



Regular Meeting of the City Council

June 17, 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: June 3, 2019 Regular Meeting
- F. Agenda Items
 - 1. Ordinance 2019-01 2nd Reading
 - 2. Special Event License Request – Temporary One-day for Malt Beverages
 - 3. Plat – Greer Lot A
 - 4. Military Road Bridge Forcemain Change Order #1
 - 5. Storm Sewer Pump Quote
 - 6. Ordinance 2019-02 1st Reading
 - 7. Ordinance 2019-03 1st Reading
- G. Community and Council Input
 - 1. Tri-State Cruisers – June 26th
 - 2. Next Council Meeting – July 8th
 - 3. Pickin' in the Park – June 29th
- H. Executive Session*
- I. Approval of Bills
- J. Adjournment

UNAPPROVED
North Sioux City, South Dakota
City Council Regular Meeting Minutes
June 3, 2019

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

Mayor Fredericksen led the Pledge of Allegiance.

Motion by Parks, second by Cropley to approve the agenda as presented with addition of Andrew Nilges joining in the executive session conversation. All members present voted aye.

Motion by Berg, second by Carpenter to approve the minutes from the May 20, 2019. All members present voted aye.

Cherry presented the alcohol license applications. Cropley asked if the changes to the Four Horsemen LLC address had been changed by the owner of the licenses. Cherry said the owners made the changes.

Motion by Cropley, second by Benson to approve the applications for Casey's Retail Company, Four Horseman LLC, and J&U Inc as presented. All members present voted aye.

Cherry presented Resolution 2019-02 for a Library Checking account for non-budgeted grant and donation funds specifically. These are items that are not budgeted for and is a common practice for libraries in the state. It gives autonomy on spending on some of the funds and doesn't require the same budgeting techniques as tax and enterprise funds. It is a dual signature account requiring the signatures of the library director, mayor, and/or finance officer.

Berg asked if this is a new process, it is not. On other boards it is something that we can look into. Cropley asked if it can be banked and grow, it can. Receipts would be provided to donors. It would be set up as a different fund outside of the general fund. The account should hold a minimal balance because the funds should be spent on direct purchases related to the donation. Parks confirmed that current donations are absorbed back to the general fund if not used in a fiscal year. No way to budget for these dollars. Carpenter asked if the Library would provide information back to the Council on grants or donations, this can be provided in the Library Director's update.

Motion by Berg, second by Carpenter to approve the resolution as presented. All members present voted aye.

RESOLUTION 2019-02
A RESOLUTION ALLOWING THE CITY OF NORTH SIOUX CITY LIBRARY
TO OPEN A CHECKING ACCOUNT

RESOLUTION OF THE CITY COUNCIL OF NORTH SIOUX CITY, SOUTH DAKOTA ("CITY") AUTHORIZING THE FINANCE OFFICER TO OPEN A CHECKING ACCOUNT FOR THE CITY LIBRARY TO BE USED FOR DONATIONS AND NON-BUDGETED GRANTS ONLY. SAID ACCOUNT SHALL BE USED ONLY FOR DONATED FUNDS AND NON-BUDGETED GRANT FUNDING WHEN AVAILABLE. TWO SIGNITURES SHALL BE REQUIRED FOR ALL DISBURSEMENTS FROM SAID ACCOUNT. RECEIPTS AND STATEMENTS SHALL BE PROVIDED TO THE FINANCE OFFICER ON A MONTHLY BASIS FOR REVIEW.

FURTHER RESOLVED THAT the Head Librarian be and is hereby authorized for and on behalf of the North Sioux City Library to be a signer on said account.

FURTHER RESOLVED THAT the City Finance Officer be and is hereby authorized for and on behalf of the North Sioux City Library to be a signer on said account.

FURTHER RESOLVED THAT the City Mayor be and is hereby authorized for and on behalf of the North Sioux City Library to be a signer on said account.

The above Resolution was moved by Library Board Member Kistner and seconded by Library Board Member Rademacher and was approved by a vote of 6 to 0 at a Library Board Meeting duly called and held on May 30, 2019

The above Resolution was moved by Councilmember Berg and seconded by Councilmember Carpenter and was approved by a vote of 7 to 0 at a meeting duly called and held on June 3, 2019

Dated this _____ day of June, 2019.

Beth Strawn
Library Board President

Randy Fredericksen
Mayor

ATTEST:

Mike Hamm
Finance Office

Cherry presented information on Ordinance 2019-01- Animal Code Update. Cherry stated this cleans up the current ordinance. Domestic animals would be defined by section 6.12.150 would go to the Humane Society. Non-domestic animals would be released outside city limits with property owner's permission. SDCL does allow for some other disposals of non-domestic animals. Domestic animal language is also added to section C.

Berg asked if domestic animals is defined, and it is. Cropley stated that it also helps with animals that are licensed and tracking the animals. Berg asked about if the licensing process is published. The city can do that at a separate cost. Carpenter asked about if an animal loses a collar what would happen to those animals. Those animals would be taken to the Humane Society and steps would be taken to track down owners.

Motion by Cropley, second by Parks to approve Ordinance 2019-01 as presented. All members present voted aye.

Motion by Parks, second by Cropley to move into executive session at 7:16pm for contractual purposes. All Members present voted aye.

Fredericksen called the regular session back to order at 7:37pm. All members present at the beginning of the meeting were still present.

Motion by Cropley, second by Benson to move forward with a contract for electrical hookups at the Flynn Phase 2 project MidAmerican Energy subject to any further rulings from the South Dakota Public Utilities Commission. All members present voted aye.

