, contingent upon the availability of funds at the time of the reimbursement request.

Dated at Vermillion, South Dakota, this 18th day of May, 2020.

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: Holland-Y, Humphrey-Y, Price-Y, Sorensen-N, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

G. Request to close N. Plum Street from E. Cherry Street to SD Highway 50 on Friday, August 21, 2020 from 5:00 am to 4:00 pm for USD's Move-In Day

John Prescott, City Manager, reported that he would combine the presentation for Items G & H as the University of South Dakota has historically been utilizing Plum Street, between Highway 50 and East Cherry Street, and closing Rose Street from Coyote Village north to the Dakota Dome during their Move-In Day. John stated that the traffic control for the move-in requires the assistance of the City and the DOT. John stated that the request from USD is included in the packet. Alderman Ward stated that he was made aware today that move-in is being changed to more than one day to allow for less contact and suggested tabling action on these two items as there is time to review before move-in day.

132-20

Alderman Ward moved to table the street closing requests from USD for move-in day agenda Items G & H, until the June 1st meeting to allow time to obtain additional information on the extended days. Alderman Price seconded the motion. A roll call vote of the Governing Body was as

follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

H. Request to close Rose Street from Coyote Village north to the Dakota Dome on Friday, August 21, 2020 from 5:00 am to 4:00 pm for USD's Move-In Day

See Item G above as item was tabled until the June 1st meeting.

I. Resolution to accept a DENR grant for renovations at the Missouri Valley Recycling Center and authorize the City Manager to sign grant documents

John Prescott, City Manager, reported that in December 2019 the City Council approved the submission of a grant application to DENR to fund 50% of the Phase I renovations of the Missouri Valley Recycling Center building on North Crawford Road. John noted that the recycling center has served the community as the recycling center for the last 25 years with very limited renovations. John stated that an evaluation of the building in 2019 identified the need for significant improvements to continue the current use and to provide a safe and more efficient environment for both staff and the public. John reported that the improvements were divided into two phases and reviewed the Phase 1 improvements that are listed on the memo in the packet. John stated that the estimated cost of Phase I improvements was identified at just over \$686,500. John stated that the South Dakota Department of Environment & Natural Resources (DENR), at their March 2020 meeting, approved a maximum grant from the Solid Waste Management Program for renovations at the Missouri Valley Recycling Center in an amount of \$343,000. John stated that the grant is a 50% match with the not to exceed grant amount of the \$343,000. John reported that a resolution has been prepared to accept the SD DENR grant award and authorize the City Manager to sign grant documents. John noted that Burns and McDonnell, who completed the initial review and worked with staff to develop a project that would be affordable to undertake, has submitted an agreement for engineering services related to the project. John stated that the engineering agreement is the next item on the agenda for City Council consideration. Discussion followed.

133-20

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

RESOLUTION ACCEPTING THE DENR GRANT AWARD TO RENOVATE  
THE MISSOURI VALLEY RECYCLING CENTER AND  
AUTHORIZE THE CITY MANAGER TO SIGN  
THE GRANT DOCUMENTS

WHEREAS, the City of Vermillion is a member of the Joint Powers agreement which operates the Vermillion Landfill, Missouri Valley Recycling Center, and an integrated solid waste system to serve the solid waste disposal and recycling needs of the residents of Clay and Yankton Counties along with other areas of the region; and

WHEREAS, the City of Vermillion is the member that is responsible for the operation of the Vermillion Landfill and Missouri Valley Recycling Center; and

WHEREAS, the Missouri Valley Recycling Center at 840 N. Crawford Road has served as the drop-off point and processing center of recyclable materials provided by businesses and citizens in the region for twenty-five (25) years; and

WHEREAS, it has been determined that there is a need for significant renovations to the Missouri Valley Recycling Center building to provide a safe and efficient environment for both the staff and the public to drop-off and process recyclable materials; and

WHEREAS, the Joint Powers Board recommended, and the Vermillion City Council approved, an application to apply for DENR grant funding assistance for the renovation project; and

WHEREAS, the 2020 budget adopted by the Vermillion City Council included funding for renovations to the Missouri Valley Recycling Center if a 50% grant was awarded by DENR.

NOW, THEREFORE, BE IT RESOLVED that the grant award of 50% funding up to a maximum grant amount of \$343,000 from the Solid Waste Management Program, awarded by the Board of Water and Natural Resources is accepted, and the City Manager is authorized to execute the grant documents as needed on behalf of the City of Vermillion.

Dated at Vermillion, South Dakota this 18th day of May, 2020.

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 Sorensen. Discussion followed and the question of the adoption of the Resolution was presented for a roll call vote of the Governing Body as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward- not present, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

J. Professional service agreement with Burns & McDonnell for recycling center building renovations

John noted that, as was reviewed with the last agenda item, the Recycling Center is in need of improvements to better serve the public and employees working at the facility. John stated that, as the grant agreement was accepted with the previous agenda item, the next step in the process is to hire the consultant for the completion of the design, bidding process, and construction administration. John stated that Burns & McDonnell has submitted the attached professional services agreement to perform the needed functions. John noted that Burns & McDonnell was selected via a competitive process to perform the building evaluation, make recommendations, develop probable construction costs, and provide conceptual drawings that could be utilized for the grant application. John stated that the next step of the process utilizes the work that Burns & McDonnell performed in the first phase to take it through construction. John stated that the fee proposed by Burns & McDonnell is \$145,900 which is an eligible project cost for grant funding and recommended approval of the agreement.

