



North Sioux City, South Dakota
Regular Meeting of the City Council
December 7, 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: November 16, 2015, Regular Meeting
6. Approval of Minutes: November 20, 2015, Special Meeting
7. Agenda Items
 - A. Hearing – Comprehensive Plan
 - B. Ordinance Update – Alcoholic Beverages (First Reading)
 - C. Ordinance Update - Gambling (First Reading)
 - D. Liquor License Transfer
 - E. Liquor License Renewal
 - F. Supplemental Budget (Second Reading)
 - G. ROCS Budget Deficit – 2014-2015
 - H. Senior Center
 - I. River Valley Plat – Delmar Circle
 - J. River Valley Phase II Tax Increment District
 - K. Street lights for Flynn Business Park – Lesa Cropley
 - L. Solid Waste Bids
8. Community and Council Input
9. Executive Session*
 - A. Personnel
 - B. Contractual
 - C. Legal
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
December 7, 2015

Meeting called to order at 7:00 p.m. by Mayor Fredericksen. Beavers, Christiansen, Cropley, Parks (via conference call), Slater (7:33 p.m.), Reiff 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 Cropley to approve the agenda. Kloostra requested tabling the Supplemental Budget item to the December 21 Council Meeting, to move the Solid Waste Bids to item B and to add NSC Economic Development Corporation regarding Flynn Park. Cropley amended her motion to approve the agenda, with the additional requests. Beavers seconded the motion. Unanimous.

Motion by Christiansen second by Reiff to approve the November 16, 2015 Regular Council Meeting Minutes. Unanimous.

Motion by Christiansen second by Cropley to approve the November 20, 2015 Special Council Meeting Minutes. Unanimous.

Public hearing was opened at 7:03 p.m. to amend the North Sioux City Comprehensive Plan. Toby Brown, from SECOG, was in attendance and addressed the Council. Brown has been working with the Planning Commission to amend the City's Comprehensive Plan. The amendments include removing the dates, updating census information, as well as upgrading the Suggested Land Use map. Council discussed and again stated its desire for single family homes. At this time, the Comprehensive Plan does not take into consideration the utility infrastructure issues the City is currently dealing with. No public input was provided during the meeting; one commercial owner inquired at City Hall during the week. Motion by Cropley second by Beavers to close public hearing at 7:15 p.m. Unanimous.

Cropley made a motion second by Christiansen to accept the North Sioux City Comprehensive Plan as presented effective 20 days after publication. Unanimous.

A notice to bidders for the City of North Sioux City residential solid waste (garbage) collection was published on October 5 with no bids submitted. A second notice to bidders was published on November 3 to be submitted by November 24, 2015. Three sealed bids were received. The bids were tabulated on December 11 by Finance Officer Susan Kloostra. The bids were as follows (*see attachment*) with one correction. Independence Waste's note should read "no large tree limbs".

Motion by Cropley second by Beavers to accept the lowest bid from Gill Hauling. Unanimous.

Motion by Parks second by Cropley to approve as presented the first reading of the City's Alcoholic Beverages Ordinance Section 5.08.030 to include the fee amount for Sunday sales. Unanimous.

Motion by Cropley second by Beavers to approve the first reading of the City's Gambling Ordinance Section 5.20.020, to formalize the total number of authorized video lottery machines. Unanimous.

Motion by Cropley second by Reiff to open the public hearing for the transfer of retail malt beverage on-off sale liquor license at 7:21 p.m. No public input. Motion by Cropley second by Beavers to close public hearing at 7:21 p.m. Unanimous.

Motion by Cropley second by Parks to approve the transfer of retail malt beverage on-off sale liquor license from The Color of Money, Inc. d/b/a Discount Liquor to Bet On Brown, Inc., d/b/a/ Jimmy's Diner. Unanimous.

Motion by Reiff second by Beavers to approve the Liquor License Renewal application. Unanimous.
Bet on Brown, Inc. (Goode to Go)

During the November 2, 2015 Council Meeting, the Council became aware of a deficit in the Dakota Senior Meals budget dating back to 2014. Danielle, Site Manager/Cook, was in attendance and answered Council's questions. Discussion included number of residents using the program, fiscal year, food bank purchases and donations. She presented three needs for the program: 1) a replacement residential refrigerator, 2) a meat grinder, and 3) a temporary homebound meals driver on Mondays. Mayor Fredericksen offered to fill in delivering meals.

