

AGENDA
CITY OF NORTH SIOUX CITY, SOUTH DAKOTA
REGULAR MEETING OF THE CITY COUNCIL
MARCH 17, 2014
7:00 P.M. CITY HALL

1. Call meeting to order at 7:00 P.M.
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes: March 3, 2014
6. Mayor: Don Fuxa
 - A. Amendments to #13.04.20 (Water Service System - Owner's Responsibility) – Second Reading
 - B. Odor Control Update
 - C. North Sioux City/Dakota Valley Recreational Complex Report
 - D. Petition for Annexation – Dakota Valley School District
 - E. Change Order – North Sioux City Community Library
 - F. Declare Surplus Property (Library Computers)
 - G. Permission to Advertise for Bids – Martha Street and Penrose Drive
 - H. Public Boat Ramp Pay Station Fee
 - I. South Dakota Municipal League District 3 Meeting
7. Community and Council Input
8. Executive session*
9. Approval of Fines
10. Approval of Bills
11. Adjournment

***SDCL 1-25-2 (sections 1-5) allows a majority of the body present to vote to close a meeting when discussion revolves around personnel, legal matters or contract negotiations. Meetings may also be closed for certain economic development matters (SDCL 9-34-19).**

**UNAPPROVED
CITY OF NORTH SIOUX CITY, SOUTH DAKOTA
REGULAR MEETING OF THE CITY COUNCIL
MARCH 17, 2014
7:00 P.M. CITY HALL**

Meeting called to order at 7:00 p.m. by Mayor Fuxa. Roll call: Leitru, Parks, Christiansen, Meyer, Headid, Beavers, Rogers and Verdoorn were present.

Mayor Fuxa led the Pledge of Allegiance.

Motion by Meyer, second by Parks to approve the agenda as presented. Unanimous.

Motion by Headid, second by Verdoorn to approve the March 3, 2014, regular Council meeting minutes as presented. Unanimous.

Motion by Beavers, second by Headid to approve the second reading of an amendment to Ordinance 13.04.20 (water service system - owner's responsibility). Unanimous. The amendment defines the responsibility of the owner (for repairs only) from the property line to the premises.

ORDINANCE #2014-02

TITLE 13. AN ORDINANCE AMENDING WATER SERVICE SYSTEM ORDINANCE
SECION 13.04.020.

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF NORTH SIOUX CITY,
SOUTH DAKOTA:

Chapter 13.04.020 of the North Sioux City Municipal Code is amended to read as follows:

13.04.020 Owner's responsibility.

All service pipes from the water mains of the City to the premises shall be installed at the expense of the owner or person in possession of the premises served. All service pipes from the premises to the property line shall be maintained and kept in repair at the expense of the owner or person in possession of the premises served. If such owner or person shall fail to cause to have properly repaired any service pipe within thirty (30) days upon receipt of the due notice from the water department, the water shall immediately be shut off from said premises and shall remain shut off until repairs shall have been made; or the water department may repair such service pipe and charge all repairs to the owner or person in possession of the premises.

The City shall not be responsible for pipes and fixtures. All owners must at their own cost and expense keep their service pipes from the property line to their premises, and all of their apparatus, in good working order and properly protected from frost and other danger. No claims shall be made against the City, its Mayor or any employees of the City, by reason of the breaking of any service pipe, water meters, or apparatus, or from any damage that may result from shutting off water for repairing, or for any other purpose or for any variations in pressure. No deduction for water charges will be made from the regular rates because of leaking pipes or fixtures. (Ord. 393 § 1 (part), Rule 2, 2002) (Amended 8/2005)(Amended 2007) (Amended 2014)

EFFECTIVE DATE. The above Ordinance shall be in full force and effect 20 days after publication pursuant to South Dakota law.

Dated this 17 day of March, 2014.

Don Fuxa, Mayor

ATTEST:

Donna Houck, Finance Officer

First Reading: March 3, 2014

Second Reading: March 17, 2014

Published: March 27, 2014

Officials from Royal Canin provided an update on ongoing efforts to control/eliminate the odor being generated at their new wastewater pretreatment plant. It was reported that although the situation has improved significantly, additional preventive measures will continue to be implemented. Another update will be provided during the April 21, 2014, regular Council meeting.

