



Regular Meeting of the City Council

May 6, 2019 – 6:00 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: April 15, 2019 Regular Meeting
- F. Approval of Minutes: April 22, 2019 Special Meeting
- G. Old Business
- H. Approval of Bills
- I. Adjournment of the 2018-2019 Council
- J. Reconvene
- K. Roll Call
- L. Agenda Items
 1. Swearing In of Mayor and Council Members
 - a) Randy Fredericksen (Mayor)
 - b) Lonnie Green (Ward 1)
 - c) Lesa Cropley (Ward 2)
 - d) Kodi Benson (Ward 3)
 - e) Rodd Slater (Ward 4)
 2. Election of Council President and Vice President
 3. 2019 Municipal Appointments
 - a) City Attorney
 - b) Assistant City Attorney
 - c) Chief of Police
 - d) Finance Officer
 4. Parks Board Update
 5. South Derby Construction Discussion
 6. Flynn Infrastructure Change Order #1
 7. Levee Repair Change Order #1
 8. Levee Repair Change Order #2
 9. Police Dept. Presentation
 10. SIMPCO Representatives
 11. 2017 Water Project Closeout

12. Senior Center Signage
 13. Time of Council meetings Discussion
 14. Council Pay Discussion
 15. 2019 Fireworks Applications
 16. 2018 Annual Report Review
- M. Community and Council Input
 - N. Executive Session*
 - O. Approval of Bills
 - P. Adjournment

UNAPPROVED
North Sioux City, South Dakota
City Council Regular Meeting Minutes
April 15, 2019

Meeting called to order at 6:00 p.m. by Mayor Randy Fredericksen. Benson, Blaeser, Carpenter, Green, Parks, and Slater were present. Berg and Cropley were absent. Also, in attendance was City Administrator Ted Cherry and Finance Officer Mike Hamm.

Mayor Fredericksen led the Pledge of Allegiance.

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

Motion by Green, second by Benson, to approve the minutes of the April 1, 2019 Regular meeting minutes with the following corrections. All members present voted aye.

Change start time from 7:00 p.m. to 6:00 p.m.

The unofficial election returns were presented by Hamm from the April 9, 2019 Municipal Election. The Ward Three pollbook was distributed to canvass the results. Council verified the following election results: Council person Ward 3 – Kodi Benson 30 votes (75%) and Aaron Tyler 10 votes (25%). Council person Ward 1 Lonnie Green, Council person Ward 4 Rodd Slater, Council person Ward 3 Doug Berg, Council person Ward 2 Lesa Cropley, and Mayor Randy Fredericksen were unopposed.

Motion by Carpenter, second by Green to approve the election results with no changes. All members present voted aye.

Greg Meyer was on hand to discuss the South Derby road construction. The original completion date was set for October 1, 2018 and was changed to October 10, 2018 per a change order. With the liquidated damages clause in the contract the total amount of liquidated damages accrued is \$70,400.00. Meyer has identified 20 panels that needed to be replaced and an additional 19 panels that could be replaced. Meyer said there are 3 options. Have them keep removing panels and replacing them, have the panels grinded down flat, or take the road as is. Meyer said his primary purpose with meeting with the council was to get a new completion date. He said their landscaper will come in and start seeding. There was also damage to the Casey's sod. He believes they should replace this. Meyer said if the council was agreeable, he would suggest giving them two more weeks to complete the job. The cost to grind the street would be between \$900 and \$1,100 per hour. Meyer believes there would be about a day's worth of grinding. The council will give them two weeks to complete everything. At the end of the two weeks they will make a determination on the construction and the liquidated damages.

Motion by Parks, second by Benson, to approve presenting five \$500 scholarships to the Dakota Valley Scholarship Committee for 2019. All members present voted aye.

Motion by Green, second by Parks, to approve the presented Fireworks Applications. All members present voted aye.

Zort's PowerSource – Fireworks retail license
Zort's PowerSource – Fireworks Wholesale License

Cherry presented to the council that US Cellar has applied for a ROW application to place a new antenna on the water tower on River Dr. Our current receipts for the antennas on the water tower are around \$250 per month. We would see around \$700 to \$1,000 per month from this request. There will be some equipment that has to be placed on the ground.

Motion by Benson, second by Carpenter, to approve placement of the US Cellar antenna on the River Dr water tower. All members present voted aye.

Community/council input:

Green asked about why we currently can't rent out the Senior Center. The decision was made that when Pat was gone on leave that they would not rent it out. Further discussion to take place in executive session.

Slater would like to request that the council revisit the start times for the council meetings. He would like to see this on a council meeting agenda in the future to give the council time to research this.

Cherry said the Military Road Bridge open house would be April 18th, 2019 from 4:00 p.m. to 6:00 p.m.

Cherry presented the council with the bus route that will be in place when the Military Bridge construction is going on.

Cherry said the planning and zoning meeting for the River Valley items will be on 04-17-19. He said there will have to be a special council meeting on Monday 04-22-2019 to approve these items.

Motion by Parks, second by Benson, to move into executive session for personnel items at 6:56pm. All members present voted aye.

Regular session resumed at 7:31pm.

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

5678! DANCE	200.00	2019 DNTN
ANLYTCL & CNSLTNG SVCS	70.00	NSC WTR PLANT SUPP
BARNES & NOBLE	119.79	BOOKS (20)
BIERSCHBACH EQUIP	11013.00	FLOOD PUMPS
BLOUNT, BETTY	150.00	2019 ELCTN WRKR
CITY OF SIOUX CITY IA	16995.75	2QTR2019 WOODBURY CTY
CITY OF SIOUX CITY	35670.24	MAR2019 SWR CHGS USG 16,514
MARDELLE COLE	175.00	2019 ELCTN SPRNTNDNT
CRARY, HUFF, INKSTER, SHEEHAN	4950.75	MAR2019 LEGAL FEES
GWORCS	1862.49	SUMMIT TRNG
DAKOTA DUNES/NSC TIMES	356.72	MAR2019 PBLSHNG FEES
THMPSN INNVTN	66.00	PD-ALRM AGREEMNT
ELECTRIC PUMP	2368.86	FLYNN SWR PUMP REP
ELCTRCL ENGRNG & EQUIP	294.29	PARTS (39)
ELITE STAFFING, LLC	2000.00	MANAGER TRNG
FASTENAL CO	194.49	SWR PARTS (25)
FIVE STAR ENTRPRSES, INC	10.00	NAME PLATE-HAMM
FOUR SEASONS	249.50	APR2019 FITNESS CHGS
GTWY ENGINEERING INC	706.00	MILLER LIFT PUMP REP
GILL HAULING	12041.15	MAR2019 RSDNL WST
GROVES REP	684.80	PD-INSTALL APEX RADIOS (4)
H2O 4 U	79.00	BOTTLED WTR (8)
HAMM, MIKE	139.84	MLG REIMB, PHN REIMB, SUPPLIES
HAWKINS, INC	6315.85	EJECTOR, CHLORINE (3)
HENKINSCHULTZ	2800.00	ADVRTSNG
HERITAGE FLAG	1625.00	NSC FLAGS (12)
INGRAM LIB SVCS	1061.82	BOOKS (79)
INTRNTL CODE CNCL	21.95	CODE BOOK
JACK'S UNFRMS & EQUIP	150.75	CLTHNG ALLWNC
JENSEN SPRNKLR	117.30	LIB-SET UP SPRINKLER
JEO CNSLTNG GROUP	3642.50	NSC MLTRY RD DRNG
KISTNER, DARCIE	150.00	2019 ELCTN WRKR
LIBERTY NATL BANK	6.00	SR CNTR-SFTY DEP BX RNTL
LOCAL NO. 749	231.00	MAY2019 DUES
LONG LINES	790.81	PHN & INT CHGS
MATHESON TRI-GAS	118.26	GAS CYLINDER
MERCY BUS HEALTH SVCS	53.33	APR2019 EAP
MIDAMERICAN ENERGY	15199.23	MAR2019 UTLTY CHGS
MIDWEST TAPE	137.19	DVD'S (2)
MITCHELL ELECTRIC, LLC	384.10	LIB-RPL SWITCH TO FRNC
MJ MINOR UTLTY CNTRCTR	1177.50	SWR BACKUP MILLER LIFT
NSC AUTO REP	79.90	UNIT 2-OIL CHG
O'REILLY AUTOMOTIVE, INC.	110.40	AIR FLTR (6)
ONE OFFICE SLTN	298.78	PD-BNDRS (3 BX), ENVLPS (1 BX)
QUALIFIED PRESORT	734.52	PSTG UTLTY BILLS
ROTO-ROOTER	400.00	FLOOD-CAMERA STORM SWR
RUDOLPH'S SHOES	208.24	CLTHNG ALLWNC
SD GOV'T FINC OFFICERS' ASSOC	75.00	2019 FIN OFF REG-HAMM
SD GOVT HUMAN RESRC ASSOC	50.00	2019 HUM RES REG-HAMM
SD ONE CALL	32.55	MAR2019 LOCATES (31)
SIOUX CITY JOURNAL	854.99	ADVRTSNG
SIOUX CITY JOURNAL-SUBS	474.82	LIB SBSCRPTN
SXLND CHAMBER OF COMMERCE	135.00	SEMI ANNUAL DUES
SXLND HUMANE SOC	37.00	MAR2019 SERVICES
SPARKLE & SHINE CLNG SVCS	1451.25	MAR CLNG
STOREY KENWORTHY	304.47	NAME BADGE-HAMM
UNION CO. REG OF DEEDS	30.00	VANDELAY PROP
WATCHGUARD VIDEO	92.00	CLTHNG ALLOW-HEADID
WRIGHT EXPRESS FLEET SVCS	3000.67	MAR2019 FUEL CHGS
WOODHOUSE	68.25	2016 DODGE-TAIL LGHT

ZEISLER CNSTRCTN, INC
DAKOTA DOCKS

1625.00
44998.00

FLOOD-REINSTALL PIPING ON DIKE
BOAT DOCK

Motion by Parks, second by Benson, to adjourn at 7:34 pm. All members present voted aye.

Approved

Randy Fredericksen, Mayor

Attested

Mike Hamm, Finance Officer

UNAPPROVED
North Sioux City, South Dakota
City Council Special Meeting Minutes
April 22, 2019

Meeting called to order at 6:00 p.m. by Mayor Randy Fredericksen. Benson, Blaeser, Carpenter, Green, Parks, Slater, Berg, Cropley. Also, in attendance was City Administrator Ted Cherry.

Mayor Fredericksen led the Pledge of Allegiance.

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

Fredericksen opened the hearing at 6:01pm. Audience was asked for any input. Cropley asked if there were any effects to the tax increment district. Cherry explained that it does not, but the change would have some sales tax impact because of housing purposes. Clarification was given regarding there is no specifics in the TID that rental units would be a use, but isn't foreseen as that purpose. Beverly Roth asked about the type of property development, Cherry responded they would be twinhome and triplex for sale.

Motion by Cropley, second by Benson, to close the hearing at 6:08pm. All members present voted aye.

Motion by Cropley, second by Parks, to approve the request to rezone Tract 3 less lots 25-42 River Valley Addition in N1/2 SW ¼ N. Sioux City less 1.50A for lot A of TR3 RV Add (2.165A).

