



## **Regular Meeting of the City Council**

January 7, 2019 – 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: December 17, 2018 Regular Meeting
- F. Agenda Items
  - 1. Proclamation – Slavery and Human Trafficking Awareness Month
  - 2. Culvert Bid Notification
  - 3. Flynn Phase 2 Bid Award
  - 4. Engineer Appointment Discussion
  - 5. Vendor Recurring Payments Approval
  - 6. Legal Newspaper Designation
  - 7. 2019 Council Meeting Dates
  - 8. Hearing – Special Event Alcohol Licenses – Convention Hall
  - 9. 2019 Legislative Trips
  - 10. Municipal Elections – 2019 Vacancies
  - 11. 114 Main St
  - 12. Finance Officer Interviews
- G. Community and Council Input
- H. Executive Session\*
  - 1. Personnel
- I. Approval of Bills
- J. Adjournment

**UNAPPROVED**  
**North Sioux City, South Dakota**  
**City Council Regular Meeting Minutes**  
December 17, 2018

Meeting called to order at 7:00 p.m. by Mayor Fredericksen. Berg, Benson, Blaeser, Carpenter, Parks, Slater, Cropley and Green were present. Also, in attendance was City Administrator Ted Cherry.

Mayor Fredericksen led the Pledge of Allegiance.

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

Motion by Berg second by Benson to approve the December 3, 2018 Regular Council Meeting Minutes. All members present voted aye.

Cherry presented the 2<sup>nd</sup> reading of Ordinance 2018-03. These funds would cover shortfalls in the 2018 budget. The large expense is for the payment for the Flynn property.

Motion by Parks second by Slater to approve the 2<sup>nd</sup> reading of Ordinance 2018-03. All members present voted aye.

ORDINANCE NO. 2018-03  
Supplemental Appropriations Ordinance

Be it ordained by the City of North Sioux City that the following sums are supplemental appropriated to meet the obligation of the municipality.

				GENERAL FUND 101	CAPITAL PROJECTS 520	3RD PENNY FUNC 211	2ND PENNY FUND 212
<b>APPROPRIATION-EXPENSES</b>							
101	4111	4223	dues	\$ 7,000.00			
101	4413	4121	OASI	\$ 100.00			
101	4520	4260	supplies	\$ 3,900.00			
101	4550	4221	Summer Reading	\$ 200.00			
101	4550	4220	Professional Svcs	\$ 325.97			
101	4550	4290	Other Expenses	\$ 500.00			
520	4630	4330	Capital		\$ 5,000.00		
211	4650	4260	Supplies			636.76	
211	4650	4292	Promoting NSC			10,000.00	
211	4660	4310	Land			354,522.51	
214	4210	4225	Dispatch	\$ 36,000.00			
<b>TOTAL APPROPRIATIONS</b>				<u>\$ 48,025.97</u>	<u>\$ 5,000.00</u>	<u>\$ 365,159.27</u>	<u>\$ -</u>
<b>SOURCE OF FUNDING</b>							
101	3100	31301	Gen Sales & Use Tax	\$ 48,025.97	\$ 5,000.00		

365,159.51

**TOTAL FUNDING**

\$ 48,025.97	\$ 5,000.00	\$ 365,159.51	\$ -
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Dated this 17th day of December 2018

\_\_\_\_\_  
Randy Fredericksen, Mayor

Attested:

\_\_\_\_\_  
Ted Cherry, City Administrator

First Reading: 12/3/2018  
Second Reading: 12/17/2018  
Publication Date: 12/27/2018

Cherry presented the transportation agreement with the City of Sioux City for transit services in North Sioux. The fee has increased by \$716 for a total of \$24,590. There were 11,077 rides given. Goal is to get from downtown Sioux city and back in one hour. There is additional language that would allow for transit services during Military Road Bridge reconstruction. Slater asked for confirmation that the additional money was worked in budget, it has been. Parks asked for clarification on the additional funding, Sioux City will bill the City for us. Parks asked about adding an additional stop to the Flynn Business Park area. Cherry will look into that.

Motion by Parks second by Carpenter to approve the 2019 Transportation agreement with Sioux City. All members present voted aye.

Cherry presented the contract for cleaning services with Sparkle and Shine Cleaning. Carpenter clarified they had provided liability insurance. The confidentiality clause was asked about, that language was not provided specifically, but will be added to the contract. The bid was approved at the previous Council meeting.

Motion by Carpenter second by Slater to approve the cleaning contract with Sparkle and Shine contingent upon a confidentiality clause. All members present voted aye.

Cherry presented information regarding the trash hauling contract, resolution 2018-05, and dumpster fees and days. The contract provides 3 years of trash hauling services with Gill Hauling with a 2% increase in 2021. Resolution would provide the costs for the residential hauling. A 12% increase to the contract prices. Dumpster days and fees would be changed as well. A transfer of funds in FY2019 is schedule to cover fund loses from previous years. The increased fees and reduction of days would help to bring the solid waste fund into balance. Slater asked to clarify current dumpster fees, those are \$5, \$15, and \$30 for small, medium, and large loads respectively. Tim Hogan stated we do not take trash loads from contractors.

Motion by Cropley second by Benson to approve the 2019-2021 contract with Gill Hauling for solid waste hauling services for the residential users in the City.

Slater asked how the new charges were figured. The amounts are a 12% increase of the costs from the contract for administrative purposes. Benson stated Gill Hauling was the only company to bid the hauling services.

Motion by Green second by Berg to approve Resolution 2018-05 for the increase in residential trash hauling fees to \$17.92 for residential, \$12.88 for seniors, and \$3.92 for additional trash/recycling carts.

**RESOLUTION 2018-05**

**A RESOLUTION SETTING THE FEE FOR SOLID WASTE HAULING FOR MUNICIPAL CUSTOMERS**

RESOLUTION OF THE CITY COUNCIL OF NORTH SIOUX CITY, SOUTH DAKOTA (“CITY”) SETTING THE RATES FOR SOLID WASTE HAULING SERVICES FOR THE CITY OF NORTH SIOUX CITY

WHEREAS, The City Council and Mayor are responsible for the collection of garbage, rubbish, waste materials, and yard waste as stated in City Ordinance 8.04.040, and;

WHEREAS, The City Council has approved a contract with Gill Hauling to provide these services for the City of North Sioux City, and;

WHEREAS, The Mayor and City council are responsible for setting the fee associated for hauling garbage, rubbish, waste materials, and yard waste as stated in City Ordinance 8.04.040;

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

That the City hereby sets the following rates for family domestic trash hauling for the residents of North Sioux City

Unit	Unit Price
Residential Hauling	\$17.92
Senior Hauling	\$12.88
Additional Garbage Cart	\$3.92
Additional Recycling Cart	\$3.92

The above Resolution was moved by Councilmember Green and seconded by Councilmember Berg and was approved by a vote of 8 to 0 at a meeting duly called and held on December 17, 2018

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Randy Fredericksen, Mayor

ATTEST:

\_\_\_\_\_  
Ted Cherry, City Administrator

A previous recommendation was given to the Council and it was asked to wait until the end of the year to do the changes to the dumpster days. The changes recommended would save approximately \$5,200 per year. The rate increase to \$8, \$20, and \$35 would add \$1,600 to revenues. Benson asked about capacity issues, there will be none with the people coming in and out or the dumpster filling up.

