



North Sioux City, South Dakota  
**Regular Meeting of the City Council**  
March 5, 2018 – 7:00 p.m.  
City Hall

**PROPOSED AGENDA**

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Agenda
- E. Approval of Minutes: February 20, 2018 Regular Meeting
- F. Agenda Items
  - 1. Hearing – Transfer Malt Beverage License with Video Lottery
  - 2. Working Groups – Sewer, Budget, Traffic, Streetscape
  - 3. 2" North Derby Overlay – Bid Award
  - 4. 2018 Sewer Televising/Cleaning – Bid Award
  - 5. Bid Notification – South Derby Lane Paving
  - 6. Easter Holiday – April 2<sup>nd</sup>
  - 7. Resolution 2018-01 – Sioux Pt. and Shay Road Transfer Resolution
- G. Community and Council Input
  - 1. Splash Pad Info Session – March 7 at 5:30pm – Council Chambers
  - 2. SDML District Meeting – March 13 at 6:00pm – Harrisburg
- H. Executive Session\*
  - 1. Personnel
- I. Approval of Bills
- J. 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).



# City Council MEMO

504 River Drive  
North Sioux City, SD 57049  
Phone (605) 232-4276  
Fax (605) 232-0506

To: North Sioux City – City Council  
From: Ted Cherry, City Administrator  
Date: 3/5/2018  
Re: Resolution 2018-01 – Sioux Point and N. Shay Road Transfer Resolution

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**Background:** As previously discussed the City has been in negotiations for taking over ownership of Sioux Point Road and a portion N. Shay Road. Darrell has written the resolution that needs to be passed before the contracts are signed. There will be two contracts that will be presented to the Council when they are prepared.

The first contract is for the transfer of ownership for the roads. This will have a legal description and the timeframe for the roads being transferred.

The second contract is an agreement with the County that would affect if the road is ever abandoned. In this agreement it would stated the City is responsible for the removal of the road, and that the county is responsible for hauling away the asphalt and subsurface. This would allow the road to be removed in an equitable manner financially.

**Financial Consideration:** None at this time.

**Recommendation:** Administration would recommend approval of Resolution 2018-01 for the transfer of Sioux Point Road and a portion of N. Shay road to the City's ownership.

RESOLUTION #2018-01

**A RESOLUTION APPROVING THE TRANSFER OF SIOUX POINT ROAD AND A PORTION OF NORTH SHAY ROAD AND AUTHORIZING THE MAYOR AND FINANCE OFFICER TO EXECUTE ANY AND ALL DOCUMENTS PERTAINING TO SAID TRANSFER**

WHEREAS, the City of North Sioux City desires to approve the acceptance of the transfer of Sioux Point Road and a portion of North Shay Road from Union County pursuant to the Sioux Point Road Transfer Agreement attached hereto; and

WHEREAS, this transfer of Sioux Point Road and a portion of North Shay Road from Union County to the City of North Sioux City is statutorily authorized pursuant to SDCL 6-5-5; and

WHEREAS, the City of North Sioux City, desires to authorize the Mayor and Finance Officer to sign any and all documents pertaining to the transfer of Sioux Point Road and a portion of North Shay Road; and

NOW, THEREFORE, BE IT RESOLVED by the City of North Sioux City, that the City of North Sioux City shall enter into a Transfer Agreement with Union County regarding Sioux Point Road and a portion of North Shay Road, which transfer is statutorily authorized by SDCL 6-5-5.

BE IT FURTHER RESOLVED that twenty (20) days after publication of this Resolution the Mayor and Finance Officer are authorized to enter into a Road Transfer Agreement attached hereto as Exhibit A and incorporated by reference herein. Said Agreement shall provide for the ongoing ownership and maintenance by the City.

BE IT FURTHER RESOLVED that in addition, the City of North Sioux City and Union County shall simultaneously enter into an agreement wherein the County agrees to load and remove, at no cost to the City, asphalt and subsoil under any portion of the road which may be abandoned and removed by the City in the future.

BE IT FURTHER RESOLVED that Randy Fredericksen and Susan Kloostra, as Mayor and Finance Office of the City of North Sioux City are hereby authorized to execute the Road Transfer Agreement attached hereto as Exhibit A in the name of the City of North Sioux City any and all documents pertaining to transfer of Sioux Point Road and a portion of North Shay Road.

CERTIFICATE

I, the duly appointed, qualified and acting \_\_\_\_\_ of the City of North Sioux City, hereby certify that the foregoing Resolution is a true and correct copy of the Resolution adopted by the City of North Sioux City, at a meeting held on the \_\_\_\_ day of March, 2018.

Witness my hand as \_\_\_\_\_ this \_\_\_\_ day of March, 2018.

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