Cherry presented information on the preliminary plat provided by River Valley LLP. The plat meets requirements for the preliminary platting process as well as provides the City access for future detention ponding. The TID 2016 Amendment states that developer will put individual sewer and water lines to each unit. Roth asked about drainage on the lots and Cherry explained the retention ponding system. Roth asked about the grading, and that would have to be done to the specifications of the storm drainage study as well as the elevations that are given at that time.

Slater asked about future platting and the detention ponding. Easement language, grading plan, and drainage study would be provided when coming forward on the plats. Cropley about how the lots would be sold. Rick Wegher stated their intention is to sell individually. Cropley asked about the issue of R-2 vs. R-3 zoning. Cherry stated there was a conflict in the ordinance and would be brought forward soon to fix items through Planning Commission and City Council. Parks asked for clarification on water shut offs and asked to have them placed on open ground and not in the middle of driveways. Wegher stated that would be done.

Motion by Cropley, second by Berg, to approve the preliminary plat for Tract 3 River Valley Addition provided by River Valley LLP when zoning issues were fixed. Motion was rescinded due to wording. Motion by Cropley, second by Benson, to approve the preliminary plat as presented for lots 86 through 93 with revisions later on lots 94 through 96. All members present voted aye.

Cherry presented the plat for Lots 86 through 89 of Tract 3 of the River Valley Addition to the Council.

Motion by Cropley, second by Berg, to approve the plat of lots 86-89 of Tract 3 of River Valley addition as presented.

Cherry presented the plat for lots 67 and 84 of Tract 4 of River Valley Addition to the Council. The plat meets the requirements of the City and matches the preliminary plat. The lots are for single family homes as opposed to twinhomes because there is not sufficient space to build twinhomes and would face onto Delmar Circle. Tract 4 would be abutting the possible continuation of Sodracs Drive. It was confirmed the lots would face Delmar Circle. It was confirmed sidewalks would be required.

Motion by Parks, second by Cropley, to approve the plat of lots 67 and 84 of River Valley Tract 4.

Motion by Cropley, second by Berg, to adjourn at 6:32 pm. All members present voted aye.

Approved

Randy Fredericksen, Mayor

Attested

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: 5/6/2019
Re: Council President and Vice President

Background: The Council has the responsibility of electing a Council President and Vice President. The current Council President is Dan Parks and the Vice President is Rodd Slater.

Financial Consideration: n/a

Recommendation: council should make nominations and vote on who to put in these roles.



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: 5/6/2019
Re: 2019 Municipal Appointments

Background: Each year the Council is required to appoint specific positions per SDCL. The Mayor must make recommendations on who should be appointed to these positions and the Council must ratify them. Below are current appointments.

City Attorney – Darrell Jesse

Asst. City Attorney – Sabrina Sayler

Chief of Police – Richard Headid

Finance Officer – Michael Hamm

Financial Consideration: None

Recommendation: No recommendation from the Administration. Mayor will make recommendations to the Council.



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: 5/6/2019
Re: Parks Board Update

Background: The Parks Board will be in attendance of the meeting to introduce new members. Minutes for the meeting have been provided at the end of the packet. The board will also provide a general update on the parks and some of their goals moving forward.

Regarding the splash pad, Stockwell will provide a quote to get started on the project. This includes meetings to design the splashpad as well as public meetings to involve the community as a whole. When the design is done a quote would be provided for the installation of the project if the Council agrees on all of the design elements. The quote should be available at the meeting.

A grant will be applied for from the Gilchrist foundation for some of the costs involved with the project. Additionally a grant was awarded to the City from the SD Community Foundation in the amount of \$10,000. This grant requires matching fundraising to be done by the City and Parks Board.

Financial Consideration: None

Recommendation: Would the Council like to move forward with the design phase of the splashpad project with Stockwell Engineers.

City Parks Repair & Replacement

Ferrari Park

1. Edging holding rock needs straightened & put back in place.
2. Park bench with two missing legs needs removed.
3. Check all bolts on equipment to make sure all is secure.
4. Clean black & white spray paint off one piece of equipment
5. Tunnel slide needs replace, was never replaced after it was broken.
6. Rake pea gravel around equipment. Power wash playground equipment, metal bench & trash cans.

Suggested items to add to park: Shelter & picnic tables, basketball court with two hoops & a second trash can.



Tunnel slide was never replaced after it broke

Exercise Park

1. Add the four new pieces of exercise equipment in the center with the four that are already installed to create an exercise park. We have requested for a quote from company that previously installed equipment.
2. Name this area as a park & install a park sign.
3. One piece of equipment needs underlayment fabric that pulled up laid back down & covered with ground cover. This is located along sidewalk by lift station.
4. Check bolts & Power wash exercise equipment.



Lakeshore Park

1. Wooden picnic table needs removed; this table has pieces of wood missing.
2. Remove Sandbox & broken shovel.
3. Remove dead trees on bank & branches along edge.
4. Clean wood of shelter & re-stain. Power wash metal picnic table & trash cans.
5. Remove Park Sign & place on legs where it can be seen.

Suggested items to add: Grill, small playground equipment, 2 metal picnic tables & trash can. Add decking/and or fencing along top bank edge with benches facing the lake.



Approx. size available 50 x 60 for playground



Move park sign to this location so it's visible.

City Park

1. Replace or repair hoops if possible & replace nets (not chain nets)
2. Music panel on playground equipment doesn't work, see if it can be replaced.
3. Paint the following equipment; picnic tables where its chipped, poles of playground equipment that are faded & legs of swing set that are rusted.
4. Rake mulch around equipment. Check bolts on equipment.
5. Re-stain wood park bench. Power wash playground equipment, metal bench & trash cans.



Davis Park

1. Replace chain nets on basketball hoops.
2. Paint playground equipment poles & where its chipping.
6. Rake mulch around equipment & check bolts. Power wash playground equipment, metal picnic tables, bench & trash cans.



Centennial Park

1. Corner flowerbed by park sign; blocks need fixed, replace some perennial plants with new flowering perennials, & put in fresh wood chips.
2. Donated wooden park benches are in bad shape. Look at replacing with material that won't deteriorate & new plaques be made saying who they are in memory of.
3. Monument needs washed & cement around it.
4. Weeds around monument sprayed.
5. Add edging & plant flowers in front of monument.
6. Plant flowers around fountain & rock bed. Add fresh wood chips.
7. Gazebo scraped & painted. Flowers need added & fresh wood chips.
8. Flag lights around monument needs cleaned out & one protective ring replaced. Wash off benches & gazebo benches. Power wash trash cans.
9. Reseed areas as needed.

Suggested: We have requested a bid from Claussen's Greenhouse on all flowerbeds including perennials & mulch where needed, also planting red, white & blue flowers in front of monument. This park needs to be repaired & planted before Memorial Day weekend.







Wooden Benches Along Walking Paths

1. Wash off & re-stain benches as needed. Power wash trash cans. We didn't personally inspect each bench on walking path, but observed as driving by that some do need re-stained.



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: 5/6/2019
Re: South Derby Paving Discussion

Background: Greg has provided the attached letter on the South Derby Paving project.

The first item of discussion is regarding liquidated damages. The question before the Council is how much in liquidated damages the City should withhold from the contractor, if any. Greg's analysis provides three options to withhold liquidated damages.

The second item of discussion is about the project itself and the quality of the work. There are a number of paved panels that do not meet Greg's requirements for the project. Would the council like to continue the work with VanderPol Excavating, or would we like to close out the contract now and find another firm to finish the work.

Financial Consideration: See attached memo

Recommendation: Multiple decisions need to be made by the council on the project. Greg's memos can explain the issues in more detail.

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

April 30, 2019

Mayor Fredericksen:
Re: North Sioux City
South Derby Lane Reconstruction

I am writing to present three discussions on the subject of liquidated damages for the subject project. The contract includes language regarding liquidated damages as follows:

“13.0.1 The Owner will suffer damage if the project is not substantially completed in the contract period set forth in these bidding documents. Should the Contractor fail to substantially complete the work to the point the work is usable within the allotted contract period (or such later date that may result from extension of time guaranteed by the Owner). The Contractor shall pay the Owner, as liquidated damages, the sum of \$400.00 for each consecutive working day that the terms of the contract remain unfulfilled beyond the date allowed by the contract, which sum is agreed upon as reasonable, which the Owner will sustain per day by the failure of the Contractor to complete work within the time as stipulated: it being recognized by the Owner and the Contractor that the injury to the Owner which could result from the failure of the Contractor to substantially complete on schedule is uncertain and cannot be construed as a penalty on the Contractor.”

The contract also required completion of phase one within 30 calendar days and completion of the project by October 1, 2018.

Option One:

The Project included a 30 calendar day time period for Phase One of the project (River Drive to just north of Campbell Street). The work started on July 30, 2018; which would require Phase One to be completed by August 29, 2018. Change Order One added nine days to the completion date, for a revised Phase One completion date of September 7, 2018. Phase One opened to traffic on October 5, 2018. The schedule resulted in 28 additional days at \$400 per day for potential liquidated damages of **\$11,200.**

Vander Pol moved to Phase Two before Phase One was completed. This was a change to the construction sequence as provided in the documents. There was considerable damage to the Centurylink cable in phase one as the cable was too shallow for the incorporation of cement for the subgrade treatment. Centurylink continued in phase two with the position their cable was deep enough

to allow the construction. I asked Vander Pol to expose the Centurylink cable in phase two which was surveyed and proved to be too shallow for the project. Centurylink attempted to retain Vander Pol to move their cable and Vander Pol declined. Centurylink retained another contractor to move the cable, which was completed on October 24, 2018. Vander Pol did not move onto the west side of Phase Two until October 29, 2018.

Vander Pol completed the concrete placement on November 21, 2018 which resulted in 30 working days of potential liquidated damages at \$400 per day or **\$12,000**. The total of both phases of liquidated damages is **\$23,200**.

The work completed in 2018 required repairs. Some of the repairs were completed in April of 2019, which resulted in 16 additional working days at \$400 per day or **\$6,400**. The total of all three phases is **\$29,600**. Some of the concrete placed in 2018 remains too rough to comply with the specifications, which will be the topic of another letter.

Option Two:

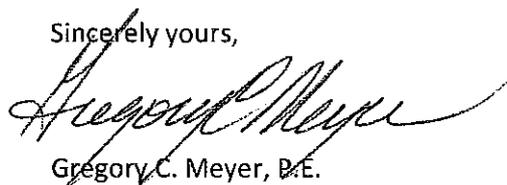
The signage was not reinstalled until December 21, 2018. If the City were to attempt to assess liquidated damages for the days in November and December prior to date the signs were installed; there would be 22 additional working days for additional liquidated damages of **\$8,800**. The total Liquidated Damages for all four phases would be **\$38,400**.

Option Three:

During the winter, additional days passed. Without consideration of weather, the additional "working" days (weekdays) would be 66 days or **\$26,800** of liquidated damages. The winter weather was not conducive to concrete work. The total of liquidated damages for all five phases would be **\$64,800**.

Please review the above and let me know how the City would like to proceed. If you would like any additional information please contact me.

Sincerely yours,



Gregory C. Meyer, P.E.