Motion by Berg second by Cropley to change the dumpster load costs to \$8 for small loads, \$20 for medium loads, and \$35 for large loads and to change the days the dumpster is open on Saturdays November through February and Thursdays and Saturdays March through October. All members present voted aye.

Cherry presented Resolution 2019-06 for signatories at financial institutions. The resolution replaces Susan Kloostra with Ted Cherry. Parks asked about having the financial officer and city administrator as signers for the checks, Cherry will check on this. Slater asked if two signatures are needed, they are.

**RESOLUTION 2018-06**

**A RESOLUTION CHANGING THE SIGNATORS ON ALL CITY SAVINGS, CHECKING, CERTIFICATE OF DEPOSIT, SAFETY DEPOSIT BOX, AND OTHER FINANCIAL ACCOUNTS**

RESOLUTION OF THE CITY COUNCIL OF NORTH SIOUX CITY, SOUTH DAKOTA (“CITY”) CHANGING THE SIGNATORS OF THE City Savings, Checking, Certificate of Deposit, Safety Deposit Box, and other financial accounts.

WHEREAS, Due to the resignation of the Finance Officer new signatories need to be added to the financial accounts; and;

WHEREAS, The City of North Sioux City needs to have multiple signatories in the event one is not available;

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

THAT, Susan Kloostra shall be removed as a signatory on all City of North Sioux City Savings, Checking, Certificate of Deposits, Safety Deposit Boxes, and other financial accounts effective immediately, and;

THAT, The signatories on all City of North Sioux City Savings, Checking, Certificate of Deposits, Safety Deposit Boxes, and other financial accounts shall be Randy Fredericksen (Mayor), Dan Parks (Council President), and Ted Cherry (City Administrator).

The above Resolution was moved by Councilmember Slater and seconded by Councilmember Cropley and was approved by a vote of 8 to 0 at a meeting duly called and held on December 17, 2018.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2019

\_\_\_\_\_  
Randy Fredericksen, Mayor

ATTEST:

\_\_\_\_\_  
Ted Cherry, City Administrator

Motion by Slater second by Cropley to approve Resolution 2018-06. All members present voted aye.

Cherry presented the items regarding Military Road Bridge.

The first item was a new contract asking for more funding from the SD DOT. Bids came in 17.75% higher than anticipated. SD DOT is willing to provide more funding for the bridge. The new contract would provide \$1,878,00 in funding. The second item is a resolution stating the City would take over ownership and maintenance of the bridge. The third item is the Bill of Sale that transfers the ownership to the City of North City. The fourth item is a reimbursement agreement with the City of Sioux City.

The costs for the bridge are covered as well as an additional \$32,000 for incidentals. There is a \$75,000 incentive for the quick construction of the bridge. Estimated costs for the bridge are \$1,846,000. Cherry did state that the costs on the forcemain came in higher as well, but the City has time to get through discussions with Sioux City on providing sewer services. Sioux City has signed the agreements and it will be sent to the state. Contract would be awarded on Thursday at a special meeting of Sioux City. Lifespan of the bridge will be 30 years.

Motion by Berg seconded by Green to approve the Military Road Bridge contract with the SD DOT and Sioux City for the funding on the bridge. All members present voted aye.

Motion by Green second by Carpenter to approve Resolution 2018-07 for North Sioux City to accept partial ownership, jurisdiction, and maintenance responsibilities of the structure of Military Road Bridge. All members present voted aye.

### **RESOLUTION 2018-07**

#### **A RESOLUTION AUTHORIZING NORTH SIOUX CITY TO ACCEPT PARTIAL OWNERSHIP, JURISDICTION, AND MAINTENANCE RESPONSIBILITIES OF THE STRUCTURE OF MILITARY ROAD BRIDGE AND ITS RIGHT OF WAY**

WHEREAS, the City Council of North Sioux City approved and accepted the State of South Dakota Maintenance and Jurisdiction Transfer Agreement Among the South Dakota Department of Transportation, North Sioux City, South Dakota, and Sioux City, Iowa on December 17, 2018; and

WHEREAS, the City of Sioux City approved and accepted the State of South Dakota Maintenance and Jurisdiction Transfer Agreement Among the South Dakota Department of Transportation, North Sioux City, South Dakota, and Sioux City, Iowa on December 17, 2018 and

WHEREAS, the State of South Dakota Department of Transportation approved and accepted the State of South Dakota Maintenance and Jurisdiction Transfer Agreement Among the South Dakota Department of Transportation, North Sioux City, South Dakota, and Sioux City, Iowa on December 20, 2019; and

WHEREAS, said transfer agreement requires the City of North Sioux City to accept joint ownership, jurisdiction and maintenance responsibilities of the structure.

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

THAT, the City of North Sioux City accepts partial ownership, jurisdiction, and maintenance responsibilities of the structure of Military Road Bridge and its right of way upon completion of the reconstruction of the bridge anticipated in 2019 and receipt of a deed from the State of South Dakota; and

FURTHER BE IT RESOLVED, THAT, the partial ownership, jurisdiction, and maintenance responsibilities of the structure of Military Road Bride and its right of way be shared evenly with the City of Sioux City as prescribed in the agreement referenced above. A copy of said agreement is attached hereto as Exhibit A and incorporated by reference herein, and;

FURTHER BE IT RESOLVED, THAT, The Mayor of the City of North Sioux City is authorized and empowered to sing the State of South Dakota Maintenance and Jurisdiction Transfer Agreement Among the South Dakota Department of Transportation, North Sioux City, South Dakota, and Sioux City, Iowa. The above Resolution was moved by Councilmember Green and seconded by Councilmember Carpenter and was approved by a vote of 8 to 0 at a meeting duly called and held on December 17, 2018

Dated this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_

ATTEST:

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Ted Cherry, City Administrator

Motion by Benson second by Berg to approve the military Road Bridge Bill of Sale. All members present voted aye.

Motion by Slater second by Green to approve the reimbursement agreement for Military Road Bridge with Sioux City. All members present voted aye.

Community/council input:

1. Bonnie Scott, Michele Wakeman, Susan Barta, and Carl Howard addressed the council on their concerns with the rent increases at the trailer courts under the new ownership. Lot rent is going up \$100 per month per lot. There is concern from the citizens about being able to afford these rates. The citizens were made aware the City can't do anything about the lot increase, but any building permits or placements would have to go through our approval process. Cherry will contact the park owner and see if there is anything that can be done about the rent increases.

Motion by Slater second by Parks to enter Executive Session at 8:10 p.m. in accordance with SDCL 1-25-2 (sections 1 and 4) to discuss Personnel and Contractual matters. All members present voted aye.

Regular session resumed at 11:20 p.m. Roll was taken, all were present.

Motion by Cropley second by Benson to give a \$1.44 increase to all employees effective January 1, 2019 and for Police Department employees subject to union approval. Aye – Benson, Carpenter, Parks, Cropley, Green. Nay – Berg, Blaeser, Slater. Motion Passed.

