

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**February 9, 2015**

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A meeting of the City Council of the City of South Sioux City, Nebraska, was held at the South Sioux City Council Chambers, 1615 1<sup>st</sup> Avenue in said City on the 9th day of January 2015, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: John Sanders, Bruce Davis, William McLarty, Dan Bousquet, Jason Bowman, Dennis Nelson, Carol Schuldt and Oscar Gomez. Absent: None. Media in attendance: Dakota County Star. Notice of the proceeding was given in advance thereof by advertising in the Dakota County Star attached to these minutes. Notice of the proceedings was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to these minutes. Availability of the agenda was communicated in advance notice to the Media, Mayor and Council of this proceeding and was open to the attendance of the public.

Mayor Koch stated that a current copy of the Open Meetings Act is posted on the north wall in the rear of the Council Chambers and is available for review by all citizens in attendance. A sign-in sheet is available at the entrance to the Council Chambers. We ask your assistance by signing in as this is a Federal Grant requirement. It is strictly voluntary to complete the sign-in sheet.

Bousquet moved, seconded Sanders, to excuse the absence of Councilman Davis. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty Bowman. Voting No: None.

Nelson moved, seconded by Gomez, to approve the following **Consent Agenda**. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

- a. MINUTES of COUNCIL MEETING – January 26, 2015.
  - i. Minutes of Council Retreat – January 31, 2015.
- b. STANDING COMMITTEES REPORTS
  - i. Public Works Minutes – February 2, 2015.
  - ii. Finance Minutes – January 28, 2015 & February 4, 2015.
- c. PRESENTATION OF CLAIMS #2015-2. This is a detailed list of bills for the various suppliers to the City for goods and services. [Hyperlink](#)

Nelson moved, seconded by McLarty, to approve the Proclamation for the Chamber of Commerce Month. On hand to accept the proclamation on behalf of the Chamber was Lori Warner, President/CEO of the Chamber of Commerce. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Mayor Koch presented the Volunteer of the Month - Robert Rapp with a plaque and expressed his appreciation for all he has done for the community.

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Lori Warner, President/CEO of the South Sioux City Chamber of Commerce and Co-Chair of the Cardinal Festival Days Committee and Bart Gotch, Co-Chair of the Cardinal Festival Days Committee, were on hand to update the council on the Festival Days activities. Information only. No action taken.

Roger Lloyd, Lake Village Trailer Park, 604 152<sup>nd</sup> St., South Sioux City, Nebraska, was present to appeal the recommendation of the finance committee not to allow campers in the trailer court

Sanders, moved, seconded by Nelson, to deny the request to allow campers in the trailer court. This motion will be discussed during an executive session at the end of the meeting.

Chad Kehrt, Olsson Associates and Ethan Joy, JEO Consulting Group, were on hand to update the council on the various projects in the city. Information only. No action taken.

McLarty introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-12**  
**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING**  
**SERVICES FOR 29<sup>TH</sup> STREET - HIGHWAY 77 INTERSECTION**  
**IMPROVEMENTS. *JEO Consulting Group, Inc.; \$8,516.00***

Bowman seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Schuldt introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-13**  
**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING**  
**SERVICES FOR THE WESTSIDE DRAINAGE IMPROVEMENTS**  
**FOR 2015. *JEO Consulting Group, Inc.; \$1,927.00.***

McLarty seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-14**  
**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING**  
**SERVICES FOR TAMARACK LIFT STATION REHAB - PROJECT**  
**NO. 014-0297. *Olsson Associates; \$2,528.25.***

Bousquet seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

**Nelson introduced the following Resolution and motioned for its approval:**  
**RESOLUTION 2015-15**

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**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE CRYSTAL COVE WILDLIFE OBSERVATION STRUCTURES PROJECT NO. 014-1259. *Olsson Associates; \$1,425.00.***

Schuldt seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-16**

**Authorizing the Signing of the Project Program Agreement - Electric Fueling Station. NDOR Project # CM22(35); Control # 32253.**

Schuldt seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Bowman moved, seconded by Sanders, to approve the Public Works Department's request of keeping the 1989 International dump truck in the fleet rather than trading it in on the new truck. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-17**

**RESOLUTION ACCEPTING BID FOR PURCHASE OF A DUMP TRUCK.**

***Cornhusker #1 in the total amount of \$103,165.00***

Bousquet seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

McLarty introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-18**

**Consent for Transfer of Control Between Long Lines, Inc. and Schurz Communication.**

Schuldt seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Schuldt introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-19**

**RESOLUTION AUTHORIZING PAYMENT FOR INSTALLATION OF DEER FENCE - PART BY SIOUXLAND COMMUNITY FOUNDATION AND PART BY SPECIALTY CROP BLOCK GRANT.**

***Bostwick Fencing; \$7,440.00.***

Nelson seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

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Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-20**

**RESOLUTION AUTHORIZING PAYMENT FOR MILEAGE AND  
PROGRAM ESTABLISHMENTS FOR COMMUNITY ORCHARD  
PROJECT - SPECIALTY CROP GRANT #18-13-209.**

*Vaughn Hammond; \$873.33.*

Bousquet seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-21**

**RESOLUTION AUTHORIZING PAYMENT FOR LABOR AND  
MATERIALS FOR THE CRYSTAL COVE WILDLIFE  
OBSERVATORY PROJECT #NPS 31-01019; LAND AND WATER  
GRANT. D.A. Davis; \$39,586.50.**

Schuldt seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Bowman, Gomez, Nelson, McLarty. Voting No: None.

