

**CITY OF SOUTH SIOUX CITY  
COUNCIL MINUTES**

**June 24, 2013**

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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 1<sup>st</sup> Avenue in said City on the 24th day of June 2013, at 5:00 P.M. Present were: Mayor William McLarty and Council Members: Dan Bousquet, Bruce Davis, John Sanders, Dennis Nelson, Oscar Gomez, Jason Bowman, Rod Koch, Stephanie Dahl. Absent: None. Media in attendance: Dakota County Star. Notice of the proceeding was given in advance thereof by advertising in the Dakota County Star 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 McLarty stated that a current copy of the **Open Meetings Act** is posted on the north wall in the rear of the Council Chambers.

Davis moved, seconded by Bousquet, to approve the following **Consent Agenda**. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

- a. MINUTES of COUNCIL MEETING – June 10, 2013.
- b. STANDING COMMITTEES REPORTS
  - i. Public Works Minutes - June 17, 2013.
- c. Treasurer's Report Ending 5/31/13.
- d. Spring 2013 Clean-up Report.
- e. PRESENTATION OF CLAIMS #2013-12.

Tami Bailey, Grant Coordinator, welcomed the Americorps VISTAS and introduced them to the council. They are:

- i. Thomas Krumel Jr. – from Ohio (1/2 time Chamber, ½ time City)
- ii. Madeleine Spencer – from Washington (full time City)
- iii. Philip Sigillito – from St. Louis (full time city)
- iv. Jacquoi (Jay) Chandler – from Florida (full time Chamber)

Ethan Joy, JEO Consulting Group and Chad Kehrt, Olsson Associates, were on hand to report on and answer any questions on the various projects in the city.

Davis moved, seconded by Sanders, the intent to approve the transfer of dealership license of D & R Auto Sales, 1301 Dakota Ave., South Sioux City, NE. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

At 5:09 p.m., Mayor McLarty opened the **Public Hearing** concerning an application to the Dept. of Economic Development for a Community Development Block

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Grant (CDBG) for Owner Occupied Rehabilitation. There was no one present requesting special services or to speak in favor of or in opposition to the proposed application. Tami Bailey, Grant Coordinator, explained the grant application and was available to answer any questions. AT 5:15 p.m., Mayor McLarty declared the hearing closed.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-105  
RESOLUTION APPROVING APPLICATION FOR COMMUNITY  
DEVELOPMENT BLOCK GRANT FOR OWNER OCCUPIED  
REHABILITATION.**

Nelson seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

At 5:17 p.m., Mayor McLarty opened the *Public Hearing* concerning an application to Dept. of Economic Development for a Community Development Block Grant for street and water improvements. Tami Bailey, Grant Coordinator, was present to explain the proposed application and was available to answer any questions. There was no one present to speak in favor or in opposition to the proposed application. At 5:21 p.m., Mayor McLarty declared the hearing closed.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-106  
RESOLUTION APPROVING APPLICATION FOR COMMUNITY  
DEVELOPMENT BLOCK GRANT FOR STREET AND WATER  
IMPROVEMENTS.**

Bowman seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

At 5:22 p.m., Mayor McLarty declared the Public Hearing open in the matter of a Class "D" Liquor License Application #102798 for Hy-Vee Inc. DBA Hy-Vee Gas, 1030 W 25 Street, South Sioux City, Dakota County, NE 68776. There was no one present to speak in favor of or in opposition to the proposed application. At 5:24 p.m., Mayor McLarty declared the hearing closed.

Koch moved, seconded by Bousquet, to approve the Class "D" Liquor License application #102798 for Hy-Vee Inc. DBA Hy-Vee Gas, 1030 W 25 Street, South Sioux City, Dakota County, NE 68776. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Koch moved, seconded by Bousquet, to approve the Corporate Manager application for Class "D" Liquor License #102798, Garrett Carnell, 3108 A Street, South

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Sioux City, NE 68776. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Congratulations to city employees Joe Conley and Bob Livermore for participating and graduation from the Leadership Dakota County 2012-2013 class.

Nelson moved, seconded by Davis, to amend the covenants for H & H Auto Sales new location as to the tree requirement and sale of the real estate in the future. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

City Attorney, Wayne Boyd, stated that there would not be an ordinance providing for the issuance of Combined Utilities Revenue Bond Anticipation Notes, Series 2013, in the amount of \$1,500,000 at this meeting, but rather a Resolution of Intent to Bond for payment of the construction of enlargements and additions to the existing electric and water systems of the City.

Davis introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-107**

**RESOLUTION OF INTENT TO ISSUE COMBINED UTILITY BONDS  
(SERIES 2013).**

Nelson seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Koch introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-108**

**RESOLUTION AUTHORIZING PAYMENT FOR ELECTRIC METERS  
AND NETWORK INFRASTRUCTURE (PHASE 1 - ADDENDUM 2).**

*Pymt. #4 Honeywell Building Solutions; \$245,950.00*

Sanders seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-109**

**RESOLUTION ACCEPTING BID FOR THE RIVERVIEW DRIVE  
WATER MAIN AND STREET EXTENSION (17<sup>TH</sup> STREET TO FOUNDRY  
ROAD) AND WATER SERVICE TO JOHN DOUANGDARA DOG PARK  
PROJECT. *Mark Albenesius, Inc. for Groups A & B; \$391,920.70.***

Dahl seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Davis introduced the following Resolution and motioned for its approval:

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**RESOLUTION 2013-110  
RESOLUTION AUTHORIZING PAYMENT FOR THE REPLICA OF  
THE VIETNAM VETERANS MEMORIAL FOR FREEDOM PARK.**