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

AFLAC	618.50	DEC2018 PREM
ARGUS LEADER	206.43	INVITATION TO BID-FLYNN
BARNES & NOBLE	240.43	BOOKS (18)
CERTIFIED TSTNG SVCS	2933.00	S DERBY-RECONS PROJ
CHERRY, TED	60.06	MLG REIMB-MTGS
CITY OF SIOUX CITY	35992.08	NOV2018 SWR CHGS USAGE 16,663
CLAIMS ASSOCIATES, INC.	5000.00	DEDUCTIBLE REIMB
DAILEY, MICHAEL	602.25	2018 EMPLOYEE DINNER
DAKOTA TRAFFIC SVCS	62.59	EXCISE TAX ON I#IA2689
DAKOTA DUNES/NSC TIMES	1150.47	NOV2018 PUBLISHING
EBSCO SUBS SVC	448.08	SUBSCRPTN RNWL (12)
THOMPSON INNOVATION	66.00	LIB-ALARM MNTRNG AGREEMENT
FERGUSON WATERWORKS	5527.52	WATER METERS (18), RF BOX (6)
FOUR SEASONS NORTH	199.60	DEC2018 FITNESS CHGS
FREDERICKSEN, RANDY	28.41	EXP REIMB-FAREWAY-CKN-CHILI FEED
GATEWAY ENGRNG INC	9560.00	MILLER LIFT STATION PUMP
GILL HAULING	9277.00	NOV2018 RESIDENTIAL SVCS
GUMDROP BOOKS	1251.95	BOOKS (79)
H2O 4 U	107.50	CH-BOTTLED WTR (2)
HAWKINS, INC	2098.39	CHLORINE (7)
HOGAN, TIM	10.00	EXP REIMB-HENLEY CLASS
JACK'S UNIFORMS & EQUIP	237.90	SUPP FOR AR-UNIT 4 & 5
EAKES OFF SLTNS	98.47	MEN'S PUBLIC RSTRM-RPLCD DSPNSR
JEO CNSLTNG GROUP	7494.50	05-79-05890 FLYNN/ENGINEERING
LAW ENFRCMNT SYSTEMS	69.00	PD-FORMS (250)
LONG LINES	788.16	DEC2018 PHN & INT CHGS
MERCY BUSINESS HEALTH SVCS	53.33	DEC2018 EAP
PATRICIA MERSCH	129.34	EXP REIMB-SR CNTR-CHRISTMAS GIFTS
MIDAMERICAN ENERGY	13794.05	NOV2018 UTILITY CHGS

MIDAMERICA BOOKS	251.40	BOOKS (6)
MIDWEST TAPE	95.22	DVD'S (5)
MIDWEST WHEEL	28.48	PARTS-PLOW TK
MPLC	340.78	SR CNTR-1/19/19-1/19/20 MOVIE LIC
NSC AUTO REP	371.39	UNIT 4-BRAKE PADS & RTRS, OIL CHG (2)
O'REILLY AUTOMOTIVE, INC.	138.90	BRK CLNR (12), STOP LEAK,
OFFICE ELEMENTS	98.11	CHAIRMAT
ONE OFFICE SLTN	35.97	WINDOW ENVELOPES (3 BX)
QUALIFIED PRESORT SVC	736.94	NOV2018 POSTAGE UTILITY BILLS
REICH PAINTING	2100.00	PAINT SR CNTR
GARY ROAN	1010.00	INSPECTIONS (17)
ROUPE, JENNIFER	18.66	MLG REIMB-PICK UP CHILI FEED SUPP
SD DEPT OF REV & REG	11.20	TITLE-2018 PD DODGE
SD ONE CALL	49.28	NOV2018 LOCATES (44)
SD DEPT OF HEALTH	40.00	TESTING-MONK
SIOUX CITY FOUNDRY CO	4349.36	PLOW BLADES (16)
SIOUX CITY JOURNAL	840.00	NOV2018 ADVERTISING
SIOUXLAND LOCK & KEY	92.75	SWR PLAN MASTER KEYS (6)
STOCKWELL ENGINEERS, INC	2550.00	STREETSCAPE ARCHITECT FIRM-95%
TOOL DEPOT	105.17	CHAIN FOR PLOW (8)
UNITY POINT CLINIC-OCC HEALTH	94.00	IMMUNIZATION (2)-HENLEY
US FOODS, INC	556.85	2018 CHLI FEED FOOD SUPPLIES
VAN DIEST SUPP CO	460.60	ICE MELT (49)
VANDER POL EXCAVATING, LLC	58935.18	S DERBY RECONS PROJ
WALL OF FAME	50.00	PD-PRMTINL PRODUCTS
WOODHOUSE	61.84	UNIT 4-FRONT DISC

Motion by Parks second by Cropley to adjourn at 11:22 p.m. All members present voted aye.

**Approved**

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**Randy Fredericksen, Mayor**

**Attested**

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**Ted Cherry, City Administrator**



# 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: 1/7/2019  
Re: Proclamation – Slavery and Human Trafficking Awareness Month

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**Background:** The Siouxland Coalition Against Human Trafficking is continuing their efforts to make the issue of slavery and human trafficking a recognized issue in the Siouxland community. January is Slavery and Human Trafficking Awareness Month and they have asked for a Proclamation by the City Council to be made.

**Financial Consideration:** None

**Recommendation:** Administration would recommend the approval of the recognizing January as Slavery and Human Trafficking Awareness Month.

**Proclamation For Slavery and Human Trafficking Awareness and Prevention  
Month**

**Whereas, the United States was founded upon the principle that all people are created with the inalienable right to freedom, and added the 13<sup>th</sup> amendment to the Constitution making slavery illegal;**

**Whereas slavery within the United States today is most often found in the form of forced labor and sex trafficking, which weakens our social fabric, increases violence and organized crime, and debases our humanity;**

**Whereas this problem is found even within our community;**

**Whereas every business, community organization, faith community, family and individual can make a difference by choosing products that are not made by forced labor; by working to protect our young people from sexual exploitation; by addressing the problems of internet sex trafficking and pornography; and by becoming more aware of the problem and possible solutions;**

**Therefore, I, Randy Fredericksen, Mayor of North Sioux City, South Dakota, upon the consent of the entire City Council, on this date January 7, 2019 acknowledge January as Slavery and Human Trafficking Awareness and Prevention Month, and encourage our citizens to become more familiar with the problem and to work toward solutions.**

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**Randy Fredericksen**

**Mayor, North Sioux City**



# 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: 1/7/2019  
Re: Military Road Culvert Repair

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**Background:** As the Council has been made aware in the past the culvert by Military Road Bridge and Rabbit Family Vision needs to be replaced due to the bottom of the current structure corroding away. JEO was engaged as the engineer to work through this project.

JEO is ready to move forward with the bid on this project and do that fairly quickly. The hope is to publish the bid notification on January 10<sup>th</sup> and 17<sup>th</sup> and open bids on January 18<sup>th</sup> for Council to approve on January 22<sup>nd</sup>.

The Corp of Engineers is considering this an emergency situation so the normal 408 permitting process is able to be avoided.

The hope is that the majority of the work (pipe installation and backfill) would be completed by March 15<sup>th</sup> with liquidated damages not meeting that date of \$1,000 per day. Substantial completion would be done by April 15 and sign off on the project by May 15. If the completion date is not met it would have liquidated damages of \$250 per day.

Council set aside \$300,000 in FY2019 for culvert repairs and the budget was not used in FY2018 and will roll over into the general fund.

