



Regular Meeting of the City Council

June 18, 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: June 4, 2018 Regular Meeting
- F. Executive Session
 - 1. Personnel
- G. Agenda Items
 - 1. Hearing – Transfer Alcohol Licenses
 - 2. Plat Cork Tract 1 and Kenny Tract 1
 - 3. Plat Lots 1-3 Cottingham’s 2nd Addition
 - 4. Resolution 2018-03 South Derby Speed Limit Change
 - 5. Lakeshore Estates Sewer Depth
- H. Community and Council Input
 - 1. GOED Webinar – June 20, 10:30-11:30 am – Elected Officials and Economic Development – Contact Ted to register
 - 2. SDML Elected Officials Workshop – July 18 – Contact Ted to register
 - 3. SDML Budget Trainings – July 12 Rapid City, July 26, Sioux Falls – Contact Ted to register
 - 4. Senator Round Staff Meeting – June 27, 10 am – Contact Ted to register
- I. Approval of Bills
- J. Adjournment

UNAPPROVED
North Sioux City, South Dakota
City Council Regular Meeting Minutes
June 4, 2018

Meeting called to order at 7:00 p.m. by Mayor Fredericksen. Berg, Blaeser, Cropley, Parks (7:38), Reiff and Slater were present. Absent: Carpenter and Green. Also in attendance were City Administrator Ted Cherry, City Attorney Darrell Jesse and Finance Officer Susan Kloostra.

Mayor Fredericksen led the Pledge of Allegiance.

Motion by Reiff second by Cropley to approve the agenda as presented. All members present voted aye.

Motion by Berg second by Slater to approve the May 7 Regular Council Meeting Minutes. All members present voted aye. Motion by Berg second by Reiff to approve the May 21 Regular Council Meeting Minutes. All members present voted aye.

Motion by Cropley second by Blaeser to approve the Fireworks Application for American Fireworks as presented. All members present voted aye.

Following the sale of the Gateway complex, it was discovered that a portion of Merrill Avenue was still listed as property of Gateway. The Quit Claim Deed will transfer ownership from Gateway to the City. Motion by Cropley second by Berg to approve the Quit Claim Deed as presented. All members present voted aye.

North Merrill in tracts 34 and 35, Gateway Business Park Second Platting, North Sioux City, Union County, South Dakota

Change Order #3 for the Sioux Laundry Forcemain was presented for Council consideration. The change order is a reduction for seeding quantities. Motion by Reiff second by Blaeser to approve Change Order #3 reducing the contract price in the amount of \$1,665.00. All members present voted aye.

During the September 18, 2017, Council approved Resolution 2017-05 seeking Transportation Alternatives Grant (TAP) grant funds to complete the bike path along Streeter Drive. The State has approved the Bike Path project, replacing the asphalt section. Cherry presented for Council's approval the SD DOT agreement outlining the project funding. The project is estimated at \$326,302.00, the state will pay \$244,726.50 and the City will pay \$81,575.50. The project will be funded in the FY2019 budget. Discussion was held. Motion by Reiff second by Blaeser to approve the agreement as presented. All members present voted aye.

The developers for Lakeshore Estates obtained additional information regarding sewer depths for the proposed sewer in the development and resubmitted their request to raise the sanitary sewer depth, due to groundwater. City Engineer Greg Meyer, Bart Connelly and Kyle Mullenix of DGR Engineering were in attendance and participated in the discussion. Council members questioned the need to bring back to the Council after the May 7 decision to support the depths as Meyer directed. Mayor Fredericksen believed a resolution to reroute the sewer had been agreed upon the day he and Meyer worked with the developers on the construction site. Discussion included: reroute implications, concerns for future building projects as a result of decisions made in the Lakeshore development, height of houses and need for ejector pumps, the necessity to raise sewer in surrounding property, request for Council decision on something that is not their expertise, proper disposal of sewer drainage to the south, the City's TIF contribution to the project and potential long term financial impacts, and having enough information to accurately represent the situation and make an informed decision.

Consensus was reached that the developer will conduct additional subsoil investigation through boring or digging to define groundwater issues farther north, survey layout for sewer lines and create a potential design for Streeter property with Meyer's agreement.

Council took a break at 8:26 p.m. Session resumed at 8:32 p.m.

Cherry presented background information regarding the Solid Waste Fund. Over the last couple of years, the costs associated with solid waste removal have been realigned out of the General Fund into the Solid Waste fund, creating a deficit. This deficit is expected going forward. Administration recommends the fund be self-sustaining and is seeking direction from Council as to options to resolve the deficit beyond utilizing unassigned cash. Discussion was held. Slater suggested the details could be discussed during the pre-budget meeting with the Council representatives and presented to Council at a later date. Council appreciated the detail and information presented.

Community/council input:

- 1) Parks asked if an occupancy certificate has been issued at 416 Lakeshore as it doesn't look to be completed, skirting is missing. Cherry had been informed of a manufacture issue getting skirting in but will contact management for an update. Berg asked about how these situations are monitored and enforced.
- 2) Mayor Fredericksen asked regarding any action to address sewer capacity concerns with the City of Sioux City. Cherry updated Council on interactions with Sioux City as well as the Sister Cities. Sioux City has made not presented solutions to increased capacity needs.

Motion by Cropley second by Parks to enter Executive Session at 8:45 p.m. in accordance with SDCL 1-25-2 (sections 1 and 4) to discuss Personnel matters. All members present voted aye.

Regular session resumed at 9:33 p.m.

Motion by Reiff second by Parks to approve the bills as presented. All members present voted aye.

ABSOLUTE SCIENCE	375.00	LIB SUMMER READING PROG SHOW
BEN FISH TIRE CO, INC	250.90	TORO MOWER TIRES
BOMGAARS	59.99	MAILBOX REPLCMNT-204 ROSE
BUELL WINTER MOUSEL & ASSOC	19450.38	2018 SWR CLNG & INSPCTN PROJ
C. W. SUTER SVCS	3640.56	CITY HALL SEMI NNUAL MNTNC
CED	624.88	PHASE SWITCH-MILLER LIFT
CENTER POINT LGE PRINT	137.82	BOOKS (6)
CHERRY, TED	33.85	MLG REIMB-SIMPCO MTG-WIT 5/9
COLONIAL LIFE	176.50	MAY2018 PREM 5/11, 5/25
CRARY, HUFF, INKSTER, SHEEHAN	2922.00	POLICE UNION CONTRACTS
DAKOTA DUNES/NSC TIMES	35.68	SUBSCRIPTION RNWL-CH
DEMCO, INC	568.40	LIB SUPP-HANGUP BAG (5 PK)
ELECTRONIC ENGINEERING CO.	6.50	GASKET (6 PK)
FASTENAL COMPANY	192.96	FASTENERS (45)
FOUR SEASONS NORTH	224.55	JUNE2018 FITNESS CHGS
GATEWAY ENGINEERING INC	3360.00	PACO PUMP W 7.8 ROTATOR
HEMMINGSSEN, JODI	161.53	SUMMER REC REIMB
INGRAM LIB SVCS	474.89	BOOKS (32), DVD (2)
JACK'S UNIFORMS & EQUIP	99.35	CLOTHING ALLOWANCE
EAKES OFFICE SOLUTIONS	562.42	CLNG SUPP (4 LOCATIONS)
JEFF'S LAWN CARE, INC.	2860.00	WILDFLOWER BEND SEEDING
JEO CONSULTING GROUP	9001.50	NSC LEVEE EVLTN
KEVIN ODELL ELECTRIC, INC.	540.03	PD-REPAIRED LIGHTS
SUSAN KLOOSTRA	197.00	5/3 MEAL REIMB (14)
MACH 3 ENTERPRISES	300.00	LIB SUMMER READING PROG SHOW
MB CLEANING	1745.00	CLEANING (4 LOCATIONS)
MIDAMERICAN ENERGY	34.41	114 MAIN-UTILITY CHGS
MJ MINOR UTLTY CONTRCTR	13619.99	N DERBY LN EMRGNCY VAC & REP
NSC AUTO REPAIR	768.19	RPLCD AXLE SHAFT & EXHAUST MANIFOLD
O'REILLY AUTOMOTIVE, INC.	17.97	PAINT BOAT RAMP ARM
OFFICE SYSTEMS CO	211.34	JUNE2018 COPY & LEASE EXP
ONE OFFICE SOLUTION	557.09	TONER (4), FOLDERS (3 BX)
PRESTO-X CO	226.00	MAY2018 PEST CNTRL
RIVER VALLEY, LLP	14854.19	Q12018 TIF PROPERTY TAX
ROBERTSON IMPLEMENT CO	208.76	MOWER-HEX BELT (2), OIL (2)
SD MUNICIPAL LEAGUE	50.00	SDML CONF REGISTRATION (2)
SD DEPT OF HEALTH	254.00	4/16-05/15 BOD, COLI, SOLIDS
SIouxLAND CONCRETE PRODUCTS	187.00	MANHOLE RISERS (3)
STOCKWELL ENGINEERS, INC	5100.00	STREETScape ARCHITECT FIRM-30%

TOOL DEPOT	103.56	BENCH, SAWZALL BLDE (2),
TOWN & COUNTRY LAWN SVC	1545.00	MAY2018 WEED CTRL-CH
USABLUEBOOK	901.51	GLOVES (10 BX), FLOAT SWITCH (5)
VERIZON WIRELESS	740.38	MAY2018 CELL CHGS
WOODBURY CTY EMERG SVCS	479.13	JUNE2018 STARCOMM

As required by SDCL 6-1-10, the following is a list of the May 2018 payroll by department:

Council	\$26,000.00
Finance/Admin	\$19,675.91
Library	\$5,916.37
Police	\$32,963.62
Public Works	\$21,802.74

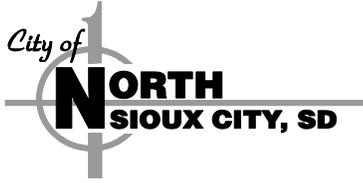
Motion by Berg second by Reiff to adjourn at 9:34 p.m. All members present voted aye.

