



Regular Meeting of the City Council

March 1, 2021 – 7:00 p.m.

City Hall

PROPOSED AGENDA

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Approval of Agenda
- E. Approval of Minutes: February 16, 2021 Regular Meeting
- F. Community and Council Input – Limit 3 Minutes
- G. Department Head and Community Board reports if necessary – Limit 3 Minutes
- H. Agenda Items
 - 1. Ordinance 2021-01 Correcting Language in Zoning Ordinance 17.72.01
 - 2. Stockwell Engineer's Report
- I. Approval of Bills
- J. Adjournment

REMINDER: The Local Board of Appeals & Equalization will be meeting at 6:00 PM on March 15th prior to our regular 7:00 PM meeting

*SDCL 1-25-2 (sections 1-5) allows a majority of the body present to vote to close a meeting when discussion revolves around personnel, legal matters or contract negotiations. Meetings may also be closed for certain economic development matters (SDCL 9-34-19).

UNAPPROVED
North Sioux City, South Dakota
City Council Regular Meeting Minutes
February 16, 2021

Meeting called to order at 7:00 p.m. by Mayor Slater. Benson, Berg, Carpenter, Christiansen, Cropley, Green, Norby, and Parks were present. Also, in attendance were City Finance Officer Amy Lilly and City Administrator Eric Christensen.

Mayor Slater led the Pledge of Allegiance.

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

Motion by Christiansen, second by Benson, to approve the Regular Council Meeting Minutes from the February 1, 2021 meeting. All members present voted aye. Motion carried.

Community and Council Input:

Councilwoman Carpenter informed the Council that the North Sioux City Parks & Recreation Board will be having an Easter Egg Hunt from March 20-27. Details can be found on the NSC Parks & Recreation Facebook page along with clues to locate 10 large, decorated, cut-out eggs around the community. Families are encouraged to find the eggs, take pictures with them, and post them on Facebook. Treat bags will be handed out at the NSC Library on March 26 from 4-6 and at Adam's Nature Center on March 27 from 10-12.

Playground equipment for Davis Park has been ordered and will arrive toward the end of March.

Department Head & Community Board reports:

Cable TV franchise agreements are up for renewal. We have two providers seeking to renew their contracts. A public hearing will be scheduled to hear community input regarding the two providers.

Agenda items:

1. Motion by Cropley, second by Berg to approve Resolution 2021-03 - A resolution providing for certain fees related to the zoning ordinance. All members present voted aye. Motion carried.

RESOLUTION 2021-03

**A RESOLUTION PROVIDING FOR CERTAIN FEES RELATED
TO THE ZONING ORDINANCE**

WHEREAS, the City of North Sioux City wishes to set the schedule of fees for Zoning Amendments, Variances and Conditional Use Applications, Survey Plats, Board of

Adjustment Meetings, and other non-building permit fees as authorized by City Ordinance 17.100.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of North Sioux City hereby adopts the following fee schedule:

Zoning Amendments/Changes: \$250.
Survey Plat Review: \$100.00 plus \$10.00 per lot
Plat/Replat: \$100.00 for the first 2 lots, plus \$10.00 for each additional lot
Conditional Use Permit: \$250.00
Variance Application: \$250.00
Board of Adjustment Appeal: \$100.00
Special Meeting Request: \$250.00
Compliance Inspections: \$100.00

Exemption for the City Filing on its own behalf. No fee shall be required when any action is recommended by the city council on its own motion.

Any Variance or Conditional Use Permit that is required and applied for after construction has begun will be charged a fee twice the regular fee.

Adopted this 16th day of February, 2021

Rodd Slater
Mayor

ATTEST:

Amy Lilly
Finance Officer

2. Motion by Parks, second by Benson to approve first reading of Ordinance 2021-01 correcting language in zoning ordinance 17.72.01. This ordinance will correct language by providing that the minimum setback requirement apply to whatever side of the house faces the unplatted street. In addition, the term unplatted street is being replaced by the term unrecorded street as it is a more inclusive term. All members present voted aye. Motion carried.
3. Motion by Benson, second by Berg to set March 15, 2021 at 6:00 pm for a Local Board of Appeals & Equalization meeting. All members present voted aye. Motion carried.

