

## Dakota City City Council Meeting Minutes

The Dakota City City Council met in regular session on Thursday, September 5, 2019. 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 6:00 p.m.

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

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

**Public Comment Period:** None.

Moved by Backman, seconded by Rasmussen, to approve the consent agenda for September 5, 2019. Said motion includes approval of minutes from August 15, 2019, approval of minutes from August 27, 2019, acknowledgement of reception of Financial Statements, and approval of Bills to Date as written including corrections. Roll call vote: Voting Aye: Haase, Rasmussen, Backman, and Schovanec. Nays: None. Motion carried.

A&M Laundry 86.92, 44.92; Aflac/Remittance/Proc Services 466.80, 500.16; Ameritas Life Insurance Corp RP Division 460.72, 412.05, 465.40, 415.33; Angie's Gymnastics 3,282; Bomgaars 162.58; Bridgeport Materials 1,260; Canon Financial Services 62.32; Century Business Products, Inc. 152.47; CenturyLink 61.93, 127.62; City of South Sioux City 50, 430; Center Point Large Print 44.34; Crystal Oil 292.87; Dakota County Treasurer 6,193.93; Dakota City Sales Tax Fund 6,188.33; EMC Insurance Company 4,051.40, 2,360.47, 337.21; Emergency Medical Products 179.45; Edith Robles 50; F&M Bank, NA 7.00; Fibercomm 28.87, 67.30, 196.04; Follett Software Co. 744.83; Farmers Pride 1,607.83; Gale/Cengage Learning 134.22; General Traffic Controls, Inc. 968.15; Gill Hauling 9,753.20; Graymont Capital 4,829.07; Hawkins Inc. 729.81; John Deere Financial/Murphy Power Plan 1,985.52; Kathy Schable 211; Kevin Schoepf 251.89; Knife River 914.95; Kurt Peterson 50; L.G. Everist 4,617.66; League of Nebraska Municipalities 670, 3,483; Lindblom Services 875; Menards 16.38; Midamerican Energy 43.05; NE Department of Revenue 25; NE Public Health Environmental Lab 15; Newman Traffic Signs 93.62; One Call Concepts 50.72; Principal Financial Group 58.52, 43.89; Professional Concrete 12,000; Sign Masters 1,415; Sparklight/Cable One 126.44; Speedy Rooter 900; Stacey Janssen 50, 40.60; Sturek Media Inc. 115.02; Thompson Innovations 154, 154, 77; VISA City Card 200.70, 610.45; Vanessa Alamillo 50; Verizon Wireless 40.01, 196.40; Williams and Company 459; Williams and Company 306; Wilmes Hardware Hank 36.95; Regular Payroll 32,110.38; Overtime 1,257.30; Total Bills = \$119,405.92.

Moved by Backman, seconded by Haase, to postpone Change Order #5 for the Street Improvement Project indefinitely due to ongoing negotiations with the contractor. Said change order requested an increase to the contracted amount with Sioux City Engineering by \$10,055 for work completed at the intersection of 6<sup>th</sup> and Pine Street. Roll call vote: Voting Aye: Rasmussen, Backman, Schovanec, and Haase. Nays: None. Motion carried.

Moved by Haase, seconded by Rasmussen, to approve Ordinance 957 on the third and final reading. The Ordinance amended the regulations pertaining to dangerous dogs. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

Moved by Haase, seconded by Schovanec, to refer to the Cemetery Board a proposal from the East African Community to purchase lots in the Dakota City Cemetery at a discounted rate. Roll call vote: Voting Aye: Schovanec, Haase, Rasmussen, and Backman. Nays: None. Motion carried.

City Attorney Mike Schmiedt reviewed vacant property registration requirements and informed the Mayor and Council and those in attendance of hearing procedures.

A hearing was opened at 6:35 p.m. to review the City Administrator's determination of residential property located at 1309 Broadway as vacant. City Administrator Alyssa Silhacek reviewed information she used to determine the property as vacant. Kent Vriezelaar, legal counsel for Melvin Shadbolt, provided information opposing the determination. Mr. Shadbolt also presented a photo of his property and a copy of his request to combine 1309 Broadway with the same parcel as his residence. The hearing was closed at 6:58 p.m.

