

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES**

April 8th, 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 8th day of April, 2019, at 5:00 P.M. Present were: Council Members: Carol Schuldt, Jim Gunsolley, Bruce Davis, Dan Bousquet, Dennis Nelson, Jason Bowman, John Sanders. Absent: Mayor Rod Koch and Councilman Jose “Lupe” Gonzalez. 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.

Council President Jason Bowman 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 excuse the absence of Mayor Koch and Councilman Gonzalez. Voting Aye: Nelson, Gunsolley, Davis, Bousquet, Sanders, Bowman, Schuldt. Voting No: None.

Schuldt moved, seconded by Nelson, to approve the following **Consent Agenda** consisting of the following: 3/25/19 Council minutes; 3/3/19 Joint Council/Community Development Agency Emergency minutes; 4/1/19 Public Works minutes; 3/3/19 Finance minutes; utility appeals; Missouri River Runners Remembrance Run/Walk on 5/24/19; 2019 sign company licenses; and Claims list # 2019-7. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson, Gunsolley. Voting No: None.

The City Council members recognized the following school groups:

- Cast and Director from the Musical. Kristy Tremayne is the director.
- SSC Educators Rising. Amber Myers is the sponsor / coach.
- High School Speech Team. Tammy Johnson is the sponsor / coach.

Congratulations to the students and mentors on their accomplishments!

Joann Gieselman accepted the Child Abuse Prevention Month Proclamation.

Britany Book accepted the Alcohol Awareness Month Proclamation.

The Council recognized the following members of the Police Department for their years of service and thanked them for the outstanding job they are doing: Ed Mahon – 35 years; Rick Comstock 30 years and John Schmiedt – 20 years.

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At 5:30 p.m., Council President Bowman declared the **Public Hearing** open in the matter of rezoning a parcel at 201 South Fork Place from C3 to R2b for the construction of a single family dwelling. There was no one requesting special services or to speak in favor of or in opposition to the proposed rezoning. At 5:31 p.m., Council President Bowman declared the hearing closed.

The City Attorney read the following Ordinance:

ORDINANCE 2019-7

AN ORDINANCE REZONING AN AREA WITHIN THE CITY OF SOUTH SIOUX CITY, NEBRASKA, FROM C3 to R2b.

Davis moved, seconded by Nelson, to approve the first reading only of Ordinance 2019-7. Voting Aye: Davis, Bousquet, Bowman, Schuldt, Nelson, Gunsolley, Sanders. Voting No: None.

At 5:32 p.m., Council President Bowman declared the **Public Hearing** open concerning a lot split of a parcel at 201 South Fork Place. There was no one present requesting special services or to speak in favor of or in opposition to the proposed lot split. There was no one present requesting special services or to speak in favor of or in opposition to the proposed lot split. At 5:33 p.m., Council President Bowman declared the hearing closed.

Nelson introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-41

RESOLUTION AUTHORIZING LOT SPLIT FOR PROPERTY LOCATED AT 201 SOUTHFORK PLACE, SOUTH SIOUX CITY, NEBRASKA.

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

At 5:34 p.m., Council President Bowman declared the **Public Hearing** open regarding an application to the Department of Economic Development for a Community Development Block Grant. The City of South Sioux City is requesting up to \$400,000 CDBG funds for East 32nd Street from G Street to trail line. There was no one present requesting special services or to speak in favor of or in opposition to the proposed grand application. At 5:35 p.m., Council President declared the hearing closed.

Nelson introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-42

RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO MAKE APPLICATION TO THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR A COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FOR EAST 32ND STREET AND G STREET TO TRAIL LINE.

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

Engineers from JEO Consulting Group and Olsson were present to give an update and to answer any questions regarding the various projects in the city. Information only. No action taken.