The cost of the project is estimated at \$226,177 with an approved contract with JEO of \$42,658.00. Because the designs on future projects being similar the cost of engineering and design will be substantially reduced if the Council chooses to move forward with JEO on future repairs. Previously we believed that we would be able to do 2 culverts per year for \$300,000 but that estimate was off. We will have to adjust this for future years moving forward.

**Financial Consideration:** None at this time

**Recommendation:** Administration would recommend moving forward with the bid advertising for the culvert repair work by Military Road Bridge.

## INVITATION TO BID

Sealed Proposals for the construction of "**Big Sioux River Right Bank Levee - Military Road - Drainage Structure Improvements for the City of North Sioux City, South Dakota,**" JEO Project No. **182001.00**, QuestCDN No. **6059466**, will be received by the City Administrator at **504 River Dr, North Sioux City, SD 57049**, until **11:00 AM** on the **18th** day of **January 2019**, and thereafter will be read aloud.

The work is generally described as follows: **Big Sioux River right bank levee drainage structure improvements.**

### **Opinion of Probable Cost \$225,000**

Proposals will be taken for said construction work listed above by unit prices, as an aggregate bid for the entire project.

All Proposals for said construction work must be made on blanks furnished by the Engineer and must be accompanied by Bid Security of not less than 5% of the amount bid. Bid Security to be made payable to the Treasurer of the City of North Sioux City as liquidated damages in case the bid is accepted and the bidder neglects or refuses, to enter into contract and furnish bond in accordance herewith.

Copies of the contract documents are on file with the City of North Sioux City for examination by bidders. Complete digital project bidding documents are available at JEO's website at [jeo.com](http://jeo.com) for **\$20.00**. An optional paper set of project documents is available for a non-refundable price of **\$75.00** per set. Please send your check payable to JEO Consulting Group, Inc. at **2700 Fletcher Ave, Lincoln, NE 68504**. **If you have any questions, contact us at 402.435.3080**. In order to bid the project, the contract documents must be issued directly by JEO Consulting Group, Inc. or QuestCDN to the bidder.

The Owner reserves the right to waive informalities and irregularities and to make awards on bids which furnish the materials and construction that will, in their opinion serve the best interests of the Owner, and also reserves the right to reject any and/or all bids.

NORTH SIOUX CITY, SOUTH DAKOTA  
Randy Fredericksen, Mayor

ATTEST: Ted Cherry, City Administrator

PUBLISHED: North Sioux City Times  
January 10, 2019  
January 17, 2019



# 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: 1/7/2019  
 Re: Flynn Phase 2 Bid Award

**Background:** The Council has been made aware of the infrastructure upgrades planned to be done for the Flynn Phase 2 project. Bids have been received and are provided for you in subsequent pages. The low bidder was Steve Harris Construction. The base bid and alternates 1 and 2 comes to a total of \$1,297,561.35. The costs for MidAmerican are approximately \$300,000 for the project as a whole. There have been significant struggles with getting MidAmerican to respond on this issue and getting firm contracts. At this time we are working off the assumption the entire amount will be repaid to the City, if that changes the Council will be made aware.

The budgeted amount for FY2019 was \$1,661,585. The amount budgeted in receipts from the EDA was \$686,585. This amount is higher than what is expected to come in. The base bid came in lower than expected and this is why the EDA receipt is not as high as originally thought.

Originally NSCEDC planned to only do the base amount of infrastructure, but asked for the alternates to be bid to complete the road North to Waters Road. The engineers estimate on the costs were \$1,457,590. Below is a breakdown of costs a funding sources.

Item	Cost
Base Bid	\$ 918,819.55
Alternate 1	\$ 66,478.40
Alternate 2	\$ 312,263.40
MidAmerican	\$ 300,000.00
EDA Funding	\$(456,581.00)
State of SD Funding	\$(250,000.00)
Southern Triangle Sales	\$(166,000.00)
MidAmerican Reimbursement	\$(300,000.00)
Approximate Total City Cost	\$ 424,980.35

The City would be responsible for the initial payouts for costs, but reimbursements would come in from Economic Development and MidAmerican over time. During budget hearings it was made aware that funding would be transferred from the 211 and 212 funds to cover these costs, but they would be reimbursed back to those funds when the City is reimbursed. The reimbursements would happen over time, but we expect these to be completed within 4 years' time. The City's portion would come from the 211 fund which, as of the 2017 audit, had a balance of \$617,569.65. This was budgeted for in FY2019 through a transfer from the 211 fund to the construction fund in the amount of \$617,000.

MidAmerican reimburses amounts based off of hookups to the system.

The benefits to completing alternates 1 and 2 is that it does open up more land for sale and Economic Development can use those funds for their next projects or operational expenses. Also, we believe that each building built will generate approximately \$2,000 per year in property tax revenue. It is hard to gauge how much sales tax would come in from individual businesses or trickle-down business. If only the base amount was constructed the cost to the City would be \$46,238.55

**Financial Consideration:** Total costs of \$1,531,082.95

**Recommendation:** Administration recommends the approval of the bid for Flynn Phase #2 for the base bid and alternate #2 in the amount of \$1,297,561.35.



# 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: Andrew Nilges, NSCEDC Executive Director  
Date: 1/7/2019  
Re: Flynn Phase 2 Bid Award

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**Background:** Bids for the Flynn Phase 2 infrastructure project were unsealed December 4<sup>th</sup> with the low bidder being Steve Harris Construction. By all accounts the company does high quality work and has experience working with EDA funded projects. JEO, the engineer for the project, recommended awarding the project to Steve Harris Construction in the letter included in the council packets. The EDA also provided concurrence with the selection and awarding the project to Steve Harris Construction.

Initially the NSCEDC planned to only complete the base bid of the project. This was because the EDA is only funding the base bid – the EDA will only fund the part of the road where defined beneficiaries are locating. The NSCEDC advertised the base bid and an alternate option to extend the road north to Waters Road, the northern boundary of the Flynn Business Park. The low bid came in lower than JEO's estimate and much lower than initial estimates done by Greg Meyer.

After reviewing the bid and extensive discussion of the future of the Flynn Business Park, the NSCEDC board unanimously voted to recommend approval of moving forward with the base scope and alternate option. One benefit is that the bid came in lower than expected and construction costs will only increase in the future, so it makes sense to complete the project now. Completing the base scope and alternate option will open up approximately 26 acres of developable land in the northeast corner of the business park. The newly available land would have access to all necessary infrastructure, making it highly marketable. The city would see an increase in property tax revenue, sales tax generated, job opportunities, and other economic activity.

In addition to the NSCEDC's recommendation of approval for the base scope and alternate option, JEO has also recommended selecting the base scope and alternate option if funding permits. Their recommendation is included in the letter attached.

Once the scope has been determined the NSCEDC will work with JEO to move forward with the contracting process. The NSCEDC will also move forward with marketing the Flynn Business Park. Work has already begun on a free industrial park assessment for business recruitment purposes and grant applications for updated marketing materials.

