

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
October 28th, 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 28th day of October, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members Jason Bowman, Dan Bousquet, Bruce Davis, Carol Schuldt, John Sanders, Jim Gunsolley and Jasper Kriens. Absent: Lupe Gonzelz. Media in attendance: Dakota County Star, KMEG, KCAU and 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.

Sanders motioned, seconded by Bowman to excuse the absence of Lupe Gonzlaez. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Davis moved, seconded by Bousquet, to approve the following Consent Agenda: Minutes of the 10.14.19 Council meeting, 10.21.19 Public Works meeting and the 10.23.19 Finance meeting, Claims list and Longlines/Olsson building roof contract. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Brian Atkins was named October 2019 Volunteer of the Month. Congratulations Brian and thank you for everything you do to make South Sioux City a better place to live.

Schuldt motioned, seconded by Sanders motioned to give the ladies who take care of the plants around the City 7 days a week a \$300.00 bonus. Voting Aye: Bowman, Bousquet, Schuldt, Gunsolley, Kriens, Sanders. Voting No: None. Abstaining: Davis.

City Administrator Lance Hedquist gave a brief review of the State League Report.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-175
Signing of the Year-End Certification of City
Street Superintendent form 2019.

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

Bousquet introduced the following Resolution and motioned for its approval:

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RESOLUTION 2019-169

Creating the Gap Project 2019-1.

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

Bowman introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-170

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE 2019 BPI LIFT STATION IMPROVEMENTS; PROJECT #R191164.00. JEO Consulting Group, INC, \$4,589.00, Invoice #112650.

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

Gunsolley introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-171

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR EAST 29TH STREET ROADWAY IMPROVEMENTS; PROJECT #R150828.01. JEO Consulting Group Inc. - \$1,497.75, Invoice #112649.

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

Schuldt introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-172

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE 2019 ARBOR LIFT STATION IMPROVEMENTS; PROJECT #R191165.00. JEO Consulting Group, INC, \$980.00, Invoice #112651.

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

Bousquet introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-173

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE NATURAL GAS ELECTRICAL GENERATION FACILITY; PROJECT #R170181.00. JEO Consulting Group, Inc., \$15,943.25, Invoice #11264.

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

Davis introduced the following Resolution and motioned for its approval:

RESOLUTION 2019-174

RESOLUTION AWARDING BID FOR ELECTRIC PUMP FOR TWO 200 hp SUBMERSIBLE PUMPS IN THE AMOUNT FOR \$312,565.00 PLUS TAX.

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

The City Attorney read the following Ordinance:

ORDINANCE 2019-22

CREATING SANITARY SEWER EXTENSION DISTRICT 2019-1.

Davis motioned to approve the first reading only on Ordinance 2019-22. Bowman seconded the motion. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

The City Attorney read the following Ordinance:

ORDINANCE 2019-23

CREATING WATER EXTENSION DISTRICT 2019-1.

Bousquet motioned to approve the first reading only on Ordinance 2019-23. Davis seconded the motion. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

The City Attorney read the following Ordinance:

ORDINANCE 2019-234

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A COMBINED ELECTRIC, WATER AND SEWER REVENUE BOND, 2019B SERIES, OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, IN THE PRINCIPAL AMOUNT OF FIVE MILLION SIX HUNDRED THOUSAND DOLLARS (\$5,600,000), IN THE FORM OF A PROMISSORY NOTE ISSUED TO EVIDENCE INDEBTEDNESS TO THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY;

Davis motioned to approve the first reading only on Ordinance 2019-24. Bowman seconded the motion. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Bowman motioned, seconded by Bousquet to approve the Drinking Water Loan Agreement between the City and Nebraska Dept. of Environment and Energy. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. 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 motioned, seconded by Gunsolley to approve the third and final reading of Ordinance 2019-17. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. 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;

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REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECTORDINANCE 2019-18

Bousquet motioned, seconded by Schuldt to approve the third and final reading of Ordinance 2019-18. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None

Schuldt motioned, seconded by Gunsolley to approve Roger Lloyd plans to reconstruct a storage warehouse on the existing foundation at 825 East 8th Street. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Bowman motioned, seconded by Bousquet to approve the Olsson Contract for Design Services for Hovey Development. Voting No: None Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Bowman motioned, seconded by Schuldt to approve the Amendment to the Olsson/City Engineering Contract. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Davis motioned, seconded by Kriens to approve the proposed purchase of approximately 40 acres for the new Wastewater facility. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Schuldt motioned, seconded by Bowman to approve the Handicap Parking request at 3117 A Street. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None

Davis motioned, seconded by Schuldt to approve going to once a year Fall Clean Up rather than twice a year Spring and Fall Clean Up. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Bowman motioned, seconded by Kriens to approve the City Employee appreciation breakfast on November 10th, 2019 from 7:00 to 10:00 a.m. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Fire Chief Clinton Merithew gave a report for the Fire Department for July/August/September 2019. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Davis motioned and seconded by Kriens to approve purchasing Wholesale power from NextEra. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None

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Davis motioned, seconded Schuldt to proceed with battery storage if it is \$5.68 per KW per month. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None

Schuldt motioned, seconded by Bowman to approve the Nebraska Criminal Justice information system (NCJIS) MOU with the Police Department. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Davis motioned, seconded by Sanders at 5:40 p.m. to go into closed session to discuss Potential Litigation and staff salaries and jobs. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Bousquet motioned, seconded by Gunsolley at 6:54 p.m. to come out of closed session. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

The City Attorney read the following Ordinance:

ORDINANCE 2019-21

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

Sanders motioned that the statutory rule requiring reading on three different days be suspended. Davis seconded the motioned to suspend the rules. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Ordinance 2019-21 was then read by title and thereafter Bowman moved for the final passage of the Ordinance with a 3% salary increase, motion was seconded by Sanders. The Mayor then stated the question was "Shall Ordinance No. 2019-21 be passed and adopted?" Upon roll call vote, the following voted Aye: Bowman, Bousquet, Schuldt, Gunsolley, Kriens, Sanders. Voting No: Davis.

The City Attorney read the following Ordinance:

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.

Davis motioned that the statutory rule requiring reading on three different days be suspended. Schuldt seconded the motioned to suspend the rules. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.

Ordinance 2019-20 was then read by title and thereafter Sanders moved for the final passage of the Ordinance for 3% increase and \$4,000,000 additional compensation for 2019-20 fiscal year, motion was seconded by Schuldt. The Mayor then stated the question was "Shall Ordinance No. 2019-20 be passed and adopted?" Upon roll call vote, the following voted Aye: Bowman, Bousquet, Schuldt, Gunsolley, Kriens, Sanders. Voting No: Davis.

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There being no further business to discuss, at 7:05 p.m., Davis moved, seconded by Kriens, to adjourn. Voting Aye: Bowman, Bousquet, Schuldt, Davis, Gunsolley, Kriens, Sanders. Voting No: None.