

Dakota City City Council Meeting Minutes

The Dakota City City Council met in regular session on Thursday, December 6, 2018. Notice of the meeting had been posted at three separate locations and sent out to various media outlets, as well as, was shared with the Mayor and the City Council. Notices included information that an agenda was available from the Office of the City Clerk.

Mayor Yacevich called the meeting to order at 6:05 p.m.

The following members were present: Backman, Rasmussen, Schovanec, and Varvais.

Following the Pledge of Allegiance, Mayor Yacevich announced the availability of the Open Meetings Act.

Mayor Yacevich presented a plaque to James Varvias to commemorate his four years of service to the City of Dakota City as a City Council Member.

City Attorney Mike Schmiedt administered the oath of office for City Council Members Andy Backman and Ron Haase.

Public Comment Period: None.

Moved by Schovanec, seconded by Rasmussen, to approve the consent agenda for December 6, 2018. Said motion includes approval of minutes from November 15, 2018, acknowledgement of reception of Financial Statements, acknowledgement of the Animal Control report, and approval of Bills to Date as written including corrections. Roll call vote: Voting Aye: Rasmussen, Backman, Schovanec, and Haase. Nays: None. Motion carried.

Aflac/Remittance Proc Services 436.44, 366.24; Allens Heating and Cooling 285; Ameritas Life Insurance Corp-RP Division 100; Barnes & Noble 47.50; Bierschbach Equipment & Supply 46.55; Blue Cross Blue Shield 3,251.91, 1,735.65; Bob Barger 50; Bomgaars 8.49; Cable One 79.52; Canon Financial Services 62.32; Century Business Products, Inc. 215.82; Century Link 117.85, 59.28; Certified Testing Services 1,690; City of Sioux City 1,679.84; Dakota County Treasurer 6,193.93; Dakota Food & Fuel 38.49; EMC Insurance Company 4,054.54, 1,989.66, 533.73, 407.40, 1,222.20, 2,444.40; Emergency Medical Products 285.54; EMS Billing Services 652.31; FiberComm 195.74, 67.05, 28.55; General Fund 248.57; Gill Hauling Inc. 9,681.28; Graymont Capital 4,750.86; Kevin Schoepf 30; Kurt Peterson 50; Lessman Electric 15.89; Messerlie Brothers Construction 1,100; MidAmerican Energy 192.88, 638.76; NE Municipal Power Pool 4,857; NE Public Health Environmental Lab 15; O'Dell Electric 537, 81; O'Reilly Automotive Inc. 44.77; Petro Choice Lubrication Solutions 397.90, 455.40; Productivity Plus Account 53.62; Principal Financial Group 55.92; Sigler Fire Equipment 62.40, 62.40; Siouxland Hydraulic 1,096.74; Sooland Bobcat 2,586.23; South Side Glass 519.20; Stacey Janssen 50; Star Printing 18; Sturek Media 177.34; Swanson Septic & Excavation 1,850; Thompson Innovations 154, 154, 77; USA Blue Book 325.17; VISA-City Card 1,401.35, 643.32, 185.36; Wal-Mart Community 118.74; Verizon Wireless 185.36; Williams & Company 1,426.20, 950.80; Wilmes Hardware Hank 246.91, 39.39; Zoll Medical Corporation 1,317.75; Regular Payroll 14,034.651; Overtime 625.68; Total Bills = \$79,563.67.

Moved by Schovanec, seconded by Rasmussen, to select Andy Backman as President of the Council for 2019. Roll call vote: Voting Aye: Rasmussen, Backman, Schovanec, and Haase. Nays: None. Motion carried.

Moved by Rasmussen, seconded by Backman, to approve Resolution 2018-76. Said Resolution approves the Appointments/Designations list for 2019. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

Moved by Backman, seconded by Schovanec, to approve Resolution 2018-77. Said Resolution approves the 2019 Dakota City Fire Department Roster. Roll call vote: Voting Aye: Schovanec, Haase, Rasmussen, and Backman. Nays: None. Motion carried.