**Recommendation:** Approval of awarding the Flynn Phase 2 base bid and alternate option to Steve Harris Construction.



## Bid Tab

**PROJECT** | 2018 Flynn Business Park Road Extension, EDA Project No. 05-79-05890

**JEO PROJECT NO.** | 180914

**LOCATION** | North Sioux City, South Dakota

**LETTING** | December 4, 2018 at 11:00 a.m.

**OPINION OF PROBABLE COST** | Base Bid: \$1,066,830; Alt. No. 1 - \$57,370; Alt. no. 2 - \$333,390

Bidder	Total Groups A, B & C	Total Alt. No. 1	Total Alt. No. 2
Steve Harris Construction Homer, NE	\$918,819.55	\$66,478.40	\$312,263.40
BX Civil & Construction Dell Rapids, SD 57022	\$1,027,603.25	\$80,570.00	\$345,826.75
Gill Construction, Inc. Jackson, NE	\$1,078,803.06	\$84,203.70	\$323,512.95
SubSurfco, LLC South Sioux City, NE	\$1,079,882.95	\$83,360.50	\$348,217.70



# Tab Sheet

**PROJECT** | 2018 Flynn Business Park Road Extension, EDA Project No. 05-79-05890

**JEO PROJECT NO.** | 180914

**LOCATION** | No. Sioux City, South Dakota

				Steve Harris Construction	BX Civil & Construction Inc.		
<b>GROUP A - BASE BID (EDA PARTICIPATING GROUP)</b>							
Item	Qty.	Unit	Description	Unit Price	Total	Unit	Total
1	1	LS	Mobilization		\$30,000.00		\$64,234.75
2	1	LS	Bonding and Insurance		\$26,000.00		\$5,500.00
3	124	LF	12" RCP, Class III	\$31.50	\$3,906.00	\$36.50	\$4,526.00
4	580	LF	18" RCP, Class III	\$39.00	\$22,620.00	\$45.00	\$26,100.00
5	1,017	LF	24" RCP, Class III	\$47.00	\$47,799.00	\$54.00	\$54,918.00
6	1,593	LF	30" RCP, Class III	\$62.00	\$98,766.00	\$70.00	\$111,510.00
7	10	EA	Curb Inlet	\$6,000.00	\$60,000.00	\$3,800.00	\$38,000.00
8	1	EA	18" RCP Flared End Section	\$950.00	\$950.00	\$850.00	\$850.00
9	1	EA	Sewer Structure	\$1,500.00	\$1,500.00	\$1,150.00	\$1,150.00
10	3	EA	48" Dia. Concrete Manhole	\$3,300.00	\$9,900.00	\$3,500.00	\$10,500.00
11	6	EA	60" Dia. Concrete Manhole	\$5,200.00	\$31,200.00	\$5,200.00	\$31,200.00
12	6,067	SY	8" Concrete Pavement	\$48.00	\$291,216.00	\$55.00	\$333,685.00
13	653	SY	Asphalt Concrete	\$23.50	\$15,345.50	\$27.00	\$17,631.00
14	7,876	SY	Subgrade Preparation	\$3.25	\$25,597.00	\$4.00	\$31,504.00
15	7,876	SY	Cement Treatment @ 4%	\$12.30	\$96,874.80	\$14.50	\$114,202.00
16	1	LS	Measures		\$3,500.00		\$2,550.00
17	2	EA	Install Sign and Post	\$1,000.00	\$2,000.00	\$1,850.00	\$3,700.00
18	3.2	ACRE	Seeding, Fertilizer and Mulch	\$3,500.00	\$11,200.00	\$4,000.00	\$12,800.00
19	10	EA	Curb Inlet Sediment Filter	\$200.00	\$2,000.00	\$225.00	\$2,250.00
20	1,037	LF	Silt Fence, Low Porosity	\$2.25	\$2,333.25	\$2.50	\$2,592.50
21	32	LF	Silt Fence, High Porosity	\$2.25	\$72.00	\$2.50	\$80.00
22	1	LS	EDA Construction Sign		\$1,300.00		\$850.00
<b>TOTAL GROUP A - BASE BID (EDA PARTICIPATING GROUP)</b>					<b>\$784,079.55</b>		<b>\$870,333.25</b>
<b>GROUP B - WATER (EDA PARTICIPATING GROUP)</b>							
1	1	LS	Mobilization		\$10,500.00		\$8,600.00
2	1	LS	Bonding and Insurance		\$6,000.00		\$850.00
3	3	EA	Main	\$2,100.00	\$6,300.00	\$1,750.00	\$5,250.00
4	1,750	LF	12" PVC Water Main, DR 18	\$37.50	\$65,625.00	\$50.00	\$87,500.00
5	1	EA	12" Plug, MJ	\$300.00	\$300.00	\$425.00	\$425.00
6	4	EA	12" Gate Valve and Box, MJ	\$2,600.00	\$10,400.00	\$2,750.00	\$11,000.00
7	1	EA	Operating Stem Extension	\$500.00	\$500.00	\$300.00	\$300.00
8	4	EA	6" Fire Hydrant Assembly	\$4,700.00	\$18,800.00	\$5,500.00	\$22,000.00
9	1	EA	12" x 12" x 12" Tee, MJ	\$860.00	\$860.00	\$1,600.00	\$1,600.00
10	4	EA	12" x 6" x 12" Tee, MJ	\$500.00	\$2,000.00	\$1,200.00	\$4,800.00
11	6	EA	12" 45° Bend, MJ	\$800.00	\$4,800.00	\$1,100.00	\$6,600.00
12	3	EA	12" 11.25° Bend, MJ	\$600.00	\$1,800.00	\$1,000.00	\$3,000.00
13	2	EA	12" 22.5° Bend, MJ	\$600.00	\$1,200.00	\$1,000.00	\$2,000.00
<b>TOTAL GROUP B - WATER (EDA PARTICIPATING GROUP)</b>					<b>\$129,085.00</b>		<b>\$153,925.00</b>

