

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**October 14<sup>th</sup>, 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 1<sup>st</sup> Avenue in said City on the 14<sup>th</sup> day of October 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members Lupe Gonzalez, Jason Bowman, Dan Bousquet, Bruce Davis, Carol Schuldt, Jasper Kriens. Absent: John Sanders and Jim Gunsolley. 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.

Bowman moved, seconded by Kriens, to approve the following Consent Agenda: Minutes of the 9/23.19 Council meeting, 10.07.19 Public Works meeting and the 10.09.19 Finance meeting, Claims list, 2019 Salvage Yard Licenses, Treasurers Report Ending 09.30.2019. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Service Superstars were present requesting to paint a Heart Mural on Los Amigos building on Dakota Avenue. Council will check the Ordinance and will let the group know the next step. Will need Council approval, move to a future agenda.

Davis motioned, seconded by Kriens to accept the Red Ribbon Proclamation for the week of October 23<sup>rd</sup> – 31<sup>st</sup>, 2019. Brittny Book, Executive Director from Siouxland Care was present to accept the award. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

South Sioux City School District has completed their first year in the Project Aware Grant. They were one of three schools in the State of Nebraska to participate in this program. This program assists in in threat assessment training and assisting in mental health service and education. The School received \$385,110.00 per year for five years.

Lance Swanson introduced the South Sioux City High School Council. These group of students have been working hard for the school and talked about Homecoming and College Fairs they have held at the high school.

Davis Motioned, seconded by Kriens to accept the Pink Patch Project. Police Officer Jeanette McFee along with Kristy Finigan from the June E Nylan Cancer center were present to accept the Proclamation. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Library Director David Mixdorf gave suggestion that the Library staff would like to see go into the College Center side of the Library. No action taken.

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Parks and Rec Director Gene Maffit, Carol Larvick from UNL and Linda Caster handed out four different kinds of apples and small jars of honey. This is the Apple Orchards 5<sup>th</sup> year and is in full production, along the 1<sup>st</sup> year for honey from the bees down in the orchard. The Orchard has had over 850 pound put out into the community.

Carol Larvick from UNL also presented a plaque that she made to Lance Hedquist the vision of putting in the Orchard, and to Mayor Rod Koch for the City of South Sioux City for work and vision on the Orchard.

Mayor Rod Koch presented Parks and Rec Director Gene Maffit with the 2019 Nebraska Recycling Council's Commonwealth Award. The NE Recycling Council Commonwealth Award recognizes a business or organization, or individual that gives its time, talent, and treasure to the community in which it operates to improve the natural environment or health, welfare, and common good for all stakeholders through better materials management.

Fire Chief Clinton Merithew discussed the Fire Prevention Week Proclamation and going out to all the elementary schools in South Sioux City seeing 1,034 children.

Police Chief Ed Mahon gave the crime report. Information only.

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

Kriens introduced the following Resolution and motioned that it be indefinitely postponed.

**RESOLUTION 2019-142**

**RESOLUTION LIMITING PARKING ON ARBOR DRIVE AND OLIVE LANE**

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

Bowman introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-161**

**RESOLUTION AUTHORIZING PAYMENT FOR TESTING AND PAINTING MAINTENANCE SERVICES FOR THE OWNER OCCUPIED REHABILITATION (OOR) GRANT; PROJECT #15HO-35074. CDS INSPECTIONS & BEYOND - \$500.00 (invoice #021)**

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

Davis introduced the following Resolution and motioned for its approval

**RESOLUTION 2019-162**

**Signing Resolution for the Grading Crossing Signal & Surface Installation Agreement between BNSF, SSC, and NDOT. NDOT Project # SRTS-22(32) - Control # 32169.**

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

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-163**

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

*OLSSON ASSOCIATES - \$4,000.00. INVOICE # 340283.*

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

Bowman introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-164**

**RESOLUTION OF INTENT FOR BOND AND REIMBURSEMENT FOR ARBOR LIFT STATION AND SEWER PROJECT.**

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

Schuldt introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-165**

**RESOLUTION RESCINDING RESOLUTION AUTHORIZING CITY TO APPROVE THE AGREEMENT FOR PROFESSIONAL SERVICES WITH HDR ENGINEERING, INC. FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS**

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

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-166**

**RESOLUTION APPROVING REQUEST TO CLOSE A PORTION OF WEST 30<sup>TH</sup> STREET BETWEEN 4<sup>TH</sup> AVENUE AND THE RAILROAD RIGHT-OF-WAY TO THROUGH TRAFFIC**

