

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**February 26<sup>th</sup>, 2019**

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 1<sup>st</sup> Avenue in said City on the 11th day of February, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members, Dan Bousquet, Bruce Davis, John Sanders, Jim Gunsolley and Lupe Gonzalez. Absent: Dennis Nelson, Jason Bowman, Carol Schuldt. Media in attendance: Dakota County Star. 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: 2/11/19 Council minutes; 2/19/19 Public Works minutes; 2/20/19 Finance minutes; Treasurer's Report ending 1/31/19; and Claims #2019-4. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez. Voting No: None.

The ***Volunteer of the Month***, Lance Swanson, was presented with a plaque and the Mayor's appreciation for all he does for the community.

Davis moved, seconded by Gunsolley, to approve the Memorial Highway: Medal of Honor Veteran signage on Hwy 20. This is in reference to the Veteran signage on Hwy 20. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez. Voting No: None.

At 5:08 p.m. Mayor Koch opened the Public Hearing in the matter of rezoning ***a parcel containing approximately 56 acres from M2 to M3*** legally described as follows: Lots 4 and 4A in Section 3, Township 28, Range 9 East of the 6<sup>th</sup> P.M. Dakota County, Nebraska; ***rezoning a parcel containing approximately 66.2 acres from M2 to M3*** legally described as follows: The South Half of the Southeast Quarter (S ½ SE ¼), also described as Lot Four (4), in Section 34, Township 29, Range 9 East of the 6<sup>th</sup> P.M., Dakota County, Nebraska, except a parcel of land lying in said South Half of the Southeast Quarter of said Section 34; ***rezoning a parcel containing approximately 75.53 acres from M2 to M3*** legally described as follows: The South Half of the Southwest Quarter (S ½ SW ¼) in Section 34, Township 29, Range 9, East of the 6<sup>th</sup> P.M., Dakota County, Nebraska, except a parcel of land lying in the South Half of the Southwest Quarter (S ½ SW ¼) of Section 34, Township 29 North, Range 9, East of the 6<sup>th</sup> P.M., Dakota County, Nebraska, more particularly described as follows: Commencing at the Northwest corner of the Southwest Quarter of Section 34, S 00°03'05" W a distance of 1325.89 feet to the point of beginning; thence S 00°03'33" W a distance of 377.85 feet; thence S 89°05'39" E a distance of 33.00 feet; thence S 89°05'39" E a distance of 364.05 feet; thence N 00°07'48" W a distance of

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**February 26<sup>th</sup>, 2019**

2

385.17 feet; thence S 89°50'57" W a distance of 362.74 feet; thence S 89°50'57" W a distance of 33.00 feet to the point of beginning, less the West 33.00 feet reserved for road; and **rezoning a parcel containing approximately 84.53 acres from M2 to M3** legally described as follows: Lots Five (5) and Six (6) in the North Half of the Northwest Quarter (N ½ NW ¼) in Section 3, Township 28, Range 9, East of the 6<sup>th</sup> P.M. Dakota County, Nebraska. There was no one present requesting special services or to speak in favor of or in opposition to the proposed rezoning. At 5:10 p.m., Mayor Koch declared the hearing closed. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

The City Attorney read the following Ordinance:

**ORDINANCE 2019-3**

**AN ORDINANCE REZONING AN AREA WITHIN THE CITY OF SOUTH SIOUX CITY, NEBRASKA, FROM M2 to M3 REGARDING 56 ACRES.**

Davis moved, seconded by Bousquet to approve the first reading only on Ordinance 2019-3. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

The City Attorney read the following Ordinance:

**ORDINANCE 2019-4**

**AN ORDINANCE REZONING AN AREA WITHIN THE CITY OF SOUTH SIOUX CITY, NEBRASKA, FROM M2 to M3 REGARDING 66.2 ACRES**

Davis moved, seconded by Bousquet, to approve the first reading only on Ordinance 2019-4. Voting Aye: Davis, Bousquet, Gonzalez, Gunsolley, Sanders. Voting No: None.

The City Attorney read the following Ordinance:

**ORDINANCE 2019-5**

**AN ORDINANCE REZONING AN AREA WITHIN THE CITY OF SOUTH SIOUX CITY, NEBRASKA, FROM M2 to M3 REGARDING 75.53 ACRES**

Gonzalez moved, seconded by Bousquet, to approve the first reading only on Ordinance 2019-5. Voting Aye: Davis, Bousquet, Gonzalez, Gunsolley, Sanders. Voting No: None.

The City Attorney Read the following Ordinance:

**ORDINANCE 2019-6**

**AN ORDINANCE REZONING AN AREA WITHIN THE CITY OF SOUTH SIOUX CITY, NEBRASKA, FROM M2 to M3 REGARDING 84.53 ACRES**

Bousquet moved, seconded by Sanders, to approve the first reading only on Ordinance 2019-6. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez. Voting No: None.

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-20**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE WATER STORAGE; PROJECT #017-0781. Olsson; \$2,800.00.**

Gunsolley seconded the motion. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-21**

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
February 26<sup>th</sup>, 2019**

3

**RESOLUTION AUTHORIZING PAYMENT FOR ESCROW SERVICES FOR THE OWNER OCCUPIED REHABILITATION (OOG) GRANT; PROJECT #15HO-35074. *Lewis and Clark Title; \$316.25.***

Gunsolley seconded the motion. Voting Aye: Davis, Bousquet, Gonzalez, Gunsolley, Sanders. Voting No: None.

