



North Sioux City, South Dakota  
**Regular Meeting of the City Council**  
October 5, 2015 – 7:00 p.m.  
City Hall

**PROPOSED AGENDA**

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of Agenda
5. Approval of Minutes: September 21, 2015, Regular Meeting
6. Approval of Minutes: September 28, 2015, Special Meeting
7. Agenda Items
  - A. Rezoning Hearing – River Valley Hwy Commercial to Multiple Family
  - B. Survey Plats – River Valley (2)
  - C. Odors – Brenda Beavers
  - D. Sewer Backup – Doug Berg
  - E. Structure Plugging – Greg Meyer
  - F. HRC Revolving Loan Appropriation
  - G. Library Non-Member Fees
  - H. Unison Site Management – Cell Tower
8. Community and Council Input
9. Executive Session\*
  - A. Personnel
  - B. Contractual
  - C. Legal
  - D. Economic Development Opportunity
10. Approval of Fines
11. Approval of Bills
12. 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**  
**North Sioux City, South Dakota**  
**City Council Regular Meeting Minutes**  
**October 5, 2015**

Meeting called to order at 7:00 p.m. by Mayor Fredericksen. Beavers, Christiansen, Cropley, Parks, Reiff, Slater and Verdoorn were present. Also in attendance were Darrell Jesse, City Attorney, and Susan Kloostra, Finance Officer.

Mayor Fredericksen led the Pledge of Allegiance.

Motion by Reiff to approve the agenda with the change to go into Executive Session after the Rezoning Hearing. Kloostra requested the HRC Revolving Loan item be tabled and the Economic Development item under Executive Session be removed. Parks seconded the motion with the changes. Unanimous.

Motion by Beavers second by Christiansen to approve the September 21, 2015 Regular Council Meeting Minutes. Unanimous.

Motion by Parks second by Reiff to approve the September 28, 2015 Special Council Meeting Minutes. Unanimous.

For the Council's consideration, City Engineer Greg Meyer submitted a Notice to Contractors for the Structure Plugging project. Motion by Beavers second by Verdoorn to approve. Unanimous.

At Council's request, Library Director Deb Matthys, returned to discuss increasing the non-resident fee. The current non-resident fee is \$25. In the discussion, fee recommendations included \$35, \$40 and higher amounts similar to other cities. Motion by Parks seconded by Beavers to raise the non-resident fee to \$40 effective October 12. Unanimous.

Parks also thanked Matthys for all the work that has been done at the Library. Multiple compliments have been received regarding all the extra activities that are now going on.

Public hearing was opened at 7:08 p.m. for the Rezoning Request from Highway Commercial (H-C) to Multiple Family District (R-3) on the following property:

Tract A of Tract 3, River Valley Addition, North Sioux City, Union County, South Dakota  
Tract A of Tract 4, River Valley Addition, North Sioux City, Union County, South Dakota  
Lot 11 of Tract 5, River Valley Addition, North Sioux City, Union County, South Dakota

No public input was provided. Council discussed. Cropley asked for clarification to the zones and whether stipulations can be placed on rezoning approvals. Beavers discussed future sewage capacity and asked if the Planning and Zoning Commission was aware of the Council's desires for future planning. Brandi Jorgensen, of J&M Real Estate Group, Inc., was present and requested to answer Council's questions regarding the Belmont Villas project. Jorgensen assured Council the development would be built, as presented to the Council on May 18, 2015, with all utility infrastructure provided by the development. Jorgensen also stated these will be single family residents with individual sewer and metered water. City Attorney Darrell Jesse stated the City can prepare a development agreement stating each phase's development plan.

Motion by Parks, second by Beavers to close public hearing at 7:23 p.m. Unanimous.

On a motion by Beavers and a second by Verdoorn, the above rezoning request as presented was approved. Discussion continued. Beavers amended his motion to include that if the property is not developed as presented, and/or is sold, property reverts back to original Highway Commercial zoning. Motion carried, unanimously.

At 7:25 p.m., Parks made a motion seconded by Reiff to enter Executive Session, in accordance with SDCL 1-25-2 (sections 1 and 4), to discuss legal matters. Unanimous.