4. On February 8, 2021, the Circuit Court Judge ruled that Constitutional Amendment A violates the State Constitution. The matter will likely be appealed to the State Supreme Court but is on hold for now.
5. Motion by Carpenter, second by Christiansen to approve the replat of Lot 41 of the River Valley Second Addition as approved by Planning & Zoning. All members present voted aye. Motion carried.

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

AFLAC	1247.24	FEB2021 PRMS
BNFT ADMNSTRTN SELF EM	102.00	2021 HRA FEE
C. W. STR SVCS	2861.00	CH-FURNACE CNTRL REP
CITY OF SIOUX CITY	36697.95	JAN2021 SWR CHGS
DAKOTA DUNES/NSC TIMES	672.09	JAN2021 PBLSHNG FEES
DCMNT DEPOT & DSTRCTN	45.00	SHREDDING (1 BIN)
THMPNSN INNVTN	1792.81	CONFIG & SETUP 3 LAPTOPS
ELCTRNC ENGINRNG	169.95	CHRGR-RUSTY'S RADIO
FLOYD RIVER MTRLS	639.10	SAND
FOUR SEASNS NORTH	299.40	FITNESS CHGS
GNRL TRAFFIC CNTRL	1137.17	TRAFFIC SIGNAL SVC
GILL HAULING	13237.73	JAN2021 RSDNTL WST
H2O 4 U	60.00	WTR
HAWKINS, INC	2270.50	CHLORINE, BYOKAT
HRTG FLAG & BANNER	1124.00	FLAGS (18)
HOTSY EQUIP CO	515.13	WASTE OIL HEATER SVC & REP
INGRAM LIB SVCS	1085.46	BOOKS (91)
EAKES OFFICE SLTNS	66.96	LIB-SOAP-1 CS
JOHNSON FEED	2048.00	ROAD SALT
LEADER-COURIER	38.49	SR CNTR-YRLY SBSCRPTN
LONG LINES	861.08	FEB2021 PHN & INT CHGS
MAIL HOUSE INC	78.72	JAN2021 PSTG
MERCY BUSINESS HEALTH SVCS	64.00	FEB2021 EAP
MIDAMERICAN ENERGY	16780.65	JAN2021 UTLTY CHGS
MOTOROLA INC.	4196.00	APX 8000 ALL BAND PORT MOD3.5
O'REILLY AUTMTVE	480.94	ANTFRZ(11), FLTR (6)
LOFFLER CO	74.99	COPY & LEASE EXP
OVERDRIVE, INC.	264.92	AUDIOBOOKS (2)
PRINCIPAL LIFE INSUR	5144.79	FEB-MAR2021 PREM
QUALIFIED PRESORT SVC	753.81	JAN PSTG UTLTY/DLNQNT BILLS
RICK HANSON PLUMBING INC.	416.42	SR CNTR-RPLCD DSPSL
SD DEPT OF PUBLIC SFTY	2340.00	TELETYPE SVC 01/01/21-06/30/21
SD ONE CALL	11.20	JAN2021 LCTS (10)
STATE CHEMICAL SLTNS	931.36	LAGOON TRTMNT
STATE OF SD	60.00	NOTARY APP (2)
UNION COUNTY TRSR	98505.37	RETURN EXCESS TIF DISTRICT
WELLMARK BLUE CROSS	19800.84	MAR2021 INSUR PREM
WOODHOUSE	1682.03	UNIT 4 - 2013 RAM 1500 HEATER

As required by SDCL 6-1-10, the following is a list of the January 2021 payroll by department:

Council	\$11,400.00
Finance/Admin	\$19,616.30
Library	\$7,900.10
Police	\$40,850.54
Public Works	\$33,589.09

Motion by Green, second by Parks, to adjourn at 7:38 pm. All members present voted aye.
Motion carried.