<b>GROUP C - WATER SERVICE (NOT EDA PARTICIPATING)</b>							
1	1	LS	Mobilization		\$1,600.00		\$500.00
2	1	LS	Bonding and Insurance		\$1,500.00		\$125.00
3	71	LF	2" PE Water Service (SDR 7)	\$25.00	\$1,775.00	\$20.00	\$1,420.00
4	1	EA	2" Corporation Stop	\$530.00	\$530.00	\$500.00	\$500.00
5	1	EA	12" x 2" Saddle	\$250.00	\$250.00	\$800.00	\$800.00
<b>TOTAL GROUP C - WATER (NOT EDA PARTICIPATING)</b>					<b>\$5,655.00</b>		<b>\$3,345.00</b>
<b>TOTAL GROUPS A, B, AND C</b>					<b>\$918,819.55</b>		<b>\$1,027,603.25</b>
<b>BID ALTERNATE 1 (NOT EDA PARTICIPATING)</b>							
1	1	LS	Mobilization		\$4,000.00		\$3,450.00
2	1	LS	Bonding and Insurance		\$3,000.00		\$575.00
3	820	SY	8" Concrete Pavement	\$48.00	\$39,360.00	\$53.00	\$43,460.00
4	1	EA	Concrete Header	\$600.00	\$600.00	\$1,000.00	\$1,000.00
5	978	SY	Subgrade Preparation	\$5.50	\$5,379.00	\$13.00	\$12,714.00
6	978	SY	Cement Treatment @ 4%	\$12.30	\$12,029.40	\$14.50	\$14,181.00
7	0.26	ACRE	Seeding, Fertilizer and Mulch	\$3,500.00	\$910.00	\$4,000.00	\$1,040.00
8	2	EA	Curb Inlet Sediment Filter	\$200.00	\$400.00	\$225.00	\$450.00
9	2	EA	Install Sign and Post	\$400.00	\$800.00	\$1,850.00	\$3,700.00
<b>TOTAL BID ALTERNATE 1 (NOT EDA PARTICIPATING)</b>					<b>\$66,478.40</b>		<b>\$80,570.00</b>
<b>BID ALTERNATE 2 (NOT EDA PARTICIPATING)</b>							
1	1	LS	Mobilization		\$9,500.00		\$18,000.00
2	1	LS	Bonding and Insurance		\$11,500.00		\$2,300.00
3	62	LF	12" RCP, Class III	\$31.00	\$1,922.00	\$36.50	\$2,263.00
4	636	LF	18" RCP, Class III	\$38.00	\$24,168.00	\$46.00	\$29,256.00
5	95	LF	18" RCP, Class V	\$47.00	\$4,465.00	\$48.50	\$4,607.50
6	200	LF	24" RCP, Class III	\$47.00	\$9,400.00	\$54.00	\$10,800.00
7	2	EA	18" RCP Flared End Section	\$950.00	\$1,900.00	\$1,150.00	\$2,300.00
8	4	EA	Curb Inlet	\$5,300.00	\$21,200.00	\$3,750.00	\$15,000.00
9	1	EA	48" Dia. Concrete Manhole	\$4,000.00	\$4,000.00	\$3,800.00	\$3,800.00
10	3	EA	Adjust Manhole to Grade	\$1,000.00	\$3,000.00	\$925.00	\$2,775.00
11	3,099	SY	8" Concrete Pavement	\$48.00	\$148,752.00	\$53.00	\$164,247.00
12	3,663	SY	Subgrade Preparation	\$5.50	\$20,146.50	\$8.25	\$30,219.75
13	3,663	SY	Cement Treatment @ 4%	\$12.30	\$45,054.90	\$14.50	\$53,113.50
14	25	TONS	Gravel Surface Course	\$45.00	\$1,125.00	\$30.00	\$750.00
15	0.98	ACRE	Seeding, Fertilizer and Mulch	\$3,500.00	\$3,430.00	\$4,000.00	\$3,920.00
16	4	EA	Curb Inlet Sediment Filter	\$200.00	\$800.00	\$225.00	\$900.00
17	400	LF	Silt Fence, Low Porosity	\$2.25	\$900.00	\$2.50	\$1,000.00
18	1	LS	Measures		\$1,000.00		\$575.00
<b>TOTAL BID ALTERNATE 2 (NOT EDA PARTICIPATING)</b>					<b>\$312,263.40</b>		<b>\$345,826.75</b>

December 6, 2018

Mayor and City Council  
City of North Sioux City  
504 River Drive  
North Sioux City, SD 57049

RE: North Sioux City, South Dakota  
2018 Flynn Business Park Road Extension  
EDA Project No. 05-79-05890  
Bid Tab Summary and Recommendation  
JEO Project No. 180914

Dear Mayor and City Council Members:

On December 4, 2018 at 2:00 pm, bids were received and opened at the City offices of the City of North Sioux City for the 2018 Flynn Business Park Road Extension project. The project consists of the following: Base Bid: Construction of approximately 1,800 linear feet of 31-foot-wide, 8" PCC pavement, storm sewer, 12" PVC water main, and associated appurtenances. Alternate No. 1: Construction of approximately 240 linear feet of 31 - foot wide, 8" PCC pavement. Alternate No. 2: Construction of approximately 885 linear feet of 31 - foot wide 8" PCC pavement, storm sewer and associated appurtenances. Groups A and B are funded via EDA, all other bid groups are non-EDA funded.

In summary, there were four (4) total bidders on the project. The low bidder was Steve Harris Construction of Homer, Nebraska, with a bid amounts of \$918,819.55 for a total base bid of Groups A, B, and C; \$66,478.40 for Alternate No. 1; and \$312,263.40 for Alternate No. 2. The Engineer's Opinion of Probable Cost for the project was estimated at \$1,066,830 for a Base Bid, \$57,370 for Alternate No. 1, and \$333,3990 for Alternate No. 2. A tabulation of the two lowest bids received is enclosed for your reference.

Based on the bids received, it is recommended that the City award a contract to Steve Harris Construction as the lowest, responsive, responsible bidder. If the City has available funds, it is recommended to award the two Alternative Bids. Upon bid acceptance, EDA approval, and award, we will notify the low-bid contractor and prepare the contracts for execution between the City and the Contractor.

Over the course of the next few weeks we will be requiring further action from the City to proceed with the contracting process. Once awarded, as documents are sent to you, please arrange to obtain signatures as quickly as possible to ensure a process that proceeds expediently. The process is as follows:

- Execution of a Contract by Contractor: Upon notification from the City of award, JEO will provide three (3) copies of the Contracts to the Contractor for signatures and execution. The Contractor will return all three (3) copies of these documents back to JEO with copies of their Certificate of Insurance, Performance Bond, and Payment Bond.
- Execution of a Contract by the City: Upon a successful review of these documents by JEO, we will forward three (3) copies of the Contract and Notice to Proceed to the City. At the same time, upon your request, we can send copies of all contract documents, including a copy of the General Conditions and a copy of the insurance requirements for this project to the City Attorney for review, with a request to notify the City and JEO, in writing, upon

completion of the review that all requirements have been met. Although we recommend the City attorney review these documents prior to execution by the City, this is not a formal requirement. It should also be noted that the motion to award a contract to the contractor does allow for the Mayor or other designated authority of the City to execute the Contract and the Notice to Proceed without further board action. Once all three (3) copies of the Contract and Notice to Proceed have been executed, please return all copies to JEO.

- Receipt of Final Contracts: Once JEO has received all executed documents, we will send a copy of each of the signed documents including the Contract, Certificate of Insurance, Performance Bond, Payment Bond, and Notice to Proceed to the City and the contractor for your records.

As always, if you have any questions or concerns as we work through this process, please feel free to contact me at 402.494.7019 or [ejoy@jeo.com](mailto:ejoy@jeo.com).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ethan E. Joy', written in a cursive style.

Ethan E. Joy, P.E.  
Project Manager

EEJ/cam

Enclosures  
- Bid Tab

180914 ltr 12.06.18 Notice of Award and Recommendation to Owner.docx

**From:** Jacobson, Veronica (Federal) <VJacobson@eda.gov>  
**Sent:** Thursday, December 20, 2018 2:02 PM  
**To:** 'Leslie Mastroianni'  
**Cc:** Ethan Joy; Andrew Nilges  
**Subject:** Bid Award 05-79-05890