Approved

Randy Fredericksen, Mayor

Attested

Susan Kloostra, Finance Officer



City Council MEMO

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

To: Mayor Fredericksen
Council Members
From: Susan Kloostra
Date: 6/3/2018
Re: Hearing – Transfer Alcohol Licenses

Background: Waddy's LLC has applied for the transfer of four Retail Malt Beverage (On-Off Sale) Licenses with video lottery options and one Retail (On-Off Sale) Wine license with video lottery option.

Council shall conduct a hearing regarding this transfer:

From:

Freedom Inc of N Sioux City d/b/a Whistlestop Casino, Waterbury Tract 1 Gov't Lot 3 Less Lot E15 Outlots, North Sioux City, Union County, South Dakota

To:

Waddy's LLC, d/b/a Waddy's Whistlestop Casino, Waterbury Tract 1 Gov't Lot 3 Less Lot E15 Outlots, North Sioux City, Union County, South Dakota

Financial Consideration: None.

Recommendation: Motion to approve the transfer of the five licenses as presented.

/srk

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, June 18, 2018 by the Common Council of the City of North Sioux City, South Dakota to consider the transfer of four Malt Beverage Licenses and one Wine License for the following applicant:

Transfer Retail Malt Beverage (On-Off Sale) License with Video Lottery Option:

From:

Freedom Inc of N Sioux City d/b/a Whistlestop Casino, Waterbury Tract 1 Gov't Lot 3 Less Lot E15 Outlots, North Sioux City, Union County, South Dakota

To:

Waddy's LLC, d/b/a Whistlestop Casino, Waterbury Tract 1 Gov't Lot 3 Less Lot E15 Outlots, North Sioux City, Union County, South Dakota

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 1st day of June, 2018, at North Sioux City, South Dakota.

Susan Kloostra
Finance Officer

Published: June 7, 2018

Date Received _____
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address

Waddy's LLC
Po Box 257
Hudson, SD 57034

Owner's Telephone #: 7125516969

B. Business Name and Address

LIC # RW-6407
Waddy's Whistlestop Casino
200 RIVER DR STE
NORTH SIOUX CITY, SD 57049

Business Telephone #: 605 232 4867

C. Indicate the class of license being applied for
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) _____
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0

Number of other On-sale Liquor Licenses held: 0

Is this License in active use? Yes No

D. Legal description of licensed premise:

WATERBURY TRACT 1 GOVT LOT 3, OUT LOTS NORTH SIOUX CITY, SD
LESS EIS

Have you ever been convicted of a felony? Yes No

Do you own or lease this property? (Check one)

E. State Sales Tax Number: Applied

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license? Transfer? (\$150) Re-issuance?

H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 1 day of June Signature [Signature]

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality? Yes No County: _____

This application was subscribed and sworn to before me this _____ day of _____

Approving Officer's Telephone number _____ Signature: _____

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on June 7, 2018. Public hearing on the application was held _____, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation? Yes No

Are real property taxes paid to date? Yes No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: 50

Amount of fee collected with application \$ _____

Amount of fee retained \$ _____

Forwarded with application \$ _____

For Local Government Use

(Seal) _____
Mayor or Chairman
If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)

From: _____
Sales tax approval _____ Date _____
STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____

**Company supplement information
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

Affidavit

State of South Dakota)

:ss

County of Union)

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC WADDY'S LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 313 WHEELOCH ST HUDSON, SD

Date of incorporation _____

Date of last report filed with Secretary of State _____

Are all managing officers of this corporation/partnership/LP/LLC of good moral character? YES

Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? NO

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
ADAM WATERMAN	OWNER 100%	313 WHEELOCH ST HUDSON, SD	MANAGE WADDY'S LLC

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

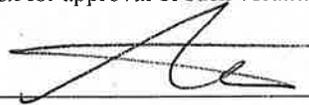
Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner _____



Subscribed and sworn to before me this 1 of June 2018, Union County, State of South Dakota.

My commission expires 3-1-2023

S. Sloastra
(Notary Public)

Date Received _____
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address

Waddy's LLC
Po Box 257
Hudson, SD

B. Business Name and Address

LIC #RB-2276
Waddy's Whistlestop Casino #2
200 RIVER DR STE #2
NORTH SIOUX CITY, SD 57049

Owner's Telephone #: 7125516969

Business Telephone #: 605 232 4867

C. Indicate the class of license being applied for
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) _____
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0

Number of other On-sale Liquor Licenses held: 0

Is this License in active use? Yes No

D. Legal description of licensed premise:

WATERBURY TRACT 1 GOVT 3, OUT LOT 5 NORTH SIOUX CITY, SD

Have you ever been convicted of a felony? Yes No

Do you own or lease this property? (Check one)

E. State Sales Tax Number: Applied

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license? Transfer? (\$150) Re-issuance?

H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 1 day of June Signature [Signature]

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality? Yes No County: _____

This application was subscribed and sworn to before me this _____ day of _____

Approving Officer's Telephone number _____ Signature: _____

J. APPROVAL OF LOCAL GOVERNING BODY. - Notice of hearing was published on June 7, 2018. Public hearing on the application was held _____, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation? Yes No

Are real property taxes paid to date? Yes No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: 50

Amount of fee collected with application \$ _____

Amount of fee retained \$ _____

Forwarded with application \$ _____

For Local Government Use

(Seal) _____

Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____

Date Received _____
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

Mail **this copy** to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

<p>A. Owner Name and Address</p> <div style="border: 1px solid black; padding: 5px;"> Waddy's LLC Po Box 257 Hudson, SD </div> <p>Owner's Telephone #: 7125516969</p>	<p>B. Business Name and Address</p> <div style="border: 1px solid black; padding: 5px;"> LIC #RB-2266 Waddy's Whistlestop Casino #3 200 RIVER DR STE #3 NORTH SIOUX CITY, SD 57049 </div> <p>Business Telephone #: 605 232 4867</p>
<p>C. Indicate the class of license being applied for (submit separate application for each class of license).</p> <ul style="list-style-type: none"> <input type="checkbox"/> Retail (on-sale) Liquor <input type="checkbox"/> Retail (on-sale) Liquor - Restaurant <input type="checkbox"/> Retail (on-off sale) Wine <input type="checkbox"/> Package (off-sale) Liquor <input checked="" type="checkbox"/> Retail (on-off sale) Malt Beverage <input type="checkbox"/> Retail (on-off sale) Malt Beverage & SD Farm Wine <input type="checkbox"/> Package (off sale) Malt Beverage <input type="checkbox"/> Package (off sale) Malt Beverage & SD Farm Wine <input type="checkbox"/> Other (please classify) _____ <input checked="" type="checkbox"/> Transfer Fee \$150.00 <p>Number of other Package Liquor Licenses held: 0 Number of other On-sale Liquor Licenses held: 0 Is this License in active use? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>D. Legal description of licensed premise:</p> <div style="border: 1px solid black; padding: 5px;"> WATERBURY TRACT 1 GOVT LOT 3, OUT LOT 5 NORTH SIOUX CITY, SD </div> <p>Have you ever been convicted of a felony? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Do you own <input checked="" type="checkbox"/> or lease <input type="checkbox"/> this property? (Check one)</p> <p>E. State Sales Tax Number: Applied</p> <p>F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.</p> <p>G. New license? <input type="checkbox"/> Transfer? (\$150) <input checked="" type="checkbox"/> Re-issuance? <input type="checkbox"/></p>

H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 1 day of June Signature

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Place of business is located in a municipality? Yes No County: _____

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Approving Officer's Telephone number _____ Signature: _____

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Application approved for Sunday on-sale operation? Yes No

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Ineligible for video lottery

Number of video lottery terminals on licensed premise: 50

Amount of fee collected with application \$ _____

Amount of fee retained \$ _____

Forwarded with application \$ _____

<p style="text-align: center;">For Local Government Use</p> <p>(Seal) _____ Mayor or Chairman</p> <p>If disapproved, endorse reason thereon and return to applicant</p>	<p style="text-align: center;">Transferred (State Use)</p> <p>From: _____ Sales tax approval _____ Date _____</p> <p style="text-align: center;">STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____</p>
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**Company supplement information
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

State of South Dakota)

Affidavit

County of Union)

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC WADDY'S LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 313 WHEELOCH ST HUDSON, SD

Date of incorporation _____

Date of last report filed with Secretary of State _____

Are all managing officers of this corporation/partnership/LP/LLC of good moral character? YES

Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? NO

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
ADAM WATERMAN	OWNER 100%	313 WHEELOCH ST HUDSON, SD	MANAGE WADDY'S LLC

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

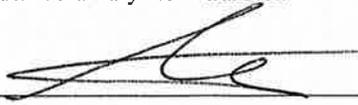
Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner 

Subscribed and sworn to before me this 1 of June 2018, Union County, State of South Dakota.

My commission expires 3-1-2023 Siskoetra

(Notary Public)

Date Received _____
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address

Waddy's LLC
Po Box 257
Hudson, SD

B. Business Name and Address

LIC #RB-2872
Waddy's Whistlestop Casino #4
200 RIVER DR STE #4
NORTH SIOUX CITY, SD 57049

Owner's Telephone #: 7125516969

Business Telephone #: 605 232 4867

C. Indicate the class of license being applied for
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) _____
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0

Number of other On-sale Liquor Licenses held: 0

Is this License in active use? Yes No

D. Legal description of licensed premise:

WATERBURY TRACT 1 GOVT 3, OUT LOT 5 NORTH SIOUX CITY, SD

Have you ever been convicted of a felony? Yes No

Do you own or lease this property? (Check one)

E. State Sales Tax Number: Applied

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license? Transfer? (\$150) Re-issuance?

