

**CITY OF SOUTH SIOUX CITY**  
**COUNCIL MINUTES**  
**August 12<sup>th</sup>, 2024**

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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 12<sup>th</sup> day of August 2024, at 5:00 P.M.

Present: Mayor Rod Koch and Council Members: Jasper Kriens, James Gunsolley, Dan Bousquet, Carol Schuldt, Rick Bousquet, Ben Schultz and Monty Peters.

Absent: Jason Bowman.

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.

Kriens motioned to excuse Bowman from the meeting. Motion seconded by D. Bousquet. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

Schultz motioned, seconded by Peters to approve the following items on the Consent Agenda:

- MINUTES: Council – July 22<sup>nd</sup>, 2024; Public Works – August 5<sup>th</sup>, 2024; Finance – August 7<sup>th</sup>, 2024
- PRESENTATION OF CLAIMS – August 12<sup>th</sup>, 2024
- Senior Citizen Center drainage – *approval to go out for quotes*
- River Lift Station flow meter replacement *approval of quote from gpm of \$5,481.64*
- Memorandum of Understanding between Siouxland Mental Health Center and South Sioux City Police Department
- Nebraska planning dollar transportation ideas – *to use SIMPCO to do a study*
- Replacement quotes on panic buttons across the City. *Quote amount of \$23,543.42 for four areas in the City.*
- Server quotes *(approval of NetSys+ for \$16,876.00)*
- Renewal of CivicPlus *(archive) - \$7,547.40*
- Trailer quote for Public Works – Street Smart - \$13,150.00
- Library Cleaning Contract – *extension of another 90 days*
- Interlocal Agreement Enhanced (E911)
- Library Foundation Board – *approval of 5 board members for new board*
- Proposed sites for the ImOn Cabinets. *These will not require an Excavation or ROW permit currently as these locations are to enable us to get to Low Level or final design. These cabinets will be placed in the ROW and in the easement when available.*
- Adoption of the 2023 NEC (National Electric Code)
- Request to replace old equestrian and storage buildings with two accessory storage buildings. *Approval of accessory buildings exceeding the size of the residential dwelling in a residential R2b zoning district. Property owned by Lorenzo and Maria De Leon and located on the south side of the fairgrounds at 1557 Stable Drive.*
- INVOICES:
  - Olsson - \$7,843.48; Lead Services Inventory Assistance.
  - Olsson - \$2,005.25; FRA Quiet Zone Support Services.

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- Olsson - \$7,036.50; Empirical Traffic Study.
- JEO – \$2,505.00; Well No. 10 Relining.
- HDR - \$171,110.28; Wastewater Treatment Facility Expansion.
- HDR - \$23,416.39; WWTF Operations Advisory Services.
- I and A Construction - \$25,887.96; Panel replacement.

Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters.  
Voting No: none

Engineers from JEO Consulting Group and Olsson were present to give updates and to answer any question on various projects in the city. No Action taken.

Congratulations to Ric Carney for 41 years of services with the City. Thanks for all you do!

Congratulations to Cardinal Little League for being Nebraska Majors State Champions!

Mayor Rod Koch continued PUBLIC HEARING on Gill Hauling Area Blight Designation, referred to as Gill Hauling 20 Redevelopment Area at 5:02 p.m. Mayor Koch stated that the Council has heard from all sides and Council is ready to make a decision.

D. Bousquet motioned to close the PUBLIC HEARING regarding Gill Hauling 20 Redevelopment Area at 5:03 p.m., motion seconded by Schultz. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

Kriens motioned to reject Gill Hauling Area Blight Designation, referred to as Gill Hauling 20 Redevelopment Area. Motion seconded by Peters. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

No action taken on Gill Hauling Blight Resolution:

RESOLUTION 2024-19

Resolution of the Mayor and City Council of the City of the South Sioux City, Nebraska, designation an area within the extraterritorial jurisdiction of the City as Blighted and Substandard and in need of redevelopment pursuant to the Nebraska Community Development Law

At 5:10 p.m. Mayor Koch opened the PUBLIC HEARING regarding rezoning two parcels of land consisting of approximately 30 acres located northwest of the intersection of Old Highway 20 and Lake Avenue from commercial C4 to residential R2b. Parcels: 220071918 & 220273831. There was no one present requesting special services or to speak in favor of or in opposition to the rezoning. At 5:11 p.m., Mayor Koch declared the hearing closed.

The City Attorney read the following Ordinance

ORDINANCE 2024 – 11

AN ORDINANCE REZONING AN AREA WITHIN THE CITY OF SOUTH SIOUX CITY, NEBRASKA LOCATED WITHIN THE NORTHWEST CORNER OF OLD HWY 20 AND LAKE AVENUE FROM C4 TO R2b

Kriens introduced Ordinance 2024-11 on its first reading and moved that the statutory rule requiring reading on three different days be suspended. Motion seconded by Gunsolley to suspend the rules.

D. Bousquet motioned for final passage of the Ordinance 2024-11 which motion was seconded by Kriens. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

The following PUBLIC HEARINGS are being rescheduled:

PUBLIC HEARING: Redevelopment Plan for the Marina Inn Area Redevelopment Project.

PUBLIC HEARING: Redevelopment Plan for the Gerkin Drainage Redevelopment Project.