Community Input:

1. Spraying for Mosquitos will happen when the weather allows
2. Berg expressed thanks to Police Department and Public Works for working short handed
3. Fredericksen stated the siren was not working, Headid will check on this
4. Cropley ask question about the P&Z minutes and the conditional use permit for the mobile home parks. Cherry explained the process and why a 3-month permit was given. New owners are still working on coming to compliance with ordinances.
5. Big Frig Grand Opening June 7th, 11am-3pm
6. Elected Officials Workshop in Pierre July 17th
7. Pickin' in the Park June 29th at Adam's Nature Preserve
8. Bike Rodeo June 15th at DVHS 9am-12pm

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

BOMGAARS	894.27	BTRY, SPRING SNAP (6)
BUELL WINTER MOUSEL & ASSOC	68880.01	ENGINEERING FEES
CALHOUN COMM	216.33	QUINELA DR WTR TWR-RPRS
CLAUSSEN GROUP	1221.00	CENTENNIAL PARK FLWR BEDS
COLONIAL LIFE	151.80	MAY2019 PREM 5/10, 5/24
CNTRCTR SLTNS	3552.00	FLOOD PUMP
CUSTOM SPORTSWEAR	611.58	SUMMER REC T-SHIRTS (152)
DAKOTA DUNES/NSC TIMES	35.68	SBSCRPTN RNWL-CH
DEMCO, INC	53.47	LIB SUPP
THOMPSON INNVTN	1630.00	MAY2019 TECH SUPP
ELECTRIC PUMP	8972.78	GLYCOL, RTR UNIT, SHOP SUPP
FLOYD RIVER MTRLS INC	1036.25	RIVER ROCK-SWR REP-SIOUX PT RD
FOUR SEASONS NORTH	249.45	JUNE2019 FITNESS CHGS
GNRL TRAFFIC CNTRLS	268.52	TRAFFIC SIGNAL LIGHTS (4)
CORE & MAIN LP	129.90	SHUT OFF KEY (2)
INGRAM LIB SVCS	711.30	BOOKS (85)
IOWA LEAGUE OF CITIES	130.00	SPRNTNDNT AD
EAKES OFFICE SLTNS	172.84	BATH TISSUE (3 CS), TWLS (1CS)
JEFF'S LAWN CARE, INC.	1923.00	WEED CNTRL
JEO CNSLTNG GROUP	15085.50	RIVER VALLEY DRNG REP, ENGNRNG SVCS
KEVIN ODELL	1930.90	LAGOON REP
LYLES GRG DOOR	177.55	PD-RPLC BRKN SPRINGS
MIDAMERICA BOOKS	441.33	BOOKS (11)
MJ MINOR UTLT CNTRCTR	6823.49	VAC (4)
NSC AUTO REPAIR	79.90	UNIT 6-OIL CHNG
ONE OFFICE SLTN	298.25	PD-TONER, FLDR (2 BX), CRTDG
PANTHER PRIDE NEWSPAPER	50.00	POLICE DEPT AD
PETAL PUSHER	48.00	FLWRS-BEARDSHEAR
PIONEER AUTO	683.40	2016 RAM-MOUNT & BLNCE TIRES
PRESTO-X	226.00	MAY2019 PEST CNTRL
ROTO-ROOTER	965.04	CAMERA LOCATE (2)
SCHIMBERG	398.27	NSC PLANT VALVE (2)
SCHOOL LIFE-DVSN OF IMAGESTUFF	118.90	LIB-BALL CHAINS (300), DOG
SD DEPT OF HEALTH	490.00	BOD, COLI, SULFATE
SPARKLE & SHINE CLNG SVCS	1451.25	MAY2019 CLNG
STEVE HARRIS CNSTRCTN, INC	308085.99	05-79-05890 FLYNN PROJ
USABLUBOOK	2021.40	GLOVES (10 BX), PRESSURE GAUGE (3)
VANDER POL EXCAVATING, LLC	40058.41	S DERBY RECONS PROJ
VANHOLLAND, DANIEL	10.58	MLG REIMB-DRIVE TO MICHAEL'S
VERIZON WIRELESS	169.54	APR2019-ACCT-787171140-CHERRY
WEST SHORE ACRES	800.00	FLOWER POTS (4)

Motion to adjourn by Parks second by Green at 7:46pm. 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: 6/17/2019
Re: Ordinance 2019-01 – Animal Code Update – 2nd Reading

Background: Due to recent events an update to section 6 of the Code of Ordinances needed to be done. The code update gives specifics on the handling of domestic vs. non-domestic animals. The code update would allow for the Police Department to continue to work with the Siouxland Humane Society as well as provide a natural alternative for the release of non-domestic animals.

The first reading of the ordinance was approved by the City council on 6/3/2019

Financial Consideration: Cost of Publication

Recommendation: Administration would recommend the approval of the 2nd Reading of Ordinance 2019-01.

PROPOSED ORDINANCE 2019-01

AN ORDINANCE AMENDING THE CITY OF NORTH SIOUX CITY CODE OF ORDINANCES TITLE 6 ANIMALS, SECTION 6.12.020 ANIMAL CONTROL AND REGULATIONS TO ADD THE WORD "DOMESTIC", A DEFINITIONAL REFERENCE TO 6.12.150 MAXIMUM NUMBER OF DOMESTIC PETS ON PREMISES, AND ADDING LANGUAGE ON PROPER DISPOSAL OF NON-DOMESTIC ANIMALS

BE IT ORDAINED, by the Governing Body of the City of North Sioux City, South Dakota and it is hereby ordained by authority of the same that Title 6, Chapter 12.020 be amended as set forth below

6.12.020 Impoundment and ticketing.

A. A domestic animal, as defined by Section 6.12.150, found at large shall be seized and impounded with the Siouxland Humane Society in Sioux City, Iowa; or, at the discretion of the animal control officer or his or her designee, the owner may be served a citation and/or complaint to appear before the magistrate court to answer charges made thereunder.

