

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
August 24th, 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 24th day of August 2020, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Jason Bowman, Dan Bousquet, Jasper Kriens, James Gunsolley, Carol Schuldt and John Sanders. Absent: Bruce Davis and Jose 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. 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.

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).

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

Bowman moved, seconded by Gunsolley to approve the following Consent Agenda: Council Minutes 08.10.2020, Finance Minutes 08.19.2020, Resignation from Planning and Zoning, Arlyn Wilson, Tom Gessell and Presentation of Claims. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

Bowman moved, seconded by Schuldt to approve the Conditional Use Permit request from Carlos and Maria DeLeon at 524 West 15th Street, (legally description: Lots 14,15 and 16 Block 7 Martin Addition). Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

At 5:02 p.m., Mayor Rod Koch opened the PUBLIC HEARING regarding Liquor License Application, Class D 123814 (Beer, Wine, Distilled Spirits, Off Sale Only); Jose E. Rodriguez & Alejandro Macias; DBA Old Barrel Grocery & Liquor, 2301 Dakota Ave., South Sioux City, Dakota County, NE 68776. There was no one present requesting special services or to speak in favor of or in opposition to the proposed Liquor License. At 5:03 p.m. Mayor Rod Koch declared to hearing closed.

Bousquet moved, seconded by Sanders to approve the Liquor License Application for Old Barrel & Liquor. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

At 5:04 p.m., Mayor Rod Koch opened the PUBLIC HEARING regarding Grant application to Nebraska Games and Parks, Land and Water Conservation Fund (LWCF) for \$400,000 with matching funds of \$413,835 for project total of \$813,835. Potential matching funds include \$206,918 from Papio Missouri Natural Resource District (NRD), \$5,000 from MidAmerican, \$100,000 fundraising, City cash share of \$101,918. Funds would be used for: (1) Covington Park – playground replacement and walkways to playground and basketball court; (2) Scenic Park - soccer lighting on field 6, transformer, one basketball court and two futsal courts; (3) Baumer Park – one basketball court; and (4) 50 trees distributed in all three parks. There was no one present requesting special services or to speak in favor of or in opposition to the proposed Grant application. Neutral

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position, Assistant City Administrator Oscar Gomez gave some information on funds for grant. At 5:05 p.m. Mayor Rod Koch declared the hearing closed.

Bowman moved, seconded by Bousquet to approve Grant Application to Nebraska Games and Parks, Land and Water Conservation Fund. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

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

RESOLUTION 2020-138
RESOLUTION ON ACQUISITION OR DEVELOPMENT FOR
OUTDOOR RECREATION.

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

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

RESOLUTION 2020-139
RESOLUTION AUTHORIZING PAYMENT FOR
PROFESSIONAL SERVICES FOR THE CDA SIOUXLAND
DRIVE EXTENSION; PROJECT NO. 020-2184

OLSSON ASSOCIATES ----- \$2,978.89 .. (Invoice #364278)

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

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

RESOLUTION 2020-140
RESOLUTION AUTHORIZING PAYMENT FOR
PROFESSIONAL SERVICES FOR THE RAILROAD QUIET
ZONE PHASE 2; PROJECT NO. 020-1099

OLSSON ASSOCIATES - \$600.00 .. (Invoice #364281)

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

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

RESOLUTION 2020-141
RESOLUTION AUTHORIZING PAYMENT FOR
ENGINEERING SERVICES FOR THE WATER STORAGE;
PROJECT NO. 017-0781

OLSSON ASSOCIATES -- \$22,824.22 .. (Invoice #364287)

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

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

RESOLUTION 2020-142
RESOLUTION AUTHORIZING PAYMENT FOR
PROFESSIONAL SERVICES FOR THE 29TH STREET
DRAINAGEWAY PEDESTRIAN BRIDGE; PROJECT NO.
020-0965

OLSSON ASSOCIATES ---- \$5,151.89 ..(Invoice #364282)

