

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**TUESDAY, May 26<sup>th</sup>, 2020**

1

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 and via telephone conference on the 11th day of May 2020, at 5:00 P.M. Physically present in the Council Chambers were: Council Members: Bruce Davis. Present via telephone conferencing were: Mayor Rod Koch and Council Members Jason Bowman, John Sanders, Jim Gunsolley, Jasper Kriens, Dan Bousquet and Carol Schuldt. Absent: Jose “Lupe” Gonzalez. The meeting was broadcast live on the City’s website [www.southsiouxcity.org](http://www.southsiouxcity.org) and live on Sparklight/Cable One Channel 57 and Long Lines Channel 3. Public was invited to attend the telephone conferencing call by dialing 1-888-305-5155 and when prompted by the service, entering conference ID# 44546. Media in attendance: Channel 9 News and Dakota County Star via teleconference. 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 all citizens in attendance. A sign-in sheet is available at the entrance to the Council Chambers and it strictly voluntary to complete the sign-in sheet.

The agenda of all meetings is kept continuously current and available for public inspection at City Hall during normal business hours (NE 84-1411). The City of South Sioux City reserves the right to adjust the order of items on this agenda if necessary and may elect to take action on or go into closed session on any of the items listed (NE 84-1410).

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

Gunsolley moved, second Sanders, to approve the following **Consent Agenda**: Minutes of the 5/11/20 Council meeting; 5/13/20 and 5/20/20 Finance meeting minutes; Public Works minutes of 5/18/20; 2020 Electrician Licenses; Treasurer’s Report Ending 4/30/19; and Presentation of Claims. Voting Aye: Gunsolley, Sanders, Bousquet, Bowman, Kriens, Davis, Schuldt. Voting No: None.

Councilman Davis presented the Community Pride Award to Jason Garnand. Thank you Jason for all you do to make South Sioux City a better place to live.

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**

2

Rhonda Robson, Chief Executive Officer of the Norm Waite Sr. YMCA was on the telephone conference to give an update on the status of the YMCA. Information only. No action taken.

Police Chief Ed Mahon gave an update on the Corona Virus. Information only. No action taken.

JEO Consulting Group and Olsson engineers were on hand to give an update on the various projects in the city and to answer any questions. Information only. No action taken.

Bousquet moved, seconded by Gunsolley, to approve the following Resolution:

**RESOLUTION 2020-79.**

**A RESOLUTION CALLING FOR PAYMENT AND REDEMPTION  
COMBINED ELECTRIC, WATER AND SEWER REVENUE AND  
REFUNDING BONDS, SERIES 2011A, OF THE CITY OF SOUTH SIOUX  
CITY, NEBRASKA.**

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

Davis motioned, seconded by Gunsolley that the statutory rule requiring reading on three different days be suspended on Ordinance 2020-05. Voting Aye: Bousquet, Bowman, Schuldt, Kriens, Gunsolley, Sanders, Davis. Voting No: None.

Davis motioned, seconded by Kriens, for final passage of Ordinance 2020-05. Voting Aye: Schuldt, Kriens, Gunsolley, Sanders, Davis, Bousquet, Bowman. Voting No: None.

**ORDINANCE 2020-05.**

**AN ORDINANCE AUTHORIZING THE ISSUANCE OF COMBINED ELECTRIC, WATER AND SEWER REVENUE REFUNDING BONDS, 2020D SERIES, OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, OF THE PRINCIPAL AMOUNT OF FOUR MILLION SIX HUNDRED TWENTY THOUSAND DOLLARS (\$4,620,000); FOR THE PURPOSE OF PAYING CERTAIN OUTSTANDING INDEBTEDNESS OF THE CITY; PRESCRIBING THE FORM OF SAID BONDS; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE ELECTRIC, WATER AND SEWER SYSTEMS OWNED BY THE CITY FOR THE PAYMENT OF SAID BONDS; ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID BONDS; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING A BOND PURCHASE AGREEMENT AND THE DELIVERY OF THE BONDS TO THE PURCHASER; PROVIDING FOR THE DISPOSITION OF THE BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.**

Davis moved, seconded by Sanders, to approve the following Resolution:

