

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
December 23rd, 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 9th day of December, 2019, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members Jason Bowman, Dan Bousquet, Bruce Davis, John Sanders, Jim Gunsolley and Jasper Kriens and Carol Schuldt. Absent: Lupe Gonzalez. 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. It is strictly voluntary to complete the sign-in sheet.

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

Davis moved, seconded by Kriens, to approve the Consent Agenda consisting of: Council Minutes – 12/9/19; Public Works Minutes – 12/16/19; Finance Minutes 12/18;19; Treasurer’s Report ending 11/20/19; accept Richard Poulson’s resignation as the resident board member on the Housing Agency and Rick Robinette’s resignation from the Community Development Agency; annual joint meeting to be held on Feb. 3, 2020 t Knights of Columbus and Governors Day on Feb. 13, 2020; and Presentation of Claims. Voting Aye: Bowman, Bousquet, Davis, Sanders, Gunsolley, Kriens, Schuldt. Voting No: None.

Mayor Koch, introduced the new Library Director, Cicely Douglas to the council and welcomed her to the city.

At 5:07 p.m., Mayor Koch declared the PUBLIC HEARING open regarding construction a new wastewater treatment facility to serve the community. The proposed project will be funded by the Nebraska Department of Environment and Energy State Revolving Loan Fund with application submitted to the Nebraska Department of Economic Development, and the U.S. Department of Commerce – Economic Development Administration. Pursuant to the National Environmental Policy Act of 1969, as amended, South Sioux City and its Engineering Firm is conducting an environmental assessment (EA) of the proposed project. There was no one present requesting special services or to speak in favor of or in opposition to the proposed project. At 5:10 p.m., Mayor Koch declared the hearing closed. Davis moved, seconded by Bousquet, to submit. Voting Aye: Davis, Bousquet, Sanders, Bowman, Gunsolley, Schuldt, Kriens. Voting No: None.

Nanci Walsh, City Finance Officer, presented the GFOA Certificate of Achievement for Excellence in Financial Reporting to the mayor and council. This is the highest form of recognition in governmental accounting and financial reporting and its attainment represents a significant accomplishment by a government and its management. Information only. No action taken.

Olsson and JEO Consulting Group engineers were present to give updates on the various projects in the city. Information only. No action taken.

Bousquet introduced the following Resolution and motioned for approval:

**RESOLUTION 2019-191
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR THE CITY OF SOUTH SIOUX CITY NATURAL GAS
ELECTRICAL GENERATION FACILITY; PROJECT #R170181.00**

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JEO Consulting Group, \$37,658.18.

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

Davis introduced the following Resolution and motioned for approval:

RESOLUTION 2019-192.

**RESOLUTION AUTHORIZING PAYMENT FOR FEASIBILITY STUDY
FOR WASTEWATER TREATMENT; PROJECT #10143256.**

HDR Engineering, \$5934.64.

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

The City Attorney read the following Ordinance:

ORDINANCE 2019-28

**AN ORDINANCE AUTHORIZING AND DIRECTING THE SALE OF REAL
ESTATE OWNED BY CITY OF SOUTH SIOUX CITY, NEBRASKA;
PROVIDING FOR THE PUBLICATION OF NOTICE OF SUCH SALE;
REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN
CONFLICT HEREWITH; AND PROVIDING A TIME WHEN THIS
ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.**

***Lounsbury purchase 2017 5th Avenue to build a 40' x 50' garage. Property is
legally described as: The West 90 Feet of Lot 4, Block 13, Original Plat of
South Sioux City, Dakota County, Nebraska***

Davis introduced Ordinance 2019-28 on its first reading and moved that the statutory rule requiring reading on three different days be suspended. Motion seconded by Bowman to suspend the rules. Voting Aye: Bowman, Davis, Schuldt, Kriens, Bousquet, Gunsolley, Sanders. Voting No: None.

Davis motioned for final passage of Ordinance 2019-28. Motion seconded by Bowman. Voting aye: Davis, Schuldt, Kriens, Bousquet, Gunsolley, Sanders, Bowman. Voting No: None.

Bowman introduced the following Resolution and motioned for approval:

RESOLUTION 2019-193.

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING
SERVICES FOR EAST 17TH STREET WETLAND MITIGATION SITE
MONITORING; PROJECT #R161967.00. *JEO Consulting Group, \$2,022.75.***

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

Gunsolley introduced the following Resolution and motioned for approval:

RESOLUTION 2019-194.

**RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL
SERVICES FOR CITY OF SOUTH SIOUX CITY TREE FARM PARK
GRADING PLAN; PROJECT #019-2192. *Olsson, \$2,500.00.***

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

Bousquet introduced the following Resolution and motioned for approval:

RESOLUTION 2019-195

**RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL
SERVICES FOR CITY OF SOUTH SIOUX CITY DAKOTA AVENUE
RICHARDSON DRAINAGE; PROJECT #019-0055. *Olsson, \$420.82.***

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

Gunsolley introduced the following Resolution and motioned for approval:

RESOLUTION 2019-196.

**RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL
SERVICES FOR CITY OF SOUTH SIOUX CITY WATER STORAGE;
PROJECT #017-0781. *Olsson, \$3,500.00.***

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

At 5:38 p.m., Mayor Koch declared the **Public Hearing** open considering annexing a certain property owned by Richard D. Bowman and legally described as follows: Tract beginning at the NE corner of Gov't Lot 1 TH S116' W 133' E135.80' to place of beginning 20-29-9 .36 Acre. No one was present requesting special services or to speak in favor of or in opposition to the proposed annexation. At 5:40 p.m., Mayor Koch declared the hearing closed.

The City Attorney read the following Ordinance:

ORDINANCE 2019-26

AN ORDINANCE OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, ANNEXING THE PROPERTY DESCRIBED AS: TRACT BEGINNING AT NE CORNER OF GOV'T LOT 1 TH S116' W133' N116' E135.80' TO PLACE OF BEGINNING 20-29-9 .36 ACRE; EXTENDING THE CORPORATE LIMITS TO INCLUDE SAID REAL ESTATE, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECT DATE. *Richard Bowman Annexation. Tract beginning at NE corner of Gov't Lot 1 TH S116' W133' N116' E135.80' to place of beginning 20-29-9 .36 Acre.*

Davis introduced Ordinance 2019-26 and motioned for approval on first reading only. Schuldt seconded the motion. Voting Aye: Sanders, Bousquet, Gunsolley, Schuldt, Davis, Kriens. Voting No: None: Abstaining: Bowman.

The City Attorney read the following Ordinance:

ORDINANCE 2019-25

AN ORDINANCE OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, ANNEXING BY VOLUNTARY PETITION THE PROPERTY DESCRIBED AS: SOUTH 221' OF S1/2 E1/2 SE1/4 SE1/4 SE1/4 17-29-9 .83 ACRE MORE OR LESS; EXTENDING THE CORPORATE LIMITS TO INCLUDE SAID REAL ESTATE, PROVIDING FOR REPEAL OF ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECT DATE. *RONALD AND JANE CLEVELAND'S VOLUNTARY ANNEXATION PETITION. South 221' of S1/2 E1/2 SE1/4 SE1/4 SE1/4 17-29-9 .83 Acre more or less.*

Bowman moved, seconded by Bousquet to approve the seconded reading of Ordinance 2019-26. Voting Aye: Kriens, Sanders, Bousquet, Bowman, Gunsolley, Schuldt, Davis. Voting No: None.

Davis moved, seconded by Sanders, to approve the Nebraska Human Trafficking Taskforce Memorandum of Understanding. Voting Aye: Sanders, Bousquet, Bowman, Gunsolley, Schuldt, Davis, Kriens. Voting No: None.

Gunsolley moved, seconded by Schuldt, to approve the annual renewal of VAWA Grant for Domestic Violence/Sexual Assault Resource Officer (DVSARO). Voting Aye: Bousquet, Bowman, Gunsolley, Schuldt, Davis, Kriens, Sanders. Voting No: None.

Davis moved, seconded by Schuldt, to approve the Retirement Plan Consulting Services Agreement subject to city attorney's review. Voting Aye: Bowman, Gunsolley, Schuldt, Davis, Kriens, Sanders, Bousquet. Voting No: None.

Bowman moved, seconded by Schuldt, to approve the request to allow a private sign for Tan Terra Mobile Home Park to be placed in G Street right-of-way adjacent to their property. Voting Aye: Gunsolley, Schuldt, Davis, Kriens, Sanders, Bousquet, Bowman. Voting No: None.

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Davis moved, seconded by Sanders, to postpone the quiet zone item and place it on both the Public Works and Finance Agendas for discussion and to bring it back the first meeting in January. Voting Aye: Schuldt, Davis, Kriens, Sanders, Bousquet, Bowman, Gunsolley. Voting No: None.

Bowman moved, seconded by Bousquet, to approve the quote from General Traffic Controls in the amount of \$16,903.00 for the Dakota Avenue traffic signal upgrade project. Voting Aye: Davis, Kriens, Sanders, Bousquet, Bowman, Gunsolley, Schuldt. Voting No: None.

Davis moved, seconded by Schuldt, to authorize submittal of a request to Nebraska Emergency Management Agency to see if they would help fund a flood wall along the campground where the campers are. Voting Aye: Kriens, Bousquet, Bowman, Gunsolley, Schuldt, Davis. Voting No: Sanders.

Davis moved, seconded by Kriens, to approve the Hydro-Stop quote on valve insertion with funds coming out Capital items from the Water Department. Voting Aye: Bousquet, Bowman, Gunsolley, Schuldt, Davis, Kriens, Sanders. Voting No: None.

Davis moved, seconded by Kriens, to approve placing a Choose Kindness rock to be placed in the cul de sac in city's right of way. Voting Aye: Gunsolley, Schuldt, Davis, Kriens, Sanders, Bousquet. Voting No: None. Abstaining: Bowman.

Davis moved, seconded by Bowman, to postpone the library employment contract until the city attorney has reviewed and approved. Voting Aye: Schuldt, Davis, Kriens, Sanders, Bousquet, Bowman, Gunsolley. Voting No: None.

NPPD power pole rate to their customers on their poles was information only. No action was taken.

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

There being no further business to discuss, at 5:48 p.m., Davis moved, seconded by Bousquet, to adjourn the meeting. Voting Aye: Davis, Kriens, Sanders, Bousquet, Bowman, Gunsolley, Schuldt. 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