

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
Tuesday, May 28, 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 1st Avenue in said City on the 28th 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, and television stations: KCAU, KMEG, KTIV. 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.

Dawn Kimmel, from Keep Northeast Nebraska Beautiful (KNNB) was on hand to present five painted the garbage receptacles completed by the high school KNNB program entitled "operation clean-up" to promote liter reduction. The high school program is coordinated with the school district. This project was in conjunction with the Earth Day events. These five receptacles will be placed in the soccer fields.

Bowman moved, seconded by Bousquet to approve the following Consent Agenda: Council Minutes 5/13/19, Public Works Minutes, 5/20/19, Treasurer's Report ending 4/30/19; Legislative Bills; LB 424 Land Bank; Fire Dept. Summary Report April 2019; and the Claims list. Voting Aye: Gunsolley, Schuldt, Gonzalez, Davis, Nelson Bousquet, Sanders, Bowman. Voting No: None.

Bryce Book and Tom Gesell, representatives from Mid American, were on hand to present a check for \$20,000 to the City of South Sioux City for trees in the parks throughout the city. The mayor, council and city parks department are extremely grateful for this contribution.

Two businesses from the recent compliance check were present to address the council. Information only. No action taken.

The Mayor and Council recognized the following City employees and congratulated them on their accomplishments:

- i. Leadership Dakota County graduates Gene Maffit, Ed Mahon, Rochelle Nelsen.
- ii. Ed Mahon on the handling of the aftermath of VanBerkum situation.
- iii. Pat Somsy for achieving the CDBG certification. This will allow us to oversee our own.

Representations from JEO Consulting Group and Olsson were on hand to answer any questions relating to the various projects in the city. Information only. No action taken.

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-61

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR WEST 6th STREET; PROJECT #CDBG 17-PW-006.

Olsson; \$99.88.

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

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
Tuesday, May 28, 2019**

2

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-62
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR EAST 29TH STREET ROADWAY IMPROVEMENTS;
PROJECT #R150828.01. *JEO Consulting Group; \$9,071.00.***

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

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-63
RESOLUTION ESTABLISHING CRITERIA FOR APPROVAL OR
DENIAL OF A SPECIAL DESIGNATED LIQUOR PERMIT AND
DESIGNATING THE CITY CLERK TO DETERMINE APPROVAL OR
DENIAL OF THE APPLICATION FOR SPECIAL DESIGNATED LIQUOR
PERMIT.**

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

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-64
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR THE NATURAL GAS ELECTRICAL GENERATION
FACILITY; PROJECT #R170181.00. *JEO Consulting Group; \$112,122.00.***

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

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-65
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING AND
PROFESSIONAL SERVICES FOR THE FEASIBILITY STUDY FOR
WASTEWATER TREATMENT. *HDR Engineering; \$34,746.11.***

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

Bousquet introduced the following Resolution and motioned for approval:

**RESOLUTION 2019-66
RESOLUTION AUTHORIZING FINAL SETTLEMENT TOWARDS
FINANCING PROJECT FOR CONSTRUCTION AND ENGINEERING
SERVICES FOR ROADWAY IMPROVEMENTS ON DAKOTA AVENUE
BETWEEN 29TH STREET AND REGENCY PARKWAY; PROJECT
#URB-5305(10); CONTROL #32081; AGREEMENT #BL1071.
*Nebraska Dept. of Transportation; \$25,435.26.***

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

Gonzalez Introduced the following Resolution and motioned for approval.

**RESOLUTION 2019-67
RESOLUTION AUTHORIZING PAYMENT FOR NEW 2019 KUBOTA
TRACTOR FOR PARKS DEPARTMENT. *Midwest Honda Suzuki Kubota.
\$20,000.00.***

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

Davis introduced the following Resolution and motioned for approval:

**RESOLUTION 2019-68
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR THE ROTH LIFT STATION UPDATE; PROJECT NO.
019-0116. *Olsson; \$2,945.93.***

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
Tuesday, May 28, 2019**

3

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

Bowman introduced the following Resolution and motioned for approval:

RESOLUTION 2019-69.

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR 39TH AND DAKOTA AVENUE TRAFFIC SIGNAL; PROJECT NO. 019-0683. Olsson; \$8,931.48.

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

The City Attorney read the following Ordinance:

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. \$110,000.00. 126 E. 22nd St - Macon Properties, LLC. Legally described as: Lot 19, BLK 8 Central Addition

Davis introduced Ordinance 2019-9 on its second reading and moved that the statutory rule requiring reading on three different days be suspended. Motion seconded by Nelson. Voting Aye: Nelson, Schuldt, Sanders, Bousquet, Gunsolley, Gonzalez, Davis, Bowman. Voting No: None.