H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 1 day of June Signature [Signature]

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality? Yes No County: _____

This application was subscribed and sworn to before me this _____ day of _____

Approving Officer's Telephone number _____ Signature: _____

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on June 7, 2018. Public hearing on the application was held _____, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation? Yes No

Are real property taxes paid to date? Yes No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: 50

Amount of fee collected with application \$ _____

Amount of fee retained \$ _____

Forwarded with application \$ _____

For Local Government Use

(Seal) _____
Mayor or Chairman
If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)
From: _____
Sales tax approval _____ Date _____
STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____

**Company supplement information
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

Affidavit

State of South Dakota)

:ss

County of Union)

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC WADDY'S LLC
 Address of office and principal place of business of corporation/partnership/LP/LLC 313 WHEELOCH ST HUDSON, SD
 Date of incorporation _____
 Date of last report filed with Secretary of State _____
 Are all managing officers of this corporation/partnership/LP/LLC of good moral character? YES
 Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? NO

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
ADAM WATERMAN	OWNER 100%	313 WHEELOCH ST HUDSON, SD	MANAGE WADDY'S LLC

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

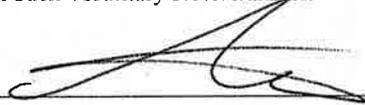
Name	Type of License, Financial Interest Held, and Address of Retail Outlet

Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

Signature of Authorized Officer/Director/Partner 

Subscribed and sworn to before me this 1 of June 2018, Union County, State of South Dakota.

My commission expires 3-1-2023 SKlostra
 (Notary Public)

Date Received _____
Date Issued _____

License No. _____

Uniform Alcoholic Beverage License Application

Mail this copy to: Department of Revenue, Special Tax Division 445 East Capitol Ave Pierre, SD 57501-3100.

A. Owner Name and Address

Waddy's LLC
Po Box 257
Hudson, SD

B. Business Name and Address

LIC #RB-2902
Waddy's Whistlestop Casino #5
200 RIVER DR STE #5
NORTH SIOUX CITY, SD 57049

Owner's Telephone #: 7125516969

Business Telephone #: 605 232 4867

C. Indicate the class of license being applied for
(submit separate application for each class of license).

- Retail (on-sale) Liquor
- Retail (on-sale) Liquor - Restaurant
- Retail (on-off sale) Wine
- Package (off-sale) Liquor
- Retail (on-off sale) Malt Beverage
- Retail (on-off sale) Malt Beverage & SD Farm Wine
- Package (off sale) Malt Beverage
- Package (off sale) Malt Beverage & SD Farm Wine
- Other (please classify) _____
- Transfer Fee \$150.00

Number of other Package Liquor Licenses held: 0
Number of other On-sale Liquor Licenses held: 0
Is this License in active use? Yes No

D. Legal description of licensed premise:

WATERBURY TRACT 1 GOVT LOT 3, OUT LOT 5 NORTH SIOUX CITY, SD

Have you ever been convicted of a felony? Yes No

Do you own or lease this property? (Check one)

E. State Sales Tax Number: Applied

F. Remember to obtain a Federal Alcohol Stamp, for help call TTB at 1-800-937-8864.

G. New license? Transfer? (\$150) Re-issuance?

H. CERTIFICATE: The undersigned applicant certifies under the penalties of perjury that all statements provided herein are true and correct; that the said applicant complies with all of the statutory requirements for the class of license being applied for and in addition agrees to permit agents of the Department of Revenue access to the licensed premises and records as provided in SDCL 35-2-2.1, and agrees this application shall constitute a contract between applicant and the State of South Dakota entitling the same or any peace officers to inspect the premises, books and records at any time for the purpose of enforcing the provisions of Title 35 SDCL, as amended.

Signed this 1 day of June Signature [Signature]

I. Any Application required to be submitted to a local governing board must be signed in the presence of the city or county auditor, the town clerk or notary public. This applies to ALL applications EXCEPT the following: distillers, manufacturers, wholesalers, municipalities, airports, solicitors, dispensers, carriers, transportation companies, and farm wineries.

Place of business is located in a municipality? Yes No County: _____

This application was subscribed and sworn to before me this _____ day of _____

Approving Officer's Telephone number _____ Signature: _____

J. APPROVAL OF LOCAL GOVERNING BODY - Notice of hearing was published on June 7, 2018. Public hearing on the application was held _____, not less than SEVEN (7) days after official publication. The governing body by majority vote recommends the approval and granting of this license and certifies that requirements as to location and suitability of premises and applicant have been reviewed and conform to the requirements of local and South Dakota law.

Application approved for Sunday on-sale operation? Yes No

Are real property taxes paid to date? Yes No

Ineligible for video lottery

Number of video lottery terminals on licensed premise: 50

Amount of fee collected with application \$ _____

Amount of fee retained \$ _____

Forwarded with application \$ _____

For Local Government Use

(Seal) _____

Mayor or Chairman

If disapproved, endorse reason thereon and return to applicant

Transferred (State Use)

From: _____

Sales tax approval _____ Date _____

STATE LIQUOR AUTHORITY: APPROVAL _____ REVIEW _____

**Company supplement information
(For corporate/partnership/LP/LLC applicants)**

If supplement unchanged from last year check this box and sign below.

Affidavit

State of South Dakota)

:ss

County of Union)

We, the undersigned, being first duly sworn upon oath, supply the following information:

Name of corporation/partnership/LP/LLC WADDY'S LLC

Address of office and principal place of business of corporation/partnership/LP/LLC 313 WHEELOCH ST HUDSON, SD

Date of incorporation _____

Date of last report filed with Secretary of State _____

Are all managing officers of this corporation/partnership/LP/LLC of good moral character? YES

Have any of the managing officers of this corporation/partnership/LP/LLC ever been convicted of a felony? NO

Name, title of office, occupation and address of each of the officers/owners of the corporation, partnership, LP or LLC:

Name	Office	Address	Occupation
ADAM WATERMAN	OWNER 100%	313 WHEELOCH ST HUDSON, SD	MANAGE WADDY'S LLC

Name, address and occupation of each of the directors of the corporation:

Name	Address	Occupation

Name and address of each of the stockholders and percentage of shares owned or held by each:

Name	Address	Percentage of Shares

Name of any officers, directors, partners or stockholders of applicant having a financial interest or capital stock in any other retail liquor outlet:

Name	Type of License, Financial Interest Held, and Address of Retail Outlet

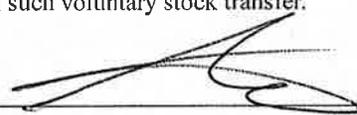
Where and with whom are all company records kept, such as charter, by-laws, minutes, accounts, notes payable, and notes and accounts receivable, etc?

With signature the applicant agrees to the following:

That the applicant company will comply with all provisions of ARSD chapter No. 64:75:02 of the Department of Revenue, relating to the transfer of stock and prior approval of the transfer of such stock by the Secretary of Revenue and violation of any of the provisions of said regulation or failure to comply therewith, whether by the undersigned corporation, partnership/LP/LLC or by any stockholder thereof, or by anyone interested in said company, shall constitute cause for revocation or suspension of any license issued pursuant to and in reliance on this application, or for refusal to renew such license upon expiration thereof.

We the undersigned officers and directors of the applicant company acknowledge that the within supplement application form is true and correct in every respect and that there exists no financial arrangement concerning this or any other alcoholic beverage license than that expressly set forth above. If company stock is to be transferred we ask for approval of such voluntary stock transfer.

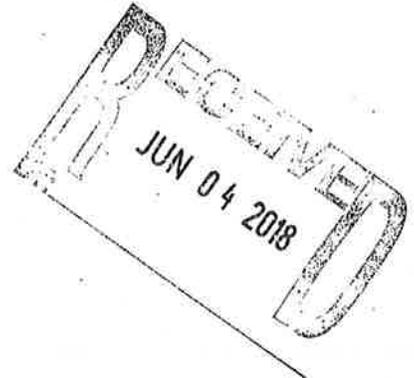
Signature of Authorized Officer/Director/Partner _____



Subscribed and sworn to before me this _____ of _____, _____ County, State of South Dakota.

My commission expires _____

(Notary Public)



SD EForm - 1340 V1

A F F I D A V I T

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF Union)

Freedom, Inc. , being first duly sworn on oath deposes and says: That on the 4th day of June 2018 he was the owner of the license/business/stock of Freedom, Inc. License RB-2872 situated on (legal description) District: 05618 Parcel: 05.07.14.2000 in the city/county of North Sioux City - Union County South Dakota and that on the said date he made a transfer/sale of said license operated under an alcoholic beverage license to Adam Waterman - Waddy's LLC of Hudson, South Dakota.

Robert W. Salch, Pres. (owner)
(signature)

..... (owner)
(signature)

Subscribed and sworn to before me this 4th day of June 2018

Carol A. Chadwick (Notary Public)

Commission Expires: 6-28-19

(Notary Seal)



SD EForm - 1340 V1

A F F I D A V I T

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF Union)

Freedom, Inc., being first duly sworn on oath deposes and says: That on the 4th day of June 2018 he was the owner of the license/business/stock of Freedom, Inc. License RW-6407 situated on (legal description) District: 05618 Parcel: 05.07.14.2000 in the city/county of North Sioux City - Union County South Dakota and that on the said date he made a transfer/sale of said license operated under an alcoholic beverage license to Adam Waterman - Waddy's LLC of Hudson, South Dakota.

[Signature]
(signature) (owner)

..... (signature) (owner)

Subscribed and sworn to before me this 4th day of June 2018.

Carol A. Chadwick (Notary Public)

Commission Expires: 6-28-19

(Notary Seal)



SD EForm - 1340 V1

A F F I D A V I T

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF Union)

Freedom, Inc. , being first duly sworn on oath deposes and says: That on the 4th day of June 2018 he was the owner of the license/business/stock of Freedom, Inc. License RB-2902 situated on (legal description) District: 05618 Parcel: 05.07.14.2000 in the city/county of North Sioux City - Union County South Dakota and that on the said date he made a transfer/sale of said license operated under an alcoholic beverage license to Adam Waterman - Waddy's LLC of Hudson, South Dakota.