B. When a non-domestic animal found at large is trapped the animal control officer, or his or her designee, shall find a suitable location for the animal outside of the City Limits with the express permission of a property owner outside of the City Limits. In the event a suitable location is not able to be found for the non-domestic animal the animal control officer, or his or her designee, shall dispose of the non-domestic animal as allowed for by South Dakota Codified Law.

C. If the owner of an impounded domestic animal can be identified, the owner shall be notified by the animal control officer or his or her designee within two days that, upon payment of impounding fees, plus cost of food and care, the animal will be returned.

D. An impounded, unlicensed animal or an animal with no identification may be redeemed to the owner thereof upon:

1. Proof of ownership;
2. Payment of the board-and-keep fee, impoundment fee, and any other related costs incurred by the city; and
3. Presentation of the city license for the current year, if required by law, or by purchasing such license which shall not be issued until proof of a current rabies vaccination is presented. (Prior code § 4.0812) (Amended June, 2014)

Dated at North Sioux City, South Dakota this ____ day of _____, 2019

THE GOVERNING BODY OF THE CITY
OF NORTH SIOUX CITY, SOUTH DAKOTA

By: _____
Randy Fredericksen, Mayor

ATTEST;

By: _____

Mike Hamm, Finance Officer

First Reading:

Second Reading:

Publish:

Effective Date:



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: 6/17/19
Re: Special Event License - Temporary One-day for Malt Beverage

Background: Dustin Chartier, representing Sugar Daddy's and Goode to Go, is requesting a temporary license to sell malt beverages during the car show to be held Wednesday, June 26, 2019. This would be a one-day license. He did apply for the same license last year which was approved.

Financial Consideration: Increase in Sales Tax Revenue

Recommendation: Approve the request.

City of North Sioux

Goode to Go

Box 1757

North Sioux City, SD 57049

Dear Mike

We would like to apply for a one day liquor license for the car show to be held on Wednesday, June 26, 2019.

Thank You

A handwritten signature in black ink, appearing to read "Dustin Chartier". The signature is stylized and cursive.

Dustin Chartier



City Council MEMO

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

To: North Sioux City – City Council
From: Ted Cherry, City Administrator
Date: 6/17/2019
Re: Plat Greer Lot A

Background: Casey and Scott Greer have asked for a plat of their property on Lakeview Place. This plat would combine the lot their current home sits on with the back lot area. The Planning Commission approved the plat on 6/12/2019.

One item the Planning Commission brought forward is if Sioux City fence is able to be located at this residence. This concern is outside the scope of the request for platting. At this time R-1 zoning does not allow for this type of out of home business. A conditional use permit is going to need to be requested.

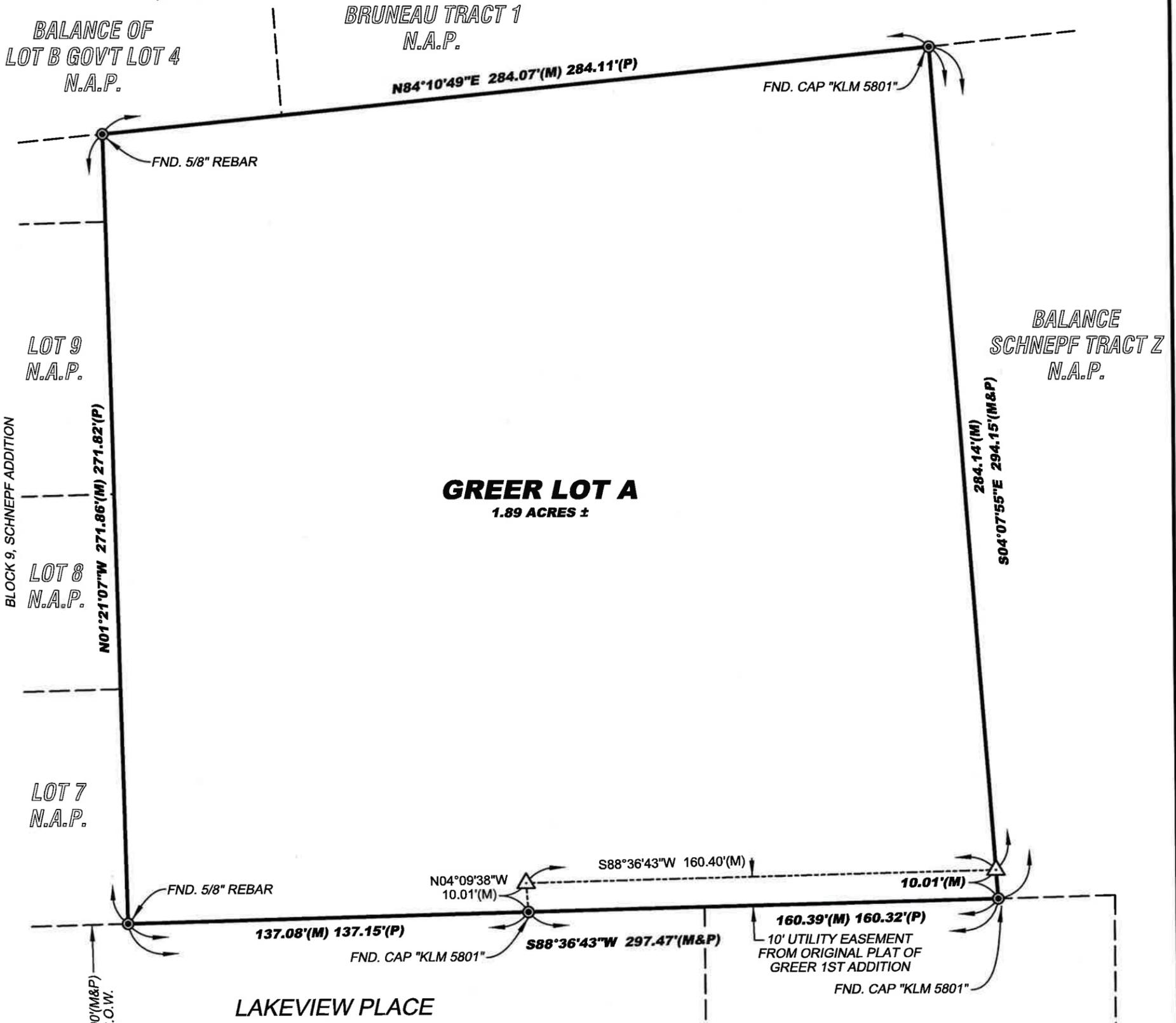
Also, the lot as combined is in two zoning districts of R-1 and R-2. A rezoning request will move forward when the platting is done and in one lot.

