

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES**

June 10th, 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 10th day of June, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Carol Schuldt, Jim Gunsolley, Bruce Davis, Dan Bousquet, 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.

Richard Huertz, 1498 Bennett Ave., South Sioux City, Nebraska, expressed his concerns regarding the City purchasing the Big Ox plant.

Brad Johnson, 324 Regency Court, South Sioux City, Nebraska, also expressed his concerns regarding purchasing the plant.

Mayor Koch stated that the City is not interested in buying the plant but we want to know what is there.

Davis moved, seconded by Bousquet, to approve the following **Consent Agenda**: Minutes of the 5/28/19 Council meeting; minutes of the 6/3/19 Public Works meeting; Claims list. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Mayor Koch presented the Volunteer of the Month, Derek Horalek with a plaque and his appreciation for all Derek has done to make the area a great place to live.

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

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Mayor Koch stated that there is a vacancy on the City Council of the City of South Sioux City, Nebraska. That the term of the vacancy position will expire on the second Monday of December, 2022.

The issue of filling such vacancy will be placed on the agenda for the regular meeting of the City Council of South Sioux City, Nebraska to be held on Monday, July 8, 2019 @ 5:00 p.m., City Hall Council Chambers, 1615 1st Avenue. At that time, the Mayor will submit a name of a qualified elector to fill the vacancy for the balance of the unexpired term.

Applications to fill the vacancy for the balance of the unexpired term by interested qualified electors may be obtained by inquiring at the office of the City Clerk, 1615 1st Avenue, South Sioux City, NE 68776, or by requesting an application by phone at 402-494-7511. Applications must be returned to the office of the City Clerk, at the address stated above, by 5:00 p.m. on July 1, 2019.

Engineer representatives from JEO Consulting Group and Olsson were present to give an update and answer any questions on the various projects in the City. Information only. No action was taken.

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-70

RESOLUTION AUTHORIZING CITY TO APPROVE THE INTERLOCAL COOPERATION ACT AGREEMENT DAKOTA COUNTY URBAN AREA STORMWATER MANAGEMENT ASSOCIATION.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-71

RESOLUTION AUTHORIZING CITY TO APPROVE THE INTERLOCAL COOPERATION ACT AGREEMENT FOR THE SCHOOL HOUSING PROJECT.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-72

RESOLUTION AUTHORIZING PAYMENT FOR CERTIFIED TESTING SERVICES FOR THE 2016 E. 29TH STREET PROJECT. *Certified Testing; \$407.00.*

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

Sanders introduced the following Resolution and motioned for its approval:

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RESOLUTION 2019-73

RESOLUTION AUTHORIZING CITY TO SUBMIT A GRANT APPLICATION WITH GILCHRIST FOUNDATION FOR TRAIL ACCESSIBILITY WALKWAY NEAR THE SOCCER AND RUGBY FIELDS.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-74

RESOLUTION AUTHORIZING PAYMENT FOR MAINTENANCE SERVICES FOR THE OWNER OCCUPIED REHABILITATION (OOR) GRANT; PROJECT #15HO-35074. *Drain Specialists; \$317.00.*

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-75

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR PRELIMINARY AND FINAL DESIGN FOR 29TH STREET CHANNEL IMPROVEMENTS; PROJECT #10086211
*HDR Engineering, Inc; \$2,627.76.***

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

Bowman moved, seconded by Sanders, to approve the City paying an additional \$500 dollars for the Victim's Assistance Program. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

Bousquet moved, seconded by Sanders, to approve the Public Transit Contract with Sioux City Transit for 2019/2020. There are no changes from last year. Voting Aye: Schuldt, Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman. Voting No: None.

Davis, moved, seconded by Schuldt, to ratify the May 31, 2019 Disaster Declaration for the area flooding to Nebraska Emergency Management Agency. Voting Aye: Gonzalez, Bowman, Schuldt, Sanders, Bousquet, Gunsolley, Davis. Voting No: None.

Bousquet moved, seconded by Sanders, to accept the quote for five storm water intake rebuilds from I A Construction in the amount of \$15,416.00. Voting Aye: Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley, Sanders, Davis. Voting No: None.

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Lance Hedquist stated that this agreement is to allow the options the City has on the land in South Sioux City to be transferred to Dakota City for a project there. Bowman moved, seconded by Sanders, to approve the Dakota City Green Star Agreement. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley, Sanders. Voting No: None.

The Green Star Developer Agreement is to be postponed.

Lance Hedquist stated that this agreement is for the City to buy the 8 Megawatts of power from Green Star and that the City will not have to pay for it if Green Star does not produce it. Bousquet moved, seconded by Sanders, to approve the South Sioux City/Green Star Power Purchase Agreement. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt. Voting No: None.

At 5:35 p.m., Davis moved, seconded Gunsolley, to go into closed session to discuss pending litigation. Voting Aye: Schuldt, Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman. Voting No: None. Mayor Koch stated that the Council was going into closed session to discuss pending litigation. He expects no action to be taken.

At 5:56 p.m., Davis moved, seconded by Schuldt, to come out of closed session. Voting Aye: Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt, Gunsolley. Voting No: None.

There being no further business to discuss, at 5:57 p.m., Davis moved, seconded by Bousquet, to come out of closed session. Voting Aye: Davis, Bousquet, Gonzalez, Bowman, Schuldt, 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

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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