

CITY OF SOUTH SIOUX CITY
COUNCIL MINUTES
September 14th, 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 14th day of September 2020, at 5:00 P.M. Present were: Mayor Rod Koch and Council Members: Jason Bowman, Dan Bousquet, Jasper Kriens, Carol Schuldt and John Sanders. Absent: James Gunsolley and Jose Gonzalez. Bruce Davis arrived at 5:32 p.m. and will be counted in the voting then. Media in attendance: KTIV television. 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 James Gunsolley and Jose Gonzalez. Voting Aye: Bowman, Bousquet, Kriens, Schuldt and Sanders. Voting No: None.

Bowman moved, seconded by Bousquet, to approve the following Consent Agenda consisting of the following items: 8/24/20 Council minutes, 9/8/20 Public Works minutes; 9/9/20 Finance minutes and the claims list. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Sanders. Voting No: None.

Bowman moved, seconded by Kriens to postpone the Paramedic Badge Pinning Ceremony for Trent Stork until the next meeting. Voting Aye: Bowman, Bousquet, Kriens, Schuldt, Sanders. Voting No: None.

Ron Raynor, 1846 G St., South Sioux City, NE, would like to do a youth and veteran hunt to help with the over population of geese in the area. Bowman moved, seconded by Kriens, to approve with the condition that he work with police, parks, game warden, and to make the city has no liability and to allow this group to hunt on city property as well as discharge a firearm in the city limits under Section 66-376. He needs written permission under the code to do this. Gene Maffit, Parks Director, stated he would have an issue with safety on a sports complex with people with guns and he didn't think the

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Parks Board would permit it. Maffit requested they move the hunt to Freedom Park rather than soccer fields for safety. Voting Aye: Bousquet, Bowman, Kriens, Sanders. Voting No: Schuldt.

Bousquet moved, seconded by Kriens, to approve the 900 Block Strip Mall project design. Voting Aye: Bousquet, Bowman, Schuldt, Kriens, Sanders. Voting No: None.

At 5:25 p.m., Mayor Koch opened the **PUBLIC HEARING** regarding the One and Six Year Street Improvement plan. The purpose of this hearing is to hear testimony in favor of, opposition to, and to answer questions in relation thereto the proposed one and six year street improvement program for the city of South Sioux City, NE. There was no one present requesting special services or to speak in favor of, opposition to, or to ask questions regarding the proposed one and six year plan. At 5:28, Mayor Koch declared the hearing closed.

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

**RESOLUTION 2020-161
ONE- AND SIX-YEAR PLAN**

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

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

**RESOLUTION 2020-165
SIGNING OF THE MUNICIPAL ANNUAL CERTIFICATION FORM 2020.**

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

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

**RESOLUTION 2020-166
RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING AND
PROFESSIONAL SERVICES FOR THE WASTEWATER TREATMENT
PLANT IMPROVEMENTS PROJECT.**

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

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

**RESOLUTION 2020-167
RESOLUTION AUTHORIZING PAYMENT FOR THE NDED SITE AND
BUILDING DEVELOPMENT FUND (19-01-059) AND NDOT GRANTS
FOR COMPLETION OF RAILROAD SPUR.**

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

At 5:32 p.m. Councilman Davis arrived at the meeting at the meeting and will be counted in the voting hereafter.

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

RESOLUTION 2020-168

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**RESOLUTION AWARDING BIDS FOR PURCHASE OF DUMP TRUCK
WITH SALT SPREADER, SNOW PLOW AND HYDRAULIC SYSTEM.**

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

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

RESOLUTION 2020-169

**RESOLUTION AUTHORIZING CITY TO ADD NEW RADON MITIGATION
INFORMATION AND LANGUAGE AS REQUIRED BY THE NEBRASKA
DEPARTMENT OF ECONOMIC DEVELOPMENT (NDED) FOR THE
OWNER OCCUPIED REHABILITATION (OOR) POLICY GUIDELINES
WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROGRAM.**

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

At 5:35 p.m., Mayor Koch declared the **PUBLIC HEARING** open regarding the FY 20-21 budget. The purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget. Nanci Walsh, City Treasurer, went over the proposed budget. There was no present requesting special services or to speak in favor of, in opposition or in the neutral position of the proposed budget. At 5:39 p.m., Mayor Koch declared the hearing closed.