The City Attorney read the following Ordinance:

ORDINANCE 2019-8

AN ORDINANCE AUTHORIZING THE SALE OF REAL ESTATE OWNED BY CITY OF SOUTH SIOUX CITY, 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. Gary Ogden Construction, Inc. in the amount of \$20,000.00. Property located at 624 East 18th St. and is Legally described as follows: Lot 40, Oak's Addition, 2nd Filing to South Sioux City, Dakota County, Nebraska to

Davis moved seconded by Bousquet, to approve the first reading only on Ordinance 2019-8. Voting Aye: Sanders, Davis, Bousquet, Bowman, Schuldt, Nelson, Gunsolley. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-43

RESOLUTION AUTHORIZING PAYMENT FOR EQUIPMENT AND SERVICES FOR THE 2018 ELGIN PELICAN NP STREET SWEEPER.
Nebraska Environmental Products; \$203,084.40.

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

Schuldt introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-44

RESOLUTION AUTHORIZING PAYMENT FOR EQUIPMENT AND SERVICES FOR THE ROTH LIFT STATION MODIFICATIONS.
Electric Pump; \$92,870.000.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-45

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING AND PROFESSIONAL SERVICES FOR THE FEASIBILITY STUDY FOR WASTEWATER TREATMENT. *HDR Engineering, Inc.; \$40,154.327.*

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2018-46

RESOLUTION AUTHORIZING PAYMENT FOR CERTIFIED TESTING SERVICES FOR THE 2016 E. 29TH STREET PROJECT.

Certified Testing Services; \$1,605.00.

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

Schuldt introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-47

RESOLUTION AUTHORIZING PAYMENT FOR CONTRACTING SERVICES FOR THE OWNER OCCUPIED REHABILITATION (OOG) GRANT; PROJECT #15HO-35074. *Bligh Construction, Inc.; \$99.00.*

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

Nelson moved, seconded by Bousquet to approve these softball agreements:

- 4a. Sioux City Steel Softball Agreement.
- 4b. Sioux City Sox Softball Agreement.
- 4c. Siouxland Stars Softball Agreement.
- 4d. Futures U13 Navy Softball Agreement.

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

Davis moved, seconded by Gunsolley, to accept the Williams & Company 2017/2018 Audit Report. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Bowman, Schuldt, Nelson. Voting No: None.

Davis moved, seconded by Schuldt, to approve the Parks & Rec capital items as presented. Voting Aye: Davis, Bousquet, Bowman, Schuldt, Nelson, Gunsolley, Sanders. Voting No: None.

Davis moved, seconded by Nelson, to approve the proposal of a replacement sign at Foundry Road and G Streets in the amount of \$1,712.00 and to pay for it and put it up. Staff is requested to check if 17th Street would be a better location. Voting Aye: Davis, Bousquet, Bowman, Schuldt, Nelson, Gunsolley, Sanders. Voting No: None.

Sanders moved, seconded by Schuldt, to allow the Senior Center emergency/temporary use of Memorial Hall, not to exceed 3 days, to prepare meals for the Meals on Wheels and Congregate Meals program in their event the kitchen goes

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down at their facility. The Senior Center would be responsible for the food, cooking and clean-up of Memorial Hall. Voting Aye: Bousquet, Bowman, Schuldt, Nelson, Gunsolley, Sanders, Davis. Voting No: None.

Fire Chief Clint Merithew presented the Fire Department's 2018 Annual Report. Nelson moved, seconded by Bousquet, to accept this report. Voting Aye: Schuldt, Nelson, Gunsolley, Sanders, Davis, Bousquet, Bowman. Voting No: None.

At 6:05 p.m., Davis moved, seconded by Bousquet, to go into closed session regarding potential/pending litigation, and to receive legal advice. Council President Bowman stated that the council was going into closed session regarding potential/pending litigation and to receive legal advice. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Bowman, Schuldt, Nelson. Voting No: None.

At 6:24 p.m., Davis moved, seconded by Bousquet, to come out of closed session. Voting Aye: Sanders, Davis, Bousquet, Bowman, Schuldt, Nelson, Gunsolley. Voting No: None.

There being no further business to discuss, at 6:25 p.m., Nelson moved, seconded by Bousquet, to adjourn the meeting. Voting Aye: Davis, Bousquet, Bowman, Schuldt, Nelson, Gunsolley, Sanders. Voting No: None.

MAYOR

ATTEST:

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