T.C. Weinandt of the North Sioux City/Dakota Valley Recreational Complex Board provided a report on future fundraising activities to install additional lighting and construct a new hitting cage/facility. Motion by Headid, second by Leitru to provide up to \$25,000 in matching funds. Unanimous.

Motion by Parks, second by Christiansen to approve the following "Resolution to Annex Certain Real Estate." Unanimous.

CITY OF NORTH SIOUX CITY
RESOLUTION #2014-01
A RESOLUTION TO ANNEX CERTAIN REAL ESTATE

WHEREAS, a Petition has been filed with the Mayor and City Council of the City of North Sioux City, Union County, South Dakota in the manner and form required by law, requesting the voluntary annexation of certain real estate pursuant to SDCL 9-4-1, and legally described as:

The South Half of the Northwest Quarter of the Section 4, Township 89 North, Range 28, West of the 5th P.M., Less R-3 as platted in Book 10 of Plats on page 114, Union County, South Dakota.

WHEREAS, it has been determined that it would be in the public interest for the City of North Sioux City to annex the above described real estate for use in the future development of North Sioux City.

WHEREAS, the owner of the contiguous territory represents that they own 100 percent of the above described real estate and have voluntarily signed the Petition now before the City Council and that said property should be annexed into the City of North Sioux City, South Dakota.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of North Sioux City, South Dakota, that the following described real estate which is contiguous to the boundaries of the City of North Sioux City be, and the same is hereby annexed:

The South Half of the Northwest Quarter of the Section 4, Township 89 North, Range 28, West of the 5th P.M., Less R-3 as platted in Book 10 of Plats on page 114, Union County, South Dakota.

The above Resolution was moved by Councilmember Parks and seconded by Councilmember Christiansen and unanimously approved by eight (8) Council members at a meeting duly called and held on March 17, 2014.

Dated this 17 day of March, 2014.

DON FUXA, Mayor

ATTEST:

DONNA HOUCK, Finance Officer

Motion by Christiansen, second by Meyer to approve a change order in the amount of \$10,500 to provide data, telephone and TV cabling for the North Sioux City Community Library project. Unanimous.

Motion by Leitru, second by Rogers to declare two (2) obsolete Gateway computer terminals as surplus property (serial numbers 0036838057 and 0040494255). Unanimous.

Motion by Leitru, second by Christiansen to authorize the advertisement of bids for the paving of Martha Street. Unanimous. Motion by Headid, second by Rogers to table the advertisement of bids for the paving and related infrastructure for Penrose Drive. Unanimous. It was noted that the Penrose project will be discussed further during the FY 2015 budget proceedings.

Discussion was held on establishing a fee for the public boat ramp on Lakeshore Drive. Motion by Christiansen, second by Leitru to install a gate, pay station and security camera in FY 2014, and to set the fee schedule as follows: \$10 day pass and \$30 season pass (passes will be available for purchase on site and at City Hall). Ayes: Leitru, Parks, Christiansen and Meyer. Nays: Headid, Beavers, Rogers and Verdoorn. Mayor Fuxa cast the deciding vote in favor of the motion. Motion passed.

It was noted that the District 3 Meeting of the South Dakota Municipal League (SDML) will be held in Tea, South Dakota, on Thursday, April 10, 2014. Finance Officer Houck will contact SDML officials with the City's registration count.

During community/council input: 1.) Christiansen reported that the Housing and Redevelopment Commission (HRC) were exploring spec housing and revolving loan fund options for the Harvest Bend housing development. The ideas will be discussed further at a future Council meeting.

Fines in the amount of \$466.95 were approved with a motion from Parks and a second by Headid. Unanimous.

Motion by Leitru, second by Meyer for the approval of bills. Unanimous.

SD DEPT OF REV & REGULATION	508.85	FEB 2014 GARBAGE SALES TAX
BIVENS, KELLY RAY	\$35.42	CUSTOMER UTILITY DEPOSIT REFUND
SIOUXLAND HABITAT FOR HUMANITY	\$31.33	CUSTOMER UTILITY DEPOSIT REFUND
WILLSON, BILLIE JO	\$22.46	CUSTOMER UTILITY DEPOSIT REFUND
AMERICAN LEGAL SERVICES	\$36.20	PD COVERAGE
BOOKPAGE	\$300.00	APR 14 - MAR 15 SUBSCRIPTION
CITY OF SIOUX CITY	\$18,927.52	FEB 2014 SEWER CHARGES USAGE 9026
JOHN COOK	\$4,476.26	REIMBURSEMENT CUSTOMER PAYMENT
CULLIGAN WATER CONDITIONING	\$35.00	BOTTLED WATER-PD
DAKOTA VALLEY SCHOLARSHIP COMM	\$2,000.00	2014 SCHOLARSHIP DONATION

