

**CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES**

July 13th, 2020

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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 13th day of July 2020, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Bruce Davis, Jasper Kriens, Jason Bowman, Jim Gunsolley, Carol Schuldt, Dan Bousquet, John Sanders. (Jason Bowman arrived at 5:10 p.m.) Absent: Jose "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 all citizens in attendance. A sign-in sheet is available at the entrance to the Council Chambers and it is 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 by Bousquet, to excuse the absence of Councilman Gonzalez. Voting Aye: Davis, Bousquet, Schuldt, Kriens, Gunsolley, Sanders. Voting No: None.

Davis moved, seconded by Kriens, to approve the following **Consent Agenda** consisting of: June 22, 2020 Council Minutes, July 6, 2020 Public Works Minutes, July 8, 2020 Finance Minutes and the Claims list. Voting Aye: Bousquet, Schuldt, Kriens, Gunsolley, Sanders, Davis. Voting No: None.

Police Chief Ed Mahon presented Lt. Chris Chernock with his service revolver during his retirement ceremony. Lt. Chernock has been a police officer for the City of South Sioux City for 40 years and 5 months! Congratulations Chris on your retirement and we all wish you the best of luck!

Police Chief Mahon was on hand to introduce and present the badges for the promotions and the new hire for the following: Sergeant. Steve Heide - promoted to Lieutenant; Master Patrolman Shawn Jensen - promoted to Sergeant. The new hire is Joshua Fischer who comes to us from Wayne, NE.

At 5:10 p.m., Councilman Bowman arrived at the meeting and will be counted in the voting hereafter.

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Davis moved, seconded by Kriens, to present Pat Somsy, City Grant Administrator, with a \$2,000 employee bonus for her great work with the grants. Voting Aye: Bowman, Schuldt, Kriens, Gunsolley, Sanders, Davis, Bousquet. Voting No: None.

Bryce Book, Gas Transportation & Special Projects Manager for MidAmerican Energy, was on hand to present the MMT rate updates. Davis moved, seconded by Schuldt, to accept the MMT rate update. Voting Aye: Schuldt, Kriens, Gunsolley, Sanders, Davis, Bousquet, Bowman. Voting No: None.

Cicely Douglas, South Sioux City Library Director, gave an update on the projects happening at the library. Information only. No action taken.

ISO Public Protection Classification Summary Review Action Plan for Improvement. Prepared by Captain Qwinn Wright and Captain Jay Mathis. This document is to serve as an outline for proposed improvements for ISO classification. It is reviewed every 5 years. The City moved from a 5 to 4.

The Ian Hernandez Day Proclamation was presented to his father, Eddie Hernandez. Information only. No action was taken.

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

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

RESOLUTION 2020-107

RESOLUTION TO RATIFY ALL ACTIONS TAKEN DURING MEETINGS HELD ELECTRONICALLY OR TELEPHONICALLY BETWEEN 3/23/2020 AND 6/30/2020 PURSUANT TO GOVERNOR'S EXECUTIVE ORDERS NO. 20-03 AND NO. 20-24

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

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

RESOLUTION 2020-108.

RESOLUTION AUTHORIZING CITY TO APPROVE EDA GRANT AWARD DOCUMENTS FOR THE WASTEWATER TREATMENT PLANT.

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

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

RESOLUTION 2020-109

RESOLUTION AUTHORIZING PAYMENT FOR PROFESSIONAL SERVICES FOR THE 29TH STREET DRAINAGEWAY PEDESTRIAN

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BRIDGE; PROJECT NO. 020-0965. Olsson; \$6,500.00.

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

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

RESOLUTION 2020-110.

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE WATER STORAGE; PROJECT NO. 017-0781. Olsson; \$10,585.73.

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

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

RESOLUTION 2020-111.

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE NATURAL GAS ELECTRICAL GENERATION FACILITY; PROJECT NO. R170181.00. JEO Consulting Group; \$825.00.

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

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

RESOLUTION 2020-112.

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR THE WESTSIDE DRAINAGE IMPROVEMENT; PROJECT NO. R191278.01. JEO Consulting Group; \$12,086.25.

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

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

RESOLUTION 2020-113.

RESOLUTION AUTHORIZING CITY TO APPROVE THE GRANT PRE-APPLICATION AND TO SUBMIT APPLICATION FOR THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OWNER-OCCUPIED REHABILITATION (OOR) PROJECT.

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

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

RESOLUTION 2020-114

RESOLUTION AUTHORIZING CITY TO SUBMIT APPLICATION WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CV – EMERGENT THREAT FOR HAVEN HOUSE FACILITY IMPROVEMENTS TOWARDS ACQUISITION REHABILITATION AND IMPROVEMENTS

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

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

RESOLUTION 2020-115

RESOLUTION AUTHORIZING CERTIFICATE OF PAYMENT NO. 1 FOR PROFESSIONAL SERVICES FOR THE HOVEY DEVELOPMENT; PROJECT NO. 019-3057. *Gill Construction, Inc.; \$308,235.06.*

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

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

RESOLUTION 2020-116.

RESOLUTION AUTHORIZING CITY TO APPROVE FIRST AMENDMENT TO THE SIGNAL AND SURFACE INSTALLATION AGREEMENT WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT) AND BNSF RAILWAY COMPANY. *Connecting Schools Trail.*

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

Council requested to postpone RESOLUTION 2020-117 for the Mixed Use Development Agreement for the RoyDon project.

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

RESOLUTION 2020-118.

RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING AND PROFESSIONAL SERVICES FOR THE WASTEWATER TREATMENT PLANT IMPROVEMENTS PROJECT. *HDR Engineering, Inc.; \$307,789.51.*

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

It was noted that Resolution 2020-19 was skipped.

