

AGENDA
CITY OF NORTH SIOUX CITY, SOUTH DAKOTA
REGULAR MEETING OF THE CITY COUNCIL
NOVEMBER 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: November 3, 2014, Regular Meeting
6. Mayor: Don Fuxa
 - A. Amendments to 13.04.230 and 13.04.270 (Utility Deposits/Second Reading)
 - B. Alcoholic Beverage Licenses (Renewals)
 - C. Public Hearing - Transfer of Package (off-sale) Liquor License – 7:05 p.m.
 - D. North Sioux City/Dakota Valley Recreational Complex Report
 - E. Avery Addition Presentation
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
NOVEMBER 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, Reiff, Rogers and Verdoorn were present. Beavers was absent.

Mayor Fuxa led the Pledge of Allegiance.

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

Motion by Christiansen, second by Meyer to approve the November 3, 2014, regular Council meeting minutes as presented. Unanimous.

Motion by Parks, second by Reiff to approve the second reading of amendments to City ordinances 13.04.230 and 13.04.270 (utility deposit). Unanimous.

TITLE 13. AN ORDINANCE AMENDING THE WATER SERVICE SYSTEM ORDINANCE SECTIONS 13.04.230 AND 13.04.270.

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

§ 13.04.230 of the North Sioux City Municipal Code is amended to read as follows:

13.04.230 Disconnection of water fee.

A. All commercial and residential water bills are due when the invoice is issued by the City. If the bills are not paid within thirty (30) days after the invoice date the bill is delinquent. The City then reserves the right to discontinue water service to the delinquent customer by shutting off the water at the curb cock, after forwarding the customer a written notice of termination 10 days prior to shutting off the customer's water. A late payment fee of \$5.00 per month shall be assessed on any unpaid balance more than 30 days delinquent.

B. If a commercial or residential water service is discontinued for non-payment of the utility bill the water service will be reconnected only after the following conditions have been met:

1. The account has been paid in full and there remains no balance due.
2. A One Hundred Dollar (\$100.00) water deposit has been paid to the city.
3. A twenty dollar (\$20.00) reconnect fee has been paid to the city.
4. Water service will be restored only during the normal business hours. For services to be reconnected after 3:30 p.m., or not during normal business hours or days, the customer will be charged an additional fee of Seventy-five Dollars (\$75.00) for reestablishing service. This Seventy-five Dollar (\$75.00) fee will be assessed to the next month's utility bill.

5. No person shall turn on water service to any premises from which water has been turned off as provided for in this section, without written authority from the City water and sewer department. If it is necessary to dig up the curb stop or shut off water for non-payment of the water bill, the cost of such work may be added to the water bill in addition to all other charges set forth in this ordinance.

6. Payments made to the City can be either hand delivered to City Hall or mailed to 504 River Drive, North Sioux City, South Dakota 57049. (Ord. 393 § 1 (part), Rule 23, 2002) (Amended November 2014)

§ 13.04.270 of the North Sioux City Municipal Code is amended to read as follows:

13.04.270 Deposit fee.

Effective from the date of the ordinance codified in this chapter, residential users of the system shall pay a One Hundred Dollar (\$100.00) deposit fee. Commercial users of the system shall pay a deposit equal to the average monthly water bill for the last 12 months (while actively conducting business) and in no event will the deposit exceed Five Hundred Dollars (\$500.00). Said deposits will be refundable upon termination of service, if after deduction of delinquent water bills, the balance of said deposit is greater than one dollar (\$1.00). (Ord. 393 § 1 (part), Rule 27, 2002) (Amended November 2014)

EFFECTIVE DATE. The above Ordinance shall be in full force and effect on January 1, 2015.

Dated this 17 day of November, 2014.

Don Fuxa, Mayor

ATTEST:

Donna Houck, Finance Officer

First Reading: November 3, 2014

Second Reading: November 17, 2014

Published: November 27, 2014

Effective Date: January 1, 2015

Motion by Leitru, second by Meyer to approve the following applications for the renewal of Alcoholic Beverage Licenses. Unanimous.

