

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
November 11th, 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 11th day of November, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members Jose "Lupe" Gonzalez, Jason Bowman, Dan Bousquet, Jim Gunsolley, Jasper Kriens, Bruce Davis, Carol Schuldt and John Sanders. Absent: None. 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 Bousquet, to approve the following Consent Agenda: Minutes of the 10.28.19 Council meeting, 11.04.19 Public Works meeting and the 11.06.19 Finance meeting, Claims list, 11.11.2019. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Lance Swanson from South Sioux City School brought students to talk about the National Honor Society and Educators Rising projects. Senior Candice Voss and Junior Claudia Perez stated that this is their third year of hosting the Vendor Fair, this year they had over 70 vendors, a kid's carnival and a place where people could drop off their kids and the students would watch them. All proceeds from this event are split in half between National Honor Society and Educators Rising. National Honor Society will be using all their proceeds to the backpack program and Educators Rising is using their proceeds to help send the students to State and Nationals for competition. Congratulations to both groups and thanks for all you do.

The City Council presented the ***Volunteer of the Month***, Tony Gomez with a plaque and their appreciation for all he does for the area. Mr. Gomez is retiring from all the committees he is on. Thanks Tony!

Davis motioned, seconded by Schuldt to approve the Proclamation Proclaiming November 18-22 as National Hunger and Homelessness Awareness Week in South Sioux City, Nebraska. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Davis motioned, seconded by Schuldt to approve the Siouxland Freedom Park Proclamation. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

At 5:14 p.m., Mayor Rod Koch opened the ***Public Hearing*** regarding the Resolution 2019-176 and O'Dell Subdivision Addition located in the 400 block of Dixon Path. 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. Mayor closed the hearing at 5:14 p.m.

Bowman introduced the following RESOLUTION and motioned for its approval.

**RESOLUTION 2019-176
RESOLUTION ADOPTING THE PRELIMINARY PLAT
AND FINAL PLAT FOR LOTS 1-4, O'DELL ADDITION SUBDIVISION**

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

At 5:16 p.m., Mayor Rod Koch opened the ***Public Hearing*** regarding the Master/Webber Conditional Use Permit Request. 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. Mayor closed the hearing at 5:16 p.m.

Davis motioned, seconded by Bowman to accept the Master/Webber Conditional Use Permit. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

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Davis motioned, seconded by Gonzalez to postpone RESOLUTION 2019-177 to next Council meeting. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

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

Bowman introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-178
RESOLUTION AWARDED BID FOR TREE FARM GRADING PROJECT
*Steve Harris Construction in the amount of \$41,685.04.***

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

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-179
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR THE WATER STORAGE; PROJECT #017-0781
*Olsson Associates – Invoice # 342754 - \$6,300.00***

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

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-180
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR THE RICHARDSON DRAINAGE; PROJECT
#019-0055**

Olsson Associates – Invoice # 342719 - \$2341.80

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

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2019-181
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR THE TREE FARM PARK GRADING PLAN;
PROJECT NO. 019-2192**

Olsson Associates – invoice # 342721 - \$4,000.00

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

The City Attorney read the following Ordinance:

**ORDINANCE 2019-22.
Creating Sanitary Sewer Extension District 2019-1**

Hovey project.

Davis motioned, seconded by Gunsolley to approve the second reading of Ordinance 2019-22. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

The City Attorney read the following Ordinance:

**ORDINANCE 2019-23.
Creating Water Extension District 2019-1.**

Hovey Project.

Davis motioned, seconded by Kriens to approve the second reading of Ordinance 2019-23. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

The City Attorney read the following Ordinance:

**ORDINANCE 2019-24
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**

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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, seconded by Kriens to approve the second reading of Ordinance 2019-24. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

A citizen sent in a concern about the traffic situation on La Juanita on East 21st Street. Police Chief Ed Mahon stated that they have been working to get some of the traffic off the street when using the drive up window, Officers will continue to monitor the situation.

Bowman moved, seconded by Bousquet to accept the Change Order no. 11 for the 2018 South Sioux City Cogen project. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Bowman moved, seconded by Schuldt to approve Olsson Letter Agreement Amendment # 2 for 2.5 million gallon elevated water storage tank. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Bousquet motioned, seconded by Schuldt to approve the BPI Lift Station Final Plans and Specifications; authorization to submit to NDEE and authorization to bid. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Davis motioned, seconded by Schuldt to approve the mural previously done by Service Superstar. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Bowman moved, seconded by Bousquet to approve the Special Designated Liquor License for Buzzsaw Inc., for the Christmas Party event at the Riverview Surgical Center. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Davis motioned, seconded by Schuldt to Flatwater 1.5 acres for clubhouse and pool with the following conditions: appraisal needed, survey needed, layout of the building and how it will sit on the property, indication where they are going to make the turning radius large enough for emergency vehicles and indication of the turning radius on the other end. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Davis motioned, seconded by Bowman to approve Connecting School Trail of up to 20% but not to exceed \$80,000. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Schuldt motioned, seconded by Gunsolley to approve the StarCom Budget for 07.01.2020 to 06.30.2021. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Bowman motioned, seconded by Bousquet to postpone COGEN Natural Gas Plant Agreement until next Council meeting. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Kriens motioned, seconded by Sanders to approve the 2020 Crystal Cove Lake Treatment contract. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Davis motioned, seconded by Gunsolley to approve the Indoor Tennis Facility Lease Agreement. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

Davis motioned, seconded by Gunsolley at 5:50 p.m. to go into closed sessions for personnel matters and potential litigation. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

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Kriens motioned, seconded by Gonzalez at 7:22 pm to come out of closed session.
Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens.
Voting No: None.

Davis motioned, Kriens seconded by to approve employee separation agreement.
Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens.
Voting No: None.

Davis motioned, Kriens seconded "to authorize mayor to make recommendation for employee discipline". Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

There being no further business to discuss, at 7:35 p.m., Davis moved, seconded by Schuldt to adjourn the meeting. Voting Yes: Gunsolley, Sanders, Davis, Bousquet, Gonzalez, Bowman, Schuldt and Kriens. Voting No: None.

MAYOR

ATTEST:

CITY CLERK

(S E A L)

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