134-20

Alderman Willson moved approval of the professional services agreement with Burns & McDonnell for the renovation of the Recycling Center project in the amount not to exceed \$145,900. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

9. Bid Openings - None

10. City Manager's Report

A. John reported on the approval of the plat of Lot 3A and 3B of Lot 3 in Block 1 of Cottage Place addition. John noted that the property is located on the west side of Cottage Avenue in the 500 block.

B. John reported that the Planning Commission is meeting on Tuesday, May 26th at 5:30 p.m. The current item on their agenda is a replat of three lots in Erickson Addition and dedication of right-of-way for McHenry Street.

C. John reported that City offices are closed on Monday, May 25th for the Memorial Day holiday.

D. John noted that the 2020 Census is underway and asked all residents to please take a minute to complete the 2020 Census form. John stated it is important to the City of Vermillion and Clay County.

PAYROLL ADDITIONS AND CHANGES

Golf Clubhouse: Shanel Goranowski \$9.50/hr, Alyssa Brown \$9.50/hr, Ashley German \$9.50/hr; Golf Maintenance: Garrett Tiehen \$9.50/hr

11. Invoices Payable

135-20

Alderman Price moved approval of the following invoices:

A-OX Welding Supply Co	chemicals	2,551.50
AT&T Mobility	mobile hot spots	526.86
Broadcaster Press	advertising	1,188.63
Buhls Cleaners	mat/mop service	488.70
Bureau Of Administration	telephone	264.28
Cask & Cork	merchandise	246.00
CCP Industries Inc.	supplies	151.95
CenturyLink	telephone	1,585.97
City Of Vermillion	landfill vouchers	1,320.00
Clay Rural Water System	water usage	165.20
Clay-Union Electric Corp	electricity	1,239.28
Core & Main LP	parts	613.54
Dakota Beverage	merchandise	13,017.95
Dakota Lock & Key	repairs	70.00
Dept Of Environment & Nat.	SWMP loan payment	14,338.54
Dept Of Revenue	malt beverage licenses	300.00
Ebsco	subscription	2,647.28
Energy Laboratories	testing	1,174.00
FedEx.	shipping	13.92
Global Dist.	merchandise	312.00
Graymont (WI) LLC	chemicals	4,190.85
Gregg Peters	managers fee	6,000.00
Info USA Marketing Inc	books/directory	415.00
Ingram	books	229.59
John A Conkling Dist.	merchandise	5,924.65
Johnson Brothers Of SD	merchandise	21,469.17
Jones Food Center	supplies	419.85

Loren Fischer Disposal	haul cardboard	1,150.00
MidAmerican	gas usage	2,159.82
Midcontinent Communication	internet/cable service	746.57
Midwest Alarm Co	alarm monitoring	69.00
Quill	supplies	53.88
Republic National Dist	merchandise	18,319.14
Running Supply, LLC	supplies	214.15
Sanford Vermillion Sports	online registration	628.10
SD DENR	landfill operations fee	3,741.76
Southern Glazer's Of SD	merchandise	8,424.24
Staples Business Credit	supplies	1,416.98
Stern Oil Co.	fuel	9,990.39
Sturdevants Auto Parts	parts	405.51
Syncb/Amazon	books/dvds	324.99
The Ups Store #6751	shipping	12.28
Titleist-Acushnet Company	merchandise	1,563.11
Tractor Supply Credit Plan	supplies	137.98
True Fabrications	merchandise	178.38
United Parcel Service	shipping	13.70
Us Bank St. Paul	debt service payments	58,792.50
Us Postmaster	postage for utility bills	900.00
Valiant Vineyards	sanitizing gel/wipes	193.00
Vermillion Ace Hardware	supplies	120.93
Waste Management Of WI-MN	waste hauling	1,406.95
Zimco Supply Co	Vicon spreader/grass seed	1,835.00
Elizabeth Smith	Bright Energy Rebate	350.00
Adam Riley	Bright Energy Rebate	50.00

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

## 12. Consensus Agenda

A. Set a public hearing date of June 1, 2020 for annual malt beverage and SD farm wine renewals

136-20

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

13. Adjourn

137-20

Alderman Ward moved to adjourn the Council Meeting at 8:53 p.m. Alderman Sorensen seconded the motion. A roll call vote of the Governing Body was as follows: Holland-Y, Humphrey-Y, Price-Y, Sorensen-Y, Ward-Y, Willson-Y, Mayor Collier-Wise-Y. Mayor Collier-Wise declared the motion adopted.

Dated at Vermillion, South Dakota this 18th day of May, 2020.

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 \_\_\_\_\_.