Approved

Rodd Slater, Mayor

Attested

Amy Lilly, Finance Officer



City Council MEMO

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

To: North Sioux City – City Council
From: Administration
Date: 3/1/2021
Re: Zoning Ordinance change

Background: In December, the City Council adopted an ordinance which provided a minimum setback on streets where a street right-of-way was not platted. The ordinance references only front yard setbacks, but does not address what happens if it is not the front yard that faces the unplatted right-of-way. This ordinance will correct that language by providing that the minimum setback requirement apply to whatever side of the house faces the unplatted street. In addition, the term unplatted street is being replaced by the term unrecorded street as it is a more inclusive term.

Financial Consideration: None.

Recommendation: Administration recommends approving the second reading of Ordinance 2021-01.

PROPOSED ORDINANCE 2021-01

AN ORDINANCE AMENDING THE NORTH SIOUX CITY CODE OF ORDINANCES TITLE 17 LAND USE AND DEVELOPMENT BY ADDING AND/OR ALTERING LANGUAGE IN 17.72.

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 17, Chapter 17.72.01 (B) be amended as set forth below.

17.72.01 Adjustment to Front/Rear Yard Requirements

- B. Where a lot abuts a City street not containing a recorded right-of-way, the minimum setback required from the street containing the unplatted right-of-way shall be the minimum setback required for the zoning district by this title plus an additional thirty-three (33) feet.

Dated at North Sioux City, South Dakota this 1st day of March, 2021

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

By: _____
Rodd Slater, Mayor

ATTEST;

By: _____
Amy Lilly, Finance Officer

First Reading: 2-16-2021
Second Reading: 3-1-2021
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: Administration
Date: 3/1/2021
Re: Stockwell Engineers Report

Background: Jon Brown of Stockwell Engineers LLC is presenting an Engineer's Report which provides an update on the various city projects.

Financial Consideration: none at this time

Recommendation: none

DESIGN CONTRACTS

1. Water Study & New Water Tower

The water study consists of updating the previously prepared Preliminary Report for Water Supply Improvements. The new water tower scope of work includes a survey, geotechnical investigation, design, bidding, and construction administration services for a new 750,000-gallon water tower.

- Status: The Preliminary Report for Water Supply Improvements is completed.
- Highlights on the Water Tower Project: In discussions with two national water tower erectors in early January, it was learned that steel plate prices increased even greater than the February Report. Prior to the steel price increase the estimated construction cost was \$2.7MM - \$2.8MM for either the composite or fluted style water tank.
- Risks: Due to the significant price increase Stockwell was directed to delay bidding the project until steel prices subside. Steel prices will be tracked on a regular basis and hopefully the bidding process can commence in late October or early November.



2. Streeter Drive Reconstruction

Streeter Drive Reconstruction Project consists of survey, design, bidding, and construction administration and staking services to realign Streeter Drive from the connection to Sodrac Drive north approximately 800' and overlay the remainder of Streeter Drive to Northshore Drive. The scope of work also includes property owner and private utility meetings, one public meeting, and design of necessary drainage facilities.

- Anticipated Construction Year: 2021
- Status: The project is currently advertising for bids and bid opening is scheduled for Thursday, March 4th. Recommendation for awarding the project will be made at the March 15th City Council Meeting. The project is contracted to be complete by August 1st, 2021. SDDOT is working on putting together a funding package (currently proposing 50/50 split funding) for the City and an agreement to turn the roadway over to the City after improvements are made. Funding wont be available until 2021 for the realignment of Streeter Drive.



3. Sioux Point Road Realignment

- Status: Stockwell prepared a draft plat for the proposed right-of-way of Sioux Point Road. City staff will use the draft plat to coordinate with landowners for right-of-way acquisition. Stockwell will prepare a final plat and establish property pins for execution of the right-of-way acquisition. Stockwell is also working on a sewer study of this area to address sewer capacity needs.
- Risks: None at this time.