Council resumed at 8:08 p.m.

Motion by Cropley to approve survey plat, second by Beavers. Unanimous.

Plat of Lots 44A thru 50A of Tract 4 of River Valley Addition, North Sioux City, Union County, South Dakota  
Vacating Lots 45 thru 48 of Tract 4 Recorded on Book 32 of Plats on page 26 Therein

Motion by Cropley to approve survey plat, second by Parks. Unanimous.

Plat of Lots 74 thru 77 of Tract 4 of River Valley Addition, North Sioux City, Union County, South Dakota

Brenda Beavers, of 408 Rose Street, spoke to the Council regarding the odor issue she believes is coming from Royal Canin. Jamie Kratz, resident at 212 Victor Avenue, stated he believes there is a pattern, and that the odor begins Thursday nights and continues through the weekend. Beavers stated she has contacted Royal Canin multiple times by calling the Consumer Help Line, the plant to speak to the shift manager, as well as Pete Steinback. Beavers is looking for a final resolution as it has been going on for three years.

Reiff asked Kloostra to draft an email to Royal Canin and encourage Beavers to continue to contact Royal Canin's Consumer Care Line and track your calls.

Resident Doug Berg, of 604 Lakeview Drive, presented his story to the Council regarding the sewage back-up affecting his home on Sunday, September 6, around 10:45 am. Berg requested the City pay for his ServiceMaster of Sooland bill in the amount of \$6,127.

Parks thanked Berg for coming to the meeting and advised him the Council will take his request under advisement. Parks instructed Kloostra to provide the information to the Claims Adjustor.

Community or Council input.

- 1) To inform Council, Slater presented a copy of a fund raising letter from the Dakota Valley Meals, Rural Office of Community Services (ROCS), who provides North Sioux senior residents with meals. He was concerned the closure would impact our residents negatively. Slater wants to add the meals program on the next meeting agenda. Christiansen reported that since Dakota Valley Meals cannot purchase their food items from the Food Bank, food costs have increased significantly. Council was concerned that a pending closure of the program was not communicated to the City. It is requested that a representative attend a meeting or provide an explanation of the fundraising letter for the Council and the program's status.
- 2) Cropley brought up the new vehicles being purchased. She would like to propose that a policy for tobacco free grounds, buildings and vehicles be put in place. The council discussed this item. Cropley wants to ensure we retain the value of our vehicles and equipment, and create a friendly environment no matter who drives what vehicles.

Jesse stated that state law says all work places be smoke free, and the NSC Police Department has a policy in place for their buildings and vehicles. Jesse explained the City could expand the state law's definition of work place to include City vehicles. Kloostra will work on a proposed policy for Council's review, along with other policy items.

- 3) Beavers raised again safety concerns for Public Works' employees. Discussion was held. Beavers states employees are working unsafely by standing in the pay loader bucket to put up lights and flags on street lights.

Council stated that no one should be in a bucket to change flags or do anything. Parks asked during the department head meeting that it be communicated there would be no more standing in buckets.

Discussion regarding purchase equipment for these tasks. Reiff stated the department head did not request this equipment as a budget item. Equipment could be rented for these activities. After a year, see what the cost would be and determine whether a piece of equipment should be purchased.

At 8:58 p.m., Parks made a motion seconded by Cropley to enter Executive Session, in accordance with SDCL 1-25-2 (sections 1 and 4), to discuss personnel and contractual matters. Unanimous.

Council resumed at 9:47 p.m.

Motion by Parks to authorize the Mayor to sign the cell tower agreement with Unison Site Management. Beavers seconded the motion. Unanimous.

Motion by Reiff second by Beavers to approve the bills as presented. Unanimous.