Financial Consideration: None

Recommendation: Administration would recommend approval of the plat as presented.

SURVEY PLAT OF GREER LOT A

**IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF
GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE
NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND
THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND
THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER,
SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5th
P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA**



SURVEY CREW: MSB 02/07/14 DRAWN BY: TAA 02/20/14 PROJECT NO. 12140202 SCALE: 1" = 40'

 McLaury Engineering, Inc. <small>Col. Professional Engineers and Land Surveyors</small>	P.O. BOX 1130 118 W. MAIN STREET ELK POINT, SD 57025 (605) 356-2308	PAGE 1 OF 2 14
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SURVEY PLAT

OF

GREER LOT A

IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE:

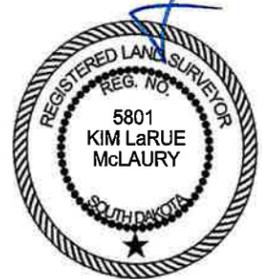
TO: SCOTT A. GREER AND CASEY J. GREER

I, KIM LARUE MCLAURY, REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE DIRECTION OF SCOTT A. GREER AND CASEY J. GREER, "SURVEY PLAT OF GREER LOT A IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA", WAS SURVEYED AND PLATTED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, FOLLOWING GENERALLY ACCEPTED PROFESSIONAL STANDARDS FOR SURVEYING AND PLATTING IN THE STATE OF SOUTH DAKOTA.

DATED THIS 30TH DAY OF April, 2014.

Kim L. McLaury
REGISTERED LAND SURVEYOR

ANY CERTIFICATION EXPRESSED OR IMPLIED HEREIN APPLIES ONLY TO THE INDIVIDUAL(S), ASSOCIATION(S), AGENCY (S), AND/OR CORPORATION(S) EXPLICITLY LISTED. ANY CERTIFICATION EXPRESSED OR IMPLIED IS INVALID WITHOUT THE SIGNATURE AND ORIGINAL SEAL OF "KIM LARUE MCLAURY, STATE OF SOUTH DAKOTA, REGISTERED PROFESSIONAL LAND SURVEYOR, NUMBER 5801".



OWNERS CERTIFICATE:

SCOTT A. GREER, DOES HEREBY CERTIFY THAT HE IS THE OWNER OF "GREER LOT A IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA," THAT ANY DEVELOPMENT OF THIS LAND WILL MEET ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS. IT IS FURTHER PROVIDED THAT ANY STREETS, ROADS, ALLEYS, AND/OR OTHER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY, OR HAVE BEEN PREVIOUSLY, DEDICATED FOR THE PURPOSES INDICATED THEREON.

PURSUANT TO SDCL 11.3.20, 11.3.20.1 AND 11.3.20.3, THE APPROVAL AND FILING OF THIS PLAT VACATES THE PLAT OF "GREER 1ST ADDITION, BLOCK 1 AND LOT 1 OF BLOCK 1 IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA", AS PLATTED IN BOOK 17 OF PLATS, PAGE 13, FILED APRIL 26, 2000, AT THE OFFICE OF UNION COUNTY REGISTER OF DEEDS.

Scott Greer
SCOTT A. GREER

OWNERS CERTIFICATE:

CASEY J. GREER, DOES HEREBY CERTIFY THAT SHE IS THE OWNER OF "GREER LOT A IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA," THAT ANY DEVELOPMENT OF THIS LAND WILL MEET ALL EXISTING APPLICABLE ZONING, SUBDIVISION, EROSION AND SEDIMENT CONTROL REGULATIONS. IT IS FURTHER PROVIDED THAT ANY STREETS, ROADS, ALLEYS, AND/OR OTHER EASEMENTS SHOWN ON THIS PLAT ARE HEREBY, OR HAVE BEEN PREVIOUSLY, DEDICATED FOR THE PURPOSES INDICATED THEREON.

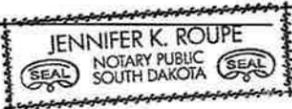
Casey J. Greer
CASEY J. GREER

ACKNOWLEDGMENT OF OWNER:

STATE OF South Dakota COUNTY OF Union
ON THIS 28 DAY OF May, 2014, BEFORE ME, Jennifer Roupe THE UNDERSIGNED OFFICER, PERSONALLY APPEARED, SCOTT A. GREER AND CASEY J. GREER, KNOWN TO ME OR SATISFACTORILY PROVEN TO BE THE PERSONS WHOSE NAMES SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME FOR THE PURPOSES THEREIN CONTAINED.