Robert W. Waddy, Pres. (owner)
(signature)

..... (owner)
(signature)

Subscribed and sworn to before me this 4th day of June 2018

Carol A. Chadwick (Notary Public)
Commission Expires: 6-28-19

(Notary Seal)



SD EForm - 1340 V1

A F F I D A V I T

STATE OF SOUTH DAKOTA)
) ss
COUNTY OF Union)

Freedom, Inc., being first duly sworn on oath deposes and says: That on the 4th day of June 2018 he was the owner of the license/business/stock of Freedom, Inc. License RB-2266 situated on (legal description) District: 05618 Parcel: 05.07.14.2000 in the city/county of North Sioux City - Union County South Dakota and that on the said date he made a transfer/sale of said license operated under an alcoholic beverage license to Adam Waterman - Waddy's LLC of Hudson, South Dakota.

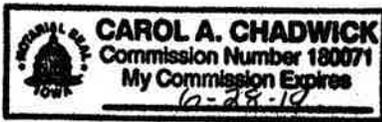
Robert W. Sullivan, Pres. (owner)
(signature)

..... (owner)
(signature)

Subscribed and sworn to before me this 4th day of June 2018.

Carol A. Chadwick (Notary Public)
Commission Expires: 6-28-19

(Notary Seal)





City Council MEMO

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

To: North Sioux City Planning and Zoning
From: Ted Cherry, City Administrator
Date: 6/18/2018
Re: Plat Cork Tract 1 and Kenny Tract 1

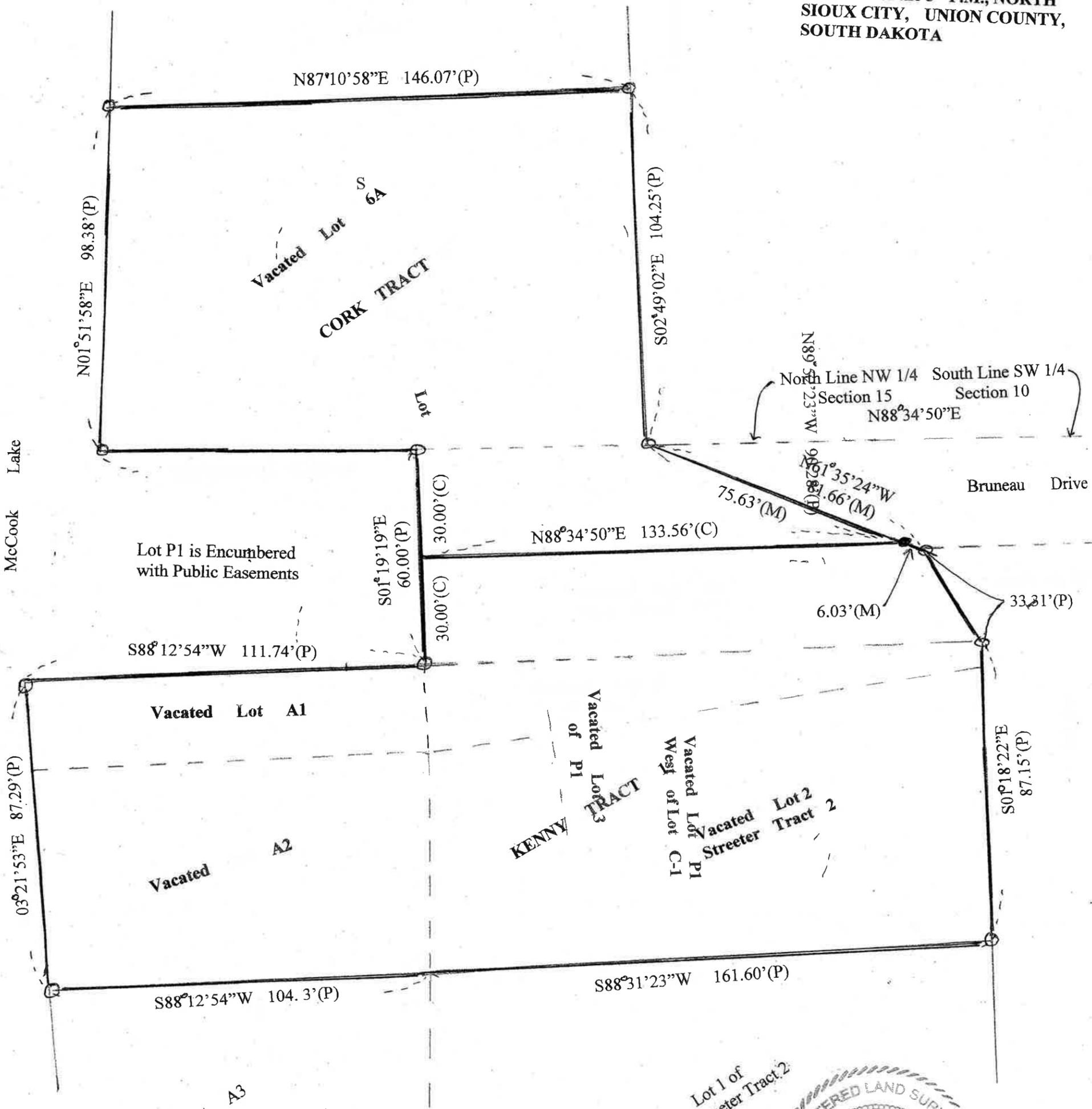
Background: The Streeter's currently own a portion of ground that abuts McCook Lake. The ground is currently held as an easement for the City for the purposes of stormwater drainage. A plat is being recorded to allow for the ownership to change hands and the property to be held by the Corks and the Kennys whose properties currently abut the property.

Financial Consideration: None

Recommendation: Administration would recommend the approval of the Plat of Cork Tract 1 and Kenny Tract 1.

PLAT OF SURVEY

CORK TRACT 1 in the SW 1/4 of SECTION 10, and NW 1/4 of SECTION 15, and KENNY TRACT 1 in the NW 1/4 of SECTION 15. TOWNSHIP 89 NORTH, RANGE 48 WEST of the 5th P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA



CERTIFICATION:

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF SOUTH DAKOTA.

Jeff Snoozy
 JEFF S. SNOOZY, PLS #6012 DATE 5/4/18
 LICENSE RENEWAL DATE: DEC. 31, 2018 SHEETS COVERED BY THIS SEAL

Notes: Bearings Assumed

Acreages	
Existing Lot 6 (Cork ownership)	0.35 Acres
Kenny Ownership	0.53 Acres
Streeter ownership	0.17 Acres
New Cork Tract 1	0.42 Acres
New Kenny Tract 1	0.63 Acres



LEGEND

- FOUND 5/8" CAPPED RE UNLESS OTHERWISE NOTED
- NEBAR SET 5/8" X 30" CAPPED 6018
- (P) PLAT DISTANCE
- (M) MEASURED DISTANCE
- (C) CALCULATED DISTANCE



SNOOZY SURVEYING
 19 ALCEMA DRIVE
 NORTH SIOUX CITY, SD 57049
 605-832-3032

PLAT OF SURVEY
 STREETER

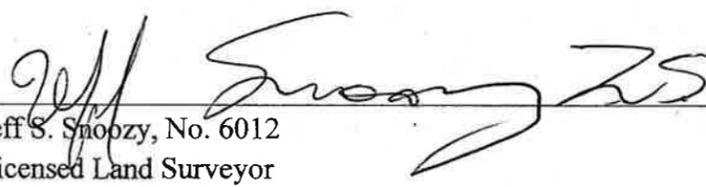
June 18, 2018

DATE	5/5	DATE	5/5	DATE	5/4
BY	JSS	BY	JSS	BY	JSS
CHECKED BY		CHECKED BY		CHECKED BY	

SURVEYOR'S CERTIFICATE

I, Jeff Snoozy, a Licensed Land Surveyor of the state of South Dakota, Do hereby certify that at the direction of the owners, I have surveyed Cork Tract 1, of Government Lot 4, "Bruneau Plat" in the Southwest One Quarter of Section 10, and part of Government Lot 1, the Northwest One Quarter of Section 15, and Kenny Tract 1, part of Government Lot 1, the Northwest One Quarter of Section 15, all in Township 89 North, Range 48 West of the 5th P.M., North Sioux City, Union County, South Dakota, and that all dimensions are correct.

Pursuant to SDCL 11-3-20.1 to 11-3-20.4; Inclusive, the approval and filing of this plat vacates the following: Lot 6A of Tracts 22 and 23, Block 1 of Government Lot 4, "Bruneau Plat" in the Southwest One Quarter of Section 10, the balance of Lot P1 West of Lot C-1 of Government Lot 1, in the Northwest One Quarter of Section 15, Lot A1 and A2, Lot 2 of Streeter Tract 2, less Lot C-1 and Lot 3 of Lot P1 less Lot C-1 of Government Lot 1, the Northwest One Quarter of Section 15, all in Township 89 North, Range 48 West of the 5th P.M., North Sioux City, Union County, South Dakota, recorded in Book of Plats 28, Page 20, Book of Plats 29, Page 29, Book of Plats 28, page 4, Book of Plats 24, Page 83 and Book of Plats 27, Page 12, respectively, therein as shown on the attached plat.


Jeff S. Snoozy, No. 6012
Licensed Land Surveyor

5/4/18
Date



RESOLUTION BY THE CITY COUNCIL:

Be it resolved by the City Council of North Sioux City, Union county, South Dakota, that the above plat represents Cork Tract 1, of Government Lot 4, "Bruneau Plat" in the Southwest One Quarter of Section 10, and part of Government Lot 1, the Northwest One Quarter of Section 15, and Kenny Tract 1, part of Government Lot 1, the Northwest One Quarter of Section 15, all in Township 89 North, Range 48 West of the 5th P.M. North Sioux City, Union County, South Dakota, and be and the same is hereby approved.