PUBLIC HEARING: Redevelopment Plan for the Hans Residential Redevelopment Project.

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R. Bousquet motioned, seconded by Schuldt to approve requesting to apply for a designation for a Creative Arts District from 16<sup>th</sup> street to 29<sup>th</sup> street, along Dakota Ave. *If designated, by the Nebraska Arts Council, this will provide \$10,000 in planning funds and allow future grant funds to be applied for to improve this area. There are no matching funds required.* Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

Schultz motioned to approve applying for grant to install a Library Kiosk in front of City Hall. Motion seconded by Schuldt. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

D. Bousquet motioned to approve the following Resolution. Motion seconded by Gunsolley.

RESOLUTION 2024-23.

REAFFIRMING THE FOLLOWING PROCEDURES AND POLICIES:

- REAFFIRMING RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN.
- REAFFIRMING POLICY TO IMPLEMENT SECTION 504 OF THE REHABILITATION ACT OF 1973 AND THE AMERICANS WITH DISABILITIES ACT OF 1990
- REAFFIRMING THE PROCEDURES MANUAL FOR TITLE II OF THE AMERICANS WITH DISABILITIES ACT.
- 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
- REAFFIRMING PROCUREMENT PROCEDURES AND CODE OF CONDUCT.
- RE-ADOPTING CITIZEN PARTICIPATION PLAN.
- ADOPTING STATEMENTS OF ASSURANCES AND CERTIFICATIONS.

Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

The City Attorney read the following Ordinance

ORDINANCE 2024 – 12

AN ORDINANCE REZONING AN AREA WITHIN THE CITY OF SOUTH SIOUX CITY, NEBRASKA LOCATED WITHIN THE NORTHWEST CORNER OF OLD HWY 20 AND LAKE AVENUE FROM C4 TO R2b

Kriens introduced Ordinance 2024-12 on its first reading and moved that the statutory rule requiring reading on three different days be suspended. Motion seconded by Gunsolley to suspend the rules.

Kriens motioned for final passage of the Ordinance 2024-12 which motion was seconded by Gunsolley. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

The City Attorney read the following Ordinance

ORDINANCE NO. 2024-13

AN ORDINANCE AUTHORIZING THE ISSUANCE OF A COMBINED ELECTRIC, WATER AND SEWER REVENUE BOND, 2024A SERIES, OF THE CITY OF SOUTH SIOUX CITY, NEBRASKA, IN THE PRINCIPAL AMOUNT OF TWENTY-TWO MILLION FIVE HUNDRED THOUSAND DOLLARS (\$22,500,000), IN THE FORM OF A PROMISSORY NOTE ISSUED TO EVIDENCE INDEBTEDNESS TO THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; APPROVING THE FORM OF SAID BOND (ISSUED AS A SINGLE PROMISSORY NOTE) AND RELATED LOAN CONTRACT; PLEDGING AND HYPOTHECATING THE REVENUES AND EARNINGS OF THE ELECTRIC LIGHT AND POWER DISTRIBUTION SYSTEM, THE WATERWORKS PLANT AND WATER SYSTEM AND SANITARY SEWER SYSTEM OWNED OR TO BE OWNED BY THE CITY FOR THE PAYMENT OF SAID BOND; PROVIDING FOR THE ISSUANCE AND SALE OF SAID BOND; AUTHORIZING THE DELIVERY OF SAID BOND TO THE NEBRASKA DEPARTMENT OF ENVIRONMENT AND ENERGY; DETERMINING THAT INTEREST ON SAID BOND SHALL NOT BE EXCLUDABLE FROM GROSS INCOME FOR PURPOSES OF FEDERAL INCOME TAXATION; PROVIDING FOR THE DISPOSITION OF THE PROCEEDS OF SAID BOND AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

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Kriens introduced Ordinance 2024-13 on its first reading. Motion seconded by R. Bousquet. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

D. Bousquet motioned, seconded by Schuldt to approve Cottonwood Wind REC's bid results. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

Picture of what was installed for the Grate Westside drainage area. Information only. Now action taken.

Kriens motioned to reject the claim of damage that was stated was done by snowplow. Motion seconded by Schuldt. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

Gunsolley motioned, seconded by Schuldt to approve Olsson – construction and maintenance agreement for 39<sup>th</sup> street quiet zone. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

*PUBLIC COMMENTS: comments only – there will be no responses from Council*

- Mike O'Brien  
Trees getting cut down  
Would like to see Council members talk into microphones  
What is new building on West 21<sup>st</sup> Street?
- Jeff Lantz  
Cars parked across sidewalk. School starting and kids have to walk into street to go around the vehicles.
- Michael Carnes  
Having trouble getting to both School Board meeting and Council meeting. Both meetings are scheduled at same time. Might be hiring someone to help, wanted to put it out there possible change of time on one of these meetings.

Kriens motioned at 5:43 p.m., seconded by Peters to adjourn the meeting. Voting Aye: Kriens, Gunsolley, D. Bousquet, Schuldt, R. Bousquet, Schultz and Peters. Voting No: none

These minutes are subject to city council approval.

A copy of the minutes in their entirety is available at City Hall, 1615 1<sup>st</sup> Ave., Mon.-Fri. 8:00 am-5:00 pm. and on the City's website at [www.southsiouxcity.org](http://www.southsiouxcity.org)

Nanci Walsh CITY Clerk