

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**March 25<sup>th</sup>, 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 1<sup>st</sup> Avenue in said City on the 25th 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, Dennis Nelson, Jason Bowman. Absent: 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.

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

Nelson moved, seconded by Bousquet, to approve the following **Consent Agenda**: 3/11/19 Council minutes; 3/18/19 Public Works minutes; 3/20/19 Finance minutes; Treasurer's Report ending 2/28/19; and Claims list #2019-06. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Mayor Koch and Police Chief Mahon, presented the 20 year award of service to Shawn Jensen and the 25 year award to Clint Nelson.

Mayor Koch asked if there was anyone in the audience that would like to speak on something that is not on the agenda. Diane Boyd, 300 South Fork Place, came forward to express that she had taken care of the property next to hers for 23 years and had put in a fence, bushes and plants at her expense.

Davis moved, seconded by Bousquet, to approve the Volunteer Association request to close 1<sup>st</sup> St. from 15<sup>th</sup> to 16<sup>th</sup> from 8AM to 10AM. For their Pancake Breakfast on Saturday April 20, 2019. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Nelson, Gunsolley, Schuldt. Voting No: None.

Child Prevention Month Blue Out Day is April 5, 2019. Please wear blue on April 5, 2019 to show your support of child prevention month. Information only.

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At 5:13 p.m., Mayor Koch opened the Public Hearing concerning an application to the Department of Economic Development for a 2019 Nebraska Affordable Housing Trust Fund grant application. The City of South Sioux City, Nebraska is requesting \$500,000 for a 13.4 acre subdivision at 17<sup>th</sup> and G streets. The proposed project offers infrastructure development (road, water/sewer line) to support a new housing phased-development approach (5 new houses a year). The project period is 36-months, i.e. 6-9 months infrastructure, 12-30 months new housing construction based on market as well as weather conditions. The project targets 10 houses to be built, targeting 51% or greater low to moderate income individuals purchasing the homes. A second element of the funding is to set-aside some funds for down-payment assistance. The funds are being leveraged with a private developer purchasing the land and constructing the 10 houses for sale. There was no one present requesting special services or to speak in favor of or in opposition to the proposed application. At 5:15 p.m., Mayor Koch declared the hearing closed.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-38**

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO MAKE APPLICATION TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR A 2019 NEBRASKA AFFORDABLE HOUSING TRUST FUND (NAHTF)**

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

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

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-39**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE 9<sup>TH</sup> STREET LIFT STATION REHABILITATION; PROJECT NO. 017-3099. *Olsson; \$7,375.89.***

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

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-40.**

**Resolution Approving Preliminary Engineering Service Agreement – JEO Consulting Group Transmittal of PE Agree. BO1245-003, SWO No. 3; South Sioux City Connect Schools Trail, NDOR Project #SRTS-22(32); C.N. 32169.**

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

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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 6<sup>th</sup> P.M. Dakota County, Nebraska.

Davis moved, seconded by Bousquet, to approve Ordinance 2019-3 on its 3<sup>rd</sup> and final reading. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson, 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 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.

Nelson moved, seconded by Bowman, to approve Ordinance 2019-4 on its 3<sup>rd</sup> and final reading. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson, 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 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 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 Gonzalez, to approve Ordinance 2019-5 on its 3<sup>rd</sup> and final reading. Voting Aye: Bousquet, Gonzalez, Bowman, Schuldt, Nelson, Gunsolley, Davis. Voting No: None.

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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 6<sup>th</sup> P.M. Dakota County, Nebraska.

Bousquet moved, seconded by Schuldt, to approve Ordinance 2019-6 on its 3<sup>rd</sup> and final reading. Voting Aye: Schuldt, Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

Schuldt moved, seconded by Nelson, to approve the LB840 Loan from the City to the Community Development Agency for a construction loan for the new Joe Morten building located at 1309 West 29<sup>th</sup> Street. Voting Aye: Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Bowman moved, seconded by Nelson, to approve the agreement between the City of South Sioux City and the Dakota-Covington Rural Fire Protection District. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Nelson moved, seconded by Bousquet, to approve the Fire District Boundary changes. Voting Aye: Schuldt, Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

Davis moved, seconded by Nelson, to approve the Sioux City Marina Agreement for docking our rescue boat in the Marina. Voting Aye: Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Davis moved, seconded by Schuldt, to approve the police civil services test be acceptable for 5 years rather than one year. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Schuldt moved, seconded by Gunsolley, to approve changing clinics from Unity Point to MercyOne Occupational Health for physicals, work comp, drug testing, etc. Voting Aye: Schuldt, Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

Schuldt moved, seconded by Nelson, to approve the NetSys+ estimate for the City's anti-virus renewal in the amount of \$5,626.00. Voting Aye: Schuldt, Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

Davis moved, seconded by Gonzalez, to approve the quote for a new copier/printer for the mailroom from Counsel Company in the amount of \$6,134.68 and

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also to approve the maintenance agreement \$66 per month. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

At 5:43 p.m., Davis moved, seconded by Nelson, to go into closed session regarding pending litigation and proprietary information. Voting Aye: Schuldt, Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

At 6:28 p.m., Davis moved, seconded by Nelson, to come out of closed session. Voting Aye: Nelson, Gunsolley, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

There being no further business to discuss, at 6:29 p.m., Bousquet moved, seconded by Schuldt, to adjourn the meeting. Voting Aye: Gunsolley, Bousquet, Gonzalez, Bowman, Schuldt, Nelson, 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