I, undersigned, City Finance Officer of the City of North Sioux City, Union County, South Dakota, do hereby certify that the above is a true and correct copy of the Resolution passed by the City of North Sioux City, Union County, South Dakota, at their regular meeting on the _____ day of _____ 20_____

City Finance Officer, City of North Sioux City

Mayor, City of North Sioux city

OWNERS CERTIFICATE:

I, the undersigned, do hereby certify that we are the owners of all the land included in the above plat of Cork Tract 1, of Government Lot 4, "Bruneau Plat" in the Southwest One Quarter of Section 10, and part of Government Lot 1, the Northwest One Quarter of Section 15, all in Township 89 North, Range 48 West of the 5th P.M., North Sioux City, Union County, South Dakota, and that said plat has been made at my request and in accordance with our instructions for the purpose of transfer, and we further certify that the development of this land shall conform to all existing applicable zoning, subdivision, erosion and sediment control regulations, and that said property is free of all encumbrances.

I further certify that this plat does hereby vacate the following:

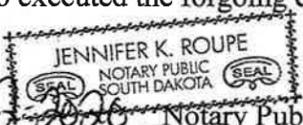
Lot 6A of Tracts 22 and 23, Block 1 of Government Lot 4, "Bruneau Plat" in the Southwest One Quarter of Section 10, Township 89 North, Range 48 West of the 5th P.M., North Sioux City, Union County, South Dakota, filed in Book of Plats 28, Page 20.

Sheri K. Cork 5.28.18
Sheri K. Cork, President Date
SDDC, LLC
SC DCQS

Acknowledgement of Owner

Be it remembered that on this 25 Day of May 2018,
Before me the undersigned, a Notary Public, personally appeared Sheri K. Cork, known to me to be the person described in and who executed the forgoing certificate.

My Commission Expires: 02-12-2020 Notary Public: Jennifer K. Roupe



CERTIFICATE OF COUNTY TREASURER

State of South Dakota, County of Union.

I, the undersigned, County Treasurer of Union County, South Dakota, do hereby certify that all taxes which are liens upon the land included in this plat, are shown by the records of my office have been paid in full.

County Treasurer Date

OWNERS CERTIFICATE:

We, the undersigned, do hereby certify that we are the owners of all the land included in the above plat of Kenny Tract 1, of Government Lot 1, the Northwest One Quarter of Section 15, in Township 89 North, Range 48 West of the 5th P.M., North Sioux City, Union County, South Dakota, and that said plat has been made at my request and in accordance with our instructions for the purpose of transfer, and we further certify that the development of this land shall conform to all existing applicable zoning, subdivision, erosion and sediment control regulations, and that said property is free of all encumbrances.

We further certify that this plat does hereby vacate the following:

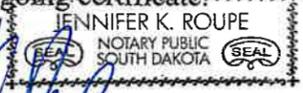
Lot A1 and A2, Lot 2 of Streeter Tract 2, less Lot C-1, and Lot 3 of Lot P1 less Lot C-1 of Government Lot 1, the Northwest One Quarter of Section 15, Township 89 North, Range 48 West of the 5th P.M., North Sioux City, Union County, South Dakota, filed in Book of Plats 28, Page 4, Book of Plats 24, Page 83, and Book of Plats 27, Page 12, respectively.

Thomas J. Kenny 6-11-18
Thomas J. Kenny Date

Holly M. Kenny 6/11/18
Holly M. Kenny Date

Acknowledgement of Owner

Be it remembered that on this 11 Day of June 2018,
Before me the undersigned, a Notary Public, personally appeared Thomas J. Kenny and Holly M. Kenny, known to me to be the person described in and who executed the forgoing certificate.

My Commission Expires: 02-12-2020 Notary Public Jennifer K. Roupe


PLANNING COMMISSION CERTIFICATE

Be it resolved by the Planning Commission of North Sioux City, Union County, South Dakota, that the attached and foregoing plat of Cork Tract 1, of Government Lot 4, "Bruneau Plat" in the Southwest One Quarter of Section 10, and part of Government Lot 1, the Northwest One Quarter of Section 15, and Kenny Tract 1, part of Government Lot 1, the Northwest One Quarter of Section 15, all in Township 89 North, Range 48 West of the 5th P.M., North Sioux City, Union County, South Dakota, be and the same is true.

Chairman, Planning Commission, City of North Sioux City Date

CERTIFICATE OF DIRECTOR OF EQUALIZATION

State of South Dakota, County of Union

I, the undersigned, Director of Equalization of Union County, South Dakota, Do hereby certify that a copy of the above plat has been filed in my office.

Director of Equalization Date



LAKEVIEW DR

BRINEAU DR

LAKESHORE DR

June 18, 2018

31



City Council MEMO

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

To: North Sioux City Planning and Zoning
From: Ted Cherry, City Administrator
Date: 6/13/2018
Re: Plat – Lots 1-3 of Cottington’s Second Addition

Background: Randy Cottington has asked for a new plat of the Cottington Mobile Home Park be made. As noted on the first page of the plat the plat vacates a number of previously platted parcels to create larger parcels of the mobile home park. Mostly, this is cleanup work done on the part of the property Owner.

The plat was presented and approved by the Planning and Zoning Board on 6/13/2018. There was one point of concern from that board regarding the section of Lot 1 that extends from the lot connected to Lakeshore estates and extends East toward the fire hall. Greg from Frontier Consultants stated this would be for a second access point for the property.

Financial Consideration: None

Recommendation: Administration would recommend the approval of the Plat of Lots 1-3 of Cottington’s Second Addition.

SURVEY PLAT

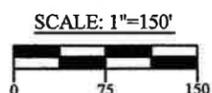
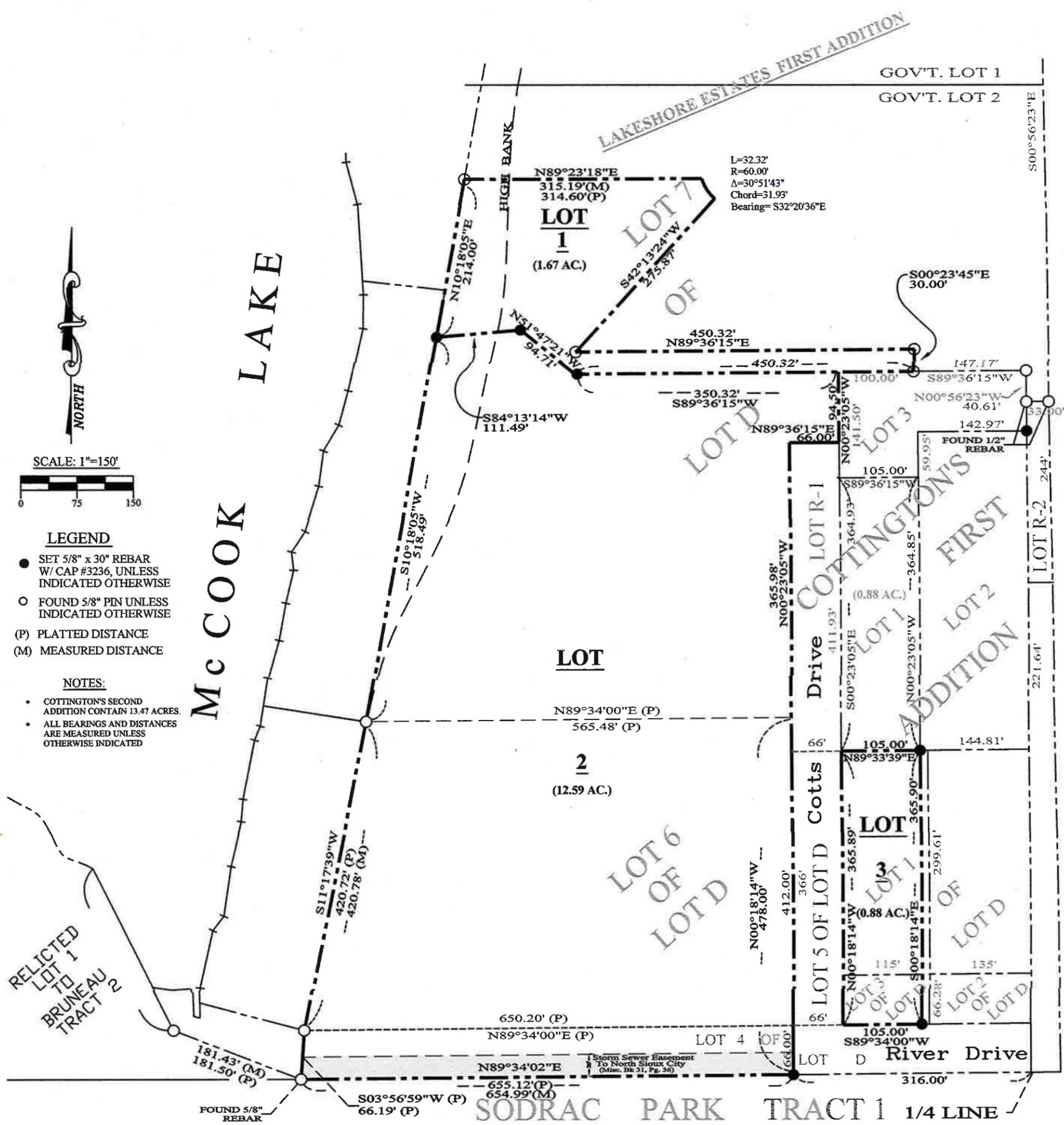
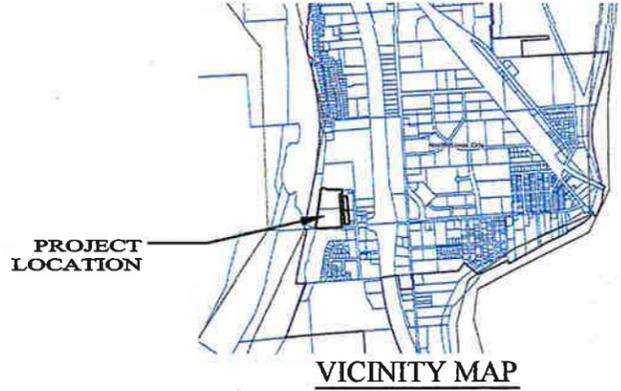
Lots 1, 2 & 3 of Cottingham's Second Addition