Gunsolley introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-22  
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR WEST 6<sup>th</sup> STREET; PROJECT #CDBG 17-PW-006. *Olsson; \$941.51.***

Bousquet seconded the motion. Voting Aye: Bousquet, Gonzalez, Gunsolley, Sanders, Davis. Voting No: None.

Gonzalez introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-23  
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE 9<sup>TH</sup> STREET LIFT STATION REHABILITATION; PROJECT NO. 017-3099. *Olsson; \$4,234.70.***

Bousquet seconded the motion. Voting Aye: Gonzalez, Gunsolley, Sanders, Bousquet, Davis. Voting No: None.

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-24  
RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO MAKE APPLICATION TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR NEBRASKA AFFORDABLE HOUSING TRUST FUND (NAHTF) INNOVATION HOUSING DEMONSTRATION PROGRAM.**

Davis seconded the motion. Voting Aye: Gonzalez, Gunsolley, Sanders, Davis, Bousquet. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-25  
RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO MAKE APPLICATION TO THE NDEQ FOR CITY PARKS AND RECREATION RESORATION AND MAINTENANCE.**

Gunsolley seconded the motion. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez. Voting No: None.

Gonzalez introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-26  
A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. NH-129-1-(30); C.N. 32275;**

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
February 26<sup>th</sup>, 2019**

4

**AGREEMENT NO. XL 1904; PROJECT NAME: SOUTHBOUND US-77 AND  
G STREET DETOURS.**

Bousquet seconded the motion. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-27**

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO  
MAKE APPLICATION TO THE NEBRASKA NATURAL RESOURCE DISTRICT  
(NRD) FOR REPAIRS OF NUMEROUS WATER OUTLETS AND OUTFLOWS.**

Gunsolley seconded the motion. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-28**

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO  
MAKE APPLICATION TO THE NEBRASKA NATURAL RESOURCE DISTRICT  
(NRD) FOR A PICNIC SHELTER.**

Sanders seconded the motion. Voting Aye: Davis, Bousquet, Gonzalez, Gunsolley, Sanders. Voting No: None.

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-29**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES  
FOR EAST 29<sup>TH</sup> STREET ROADWAY IMPROVEMENTS; PROJECT  
#R150828.01. *JEO Consulting Group; \$2,021.75.***

Gonzalez seconded the motion. Voting Aye: Bousquet, Gonzalez, Gunsolley, Sanders, Davis. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-30**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES  
FOR PRELIMINARY AND FINAL DESIGN FOR FLATWATER 29<sup>TH</sup> STREET  
CHANNEL IMPROVEMENTS PROJECT.**

***HDR Engineering, Inc.; \$1,970.82.***

Sanders seconded the motion. Voting Aye: Gonzalez, Gunsolley, Sanders, Davis, Bousquet. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-31**

**RESOLUTION AUTHORIZING PAYMENT FOR CONSULTING SERVICES  
FOR THE WATER TREATMENT PLANT PROJECT. *Midwest Right of  
Way Services; \$2,398.54.***

Bousquet seconded the motion. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES**

**February 26<sup>th</sup>, 2019**

5

**RESOLUTION 2019-32**

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA  
TO MAKE APPLICATION TO NRD – RECREATION AREA  
DEVELOPMENT GRANT FOR TREES, BUSHES AND OTHER  
AMENITIES RELATED TO THE 29<sup>TH</sup> STREET CHANNEL  
IMPROVEMENTS PROJECT.**

Bousquet seconded the motion. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-33**

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA  
TO MAKE APPLICATION TO NRD – TRAILS ASSISTANCE PROGRAM  
FOR A PEDESTRIAN BRIDGE AND CONCRETE PATH RELATED TO THE  
29<sup>TH</sup> STREET CHANNEL IMPROVEMENTS PROJECT.**

Gonzalez seconded the motion. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

Davis moved, seconded by Bousquet, to approve going out for bids for the baseball parking lot along E. 6<sup>th</sup>. Voting Aye: Davis, Bousquet, Gonzalez, Gunsolley, Sanders. Voting No: None..

Davis moved, seconded by Sanders, to approve the Letter of Agreement from Olsson in the fixed fee amount of \$22,000 for engineering for 39th Street & Dakota Avenue Traffic Signals. Voting Aye: Bousquet, Gonzalez, Gunsolley, Sanders, Davis. Voting No: None.

Davis moved, seconded by Bousquet, to approve HOME Funds and TBRA Security Deposits. This is to use HOME Funds money for the deposit program and money to buy materials to build house. Voting Aye: Gonzalez, Gunsolley, Sanders, Davis, Bousquet. Voting No: None.

Gonzalez moved, seconded by Bousquet to approve the soccer field lease agreement between the City & YMCA. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez. Voting No: None.

Davis moved, seconded by Gunsolley to approve the 2019 Management & Operations of Aquaplex Agreement between the YMCA and the City. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

Gonzalez moved, seconded by Davis, to approve the Kayak Race using the city's boat ramp subject to receiving liability insurance from them. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Gunsolley. Voting No: None.

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**February 26<sup>th</sup>, 2019**

6

Bousquet moved, seconded by Sanders, to excuse the absence of Council members Carol Schuldt, Dennis Nelson and Jason Bowman. Voting Aye: Davis, Bousquet, Gonzalez, Gunsolley, Sanders. Voting No: None.

There was no discussion regarding potential/pending litigation at this meeting.

There being no further business to discuss, at 5:50 p.m., Davis moved, seconded by Bousquet to adjourn the meeting. Voting Aye: Bousquet, Gonzalez, Gunsolley, Davis. Voting No: None.

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MAYOR

ATTEST:

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CITY CLERK

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