

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
August 12th, 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 12th day of August, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Carol Schuldt, Bruce Davis, Dan Bousquet, Jason Bowman, John Sanders, Jim Gunsolley, Jose Gonzalez, Jasper Kriens. Absent: Carol Schuldt. 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.

Davis moved, seconded by Bousquet to excuse Councilwoman Carol Schuldt. Voting Aye: Bowman, Bousquet, Sanders, Davis, Gunsolley, Kriens, Gonzalez. Voting No: None.

Mayor Koch asked if there was anyone in the audience that would like to speak about anything that was not on the agenda. Bob Livermore, Public Works Director, gave an update on the W. 20th resurfacing project. He expects to start Wednesday and be done by the weekend barring no rain.

Mike Klassen, 515 Red Bird Lane, South Sioux City, Nebraska was present to address the portable toilet in his yard. They use the toilet on weekends when they use the pool. He stated that they have it pumped out and sanitized every two weeks.

Davis moved, seconded by Bousquet, to approve the following **Consent Agenda**: July 22, 2019 Council Minutes; August 2, 2019 Public Works Minutes; July 31, 2019 and August 7, 2019 Finance Minutes; Notice of AT&T Repeater Project/AT&T Site: 2513 B St.; Missouri River Basin Update; Presentation of Claims. Voting Aye: Kriens, Gunsolley, Sanders, Gonzalez, Bousquet, Davis, Bowman. Voting No: None.

Jared Junge was named August, 2019 Volunteer of the Month. Congratulations Jared and thank you for everything you do to make South Sioux City a better place to live.

At 5:08 p.m., Mayor Koch declared the **Public Hearing** open regarding the Northeast Redevelopment Area General Redevelopment Plan. Michael Sands with Baird Holm LLP, 1700 Farnam St., Omaha, NE was present to explain the plan and to

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answer any questions about the plan. There was no one present requesting special services and there was no one present to speak in favor of or in opposition to the proposed plan. At 5:10 p.m., Mayor Koch declared the hearing closed.

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-93

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
SOUTH SIOUX CITY, NEBRASKA, APPROVING A REDEVELOPMENT
PLAN ENTITLED "GENERAL REDEVELOPMENT PLAN FOR THE
NORTHEAST REDEVELOPMENT AREA".

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

At 5:11 p.m., Mayor Koch opened the **Public Hearing** regarding the Northeast Redevelopment Area Amendment to the General Redevelopment Plan – Hovey Construction Redevelopment project. Michael Sands with Baird Holm LLP, 1700 Farnam St., Omaha, NE was present to explain the plan and to answer any questions about the plan. There was no one present requesting special services and there was no one present to speak in favor of or in opposition to the proposed plan. At 5:13 p.m., Mayor Koch declared the hearing closed.

Bousquet Introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-94

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF
SOUTH SIOUX CITY, NEBRASKA, APPROVING A REDEVELOPMENT
PLAN AMENDMENT ENTITLED "AMENDMENT TO THE GENERAL
REDEVELOPMENT PLAN FOR THE NORTHEAST REDEVELOPMENT
AREA (THE HOVEY CONSTRUCTION REDEVELOPMENT PROJECT)".

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

At 5:14 p.m., Mayor Koch opened the **Public Hearing** the Northeast Redevelopment Area Amendment to the General Redevelopment Plan – RoyDon, LLC Redevelopment project. Michael Sands with Baird Holm LLP, 1700 Farnam St., Omaha, NE was present to explain the plan and to answer any questions about the plan. There was no one present requesting special services and there was no one present to speak in favor of or in opposition to the proposed plan. At 5:16 p.m., Mayor Koch declared the hearing closed.

Davis introduced the following Resolution and motion for its approval:

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RESOLUTION 2019-95

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, APPROVING A REDEVELOPMENT PLAN AMENDMENT ENTITLED "AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN FOR THE NORTHEAST REDEVELOPMENT AREA (THE ROYDON LLC REDEVELOPMENT PROJECT)".

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

JEO Consulting Group and Olsson engineers were on hand to update the council on the various projects in the city. Information only. No action taken.