IN GOVERNMENT LOT 1, GOVERNMENT LOT 2 AND THE SE 1/4 NW 1/4, SECTION 15, T89N, R48W OF THE 5TH P.M.,
NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA

Recording Note

This Plat of Cottingham's Second Addition hereby vacates the previously platted parcels:

- Lot R-1 of Cottingham's First Addition
- The Westerly 105.00 Feet of Lots 1 and 3 of Lot D
- Lot 4 of Lot D
- Lot 5 of Lot D
- Lot 6 of Lot D
- All of Lot 7 of Lot D Lying South of Lakeshore Estates First Addition



- LEGEND**
- SET 5/8" x 30" REBAR W/ CAP #3236, UNLESS INDICATED OTHERWISE
 - FOUND 5/8" PIN UNLESS INDICATED OTHERWISE
 - (P) PLATTED DISTANCE
 - (M) MEASURED DISTANCE

- NOTES:**
- COTTINGHAM'S SECOND ADDITION CONTAIN 13.47 ACRES
 - ALL BEARINGS AND DISTANCES ARE MEASURED UNLESS OTHERWISE INDICATED

FRONTIER
CONSULTANTS, INC.

401 S. Pearl St.
Elk Point, SD 57025

PH: 712-259-0483

DATE	6-04-18
DWG	Cottingham.dwg
PROJECT	#18-104
CLIENT	McCook Mobile Estates, Inc.
CONTACT	Randy Cottingham
BY	Gregg Stroschein, PLS
REVISED	

SURVEY PLAT

LOTS 1, 2 & 3 OF COTTINGHAM'S SECOND ADDITION
IN GOVERNMENT LOT 1, GOVERNMENT LOT 2 AND THE
NE 1/4 SE 1/4, SECTION 15, T89N, R48W OF THE 5TH P.M.,
NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA

SHEET 1 OF 1 #18-104



SURVEY PLAT
Lots 1, 2 & 3 of Cottington's Second Addition
 IN GOVERNMENT LOT 1, GOVERNMENT LOT 2 AND THE SE 1/4 NW 1/4, SECTION 15, T89N, R48W OF THE 5TH P.M.,
 NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA

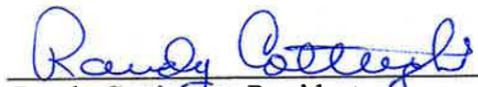
SURVEYOR'S CERTIFICATE

I, Gregg A. Stroschein, a Licensed Land Surveyor of the State of South Dakota, do hereby certify that at the direction of the land owners, I have surveyed and platted Cottington's Second Addition being a Part of Government Lot 1, Government Lot 2 and the SE 1/4 NW 1/4 in Section 15, T89N, R48W, 5th P.M., North Sioux City, Union County, South Dakota, and that all dimensions as shown are true and correct.


 Gregg A. Stroschein, PLS # 3236 6-07-18
Date

OWNER'S CERTIFICATE

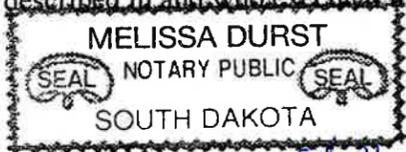
I, Randy Cottington, as President of McCook Mobile Estates, Inc., do hereby certify that I am the owner of Cottington's Second Addition being a Part of Government Lot 1, Government Lot 2 and the SE 1/4 NW 1/4 in Section 15, T89N, R48W, 5th P.M., North Sioux City, Union County, South Dakota, and that the survey and plat were made at my request and under my direction for the purposes of locating, marking and platting the same, and that said property is free of all encumbrances.


 Randy Cottington, President 6-8-18
Date
 McCook Mobile Estates, Inc.

ACKNOWLEDGMENT OF OWNER

State of South Dakota County of Union

Be it remembered that on this 8th day of June, 2018, before me, the undersigned, a Notary Public, personally appeared, Randy Cottington, President of McCook Mobile Estates, Inc., described in and who executed the foregoing certificate.



My commission expires 5-3-21 Notary Public Melissa Durst

CITY PLANNING COMMISSION CERTIFICATE

Be it resolved by the Planning Commission of the City of North Sioux City, Union County, South Dakota, that the attached and foregoing plat of Cottington's Second Addition being a Part of Government Lot 1, Government Lot 2 and the SE 1/4 NW 1/4 in Section 15, T89N, R48W, 5th P.M., City of North Sioux City, Union County, South Dakota, be and the same is hereby approved.

 Chairman Planning Commission Date

RESOLUTION OF CITY COUNCIL:

Be it resolved by the City Council of North Sioux City, Union County, South Dakota, that the above plat of Cottington's Second Addition being a Part of Government Lot 1, Government Lot 2 and the SE 1/4 NW 1/4 in Section 15, T89N, R48W, 5th P.M., North Sioux City, Union County South Dakota, be and the same is hereby approved.

I, Susan Kloostra, Finance Officer of North Sioux City, Union County, South Dakota, do hereby certify that the above is a true and correct copy of the resolution passed by the City Council of North Sioux City, South Dakota, at their regular meeting on _____ day of _____, 20__.

 Mayor, City of North Sioux City

 City Finance Officer

DIRECTOR OF EQUALIZATION

I, Dawn Steckelberg, Director of Equalization of Union County, South Dakota, do hereby certify that a copy of the above plat has been filed at my office.

 Dawn Steckelberg, Director of Equalization

COUNTY TREASURER'S CERTIFICATE

I, Myron Hertel, Treasurer of Union County, South Dakota, do hereby certify that all taxes which are liens upon any land included in the above (and the foregoing) plats, as shown by the records of my office, have been fully paid.

Dated this _____ day of _____, 20__.

 Myron Hertel, Treasurer of Union County

REGISTER OF DEEDS

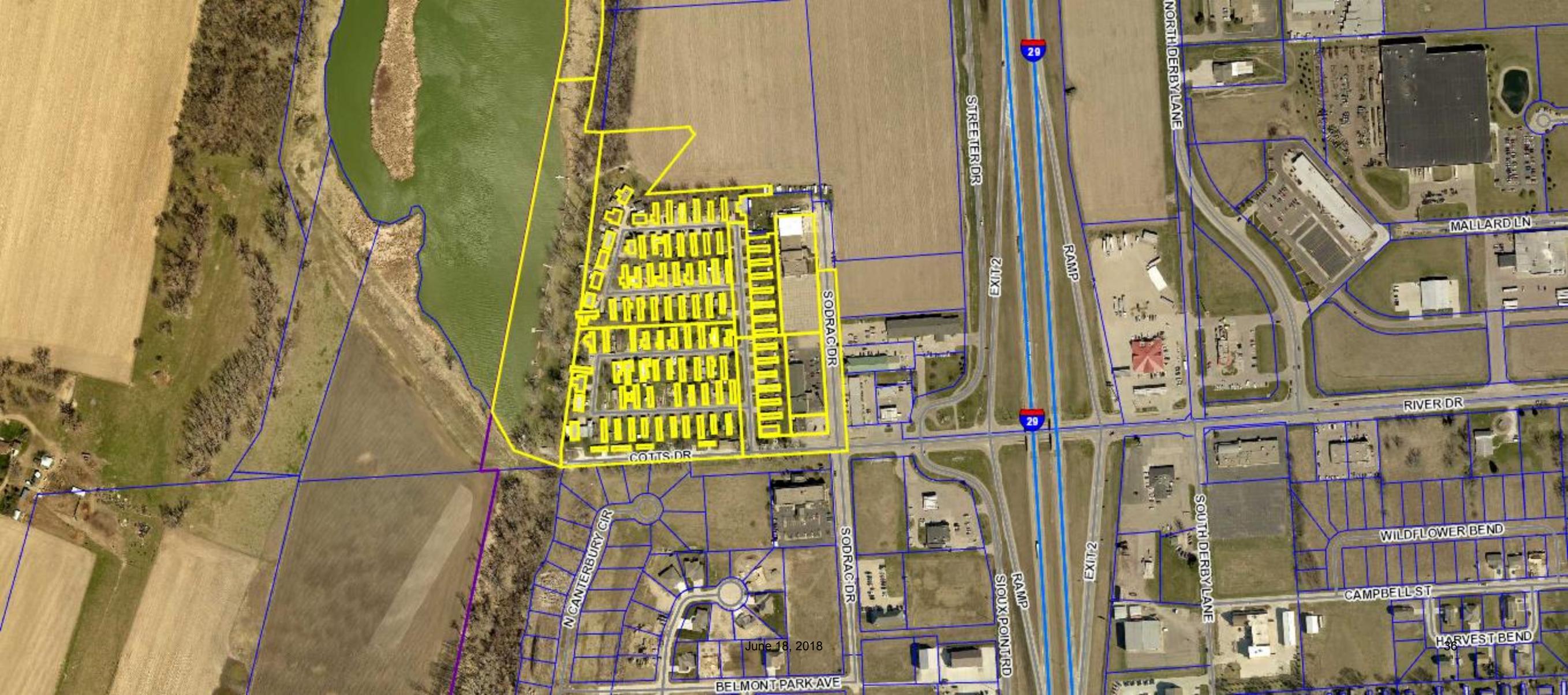
Filed for record this _____ day of _____, 20__, at _____ o'clock _____ m., and recorded in Book _____ of Plats on Page _____ therein.

