

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
March 11th, 2019

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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 1st Avenue in said City on the 11th day of March, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Carol Schuldt, Jim Gunsolley, Bruce Davis, Dan Bousquet, Lupe Gonzalez, Jason Bowman. Absent: Dennis Nelson, John Sanders. 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 Bowman, to approve the following **Consent Agenda**: February 26, 2019 Council Minutes, March 4, 2019 Public Works Minutes, March 6, 2019 Finance Minutes, Cities/County/School Joint Meeting being held at Don'\$ on March 18, 2019 at 5:30 p.m., NPPD Joint Pole License Agreement/Master Permit #95-L20-788, Nissen Winery Lic. No. YK74659 Special Designated License Request. Event dates were incorrect on his original application that was approved on 2/11/19. Correct dates are 4/5/19 from 9a.m to 8 p.m. and 4/6/19 from 9 a.m. to 6 p.m. This event for the Garden Show to be located at the Delta Center, E. 5th & C. Street, South Sioux City, NE. and the Claims #2019-05. Voting Aye: Schuldt, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

Davis moved, seconded by Bousquet, to excuse the absence of Councilmen Sanders and Nelson. Voting No: None.

Davis moved, seconded by Bowman, to approve the **Council Affiliated Claim** for Lupe Gonzalez, League of Nebraska Municipalities meals; \$52.00. Voting Aye: Gunsolley, Davis, Bousquet, Bowman, Schuldt. Voting No: None. Abstaining: Gonzalez.

The Mayor and Council recognized South Sioux City Schools Robotics Team, State Wrestling Participants and the State Swimming Participants and congratulated them on a job well done. Information only. No action.

Mayor Koch and the Council presented the **Volunteer of the Month**, Jennifer Jackson with a plaque and their appreciation for all she does for the community.

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Mike Newhouse was on hand to announce two Siouxland Freedom Park events. The Second Annual Vietnam War Veterans commemoration will held on Friday, March 29, 2019 at Siouxland Freedom Park Interpretive Center. Program begins at 5:00 .m. and dinner is to follow. The 2nd event at Freedom Park will be an old-fashioned 4th of July celebration including a city-wide picnic, parade, band, fireworks, etc. More information to follow.

At 5:38 p.m., Mayor Koch declared the Public Hearing open regarding the Stapleton lot split request for Meier Towing located at 4221 Elmway Avenue. There was no one present requesting special services or to speak in favor of or in opposition to the proposed lot split. At 5:38 p.m., Mayor Koch declared the hearing closed.

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-34

**RESOLUTION AUTHORIZING LOT SPLIT FOR PROPERTY LOCATED
AT 4221 ELMWAY AVENUE, SOUTH SIOUX CITY, NEBRASKA.**

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

Library Director, Dave Mixdorf, presented the State of the Library report. He stated that National Library Week was April 7-13th. Information only. No action taken.

JEO Consulting engineers and Olsson engineers were on hand to report on the various projects in the city. Information only. No action taken.

The Ordinance regarding the sewer rates that would impact industrial users only was withdrawn. No action taken.

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-35

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY,
NEBRASKA TO MAKE APPLICATION TO THE NEBRASKA CRIME
COMMISSION JUVENILE SERVICES FOR JOINT COOPERATIVE
PROGRAM.**

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

Schuldt introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-36

**RESOLUTION AUTHORIZING PAYMENT FOR CONSULTING AND
ENGINEERING SERVICES FOR THE SOUTH SIOUX CITY
CONNECTING SCHOOLS TRAILS; PROJECT NO. SRTS 22(32).**

Nebraska Dept. of Transportation; \$9,626.86.

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Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Bowman introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-37

RESOLUTION AUTHORIZING CITY TO APPROVE THE SIOUXLAND REGIONAL SEWER MEMORANDUM OF UNDERSTANDING FOR REGIONAL SANITARY SEWER FEASIBILITY STUDIES AND COOPERATION.

Bousquet seconded the motion. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, 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.

Legally described as follows: Lots 4 and 4A in Section 3, Township 28, Range 9 East of the 6th P.M. Dakota County, Nebraska.

Davis moved, seconded by Bowman, to approve the second reading of Ordinance 2019-3. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, 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.

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 6th P.M., Dakota County, Nebraska, except a parcel of land lying in said South Half of the Southeast Quarter of said Section 34.

Bowman moved, seconded by Davis, to approve the second reading of Ordinance 2019-4. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley. 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.

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 6th 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 6th P.M., Dakota County, Nebraska, more particularly described as follows: Commencing at the Northwest corner of

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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 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.

Bowman moved, seconded by Schuldt, to approve the second reading of Ordinance 2019-5. Voting Aye: Schuldt, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. 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.

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 6th P.M. Dakota County, Nebraska.

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

Davis moved, seconded by Bowman, to postpone the Olsson Letter of Agreement for Atokad Dr. & Roundhouse Rd. pavement improvements. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Davis moved, seconded by Schuldt, to approve Addendum No. 1 for the 'South Sioux Cogen' project. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley. Voting No: None.

Bousquet moved, seconded by Schuldt, to proceed with the sale of city property at 624 East 18th (Victory Chapel site) Legally described as follows: Lot 40, Oak's Addition, 2nd Filing to South Sioux City, Dakota County, Nebraska to Gary Ogden Construction, Inc.; also to authorize staff to place an Ordinance authorizing the sale of real estate pursuant to NEB. Rev. State., Section 16-202 on an agenda. Voting Aye: Davis Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley. Voting No: None.

Davis moved, seconded Gonzalez, to approve the NDOT Agreement Grant Update / Railroad Spur. The bidding will be completed by the industry. Voting Aye: Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley, Davis. Voting No: None.

Davis moved, seconded by Schuldt, to approve the Thompson Innovations Agreement in the amount of \$3,066.00 per year. This is a service contract for yearly cleaning and maintenance on every city camera & DSX system. Voting Aye: Schuldt, Gunsolley, Davis, Bousquet, Gonzalez. Voting No: None. Abstaining: Bowman.

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Davis moved, seconded by Bousquet, to approve the CCS Presentation Systems change order decrease in the amount of \$4,354.00. This is the contract for upgrading equipment in council chambers. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Gunsolley moved, seconded by Schuldt, to approve CDW-G MimeCast renewal quote in the amount of \$23,475.00. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Davis moved, seconded by Bowman, to approve the following Public Works capital projects: New vinyl roof on salt shed; new sweeper – trade in 2; new pick-up; InsertaValve machine. Voting Aye: Gunsolley Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Bousquet moved, seconded by Schuldt, to approve the Fireworks Display and Agreement for the Cardinal Festival Days event to be held at the Scenic Park soccer fields Friday 6/14 or Saturday 1/15. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley. Voting No: None.

Davis moved, seconded by Gonzalez, to approve advertising to see if any companies would have any interest in putting a recycling logo on the city's new recycle bins. Voting Aye: Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley, Davis.

Bousquet moved, seconded by Schuldt, to allow temporary use of the land by the Roth Sign. Voting Aye: Schuldt, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

At 5:57 p.m., Davis moved, seconded by Bousquet, to go into closed session regarding potential/pending litigation. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

At 6:31 p.m., Davis moved, seconded by Gonzalez, to come out of closed session. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt.

There being no further business to discuss, at 6:22 p.m., Davis moved, seconded by Gonzalez, to adjourn the meeting. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley. Voting No: None.

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.

CITY CLERK

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