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

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-167**

**RESOLUTION AUTHORIZING PAYMENT FOR CONTRACTING AND HOUSING MANAGEMENT SERVICES FOR THE OWNER OCCUPIED REHABILITATION (OOR) GRANT PROJECT #15-HO-35074. SIOUXLAND INTERSTATE METROPOLITAN PLANNING COUNCIL (SIMPCO) - \$4,047.00. (Invoice # 5259).**

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

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-168**

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**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING AND PROFESSIONAL SERVICES FOR THE FEASIBILITY STUDY FOR WASTEWATER TREATMENT. HDR ENGINEERING, INC - \$9,975.31. (Invoice # 1200220313).**

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

The City Attorney read the following Ordinance:

Ordinance 2019-19

**ORDINANCE SETTING SALARIES OF EMPLOYEES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PRESCRIBING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.**

Davis moved that the statutory rule requiring reading on three different days be suspended.

Bowman seconded the motion to suspend the rules. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Ordinance 2019-19 was then read by title and thereafter Davis moved for final passage of the ordinance, minus the Fire Chief's salary, which motion was seconded by Bousquet. The Mayor then stated the question was "Shall Ordinance No. 2019-19 be passed and adopted?" Upon roll call vote, the following voted Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Davis motioned to postpone the following Ordinance until all Council Members were present.

**ORDINANCE 2019-20**

**ORDINANCE SETTING SALARY OF CITY ADMINISTRATOR; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PRESCRIBING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.**

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

The City Attorney read the following Ordinance:

**ORDINANCE 2019-17**

**AN ORDINANCE REGARDING SMALL WIRELESS FACILITIES AND OTHER USERS OF THE RIGHT OF WAY**

Davis introduced Ordinance 2019-17 on its second reading and motioned for its approval. Motion was seconded by Kriens. Voting Aye: Bowman, Bousquet, Sanders, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

The City Attorney read the following Ordinance:

**ORDINANCE 2019-18**

**AN ORDINANCE OF THE CITY OF SOUTH SIOUX CITY, DAKOTA COUNTY, NEBRASKA, AMENDING SECTION 90-40 OF THE SOUTH SIOUX CITY MUNICIPAL CODE AS IT RELATES TO FEES FOR REMOVAL OF TRASH CONTAINERS; 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 introduced Ordinance 2019-18 on its second reading and motioned for its approval. Motion was seconded by Kriens. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Davis motioned, seconded by Gonzalez, to approve the Electric System Operation Agreement between NPPD and South Sioux City with a 5% increase in labor and materials for projects. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Bousquet motioned, seconded by Schuldt to approve Nissen Wine, Inc special designated license request for the wine and craft show at the Delta Motel on 11-10-19. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Kriens motioned, seconded by Schuldt to proceed with the purchase of 2 – 200 hp pumps at a cost of approximately \$300,000 at the BPI Lift Station. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Davis motioned, seconded by Bowman to approve the Arbor Lift Station plans and specs, and authorization to submit the NDEE and go out for bids. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Davis motioned, seconded Kriens to rescind the previous award and rebid the project for Engineering/Wastewater Treatment Plant. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Schuldt motioned, seconded by Bousquet to approve the Ingredion Memorandum of Understanding contract. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Davis motioned, seconded by Kriens to accept to lowest roof bids for each City building needing repaired due to age and hail damage as follows: Long Lines, 1711 Dakota Ave., Guarantee Roofing - \$18,362.00; 2500 G Street, Guarantee Roofing -\$18,362.00; Aquaplex Bathhouse, JC Roofing - \$11,700.00; Old fire station, JC Roofing - \$29,440.00; 318 E. 18<sup>th</sup> Street, JC Roofing - \$6,600.00. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

Davis motioned, seconded by Kriens to accept loan agreement for the Economic Development Revolving Loan Fund between City/CDA and Cardinal Capital Group. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

At 6:04 p.m., Davis moved, seconded by Bousquet, to go into closed session. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

At 6:32 p.m., Davis motioned, seconded by Schuldt to come out of closed session. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

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Bousquet motioned to give Fire Chief no raise, performance review in 6 months with a possible 1.5% raise after performance review. No second, motion dies.

Bowman motioned, seconded by Schuldt to give Fire Chief a 2% pay raise. Motion withdrawn by Bowman and Schuldt.

Davis motioned, seconded by Schuldt to postpone decision on Fire Chief salary. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

There being no further business to discuss, at 6:36 p.m., Bowman moved, seconded by Kriens to adjourn the meeting. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Gonzalez, Davis. Voting No: None.

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.

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CITY CLERK