IN WITNESS WHEREOF, I HEREBY SET MY HAND AND OFFICIAL SEAL.

NOTARY PUBLIC
MY COMMISSION EXPIRES 02-12-2020



NORTH SIOUX CITY PLANNING COMMISSION:

BE IT RESOLVED BY THE NORTH SIOUX CITY, SOUTH DAKOTA, PLANNING COMMISSION THAT THE ABOVE PLAT REPRESENTING "GREER LOT A IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA," BE AND THE SAME IS HEREBY APPROVED.

Don Streetes
CHAIRMAN PLANNING COMMISSION

NORTH SIOUX CITY COUNCIL RESOLUTION:

BE IT RESOLVED BY NORTH SIOUX CITY COUNCIL THAT THE ABOVE PLAT REPRESENTING "GREER LOT A IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 89 NORTH, RANGE 48 WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA," BE AND THE SAME IS HEREBY APPROVED.

I, _____, CITY FINANCE OFFICER OF NORTH SIOUX CITY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE COPY OF THE RESOLUTION PASSED BY THE CITY COUNCIL AT ITS REGULAR MEETING ON THE _____ DAY OF _____, 2014.

MAYOR

CITY FINANCE OFFICER

CERTIFICATE OF COUNTY TREASURER:

STATE OF SOUTH DAKOTA - COUNTY OF UNION

I, TREASURER OF UNION COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE TAXES WHICH ARE LIENS UPON ANY LAND INCLUDED IN THE ABOVE (AND THE FOREGOING) PLATS, AS SHOWN BY THE RECORDS OF MY OFFICE, HAVE BEEN FULLY PAID.

UNION COUNTY TREASURER

DATE

CERTIFICATE OF DIRECTOR OF EQUALIZATION:

STATE OF SOUTH DAKOTA - COUNTY OF UNION

I, DIRECTOR OF EQUALIZATION OF UNION COUNTY, SOUTH DAKOTA, DO HEREBY CERTIFY THAT A COPY OF THE ABOVE PLAT HAS BEEN FILED AT MY OFFICE.

DIRECTOR OF EQUALIZATION, UNION COUNTY

DATE

CERTIFICATE OF REGISTER OF DEEDS:

STATE OF SOUTH DAKOTA - COUNTY OF UNION

FILED FOR RECORD THIS _____ DAY OF _____, 2014, AT _____ O'CLOCK _____ .M., AND RECORDED IN BOOK _____ OF PLATS ON PAGE _____ THEREIN.

REGISTER OF DEEDS

SURVEY CREW: MSB 02/07/14

DRAWN BY: TAA 02/20/14

PROJECT NO. 12140202

NONE



McLaury Engineering, Inc.

PO BOX 1130,
118 W MAIN STREET,
ELK POINT, SD 57025
(605) 356-2308

To: North Sioux City – City Council
From: Ted Cherry, City Administrator
Date: 6/17/2019
Re: Military Road Bridge Forcemain Change Order

Background: Due to the construction of Military Road Bridge the City budgeted funds to replace the forcemain on the bridge which takes sewer from the City to Sioux City. The project was previously approved by the Council. The budgeted amount for FY2019 was \$150,000 from the original engineers estimates. The actual costs came in higher than the estimate at \$161,070. A supplemental budget needed to be made for that overage, but has not been presented to the council yet as the project is not completed.

There are issues with the sanitary manhole on the Sioux City side of the bridge. The manhole needs to be replaced because the top of the manhole was integral to the original pavement. When the pavement was removed the manhole tope was removed as well. Also, portions of the top of manhole were damaged as well.

The cost to install a new manhole is \$16,279.82. This would take the total cost of the forcemain to \$175,349.82.

The original funds for this portion of the project were to be used from the 212 Capital Improvements fund. There are additional funds available in the 212 fund for this project. If the budgeted funds in the whole fund are not used a supplemental budget would not be needed

Financial Consideration: Additional funding from the 212 fund in the amount of \$16,279.82.

Recommendation: Administration would recommend approval of the change order for Military Road Bridge in the amount of \$16,279.82 to be paid for out of the 212 fund.



JEO Consulting Group Inc.
Change Order Details
 Contract ID 97-7057-701

Description
 Military Road Reconstruction & Bridge Rehabilitation Project, City of Sioux City in Woodbury County STP-U-7057(701)--70-97 and BHM-7057(692)--8K-97. JEO Project # 160368

Prime Contractor
 RP Constructors, LLC.
 PO Box 195
 North Sioux City, SD 57049

Change Order
 1
Status
 Draft

Date Created
 06/06/2019

Type
 Add New Item

Change Order Description
 Replace sanitary manhole where forcemain connects to gravity sewer with SW-303 manhole.

Awarded Project Amount
 \$6,958,892.13

Authorized Project Amount
 \$6,958,892.13

Change Order Amount
 \$16,279.82

Revised Project Amount
 \$6,975,171.95

New Items

Line Number	Item ID	Unit	Quantity	Unit Price	Extension
Section: 1 - ROADWAY ITEMS - STP-U-7057(701)--70-97					
1640	2435-0130360	EA	1.000	\$16,279.820	\$16,279.82

Line Number	Item ID	Unit	Quantity	Unit Price	Extension
MANHOLE, SANITARY SEWER, SW-303, 60 IN.					62

Reason : Existing manhole top was integral with pavement. when pavement was removed so was manhole top and several bricks in top layer.