Christiansen felt it would be a good gesture to help with the deficit, as has been done in the past. It was stated that donations will be coming in. Motion by Slater to subsidize the deficit up to \$10,000, contingent upon written documentation. Christiansen seconded the motion. Unanimous.

Mayor Fredericksen requested that the previous motion from the November 16, 2015 meeting regarding the funding for the North Sioux City Senior Center be stated again.

"Parks read the following motion, "After multiple attempts to rectify negative situations and due to recent incidents and circumstances, per the request of multiple seniors in North Sioux City, as well as senior board members, it is with mixed feelings and regret to honor their wishes to discontinue funding as of December 1, 2015." Motion was seconded by Verdoorn. Unanimous."

Bill Merrill addressed the Council in regards to the funds being stopping stating with everything that had come up, he felt no one had spoken with him, and the Council were trying to get them kicked out. He stated the City and others use the electric and utilities. Merrill asked to sit down and talk. He stated they wanted to be a part of helping the center, not for someone to take over and control the center.

Mayor Fredericksen stated no one was kicking them out, but that they had asked for the Council's help. He also mentioned that he in fact had been talking with the Merrills; specifically he'd been called by the Merrills' to come to the center to talk with them and Dorothy Gruis.

Cropley stated these problems have gone on for many years, dating back to when she was previously on Council. She expressed that the issues have only continued to escalate, including Chief Headid being called to go to the Center. Slater's vote to stop the funding was based on the employee rescinding his employment acceptance and the resignation of the Board President.

Cropley read an excerpt from the letter sent to the board stating the reasons for the funding to be stopped.

"In the past several years, the City has diligently worked to support our senior residents and the Senior Center's goals to care for the physical and social well-being of senior residents. You reached out to the City for assistance many times, and we've responded. We provided support through funding, we brought in university interns, we've acted as mediators, we allowed City employees to work on projects for the Center's benefit, we advertised for and helped reestablish the senior board, we advertised and facilitated a resident input meeting, and most recently, we added a city-paid employee to work for the Senior Center. All of our efforts were focused on moving the Senior Center forward and positioning it for growth."

Mayor reiterated, and Council members agreed, that no one on the Council wanted to take away the money. Christiansen added how situations were getting worse and everything Council tried to do just unraveled. Other comments included: it was not a cooperative atmosphere, it was not a healthy environment for the senior citizens, what is being told to them isn't matching what is happening at the center. Parks added the new employee's job description changed to a slimmed down version of what he was hired to do, and that the board didn't want to let him do the job. Verdoorn commented about adding a second meter to split the electricity.

Delores Merrill asked to meet with anyone to discuss. Slater, Cropley and Parks agreed to meet with the Merrills. Parks said it is the last time to sit down and a win-win situation needs to be worked out. Cropley said she would

dedicate 30 days to it. Slater reiterated the facts remain, and the motion stands. Slater stated he stands behind his vote as there were people who had a passion to support their organization were turned away. Parks also stated the motion stands.

Cropley made a motion to renew the original motion previously read. Parks seconded the motion. Unanimous.

Mayor asked for the following plat by Brown Wegher Construction to be tabled at this time.

Survey Plat of Lots 78 & 79 of Tract 4 of River Valley Addition, North Sioux City, Union County, South Dakota

Cropley addressed a few clarifying questions to Brandi Jorgensen representing River Valley LLP in regards to legal descriptions and duplexes on South Churchill Circle. Jorgensen noted the duplexes were not part of the Belmont Villas and but were owned by Brown Wegher Construction. Cropley asked if any of the townhomes had been presold, Jorgensen stated they had not.

In addressing the River Valley Phase II Tax Increment District agenda item, Jorgensen on behalf of River Valley LLP requested the Council remove provisions in Section 9 relating to commercial requirements. The original land plan presented in 2008 has now been refined by River Valley and their plan eliminates the commercial retail center and replaces it mostly with single family residences. These new changes do not follow along with the original TID which includes the commercial provision to provide retail sales. Jorgensen states they want to strategically plan the commercial businesses. Discussion was held. Slater inquired percentage being dedicated to commercial. Cropley asked regarding property taxes received for River Valley. Kloostra reported having received \$24,664.73.

