

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
November 26th, 2018

1

A meeting of the City Council of the City of South Sioux City, Nebraska, was held at the South Sioux City Council Chambers, 1615 1st Avenue in said City on the 26th day of November, 2018, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members Lupe Gonzalez, Jason Bowman, Dan Bousquet, Dennis Nelson Jack Ehrich, Bruce Davis, Carol Schuldt and John Sanders. Absent: None. Media in attendance: Dakota County Star, KTIV Channel 4 and KMEG Channel 14. Notice of the proceeding was given in advance thereof by advertising in the Dakota County Star and Mundo Latino 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 citizens in attendance. A sign-in sheet is available at the entrance to Council Chambers. We ask for your assistance by signing in as this is a Federal Grant requirement. It is strictly voluntary to complete the sign-in sheet.

Davis moved, seconded by Bousquet, to approve the following **Consent Agenda** after removing Check #210603 for payment to Jason Bowman for his NLC Conference expenses in the amount of \$368.70 from the claims list and the following items: 11/12/18 Council minutes, 11/19/18 Public Works minutes, 11/14/18 Finance minutes, Treasurer's Financial Report ending 10/31/18, Legislative Bills, Rooming House Licenses from Ron Olsen, 2115 2nd Ave., South Sioux City, NE and Rafael and Silvia Hernandez, 206 West 19th St., South Sioux City, NE 68776; and Presentation of Claims. Voting Aye: Davis, Bousquet, Schuldt, Ehrich, Gonzalez, Nelson, Sanders, Bowman. Voting No: None.

Davis moved, seconded by Ehrich, to approve the following Council Affiliated Claims: Dennis Nelson, NLC Conference; \$477.17; Jason Bowman, NLC Conference; \$368.70 and USS Sioux City Commissioning; \$346.92. Voting Aye: Schuldt, Sanders, Bousquet, Ehrich, Gonzalez, Davis. Voting No: None. Abstaining: Nelson, Bowman.

Councilwoman Schuldt presented the This was presented to the City at the NLC Conference lunch in Los Angeles. No action taken.

Kent Zimmerman, Senior Code Official for the City, Illustrated to the council the placards to be placed in yards for various violations. ie: "NO Grass Clippings in the Street". Information only. No action taken.

At 5:09 p.m., Mayor Koch declared the **Public Hearing** open in the matter of Joe Abbe's lot split request legally described as: All that part of the Northeast 1/4 of the

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
November 26th, 2018**

2

Northwest 1/4 of Section 34, Township 29 North, Range 9 East of the Sixth Principal Meridian, Dakota County, Nebraska. Comes favorably from the Public Works Committee. There was no one present requesting special services or to speak in favor of or in opposition to the proposed lot split. At 5:11 p.m., Mayor Koch declared the hearing closed.

Nelson introduced the following Resolution and motioned for its approval:

RESOLUTION 2018-125

**RESOLUTION AUTHORIZING LOT SPLIT FOR PROPERTY LOCATED
AT 1504 BENNET AVENUE, SOUTH SIOUX CITY, NEBRASKA.**

Bowman seconded the motion. Voting Aye: Davis, Bousquet, Schuldt, Ehrich, Gonzalez, Nelson, Sanders, Bowman. Voting No: None.

Davis moved, seconded by Bowman, to approve Hovey's easement vacation request to vacate unused easements on Missouri View Drive to facilitate replatting 3 lots into 2 single family dwelling lots.

Olsson and JEO Consulting Group Engineers were on hand to give updates on the various projects in the city. Information only. No action taken.

Davis introduced Ordinance 2018-18 and motioned to approve the first reading only. Motion seconded by Bowman. Voting Aye: Nelson, Schuldt, Sanders, Bousquet, Ehrich, Gonzalez, Davis, Bowman. Voting No: None.

ORDINANCE 2018-18

**AN ORDINANCE OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA,
AUTHORIZING AND DIRECTING THE TRANSFER OF REAL ESTATE
OWNED BY THE CITY AND DESCRIBED AS LOTS FOUR (4), FIVE (5),
AND SIX (6), BLOCK EIGHTY-FOUR (84), COVINGTON, FORMERLY
THE TOWN OF COVINGTON, NOW ANNEXED TO AND PART OF
SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA; PROVIDING
FOR THE PUBLICATION OF NOTICE OF SUCH SALE; REPEALING
ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
HEREWITH; AND PROVIDING A TIME WHEN THIS ORDINANCE
SHALL BE IN FULL FORCE AND EFFECT.**

Nelson introduced the following Resolution and motioned for its approval:

RESOLUTION 2018-126

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR WEST 6th STREET; PROJECT #CDBG 17-PW-006.**

Olsson; \$4,695.51.

Bousquet seconded the motion. Voting Aye: Nelson, Schuldt, Sanders, Bousquet, Ehrich, Gonzalez, Davis, Bowman. Voting No: None.