McLarty introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-22**

**RESOLUTION AUTHORIZING PAYMENT FOR LABOR AND  
MATERIALS FOR TAMARACK LIFT STATION REHAB - PROJECT  
NO. 014-0297. Mark Albenesius; \$54,422.65.**

Gomez seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Bowman, Gomez, Nelson, McLarty. Voting No: None.

Schuldt introduced the following Resolution and motioned for its approval:

**RESOLUTION 2015-23**

**RESOLUTION OF INTENT TO ESTABLISH ENTERPRISE ZONE.**

Bowman seconded the motion. Voting Aye: Schuldt, Sanders, Bousquet, Bowman, Gomez, Nelson, McLarty. Voting No: None.

Nelson moved, seconded by Bowman, to approve the Deed of Dedication for right-of-way along E. 17<sup>th</sup> St. for the paving project. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Bowman moved, seconded by Nelson, to approve the Conditional Use Permit request from Arlyne K Tompkins for financing purposes, to allow the reconstruction of a residential structure in the event the dwelling is damaged beyond 50% of the assessed value at 407 East 7th Street legally described as: Lots 4, 5, 6 & East ½ vacated Abbott Street adjacent thereto Block 27 Stanton Addition; Voting Aye: Schuldt, Sanders, Bousquet, Nelson, McLarty Bowman. Voting No: None. Abstaining: Gomez.

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Bowman moved, seconded by Schuldt, to approve the appointment of Ardel Bengtson to the Design Commission. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty Bowman. Voting No: None.

Bowman moved, seconded by McLarty, to approve the appointment of Richard A. Poulsen to the Housing Agency. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

McLarty moved, seconded by Schuldt, to approve the following appointments:  
Voting Aye: Schuldt, Sanders, Bousquet, Gomez, McLarty, Bowman. Voting No: None. Abstaining: Nelson.

- i. Electric Superintendent – Doug Klug.
- ii. Street Superintendent – Keith Gilmore, P.E., Gilmore Associates.
- iii. Fire Chief – Toby English.
- iv. Public Works Liaison – Dennis Nelson.
- v. Physician Medical Director for the South Sioux City Rescue Squad - Dr. Rick Colwell.

Bowman moved, seconded by Gomez, to approve Change Order Increase # 2, from Layne Christensen Co. in the amount of \$7,501.51 for re-drilling the production well for the 2014 well improvement project. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Bowman moved, seconded by Schuldt, to approve the Contract for Scope of Services by JEO for the Comprehensive Plan in the lump sum amount of \$76,750.00. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Nelson moved, seconded by Sanders, to postpone the paved off-street parking agenda item until the next meeting so that the City Attorney could obtain more information. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty Bowman. Voting No: None.

Nelson moved, seconded by Schuldt, to approve JEO Consulting Group, Inc. Task Order 2015-1 in the lump sum amount of \$30,050.00 for “D” Avenue extension project. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

Bowman moved, seconded by Sanders, to approve JEO Consulting Group, Inc. Task Order 2015-3 in the amount of \$36,500.00 for Dakota Ave. parking pad evaluation

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and construction. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

At 6:00 p.m. Mayor Koch stated that the council was going into executive session regarding Roger Lloyd, Lake Village Trailer Court, to appeal the recommendation of the finance committee not to allow campers in the trailer park. The motion made by Sanders and seconded by Nelson was to deny the request to allow campers in the trailer park in executive session for proprietary reasons, and legal advice. Voting Aye to go into executive session: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None. Mayor Koch stated the council was going into executive session for proprietary reasons and legal advice.

At 6:12 p.m., Bowman moved, seconded by Schuldt, to come out of executive session. Voting Aye: Schuldt, Sanders Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

The motion was to deny the request to allow campers in the Lake Village Mobile Home Park previously. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, Bowman. Voting No: McLarty.

There being no further business to discuss, at 6:14 p.m., Bousquet moved, seconded by Schuldt, to adjourn the meeting. Voting Aye: Schuldt, Sanders, Bousquet, Gomez, Nelson, McLarty, Bowman. Voting No: None.

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MAYOR

ATTEST: \_\_\_\_\_  
CITY CLERK

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I, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council, that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting kept continuously current and available for public inspection at the office of the Clerk; that such subjects were contained in said agenda for at least twenty-four hours prior to said meeting, that at least one copy of all reproducible materials discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

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CITY CLERK

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