 Jana Foltz, Register of Deeds
 Union County, South Dakota



DATE : 6-04-18
 DWG : Cottington.dwg
 PROJECT : #18-104
 CLIENT : McCook Mobile Estates, Inc.
 CONTACT : Randy Cottington
 BY : Gregg Stroschein, PLS
 REVISED :

SURVEY PLAT
 LOTS 1, 2 & 3 OF COTTINGTON'S SECOND ADDITION
 IN GOVERNMENT LOT 1, GOVERNMENT LOT 2 AND THE
 NE 1/4 SE 1/4, SECTION 15, T89N, R48W OF THE 5TH P.M.,
 NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA
 SHEET 2 OF 2 #18-104



June 18, 2018



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: 6/18/18
Re: Resolution 2018-03 South Derby Lane

Background: In a previous Council meeting there was discussion regarding the speed limit heading out of town on South Derby Lane. The township was contacted on what the speed limit was supposed to be on their road. An email is attached from what they decided at their last Township meeting.

The resolution before you would change the speed limit going out of town to the South on South Derby Lane from 15mph to 35mph. This would put things in line with what the Township would want to see posted. The City has the responsibility to do this due to the City Limit and what responsibilities we have on lands directly connected to the City.

Financial Consideration: Cost of speed limit sign

Recommendation: Administration recommends the approval of Resolution 2018-03.

From: pam@dakotadunes.com
To: [Ted Cherry](#)
Subject: RE: Township Speed Limit
Date: Monday, June 04, 2018 5:37:45 PM

Hello Ted,

The Big Sioux Township (BST) board met last week and the speed limit issue was discussed. Since that road has never had a speed limit posted, the BST would have to go before the County Commissioners to get approval for that signage. So after a lengthy conversation the follow was made as a motion and approved:

1. The BST will permit North Sioux City (NSC) to post a "Reduced Speed Ahead" sign in the right of way along the north bound lane of South Derby Lane, at whatever distance is mandated by the governing entity.
2. The BST requests that NSC removed the south bound posted signage of 15 mph along South Derby Lane (near the south boundary of the city limits), and replace it with a 35 mph sign.
3. The BST will work with Dakota Dunes CID to place adequate 35 mph signage in the northbound lane coming out of Dakota Dunes limits (Cottonwood Lane) onto South Derby Lane which is the BST road. Plan to have that in place before the next Township meeting.

I don't have a copy of the meeting minutes, but will certainly forward those to you once they have been reviewed, corrected and approved.

Thanks Ted, let me know if this will work for NSC? I think that should resolved the majority of the confusion and resident concerns.

Sincerely,

Pamela J. Kavanaugh Edwards, CNE
Broker Associate; Lic: IA & SD
Dakota Dunes Realty, LLC
335 Sioux Point Rd, Ste 100
Dakota Dunes, SD 57049
605-232-4390 (office)
712-259-4074 (cell)

From: Ted Cherry [mailto:Ted.Cherry@northsiouxcity-sd.gov]
Sent: Monday, May 21, 2018 5:53 PM
To: pam@dakotadunes.com
Subject: RE: Township Speed Limit

Thanks Pam. I think legally we would have to put a notice of speed change 300 feet back from the

**CITY OF NORTH SIOUX CITY
RESOLUTION 2018-03**

**A RESOLUTION SETTING THE SPEED LIMIT ON SOUTH DERBY LANE AT THE
CITY LIMIT MOVING SOUTH TO 35MPH.**

WHEREAS, South Derby Lane at the City Limit moving South is not a residential street and a speed limit of 15mph has been set at this time; and

WHEREAS, the Big Sioux Township desires to have the speed limit changed to increase the speed of traffic; and

WHEREAS, The City of North Sioux City has the responsibility to set the speed limit South Derby Lane at the City Limit moving South.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH SIOUX CITY, SOUTH DAKOTA;

THAT, The speed limit on South Derby Lane at the City Limit moving South shall be set at 35mph.

AND FURTHER BE IT RESOLVED, THAT it is necessary and appropriate to install new signage to inform residents of these speed limit changes to increase the safety of the community

The above Resolution was moved by Councilmember _____ and seconded by Councilmember _____ and was approved by a vote of _____ to _____ at a meeting duly called and held on _____.

Dated this _____ day of June, 2018

Randy Fredericksen, Mayor

ATTEST:

Susan Kloostra, Finance Officer



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: 6/18/2018
Re: Lakeshore Estates Sewer Depth

Background: Attached is a memo from Greg Meyer regarding the sewer depth at Lakeshore Estates. After some communication, raising the depth of 1.5' was requested. Greg believes this is appropriate by coming in through "Street E" on the attached map.

The Council should be made aware that no additional boring pits were dug. Greg has other suggestions listed in his memo regarding easements and agreements with the developer.

Financial Consideration: None

Recommendation: None at this time until after Council discussion on the topic with Greg.

Honorable Randy Fredericksen, Mayor
Members of the City Council
City of North Sioux City
504 River Drive
North Sioux City, SD 57049

June 14, 2018

Mayor Fredericksen:
Re: Lakeshore Estates

Late on June 11, 2018; I received an email from Bart Connelly with a Memo from DGR proposing an increase in the sewer elevation of 1.5 feet rather than the previous proposal of an increase in sewer elevation of 2.5 feet as previously proposed.

After conducting minimal survey work I calculated estimated foundation heights of a possible eight residential structures along Bruneau Drive based on an increase in sewer elevation of 1.5 feet. My calculations indicate one structure would be required to have a foundation height of slightly more than 4 feet above the street, and two structures would be required to have foundation heights of slightly more than 3 feet above the street for gravity sewer service to the basement. These calculations are based on a sewer line extension through the cul-de-sac in 'E' Street and west along the south lot line of the Bruneau Street lots.

An alternative (Option 2) design, using a sewer line extension through the cul-de-sac in 'F' Street, and then east and west along the back of lot was studied. This option 2, does not provide gravity sewer to the existing structure and requires 3 structures to have foundations at or above 4 feet above the street. I would not recommend this option.

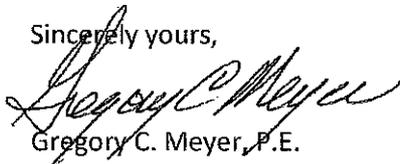
The lot configuration facing onto Bruneau Drive results in lots of greater than 200 feet of depth and the storm sewer easement should result in greater set-backs for these lots. The greater than normal lot depth and recommended larger set back gives the opportunity to set the foundations higher without excessive lot slope (In my opinion.)

Therefore, I would recommend acceptance of the increase in sewer elevation by 1.5 feet subject to the following conditions:

- 1.) A 20 foot wide easement is provided at no cost to the City, on alignment with the center of 'E' Street north to the property to the north. The property owner to the north provides a 40 foot wide easement at no cost to the City, to allow sewer to be extended in the future to the west.
- 2.) The developer commits to continuing the approved depth of sewer plus 1.5 feet and agrees to not return with another request of change in sewer elevation upon discovery of additional ground water issues. The developer agrees to not change the development in a manner that will negatively impact the extension of the sewer to the undeveloped property to the north and along Bruneau Drive.
- 3.) An agreement is provided for extension of the sewer to the north at such time as the property to the north is developed. The developer agrees to a completion date for the sewer in 'E' Street.

If you have any questions on the above, please contact this office.

Sincerely yours,



Gregory C. Meyer, P.E.