Moved by Rasmussen, seconded by Backman, to approve Resolution 2018-78. Said Resolution approves the appointment of Steven A. Parr from JEO Consulting Group, Inc. as the 2019 Street Superintendent. Roll call vote: Voting Aye: Haase, Rasmussen, Backman, and Schovanec. Nays: None. Motion carried.

Moved by Backman, seconded by Rasmussen, to approve Resolution 2018-79. Said Resolution approves Payment #39 in the amount of \$29,674.58 to JEO Consulting Group, Inc. for services provided for the Wastewater Treatment Facility Improvement Project. Roll call vote: Voting Aye: Rasmussen, Backman, Schovanec, and Haase. Nays: None. Motion carried.

Moved by Rasmussen, seconded by Backman, to approve Resolution 2018-80. Said Resolution approves Payment Application #13 in the amount of \$142,683.32 to Rutjens Construction for services provided for the Wastewater Treatment Facility Improvement Project. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

Moved by Schovanec, seconded by Backman, to approve Resolution 2018-81. Said Resolution approves a gas tariff from MidAmerican Energy which authorizes a change to the customer bill format. Roll call vote: Voting Aye: Schovanec, Haase, Rasmussen, and Backman. Nays: None. Motion carried.

Moved by Backman, seconded by Rasmussen, to approve an agreement with Cross Law Firm, P.L.L.C to provide legal services related to the 2018 Street Improvement Project. Roll call vote: Voting Aye: Haase, Rasmussen, Backman, and Schovanec. Nays: None. Motion carried.

Moved by Rasmussen, seconded by Backman, at 6:20 p.m. to enter closed session to discuss proprietary business matters and obtain legal advice. Jeremy Cross, JEO representatives, and City Staff were invited into the discussion. Roll call vote: Voting Aye: Rasmussen, Backman, Schovanec, and Haase. Nays: None. Motion carried.

Moved by Rasmussen, seconded by Haase, at 6:56 p.m. to leave closed session and resume regular business. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

A proposal provided by Sioux City Engineering regarding the 2018 Street Improvement Project's delay was discussed by the Mayor and Council. No representatives from Sioux City Engineering were present.

Moved by Rasmussen, seconded by Backman, to authorize JEO to write a response letter to Sioux City Engineering stating the City's position regarding the 2018 Street Improvement Project. Items to be included in the letter consist of the following: specifications and a December 21, 2018 deadline for winterization, an April 1, 2019 startup date, a June 1, 2019 revised completion date, and the City's decision to give no consideration, at this time, to changing the contract's provision for liquidated damages. Roll call vote: Voting Aye: Schovanec, Haase, Rasmussen, and Backman. Nays: None. Motion carried.

Moved by Backman, seconded by Rasmussen, to approve 2018-82. Said Resolution approves payment #13 in the amount of \$15,808.40 to JEO Consulting Group, Inc. for services provided for the 2018 Street Improvement Project. Roll call vote: Voting Aye: Haase, Rasmussen, Backman, and Schovanec. Nays: None. Motion carried.

Moved by Backman, seconded by Rasmussen to table Change Order #1 for the Street Improvement Project and Resolution 2018-83 (Payment Application #5). Roll call vote: Voting Aye: Rasmussen, Backman, Schovanec, and Haase. Nays: None. Motion carried.

Moved by Backman, seconded by Rasmussen, to approve 2018-84. Said Resolution authorizes the City to expend funds for items and food relating to the City Appreciation Dinner. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

City Staff provided comments concerning City Departments, Current Projects, Ordinances, and Statutes.

The Mayor and Council Members provided comments concerning City Departments, Current Projects, Ordinances, and Statutes.

There being no further business, the meeting was adjourned by Mayor Yacevich at 7:10 p.m.

/s/ Alyssa Silhacek
City Administrator/Clerk/Treasurer