Funding Details

Roadway Items (Participating)	1.000	\$16,279.820	\$16,279.82
1 item			Total: \$16,279.82

Funding Summary

Fund Package	Original Amount	Authorized Amount	Proposed Change	Revised Amount
Roadway Items (Participating)	\$3,928,212.54	\$3,928,212.54	\$16,279.82	\$3,944,492.36
Roadway Items (Non Participating)	\$69,000.00	\$69,000.00	\$0.00	\$69,000.00
Traffic Signal Items (Participating)	\$300,325.00	\$300,325.00	\$0.00	\$300,325.00
Bridge Rehabilitation (Participating)	\$2,661,354.59	\$2,661,354.59	\$0.00	\$2,661,354.59
4 fund packages	\$6,958,892.13	\$6,958,892.13	\$16,279.82	\$6,975,171.95

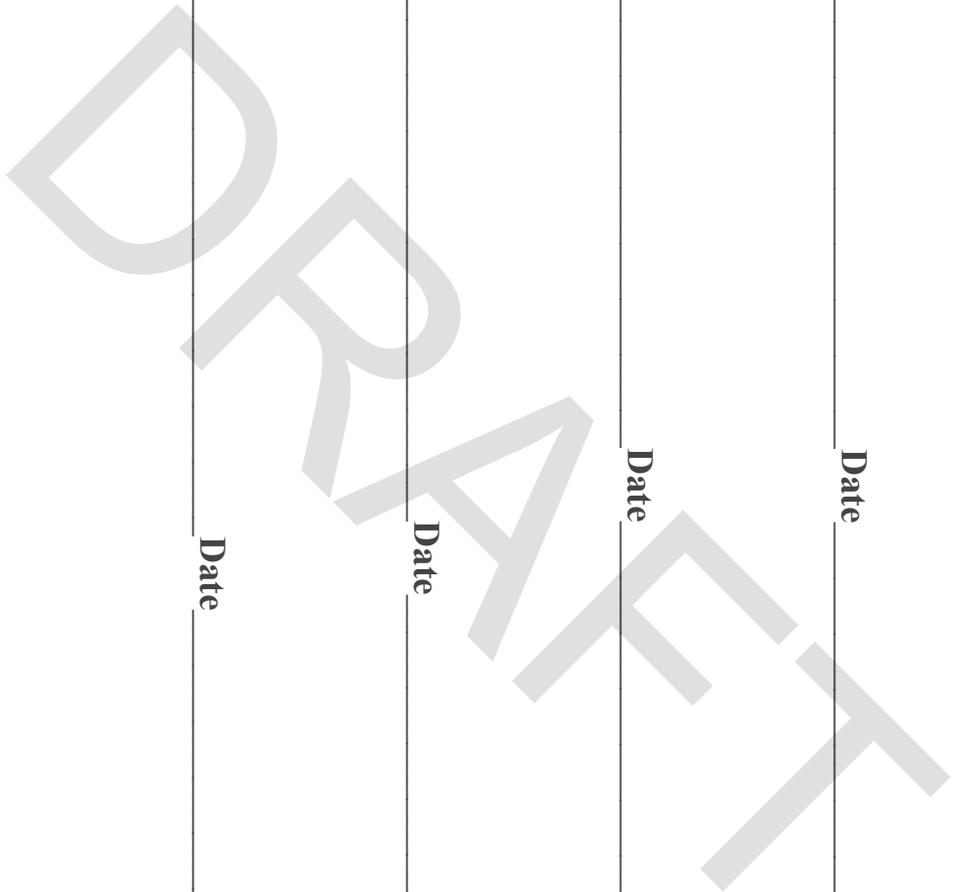
When authorized, the contractor agrees to perform the work outlined above in accordance with provisions of the contract documents

Contractor _____ **Date** _____

Project Engineer _____ **Date** _____

Local Systems Engineer _____ **Date** _____

City of Sioux City _____ **Date** _____



Item	Quantity	Unit	Rate	Total	Notes
UTILITIES					
Manhole, Sanitary Sewer, SW-301, 48-IN.	1	EA	\$ 6,500.00	\$ 6,500.00	NSC Gravity Main at Riverside
Manhole Adjustment, Minor	6	EA	\$ 2,000.00	\$ 12,000.00	1 on NSC side; 5 on NSC Gravity Main
Sanitary Sewer Force Main, 10-IN.	316	LF	\$ 170.00	\$ 53,720.00	Force Main Relocation
Remove Sanitary Pipe < 36-IN.	310	LF	\$ 5.00	\$ 1,550.00	Remove Existing Force Main
Removal of Utility Intakes and Accesses	3	EA	\$ 600.00	\$ 1,800.00	2 for Force Main, 1 at Riverside
Fitting, DIP, 10" 45 Degree Bend	6	EA	\$ 2,200.00	\$ 13,200.00	Force Main Relocation
Fitting, DIP, 10" Coupler	1	EA	\$ 2,200.00	\$ 2,200.00	Force Main Relocation
Fitting, DIP, 8"X10" Reducer	1	EA	\$ 2,100.00	\$ 2,100.00	Force Main Relocation
Sanitary Sewer Bypass Pumping	1	LS	\$ 68,000.00	\$ 68,000.00	Force Main Relocation
As Bid Total Utilities (North Sioux City)				\$ 161,070.00	
Manhole Adjustment, Minor	-1	EA	\$ 2,000.00	\$ (2,000.00)	new manhole replaces 1 adjustment
Manhole, Sanitary Sewer, SW-303, 60-IN.	1	EA	\$ 16,279.82	\$ 16,279.82	2 on NSC side; 5 on NSC Gravity Main
SubTotal Change Order				\$ 14,279.82	
Total Utilities With Change Order (North Sioux City)				\$ 175,349.82	

To: North Sioux City – City Council
From: Ted Cherry, City Administrator
Date: 6/17/2019
Re: Storm Sewer Pump Purchase

Background: The City has had a pump rented from Bierschbach equipment for the past few months since the March rain events. Pumps are rented in the event that storm gates through the levee need to be closed and there is a rain event inside the levee. The rain water would then be pumped out of the storm system over the levee and into the Big Sioux River.