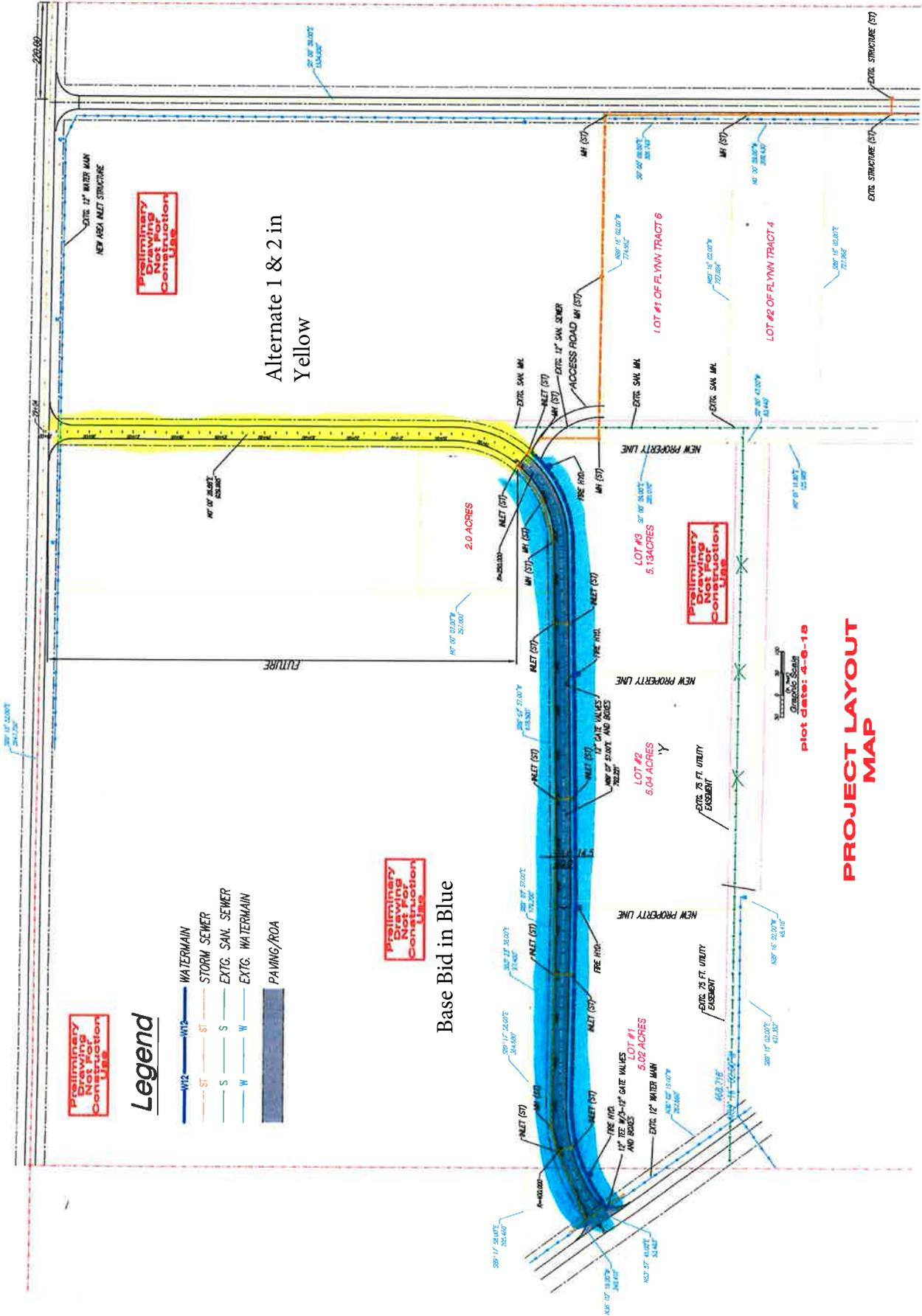
**Importance:** High

Hello Leslie,

EDA has reviewed the bid award documentation that you submitted for the Flynn Business Park Road Project. We concur with your selection and proposed award to Steve Harris Construction, Inc.. A formal approval letter will follow in the mail. Thank you.

***Veronica R. Jacobson, P.E.***  
Civil Engineer

U.S. Department of Commerce  
Economic Development Administration  
Denver Region  
1244 Speer Blvd., Suite 431  
Denver, Colorado 80204  
303.844.4703 (direct) / 303.844.3968 (fax)  
[www.eda.gov](http://www.eda.gov)



**PROJECT LAYOUT MAP**

plot date: 4-8-19



# 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: 1/7/2019  
Re: City Engineering

---

**Background:** The group of Tim Hogan, Andrew Nilges, Nate Blaeser, and myself have completed the process for hiring a new engineer for the City. 7 firms were contacted and 3 were interviewed. Those firms contacted were firms that we have worked with in the past, or they were local.

The group would recommend moving forward with 2 different firms for engineering services. JEO and Stockwell were both impressive on paper and in the interviews. The reason for using 2 firms is to gauge how well they work with the City and what services they can best provide for the City.

JEO is currently working on the levee certification, culvert replacement, and the Flynn Business Park Phase 2 infrastructure. They have an office based in South Sioux City that would be our main source of contact. For specialty purposes we would work with other engineers based in other locations. The proximity to the City is appealing to the group and we believe they will offer a high level of service. Ethan Joy would be the main source of contact. They have a wide range of specialties, but are working with South Sioux on sewer issues, they do a lot of levee work, and have water treatment experience.

Stockwell is a South Dakota based firm that has offices in Sioux Falls and Yankton. Jon Brown and David Locke would be the main contacts for us. The City is currently working with them on the streetscape design. The relationships they have with the State of SD is appealing to the group. Additionally, they have worked with a number of the suburb communities surrounding Sioux Falls to work on their sewer issues similar to what we have happening in Sioux City. From past experience they provide a high level of service and would be able to work on a number of different items.

By working with new engineers, we would be asked to sign a master services agreement. This agreement would allow for us to work with the engineers on daily items at an hourly basis. Additionally, if we worked with them on a specific project, it would allow us to use one set of legal guidelines instead of signing new contracts each time. The contracts are still being hammered out with Darrell, but it would be expected they would be completed soon. These agreements don't mean we will do any business with them, but gives us the option to have them do work for us. For each firm we would set a maximum limit of a dollar amount that we would do with them on an hourly basis, approximately \$10,000 each. When the City would get close to that amount we would discuss further plans.

**Financial Consideration:** None at this time

**Recommendation:** Administration would recommend moving forward with master services agreements with JEO and Stockwell Engineers when they are ready for signatures.



# 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: 1/7/2018  
 Re: Vendor Recurring Payments Approval

**Background:** Historically the Council has given staff the authority for payments to be made to certain vendors without approval. The payments are made to ensure no fines or penalties are incurred. Moving forward Payroll will be monitored by the City Administrator to ensure proper payments are being made.

<u>Vendor</u>	<u>Purpose</u>		<u>Amount</u>
1 <sup>st</sup> Financial Bank Credit Card	Travel and small purchases	Monthly Estimate	\$1,000.00
Canon Copier Leases (EFT)	Office supplies	Monthly Estimate	513.76
Principal Group Dental & Life Ins.	Insurance	Monthly Estimate	1,900.00
SD Sales Tax (EFT)	Solid Waste Hauling Payments	Monthly Estimate	600.00
US Bank Credit Card (EFT)	Travel and small purchases	Monthly Estimate	4,000.00
Utility Customer Refunds	Utilities Refunds	Various and under	50.00
Long Lines Telephone & Cable	Utilities	Monthly Estimate	850.00
Verizon Wireless	Office Functions	Monthly Estimate	800.00
Wellmark Health Insurance	Insurance	Monthly Estimate	20,000.00
WEX Fleet Fuel	PD and Public Works Fuel	Monthly Estimate	2,500.00
Neopost Postage Machine Lease (EFT)	Office	Monthly Estimate	706.80
Neopost Postage (EFT)	Office	Monthly Quarterly	400.00
BASE	Insurance	Bi-Weekly	500.00
<u>Payroll Vendor</u>			<u>Amount</u>
IRS Payroll Deposits (EFT)	Payroll	Monthly Estimate	9,500.00
NE Payroll Taxes (EFT)	Payroll	Yearly Estimate	1,000.00
IA Payroll Taxes (EFT)	Payroll	Yearly Estimate	9,000.00
Employee Deductions as requested	Payroll	Monthly Estimate	3,400.00

**Financial Consideration:** Avoidance of late fees and penalties

**Recommendation:** Administration recommends the approval of the recurring vendor payment approval



## 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: 1/7/2019  
Re: Legal Newspaper Designation

---

**Background:** State law requires specific actions to take place during the first meeting of the new year.

The municipality must designate its local newspaper to publish all official City business (SDCL 9-12-6). Last year, the Council selected the *Dakota Dunes North Sioux City Times*. Occasionally throughout the year when administration felt it necessary, we also published in a second paper, the *Leader Courier*.