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
November 26th, 2018

3

Bousquet moved, seconded by Sanders, to approve Mark Albenesius, Inc. Change Order #2 for an increased amount of \$25,703.50. This is for additional pavement on returns, upsizing of storm sewer pipe under 3rd Ave. intersection, replacement of storm sewer pipe and pavement on 3rd Ave. north. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Nelson moved, seconded by Schuldt, to approve the Statement of Completion from Olsson for the work done Mark Albenesius, Inc. on the W. 6th St. CDBG Project #17-PW-006. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Schuldt introduced the following Resolution and motioned for its approval:

RESOLUTION 2018-127

**RESOLUTION AUTHORIZING CERTIFICATE OF PAYMENT NO. 2
FINAL FOR ENGINEERING SERVICES FOR WEST 6TH STREET;
PROJECT #CDBG 17-PW-006. *Mark Albenesius; \$76,035.75.***

Ehrich seconded the motion. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

RESOLUTION 2018-128

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR PRELIMINARY AND FINAL DESIGN FOR 29TH
STREET CHANNEL IMPROVEMENTS PROJECT #10086211.**

HDR Engineering, Inc.; \$7,062.11.

Bousquet seconded the motion. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Davis moved, seconded by Bowman, to authorize the Mayor to sign the Nebraska Department of Transportation Certification of City Street Superintendent form certifying that Keith Gilmore, Gilmore Associates was the City's street superintendent from 1/1/18 to 12/31/18. Voting Aye: Ehrich, Davis, Gonzalez, Schuldt, Bousquet, Bowman, Nelson, Sanders. Voting No: None.

Davis moved, seconded by Ehrich, to appoint Keith Gilmore of Gilmore Associates as the City's Street Superintendent from 1/1/19 to 12/31/19. Voting Aye: Ehrich, Davis, Gonzalez, Schuldt, Bousquet, Bowman, Nelson, Sanders. Voting No: None.

Nelson moved, seconded by Ehrich, to approve the Letter of Agreement between the City and Gilmore Associates for street superintendent services for the year of 2019. The services include the 1&6 year plan, the lane mile report, and the SSAR. These

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
November 26th, 2018**

4

services have also included providing project cost estimates for grant applications requested by the City. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Nelson moved, seconded by Schuldt, to approve the Economic Opportunity Program Agreement between the City of South Sioux City and the State Department of Transportation (NDOT) for assistance for a rail extension project in the amount of \$500,000. Voting Aye: Bousquet, Schuldt, Ehrich, Gonzalez, Nelson, Sanders, Bowman, Davis. Voting No: None.

Davis moved, seconded by Schuldt, to approve the Taser 5-year contract for \$32,500 for 25 CEW's. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Ehrich moved, seconded by Schuldt, to approve the 2019 Whole Crystal Cove Lake Eurasian Milfoil Treatment quote in the amount of \$9,000.00. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Sanders moved, seconded by Bousquet, to approve MidAmerican's new bill image effective December 31, 2018. An example of a bill image currently in the tariff needs to be updated. Approval from the city council was needed to update the tariff to reflect the change. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Ehrich moved, seconded by Schuldt, to approve the lease agreement between South Sioux Schools and City of South Sioux City for lease at 2101 Dakota Avenue. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

Schuldt moved, seconded by Sanders, to approve the 28E Agreement Between the South Sioux City Fire Department and the Sioux City Fire & Rescue for the EMS Division. Voting Aye: Davis, Bousquet, Schuldt, Ehrich, Gonzalez, Nelson, Sanders, Bowman. Voting No: None.

Bowman moved, seconded by Bousquet to approve the updated proposal for Granicus in the amount of \$13,086.21. Voting Aye: Davis, Bousquet, Schuldt, Ehrich, Gonzalez, Nelson, Sanders, Bowman. Voting No: None.

Schuldt moved, seconded by Ehrich, to approve the renewal of VAWA (Violence Against Women Act) Grant. Voting Aye: Bousquet, Bowman, Schuldt, Davis, Ehrich, Nelson, Sanders, Gonzalez. Voting No: None.

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
November 26th, 2018

5

City Administrator Lance Hedquist, stated that he would like to have discussion regarding land acquisition for the possible wastewater treatment plant during closed session. No action taken.

Ehrich moved, seconded by Bousquet, to approve Verizon Wireless Request for Consent to Site Modification at 2513 B Street Raymond Park tower consisting of adding appurtenances at the site and replacing 6 antennas and 6 RRUS with new ones. Voting Aye: Davis, Gonzalez, Schuldt, Bousquet, Bowman, Nelson, Sanders. Voting No: None.

Councilman Jason Bowman gave a report on the USS Sioux City Commissioning that was held in Annapolis, MD. He stated that it was a spectacular event and he thanked the council for selecting him to represent the City of South Sioux City.

At 5:45 p.m., Davis moved, seconded by Ehrich, to go into closed session regarding personnel issues, potential/pending litigation, to discuss confidential information regarding the NextEra proposal, possible land acquisition for the wastewater treatment plant and proprietary information. Voting Aye: Nelson, Schuldt, Sanders, Bousquet, Ehrich, Gonzalez, Davis, Bowman. Voting No: None.

At 6:40 p.m. during closed session, Councilman Bowman and Councilman Ehrich left closed session and will not be counted in the voting hereafter.

At 6:50 p.m., Nelson moved, seconded by Sanders, to come out of closed session. Voting Aye: Sanders, Schuldt, Davis, Nelson, Bousquet, Gonzalez. Voting No: None.

Nelson moved, seconded by Schuldt, to approve the NextEra Electric Agreement - proposal subject to legal review. Voting Aye: Davis, Bousquet, Schuldt, Gonzalez, Nelson, Sanders. Voting No: None.

There being no further business to discuss, at 6:52 p.m., Davis moved, seconded by Nelson, to adjourn the meeting. Voting Aye: Davis, Bousquet, Schuldt, Gonzalez, Nelson, Sanders. Voting No: None.