Davis motioned for final passage of the Ordinance which motion was seconded by Schuldt. Voting Aye: Sanders, Bowman, Gunsolley, Schuldt, Davis, Nelson, Bousquet, Gonzalez. Voting No: None.

Council requested that the Dakota Leadership Project/Pool Improvements item be postponed and placed on the next Finance/Leisure Committee agenda.

Bowman moved, seconded by Davis, to approve Esther Howieson as our Mutual Fund Organization (MFO) representative. Voting Aye: Sanders, Bowman, Gunsolley, Schuldt, Davis, Nelson, Bousquet, Gonzalez. Voting No: None..

Davis moved, Nelson seconded to postpone the debris removal at Scenic Park item. Voting Aye: Gunsolley, Gonzalez, Bousquet, Sanders, Schuldt, Bowman, Davis. Voting No: None.

Bousquet moved, seconded by Nelson, to approve allowing Fibercomm to place an antenna on the city's south water tower. Lance Hedquist, City Administrator stated Fibercomm would be paying \$400 per month rent to have an antenna on our south water tower. Voting Aye: Nelson, Davis, Bousquet, Gonzalez, Sanders, Schuldt, Bowman, Gunsolley. Voting No: None.

Davis moved, seconded by Nelson, to approve the special designated liquor license for Cardinal Festival Days on June 14, 2019 from 1:00 p.m. to 12:00 a.m. (note: beer will be served 5 p.m. – 11 p.m.) Los Amigos Cabana LLC Liquor License Class C 116893. Event to be held between the 1500 and 1600 Block on 1st Ave., subject to receiving their verification of insurance. Voting Aye: Sanders, Bowman, Gunsolley, Schuldt, Davis, Nelson, Bousquet, Gonzalez. Voting No: None.

Schuldt moved, seconded by Gonzalez, to approve closing 1st Ave. from 15th to Dakota Ave. and a portion of West 16th St. for Cardinal Festival Days on June 14, 2019. Voting Aye: Schuldt, Gonzalez, Gunsolley, Bousquet, Sanders, Nelson, Bowman, Davis. Voting No: None.

Davis moved, seconded by Nelson, to approve the application for the Nebraska Public Transportation Assistance Program. This is our yearly application for funds for

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
Tuesday, May 28, 2019**

4

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

Davis moved, seconded by Bowman, to approve the HDR Pre-treatment Study in the amount of \$184,500.00. Voting Aye: Gunsolley, Gonzalez, Bousquet, Sanders, Schuldt, Bowman, Davis. Voting No: None.

Mayor Koch stated that the Special Designated License request from Wat Buddharam of Siouxland, Inc. for a fundraising event on 06.29.2019 from 12:00 pm to 10:00 pm. at 500 142nd Street has been withdrawn. This should go to the county.

At 5:40 p.m. Councilman Bowman left the meeting and will not be counted in the voting hereafter.

Davis moved, seconded by Bousquet, to postpone the Green Star Developers Agreement and Power Purchase Agreement to the next meeting. Voting Aye: Nelson, Schuldt, Sanders, Bousquet, Gunsolley, Gonzalez, Davis, Bowman. Voting No: None.

At 5:42 p.m., Councilman Bowman returned to the meeting and will be counted in the voting hereafter.

Lance Hedquist, City Administrator, indicated that Sioux City is updating their agreement with South Sioux City and that we do know Sioux City will be increasing their prices to us. We don't have the numbers yet but Hedquist expects to receive them very soon. Information only. No action taken.

City Attorney, Mike Schmiedt, stated that there have been no real changes unless anyone had any questions regarding potential/pending litigation. No action was taken.

Lance Hedquist, City Administrator stated that Chief Ed Mahon had been named leader of the year. Congratulations Ed! Assistant City Administrator, Oscar Gomez, stated that Pat Somsy, Grant Coordinator had worked hard to study for the CDBG test - studying after works hours and on weekends. Nice job Pat!

There being no further business to discuss, at 5:55 p.m., Davis moved, seconded by Nelson, to adjourn the meeting. Voting Aye: Nelson, Schuldt, Sanders, Bousquet, Gunsolley, Gonzalez, Davis, Bowman. 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 OF SOUTH SIOUX CITY
COUNCIL MINUTES
Tuesday, May 28, 2019**

5
CITY CLERK