

**APPROVED**  
**North Sioux City, South Dakota**  
**City Council Regular Meeting Minutes**  
**January 4, 2016**

Meeting called to order at 7:00 p.m. by Mayor Fredericksen. Beavers, Christiansen, Cropley, Parks, Slater, 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 Beavers second by Parks to approve the agenda with removing the Planning Commission item, and adding Public Works Equipment Purchase and 2016 Election items. Unanimous.

Slater requested the addition to the Senior Center notes, to add the 9 a.m. time to the meeting date with the Merrills and to include that the deed had been signed at 5:30 p.m. Motion by Cropley second by Parks to approve the December 21, 2015 Regular Council Meeting Minutes with the changes Slater requested. Unanimous.

Motion by Cropley second by Beavers to open the public hearing for the transfer of two (2) retail malt beverage on-off sale liquor licenses at 7:04 p.m. No public input received. Council asked clarifying questions. Motion by Reiff second by Cropley to close public hearing at 7:06 p.m. Unanimous.

Motion by Beavers second by Cropley to approve the transfer of two (2) retail malt beverage on-off sale liquor licenses as presented. Aye: Beavers, Cropley, Parks, Slater, Reiff and Verdoorn. Nay: None. Abstain: Christiansen.

**#1 Transfer Retail Malt Beverage On-Off Sale License:**

From: McCook Lake Izaak Walton League, d/b/a Ike's Lounge, 100 South Derby Lane  
To: Beano & Sherry's, d/b/a Conley Casino, 118 Military Road

**#2 Transfer Retail Malt Beverage On-Off Sale License:**

From: McCook Lake Izaak Walton League, d/b/a Ikes Casino, 100 South Derby Lane  
To: Beano & Sherry's, d/b/a Farrer Casino, 118 Military Road

Public Works Superintendent Tim Hogan presented information regarding purchasing equipment to aide Public Works employees in safely putting up and taking down flags and Christmas decorations. A local rental company is selling a used forklift with a 49' reach for around \$35,000. A basket would also need to be purchased for an additional \$6,000. The equipment would also be used for other tasks. Slater recommended waiting to see how many times we need to use the equipment before making a decision. Beavers stated the equipment could be paid for within two years. Hogan will continue to explore other options, including state bid. No motion at this time.

Greg Meyer, City Engineer, requested Council's approval to advertise for bids for the Westshore Drive Reconstruction Project. Bids would be returned by February 12, before the February 15 Council meeting. For the bike trail portion, Meyer will continue exploring options but if necessary will acquire right of ways from the school district and Union County. Motion by Cropley second by Parks to advertise as outlined. Unanimous. Beavers inquired if Meyer has spoken with any residents. He reported he had talked to a few residents and Game, Fish & Parks had spoken to a resident, but typically a public meeting is held.

Slater shared with the Council the latest updates regarding the Senior Center. As requested by the residents, Parks, Slater and Mayor Fredericksen attended a meeting on December 30 held at the senior center. Slater relayed to the Council the meetings on July 20, September 8, November 16, December 7 and December 21 which lead up to the meeting on the 30. Slater reported there were 20-30 residents in attendance and it was a very positive meeting.

Items discussed at the meeting included: 1) The meeting on December 11 with Bill and Delores Merrill, as requested by them at the December 7 Council meeting. 2) The meeting objective was to discuss a long term

NOTICE OF HEARING UPON APPLICATIONS FOR  
Transfer of Alcoholic Beverages

NOTICE IS HEREBY GIVEN THAT a public hearing shall be conducted at 7 p.m. on Monday, February 1, 2016 by the Common Council of the City of North Sioux City, South Dakota to consider the transfer of two Malt Beverage Licenses for the following applicant:

#1 Transfer Retail Malt Beverage On-Off Sale License:

From:

McCook Lake Izaak Walton League, d/b/a Ike's Lounge, 100 South Derby Lane, North Sioux City SD 57049, Lots NW ¼ SE ¼ Outlots North Sioux City, 1.36A Less Part of Lot H-1, Union County, South Dakota

To:

Worldwide Holdings, Inc., d/b/a VIP IV, North Sioux City, SD 57049, 14-8948 Lots 2,3,&4 Bruneau Add N Sioux City Less Rasmussen Ditch Less Part of Lot 4 Lying N, Union County, South Dakota

#2 Transfer Retail Malt Beverage On-Off Sale Licens:

From:

McCook Lake Izaak Walton League, d/b/a Ikes Casino, 100 South Derby Lane, North Sioux City SD 57049, Lots NW ¼ SE ¼ Outlots North Sioux City, 1.36A Less Part of Lot H-1, Union County, South Dakota

To:

Worldwide Holdings, Inc., d/b/a VIP V, North Sioux City, SD 57049, 14-8948 Lots 2,3,&4 Bruneau Add N Sioux City Less Rasmussen Ditch Less Part of Lot 4 Lying N, Union County, South Dakota

NOTICE IS FURTHER GIVEN that said applications will be heard and considered by the Common Council of North Sioux City at City Hall, 504 River Drive, North Sioux City, South Dakota. At that time any person interested in the approval or rejection of any such application may appear and be heard.