Moved by Haase, seconded by Backman, to affirm the City Administrator's determination of residential property located at 1309 Broadway as vacant. Roll call vote: Voting Aye: Haase and Backman. Nays: Rasmussen and Schovanec. In the presence of a tied vote, Mayor Yacevich voted "Aye." Motion carried.

A hearing was opened at 7:03 p.m. to review the City Administrator's determination of commercial property located at 115 N. 14<sup>th</sup> Street as vacant. The City Administrator reviewed information she used to determine the property as vacant. The owner was not present. No members of the public provided comments. The hearing was closed at 7:05 p.m.

Moved by Haase, seconded by Backman, to affirm the City Administrator's determination of commercial property located at 115 N. 14<sup>th</sup> Street as vacant. Roll call vote: Voting Aye: Rasmussen, Backman, and Haase. Nays: Schovanec. Motion carried.

A hearing was opened at 7:05 p.m. to review the City Administrator's determination of residential property located at 1801 Broadway and 704 S. 17<sup>th</sup> Street as vacant. The City Administrator reviewed information she used to determine the properties as vacant. The owner was not present. No members of the public provided comments. The hearing was closed at 7:08 p.m.

Moved by Backman, seconded by Haase, to affirm the City Administrator's determination of residential property located at 1801 Broadway and 704 S. 17<sup>th</sup> Street as vacant. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

Moved by Backman, seconded by Rasmussen, to approve Resolution 2019-38. Said Resolution approves Payment #20 in the amount of \$13,611.25 to JEO Consulting Group, Inc. for work completed on the 2018 Street Improvement Project. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

Moved by Rasmussen, seconded by Backman, to approve Resolution 2019-39. Said Resolution approves Payment #47 in the amount of \$642.57 to JEO Consulting Group, Inc. for work completed on the 2017 Wastewater Treatment Facility Improvement Project. Roll call vote: Voting Aye: Haase, Rasmussen, Backman, and Schovanec. Nays: None. Motion carried.

Moved by Rasmussen, seconded by Haase, to approve Resolution 2019-40. Said Resolution approves water rate increases of \$.25 per unit and \$.50 on the base rate for residential and commercial customers. Rate changes are effective October 1, 2019. Roll call vote: Voting Aye: Rasmussen, Backman, Schovanec, and Haase. Nays: None. Motion carried.

Moved by Backman, seconded by Haase, to approve Resolution 2019-41. Said Resolution approves a trash services rate increase for one cart from \$15.00 to \$15.75 per month. The rate change is effective October 1, 2019. Roll call vote: Voting Aye: Backman, Schovanec, Haase, and Rasmussen. Nays: None. Motion carried.

Moved by Backman, seconded by Rasmussen, to approve Resolution 2019-42. Said Resolution approves the purchase of a John Deere front end loader from Murphy Tractor and Equipment for \$118,850. Roll call vote: Voting Aye: Schovanec, Rasmussen, and Backman. Nays: Haase. Motion carried.

The Mayor and Council discussed implementing storage container regulations. The City Attorney and City Administrator were advised to draft a proposed ordinance. No further action was taken.

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.

Moved by Backman, seconded by Schovanec, at 7:41 p.m. to enter closed session to discuss proprietary business matters and obtain legal advice. City staff, representatives from JEO, and legal counsel were invited into the discussion. Roll call vote: Voting Aye: Haase, Rasmussen, Backman, and Schovanec. Nays: None. Motion carried.

Schovanec left at 7:41 p.m.

Moved by Backman, seconded by Rasmussen, at 8:11 p.m. to leave closed session and resume regular business. Roll call vote: Voting Aye: Rasmussen, Backman, and Haase. Nays: None. Motion carried.

There being no further business, the meeting was adjourned by Mayor Yacevich at 8:11 p.m.

/s/ Alyssa Silhacek  
City Administrator/Clerk/Treasurer