Cc: Ted Cherry, City of North Sioux City

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

May 1, 2019

Mayor Fredericksen:

Re: North Sioux City

South Derby Lane Reconstruction

Attached is a Punch List dated May 1, 2019 with my Opinion of Estimated Costs for the performance of the work by a contractor. Typically, I would retain twice the value of the work to be performed unless the City would choose to close out the contract with Vander Pol and have the work performed by another firm. The Opinion of Estimated Costs for repair of panels that do not appear to pass the straight edge test is based on the attached table titled "Panels Not Passing the Pavement Straight Edge Test". Also attached, is a table of the panel replacement to date.

Vander Pol may prefer to perform the panel replacement work in lieu of the diamond grinding as the out of pocket costs may be less for panel replacement. Of the panels replaced last month, two will not pass the straight edge test and they hold water after a rain.

I have not presented the attached Punch List to Vander Pol as I await your direction on how to proceed with the completion of the project.

If you would like any additional information please feel free to contact me.

Sincerely yours,



Gregory C. Meyer, P.E.

Cc: Ted Cherry, City of North Sioux City

South Derby Reconstruction - Punch List

1-May-19

Items of Work Remaining on the South Derby Reconstruction Project

1.)	Remove previously applied joint sealant from paving.	\$ 1,000.00
2.)	Sealant Repair at FIMCO Inlet	\$ 250.00
3.)	Repair corner spall	\$ 1,000.00
4.)	Sweep Casey's lot	\$ 500.00
5.)	Sweep Zort's Fireworks lot	\$ 500.00
6.)	Repair a portion of electrical at Zort's Fireworks	\$ 500.00
7.)	Finish Street Marking on the remaining street.	\$ 811.00
8.)	Grade Fill in Flynn	\$ 2,500.00
9.)	Repair Casey's Irrigation	\$ 2,500.00
10.)	Check compaction in sidewalk fill.	\$ 2,500.00
11.)	Repair panels which do not pass the straight edge test. (See Attached Sheet)	

Option No. One - Remove and replace concrete paving 215.4 q. yds.

at \$63 per sq. yd. (bid unit prices) = \$13,570.41

Option No. Two - Daimond grind pavement:

Mobilization	1 ea	\$ 2,500.00	\$ 2,500.00
Set up	1 ea	\$ 150.00	\$ 150.00
Haul slurry	8 hrs	\$ 150.00	\$ 1,200.00
Diamond Grinding	8 hrs	\$ 900.00	\$ 7,200.00
Traffic Control	8 hrs	\$ -	\$ -
Opinion of Estimated Costs			<u>\$ 11,050.00</u> \$ 11,050.00
			\$ 23,111.00

South Derby Reconstruction

North Sioux City, S.D.

Vander Pol Construction

30-Apr-19

Panels Not Passing the Pavement Straight Edge Test

Most items noted were depressions as bumps were

hard to measure

Panel No.	Panel location west to east				Width	Length	Width	Length	Area	
	A	B	C	D						
1										
2	X				7	12			84	
11	X				7	12			84	
18	X		X		7	11.75	8.58	9.17	160.93	
28			X		13.42	7.33			98.37	HIGH POINT
35				X	12	8			96	HIGH POINT
38				X	7.83	11.5			90.05	
47		X	X		12.17	7.75	11.75	7.75	185.38	
48		X	X	X	15.33	8	7.75	15.75	265.12	4.5 15.92
49			X	X	7.92	10.79	7.83	10.96	171.27	
50		X			7.71	11.38			87.74	
51				X	9.46	7.83			74.07	
52				X	7.79	15.92			124.02	
53	South Return joint at Campbell									
54	North edge of Petal Pusher Joint									
66		X			7.83	10.17			79.63	
67	North joint of FIMCO Dr. at bottom of driveway flare.									
74	South joint from inlet north of LaFleur Auto driveway flare.									
90	Joint north of north drive to mobile home park.									
91			X		7.75	10.58			82.00	
102	Joint south of North Sioux Auto Repair.									
104			X		7.83	10.5			82.22	0
106					7.83	10.79			84.49	Joint north of south drive to mobile home park.
117					8	11.17	Last Joint		89.36	
									1938.63	sq. ft.
									215.40	sq. yds.

South Derby Reconstruction
 North Sioux City, S.D.
 Vander Pol Construction
 30-Apr-19
 Panels Previously Repaired

Panel No.	Panel location west to east					E. Partial
	W. Partial	A	B	C	D	
1	X					X
3						X
6						X
8	X					X
11						X
13	X		X			X
14			X			X
15			X			X
16						X
19	X					
25	us to Casey's North Drive					
26	X					
28			X			
35			X			
37	h joint at inlets.					
40		X	X	X	X	
41		X	X	X	X	
42		X	X	X	X	
43		X	X	X	X	
44		X	X			



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: 5/6/2019
Re: Flynn Infrastructure Project – Change Order #1

Background: The Council awarded the bid on the Flynn Business Park at the January 7th meeting to Steve Harris Construction. The bid award was in the amount of \$1,297,082.95, below the budgeted amount of \$1,720,000.

The change order presented is due to soil conditions that were found in the areas where the subgrade had to be removed because of the amount of tree roots. The change order is for a \$4,896 increase to the contract. The roots needed to be removed to provide for the correct soil compactions for the stability of the improvements for the long term. This amount is well within the contingency amount of the contract of 10%

Financial Consideration: Increase in contract of \$4,896.

Recommendation: Administration would recommend the approval of Change Order #1 for the Flynn Business Park Contract in the amount of \$4,896.00

Date of Issuance:	April 18, 2019	Effective Date:	May 6, 2019
Owner:	City of North Sioux City, SD	Owner's Contract No.:	
Contractor:	Steve Harris Construction	Contractor's Project No.:	
Engineer:	JEO Consulting Group, Inc.	Engineer's Project No.:	180914
	2018 Flynn Business Park Road Extension,		2018 Flynn Business Park Road Extension,
Project:	EDA Project No. 05-79-05890	Contract Name:	EDA Project No. 05-79-05890

The Contract is modified as follows upon execution of this Change Order:
 Description: **Sta. 101+50 to 104+90 remove & replace unsuitable subgrade material as found numerous tree roots.**
 Attachments: **Certified Testing Site Soil Report**

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>[note changes in Milestones if applicable]</i>
Original Contract Price: \$ <u>1,297,561.35</u>	Original Contract Times: Substantial Completion: <u>June 28, 2019</u> Ready for Final Payment: <u>July 9, 2019</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ <u>0.00</u>	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>1,297,561.35</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
[Increase] [Decrease] of this Change Order: \$ <u>4,896.00</u>	[Increase] [Decrease] of this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ <u>1,302,457.35</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>June 28, 2019</u> Ready for Final Payment: <u>July 9, 2019</u> days or dates

RECOMMENDED:		ACCEPTED:	
By: <u>[Signature]</u>	By: _____	By: <u>[Signature]</u>	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)	
Title: <u>Project Manager</u>	Title: _____	Title: <u>ESTIMATOR</u>	Title: _____
Date: <u>4-18-19</u>	Date: _____	Date: <u>4-19-19</u>	Date: _____

Approved by Funding Agency (if applicable)
 By: _____
 Title: _____

Date: _____

Change Order Estimate

JEO Project Name: 2018 Flynn Business Park Road Extension, EDA Project No. 05-79-05890		JEO Project Number: 180914			
Owner: City of North Sioux City, SD		Change Order Number: 1			
Contractor: Steve Harris Construction		Effective Date: May 6, 2019			
Item			Change Order Information		
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)
CO-1	Remove and Replace Unsuitable Soils	816	CY	\$6.00	\$4,896.00
Total					\$4,896.00



Certified Testing Services, Inc.

419 W. 6th Street • P.O. Box 1193 • Sioux City, Iowa 51102 • Phone (712) 252-5132

REVIEW OF CONSTRUCTION

Client: City of North Sioux City
504 River Drive
North Sioux City, South Dakota 57049
Attn: Mr. Andrew Nilges

Job No. 12389

Report No. 5 Date 04/18/19

Project: 2018 Paving Flynn Business Park

Location: North Sioux City, South Dakota

Report By Tony Nelson Date 04/18/19 Reviewed By RES Date 04/18/19

Prime Contractor Steve Harris Construction, Inc. Superintendent Steve Harris

Subcontractor _____ Superintendent _____

Work in progress and/or completed since last report: At the request of Mr. Steve Harris, CTS made a site visit to observe the large concentration of tree roots from approximately Station 101+75 to Station 104.75. These stations are approximate as CTS currently does not have any stationing hubs from which to locate. Due to the large concentration of tree roots. CTS recommends removing an additional 12 inches of the subgrade and replacing with a clean on site material. CTS does not recommend any roots larger than 1/4 inch in size. CTS observed roots up to 1 inch in size in the subgrade at the time of our visit.

Instructions or information received from: Project plans, specifications, and soils report (CTS Report No. G5462)

Weather: Overcast, 44°F

Technician/Engineer time on project today: 2.0 hours

No. of visits today: 1 Time and date for next visit: Contractor will call



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: 5/6/2019
Re: Levee Culvert Repair Change Order #1

Background: Due to the Army Corp of Engineers review of the levee culvert project, and the emergency plans they had the City enact, a number of extra items were needed for the culvert repair project. The items include addition fil, riprap, and some air testing of the culvert. The additional expenses add \$18,245 to the total project.

There is a budget in FY2019 of \$300,000 for culvert repairs. The project was awarded to VanderPol Excavating for the amount of \$212,525 and engineering costs are \$42,658 for a total of \$255,183. The addition of this change order would take the costs to \$273,428.

Financial Consideration: \$18,245 in additional costs

Recommendation: Administration recommends the approval of Change Order #1 for the 2019 Culvert Repair project.

Date of Issuance: **March 11, 2019** Effective Date: **March 11, 2019**
 Owner: **City of North Sioux City** Owner's Contract No.:
 Contractor: **Vander Pol Excavating** Contractor's Project No.:
 Engineer: **JEO Consulting Group, Inc.** Engineer's Project No.: **182001.00**
 Project: **Military Road Drainage Improvements** Contract Name:

The Contract is modified as follows upon execution of this Change Order:

Description: **Adjustments due to USACE review**

Attachments: Drawing Revision No. 1; Special Provisions Revision No. 1; Emergency Action Plan (EAP)

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>212,525.00</u>	Original Contract Times: <u>Milestone 1: March 15, 2019</u> Substantial Completion: <u>April 15, 2019</u> Ready for Final Payment: <u>May 15, 2019</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: \$ _____	[Increase] [Decrease] from previously approved Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for Final Payment: _____ days
Contract Price prior to this Change Order: \$ <u>212,525.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order: \$ <u>18,245.00</u>	Increase of this Change Order: Milestone 1: <u>March 24, 2019</u> Substantial Completion: <u>April 24, 2019</u> Ready for Final Payment: <u>May 24, 2019</u> days or dates
Contract Price incorporating this Change Order: \$ <u>230,770.00</u>	Contract Times with all approved Change Orders: Milestone 1: <u>March 24, 2019</u> Substantial Completion: <u>April 24, 2019</u> Ready for Final Payment: <u>May 24, 2019</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u><i>John King</i></u> By: _____ By: <u><i>[Signature]</i></u>	Engineer (if required)	Owner (Authorized Signature)
Title: <u>Project Engineer</u>	Title: _____	Title: <u>President</u>
Date: <u>3/13/2019</u>	Date: _____	Date: <u>3-13-19</u>

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____



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: 5/6/2019
Re: Levee Culvert Repair Change Order #2

Background: Due to the threat of flooding there was additional work that had to be done to the levee repair project in March. A temporary levee was installed to ensure the rising waters from the Big Sioux River would not affect the community. The administration is hopeful these funds will be reimbursed by the State as they have been figured into the costs of the Union County emergency declaration which the State has yet to approve.