Motion by Cropley to table the plat presented and the request regarding the River Valley Phase II Tax Increment District under advisement and to discuss with legal counsel and our city engineer. Second by Beavers. Unanimous

Cropley reported Flynn Business Park is moving along nicely. For safety reasons, there is a need for more street lights. Cropley would like Public Works Superintendent Tim Hogan and Engineer Greg Meyer to determine where the lights need to be placed. Meyers reported a plan is presented to MidAmerican and after installation, the cost will be paid through the utilities. Cropley made a motion second by Reiff to have Meyer and Hogan to discuss with MidAmerican the locations and installation of street lights. Unanimous.

Community/council input:

- 1) Doug Jansen thanked Council for their participation in the Chili Feed. Mayor also thanked the veterans for their participation, as well. Reiff and Christiansen also stated it was a great community event. They recognized the employees for helping facilitate the event. Christiansen especially liked how the city partners were formally recognized at the event for their contributions.
- 2) Mayor learned from Reporter Beth Fennel that North Sioux City Times reporter, Kelly Kruithoff, passed away. He has reported on North Sioux City's news for nearly 30 years. Mayor asked Fennel to advise the City of arrangements and the Council would like to contribute in any way.
- 3) Chief Headid stated he looked into the jake break signage, but any signage on state highways require approval. He will continue to look into it.
- 4) Beavers mentioned Riverside Boulevard was interested in the City's old Christmas decorations.

Motion by Cropley second by Verdoorn to enter Executive Session at 8:28 p.m. in accordance with SDCL 1-25-2 (sections 1 and 4) to discuss personnel, legal and contractual matters. Unanimous.

Regular session resumed at 9:56 p.m.

Motion by Reiff second by Christiansen to hire Ted Cherry as City Administrator to start on January 20, 2015 at a yearly salary of \$71,500 subject to the required 90-day probation period. Unanimous.

Slater made a motion Flynn Business Park and read by Attorney Darrell Jesse to authorize purchase of remaining land in Flynn Business Park at rate of \$18, 000 per acre total 54.465 acres and subject to NSCEDC negotiating final

terms, signed December 15, 2015. The first payment, and four equal payments, will be made till 2020. Parks seconded the motion. Unanimous.

Motion by Cropley second by Beavers to issue the two percent city paid portion of a rebate on their sales tax of their equipment purchases. Unanimous.

Motion by Slater and read by Attorney Darrell Jesse to reimbursement sewer back up residents and approve a negotiated settlement with three residents, two for \$10,000 each and one for \$2,500 on the condition that they sign full release author mayor and finance officer, to appropriate funds from sewer fund \$22,500. Christiansen seconded the motion. Ayes: Christiansen, Cropley, Parks (via conference call), Slater, Reiff, Verdoorn. Nays: Beavers. Motion carried.

Motion by Reiff second by Christiansen to approve the fines in the amount of \$659.75. Unanimous.

Motion by Beavers second by Parks to approve the bills. Unanimous.