The cost of the pump is \$2,106 per month.

The City asked for a quote to purchase a pump and hoses from Bierschbach. The quote is attached in the amount of \$27,482.45. This would be the total amount of the equipment less the amounts we have paid for the cost of the rental to this point.

The purchase of this equipment would allow for the City to not have to continually have to rent equipment from a pump company during high water events. Pumps have been rented for the past two years. Another aspect is when the City needs to rent pumps other areas need pumps as well. There is a concern that in the future the City may not be able to get pumps when we need them if there are other locations that get to the pumps first.

If moving forward with the purchase of this equipment the cost would need to be included in a supplemental budget for the year. We would add this to the levee budget in the general fund as this is the only line associated with the storm sewer.

Financial Consideration: \$27,482.45 as a supplemental budget

Recommendation: Administration would welcome input from the elected officials on if they would prefer to move forward with the purchase. If moving forward with the purchase a motion should be made to that extent and to create a supplemental budget for this item.

BIERSCHBACH EQUIPMENT & SUPPLY

SIOUX FALLS, SD
1101 S. LYONS
1-800-843-3707
FAX: (605) 332-4522

RAPID CITY, SD
3030 N. Plaza Drive
1-800-658-5437
FAX: (605) 348-6160

SIOUX CITY, IA
2121 Leech Ave
1-800-243-3707
FAX: (712) 252-3193

WEST FARGO, ND
4001 Main Ave
1-800-540-2760
FAX: (701) 492-0953

PROPOSAL

City of North Sioux City

Date: 6/05/19

Attention: Ted Cherry

Fax #

WE PROPOSE TO FURNISH: F.O.B. Sioux City

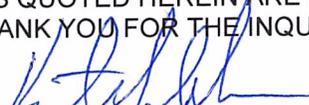
THE FOLLOWING

QTY.	ITEM	PRICE/UNIT	AMOUNT
1	Buyout on Rental #26456 6" Godwin Pump tow behind <i>Billed</i>	<i>\$6,318⁰⁰</i>	\$26,906.35
1	6" step bow	<i>\$324⁰⁰</i>	\$241.03
1	6" x 10' suction hose	<i>\$378⁰⁰</i>	\$23.44
2	6" x 50' discharge hose -- credit -- <i>Billed \$810 per hose.</i>	\$311.63	\$623.25
<p>The above amounts are the buyouts on the equipment and hoses. That is taking into consideration the City paying what is already on their account.</p> <p>If you have any questions please call</p>			
<p>Total without tax</p>			\$27,482.45

TOTAL=

TERMS: NET 30 DAYS FROM DATE OF INVOICE

THE ABOVE QUOTATION EXPIRES THIRTY DAYS FROM ITS DATE.
PRICES QUOTED HEREIN ARE EXCLUSIVE OF ALL SALES, USE AND SIMILAR TAXES.
WE THANK YOU FOR THE INQUIRY AND HOPE TO HAVE THE PLEASURE OF SERVING YOU.

BY: 

Council Meeting 6.17.2019



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: 6/17/2019
Re: Ordinance 2019-02 Public Begging 1st Reading

Background: The City has received complaints regarding transients begging at both of the exits in North Sioux off the interstate. This creates an unsafe situation for those people standing on the road as well as make some drivers uncomfortable. The Ordinance, as presented, would make this type of activity illegal and the Police Department would have the ability to take action against these individuals.

Also, the ordinance makes clear that public begging door to door is illegal as well.

The ordinance was asked for from the Police Department.

Financial Consideration: Publication Costs

Recommendation: Administration would recommend the approval of Ordinance 2019-02 1st reading.

PROPOSED ORDINANCE 2019-02

AN ORDINANCE AMENDING THE NORTH SIOUX CITY CODE OF ORDINANCES TITLE 5 BUSINESS LICENSES AND REGULATIONS CHAPTER 5.28 PEDDLERS, SOLICITORS AND VENDORS BY ADDING A NEW SECTION, 5.28.015 PUBLIC BEGGING UNLAWFUL, TO DIFFERENTIATE BEGGING AND SOLICITATING AND TO MAKE THE FORMER UNLAWFUL

BE IT ORDAINED, by the Governing Body of the City of North Sioux City, South Dakota and it is hereby ordained by authority of the same that Title 5, Chapter 5.28 be amended as set forth below.

5.28.015 Public Begging Unlawful

- A. It is unlawful to detain, or attempt to detain, any person in a public place or on a street and/or sidewalk or to go door to door at residences or places of business for the purpose of begging for money or other valuable consideration without giving valuable consideration in return. This also precludes any communication via words, signs, and any other conduct or communication with the sole purpose of receiving charity.
- B. Begging shall not include solicitations from bona fide charitable, educational, religious, civic, veterans', or fraternal organizations, service clubs, political parties, or volunteer groups provided that the organizations and/or groups identify themselves prior to the solicitation and receive any necessary permits.
- C. It is unlawful for any person to falsely identify themselves as soliciting on behalf of such organizations.