There is a budget in FY2019 of \$300,000 for culvert repairs. The previous change order #1 increased the project to \$273,428. The project was awarded to VanderPol Excavating for the amount of \$212,525 and engineering costs are \$42,658 for a total of \$255,183. The addition of this change order would take the costs to \$282,619.31

Financial Consideration: \$27,436.31 in additional costs for work already completed.

Recommendation: Administration recommends the approval of Change Order #2 for the 2019 Culvert Repair project.

Date of Issuance: **April 26, 2019** Effective Date: **April 26, 2019**
 Owner: **City of North Sioux City** Owner's Contract No.:
 Contractor: **Vander Pol Excavating** Contractor's Project No.:
 Engineer: **JEO Consulting Group, Inc.** Engineer's Project No.: **182001.00**
 Project: **Military Road Drainage Improvements** Contract Name:

The Contract is modified as follows upon execution of this Change Order:
 Description: **Installation of emergency levee.**

Attachments:

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price: \$ <u>212,525.00</u>	Original Contract Times: <u>Milestone 1: March 15, 2019</u> Substantial Completion: <u>April 15, 2019</u> Ready for Final Payment: <u>May 15, 2019</u> days or dates
Increase from previously approved Change Order No. <u>1</u> : \$ <u>18,245.00</u>	Increase from previously approved Change Order No. <u>1</u> : Milestone 1: <u>March 24, 2019</u> Substantial Completion: <u>April 24, 2019</u> Ready for Final Payment: <u>May 24, 2019</u> days
Contract Price prior to this Change Order: \$ <u>230,770.00</u>	Contract Times prior to this Change Order: Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Increase of this Change Order: \$ <u>27,436.31</u>	Increase of this Change Order: Milestone 1: _____ Substantial Completion: _____ Ready for Final Payment: _____ days or dates
Contract Price incorporating this Change Order: \$ <u>258,206.31</u>	Contract Times with all approved Change Orders: Milestone 1: <u>March 24, 2019</u> Substantial Completion: <u>April 24, 2019</u> Ready for Final Payment: <u>May 24, 2019</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: <u><i>John King</i></u> By: _____ By: _____ Engineer (if required) Owner (Authorized Signature) Contractor (Authorized Signature)		
Title: <u>Project Engineer</u> Title: _____ Title: _____		
Date: <u>4/26/2019</u> Date: _____ Date: _____		

Approved by Funding Agency (if applicable)

By: _____ Date: _____
 Title: _____



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: 5/6/2019
Re: Police Department Presentation

Background: Chief Headid will be at the Council meeting to present current information on the Police Department.

Financial Consideration: None

Recommendation: Informational only

2019 CITATION STATISTICS

1st Quarter

<u>FEBRUARY</u>		<u>State/Court Citations</u>		
K 613447	2/25	MIP tobacco (Vape)	Court	2X Ryan
K 613810	2/2	Driving w/Susp DL, Speeding	Court	2Z Larkin
K 613892	2/12	No Insurance	Court	2Z Larkin
K 614060	2/5	Following Too Closely (Accident)	Court	2H Headid
K 614061	2/5	Driving While DL Suspended	Court	2H Headid
K 614062	2/5	No Insurance	Court	2H Headid
K 614066	2/15	Improper Right Turn (Accident)	Court	2H Headid
K 614067	2/27	Substitution of Plates on MV	Court	2H Headid
K 614068	2/27	Driving w/Susp DL	Court	2H Headid
K 614101	2/17	Simple Assault, Possession of Revoked DL	Court	2W McIntosh
K 614103	2/19	Contributing to Delinquency of Minor (2 cts.)	Court	2W McIntosh
K 614104	2/19	Overdriving Road Conditions (Accident)	Court	2W McIntosh
K 614105	2/14	Possession Drug Paraphernalia	Court	2W McIntosh
K 614106	2/14	Possession of Marijuana, Ingestion	Court	2W McIntosh
K 614107	2/14	DUI (3rd Offense)	Court	2W McIntosh
K 614122	2/26	Disorderly Conduct	Court	2N Wodtke
K 614123	2/26	Disorderly Conduct	Court	2N Wodtke
K 614124	2/26	Possession of Revoked DL	Court	2N Wodtke
K 614147	2/1	Driving w/Susp DL, No Insurance	Court	2R Ryan
K 614152	2/2	Speeding	Court	2X Ryan
K 614153	2/2	No Insurance	Court	2X Ryan
K 614160	2/14	Ingestion of Marijuana	Court	2R Ryan
K 614161	2/16	Poss/Driving w/Susp DL, No Ins, Expired Registratoin	Court	2R Ryan
K 614186	2/28	Leaving Scene (of an Accident)	Court	2X Ryan
K 614187	2/28	Driving w/Suspended DL	Court	2X Ryan
K 614188	2/28	No Insurance	Court	2X Ryan
K 614189	2/28	Expired Registration	Court	2X Ryan
K 614203	2/27	Possession Drug Paraphernalia	Court	2N Wodtke
K 614204	2/27	Possession of Marijuana, Ingestion	Court	2N Wodtke
K 614205	2/27	Possession of CS	Court	2N Wodtke
K 614206	2/27	Possession Drug Paraphernalia	Court	2N Wodtke
K 614207	2/27	Possession of Marijuana, Ingestion	Court	2N Wodtke
K 614208	2/27	Possession Drug Paraphernalia	Court	2N Wodtke
K 614209	2/27	Possession of Marijuana, Ingestion	Court	2N Wodtke

Total State/Court Citations = 34

<u>FEBRUARY</u>		<u>Municipal Citations</u>		
K 613809	2/2	Stop Light Violation	\$122.50	2Z Larkin
K 613853	2/20	Expired Registration	\$122.50	2O Sharkey
K 613854	2/20	Expired Registration	\$122.50	2O Sharkey
K 613890	2/8	Speeding	\$127.50	2Z Larkin
K 614059	2/4	Speeding	\$127.50	2H Headid
K 614063	2/12	Speeding	\$87.50	2H Headid
K 614064	2/12	Speeding	\$87.50	2H Headid
K 614065	2/14	Speeding	\$87.50	2H Headid

K 614083	2/5	Driving w/Suspended DL	\$272.50	2E Mahlke
K 614098	2/2	Speeding	\$87.50	2X Ryan
K 614099	2/2	Speeding	\$87.50	2X Ryan
K 614100	2/2	No Valid DL	\$122.50	2X Ryan
K 614108	2/14	No Valid DL	\$122.50	2W McIntosh
K 614109	2/13	Driving w/Suspended DL	\$272.50	2W McIntosh
K 614148	2/1	Speeding	\$87.50	2R Ryan
K 614149	2/1	Speeding	\$87.50	2R Ryan
K 614151	2/2	Speeding	\$87.50	2X Ryan
K 614154	2/2	Speeding	\$87.50	2X Ryan
K 614155	2/2	Expired Registration	\$122.50	2X Ryan
K 614156	2/2	No Valid DL	\$122.50	2X Ryan
K 614157	2/21	Speeding	\$87.50	2X Ryan
K 614162	2/21	Driving w/Suspended DL	\$272.50	2R Ryan
K 614163	2/28	Speeding	\$87.50	2R Ryan
			Total Municipal Citations = 23 (\$2,892.50)	
FEBRUARY				
<u>Warning Citations</u>				
31943	2/1	Speeding		2H Headid
31944	2/12	Speeding, License Plate		2H Headid
31945	2/12	Speeding		2H Headid
31946	2/14	Driver's License		2H Headid
32035	2/2	Insurance, Miscellaneous		2Z Larkin
32036	2/13	Head Light		2Z Larkin
32314	2/13	Speeding		2O Sharkey
32315	2/13	Head Light		2O Sharkey
32788	2/17	Tail Light		2N Wodtke
32789	2/21	Head Light		2N Wodtke
32790	2/23	Tail Light		2N Wodtke
32901	2/20	Head Light, Insurance		2N Wodtke
32902	2/20	License Plate		2N Wodtke
32926	2/2	Insurance		2X Ryan
32927	2/2	Registration		2X Ryan
32928	2/2	Registration, Miscellaneous		2X Ryan
32929	2/2	Insurance, Miscellaneous		2X Ryan
32930	2/18	Brake Light		2X Ryan
32931	2/21	Speeding, Insurance		2X Ryan
32932	2/21	Stop Sign Violation		2X Ryan
32933	2/21	Insurance, DL, Registration		2X Ryan
			Total Warning Citations = 21	
FEBRUARY				
<u>AC or Code Enforcement Violation Notices</u>				
			Total AC/CE Violation Notices = 00	
FEBRUARY				
<u>Juvenile Citations</u>				
5057	2/8	Habitual Absence from School		2X Ryan
			Total Juvenile Citations = 01	

2019 STATISTICS												FY					
	JAN	FEB	MAR	Q1	APR	MAY	JUN	Q2	JUL	AUG	SEP	Q3	OCT	NOV	DEC	Q4	
A:																	
Abandoned Vehicle / Tow Tags	1	0	1	1				0				0				0	1
Abuse / Neglect	0	0	0	0				0				0				0	0
Alarms	7	8	15	15				0				0				0	15
Animal @ Large	2	1	3	3				0				0				0	3
Animal Control	5	4	9	9				0				0				0	9
Animal Control / Outside	0	0	0	0				0				0				0	0
Arson	0	0	0	0				0				0				0	0
Assault Aggravated	1	0	1	1				0				0				0	1
Aggravated w/ MV	0	0	0	0				0				0				0	0
Domestic	0	0	0	0				0				0				0	0
Simple	2	2	4	4				0				0				0	4
Assist Other Agency	5	5	10	10				0				0				0	10
B:																	
Barking Dog Complaint	1	0	1	1				0				0				0	1
Burglary / Theft	3	3	6	6				0				0				0	6
C:																	
Carry Pistol w/o Permit	0	0	0	0				0				0				0	0
Check Area / Welfare	3	14	17	17				0				0				0	17
Check Child Welfare	0	0	0	0				0				0				0	0
Code Enforcement	0	0	0	0				0				0				0	0
Community Policing	8	7	15	15				0				0				0	15
Contempt of Court	0	0	0	0				0				0				0	0
Contributing to Delinquency	2	2	4	4				0				0				0	4
Counterfeit	0	0	0	0				0				0				0	0
D:																	
Delivery Non-Controlled Substance	0	0	0	0				0				0				0	0
Disorderly Conduct / Civil Disorder	1	3	4	4				0				0				0	4
Distribution Controlled Substance	0	0	0	0				0				0				0	0
Controlled Substance Drug Free Zone	0	0	0	0				0				0				0	0
Marijuana	0	0	0	0				0				0				0	0
Marijuana Drug Free Zone	0	0	0	0				0				0				0	0
Disturbance	0	2	2	2				0				0				0	2
E:																	
Eluding	0	1	1	1				0				0				0	1
Entering or Remaining in Bldg	0	0	0	0				0				0				0	0
Escape from Custody	0	0	0	0				0				0				0	0



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: 5/6/2019
Re: SIMPCO Representatives

Background: The City of North Sioux City is required to have elected representatives sit on a number of boards for SIMPCO, the Sioux City Planning District. The City's role in the organization is based on transportation needs for the larger Siouxland Region, and has a founding member the City needs to have representation on the boards.