**RESOLUTION 2020-80.**

**RESOLUTION FOR PARTICIPATION IN  
PAPIO-MISSOURI RIVER NRD MULTI-HAZARD MITIGATION PLAN**

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**

3

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

Kriens moved, seconded by Sanders, to approve the following Resolution:

**RESOLUTION 2020-81.**

**RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL SERVICES FOR THE HOVEY DEVELOPMENT; PROJECT NO. 019-3057**

*Olsson; \$5,524.72.*

Voting Aye: Sanders, Kriens, Davis, Schuldt, Bowman Bousquet, Gunsolley. Voting No: one

Schuldt moved, seconded by Gunsolley, to approve the following Resolution:

**RESOLUTION 2020-82.**

**RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL SERVICES FOR THE RAILROAD QUIET ZONE PHASE 2; PROJECT NO. 020-1099. *Olsson; \$6,150.00.***

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

Bousquet moved, seconded by Schuldt, to approve the following Resolution:

**RESOLUTION 2020-83.**

**RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL SERVICES FOR THE 29<sup>TH</sup> STREET DRAINAGEWAY PEDESTRIAN BRIDGE; PROJECT NO. 020-0965. *Olsson; \$23,050.00.***

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

Motion by Bowman, second by Bousquet, to approve the following Resolution:

**RESOLUTION 2020-84**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE WATER STORAGE; PROJECT NO. 017-0781. *Olsson; \$4,652.29.***

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

Schuldt moved, seconded by Gunsolley, to approve the Olsson Statement of Completion for work done by Steve Harris Construction on the tree farm grading project.

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

Motion by Davis, second by Gunsolley, to approve the following Resolution:

**RESOLUTION 2020-85.**

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**

4

**RESOLUTION AUTHORIZING CERTIFICATE OF PAYMENT NO. 2  
(FINAL) FOR PROFESSIONAL SERVICES FOR TREE FARM GRADING;  
PROJECT NO. 019-2192. *Steve Harris Construction, Inc.*; \$13,093.50.**

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

Motion by Kriens moved, second by Bousquet to approve the following Resolution.

**RESOLUTION 2020-86.**

**RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL  
SERVICES FOR THE SOUTH SIOUX CITY DAKOTA AVENUE  
RICHARDSON DRAINAGE; PROJECT NO. 019-0055. *Olsson*; \$494.63.**

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

Motion by Davis, second by Schuldt, to approve the following Resolution:

**RESOLUTION 2020-87.**

**RESOLUTION REGARDING USE OF MUNICIPAL PROPERTY FOR  
ORGANIZED BASEBALL AND SOFTBALL AND RISK OF EXPOSURE  
TO COVID-19.**

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

Motion by Davis, seconded by Schuldt, to approve the following Resolution:

**RESOLUTION 2020-88**

**RESOLUTION AWARDING BID FOR ASPHALT PROJECTS**

***Barkley Asphalt - \$119,407.00.***

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

Motion by Kriens moved, second by Sanders to approve the following Resolution:

**RESOLUTION 2020-89**

**RESOLUTION AWARDING BID FOR ASPHALT PROJECTS**

***Municipal Pipe Services - \$34,007.99***

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

Motion by Bousquet, second by Schuldt, to approve the following Resolution:

**RESOLUTION 2020-90.**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES  
FOR THE 2019 ARBOR LIFT STATION IMPROVEMENTS; PROJECT NO.  
R191165.00. *JEO Consulting Group*; \$3,797.50.**

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

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**

5

Motion by Schuldt, second by Bowman, to approve the following Resolution.

**RESOLUTION 2020-91.**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE 2019 BPI LIFT STATION IMPROVEMENTS; PROJECT NO. R191164.00. JEO Consulting Group; \$1,250.00.**

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

Motion by Schuldt, second by Sanders, to approve the following Resolution:

**RESOLUTION 2020-92**

**RESOLUTION AMENDING COMMERCIAL AND INDUSTRIAL SEWAGE RATES**

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

Motion by Bousquet, second by Davis, to approve the following Resolution:

**RESOLUTION 2020-93.**

**RESOLUTION ESTABLISHING RATES AND SERVICE CHARGES FOR WATER SERVICE.**

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

Motion by Davis, second by Bowman, to approve the following Resolution:

**RESOLUTION 2020-94**

**RESOLUTION AWARDING BID FOR FEDERAL MANAGEMENT EMERGENCY AGENCY (FEMA) FLOOD PROJECTS.**

***Subject to FEMA approval.***

- ***Scenic Park Flood Stabilization/Consolidated Park Damage Repairs.*** \$289,711.00 from Oban Construction Inc.
- ***Campground.*** \$76,096.17 from Oban Construction Inc.
- ***Outfalls/Culvert Repairs*** \$247,696.00 from HCI Construction.