DAKOTA DUNES/NSC TIMES	\$96.38	FEB 2014 PUBLISHING
EARL MILLER CONSTRUCTION, INC	\$3,600.00	SR CENTER - REMOVE WALL, INSTALL HEADER
FERGUSON WATERWORKS #2516	\$850.00	FEB 14-JAN 15 SOFTWARE MAINTENANCE
GENERAL TRAFFIC CONTROLS, INC.	\$238.27	TRAFFIC SIGNAL BULB & REPLACEMENT
GILL HAULING INC	\$8,269.75	FEB 2014 – RESIDENTIAL WASTE PICKUP
GRAHAM TIRE CO.	\$991.97	TIRES, INSTALL, BALANCE
H2O 4 U	\$16.50	BOTTLED WATER-CH
HCI CONSTRUCTION	\$180,332.15	NEW LIBRARY PROJECT - WORK COMPLETED
HOUCK, DONNA	\$11.84	REIMBURSEMENT-MILEAGE
INGRAM LIBRARY SERVICES	\$372.67	BOOKS
SUSAN KLOOSTRA	\$16.03	REIMBURSEMENT-PAPER TOWELS
KPTH	\$695.00	ADVERTISING 01/27-02/17
KTIV TELEVISION INC	\$490.00	02/03-02/11 ADVERTISING
LEADER-COURIER	\$460.11	FEB 2014 PUBLISHING
TEAMSTERS LOCAL NO. 120	\$246.00	APR 2014 PD
MCCOOK LAKE ASSOCIATION	\$25,000.00	2014 CONTRIBUTION LAKE MAINTENANCE
MCDONALD, AMY	\$3,415.14	REIMBURSEMENT CUSTOMER PAYMENT
MERCY BUSINESS HEALTH SVCS	\$48.33	FEB 2014 EAP
MIDAMERICAN ENERGY	\$15,500.26	FEB 2014 UTILITY CHARGES
MIKE DOYLE	\$150.00	REPAIR RESIDENT MAILBOX
MPH INDUSTRIES, INC.	\$2,270.00	RANGER WIRELESS RADIO
NEUMANN MONSON WICTOR	\$5,000.00	NEW LIBRARY PROJECT-PROF SERVICES
NSC ECONOMIC DEVELOPMENT CORP	\$22,869.25	2QTR 2014 PAYMENT
O'REILLY AUTOMOTIVE, INC.	\$211.77	FUEL FILTERS,WIPER BLADES, STOPLEAK
OFFICE SYSTEMS CO	\$119.67	MAR 14 COPY EXP
PER MAR SECURITY SVCS	\$132.00	2QTR 2014 SECURITY ALARM MONITORING
PRESTO-X	\$204.16	MAR 2014 PEST CONTRO
QUALIFIED PRESORT SVC, LLC	\$421.87	FEB 14 PRT/POSTAGE UTILITY BILLING
SD ONE CALL	\$4.44	FEB 2014 LOCATE FEES
SEWER-MATIC	\$724.50	LAKESHORE LIFTSTATION - VACED LAKESHORE DR
SIOUX CITY JOURNAL COMM	\$155.00	PROGRESS 2014 REC & LEISURE MO
SIOUXLAND CHAMBER FOUNDATION	\$1,100.00	REGISTRATION-SIOUXLAND/DC CONFERENCE
USPCA REGION 21	\$100.00	2014 CANINE MEMBERSHIP, NARCOTIC CERTIFICATION
WRIGHT EXPRESS FLEET SVCS	\$2,345.19	FEB 2014 FUEL CHARGES
WINKLER ROOFING	\$518.72	COMM CTR-ROOF REPAIR

Adjournment was at 8:04 p.m., motion by Leitru and second by Parks. Unanimous.

CITY OF NORTH SIOUX CITY

Don Fuxa, Mayor

ATTEST:

Donna Houck, Finance Officer

ATTEST:

Kory Menken, Human Resources Director