

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES**

August 26th, 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 26th day of August, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Carol Schuldt, Bruce Davis, Dan Bousquet, John Sanders, Jim Gunsolley, Jose Gonzalez, Jasper Kriens, Carol Schuldt. Absent: Jason Bowman. 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 the absence of Councilman Jason Bowman. Voting Aye: Schuldt, Bousquet, Sanders, Davis, Gunsolley, Kriens, Gonzalez. Voting No: None.

Mayor Koch stated that the public comment period was suspended from the agenda until further notice. City Attorney, Mike Schmidt, stated that it had become disruptive.

Davis moved, seconded by Bousquet to approve the following Consent Agenda: Council minutes of August 12, 2019; Public Works Minutes of August 19, 2019; Finance Minutes of August 14 and 21, 2019; change Sept. 2, 2019 Public Works Meeting to Sept. 3, 2019; Treasurer's Report ending 7/31/19; and the Claims list. Voting Aye: Davis, Bousquet, Gonzalez, Sanders, Kriens, Gunsolley, Schuldt. Voting No: None.

Councilman Lupe Gonzalez presented the plaque for the Hero Award to the family of Felipe Mendoza who tragically lost his life while saving others.

Presentations were made by Nebraska Public Health Tim Wilson, Nebraska Emergency Medical Specialist Brad Harm and Nebraska State Senator Joni Albrecht recognizing the South Sioux City EMT/Paramedics' successful CPR incidents to victims of cardiac arrest with positive outcomes "**CODE SAVE AWARDS**" were presented to: Firefighter Kevin Ott, Firefighter Aaron Merithew, Firefighter Chase Antle, Captain/Paramedic Payne Allen, Firefighter Kevin Eischeid, Firefighter Brandon McCune, Paramedic Blake Bruns, Firefighter Zach Daniels, Paramedic Aaron McCoy, Captain/Paramedic Qwinn Wright, Fire Chief Clint Merithew, Captain/Paramedic Jay Mathis. South Sioux City Police Officer Claussen, Officer Hattermann. Walgreen Pharmacy Manager Tally Stark who witnessed one cardiac event

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inside the store and initiated CPR until the ambulance from South Sioux Fire Department arrived and took over patient care for transport to the hospital. Congratulations to all for a job well done!

The Mayor and Council recognized Joe Connelly for working for the City for 40 years. Information only. No action taken.

Engineer's from JEO Consulting Group and Olsson were present to give an update on the various projects in the city. Information only. No action taken.

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-121

RESOLUTION AUTHORIZING CITY TO SUBMIT APPLICATION FOR WASTE REDUCTION AND RECYCLING GRANT TO NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY ON BEHALF OF THE PUBLIC WORKS DEPARTMENT FOR WASTE OIL FURNACE .

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019 - 122

RESOLUTION ON ACQUISITION OR DEVELOPMENT FOR OUTDOOR RECREATION. Splash pad at the Aquaplex.

Schuldt seconded the motion. Voting Aye: Bousquet, Gonzalez, Sanders, Kriens, Gunsolley, Schuldt, Davis. Voting no: None.

Schuldt introduced the following Resolution and motioned for its approval:

RESOLUTION 2019 - 123

RESOLUTION ON ACQUISITION OR DEVELOPMENT FOR OUTDOOR RECREATION. Lighting on soccer field and walkway.

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

Kriens introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-124

RESOLUTION AUTHORIZING CITY TO APPROVE SUBMITTING APPLICATION FOR NEBRASKA ENVIRONMENTAL TRUST GRANT TO NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY 2019 ELECTRIC VEHICLE CHARGING REBATE PROGRAM FOR ONE EXPRESS PLUS STATION AND ONE CHARGER 2.

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-125

RESOLUTION AUTHORIZING CITY TO APPROVE SUBMITTING APPLICATION TO NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY 2019 ELECTRIC VEHICLE CHARGING REBATE PROGRAM WITH THE NEBRASKA ENVIRONMENTAL TRUST GRANT FOR ONE EXPRESS PLUS STATION AND ONE CHARGER 2

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

Kriens introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-126

RESOLUTION AUTHORIZING CITY TO APPROVE THE DEVELOPER'S FUNDING AGREEMENT WITH THE SOUTH SIOUX CITY COMMUNITY SCHOOL DISTRICT.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION NO. 2019-127

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, APPROVING A REDEVELOPMENT AGREEMENT FOR A REDEVELOPMENT PROJECT UNDERTAKEN BY HOVEY CONSTRUCTION INC., AS SET FORTH IN THE "AMENDMENT TO THE GENERAL REDEVELOPMENT PLAN FOR THE NORTHEAST REDEVELOPMENT AREA (THE HOVEY CONSTRUCTION REDEVELOPMENT PROJECT)".