Dated at North Sioux City, South Dakota this ____ day of _____ 2019

THE GOVERNING BODY OF THE CITY
OF NORTH SIOUX CITY, SOUTH DAKOTA

By: _____
Randy Fredericksen, Mayor

ATTEST;

By: _____
Mike Hamm, Finance Officer

First Reading:
Second Reading:
Publish:
Effective Date:



City Council MEMO

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

To: North Sioux City – City Council
From: Ted Cherry, City Administrator
Date: 6/17/2019
Re: Ordinance 2019-03 Nuisance Update 1st Reading

Background: The City is required to give notice to a property owner when an abatement of property needs to happen. This is most often done when abandoned properties are not being mowed or taken care of. Additional if there is junk on properties notice must be given.

Ordinance 2019-03, as presented, would allow for the Police Department to work through multiple forms of delivery instead of just by giving written notice. There are times when a written notice is not available to the officers due to the property owner not living at the property.

Financial Consideration: Cost of publication

Recommendation: Administration would recommend the approval of Ordinance 2019-03 1st reading amending the procedure of the abatement of properties.

PROPOSED ORDINANCE 2019-03

AN ORDINANCE AMENDING THE NORTH SIOUX CITY CODE OF ORDINANCES TITLE 8 HEALTH & SAFETY CHAPTER 8.08 NUISANCES SECTION 8.08.030 ABATEMENT AND PENALTY FOR VIOLATION TO ALLOW FOR NOTICE OF VIOLATION TO BE GIVEN VIA A PUBLIC POSTING OR MAILING.

BE IT ORDAINED, by the Governing Body of the City of North Sioux City, South Dakota and it is hereby ordained by authority of the same that Title 8, Chapter 8.08, Section 030 be amended as set forth below.

8.08.030 Abatement and penalty for violation.

The city mayor, or whomever he or she may designate, shall give written notice, either by hand delivery in person, posting of the notice on the property within view of the public, via certified mail, or another physical form of direct communication, to any person creating, permitting or maintaining any nuisance as defined in this chapter, to abate such nuisance forthwith. The notice shall be abated by the person or persons in control of the affected premises within ten (10) days after the notice is given mailing of the notice, except that in such cases where the mayor determines that the nuisance constitutes a health or safety hazard, the notice may require abatement of the nuisance to be immediate, or within such time as shall be deemed by the mayor to be reasonable and practical under the circumstances. If such person shall neglect or refuse to abate any such nuisance after the notice is given mailing of notice, and within the time stated in the notice, he or she may be charged with a violation of this chapter. Each day the person is in violation of this chapter shall be deemed a new violation. Upon conviction the person may be subject to a fine of not more than Five Hundred Dollars (\$500.00) for each of the violations. In addition to imposing penalties, the court may make abatement of the nuisance a condition of suspension of any of the imposed penalties.

Dated at North Sioux City, South Dakota this ___ day of _____ 2019

THE GOVERNING BODY OF THE CITY
OF NORTH SIOUX CITY, SOUTH DAKOTA

By: _____
Randy Fredericksen, Mayor

ATTEST;

By: _____
Mike Hamm, Finance Officer

First Reading:
Second Reading:
Publish:
Effective Date:

PROPOSED ORDINANCE 2019-03

AN ORDINANCE AMENDING THE NORTH SIOUX CITY CODE OF ORDINANCES TITLE 8 HEALTH & SAFETY CHAPTER 8.08 NUISANCES SECTION 8.08.030 ABATEMENT AND PENALTY FOR VIOLATION TO ALLOW FOR NOTICE OF VIOLATION TO BE GIVEN VIA A PUBLIC POSTING OR MAILING.

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Dated at North Sioux City, South Dakota this ____ day of _____ 2019

THE GOVERNING BODY OF THE CITY
OF NORTH SIOUX CITY, SOUTH DAKOTA

By: _____
Randy Fredericksen, Mayor

ATTEST;

By: _____
Mike Hamm, Finance Officer

First Reading:
Second Reading:
Publish:
Effective Date:

UNAPPROVED MINUTES
North Sioux City Planning Commission
June 12, 2019

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

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

Motion by Mitchell second by Linden to approve the agenda as presented. All members present voted aye.
Motion by Mitchell, second by Linden to approve the May 8, 2019 and May 22, 2019 minutes as presented. All members present voted aye.

New Business:

PLAT – GREER LOT A IN A PORTION OF SCHNEPF TRACT Z, IN LOT A OF GOVERNMENT LOT 3 AND LOT B OF GOVERNMENT LOT 4 IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER SECTION 10, TOWNSHIP 89 NORTH, RANGE 48WEST OF THE 5TH P.M., NORTH SIOUX CITY, UNION COUNTY, SOUTH DAKOTA.

Motion by Mitchell, second by Holbrook to approve the plat and recommend it to City Council. All members present voted aye.

Other Business: Ted will research the ordinance in regards to a home based businesses in residential areas and update members. Mobile home parks have updated the City with total spaces, occupied and unoccupied.

McCook MHP Cott's Drive; McCook MHP 220 S Derby Lane; McCook MHP 416 Lakeshore Drive
Roupe updated commission members of approved building permits by Roan, prior to meeting: 1 shed at 404 River Dr / 1 cement for garage at 902 Harvest Bend / 1 commercial building at 1400 River Dr / 1 basement at 210 Delmar Cir / 1 garage at 263 Westshore Dr / 1 addition at 20 S Churchill Cir / 2 fences at 204 S Churchill Cir and 607 Lakeview Dr / 3 homes at 189 N Canterbury Circle, 190 N Canterbury Circle and 918 Wildflower Bend.

Motion by Olson, second by Mitchell to adjourn at 4:13 p.m. All members present voted aye.

Dated this June 12, 2019

Jennifer Roupe

Finance Assistant