The City Attorney read the following Ordinance:

ORDINANCE 2020-08

**AN ORDINANCE OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA TO
ADOPT THE BUDGET STATEMENT TO BE TERMED THE ANNUAL
APPROPRIATION BILL; TO APPROPRIATE SUMS FOR NECESSARY
EXPENSES AND LIABILITIES; TO PROVIDE FOR AN EFFECTIVE
DATE.**

Davis introduced Ordinance 2020-08, on its first reading and moved that the statutory rule requiring reading on three different days be suspended. Seconded by Kriens. Voting Aye: Bousquet, Bowman, Sanders, Kriens, Schuldt, Davis. Voting No: None.

Davis motioned for final passage of the Ordinance which motion was seconded by Bousquet. Voting Aye: Bowman, Sanders, Kriens, Schuldt, Davis, Bousquet. Voting No: None.

At 5:42 p.m., Mayor Koch opened the **PUBLIC HEARING** to set final tax request. The purpose is to hear support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request. There was no one present requesting special services or to speak in favor of, opposition, having suggestions or observations, or criticism to the proposed tax request. At 5:45 p.m. the Mayor declared the hearing closed.

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

RESOLUTION 2020-162

RESOLUTION SETTING THE PROPERTY TAX REQUEST.

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

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

RESOLUTION 2020 –163

**RESOLUTION TO APPROVE ADDITIONAL ONE
PERCENT (1%) INCREASE IN RESTRICTED FUNDS.**

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

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

RESOLUTION 2020-164.

RESOLUTION TO CARRY FORWARD UNUSED BUDGET AUTHORITY.

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

The City Attorney requested that ORDINANCE 2020-07 for Electrical Wiring be postponed to the next meeting. Bowman moved, seconded by Bousquet, to postpone this Ordinance. Voting Aye: Davis, Bousquet, Bowman, Sanders, Kriens, Schuldt. Voting No: None.

Kriens moved, seconded by Schuldt, to accept the quote for the asphalt roller from Stan Houston Equipment Company in the amount of \$16,500.00. This was the low bid. Voting Aye: Bousquet, Bowman, Sanders, Kriens, Schuldt, Davis. Voting No: None.

Kriens moved, seconded by Schuldt, to approve the HIDTA DEA Task Force Agreement for investigators assigned to the DEA. Voting Aye: Bowman, Sanders, Kriens, Schuldt, Davis, Bowman. Voting no: None.

Bowman moved, seconded by Kriens, to approve the Nissen Wine, Inc.; Liquor License #Yk74659, Special Designated License request to serve wine at the Craft Fair event to be held at the Delta Conference Center, 385 E. 4th St., South Sioux City, NE 68776 on Nov. 15, 2020 from 9 a.m. to 5 a.m. Voting Aye: Kriens, Schuldt, Bousquet, Bowman, Sanders, Davis. Voting No: None.

Davis moved, seconded by Schuldt, to authorize the Mayor to sign the Notice of Intent to Establish a RR Quiet Zone Under 49 CRF 222.43 Quiet Zone: Union Pacific Railroad – West 39th St., South Sioux City, NE. Voting Aye: Schuldt, Bousquet, Bowman, Sanders, Davis, Kriens. Voting No: None.

There was nothing discussed regarding the Hall of Fame Award at this meeting.

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At 5:55 p.m., Bowman moved, seconded by Davis, to go into closed session to discuss Big Ox pending litigation. Voting Aye: Davis, Bowman, Schuldt, Kriens, Sanders, Bousquet. Voting No: None.

Mayor Koch stated that the council was going into closed session to discuss Big Ox pending litigation.

At 6:12 p.m., Davis moved, seconded by Bowman, to come out of closed session. Voting Aye: Schuldt, Kriens, Sanders, Davis, Bousquet, Bowman. Voting no: None.

There being no further business to discuss, at 6:13 p.m., Davis moved, seconded by Kriens, to adjourn the meeting. Voting Aye: Kriens, Sanders, Davis, Bousquet, Bowman, 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