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

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

RESOLUTION 2020-143
RESOLUTION AUTHORIZING CITY TO SUBMIT GRANT APPLICATION
WITH THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND
ENERGY FOR 800 64-GALLON RECYCLING CARTS

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

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Bowman motioned, seconded by Kriens to approve the following Resolutions:

RESOLUTION 2020-144

**RESOLUTION AUTHORIZING PAYMENT FOR
PROFESSIONAL SERVICES FOR 2020 COGEN
MAINTENANCE COORDINATION; PROJECT NO.
R200389.00**

JEO CONSULTING GROUP, INC.-- \$4,290.00 .. (Invoice #118747)

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

Kriens motioned, seconded by Sanders to approve the Following Resolution:

RESOLUTION 2020-145

**RESOLUTION AUTHORIZING PAYMENT FOR
PROFESSIONAL SERVICES FOR THE ON-CALL
SERVICES 2019; PROJECT NO. 019-3634**

OLSSON ASSOCIATES ---- \$1,015.00 ..(Invoice #364914)

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

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

RESOLUTION 2020-146

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

OLSSON ASSOCIATES ---- \$1,729.24 .. (Invoice #364916)

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

Kriens motioned, seconded by Bousquet to approve the following Resolution:

RESOLUTION 2020-147

**RESOLUTION AUTHORIZING CITY ANNUAL APPROVAL REGARDING
THE NEBRASKA DEPARTMENT OF ECONOMIC DEVELOPMENT FOR
THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS
FOR ASSURANCES AND CERTIFICATIONS; CITIZEN PARTICIPATION
PLAN; AND RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION
ASSISTANCE PLAN**

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

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

RESOLUTION 2020-148

**RESOLUTION AUTHORIZING CERTIFICATE OF
PAYMENT NO. 1 FOR PROFESSIONAL SERVICES FOR
THE 2.5 MILLION GALLON ELEVATED WATER STORAGE
TANK; PROJECT NO. 017-0781**

approved and payment upon such claim is subject to the installation of the required EDA signage and shall be allowed as follows:

CALDWELL TANKS, INC. ----- \$214,537.50

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

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

RESOLUTION 2020-149

**RESOLUTION AWARDDING BID FOR EAST 25TH STREET
EXTENSION – G STREET TO BAUMER PARK**

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

Kriens motioned, seconded by Bousquet to approve the following Resolution:

RESOLUTION 2020-150

**RESOLUTION AUTHORIZING PAYMENT FOR
PROFESSIONAL AND ENGINEERING SERVICES FOR
THE TREE FARM ROAD FROM G STREET PROJECT**

LEO A DALY ---- \$25,200.00 ..(Invoice #002-10228-000-0000001)

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

Bousquet motioned, seconded by Kriens to approve the following Resolutions:

RESOLUTION 2020-151

**RESOLUTION AUTHORIZING PAYMENT FOR
ENGINEERING AND PROFESSIONAL SERVICES FOR
THE WASTEWATER TREATMENT PLANT
IMPROVEMENTS PROJECT**

HDR ENGINEERING, INC. ----- \$348,501.08 .. (Invoice #1200284745)

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

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

RESOLUTION 2020-152

**RESOLUTION REAFFIRMING RESIDENTIAL
ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN.**

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

Kriens motioned, seconded by Schuldt to approve the following Resolution:

RESOLUTION 2020-153

**RESOLUTION REAFFIRMING POLICY TO IMPLEMENT SECTION 504
OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH
DISABILITIES ACT OF 1990.**

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

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

RESOLUTION 2020-154

**RESOLUTION REAFFIRMING THE PROCEDURES
MANUAL FOR TITLE II OF THE AMERICANS WITH
DISABILITIES ACT.**

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

Kriens motioned, seconded by Schuldt to approve the following Resolutions:

RESOLUTION 2020-155

**RESOLUTION REAFFIRMING POLICY TO PROHIBIT THE USE OF
EXCESSIVE FORCE BY THE SOUTH SIOUX CITY POLICE
DEPARTMENT AGAINST ANY INDIVIDUALS ENGAGED IN NON-
VIOLENT CIVIL RIGHTS DEMONSTRATIONS.**

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

Bousquet motioned, seconded by Kriens to approve the following Resolution:

RESOLUTION 2020-156

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**RESOLUTION REAFFIRMING PROCUREMENT PROCEDURES AND
CODE OF CONDUCT.**

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

Bowman motioned, seconded Schuldt to approve the following Resolution:

RESOLUTION 2020-157

RESOLUTION RE-ADOPTING CITIZEN PARTICIPATION PLAN.

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

Kriens motioned, seconded by Bousquet to approve the following Resolution:

RESOLUTION 2020-158

**RESOLUTION ADOPTING STATEMENT OF ASSURANCES
AND CERTIFICATIONS.**

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

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

RESOLUTION 2020-159

**RESOLUTION AUTHORIZING CERTIFICATE OF
PAYMENT NO. 1 FOR PROFESSIONAL SERVICES FOR
THE 29TH STREET DRAINAGEWAY PEDESTRIAN
BRIDGE; PROJECT NO. 020-0965**

MC WELLS CONTRACTING, LLC ----- \$31,500.00

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

Kriens motioned, seconded by Schuldt to approve the following Resolution:

RESOLUTION 2020-160

**RESOLUTION AUTHORIZING PAYMENT FOR
ENGINEERING SERVICES FOR EAST 17TH STREET
WETLAND MITIGATION SITE MONITORING; PROJECT
NO. R161967.00**

JEO CONSULTING GROUP, INC. ----- \$438.75 ..(Invoice #118632)

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

Ordinance 2020-07. Electrical Wiring

Postpone until next Council meeting.

Bowman motioned, seconded by Schuldt to approve land purchase to Jon
Lounsbury from the City at location of 5th Avenue and 21st Street in the amount of
\$7,700.00. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders.
Voting No: None.

Bousquet motioned, seconded by Gunsolley to approve the following Fund
Raisers:

- 1). Dakota County Leadership** – meat sale on September 12th, 2020. Funds will
be split between the Korean War Memorial and Interpretive Center.
- 2). Dakota County interpretive committee** – rummage sale on September 12th,
2020. Funds to go to interpretive center.
- 3). Movie / Stage Performance**, 3 groups:
 - Iowa State University Extension & Outreach, 4-H fundraiser – Sept. 19th, 2020
 - Sioux City Symphony –Sept. 27th, 2020
 - Support Siouland Soldiers on Sept. 26, 2020

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

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Bowman motioned, seconded by Schuldt to

- 1) approve amendments to the "Articles of Incorporation" and "Bylaws" of the League of Nebraska Municipalities by voting "for" Proposed Actions 1, 2 and 3 on the attached "Regular Member Ballot";
- 2) authorize the Mayor/Village Board Chair to sign the "Regular Member Ballot"; and
- 3) return both pages of the "Regular Member Ballot" to the League by no later than 5 p.m. CT, Oct. 1, 2020.

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

Schuldt motioned, seconded by Bousquet to approve the quote for Uplift Durango Patrol Vehicle from Jones Automotive, Quote # 2037 in the amount of \$14,230.24. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

Kriens motioned, seconded by Bowman to go out for quotes on an Asphalt Roller for Public Works. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

Bowman motioned, seconded by Schuldt to approve Interlocal Inspections Agreement with the Village of Homer, Jackson and Dakota City. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

John Lounsbury informed the Council that he works for a company where works with air quality. Mr. Lounsbury talked about stuff that can go into your air filter. Staff asked for more information.

Being no further business at 5:40 p.m. Bousquet motioned, seconded by Schuldt to adjourn the meeting. Voting Aye: Bowman, Bousquet, Kriens, Gunsolley, Schuldt and Sanders. Voting No: None.

MAYOR

ATTEST:

CITY CLERK

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