Lesia currently serves on the Executive/Finance Committee as well as the Board of Directors. She has made it aware that she is still interested in service on these two boards.

Doug previously serves on the Metropolitan Planning Organization (MPO) Board as the elected official for North Sioux. Due to other commitments Doug is not able to continue with the MPO Board, so the City would need a replacement. The MPO Board determines transportation objectives to meeting the needs of the Siouxland Metro Area. The Board works off recommendations made by the Technical Committee which Ted serves on. Meetings are held in January, March, May, July, Sept., and November. The meeting times are typically at 1:30pm and a meeting packet is sent to the member.

Financial Consideration: None

Recommendation: The Council should take volunteers for the elected official to sit on the MPO board and make a motion to place someone on the MPO Board.



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: 5/6/2019
Re: 2017 Water Project Closeout

Background: in 2017 the City undertook a project to replace the water lines on North Derby and Suncoast. The project spilled over into the FY2018 year as it was not completed. The contractor was told they needed to reseed the project due to the seed not growing. Greg has checked the seed this spring and the grass is coming up in an acceptable manner.

Due to the items all being completed the project is ready to be closed out. The final payment is in the batch for this meeting. The closeout documents follow this memo.

Financial Consideration: None

Recommendation: Administration would recommend the approval of the Certificate of Substantial Completion.

Certificate of Substantial Completion

Owner
 Engineer
 Contractor
 Field
 Other



Project: 2017 Water Distribution Project Engineer: Buell Winter Mousel and Associates, P.C.
 without Alternate

To (Owner) City of North Sioux City Engineers Project No. 23216
504 River Drive
North Sioux City, South Dakota 57049 Contract For: \$1,051,640.50

Contract Date: April 17, 2017

Date of Issuance 18-Dec-17

Project or Designated Portion Shall Include: Entire Project except for seeding

The Work performed under this Contract has been reviewed and found to be substantially complete. The Date of Substantial Completion of the Project or portion thereof designated above is hereby established as 12/18/2017 which is also the date of commencement of applicable warranties required by the Contract Documents, except as stated below

DEFINITION OF DATE OF SUBSTANTIAL COMPLETION

The Date of Substantial Completion of the Work or designated portion thereof is the Date certified by the Engineer when construction is sufficiently complete, in accordance with the Contract Documents, so the Owner can occupy or utilize the Work or designated portion thereof for the use for which it is intended, as expressed in the Contract Documents

A list of items to be completed or corrected, prepared by the Contractor and verified and amended by the Engineer, (is) (is not) required, therefore (is) (is not) attached hereto. The failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents. The date of commencement of warranties for items on the attached list will be the date of final payment unless otherwise agreed to in writing.

Buell Winter Mousel & Assoc.
Engineer

Gregory Meyer
By

4-24-2019
Date

The Contractor will complete or correct the Work on the list of items attached hereto within above Date of Substantial Completion.

(days) from the

H & W Contracting, L.L.C.
Contractor

Thomas Hurd
By Thomas Hurd
President

4-11-19
Date

The Owner accepts the Work or designated portion thereof as substantially complete and will assume full possession thereof thereof on the date of issuance

City of North Sioux City, South Dakota
Owner

By _____

Date _____

Owner shall be responsible for the security, maintenance (except for warranty and maintenance) heat, utilities, damage from natural causes and insurance.

(Note: Owner's and Contractor's legal and insurance counsel should determine and review insurance requirements and coverage; Contractor shall secure consent of surety company, if any.)

**CONSENT OF SURETY
TO FINAL PAYMENT**

AIA Document G707

Bond No. SDC49376

- OWNER
- ARCHITECT
- CONTRACTOR
- SURETY
- OTHER

TO OWNER:
(Name and address)

City of North Sioux City
504 River Drive
North Sioux City, SD 57049

ARCHITECT'S PROJECT NO.:

CONTRACT FOR: General Construction

PROJECT:
(Name and address)

2017 Water Distribution Project, Project No. 23216, North Sioux City, SD

CONTRACT DATED: April 17, 2017

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

Merchants Bonding Company (Mutual)
P.O. Box 14498
Des Moines, IA 50306-3498

, SURETY,

on bond of
(Insert name and address of Contractor)

H & W Contracting, LLC
3416 W. Hovland Drive
Sioux Falls, SD 57107

, CONTRACTOR,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety of any of its obligations to
(Insert name and address of Owner)

City of North Sioux City
504 River Drive
North Sioux City, SD 57049

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date: April 11, 2019
(Insert in writing the month followed by the numeric date and year.)

Merchants Bonding Company (Mutual)

(Surety)



(Signature of authorized representative)

Jaimie Kangas, Attorney-in-Fact

(Printed name and title)

Attest:
(Seal):


Holly Heiberger, Witness as to Surety

MERCHANTS
BONDING COMPANY™
POWER OF ATTORNEY

Know All Persons By These Presents, that MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., both being corporations of the State of Iowa (herein collectively called the "Companies") do hereby make, constitute and appoint, individually, Douglas Muth; Grace Rasmussen; Greg Krier; Jaimie Kangas; Kurt Ratzlaff; Nancy DeNeui

their true and lawful Attorney(s)-in-Fact, to sign its name as surety(ies) and to execute, seal and acknowledge any and all bonds, undertakings, contracts and other written instruments in the nature thereof, on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

This Power-of-Attorney is granted and is signed and sealed by facsimile under and by authority of the following By-Laws adopted by the Board of Directors of Merchants Bonding Company (Mutual) on April 23, 2011 and amended August 14, 2015 and adopted by the Board of Directors of Merchants National Bonding, Inc., on October 16, 2015.

"The President, Secretary, Treasurer, or any Assistant Treasurer or any Assistant Secretary or any Vice President shall have power and authority to appoint Attorneys-in-Fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings obligatory in the nature thereof."

"The signature of any authorized officer and the seal of the Company may be affixed by facsimile or electronic transmission to any Power of Attorney or Certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the Company, and such signature and seal when so used shall have the same force and effect as though manually fixed."

In connection with obligations in favor of the Florida Department of Transportation only, it is agreed that the power and authority hereby given to the Attorney-in-Fact includes any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts required by the State of Florida Department of Transportation. It is fully understood that consenting to the State of Florida Department of Transportation making payment of the final estimate to the Contractor and/or its assignee, shall not relieve this surety company of any of its obligations under its bond.

In connection with obligations in favor of the Kentucky Department of Highways only, it is agreed that the power and authority hereby given to the Attorney-in-Fact cannot be modified or revoked unless prior written personal notice of such intent has been given to the Commissioner-Department of Highways of the Commonwealth of Kentucky at least thirty (30) days prior to the modification or revocation.

In Witness Whereof, the Companies have caused this instrument to be signed and sealed this 5th day of April, 2017.

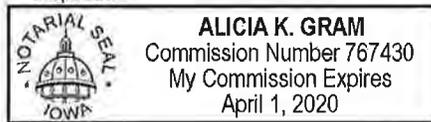


MERCHANTS BONDING COMPANY (MUTUAL)
MERCHANTS NATIONAL BONDING, INC.

By *Larry Taylor*
President

STATE OF IOWA
COUNTY OF DALLAS ss.

On this this 5th day of April, 2017, before me appeared Larry Taylor, to me personally known, who being by me duly sworn did say that he is President of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC.; and that the seals affixed to the foregoing instrument are the Corporate Seals of the Companies; and that the said instrument was signed and sealed in behalf of the Companies by authority of their respective Boards of Directors.



Alicia K. Gram
Notary Public

(Expiration of notary's commission does not invalidate this instrument)

I, William Warner, Jr., Secretary of MERCHANTS BONDING COMPANY (MUTUAL) and MERCHANTS NATIONAL BONDING, INC., do hereby certify that the above and foregoing is a true and correct copy of the POWER-OF-ATTORNEY executed by said Companies, which is still in full force and effect and has not been amended or revoked.

In Witness Whereof, I have hereunto set my hand and affixed the seal of the Companies on this 11th day of April, 2019.



William Warner Jr.
Secretary

Contractor's Affidavit of Release of Liens

____ Owner
____ Engineer
____ Contractor
____ Surety
____ Other

To (Owner) _____
City of North Sioux City
504 River Drive
North Sioux City, South Dakota 57049

Engineers Project No. _____ 23216

Contract For: _____ \$1,094,354.73

Project: _____ 2017 Water Distribution Project
without Alternate

Contract Date: _____ April 17, 2017

Contractor: _____ H & W Contracting, L.L.C.

State of: _____ South Dakota

County of: _____ Union

The undersigned, pursuant to the General Conditions of the Contract for Construction, hereby certifies that to the best of his knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of Materials and equipment, and all performers of Work, labor or services who have or may have liens against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

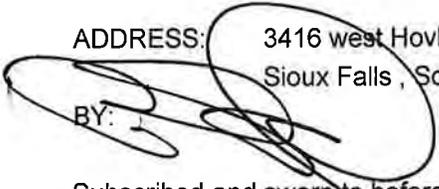
EXCEPTIONS: (If none, write "None". If required by the Owner, the Contractor shall furnish bonds satisfactory to the Owner for each exception.)

SUPPORTING DOCUMENTS ATTACHED HERETO:

- 1.) Contractors Release or Waiver of Liens, conditional upon receipt of final payment
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

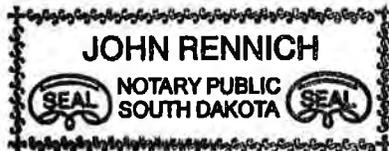
CONTRACTOR: H & W Contracting, L.L.C.

ADDRESS: 3416 west Hovland Drive
Sioux Falls, South Dakota 57107

BY: 
Subscribed and sworn to before me this 11th day of April, 2019

Notary Public: 

My Commission Expires: 8-5-2020



Contractor's Affidavit of Payment of Debts and Claims

____ Owner
____ Engineer
____ Contractor
____ Surety
____ Other

To (Owner) _____
City of North Sioux City
504 River Drive
North Sioux City, South Dakota 57049

Engineers Project No. 23216

Contract For: \$1,094,354.73

Project: 2017 Water Distribution Project
without Alternate
(name and address)

Contract Date: 17-Apr-17

Contractor: H & W Contracting, L.L.C.

State of: South Dakota

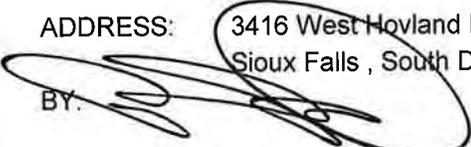
County of: Union

The undersigned, pursuant to the General Conditions of the Contract for Construction, hereby certifies that, except as listed below, he has paid in full or has otherwise satisfied all obligations for all materials and equipment furnished, for all work, labor and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or his property might in any way be held responsible.

EXCEPTIONS: (If none, write "None". If required by the Owner, the Contractor shall furnish bonds satisfactory to the Owner for each exception.)

SUPPORTING DOCUMENTS ATTACHED HERETO:

- 1.) Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. CONSENT OF SURETY, may be used for this purpose. Indicate attachment: (yes) (no).