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-96

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE NATURAL GAS ELECTRICAL GENERATION FACILITY; PROJECT #R170181.00. *JEO Consulting Group, Inc.; \$4,371.75.*

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-97

RESOLUTION AUTHORIZING PAYMENT FOR CERTIFIED TESTING SERVICES FOR THE 2016 EAST 29th STREET PROJECT. *Certified Testing Services, Inc.; \$2,044.00*

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

Sanders introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-98

RESOLUTION AUTHORIZING FINAL PAYMENT FOR CONSTRUCTION AND ENGINEERING SERVICES FOR CONNECTING SCHOOLS TRAIL; PROJECT #SRTS 22(32), AGREEMENT #BM1197

Nebraska Dept. of Transportation; \$10,134.51.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-99

RESOLUTION AUTHORIZING PAYMENT FOR EQUIPMENT AND MATERIALS REGARDING NEBRASKA ENVIRONMENTAL TRUST RECYCLING GRANT FOR 485 64-GALLON RECYCLING CARTS.

Cascade; \$19,565.00.

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-100

RESOLUTION AUTHORIZING PAYMENT FOR PAINTING AND MAINTENANCE SERVICES FOR THE OWNER OCCUPIED REHABILITATION (OOR) GRANT; PROJECT #15HO-35074. CDS Inspections & Beyond; \$500.00. .

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-101

RESOLUTION REAFFIRMING RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN.

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

Gunsolley introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-102

RESOLUTION TO REAFFIRM AMERICANS WITH DISABILITIES ACT.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-103

RESOLUTION TO REAFFIRM ADA POLICY.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-104

RESOLUTION TO REAFFIRM POLICY TO PROHIBIT THE USE OF EXCESSIVE FORCE.

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

Kriens introduced the following Resolution and motioned for its approval:

RESSOLUTION 2019-105

RESOLUTION TO REAFFIRM CODE OF CONDUCT.

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

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Bowman introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-106

RESOLUTION RE-ADOPTING CITIZEN PARTICIPATION PLAN.

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

Kriens introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-107

RESOLUTION ADOPTING STATEMENT OF ASSURANCES AND CERTIFICATIONS.

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-108

**RESOLUTION AUTHORIZING PAYMENT FOR NEW 2019 FORD XLT
4WD SUPERCAB TRUCK. *Anderson Ford Lincoln; \$38,205.00.***

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

Davis introduced the following Resolution and motioned for its approval

RESOLUTION 2019-109

**RESOLUTION AWARDING BID FOR ST. MICHAEL'S PEDESTRIAN
CROSSING. *Nystrom Electric; \$22,452.43.***

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

Davis introduced the following Resolution and motioned for its approval and to pay for it out of this year's budget:

RESOLUTION 2019-110

RESOLUTION AWARDING BID FOR USED AMBULANCE.

Arrow Manufacturing, Inc.; \$87,800.00

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

Bowman introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-111

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR THE WATER STORAGE; PROJECT #017-0781.**

Olsson; \$4,900.00.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-112.

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RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR 39th AND DAKOTA AVENUE TRAFFIC SIGNAL; PROJECT NO. 019-0683. Olsson; \$4,500.00.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-113.

RESOLUTION AUTHORIZING PAYMENT FOR NDED/CCCFF #17-03-277 GRANT DRAWDOWN REQUEST #3. *Siouxland Tennis Association, Inc.*; \$175,526.58.

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-114

RESOLUTION AUTHORIZING PAYMENT FOR EQUIPMENT AND ENGINEERING SERVICES FOR COUNCIL CHAMBERS. *CCS Presentation Systems*; \$201,775.50.

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

Bowman introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-115

RESOLUTION AUTHORIZING CITY TO APPROVE FIRST AMENDMENT TO THE PUBLIC SERVICE RADIO SYSTEM GOVERNANCE AGREEMENT WITH SIOUXLAND TRI-STATE RADIO COMMUNICATIONS SYSTEM, a/k/a STARCOMM.

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

Bowman introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-116

RESOLUTION AUTHORIZING CITY TO APPROVE THE INTER-LOCAL COOPERATION AGREEMENT FOR ENHANCED (E911) EMERGENCY TELEPHONE SERVICE.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-117

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**RESOLUTION OF INTENT FOR BOND AND REIMBURSEMENT FOR
WATER TOWER AND PRIMARY AND SECONDARY WASTEWATER
TREATMENT PLANT PROJECT.**

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-118

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO
MAKE APPLICATION TO THE NEBRASKA DEPARTMENT OF
ENVIRONMENTAL QUALITY (NDEQ) STATE REVOLVING FUND LOAN
PROGRAM FOR THE WATER TOWER.**

