

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
May 13th, 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 13th day of May, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Carol Schuldt, Jim Gunsolley, Bruce Davis, Dan Bousquet, Dennis Nelson, Jason Bowman, John Sanders, Jose “Lupe” Gonzalez. Absent: None. 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.

Mayor Koch asked if there was anyone in the audience that would like to speak about anything that was not on the agenda. No one came forward.

Davis moved, seconded by Schuldt, to approve the **Consent Agenda** consisting of the following: 4/22/19 Council minutes; 5/6/19 Public Works Minutes; 5/8/19 Finance minutes; Finance meetings in June, July and August – June 5, 12, 19 and 26; July 10, 17, 24 and 31; August 7, 14 and 31; 2019 Electrician licenses; 2019 Fireworks license applications and Presentation of claims #2019-11. Voting Aye: Nelson, Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Britany Book, Siouxland Cares Director, was on hand to review the results of the Compliance Check that was held on 4/23/19. Two out of ten establishments sold to the minors.

The City Council recognized the Earth Day poster contest winners. Congratulations to all.

The Council recognized students that helped with Niobrara School Flood Relief and Cleanup. They came to the meeting for a very quick report on their outreach. The speakers included Mr. Tom Luxford and Mrs. Shelley Timmer. Thank you to these wonderful students.

The City Council presented the **Volunteer of the Month**, Barbara Aalfs with a plaque and their appreciation for all she does for the area.

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Congratulations to Tom Dahl who was recognized for 20 year service award.

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

Davis introduced the following and moved to approve on its first reading only.

ORDINANCE 2019-9

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. 126 E. 22nd St -. Macon Properties, LLC.

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

Nelson introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-56

RESOLUTION AUTHORIZING GRANT APPLICATIONS WITH NEBRASKA ENVIRONMENTAL TRUST AND NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY FOR AN ELECTRICAL CHARGING STATION.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-57

RESOLUTION AUTHORIZING PAYMENT FOR CERTIFIED TESTING SERVICES FOR THE 2016 E. 29TH STREET PROJECT. *Certified Testing Services; \$5,744.00.*

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-58

RESOLUTION AUTHORIZING CITY TO APPROVE THE INTERLOCAL COOPERATION AGREEMENT CONTINUING THE DAKOTA COUNTY MUTUAL FINANCE ORGANIZATION (MFO).

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-59

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RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE 9TH STREET LIFT STATION REHABILITATION; PROJECT NO. 017-3099. *Olsson*; \$500.42.

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

Nelson introduced the following Resolution and motioned for its approval:
RESOLUTION 2019-60.

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING AND PROFESSIONAL SERVICES FOR THE FEASIBILITY STUDY FOR WASTEWATER TREATMENT. *HDR Engineering, Inc.*; \$28,845.27.

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

The Mutual Finance Organization (MFO) Representative item will be moved to the next agenda.

Bowman moved, seconded by Bousquet, to approve the route for the Colorpalooza 5k Color Run on June 1, 2019. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Bousquet moved, seconded by Gonzalez, to approve the Police Department's new NARCAN Policy. This is a new policy that outlines the Police Department's use of NARCAN which is a nasal spray that is used to treat opioid overdoses. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Davis moved, seconded by Schuldt, to approve the Police Department Body Worn Camera Policy. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson, Gunsolley, Sanders. Voting No: None.

Betty Peters, 212 E. 14th St. in South Sioux City, Nebraska, was present to request that the city leave the light as it was before for the safety of St. Michael's students that cross there, and the traffic at the various businesses near there, etc.

Davis moved, seconded by Bousquet, to authorize staff to advertise for bids for the traffic light at 13th and Dakota Ave..with a pedestrian button .and with and without detection camera installation. Voting Aye: Bousquet, Gonzalez, Bowman, Schuldt, Nelson, Gunsolley, Sanders, Davis. Voting No: None.

Davis moved, seconded by Gonzalez, to accept the quote from Addison Electric in the amount of \$100 per pedestal - \$4,500.00 to install the new electrical pedestals in the campground that were damaged during the recent flooding of the Missouri River.

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

Davis moved, seconded by Bousquet, to authorize staff to advertise for the property maintenance code official position. Voting Aye: Nelson, Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Bowman moved, seconded by Sanders, authorization to proceed with the Hovey Tax Increment Financing District application subject to review and approval by attorneys. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Nelson moved, seconded by Bousquet, to approve the Task Order from JEO Consulting Group for an intern for GIS project at no cost to the city. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson, Gunsolley. Voting No: None.

Davis moved, seconded by Sanders, to authorize staff to advertise for bids for the drainage improvements on the south end of Dakota Ave. and before we award the bid, staff should report back as to how much cost share from the industries the city will receive. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Bousquet moved, seconded by Gonzalez, to approve advertising for bids for both concrete and asphalt street work at W. 20th between 2nd and 3rd Ave.. Voting Aye: Nelson, Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Mike O'Brien, 1925 F St., South Sioux City Nebraska, asked if the sign will be on city owned property or right of way or will it be on school property?

Davis moved, seconded by Nelson, to ask the school for an easement for the Freedom Park sign location at 17th and G Street. Voting Aye: Schuldt, Nelson, Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

Davis moved, seconded by Schuldt, to approve the NextEra Capacity Transaction confirmation for 8MW. Voting Aye: Nelson, Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

At 6:13 p.m., Nelson moved, seconded by Bousquet, to go into closed session regarding proprietary information, land acquisition and potential/pending litigation. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson. Voting No: None.

Mayor Koch stated that the council was going into closed session regarding proprietary information, land acquisition and potential/pending litigation.

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At 6:54 p.m., Nelson moved, seconded by Bousquet, to come out of closed session. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Nelson, Gunsolley, Sanders. Voting No: None.

There was no discussion during open session regarding Green Star Developers Agreement. This will be moved to the next council meeting.

There being no further business to discuss, at 6:57 p.m., Nelson moved, seconded by Bousquet, to adjourn the meeting. Voting Aye: Bousquet, Gonzalez, Bowman, Schuldt, Nelson, Gunsolley, Sanders, Davis. 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