Matching for the following 4 grants (4n, 4o, 4p, 4q) are 1:1 cost share (volunteer, donated goods, services). Grant applications are due July 31, 2020.

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

RESOLUTION 2020-120

RESOLUTION AUTHORIZING CITY TO MAKE APPLICATION WITH THE NEBRASKA STATEWIDE ARBORETUM ON BEHALF OF PARKS DEPARTMENT FOR BLOOM BOX – NATIVE GARDENING FOR PUBLIC POTS.

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

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

RESOLUTION 2020-121

RESOLUTION AUTHORIZING CITY TO MAKE APPLICATION WITH THE NEBRASKA STATEWIDE ARBORETUM ON BEHALF OF PARKS DEPARTMENT FOR FREE TREES FOR FALL PLANTING.

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

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

RESOLUTION 2020-122

RESOLUTION AUTHORIZING CITY TO MAKE APPLICATION WITH THE NEBRASKA STATEWIDE ARBORETUM ON BEHALF OF PARKS DEPARTMENT FOR TREES FOR NEBRASKA TOWNS AND LANDSCAPE PROJECTS.

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

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

RESOLUTION 2020-123

RESOLUTION AUTHORIZING CITY TO MAKE APPLICATION WITH THE NEBRASKA STATEWIDE ARBORETUM ON BEHALF OF PARKS DEPARTMENT FOR TREES FOR NEBRASKA TOWNS AND LANDSCAPE PROJECTS.

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

The City Attorney read the following Ordinance:

ORDINANCE 2020-06

AN ORDINANCE OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, VACATING THAT PORTION OF THE WEST ½ OF EAST WEST ALLEY BETWEEN LOTS 3 AND 4, BLOCK 31, STANTON ADDITION, SOUTH SIOUX CITY, NEBRASKA; CLOSING SAID VACATED ALLEY TO THE PUBLIC LOCATED IN THE 700 BLOCK BETWEEN EAST 7TH AND EAST 8TH STREETS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PRESCRIBING A TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Luis L. Marquez Alley Vacation Request; legally described as: west ½ of the east/west alley between Lots 3 and 4, Block 31 Stanton Addition.

Kriens moved, seconded by Bowman to approve the second reading of Ordinance 2020-06. Voting Aye: Sanders, Davis, Bousquet, Bowman, Schuldt, Kriens, Gunsolley. Voting No: None.

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Davis moved, seconded by Kriens, to approve the city treasurer's budgeted transfers FY 19-20 request. Voting Aye: Davis, Bousquet, Bowman, Schuldt, Kriens, Gunsolley, Sanders. Voting No: None.

Bowman moved, seconded by Bousquet, to approve the Mainly Marathon permit for run event at Crystal Cove on Sept. 29, 2020. Voting Aye: Bowman, Schuldt, Kriens, Gunsolley, Sanders, Davis, Bousquet. Voting No: None.

Schuldt moved, seconded by Sanders, to authorize the Police Department to enter into an agreement with the Nebraska State Patrol Reference "TraCS's". This is a software that allows PD to send their Electronic Citations to Lincoln. Voting Aye: Bowman, Schuldt, Kriens, Gunsolley, Sanders, Davis, Bousquet. Voting No: None.

Schuldt moved, seconded by Kriens, to approve the non-supplementing Certification Annual Renewal with HIDTA. Voting Aye: Schuldt, Kriens, Gunsolley, Sanders, Davis, Bousquet, Bowman. Voting No: None.

Kriens moved, seconded by Sanders, to authorize staff to sign COPS Grant for an additional officer. Voting Aye: Kriens, Gunsolley, Sanders, Davis, Bousquet, Bowman, Schuldt. Voting No: None.

Bousquet moved, seconded by Schuldt, to approve the Kum & Go LLC Corporate Manager application for Liquor License #D-105594 for Jennifer Miller. Voting Aye: Gunsolley, Sanders, Davis, Bousquet, Bowman Schuldt, Kriens. Voting No: None

There was nothing to discuss regarding potential/pending litigation.

There were no updates by the department heads.

At 6:07 p.m., Kriens moved, seconded Schuldt, to continue the meeting to July 20th, 2020 at 5:00 p.m. to discuss RESOLUTION 2020-117 regarding the Mixed Use Development Agreement for the RoyDon project. Voting Aye: Schuldt, Kriens, Gunsolley Sanders, Davis, Bousquet, Bowman. Voting No: None.

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**CITY OF SOUTH SIOUX CITY
July 13, 2020 CONTINUED COUNCIL MINUTES
@ 5:00 p.m. - July 20th, 2020
South Sioux City Council Chambers
1615 1st Ave., South Sioux City, NE 68776**

At 5:00 p.m., Mayor Koch reconvened the July 13, 2020 meeting of the City Council of the City of South Sioux City, Nebraska, Present were: Mayor Rod Koch and Council Members: Jasper Kriens, Jim Gunsolley, John Sanders, Dan Bousquet, Carol Schuldt. Absent: Jose "Lupe" Gonzalez, Bruce Davis, Jason Bowman. Media in attendance: None.

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 is strictly voluntary to complete the sign-in sheet.

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Kriens moved, seconded by Schuldt, to approve the following Resolution and the Landscaping Plan:

RESOLUTION 2020-117

**RESOLUTION AUTHORIZING CITY TO APPROVE THE MIXED USE
DEVELOPMENT AGREEMENT WITH ROYDON LLC.**

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

There being no further business to discuss, at 5:03 p.m., Bousquet moved, seconded by Kriens, to adjourn the meeting. Voting Aye: Gunsolley, Sanders, Bousquet, Bowman, Schuldt. Voting No: None.

MAYOR

ATTEST:

CITY CLERK

(S E A L)

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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