Bet on Brown - Freeway, Goode to Go

Brown Aces – Sugar Daddy’s

Dakota Rose, Inc. – Dakota Reds

Four Horsemen LLC – Triple Crown Casino

Freedom, Inc. - Whistlestop Casino

Glass Slipper, Inc. – The Glass Palace

J & U, Inc. - I-29 Lounge

McCook Lake Izaak Walton League

Miller Liquor, Inc.

She Be, Inc. - Beano & Sherry’s

Sky JC, Inc. - Skyline Bar

The Color of Money, Inc. - Discount Liquor (TRANSFER)

Worldwide Holdings, Inc. - VIP Gaming

Intrepid Ventures Operating LLC - Monaco

Zort Bros., Inc. - Zort's

Public hearing for the transfer of package (off-sale) liquor license was opened at 7:05 p.m. No public input. Motion by Parks, second by Rogers to close public hearing at 7:06 p.m. Unanimous. Motion by Parks, second by Verdoorn to approve the transfer of package (off-sale) liquor license from The Color of Money, Inc. d/b/a Discount Liquor to Good to Go C-Store. Unanimous.

Representatives from the North Sioux City/Dakota Valley Recreational Complex Board were not in attendance to provide a report.

Dave Avery presented an overview of Avery Addition, a proposed single-family housing development located along Campbell Street. Mr. Avery reported that the development will consist of nine single-family homes, and requested that the City give consideration to assisting with the infrastructure costs in order to facilitate the project. It was noted that the Council would review and discuss the proprietary information in executive session.

During community/council input: 1.) Christiansen and Parks noted roadways that need additional sanding as a result of the recent snow.

Motion by Leitru, second by Christiansen to enter Executive Session at 7:11 p.m. in accordance with SDCL 1-25-2 (sections 3 and 4) to discuss legal and contractual matters. Unanimous.

Regular session resumed at 7:33 p.m.

Motion by Parks, second by Christiansen to authorize Mayor Fuxa to accept service of the lawsuit filed last week against the City of North Sioux City by Union County. Unanimous. It was noted that the County initiated an action in Union County Circuit Court and is suing the five municipalities in Union County (Alcester, Beresford, Elk Point, Jefferson and North Sioux City) alleging that each of the cities has been unjustly enriched by receiving non-emergency dispatch services from Union County without payment. The cities maintain that all county property owners, including those residing in the five municipalities, already pay property taxes for the dispatch services received by Union County. Historically, Union County has never charged the cities or others for this service.

Fines in the amount of \$495.82 were approved with a motion from Meyer and a second by Rogers. Unanimous.

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

SD DEPT OF REV & REG	\$512.12	OCT 2014 SALES TAX
SCOTT OR JENNIFER BOYLE	\$5.84	CUSTOMER UTILITY DEPOSIT REFUND
BRABANDER, RON	\$22.71	CUSTOMER UTILITY DEPOSIT REFUND
MARKVE, BLAKE	\$19.23	CUSTOMER UTILITY DEPOSIT REFUND
MARTIN, JAMES	\$31.98	CUSTOMER UTILITY DEPOSIT REFUND
MODGLIN, JANICE	\$10.00	CUSTOMER UTILITY DEPOSIT REFUND
OLSON, TONI	\$24.52	CUSTOMER UTILITY DEPOSIT REFUND