Dated this 11<sup>th</sup> day of January, 2016, at North Sioux City, South Dakota.

Susan Kloostra  
Finance Officer

Published: January 14, 2016

NOTICE OF HEARING UPON APPLICATIONS FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN THAT a public hearing shall be conducted at 7 p.m. on February 1, 2016 by the Common Council of the City of North Sioux City, South Dakota to consider the following applications for One-Day Liquor Licenses for the following applicant as follows:

North Sioux City Fire Department  
Convention Center  
205 Sodrac Drive, North Sioux City, South Dakota  
One-Day Temporary Liquor License

Date(s): Feb 20, 27  
March 5, 12, 19, 26  
April 2, 9, 16, 23, 30  
May 6, 7, 13, 14, 20, 21, 28  
June 4, 10, 11, 17, 18, 24, 25  
July 1, 2, 8, 9, 15, 16, 22, 23, 29, 30  
Aug 6, 13, 20, 27  
Sept 3, 10, 17, 24  
Oct 1, 8, 15, 22, 29  
Nov 5, 12, 19, 26  
Dec 10, 17

NOTICE IS FURTHER GIVEN that said application will be heard and considered by the Common Council of North Sioux City at City Hall, 504 River Drive, North Sioux City, South Dakota. At that time any person interested in the approval or rejection of any such application may appear and be heard.

Dated this 12<sup>th</sup> day of January, 2016, at North Sioux City, South Dakota.

Susan Kloostra  
Finance Officer

Published: January 21, 2016

To the North Sioux City Council,

We are applying for a one day On-Sale Liquor License for February 16, 2016 at Sugar Daddy's in North Sioux City.

We are hosting a meet and greet for local business owners and vendors. Brown's Hunting Lodge would like to make a presentation and serve free liquor and food. We are hoping our vendors and possibly local business owners will have interest in using our lodge for corporate retreats or customer and employee incentives.

Thank you for your consideration and please feel welcome to attend.

Dustin Chartier

## **North Sioux City Police Department**

**Title:** Body Camera Policy

**Effective Date:** February 3, 2016

**Purpose:** To establish policy regarding the use, control, and care of the Watch Guard Vista Body Worn Camera (BWC) Audio / Video Recording Device.

### **1. WatchGuard Vista**

#### **a. Equipment:**

- i. WatchGuard Vista – HiFi audio and HD color video / low light camera mounted on a uniform shirt, coat, or other Departmental approved method.
- ii. Image Quality: 720p (1280x720) video resolution, 130 degree wide angle field of view, camera lens can be rotated vertically 40 degrees.
- iii. One piece design with integrated camera and memory storage.

#### **b. Modes of Operation:**

- i. Normal (Buffering) Mode – The WatchGuard Vista continuously loops recording for up to 60 seconds. The device records video only (no audio) while buffering. A green LED light is emitted on the front of the camera during buffering mode, unless Sleep or Covert Mode is activated.
- ii. Recording Mode – In the Recording Mode the camera unit saves the buffered video, and continues recording audio and video for up to 6 hours. To activate a recording, the one touch record button is pressed 1 time. To end a recording, the record button is pressed again 1 time. During recording a red LED light will be emitted on the front of the camera, unless Covert Mode is activated.
- iii. Sleep Mode is automatically activated by the device when the device senses no movement for the time frame of 5 minutes. The green LED light will not be illuminated while in Sleep Mode. The device automatically resumes buffering when movement is sensed.
- iv. Recordings can be categorized as to specific types of call for service on the device after a recording.
- v. Device LCD information screen displays: Battery level, Incident Categories, Memory Space Used, Number of Recordings, Current Recording Duration, Current Time, Current Date, Assigned Officer Name, and Covert Mode Activation.

- vi. Covert Mode can be activated during recording to de-illuminate the red and green LED lights on the front of the device. It also silences any set audible indicators.

## **2. Policy**

### **a. Recording:**

- i. The WatchGuard Vista device will be utilized by all patrol officers to record all types of events to include, but not limited to: traffic stops; pursuits; vehicle searches; vehicle inventories; any confrontational or violent calls; all domestic calls; all use of force situations; interviews with subjects, victims, and witnesses; advising an individual of their Miranda rights (outside of recording in the office interview room); any alcohol call; or other law enforcement contacts.
- ii. The WatchGuard Vista device is set to capture 60 seconds of pre-event data. Upon starting a recording, the device will also capture the past 60 seconds of video (not audio) prior to the start of the recording.