CONTRACTOR: H & W Contracting, L.L.C.
ADDRESS: 3416 West Hovland Drive
Sioux Falls, South Dakota 57107
BY: 

The following supporting documents should be attached hereto if required by the Owner:

- 1.) Contractor's Release or Waiver of Liens, conditional upon receipt of final payment
- 2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.
- 3.) Contractor's Affidavit of Release of Liens.

Subscribed and sworn to before me this 11th day of April, 2019

Notary Public: 

My Commission Expires: 8-15-2020



**CONDITIONAL FINAL WAIVER OF MECHANICS' LIEN RIGHTS UPON
FINAL PAYMENT**

Dated: 12/27/2017

I certify that upon receipt of \$8,839.00 (Check 62004) we have been paid in full for labor and/or materials provided for the below referenced project. This document shall become effective to release any Mechanics' Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim of payment rights for persons in the undersigned's position the undersigned has on the project at:

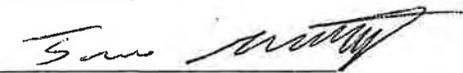
Property Address and Project:

North Sioux City, SD
2017 Water Distribution

This release covers the **final payment** for all labor, services, equipment or materials furnished or to be furnished to the job site, or H&W Contracting LLC. Before any recipient of this document relies on it, the person should verify evidence of payment to the undersigned.

The undersigned warrants that he either has already paid or will use the monies he receives from his final payment to promptly pay in full all his laborers, subcontractors, material men and suppliers for all work, materials, equipment or services provided for or to the above referenced project.

Midwest Boring LLC

By: 
(signed by officer)

Title: Sole-Member

Provided by H&W Contracting LLC
3416 W. Hovland Drive, Sioux Falls, SD 57107
605-339-8834

CONDITIONAL FINAL WAIVER OF MECHANICS' LIEN RIGHTS UPON FINAL PAYMENT

Dated: 12/27/2017

I certify that upon receipt of \$10,746.85 (Check 62001) we have been paid in full for labor and/or materials provided for the below referenced project. This document shall become effective to release any Mechanics' Lien, any state of federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim of payment rights for persons in the undersigned's position the undersigned has on the project at:

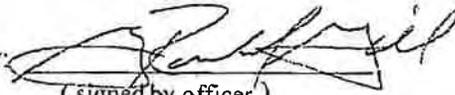
Property Address and Project:

North Sioux City, SD
2017 Water Distribution

This release covers the **final payment** for all labor, services, equipment or materials furnished or to be furnished to the job site, or H&W Contracting LLC. Before any recipient of this document relies on it, the person should verify evidence of payment to the undersigned.

The undersigned warrants that he either has already paid or will use the monies he receives from his final payment to promptly pay in full all his laborers, subcontractors, material men and suppliers for all work, materials, equipment or services provided for or to the above referenced project.

Gill Construction

By: 
(signed by officer)

Title: secretary

Provided by H&W Contracting LLC
3416 W. Hovland Drive, Sioux Falls, SD 57107
605-339-8834

*Thanks
Kew*

**CONDITIONAL FINAL WAIVER OF MECHANICS' LIEN RIGHTS UPON
FINAL PAYMENT**

Dated: 4/11/2019

I certify that we have been paid in full for labor and/or materials provided for the below referenced project. This document shall become effective to release any Mechanics' Lien, any state or federal statutory bond right, any private bond right, any claim for payment and any rights under any similar ordinance, rule or statute related to claim of payment rights for persons in the undersigned's position the undersigned has on the project at:

Property Address and Project:

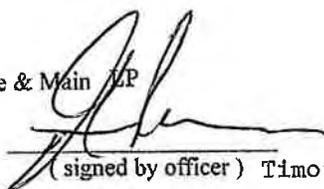
City of North Sioux City, SD
2017 Water Distribution

This release covers the **final payment** for all labor, services, equipment or materials furnished or to be furnished to the job site, or **H&W Contracting LLC or the City of North Sioux City**. Before any recipient of this document relies on it, the person should verify evidence of payment to the undersigned.

The undersigned warrants that s/he or they have already paid or shall ensure that monies received from the payment(s) will pay in full all the contract laborers, subcontractors, material men and suppliers for all work, materials, equipment or services provided and change orders, if any, for the above referenced project. In addition the undersigned certifies that all appropriate sales taxes and excise taxes, if any, have been paid on all materials, labor and installation.

The individual signing this lien waver on behalf of the undersigned hereby warrants that s/he has full authority to execute this lien waver.

Core & Main LP

By: 

(signed by officer) Timothy Monson

Title: District Manager

Provided by H&W Contracting LLC
3416 W. Hovland Drive, Sioux Falls, SD 57107
605-339-8834



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: 5/6/2019
Re: Senior Center Signage

Background: Henken Schultz has provided the following options for signage at the Senior Center. With the building being painted now the sign can be placed. The sign would be placed on South side of the building. Pictures are included of the South, North, and East sides of the building. The Legion was given access to put their signs on the North and East sides.

If the Council wanted a sign could be placed on any of the three sides not facing the park.

Current ordinances allows for the sign to be up to 100 square feet. The south side has a centered area of approximately 10' x 5'9"

Financial Consideration: n/a

Recommendation: Administration would recommend moving forward with the sign on the South side.



Presentation

Senior Center Signage

..... 7.2.18

North Sioux City

HenkinSchultz Creative Services
6201 South Pinnacle Place
Sioux Falls, SD 57108
(605) 331-2155
henkinschultz.com

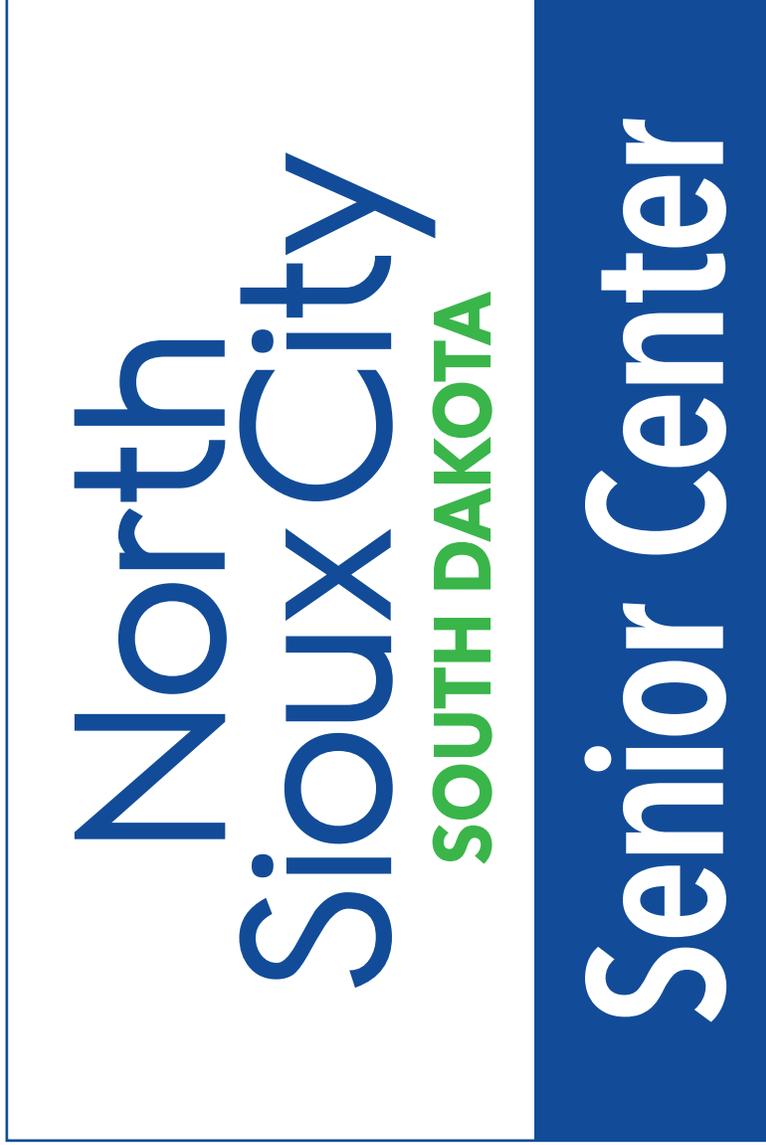
05-06-2019



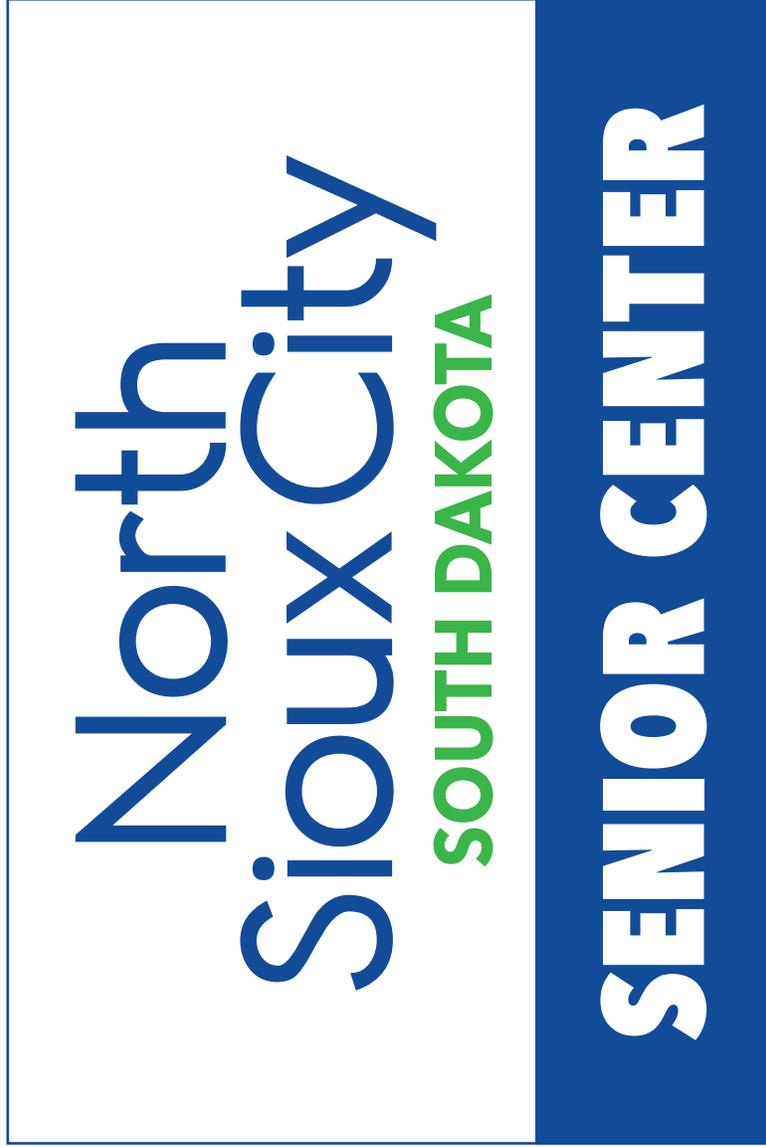
05-06-2019



05-06-2019



05-06-2019





Thank you.



HenkinSchultz Creative Services
6201 South Pinnacle Place
Sioux Falls, SD 57108
(605) 331-2155
henkinschultz.com





05-06-2019





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: 5/6/2019
Re: Council Meeting Times

Background: During the February 4th meeting the Council decided to move the meeting times of Council meetings to 6pm instead of 7pm. A request was made at the April 15 meeting to revisit this topic.