US BANK	\$1,397.69	NOV 2015 CC CHARGES
AFLAC	\$994.76	NOV 2015 PREMIUMS
FIRST FINANCIAL BANK USA	\$168.23	ZORTS PRIME TIME – MEAL (6) - INTVER
VAST BROADBAND	\$952.55	NOV 2015 PHONE & INTERNET
WELLMARK BLUE CROSS	\$16,288.73	DEC 2015 INSUR PREM
KLOOSTRA, SUSAN	\$509.22	REIMBURSEMENT- SAM'S CLUB – CHILI FEED
AARONS SIGN SHOP	\$25.00	MAINTENANCE SHOP SIGN
AMERICAN LEGAL SERVICES	\$14.48	PD COVERAGE
BANYON DATA SYSTEMS, INC	\$1,590.00	2015 - 2016 FUND AND UB TECH SUPPORT
BENTSON PEST MGMT	\$48.15	NOV PEST CONTROL-SR CENTER
BGN INC	\$34,299.00	GARAGE FRAMING – HRC / 908 HARVEST BEND
BIERSCHBACH EQUIPMENT & SUPPLY	\$1,302.00	RENTAL - FORKLIFT, WORK PLATFORM
BOMGAARS	\$453.71	BATTERY (4), WRENCH SET, PLIERS (3), DUCT
BUELL WINTER MOUSEL & ASSOC	\$22,615.15	NOV 2015 ENGINEERING FEES
BUSINESS FORMS & ACCOUNTING	\$233.94	CHECKS - (4 REAMS)
CAMPBELL SUPPLY SIOUX CITY	\$166.94	SHACKLE (6), LANYARD (2)
CED, INC.	\$827.31	CHRISTMAS DECORATIONS BULBS (450)
CENTER POINT LGE PRINT	\$130.62	BOOKS (6)
CRARY, HUFF, INKSTER, SHEEHAN,	\$4,818.00	NOV 2015 LEGAL FEES
DAILEY, MICHAEL	\$300.00	MOVE & REPLANT TREES (3)
DAKOTA PUMP, INC	\$612.25	WATER STORAGE TANK REPAIRS
DAKOTA DUNES/NSC TIMES	\$630.02	NOV 2015 PUBLISHING
ELECTRIC INNOVATIONS	\$1,630.00	DEC 2015 TECH SUPPORT (5 BLDGS)
FOUR SEASONS NORTH	\$174.65	DEC 2015 FITNESS CTR MEMBERSHIPS
GENERAL TRAFFIC CONTROLS, INC.	\$922.90	LED INSERTS (10)
GOVERNMENTAL FINANCE OFFICERS	\$160.00	FIN OFFICER'S MEMBERSHIP 11/15-10/16
HAWKINS, INC	\$1,038.00	CHLORINE (9)
HYDRAULIC SALES & SERVICE CO.	\$641.80	PIONEER COUPLER (4)
INGRAM LIBRARY SERVICES	\$541.05	BOOKS (31), DVD (1)
J.P. COOKE CO.	\$75.01	2016 PET LICENSE TAGS
JACK'S UNIFORMS & EQUIPMENT	\$327.95	CLOTHING ALLOWANCE
JAN'S PRINTING	\$48.00	NAME BADGES (3)
JANITOR DEPOT, INC.	\$78.83	BATH TISSUE (96), TOWEL (1 CS)
SUSAN KLOOSTRA	\$219.02	REIMBURSEMENT- CHILI FEED SUPPLIES
KMEG-TV	\$798.00	ADVERTISING 11/04-11/30
KPTH	\$792.00	ADVERTISING 11/09-11/29
LAFLEUR AUTO SALES & SVC	\$174.31	2006 DODGE - TRANSFILTER KIT
LEADER-COURIER	\$606.20	NOV 2015 PUBLISHING
MB CLEANING	\$1,540.00	CLEANING – (3 LOCATIONS)
MIDAMERICAN ENERGY	\$12,664.11	DEC 2015 UTILITY CHARGES
MILLS & MILLER, INC	\$1,592.10	DEICING SALT (27.45 TONS)
MJ MINOR UTILITY CONTRACTOR	\$3,842.45	N DERBY - HYDRO VAC FORCE MAIN
MOBILE AUTOGLASS SOLUTIONS LLC	\$25.00	2006 DODGE - REPAIR WINDOW SEAL
IOWA OFFICE SUPPLY, INC	\$236.78	OFFICE SUPPLIES
OFFICE SYSTEMS CO	\$79.49	DEC 2015 LEASE & COPY EXP
PRINCIPAL LIFE INSUR CO	\$2,017.80	DEC 2015 LIFE/DTL PREM
RICK HANSON PLUMBING INC.	\$691.33	REPLACE & INSTALL WATER HEATER
SD ONE CALL	\$38.08	NOV 2015 LOCATE FEES (34)
SD DEPT OF REVENUE	\$252.00	10/21-11/13 -- BOD, SOLIDS
SDRS	\$1,147.74	EMPLOYER CONTRIBUTIONS JAN-SEP 2015
SIOUX SALES CO.	\$193.95	CLOTHING ALLOWANCE
VERIZON WIRELESS	\$966.33	DEC 2015 CELL CHARGES (21)
WESTERN OFFICE TECHNOLOGIES	\$372.17	ENVELOPES (2 BX), PAPER (2 CS)