5678! DANCE	\$143.00
ABSOLUTE SCREEN ART, INC.	\$675.00
AVERY BROS. SIGN CO.	\$278.00
BARNES & NOBLE INC	\$31.96
BIERSCHBACH EQUIPMENT & SUPPLY	\$135.80
BUELL WINTER MOUSEL & ASSOC	\$28,310.94
C. W. SUTER SERVICES INC	\$377.40
CENTER POINT LGE PRINT	\$268.10
CITY OF SIOUX CITY	\$29,288.80
CLEAR VIEW WINDOW CLEANING	\$208.00
CONCRETE PRODUCTS CO	\$106.79
CULLIGAN WATER CONDITIONING	\$35.00
DAKOTA VALLEY AFTER PROM	\$250.00
DAKOTA DUNES/NSC TIMES	\$692.27
GILL HAULING INC	\$12,016.80
GREATER DAKOTA VALLEY JAYCEES	\$1,000.00
H2O 4 U	\$25.00
INGRAM LIBRARY SERVICES	\$252.15
JACK'S UNIFORMS & EQUIPMENT	\$136.85
JAN'S PRINTING	\$1,054.20
JENSEN SPRINKLER	\$321.30
SUSAN KLOOSTRA	\$14.98
KMEG-TV	\$215.00
KTIV TELEVISION INC	\$490.00
LEADER-COURIER	\$415.57
TEAMSTERS LOCAL NO. 120	\$197.00
MARTEL ELECTRONICS, INC	\$245.08
MERCY BUSINESS HEALTH SVCS	\$53.33
MIDWEST WHEEL	\$157.23
NEUMANN MONSON WICTOR	\$41,257.39
O'REILLY AUTOMOTIVE, INC.	\$590.76
IOWA OFFICE SUPPLY, INC	\$200.22
PITNEY BOWES-SUPPLIES	\$335.45
QUALIFIED PRESORT SVC, LLC	\$548.52
REHAN'S STORES INC.	\$175.60
SD ONE CALL	\$65.49
SIOUX CITY JOURNAL COMM	\$179.00
SIOUXLAND HUMANE SOCIETY	\$72.00
SISSEL GALLERY	\$790.00
TOWN & COUNTRY LAWN SVC, I	\$490.00
UNION COUNTY WEED BOARD	\$70.00
USABLUBOOK	\$1,849.63
VERIZON WIRELESS	\$793.79
WRIGHT EXPRESS FLEET SVCS	\$2,125.47
WIGMAN COMPANY	\$597.25

POINSETTIAS
CLOTHING ALLOWANCE - JACKETS
REPAIR SIGNAGE-CITY HALL
BOOKS
9" 16GA BARTIE BDL
LAKESHORE LIFT STATION IMPROVEMENT PROJECT
REPLACE MOTOR BRACKET & WHEEL
BOOKS
OCT 2014 SEWER CHARGES USAGE 13,967
LIBRARY-EXTERIOR WINDOW CLEANING
12" TIE BAR 16GA
BOTTLED WATER-PD
2015 DONATION - AFTER PROM PAR
OCT 2014 PUBLISHING
OCT 2014 RESIDENTIAL WASTE/FALL CLEAN UP
2014 HOLIDAY GIFTS FOR KIDS SPONSORSHIP
BOTTLED WATER-LIBRARY
BOOK
CLOTHING ALLOWANCE
ENVELOPES-PD, PROMO ITEM - NOTE PAD W/MAGNET
SPRINKLER BLOW-OUT (4 LOCATIONS)
TRAVEL REIMBURSEMENT
ADVERTISING 10/27-10/31
ADVERTISING 10/7-10/16
OCT 2014 PUBLISHING
PD-LEGAL FEES
16GB SD CARD
OCT 2014 EAP
YELLOW STROBES , PLUGIN PIGT
FINAL-NEW LIBRARY PROJECT
OCT 2014 MISC AUTO SUPPLIES-PD/PW
SUPPLIES-TONER , BINDERS, INK
POSTAGE MACHINE INK CARTRIDGES
OCT 2014 PRT/POSTAGE UTILITY BILLS
CLOTHING ALLOWANCE
SEP 2014 LOCATE FEES
SHOPPERS EVENT GUIDE, ONLINE SEARCH
OCT 2014 SERVICES
FRAMING
OCT 2014 LIBRARY WEED CTRL
WEED SPRAYING-DIKE
80 GPD 100 PSI PUMP
OCT 2014 CELL CHARGES
OCT 2014 FUEL CHARGES
VALVES, BUSHINGS, PLUGS

Adjournment was at 7:34 p.m., motion by Meyer and second by Reiff. Unanimous.

CITY OF NORTH SIOUX CITY

Don Fuxa, Mayor

ATTEST:

Donna Houck, Finance Officer

ATTEST:

Kory Menken, Human Resources Director