Financial Consideration: None

Recommendation: None. If a change to the meeting time is wanted a motion would need to be made and voted on.



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: 5/6/2019
Re: Elected Officials Pay

Background: An anonymous emails was received from a citizen regarding council pay and they believe the Council deserve an increase in pay. The council last voted for an increase in pay in 2004. Currently Council members are paid \$5,500 per year and the Mayor receives \$8,000 per year per Ordinance section 2.20.

Below is some information on other communities in the area as well as South Dakota with their respective population sizes.

Based on an inflation calculation from 2014 to 2019 there would be approximately 35% inflation. This would bring the wage of Council members to \$7,550 and the Mayor to \$10,980. This is based off the US Dept of Labor calculator.

Financial Consideration: None at this time

Recommendation: An ordinance revision would need to be made to adjust pay. Discussion topic only at this time, but if a change is recommended by the Council the Administration would bring forward a revised ordinance.

Elected Official's Salary Info

Town	Population	Council Member Salary	Mayor Salary
Armour, SD	669	\$1,560.00	\$3,200.00
Beresford, SD	1,953	\$3,500.00	\$3,900.00
Bison, SD	335	\$2,400.00	\$2,400.00
Edgemont, SD	711	\$360.00	\$4,800.00
Faulkton, SD	725	\$1,800.00	\$4,800.00
Hot Springs, SD	3,460	\$3,000.00	\$10,800.00
Hurley, Sd	401	\$600.00	\$1,440.00
Lemmon, SD	1,213	\$2,400.00	\$3,000.00
Lenox, SD	2,386	\$1,200.00	\$1,800.00
Leola, SD	439	\$1,200.00	\$2,940.00
Miller, SD	1,489	\$3,900.00	\$6,360.00
Mitchell, SD	15,603	\$10,096.00	\$33,609.00
Onida, SD	650	\$1,200.00	\$3,000.00
Pierre, SD	14,004	\$11,947.95	\$22,942.78
Plankinton, SD	720	\$1,600.00	\$2,600.00
Sergeant Bluff, IA	4,706	\$1,200.00	\$3,600.00
Sioux City, IA	82,514	\$13,000.00	\$15,000.00
Sisseton, SD	2,402	\$2,886.00	\$7,155.00
South Sioux City, NE	12,911	\$9,600.00	\$19,200.00
Timberlake, SD	494	\$900.00	\$1,200.00
Vermillion, SD	10,772	\$6,753.00	\$11,663.00
Webster, SD	1,773	\$1,500.00	\$3,000.00
Wessington Springs, SD	921	\$1,480.00	\$1,680.00
Winner, SD	2,884	\$2,400.00	\$3,000.00
Yankton, SD	14,516	\$5,635.44	\$7,748.88



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: Mike Hamm, Finance Officer
Date: 04/25/19
Re: Fireworks License

Background: North Sioux City Ordinance 5.16.020 prohibits fireworks sales without first obtaining a license from the City. Once approved, owner(s) will receive their license along with our ordinance outlining safety regulations.

The following applications have been received.

Lantis Fireworks Retail License (SD permit and payment have been received)

Financial Consideration: License & Permit Revenue.

Recommendation: Motion to approve the applications as presented, pending receipt of SD Fireworks Permit.

/mjh



ANNUAL FIREWORKS PERMIT APPLICATION

2019 CALENDAR YEAR

(Expires January 2 of following year)

ANNUAL FEE: \$1,250.00

LICENSE TYPE: Retail Wholesale

Business Name/dba: Lantis Fireworks Inc
Owner Name: Lantis

Business Location: Ex 4 I-29 #5 North Shore Dr.
Business Phone No.: 605-232-6818
Mailing Address: PO Box 229
Legal Description: #5 North Shore Dr. N. Sioux City, SD 57049

Retail Sales Dates:
[checked] May 1 - Jul 5 Special Retail Fireworks (out-of-state residents only sales)
[checked] Jun 27 - Jul 5 Retail Fireworks (general sales)
[checked] Jul 6 - Aug 3 Optional Retail Fireworks (out-of-state residents only sales)
[checked] Dec 28 - Jan 1 Retail Fireworks (general sales)

SD Fireworks Permit No.
SD Sales Tax No. 1013-6734-5T
[] Copy Attached
[checked] Copy Attached

Name of Applicant: Don Lantis
Applicant Phone No.: 712-251-6070

North Sioux City Ordinance 5.16 requires a license for sales of "Permissible Fireworks" within the corporate limits of North Sioux City. It also states fireworks may be sold only at such times as allowed by the State of South Dakota, as defined in Codified Law Titles 34-36 and 34-37.

The undersigned applicant certifies, that he/she has received a copy of City Ordinance 5.16, sections 5.16.010 - 5.16.170 inclusive, and that he/she will comply with these ordinances, furthermore he/she will be at all times in compliance with all other City ordinances and the applicable laws of the State of South Dakota.

Apr 17, 2019 Date
[Signature] Signature

FOR OFFICE USE ONLY

RECEIVED BY [Signature] DATE 4.17.19 CHECK/MONEY ORDER # 5272



Having made proper application therefore, and upon compliance with all applicable laws and regulations of the state of South Dakota, this license is hereby issued to the below named. This license remains the property of the state of South Dakota and while in possession of the person to whom issued, entitles the licensee to transact whatever business or activity is specified on this license, until this license expires or is cancelled.

<http://dor.sd.gov>

ISSUE DATE: 05/01/2018

EXPIRATION DATE: 08/31/2018

LICENSE NUMBER: 1013-6734-ST

LICENSE TYPE: Sales Tax

ISSUED TO:

LANTIS FIREWORKS INC
#5 N SHORE DR
NORTH SIOUX CITY, SD 57049-0229

LANTIS FIREWORKS EXIT 4 NSC

I-29 EXIT 4

NORTH SIOUX CITY, SD 57049

A handwritten signature in black ink, appearing to read "Andy Gerlach".

Andy Gerlach
Secretary of Revenue

NON-TRANSFERABLE

© GOES 748

**SOUTH DAKOTA FIREWORKS
LICENSE**

Office of the State Fire Marshal
Pierre, South Dakota

DATE ISSUED: **Tuesday, April 23, 2019**

**LANTIS FIREWORKS INC
PO BOX 229
N SIOUX CITY, SD 57049**

LICENSE #:S 18-19

TYPE OF LICENSE:

Special Retail Fireworks License ** Valid: May 1 - June 26, 2019

\$1,000.00

CHECK NUMBER: 5265

LICENSE OUTLET LOCATED **I-29 EXIT 4, N SIOUX CITY**

CERTIFIED BY:



LICENSE MUST BE DISPLAYED AT LOCATION



05-06-2019

LITHO IN U.S.A.

**SOUTH DAKOTA FIREWORKS
LICENSE**

Office of the State Fire Marshal
Pierre, South Dakota

DATE ISSUED: **Tuesday, April 23, 2019**

**LANTIS FIREWORKS INC
PO BOX 229
N SIOUX CITY, SD 57049**

LICENSE #:R 103-19

TYPE OF LICENSE:

Retail Fireworks License *** Valid: June 27 - July 5, 2019**

\$25.00

CHECK NUMBER: 5265

LICENSE OUTLET LOCATED I-29 EXIT 4, N SIOUX CITY

CERTIFIED BY:



LICENSE MUST BE DISPLAYED AT LOCATION



**SOUTH DAKOTA FIREWORKS
LICENSE**

Office of the State Fire Marshal
Pierre, South Dakota

DATE ISSUED: **Tuesday, April 23, 2019**

**LANTIS FIREWORKS INC
PO BOX 229
N SIOUX CITY, SD 57049**

LICENSE #: O 09-19

TYPE OF LICENSE:

Optional Retail Fireworks License ** Valid: 7/6/19 - 8/31/19 & 12/28/19 - 1/ \$1,000.00

CHECK NUMBER: 5265

LICENSE OUTLET LOCATED **I - 29 EXIT 4, N SIOUX CITY**

CERTIFIED BY:



LICENSE MUST BE DISPLAYED AT LOCATION





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: Mike Hamm
Date: 04/25/2019
Re: Annual Report for 2018

Background: Quam, Berglin, and Post have prepared our 2018 Annual Report. The annual report provides an account of the receipts and expenditures for 2018. The report will be published and submitted to Legislative Audit.

Starting May 15, the Finance team will work with Quam, Berglin, and Post to conduct our annual audit for FY2018. At that time, the auditors will examine the accounts, accounting principal application, our procedural process, ensure statute and ordinance compliance, prepare financial statements and report significant findings.

Financial Consideration: Cost of printing

Recommendation: No action needed. For Council's Review.

/mjh

CITY OF NORTH SIOUX CITY

DECEMBER 31, 2018

CITY OF NORTH SIOUX CITY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2018

	Major Funds				Nonmajor		Total Governmental Funds
	General Fund	Additional Sales Tax Fund	Westshore Reconstruction Project	Wildflower Bond TIF	Other Governmental Funds		
Revenues:							
Taxes:							
General Property Taxes	\$ 455,180.31	\$	\$	\$	\$	\$	\$ 455,180.31
General Sales and Use Taxes	3,075,719.22	670,524.24			276,660.38		4,022,903.84
911 Telephone Surcharge					39,146.73		39,146.73
Licenses and Permits	101,261.62						101,261.62
Intergovernmental Revenue:							
Federal Grants	3,500.00						3,500.00
State Grants	10,030.23						10,030.23
State Shared Revenue:							
Bank Franchise Tax	4,450.86						4,450.86
Liquor Tax Reversion	15,912.74						15,912.74
Motor Vehicle Licenses (5%)	39,302.21						39,302.21
State Highway and Bridge Tax	72,624.47						72,624.47
County Shared Revenue:							
County Highway and Bridge Tax	13,766.70						13,766.70
County Wheel Tax	10,842.29						10,842.29
Charge for Services:							
Public Safety	8,834.98						8,834.98
Culture and Recreation	12,190.00						12,190.00
Other	284.36						284.36
Fines and Forfeits:							
Court Fines and Costs	24,169.19						24,169.19
Miscellaneous Revenue:							
Investment Earnings	35,779.76	8,960.26			6,257.36		50,997.38
Rentals	16,475.83						16,475.83
Contributions and Donations	61,751.69						61,751.69
Other	101,395.00			19,865.60			121,260.60
Total Revenue	4,063,471.46	679,484.50		19,865.60	322,064.47		5,084,886.03

CITY OF NORTH SIOUX CITY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2018

	Major Funds					Nonmajor	Total
	General Fund	Additional Sales Tax Fund	Westshore Reconstruction Project	Wildflower Bend TIF	Other Governmental Funds		
Expenditures:							
General Government:							
Legislative	82,673.16						82,673.16
Executive	126,694.36						126,694.36
Elections	1,567.65						1,567.65
Financial Administration	189,537.51						189,537.51
Other	41,424.17						41,424.17
Total General Government	441,896.85						441,896.85
Public Safety:							
Police	837,649.73						837,649.73
Fire					70,865.49		70,865.49
Protective Inspection	575.24						575.24
Other	669.41						669.41
Total Public Safety	838,894.38				70,865.49		909,759.87
Public Works:							
Highways and Streets Improvements	1,118,575.52			8,082.40			1,118,575.52
Cemeteries	7,555.72						8,082.40
Total Public Works	1,126,131.24			8,082.40			1,134,213.64
Health and Welfare:							
Health	5,404.81						5,404.81
Total Health and Welfare	5,404.81						5,404.81