**Financial Consideration:** In 2018, we spent over \$8,100.

**Recommendation:** Administration recommends approval of designating the *Dakota Dunes North Sioux City Times* as the official newspaper of North Sioux City.



# 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: 1/7/2019  
Re: Council 2019 Meeting Dates

---

**Background:** Previously the Council choose to move meeting dates to accommodate holidays the City observes. Below would be the 2019 dates that would need changed.

Holiday	Date	Meeting Date
Martin Luther King Day	Jan. 21, 2019	Jan. 22, 2019 (Tuesday)
President's Day	Feb. 18, 2019	Feb. 19, 2019 (Tuesday)
Labor Day	Sept. 2, 2019	Sept. 3, 2019 (Tuesday)

Previously the Council has also moved or cancelled the meeting that happens the week on July 4<sup>th</sup>. In 2019 July 4<sup>th</sup> is a Thursday. The meeting would be held July 1st. Council should have discussion on if they would like to change the date of this meeting date.

**Financial Consideration:** None

**Recommendation:** Administration would recommend approval of changing the dates of the Council meetings to January 22<sup>nd</sup>, February 19<sup>th</sup>, and September 3<sup>rd</sup>.



# 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: 1/7/2019  
Re: Convention Hall 2019 Special Events Alcohol Licenses

---

**Background:** The North Sioux City Fire Department submits a request for approval to host special events with alcohol sales on an annual basis. This is normally given for the dates they provide to the City. This type of licensing does not require an alcohol license but does require a public hearing.

Dates requested are attached

**Financial Consideration:** None

**Recommendation:** Administration would recommend the approval of the alcohol licenses for the dates attached for the North Sioux City Fire Department Convention Hall.

# 2019

The North Sioux City Fire Department event days for the North Sioux City Convention center Bar events,

February 2,9,16,23

March 2,9,16,23,30

April 13,20,27

May 4,10,11,17,18,24,25,31

June 1,7,8,14,15,21,22,28,29

July 6,13,20,27

Aug 3,10,17,24,31

Sept 7,14,21,28

Oct 5,12,19,26

Nov 2,9,16,23,30

Dec 7,14,21,28



## 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: 1/7/2019  
Re: 2019 Legislative Trips

---

**Background:** Each year the City attends legislative days in Pierre and Washington DC.

The Pierre trip is February 5-6. Hotel rooms are set aside for our group. Normally we would go on the 4<sup>th</sup> to meet with one of the governor's staff members or a member of the cabinet. If that is not something to be done, we would leave early on the 5<sup>th</sup> for the first meetings at 12:30pm. There is room for 3 council members to join if they wish.

The Washington trip is scheduled for April 18-19. Attendees would leave on April 17 and return on April 20. The days of the conference are full of meetings on Capitol Hill. There would be room for 2 Council members to join if they wish

**Financial Consideration:** N/A

**Recommendation:** If council members are interested in attending either of these conferences please let Ted know. Pierre would need to be scheduled by January 17. Washington would need to be scheduled by February 11.



# 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: 1/7/2019  
Re: 2019 Municipal Election Vacancies

---

**Background:** Each year the elected body must establish election related items. With an April 9, 2019 election date petition circulation may begin January 25, 2019. Petitions are due by February 22, 2019. Vacancies are listed below.

- Mayor, Citywide – 2-year term (Fredericksen)
- 1 Council person, Ward 1 – 2-year term (Green)
- 1 Council person, Ward 2 – 2-year term (Cropley)
- 1 Council person, Ward 3 – 2-year term (Berg)
- 1 Council person, Ward 4 – 2-year term (Slater)

**Financial Consideration:** N/A

**Recommendation:** Administration recommends setting North Sioux City's Municipal election to by April 9, 2019



## 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: 1/7/2019  
Re: 114 Main St. Property

---

**Background:** The property at 114 Main St. has been sold. The property sold for \$50,000 and after taxes and realtor fees the receipt of funds is for \$46,136.25. The sale was processed through Economic Development and they will remit these funds to the City.

The Council should decide what fund these monies should be received in to. There would be three options. The General Fund, the 211 (Economic Development) fund, or the 212 (Capital Improvement) fund. There are no restrictions that have been found on receiving these monies in.

**Financial Consideration:** Receipt of \$46,136.25

**Recommendation:** Administration would recommend receiving these funds to the 211 Economic Development Fund for the purposes of helping to pay for the Flynn Phase 2 expansion construction to be done in 2019.



## 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: 1/7/2019  
Re: Finance Officer Interviews

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**Background:** The closing date on the Finance Officer applications was January 3<sup>rd</sup>. Only 1 application (4 inquiries) was received and 4 applicants were given from Elite Staffing.

Interviews will be conducted end of week next week with some of the candidates.

**Financial Consideration:** None

**Recommendation:** Informational only.

**From:** [Yvonne Taylor](#)  
**Subject:** Upcoming Legislation  
**Date:** Wednesday, January 02, 2019 12:58:51 PM

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Hi - this is a much broader and earlier 'legislative update' than we normally send, but we are preparing for a fight in this year's legislature to protect a city's right to grow and develop, and to be able to continue to serve that growth and development with municipal utility services.

The Rural Electric Cooperatives are planning to bring legislation which would prevent a city's utilities (in this case, their electric utilities) from growing along with the city boundaries.

While your city may not have an electric utility, you can imagine what could happen next with other utilities if this is allowed to pass.

Under current law, when a municipality which has an electric utility grows, the municipality has the option of buying out the service territory of the entity providing electricity in the new area. These laws have been in place, with very little controversy, for over forty years. Now, the RECs want to stop the municipalities right to grow and develop their utility services along with their boundaries.

We need all cities to talk to their Legislators about the need to continue to allow all municipal utility services to grow with the city. Please reach out to your legislators as soon as possible, and please let me know of any response you receive.

As always, the SD Municipal League will fight to protect the ability of all municipalities to serve their citizens in the best way possible.

Thanks, all - Yvonne

Yvonne Taylor  
Executive Director

The logo for the South Dakota Municipal League, featuring the text "SOUTH DAKOTA MUNICIPAL LEAGUE" in a serif font, with a stylized graphic of a mountain range or hills behind the text.

208 Island Drive  
Ft. Pierre, SD 57532

T: 605-224-8654  
F: 605-224-8655