***Luken Memorials, Inc.; \$300,000.00.***

Bousquet seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Koch introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-111  
RESOLUTION AUTHORIZING PAYMENT FOR SHADE  
STRUCTURE. *Sterling West; \$16,235.00.***

Sanders seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-112  
RESOLUTION AUTHORIZING PAYMENT FOR LABOR AND  
MATERIALS THE RAIN GARDEN. *Executive Lawns; \$8,832.60.***

Gomez seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Bousquet introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-113  
RESOLUTION AUTHORIZING PAYMENT FOR LABOR AND  
MATERIALS FOR A DOG PARK SHELTER AT FREEDOM PARK.  
*WeatherShield Insulators; \$2,500.00.***

Dahl seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Koch introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-114  
RESOLUTION AUTHORIZING PAYMENT FOR LABOR AND  
MATERIALS FOR A CONCRETE PAD FOR THE DOG PARK  
SHELTER AT FREEDOM PARK. *WeatherShield Insulators; \$3,815.00.***

Bowman seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Koch introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-115  
AUTHORIZING PAYMENT FOR LABOR AND MATERIALS THE  
RAIN GARDEN. *Executive Lawns & Pools; \$24,677.20.***

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Bowman seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-116**

**RESOLUTION AUTHORIZING PAYMENT FOR CDBG GRANT #09-DTR-102 FUNDS. *Betty McManaman; \$2,500.00.***

Bousquet seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Nelson, Koch, Bowman. Voting No: Davis.

Koch introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-117**

**RESOLUTION AUTHORIZING FINAL PAYMENT FOR LABOR AND MATERIALS FOR THE RIGHT OF WAY SERVICES PROJECT - CDBG GRANT #09-DTR-102. *Midwest Right of Way Serv. Inc.; \$450.00***

Sanders seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Bowman introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-118**

**RESOLUTION APPROVING AMENDMENT TO THE HOMEBUYER PROGRAM GUIDELINES FOR THE NEW NEIGHBORHOODS INITIATIVE DEVELOPMENT.**

Koch seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Bowman introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-119**

**RESOLUTION AUTHORIZING PAYMENT FOR ENGINEERING SERVICES FOR LIFT STATION REPAIRS 2013.**

***Olsson Associates; \$897.03.***

Davis seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Davis moved, seconded by Bowman, to approve the purchase agreement subject to review and approval of the City Attorney, Wayne Boyd, for land on the north side of W. Colonial Dr. and continuing to 33rd St. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Bowman moved, seconded by Bousquet, to approve the Police Firing Range flood repair quote in the amount of \$3,059.00 from Cardis for a 6 ft. chain link fence.

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Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Bowman moved, seconded by Dahl, to approve the Liaison Officers Agreement between the city and school for 2013/2014 School Year. This is for two Liaison Officers from the Police Dept. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Nelson moved, seconded by Sanders, to authorize going out for bids for the construction of the 2012 Community Development Block Grant 12 PW 005 project. Voting Aye: Dahl, Sanders, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None. Abstaining: Bousquet.

Bousquet moved, seconded by Sanders, to approve Firemen's Dance, Aug. 24, 2013 request is to block off a portion of 1<sup>st</sup> Ave., 15<sup>th</sup>-16th St. from 9 a.m. on Aug. 24 for set-up/dance until approx. 2 a.m./until after clean-up on Aug. 25, 2013. Emergency equipment will be parked in empty lot across from Fire Station during the event for easy access to Dakota Ave. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Davis moved, seconded by Bowman, to approve the sign placement for Firemen's Dance on Aug. 24, 2013 at the Bridge, 15<sup>th</sup> & Dakota, Golf Course, Station 2, 39<sup>th</sup> (Tri-State). Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Koch moved, seconded by Dahl, to approve the Special Designated Liquor License from the Fire Dept. for the for Firemen's Dance on Aug. 24, 2013 from 7 p.m. – 1 a.m.; Fire Station 1, 1501 1<sup>st</sup> Ave., South Sioux City, NE. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Nelson moved, seconded by Dahl, to postpone the BNSF Installation Agreements for G Street, 29<sup>th</sup> Street and C Street until the July 8, 2013 council meeting. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Bowman moved, seconded by Gomez, to proceed with the proposed Starcomm Communications system upgrades. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Davis moved, seconded by Gomez, to approve the Library circulation policy and the Library meeting room policy. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

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Lance Hedquist, City Administrator, attend the Honeywell Conference in Phoenix, AZ and reported on the event. Information only. No action taken.

There was not a recovery update at this meeting.

At 6:29 p.m., Nelson moved, seconded by Bousquet, to go into closed session for proprietary reasons. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Mayor McLarty stated that the council was going into closed session for proprietary reasons.

At 6:49 p.m., Davis moved, seconded by Gomez, to come out of closed session. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-120  
RESOLUTION AUTHORIZING PAYMENT FOR LABOR AND  
MATERIALS FOR WASTEWATER TREATMENT PLANT.**

*Gonzalez Companies, LLC; \$10,836.50.*

Bousquet seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

Nelson introduced the following Resolution and motioned for its approval:

**RESOLUTION 2013-121  
RESOLUTION AUTHORIZING PAYMENT FOR LABOR AND  
MATERIALS FOR WASTEWATER TREATMENT PLANT.**

*Gonzalez Companies, LLC; \$23,494.00.*

Bousquet seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

There being no further business to discuss, at 6:53 p.m., Bowman moved, seconded by Gomez, to adjourn the meeting. Bousquet seconded the motion. Voting Aye: Dahl, Sanders, Bousquet, Gomez, Davis, Nelson, Koch, Bowman. Voting No: None.

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Mayor

ATTEST:

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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