CITY OF NORTH SIOUX CITY
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2018

	Major Funds					Nonmajor	Total Governmental Funds
	General Fund	Additional Sales Tax Fund	Westshore Reconstruction Project	Wildflower Bend TIF	Other Governmental Funds		
Culture and Recreation:							
Recreation	39,217.12						39,217.12
Parks	41,709.97						41,709.97
Libraries	186,553.63						186,553.63
Total Culture and Recreation	<u>267,480.72</u>						<u>267,480.72</u>
Conservation and Development:							
Urban Redevelopment and Housing Economic Development and Assistance	3,679.99						3,679.99
Economic Opportunity	37,148.84				87,958.60		125,107.44
Total Conservation and Development	<u>34,374.00</u>				<u>87,958.60</u>		<u>125,107.44</u>
Capital Outlay	75,202.83				698,789.27		773,992.10
Total Expenditures	<u>2,755,010.83</u>	<u>82,950.70</u>			<u>769,654.76</u>		<u>3,615,696.69</u>
Excess of Revenue Over (Under) Expenditures	<u>1,308,460.63</u>	<u>596,533.80</u>		<u>11,783.20</u>	<u>(447,590.29)</u>		<u>1,469,187.34</u>
Other Financing Sources (Uses):							
Sale of Municipal Property							
Total Other Financing Sources (Uses)							
Net Change in Fund Balances	1,308,460.63	596,533.80		39,783.20	(447,590.29)		1,497,187.34
Fund Balance - Beginning	2,986,330.45	2,412,479.99	981,274.84	(60,147.02)	788,511.87		7,108,450.13
FUND BALANCE - ENDING	\$ 4,294,791.08	\$ 3,009,013.79	\$ 981,274.84	\$ (20,363.82)	\$ 340,921.58		\$ 8,605,637.47

No assurance is provided

**CITY OF NORTH SIOUX CITY
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
DECEMBER 31, 2018**

Enterprise Funds

	Major Funds		Nonmajor Funds	Totals
	Water Fund	Sewer Fund	Garbage Fund	
ASSETS:				
Current Assets:				
Cash and Cash Equivalents	\$ 157,242.11	\$ 350,782.08	\$	\$ 508,024.19
Investments	1,338,391.18	1,577,273.23	19,337.76	2,935,002.17
Accounts Receivable, Net	70,225.33	86,265.05	18,139.22	174,629.60
Inventory of Supplies	11,561.56	93,274.28		104,835.84
Due From Other Funds		73,431.41		73,431.41
Prepaid Expenses	3,124.99	1,761.56	238.93	5,125.48
Total Current Assets	1,580,545.17	2,182,787.61	37,715.91	3,801,048.69
Noncurrent Assets:				
Capital Assets:				
Land	60,780.56	37,503.28		98,283.84
Buildings	2,216,651.22			2,216,651.22
Improvement other than Buildings	9,303,068.02	7,843,030.57		17,146,098.59
Machinery and Equipment	1,522,285.29	727,894.84		2,250,180.13
Less: Accumulated Depreciation	(4,843,405.25)	(3,716,762.69)		(8,560,167.94)
Total Noncurrent Assets	9,529,836.43	4,891,666.00		14,421,502.43
TOTAL ASSETS	11,110,381.60	7,074,453.61	37,715.91	18,222,551.12
LIABILITIES:				
Current Liabilities:				
Accounts Payable	8,631.31			8,631.31
Retainage Payable	26,000.00	14,000.00		40,000.00
Sales Tax Payable			2,507.55	2,507.55
Contracts Payable		1,023.89		1,023.89
Accrued Wages Payable	5,273.06	3,441.52	255.29	8,969.87
Customer Deposits	78,469.55			78,469.55
Accrued Leave Payable	11,871.65	9,378.86		21,250.51
Unearned Revenue	643.51			643.51
Due to Other Funds			73,431.41	73,431.41
Total Current Liabilities	130,889.08	27,844.27	76,194.25	234,927.60
TOTAL LIABILITIES	130,889.08	27,844.27	76,194.25	234,927.60
NET POSITION:				
Net Investment in Capital Assets	9,529,836.43	4,891,666.00		14,421,502.43
Unrestricted Net Position	1,449,656.09	2,154,943.34	(38,478.34)	3,566,121.09
TOTAL NET POSITION	\$ 10,979,492.52	\$ 7,046,609.34	\$ (38,478.34)	\$ 17,987,623.52

No assurance is provided

CITY OF NORTH SIOUX CITY
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS
FOR THE YEAR ENDED DECEMBER 31, 2018

	Enterprise Funds			Totals
	Major Funds		Nonmajor Funds	
	Water Fund	Sewer Fund	Garbage Fund	
<u>Operating Revenue:</u>				
Charges for Goods and Services (Revenues Securing Debt Issues)	\$ 917,756.87	\$ 1,140,818.70	\$ 107,249.42	\$ 2,165,824.99
Miscellaneous	2,842.42	26,312.97	1,474.56	30,629.95
Total Operating Revenue	<u>920,599.29</u>	<u>1,167,131.67</u>	<u>108,723.98</u>	<u>2,196,454.94</u>
<u>Operating Expenses:</u>				
Personal Services	288,985.31	191,795.02	152,928.03	633,708.36
Other Current Expense	<u>191,392.93</u>	<u>623,634.28</u>	<u>152,928.03</u>	<u>815,027.21</u>
Total Operating Expenses	<u>480,378.24</u>	<u>815,429.30</u>	<u>152,928.03</u>	<u>1,448,735.57</u>
Operating Income (Loss)	<u>440,221.05</u>	<u>351,702.37</u>	<u>(44,204.05)</u>	<u>747,719.37</u>
<u>Nonoperating Revenue (Expense):</u>				
Interest Income	28,301.14			28,301.14
Interest Expense and Fiscal Charges	<u>4,631.71</u>			<u>4,631.71</u>
Total Nonoperating Revenue (Expense)	<u>32,932.85</u>			<u>32,932.85</u>
Income (Loss)	473,153.90	351,702.37	(44,204.05)	780,652.22
Net Position - Beginning	<u>10,506,338.62</u>	<u>6,694,906.97</u>	<u>5,725.71</u>	<u>17,206,971.30</u>
NET POSITION - ENDING	<u>\$ 10,979,492.52</u>	<u>\$ 7,046,609.34</u>	<u>\$ (38,478.34)</u>	<u>\$ 17,987,623.52</u>

No assurance is provided

CITY OF NORTH SIOUX CITY

	Beginning Balance <u>01/01/18</u>	<u>Additions</u>	<u>Retired</u>	Ending Balance <u>12/31/18</u>	Due within <u>One Year</u>
Primary Government:					
Governmental Activities:					
TIF Loan	\$ 591,880.22	\$	\$	\$ 591,880.22	\$ 591,880.22
TIF Loan	315,000.00		10,002.74	304,997.26	\$ 25,276.42
TIF Loan	235,000.00		10,762.65	224,237.35	13,002.26
Accrued Compensated Absences - Governmental Funds	<u>76,783.68</u>	<u>51,667.21</u>	<u>76,783.68</u>	<u>51,667.21</u>	<u>51,667.21</u>
Total Governmental Activities	<u>1,218,663.90</u>	<u>51,667.21</u>	<u>97,549.07</u>	<u>1,172,782.04</u>	<u>681,826.11</u>
Business-Type Activities:					
Accrued Compensated Absences - Business-Type Funds	<u>21,250.52</u>	<u>20,281.09</u>	<u>21,250.52</u>	<u>20,281.09</u>	<u>20,281.09</u>
Total Business-Type Activities	<u>21,250.52</u>	<u>20,281.09</u>	<u>21,250.52</u>	<u>20,281.09</u>	<u>20,281.09</u>
Total Primary Government	<u>\$ 1,239,914.42</u>	<u>\$ 71,948.30</u>	<u>\$ 118,799.59</u>	<u>\$ 1,193,063.13</u>	<u>\$ 702,107.20</u>

Regular Meeting

NSC Park and Rec. Board

Public Library

Minutes April 18, 2019 @7:00

- I. Introduction of new parks and rec board
- II. Members present: Tena Carpenter, Leslie Parker, Ashley Verdoorn, Tami Voegeli, (no representation from ward 4)
- III. The purpose of the parks and rec board was reviewed.
- IV. Board positions were determined
 - a. President- Ashley Verdoorn
 - b. Treasurer -Leslie Parker
 - c. Secretary – Tami Voegeli
 - d. Fundraising Chair – no one at this time
 - e. City Council Representative – Tena Carpenter
- V. The board has a budget of \$10,000 for repairs/upgrade of the existing parks including:
 - a. Centennial Park
 - b. City Park
 - c. Davis Park
 - d. Ferrari Park
 - e. Lakeshore park

The board will meet at Ferrari park on Monday at 12:00 to survey parks for needed maintenance and upgrades. A list will be submitted for the next meeting.
- VI. Exercise equipment – 4 new pieces of exercise equipment need to be installed. It was recommended that they be put with the existing ones so an exercise park could be established.
- VII. Splash Pad project –
 - a. City has approved a 6700 square feet location north of the library.
 - b. Projected cost is \$100,000 + for the project
 - c. The city will match up to \$50,000 for the park
 - i. Raised to date
 1. \$10,150 – put in a special fund
 2. Grant for \$10,000 from the South Dakota Community Foundation if an additional \$90,000 is raised by December 31, 2019
 - d. The board looked at several options to raise money
 - i. Visit with local business once a plan/blueprint is developed
 - ii. Write grants
 1. GilChrist foundation – we will know if we can apply by May 1st
 2. SD Land water conservation fund – money has been allocated for 2019 but applications for 2020 are available in October 2019
 - iii. The board reviewed 3 old bids from previous Parks & Rec. Board. They are also exploring a company out of Canton for a bid.
- VIII. Next meeting May 20 @ 6:00
- IX. Meeting adjourned @8:25

JEO Project Status Report

05-06-2019

To: City of North Sioux City

Date: April 29, 2019

Report Prepared By: Ethan E. Joy, PE



JEO #	Project	Funding Source #	Current Status	JEO Action	City Action	Schedule
R161479	Big Sioux River Levee Certification Evaluation	Local funds	Preliminary FIRM maps for Union County have been issued, BFE (base flood elevation) is shown below the City's levee system	Review and provide comments if requested by the City during the comment period (not yet open)	None at this time	FEMA and DNR to be finished with remapping services by spring of 2019
R182001	Military Road Drainage Structure	Local funds	Big Sioux River still at 25'. Project on hold until the River levels drop.	Continue to monitor the river levels and when levels fall below 21.5', coordinate when Contractor may resume work.		Milestone 1: March 15 Substantial Completion: April 15 Final Completion: May 15 Contract dates to be adjusted in a change order
R180914	Flynn Business Park Road Extension	EDA Project No. 05-79-05890	Storm Sewer Work proceeding	Expect final grading, cement treatment, and paving to begin over the next month	None at this time	Substantial Completion: June 28 Final Completion: July 9

Items in red are new from the previous report

Thank you.

Ethan E. Joy, PE
Branch Manager

Your Goals, Our Team, One Vision