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

Bousquet motioned, seconded by Bowman, to approve the final reading and passage of the following Ordinance:

**ORDINANCE 2020-04**

**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.**

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**

6

**Legally described as: *Lots 8, 9, 10, Block 53 Joy Place Addition, South Sioux City, Dakota County, Nebraska, (Parcel ID# 220041105)*  
*Commonly known as 905-911 B Street, South Sioux City, Nebraska.*  
**Sale of City Property/Cardinal Capital, Inc.****

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

Schuldt moved, seconded by Gunsolley to approve the Westside Drainage & 3rd Street Pump Station HMGP Agreement Amendment. JEO Consulting Group's agreement amendment to do the work needed to provide the information for NEMA/FEMA on this project. This is an hourly not-to-exceed amendment for \$25,000. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Bowman, Schuldt, Kriens. Voting No: None.

Motion by Davis, second by Gunsolley, to approve the conceptual cost opinion of constructing a new trail starting at Foundry Road and ending at 39<sup>th</sup> and G St. This follows the Mid-American gas easement and then turns to City/County ROW at the Bennett LS. Voting Aye: Sanders, Davis, Bousquet, Bowman, Schuldt, Kriens, Gunsolley. Voting No: None.

Kriens moved, seconded by Gunsolley, to approve the agreement between the City and Leo A. Daly for the 25<sup>th</sup> Street paving project along the north side of the Tree Farm Park. Voting Aye: Davis, Bousquet, Bowman, Schuldt, Kriens, Gunsolley, Sanders. Voting No: None.

Gunsolley moved, seconded by Schuldt, to approve Dakota County Fair Parade on July 30, 2020, subject to providing liability insurance and following the Covid 19 guidelines. Voting Aye: Bousquet, Bowman, Schuldt, Kriens, Gunsolley, Sanders, Davis. Voting No: None.

Schuldt moved, seconded by Gunsolley, to approve the NextEra/South Sioux City - Energy Storage Agreement. This is for battery storage. Voting Aye: Schuldt, Gunsolley, Sanders, Davis, Bousquet, Bowman, Kriens. Voting No: None.

Davis moved, seconded by Gunsolley to postpone the Fire Captain's salary adjustment to make sure everything is clear with the firemen. Voting Aye: Bowman, Schuldt, Kriens, Gunsolley, Sanders, Davis, Bousquet. Voting No: None.

At 6:03 p.m., Councilman Davis left the meeting and will not be counted in the voting hereafter.

Gene Maffit, Parks and Recreation Director, recited a biography on Pete Baumer.

At 6:05 p.m., Councilman Davis returned to the meeting during Baumer's biography and will be counted in the voting hereafter.

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**

7

Schuldt moved, seconded by Sanders, to approve naming the new park where the old tree farm used to be, "Pete Baumer Park". The tree farm is located behind the house at 2500 G Street and the new park will be dedicated when the street is completed. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Bowman, Kriens. Voting No: None. Schuldt did not respond to the roll call.

Davis moved, seconded by Sanders, to approve staff's recommendation of having the same realtor used for Community Development Agency property for city property. Voting Aye: Sanders, Davis, Bousquet, Kriens, Gunsolley. Voting No: None. Bowman and Schuldt did not respond to the roll call.

There was nothing to discuss regarding potential pending litigation item.

There being no further business to discuss, at 6:11 p.m. Davis moved, seconded by Kriens, to adjourn the meeting. Voting Aye: Davis, Bousquet, Bowman, Kriens, Gunsolley, Sanders. Voting No: None. Schuldt did not respond to the roll call.

\_\_\_\_\_  
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.

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CITY CLERK

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**



**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES  
TUESDAY, May 26<sup>th</sup>, 2020**