WOODHOUSE AUTO FAMILY OF SC	\$93.00	MODULE DOOR
WORLD WIDE HOLDINGS, INC.	\$100.00	REFUND OVERPMT LIQUOR LICENSE
BEGNOCHE, PATRICIA	\$2.59	CUSTOMER UTILITY DEPOSIT REFUND
BOETGER, KALEIGH	\$35.64	CUSTOMER UTILITY DEPOSIT REFUND
FREDERICKSEN, RANDY	\$75.00	CUSTOMER UTILITY DEPOSIT REFUND
GRIFFIN, ELLIS	\$51.50	CUSTOMER UTILITY DEPOSIT REFUND
HODGSON, DAVID	\$25.48	CUSTOMER UTILITY DEPOSIT REFUND
JONS, HENRY	\$42.30	CUSTOMER UTILITY DEPOSIT REFUND
LEVOS, GARETT	\$6.51	CUSTOMER UTILITY DEPOSIT REFUND
OBRIAN, JACKIE	\$63.60	CUSTOMER UTILITY DEPOSIT REFUND
RENFRO, KATIE	\$33.20	CUSTOMER UTILITY DEPOSIT REFUND
WOUDSTRA, BILL	\$27.37	CUSTOMER UTILITY DEPOSIT REFUND

As required by SDCL 6-1-10, the following is a list of the November 2015 payroll by department:

Finance	9,461.50
Library	4,508.18
Police	28,590.77
Public Works	21,339.01

Motion by Beavers and second by Parks to adjourn at 10:00p.m. Unanimous.

Approved

Randy Fredericksen, Mayor

Attested

Susan Kloostra, Finance Officer

RESIDENTIAL SOLID WASTE AND RECYCLING HAULING BIDS
THREE YEAR TIMEFRAME - JANUARY 1, 2016 THRU DECEMBER 31, 2018

**bidders listed alphabetically

BIDDER	DESCRIPTION						
	Garbage, Lawn Waste and Recycling Carts	Extra Cart / Garbage	Extra Cart / Recycling	Roll-offs / Haul Fee	Roll-offs / Tonage	Senior Citizen Cart	Other
Gill Hauling							
OPTION 1 - Weekly Waste and Recycling	11.50	2.00	2.00	125.00	36.00	10.25	
GC: 1 / 96-gal wheeled after two after two 1 / 35-gal							
RC: 1 / 65-gal wheeled							

BIDDER	DESCRIPTION						
	Garbage, Lawn Waste and Recycling Carts	Extra Cart / Garbage	Extra Cart / Recycling	Roll-offs / Haul Fee	Roll-offs / Tonage	Senior Citizen Cart	Other
Independence Waste							
OPTION 1 - Weekly Waste and Recycling	14.00	0.00		100.00	35.50		Not include tree limbs
GC: 1 / approximately 96-gal wheeled; after two not shown							
RC: 1 / 64-gal wheeled							

BIDDER	DESCRIPTION						
	Garbage, Lawn Waste and Recycling Carts	Extra Cart / Garbage	Extra Cart / Recycling	Roll-offs / Haul Fee	Roll-offs / Tonage	Senior Citizen Cart	Other
Waste Management							
Fixed first 12 months							
OPTION 1 - Weekly Waste and Recycling	14.50	3.50	0.00	115.00	35.00		Curbside Assistance option; Master or Individual Billed
Option 1 - 3% increase at anniversary	14.94	3.61	0.00	118.45	36.05		
Option 1 - 3% increase at anniversary	15.38	3.71	0.00	122.00	37.13		
OPTION 2 - Weekly Waste and Every-other-week Recycling	12.35	3.50	0.00	115.00	35.00		Curbside Assistance option; Master or Individual Billed
Option 2 - 3% increase at anniversary	12.72	3.61	0.00	118.45	36.05		
Option 2 - 3% increase at anniversary	13.10	3.71	0.00	122.00	37.13		
GC: 2 / 96-gal or 2 / 64-gal wheeled and lidded							
RC: 64-gal or 96-gal wheeled and lidded							