Cc: City of North Sioux City – Ted Cherry

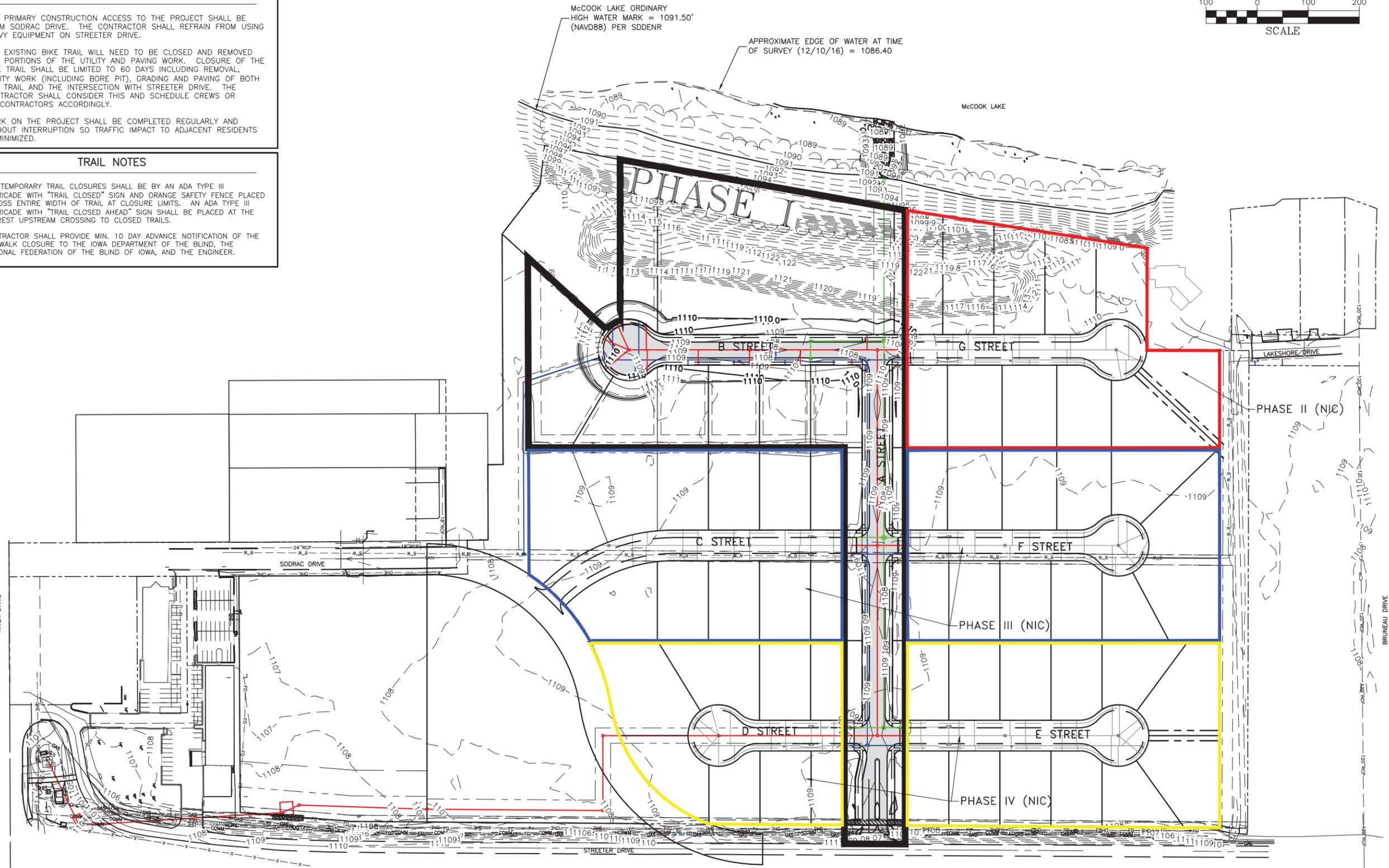
City of North Sioux City – Tim Hogan

STAGING NOTES

1. THE PRIMARY CONSTRUCTION ACCESS TO THE PROJECT SHALL BE FROM SODRAC DRIVE. THE CONTRACTOR SHALL REFRAIN FROM USING HEAVY EQUIPMENT ON STREETER DRIVE.
2. THE EXISTING BIKE TRAIL WILL NEED TO BE CLOSED AND REMOVED FOR PORTIONS OF THE UTILITY AND PAVING WORK. CLOSURE OF THE BIKE TRAIL SHALL BE LIMITED TO 60 DAYS INCLUDING REMOVAL, UTILITY WORK (INCLUDING BORE PIT), GRADING AND PAVING OF BOTH THE TRAIL AND THE INTERSECTION WITH STREETER DRIVE. THE CONTRACTOR SHALL CONSIDER THIS AND SCHEDULE CREWS OR SUBCONTRACTORS ACCORDINGLY.
3. WORK ON THE PROJECT SHALL BE COMPLETED REGULARLY AND WITHOUT INTERRUPTION SO TRAFFIC IMPACT TO ADJACENT RESIDENTS IS MINIMIZED.

TRAIL NOTES

1. ALL TEMPORARY TRAIL CLOSURES SHALL BE BY AN ADA TYPE III BARRICADE WITH "TRAIL CLOSED" SIGN AND ORANGE SAFETY FENCE PLACED ACROSS ENTIRE WIDTH OF TRAIL AT CLOSURE LIMITS. AN ADA TYPE III BARRICADE WITH "TRAIL CLOSED AHEAD" SIGN SHALL BE PLACED AT THE NEAREST UPSTREAM CROSSING TO CLOSED TRAILS.
2. CONTRACTOR SHALL PROVIDE MIN. 10 DAY ADVANCE NOTIFICATION OF THE SIDEWALK CLOSURE TO THE IOWA DEPARTMENT OF THE BLIND, THE NATIONAL FEDERATION OF THE BLIND OF IOWA, AND THE ENGINEER.



LAKESHORE ESTATES
 PHASE I SITE IMPROVEMENTS
 NORTH SIOUX CITY, SD

STAGING PLAN

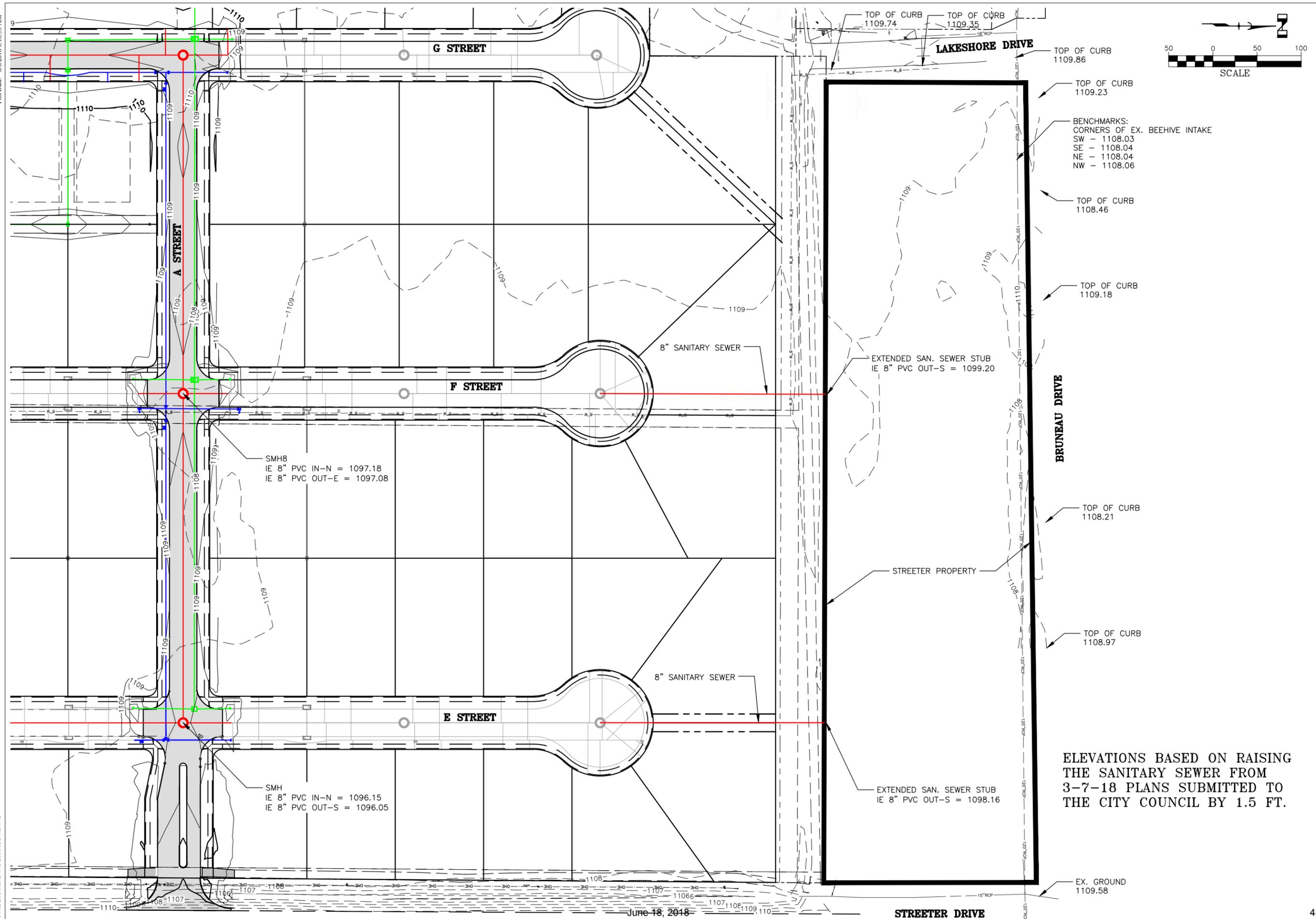
REVISIONS	1	2	3

Project Manager: B. WELLS
 Designer: K. MULLENIX
 Project Number: 266103
 Phone: (712) 266-1554



Plot Date: 6/8/2018 8:18:53 AM

P:02:266:103:DWG:266103:CV.DWG



SMH8
 IE 8" PVC IN-N = 1097.18
 IE 8" PVC OUT-E = 1097.08

SMH
 IE 8" PVC IN-N = 1096.15
 IE 8" PVC OUT-S = 1096.05

ELEVATIONS BASED ON RAISING
 THE SANITARY SEWER FROM
 3-7-18 PLANS SUBMITTED TO
 THE CITY COUNCIL BY 1.5 FT.

LAKESHORE ESTATES
 SUBDIVISION
 NORTH SIOUX CITY, SD

STREETER PROPERTY PRELIMINARY GRADING
PRELIMINARY
 FOR REVIEW ONLY 1/3/17

Project Manager: B. WELLS
 Designer: K. MULLENIX
 Project Number: 266103
 Phone: (712) 266-1554



Sheet
 45 C.01

June 18, 2018

UNAPPROVED MINUTES
North Sioux City Planning Commission
May 9, 2018

The regular meeting of the North Sioux City Planning Commission was called to order by Streeter at 4:00 p.m.

Commission members present were: Holbrook, Linden and Mitchell. Also in attendance were City Administrator Ted Cherry, Building Inspector Gary Roan and Finance Assistant Jennifer Roupe.

Motion by Mitchell, second by Holbrook to approve the agenda as presented. All members present voted aye.
Motion by Mitchell, second by Holbrook to approve the April 25, 2018 minutes as presented. All members present voted aye.

New Business

Consumer Supply- Roan informed of the expansion with the required retention pond.

Motion by Holbrook, second by Mitchell to approve the construction plans and building permit as presented. All members present voted aye.

Survey Plat PLAT OF LOTS 1 THRU 35 RIVER VALLEY SECOND ADDITION IN THE N1/2 OF THE SW1/4 OF SECTION 15, T89N, R48W 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA VACATING PART OF SODRAC PARK TRACT 1 RECORDED IN BOOK 12 OF PLATS ON PAGE 57 THEREIN

Update of plat since last meeting. Including the new requirements for building permit containing approved stamp from Brown Wegher with design, site plan, easement location and sidewalk placement.

Other Business:

Roupe updated commission members of approved building permits by Roan, prior to meeting:

2 fence permits – 922 Harvest Bend, 916 Harvest Bend / 1 above ground pool 113 Merrill Ave / addition to Morton building on 505 S Flynn St / 7 plex at 229 Centennial Dr.

Motion by Mitchell, second by Holbrook to adjourn at 4:09 p.m. All members present voted aye.

Dated this May 9, 2018

Jennifer Roupe

Finance Assistant