### **b. Prohibited Recording:**

- i. The WatchGuard Vista shall not be used to record personal activity.
- ii. The WatchGuard Vista will not be activated in places where a reasonable expectation of privacy exists, such as dressing rooms or restrooms.
- iii. The WatchGuard Vista will not be intentionally activated to record conversations of fellow employees without their knowledge during routine, non-enforcement related activities.
- iv. Employees shall not record confidential informants or undercover officers.
- v. Employees shall not record while in the State's Attorney's Office. This includes trial, hearing, and courtroom preparations; and grand jury activities.
- vi. Employees shall not record while in any courtroom or court proceedings.
- vii. Employees shall not record any personnel related communications with supervisors or administration or communications with the City Council.

### **3. Procedures**

#### **a. Training:**

- i. Before being authorized to use the WatchGuard Vista participants must attend a mandatory 1 hour training session to familiarize themselves with the WatchGuard Vista system.

#### **b. Operator Procedures:**

- i. Prior to going into service, patrol officers will ensure they are wearing an authorized uniform, clearly identifying the user as a Police Officer with the North Sioux City Police Department.
- ii. Officers will test the equipment to ensure it is operating properly. If problems are encountered with any component of the system, the WatchGuard Vista will not be used. The employee will immediately notify a supervisor, and the malfunction will be documented.
- iii. Officers will have the WatchGuard Vista on their person ready to use at the beginning of their shift.
- iv. Officers will wear the WatchGuard Vista in an approved location on their uniform, as determined by the Chief of Police. The WatchGuard Vista may be removed from its recording position while the officers are on their breaks, at the department or at home.
- v. Officers will place their WatchGuard Vista device in buffering mode when on routine patrol in order to capture any event they may witness.
- vi. When en route to calls, the WatchGuard Vista shall be activated prior to the officer's arrival when possible.
- vii. Once activated, the WatchGuard Vista device should be left on until the event is cleared by the officer.
- viii. When an officer obtains a video statement, the fact the statement was recorded, will be listed on the Incident / Case Report. A video statement is an additional supplement to the report and is not a replacement for a written statement or photographs.
- ix. If no WatchGuard Vista recording was made the officer shall explain why in a supplement to the report.
- x. When the WatchGuard Vista device is used in any investigation or during a traffic stop, this fact will be documented on any citation and / or report prepared regarding the contact.
- xi. Officers may review recordings to verify information or the accuracy of a report.

- xii. Video recordings may be copied, however only shared with other law enforcement entities, unless authorized by the Chief of Police.
- xiii. Officers shall not allow citizens in general to review the recordings. Reviews of recordings by other law enforcement personnel involved in the incident are allowed.
- xiv. The release of information requested through a public records request will be subject to the same statutory exemptions from disclosure as all Department records.
- xv. Officers will not make copies of any recording for their own personal use, and are prohibited from using any secondary recording device (such as a telephone camera, secondary video camera, or audio recorder) to record media from the device.

#### **4. Security of Media**

- a. All digital media collected using the WatchGuard Vista is considered a record of the North Sioux City Police Department. Accessing, copying, or releasing any media for other than official law enforcement purposes is strictly prohibited, except as required by law.
- b. Any report forwarded to the State's Attorney's Office shall include a copy of the WatchGuard Vista recording, just as any other recording or photographs would be.

#### **5. Storage of Media**

- a. The WatchGuard Vista shall be placed in the approved docking base at the end of each shift to download recorded video and to charge the device.
- b. All digital media collected using the WatchGuard Vista shall be downloaded to a specific storage hard drive, specified by the Chief of Police. No other storage locations shall be used.
- c. Digital media storage shall not be deleted from the storage drive, unless authorized and completed by the Chief of Police or an authorized person on the Chief's behalf.

#### **6. Department Review**

- a. The audio / visual recording can be routinely or randomly reviewed to monitor officer performance. A supervisor can conduct a performance review when there is an articulable reason to conduct the review.
- b. The performance review is not intended to limit or restrict the Department's review of audio / video recordings as part of an official Department investigation, including matters of personnel complaints, civil claims, or other administrative investigations.

CITY OF NORTH SIOUX CITY  
SOUTH DAKOTA

NORTH SIOUX CITY POLICE DEPARTMENT

BY: \_\_\_\_\_

Randy Fredericksen

Its: Mayor

BY: \_\_\_\_\_

Richard Headid

Its: Chief of Police

ATTEST:

ATTEST:

\_\_\_\_\_

Ted Cherry

City Administrator

\_\_\_\_\_

Aaron Tyler

TEAMSTERS LOCAL 120 NSCPD STEWART

Passed by City Council: \_\_\_\_\_

(Date)