4. Lift Station Generators

The Lift Station Generators project consists of survey, design, bidding and construction administration services for generators at the Lakeshore Drive, Streeter Drive, Flynn Business Park, and Sioux Laundry lift stations.

- Status: Project is on hold until grant funding is released. Stockwell will provide an update from SECOG as soon as we receive communication from them.
- Risks: None at this time.



FORCE ACCOUNT

5. City Ordinances

We have reviewed the Iowa Statewide Urban Design and Specifications (SUDAS) for storm design and are comfortable moving forward with these standards for design. Stockwell will provide more specific design recommendations for the City to implement on future projects.

We are reviewing storm and drainage standards and comparing them to ordinances we have assisted writing for other communities in the region.

6. Casey's Lift Station Sewer Analysis

Stockwell prepared a preliminary study of the sewer capacity of the Casey's Lift Station and River Drive Sewer Basin and made recommendations regarding future development in the area. A technical memo was prepared and presented to City Staff.

UNAPPROVED MINUTES
North Sioux City Planning Commission
February 24, 2021

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

Commission members present were DeVries, Holbrook, Olson and Streeter. Absent: Carpenter and Mitchell. Also, in attendance was Finance Assistant, Jennifer Roupe and Building Inspector, Gary Roan.

Motion by Olson, second by Streeter to approve the agenda. All members present voted aye.

Motion by Olson, second by Streeter to approve the February 10, 2021 minutes as presented. All members present voted aye.

New Business: Board of Adjustment heard the following hearing.

*Variance Hearing – Ummach – 1121 Pearl St - Detached Garage 1500sq ft

Holbrook opened meeting at 4:01pm

Zoning of the land was changed to Highway Commercial with the new zoning ordinance. Jamie Ummach (owner) and Tyger Hoffman (Construction Plus, LLC) addressed the members. Owners have businesses they would like to conduct in the proposed garage.

Motion by Olson second by Streeter to close the hearing at 4:31 p.m. All members present voted aye.

Motion by Olson, second by Streeter to deny the variance request as presented. Roll Call

DeVries - approve, Holbrook - deny, Olson – deny, Streeter – deny. 3 to 1 - Variance request denied.

* Variance Hearing – Ummach – 1121 Pearl St - Garage sidewall height 16 ft.

Holbrook opened meeting at 4:33 pm.

Jamie Ummach (owner) and Tyger Hoffman (Construction Plus, LLC) addressed the members. Roan and DeVries stated that the trusses could be raised, and the pitch could be modified without changing the sidewalls.

Motion by Olson second by Streeter to close the hearing at 4:40 p.m. All members present voted aye.

Motion by Olson, second by Streeter to deny the variance request. as presented.

DeVries - deny, Holbrook - deny, Olson – deny, Streeter – deny. Variance request denied.

* Variance Hearing – Callender – 1115 Military Rd – 22 ft Read Yard Setback

Holbrook opened meeting at 4:42 pm

Roan let the members know that there is a 16 ft. vacated alley easement on the rear yard that is not recorded. Neighbors were contacted and no objections.

Motion by Streeter second by Olson to close the hearing at 5:01 p.m. All members present voted aye.

Motion by Olson, second by DeVries to approve the variance contingent upon the owner re-plating to include half of the vacated alley. Roll Call DeVries - approve, Holbrook - approve, Olson – approve, Streeter – approve. Variance request approved.

Other Business: Noted: Letter to Sioux City Fence was sent to remind of the Conditional Use expiration date. Building Permit Update: Remodel, 208 S Canterbury Cir: Townhome – 177 N Canterbury Cir: Triplex – 103-105-107 S Sodrac Dr

Motion by Streeter, second by Olson to adjourn at 5:06 p.m. All members present voted aye.

Dated this February 24, 2021.

Jennifer Roupe, Finance Assistant