AMERICAN LEGAL SERVICES	\$28.96	PD COVERAGE
AARONS SIGN SHOP	\$270.00	EMERGENCY NOTIFICATION - LIFT
BANYON DATA SYSTEMS, INC	\$195.00	CEMETERY SUPPORT
DONALD STREETER	\$300.00	3QTR2015 P&Z MTGS
BARNES & NOBLE INC	\$70.97	DVD
PAT BENSON	\$300.00	3QTR2015 P&Z MTGS
BOMGAARS	\$232.48	FAUCET AERATOR (3), GLOVES (3)
USABLUEBOOK	\$2,289.95	SUTORBILT 4L BLOWER
CALHOUN COMMUNICATIONS INC.	\$375.80	WATER TOWER - REPAIRED & INSTA
WESTERN OFFICE TECHNOLOGIES	\$343.16	100 PK DVD SPINDLE (2), PENS (
CED, INC.	\$206.00	FUSE (10)
CENTER POINT LGE PRINT	\$130.62	BOOKS (6)
CRARY, HUFF, INKSTER, SHEEHAN,	\$4,142.00	SEP 2015 LEGAL FEES
DAKOTA PUMP, INC	\$2,004.08	STREETER TREATMENT PLANT - TRA
DAKOTA DUNES/NSC TIMES	\$35.85	SUBSCRIPTION RENEWAL - LIBRARY
ELECTRIC INNOVATIONS	\$2,591.49	OCT15 TECH SUPPORT-LIBRARY
FOUR SEASONS NORTH	\$149.70	LESS FELLER (SEP 2015)
GARYS TREE SERVICE, INC	\$1,558.00	TREE TRIMMING AT CEMETERY
GILL HAULING INC	\$9,062.30	SEPT 2015 RESIDENTIAL WASTE
GRUNDMAN-HICKS, LLC	\$26,500.00	GROUND WATER STORAGE TANK/PUMP
HAWKINS, INC	\$1,455.70	CHLORINE (5), SULFUR DIOXIDE 1
HERITAGE FLAG & BANNER, INC.	\$356.00	FLAGS: 5X8 US (4), 3X5 SD (4)
PETER HOLBROOK	\$300.00	3QTR2015 P&Z MTGS
INGRAM LIBRARY SERVICES	\$937.06	BOOKS (46), DVDS (15)
JACK'S UNIFORMS & EQUIPMENT	\$839.90	CLOTHING ALLOWANCE
JANITOR DEPOT, INC.	\$978.13	SR CTR – DUSTMOP HEAD (2), TOILET BO
K & P SERVICES, INC	\$888.72	SEP 2015 PARKS TOILET RENTALS
KEVIN O'DELL ELECTRIC, INC.	\$1,278.83	LAGOON - INSTALL EXHAUST FAN
KMEG-TV	\$40.00	ADVERTISING 09/21-10/04
KPTH	\$775.00	ADVERTISING 08/31-09/27
LINDEN, BAYNE	\$300.00	3QTR2015 P&Z MTGS
MB CLEANING	\$1,555.00	SEP 2015 CLEANING (4 BLDGS)
CHARLES MEYER	\$300.00	3QTR2015 P&Z MTGS
MIDAMERICAN ENERGY	\$6,917.18	SEP 2015 UTILITY CHARGES
MITCHELL ELECTRIC, LLC	\$402.84	TROUBLE SHOOT STREETER DR LIFT
MJ MINOR UTILITY CONTRACTOR	\$1,400.00	CASEY'S LIFT STATION VAC
IOWA OFFICE SUPPLY, INC	\$4.74	NOTARY STAMP - AVALOS
OFFICE SYSTEMS CO	\$155.30	OCT 15 LEASE & COPY EXP
OIL EXPRESS INC	\$539.45	OILS (10), GREASE (20)
RASMUSSEN, GAYLEN	\$20.00	BOAT RAMP REFUND, OVERCHARGE
SD MUNICIPAL LEAGUE	\$760.00	SD MUNICIPAL LEAGUE REGISTRATI
SD DEPT OF REVENUE	\$467.00	BOD, COLI, SOLIDS
SECRETARY OF STATE	\$30.00	NOTARY APP - AVALOS
SIOUXLAND CHAMBER FOUNDATION	\$130.00	SEMI-ANNUAL MEMBERSHIP DUES
STATE FARM INSURANCE	\$50.00	NOTARY BOND – AVALOS

Motion by Beavers second by Cropley to adjourn at 9:48 p.m. Unanimous.

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**Randy Fredericksen, Mayor**

**Attested**

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**Susan Kloostra, Finance Officer**