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-128

RESOLUTION AUTHORIZING CITY TO APPROVE SUBMITTING APPLICATION FOR THE NEBRASKA COMMUNITY ENERGY ALLIANCE TO THE NEBRASKA ENVIRONMENTAL TRUST GRANT ON BEHALF OF THE SOUTH SIOUX CITY POLICE DEPARTMENT FOR ONE ZERO MOTORCYCLE.

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

Davis introduced the following Resolution and motioned for its approval:

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RESOLUTION 2019-129

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING AND PROFESSIONAL SERVICES FOR THE FEASIBILITY STUDY FOR WASTEWATER TREATMENT. *HDR Engineering; \$77,533.54.*

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

Gunsolley introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-130

RESOLUTION AUTHORIZING APPLICATION FOR PAYMENT NO. 3 FOR CONSTRUCTION SERVICES FOR THE 2016 E. 29TH STREET; PROJECT #150828.01. *HCI Construction; \$90,129.47.*

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-131

RESOLUTION AUTHORIZING PAYMENT FOR CONTRACTING SERVICES FOR THE SIOUXLAND SOCCER ASSOCIATION PROJECT; NDED/CCCF GRANT #17-03-277. *Mark Albenesius, Inc.; \$40,414.40.*

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

Sanders introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-132

RESOLUTION AUTHORIZING PAYMENT FOR USED 2012 FORD F550 4X4 TYPE 1 AEV AMBULANCE. *Arrow Manufacturing, Inc.; \$87,800.00.*

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

Gunsolley introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-133

APPROVAL OF PRELIMINARY PLANS, SPECIFICATIONS, AND ESTIMATES. Project Name: Connecting Schools Trail.

Kriens seconded the motion. Voting Aye: Kriens, Gunsolley, Schuldt, Davis, Bousquet, Gonzalez, Sanders. 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.

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Davis motioned to approve Ordinance 2019-12 on its final reading. Motion was seconded by Kriens. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Sanders, Kriens. Voting No: Schuldt.

Davis moved, seconded by Sanders, to approve the Library Board's recommendations for the Library Polices. Voting Aye: Davis, Bousquet, Gonzalez, Sanders, Kriens, Schuldt, Gunsolley. Voting No: None.

Davis moved, seconded by Schuldt, to accept the quote from Mark Albenesius, Inc. in the amount of \$16,037.50 for street panel repair at 29th Street and Dakota Avenue intersection. Voting Aye: Bousquet, Gonzalez, Sanders, Kriens, Schuldt, Gunsolley, Davis. Voting No: None.

Kriens moved, seconded by Bousquet, to approve accepting the quote from ASTRA Software in the amount of \$6,145.00 for the Campground. Voting Aye: Gonzalez, Sanders, Kriens, Schuldt, Gunsolley, Davis, Bousquet. Voting No: None.

Davis moved, seconded by Gonzalez, to approve the route for Colorpalooza 5K Fun RunWalk on June 13, 2020 subject to the soccer schedule. Voting Aye: Gonzalez, Sanders, Kriens, Schuldt, Gunsolley, Davis, Bousquet. Voting No: None.

Bousquet moved, seconded by Schuldt, to approve CCS Change Order # 3 increase of \$6,598.56 for council chambers equipment. Voting Aye: Sanders, Kriens, Schuldt, Gunsolley, Davis, Bousquet, Gonzalez. Voting No: None.

Davis moved, seconded by Kriens, to approve extending the lease 6 months and to add an additional name to the lease for the 2500 G Street property. Voting Aye: Kriens, Schuldt, Gunsolley, Davis, Bousquet, Gonzalez, Sanders. Voting No: None.

Bousquet moved, seconded by Gonzalez, to approve Tony Gomez parade request on September 14 at 6 p.m.. Voting Aye: Schuldt, Gunsolley, Davis, Bousquet, Gonzalez, Sanders, Kriens. Voting No: None.

At 5:50 p.m., Davis moved, seconded by Bousquet, to go into closed session regarding pending litigation. Voting Aye: Gunsolley, Davis, Bousquet, Gonzalez, Sanders, Kriens, Schuldt. Voting No: None.

Mayor Koch stated that the council was going into closed session regarding pending litigation.

At 6:04 p.m., Bousquet moved, seconded by Gunsolley, to come out of closed session. Voting Aye: Davis, Bousquet, Gonzalez, Sanders, Kriens, Schuldt, Gunsolley. Voting No: None.

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There being no further business to discuss, at 6:05 p.m., Davis moved, seconded by Bousquet to adjourn the meeting. Voting Aye: Bousquet, Gonzalez, Sanders, Kriens, Schuldt, Gunsolley, 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