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-119

**RESOLUTION AUTHORIZING CITY OF SOUTH SIOUX CITY, NEBRASKA TO
MAKE APPLICATION TO THE NEBRASKA DEPARTMENT OF
ENVIRONMENTAL QUALITY (NDEQ) STATE REVOLVING FUND LOAN
PROGRAM FOR THE PRIMARY AND SECONDARY WASTEWATER
TREATMENT PLANT PROJECT.**

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-120

**RESOLUTION AUTHORIZING CITY TO APPROVE THE CONSORTIUM
HOME FUNDS.**

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

City Attorney read the following Ordinance:

ORDINANCE 2019-11

**AN ORDINANCE OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA,
VACATING THAT PORTION OF THE 300 BLOCK, 6TH AVENUE ALLEY
LYING BETWEEN LOTS 10, 11, 12, BLOCK 38, COVINGTON
ADDITION AND NORTH ½ OF LOT 8 AND ALL LOT 9, BLOCK 38,
COVINGTON ADDITION, SOUTH SIOUX CITY, NEBRASKA; CLOSING
SAID VACATED ALLEY TO THE PUBLIC; REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT
HEREWITH; AND PRESCRIBING A TIME WHEN THIS ORDINANCE
SHALL BE IN FULL FORCE AND EFFECT. [Hyperlink](#)**

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Bowman introduced Ordinance 2019-11 on its second reading and moved that the statutory rule requiring reading on three different days be suspended. Motion seconded by Davis to suspend the rules for Ordinance 2019-11. Voting Aye: Bowman, Bousquet, Gonzalez, Gunsolley, Kriens, Sanders, Davis. Voting No: None

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

The City Attorney read the following Ordinance:

ORDINANCE 2019-12

AN ORDINANCE AMENDING SECTION 42-157 OF THE SOUTH SIOUX CITY MUNICIPAL CODE AS IT RELATES TO FIREWORKS; SALE AND BY ADDING SECTION 42-184(15) AS IT RELATES TO FIREWORKS USE SIGNS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Davis introduced Ordinance 2019-12 on its second reading and motioned for approval. Motion seconded by Bousquet. Voting Aye: Bousquet, Gonzalez, Gunsolley, Kriens, Sanders, Davis, Bowman. Voting No: None.

Davis moved, seconded Kriens to approve the appointment of Abdullahi Urur to the Rental Board. Voting Aye: Gonzalez, Gunsolley, Kriens, Sanders, Davis, Bowman, Bousquet. Voting No: None.

Bowman moved, seconded by Gonzalez, to approve St. Michael's request to close the street from West 14th St. to West 15th St. for the Fall Festival to be held on Sunday, September 8th from 9am-8pm. Voting Aye: Gunsolley, Kriens, Sanders, Davis, Bowman, Bousquet, Gonzalez. Voting No: None.

Bowman moved, seconded by Bousquet, to approve the agreement between the Fire Department and the Senior Center for use of Memorial Hall. Voting Aye: Kriens, Sanders, Davis, Bowman, Bousquet, Gonzalez, Gunsolley. Voting No: None.

Bousquet moved, seconded by Kriens, to approve updating the Student Intern Program Policy and to approve the renewal of the Student Intern Program. Voting Aye: Sanders, Davis, Bowman, Bousquet, Gonzalez, Gunsolley, Kriens. Voting No: None.

Bowman moves, seconded by Kriens, to approve Arby's building renovation design. Voting Aye: Davis, Bowman, Bousquet, Gonzalez, Gunsolley, Kriens, Sanders.

Davis moved, seconded by Kriens to approve Empire Shoe Wear request. to have a sidewalk sale at 2110 Dakota Ave. for 2 – 3 hours on a Saturday. Voting Aye: Bowman, Bousquet, Gonzalez, Gunsolley, Kriens, Sanders, Davis. Voting No: None.

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Davis moved, seconded by Bousquet, to approve Sensus Incode/Meter Reading Interface quotes from Core & Main and Tyler Technologies. Voting Aye: Bousquet, Gonzalez, Gunsolley, Kriens, Sanders, Davis, Bowman. Voting No: None.

Davis moved, seconded by Bousquet, to approve JEO Consulting Group Sewer Lift Station Upgrade Agreement to do the design work and pump purchases. Voting Aye: Gonzalez, Gunsolley, Kriens, Sanders, Davis, Bowman, Bousquet. Voting No: None.

There was no discussion regarding the potential/pending litigation item.

At 5:51 p.m., Davis moved, seconded by Gunsolley, to adjourn the meeting. Voting Aye: Gunsolley, Kriens, Sanders, Davis, Bowman, Bousquet, Gonzalez. 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